

Leaders' Committee

No Recourse to Public Funds: update

Item 8

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Summary

The issue of people with No Recourse to Public Funds (NRPF) continues to place increasing service and financial pressure on London's local authorities.

This report updates Leaders on London Councils' work in this area since March Leaders' Committee, and the future work being undertaken to understand the pan-London cost of NRPF.

Recommendations

Leaders are invited to note the report and to comment on any of the issues covered.

No Recourse to Public Funds: update

Introduction

1. A report went to Leaders Committee in March 2015 outlining the main challenges of NRPF cases and their impact on London local government. This includes a range of factors driving demand, such as central government policy, changes in case law and welfare reform.
2. It also set out a number of future actions to accelerate positive progress on this issue. This report updates Leaders on the progress made since March on this issue.

Background

3. No recourse to public funds (NRPF) refers to people who are subject to immigration control and have no entitlement to public funds such as welfare benefits, Housing Benefit and Home Office support for asylum seekers.
4. Individuals with NRPF have very few alternative avenues for support and local authorities have a duty to undertake an assessment of their needs under a combination of the Human Rights Act, the Children's Act 1989 and the National Assistance Act 1948.
5. As reported to Leaders' Committee in March, the number of clients with NRPF has been growing rapidly and is a particularly acute issue in London, placing increasing service and financial pressure on local authorities. The 17 London boroughs using NRPF Connect¹ (at the time) reported around 1,500 households receiving some form of accommodation and subsistence at an estimated combined cost of £25.1 million in 2014-15.
6. Actual expenditure across those boroughs is likely to be higher, as these figures do not include staff time and overheads. A separate estimate puts the figure at £22 million per annum across just five South East London boroughs (using a different data to that used in NRPF Connect). It remains the case that stronger evidence is needed to gauge the total cost of NRPF across the whole of London.
7. At the March meeting, Leaders endorsed the decision of Executive (February 2015) for London Councils officers to take forward a series of steps that would seek to advance the case of London local government on this issue. These were that:

¹ NRPF Connect is a database through which the Home Office and local authorities work together to identify and resolve supported cases through the secure exchange of information.

- pressure is maintained to accelerate the discussions on funding through both political and officer engagement;
- work continues to challenge and influence current Home Office policies and practices, which give rise to the increasing pressure on local authorities;
- continuing dialogue is maintained with the Home Office and DCLG through the London representatives of the NRPF Steering Group;
- London Councils continues to work with the NRPF Network and London boroughs to develop a strong evidence base that fully articulates the level and nature of the financial impact on London local government from NRPF clients; and
- a round of public affairs engagement is undertaken to ensure there is a wider understanding of the pressure on London boroughs from those with NRPF. It was suggested that some escalation to member level may be required to support this.

Key Developments

8. Since March, London Councils' officers have undertaken extensive work to further understand and raise awareness of this issue including:

- *A round of public affairs engagement* – This highlighted the issue London boroughs are facing, and included coverage in Local Government Chronicle and Public Finance magazine.²
- *Briefings* – Including the production of a member briefing for London's councillors³, and an update briefing by the Chief Executive following a request by Cllr Carr at June Leaders' Committee.
- *Roundtable event* – Held at London Councils on 18 June with senior borough officers to facilitate learning at both a strategic and operational level on this issue, and to inform London Councils' lobbying. Speakers included two south east London boroughs on their pilot project.
- *Meeting with Government officials* - London Councils officers had an initial meeting with Home Office and DCLG officials (outside of the NRPF steering group), to understand their plans and update them on the progress of our work.
- *Information gathering* – London Councils officer have undertaken further analysis of the NRPF Connect database to understand the level and nature of the financial

² <http://www.publicfinance.co.uk/analysis/2015/04/councils-pay-price-%E2%80%98cost-shunting%E2%80%99>

³ <http://www.londoncouncils.gov.uk/members-area/member-briefings/no-recourse-public-funds>

impact on London local government and establish where information gaps currently exist. London Councils officers are developing a survey of all London boroughs to gather a strong pan-London evidence base that fills some of these information gaps and fully articulates the level and nature of the financial impact on London local government from NRPF clients. This data gathering exercise will commence over the next two months and the results will inform London Councils' submission to the 2015 Spending Review.

Next Steps

9. This programme of work has enabled officers to start to develop more detailed lobbying positions on NRPF. Specifically, around influencing Home Office policies and practices to address the increasing pressure on London boroughs. It is anticipated that the results of the survey will help to add further weight to these lobbying positions.
10. The NRPF Steering Group has developed a two year plan which includes activity to improve Home Office processes and procedures for local authorities. London Councils will continue its engagement with the group and there are some initial positive signs. The Home Office has begun work targeting older cases (those open for over 1000 days) and continued pressure will be applied here.
11. There also continues to be the need for the Home Office to address areas such as the lack of prioritisation for and the granting of leave to remain with no recourse to public funds to local authority supported cases. London Councils will continue to engage and apply pressure through the group on these areas.
12. Spending Review 2015 will be a key time to influence funding considerations and discussions. An informed evidence base will be crucial in influencing discussions. DCLG has previously concluded that NRPF Connect should be given more time to become embedded within local authority practices and further evidence from local authorities is required to understand cost pressures.
13. In addition, NRPF Connect continues to be the Home Office's preferred method of working with local authorities on this issue and membership has grown nationally from 14 local authorities using the system in February 2014 to 30 as of June (including 18 London

boroughs⁴). It is recognised that not all affected London boroughs subscribe to the service and boroughs may wish to consider whether participation would be of value to them locally in future.

14. With the need for further evidence in mind as well as the lack of pan-London coverage from the NRPF Connect data, it is proposed that:

- London Councils will continue to develop its data gathering exercise with boroughs;
- future analysis of this information will be undertaken to inform our evidence base for responding to 2015 Spending Review;
- dialogue with central government departments will be continued;
- thought will be given to further media and third party work in the run up to Party Conferences and the 2015 Spending Review;
- further pressure will be applied on the Home Office to justify interpretations emerging from Government; and
- more influencing and public affairs work will be undertaken, in particular with the results from the data exercise in understanding the pan-London position.

Recommendations

Leaders Committee is invited to note the issues covered in the report and endorse the next steps proposed in paragraph 14.

Financial Implications for London Councils

None

Legal Implications for London Councils

None

Equalities Implications for London Councils

None

⁴ At the time of writing, London boroughs who are members include: Barking & Dagenham, Bexley, Brent, Croydon, Enfield, Greenwich, Hackney, Haringey, Havering, Hounslow, Islington, Lambeth, Merton, Newham, Redbridge, Southwark, Waltham Forest and Wandsworth.