

Leaders' Committee

Addressing issues related to No Recourse to Public Funds to support Grants Programme work to Combat Homelessness and Tackle Domestic Violence

Item: 7(b)

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Summary

The Priority 3 strand of the 2017-21 Grants Programme, which completed delivery at the end of June 2019, has under-delivered against original targets, and has underspent by £1,019,000. This underspend is returned to the Grants Programme.

Since February 2019, Grants Committee and Grants Committee Executive have been discussing reinvesting the underspend to better meet demand across Priority 1 and 2: Combatting Homelessness and Tackling Sexual and Domestic Violence

Information from boroughs and delivery partners highlighted that the increase in people with No Recourse to Public Funds presenting with a need for support continues to grow, and that investment in immigration advice would provide support to this group of service users.

Since February 2019, an evidence base to show demand and supply from several sources, has been provided to Grants Committee.

Following discussions in November 2019, subject to addressing some final requests for information and concerns, Grants Committee agreed, in principle, to reinvest the Priority 3 underspend with existing Priority 1 and 2 grant holders, to support service users with No Recourse to Public Funds. Specifications and a strategy for commissioning this support from existing grant holders would be subject to approval by the Grants Committee. Leaders' Committee approval is required to the use of Grants Programme resources for such a purpose.

Recommendations Leaders' Committee is asked to agree the recommendation from the Grants Committee that £1,019,000 Priority 3 underspend is used to increase Priority 1 and 2 grants for the sole purpose of increasing immigration advice for service users with No Recourse to Public Funds. Specifications and a strategy for commissioning this support from existing grant holders would be subject to approval by the Grants Committee.

1 Background

- 1.1 The Priority 3 strand of the 2017-2021 London Councils Grants Programme – *Tackling poverty through employment* – completed delivery at the end of June 2019.
- 1.2 The programme was funded by the Grants Committee and was match-funded by European Social Funds (ESF). The programme under-deliver against the original targets and has underspent by £1,019,000. This underspend is returned to the Grants Programme.
- 1.3 Grants Committee Executive first discussed options for redeploying the Priority 3 related underspend in February 2019 and took options to full Grants Committee in March 2019. Additional support for those with No Recourse to Public Funds (NRPF), particularly considering the growing numbers of those with NRPF being supported under Priority 1 and 2, was taken forward for further investigation. Following more detailed discussion in July and November 2019 (and Grants Committee Executive in September), Grants Committee members agreed that the Priority 3 underspend should be reinvested with existing Priority 1 and 2 grant holders, to support service users with NRPF.

2 The impact of NRPF

- 2.1 The cost to local authorities in London of providing statutory support to people with NRPF is in excess of £50 million a year.
- 2.2 Through the Grants Programme, delivery partners are currently supporting approximately 400 vulnerable people with NRPF every quarter, and the number is increasing. Many of the people our delivery partners support face challenging personal circumstances, which are compounded by their NRPF status.
- 2.3 The issues of NRPF, homelessness and domestic violence are interrelated. Shelter has estimated that up to 20 per cent of Grants Programme beneficiaries have NRPF or complex problems with immigration status. Over 600 women a year with NRPF are affected by domestic violence, including women who have been trafficked into the UK for sexual exploitation. There are also links to modern slavery and exploitation, where insecure immigration status and NRPF can act as a barrier to accessing help and support, placing potential victims at further risk of exploitation.

3 Key issues related to NRPF

3.1 To establish the key issues and explore possible interventions and actions to relieve the impact of NRPF on individuals and boroughs, expert advice was sought from a variety of stakeholders. Discussions have taken place (and/or are on-going) with:

- 3.1.1 borough officers
- 3.1.2 the NRPF Network - a network of local authorities and partner organisations focusing on the statutory duties to migrants with care needs who have no recourse to public funds
- 3.1.3 the London Modern Slavery Leads group - a network of borough and CCG officers
- 3.1.4 the Law Centres Network - which supports a national network of Law Centres that work with some of the most vulnerable and disadvantaged people in society
- 3.1.5 London Funders - a membership network for funders and investors in London's civil society
- 3.1.6 the Home Office - the Modern Slavery Unit
- 3.1.7 Trust for London - an independent charitable foundation tackling poverty and inequality in London
- 3.1.8 the Greater London Authority - Senior Policy Officers
- 3.1.9 the Migration Exchange Funder Network - an informal network of independent funders, which aims to improve the lives of migrants and receiving communities in the UK.
- 3.1.10 the Paul Hamlyn Foundation - an independent grant-making foundation in the UK that aims to help people overcome disadvantage and lack of opportunity
- 3.1.11 London Councils Principal Policy and Project Officers - policy leads for Violence Against Women and Girls, Female Offending, Modern Slavery, Migration, Social Integrating, Equalities and Civil Society
- 3.1.12 The Advice Services Network - the umbrella body for independent advice services in the UK, supporting national networks of not-for-profit organisations providing advice and help on the law, access to services and related issues
- 3.1.13 Refugee Action - provides support and resources for organisations working with refugees, asylum-seekers and migrants across the UK.

4 Immigration advice and lack of capacity

- 4.1 The key issue that all stakeholders raised was lack of capacity to meet demand for immigration advice.
- 4.2 Stakeholders also noted that there has been a significant increase in individuals presenting with NRPF and complex circumstances – both in immigration terms and personal circumstances.
- 4.3 Grants Programme delivery partners, through discussions for the mid-programme review in late 2018, also highlighted the increasing number of people presenting with complex and enduring issues.
- 4.4 The lack of capacity to meet demand for immigration advice has the two-fold impact of placing individuals at increased risk of becoming destitute, which in turn puts greater pressure on local authority resources.
- 4.5 There is not enough quantitative data available to establish accurately a potential financial return on investment figure, however; available research does show that the lack of capacity to meet demand for immigration advice places individuals at increased risk of becoming destitute, which in turn puts greater pressure on local authority resources.
- 4.6 The NRPF Network collects and publishes data from 59 local authorities (29 London boroughs subscribe) using the NRPF Connect database. This database provides information about the households that requested, and were provided with, social services' support in the financial year 2018-19. Key findings from the data include:
 - 4.6.1 requests for financial support to local authorities from people with the NRPF condition increased by 17 per cent compared to 2017-18
- 4.7 The data clearly shows that local authorities are facing an increasing number of requests for support. It demonstrates that there continues to be a significant number of people unable to access mainstream services due to their immigration status and who need to navigate complex rules regarding their entitlement to services.
- 4.8 . Additionally, being excluded from employment and mainstream benefits for lengthy periods of time negatively impacts on the wellbeing and integration of children and adults who have a future in the UK.
- 4.9 NRPF Network caseload data indicates that the majority (67 per cent) of households receiving financial support were families supported under S17 of the Children Act 1989,

19 per cent of households were vulnerable adults supported under the Care Act 2014, and 14 per cent were unaccompanied migrant children or care leavers.

- 4.10 An increase in advice services, particularly in services that can resolve lower-complexity immigration issues, has the potential to make a significant impact. Recent studies have highlighted how small projects have helped individuals to navigate the system with the Home Office more effectively.

5 Awarding Grants

- 5.1 To ensure that additional provision of immigration advice services is locked into Priority 1 and Priority 2 activity, and to enable the swift release of funding, the grant agreements that are in place with existing Priority 1 and Priority 2 delivery partners can be renegotiated to include this additional provision. This would be subject to agreement by the Grants Committee.
- 5.2 In framing this proposed way forward, consideration has been given to information from a range of sources - current Grants Programme performance, Section 48 grant making powers, the examination of demand for immigration advice services for users with NRPF, consultation with partners through the mid-programme review, consultation with boroughs through the NRPF Network, consultation with the Modern Slavery Network, Borough Grants Officers and Grants Committee members. Legal advice has been sought on this process to ensure that the proposed use of funds envisaged by the Committee represents proper management of the funds.
- 5.3 Priority 1 and Priority 2 delivery partners will need to meet requirements set out in a specification before additional grant funding is considered. Recommendations for will be made to Grants Committee (or Grants Executive dependent on timing) for approval prior to the award of funding.

6 Recommendations

6.1 Leaders' Committee is asked to

- 6.1.1 Agree the recommendation from the Grants Committee that £1,019,000 Priority 3 underspend is used to increase Priority 1 and 2 grants for the sole purpose of increasing immigration advice for service users with No Recourse to Public Funds. Specifications and a strategy for commissioning this support for existing grant holders would be subject to approval by the Grants Committee.

Financial Implications for London Councils

As detailed in the budget proposals for 2020/21 for the London Boroughs Grants Scheme which was considered by this meeting at item 7(a), the Director of Corporate Resources reports that there is £1,019,000 of Borough contributions remaining following the completion of the Priority 3 programme. These funds are held in Committee Reserves and are subject to a Member decision on their future application.

Legal Implications for London Councils

London Councils manages the London Councils Grants Programme on behalf of all the boroughs and the City of London. The Programme makes grants to voluntary organisations to deliver improved outcomes for Londoners.

The Programme operates within a scheme made under Section 48 of the Local Government Act 1985. It is a collective scheme i.e. all the boroughs fund the Programme, through a levy contribution based on the boroughs proportion of the capital's population. Boroughs must exercise their functions in respect of the scheme 'with due regard to the needs of the whole of Greater London'.

Leaders' Committee determines the principles and priorities of the Programme and the overall budget of the Programme. The Grants Committee commissions services, makes awards of funding, manages projects' performance and may advise Leaders' Committee on the Programme.

Equalities Implications for London Councils

London Councils' funded services provide support to people within all the protected characteristics (Equality Act 2010), and targets groups highlighted as particularly hard to reach or more affected by the issues being tackled. Funded organisations are also required to submit equalities monitoring data, which can be collated across the grants scheme to provide data on the take up of services and gaps in provision to be addressed. The grants team reviews this data annually.

Background documents

Grants Committee Executive, 7 February 2019 Item 4 - ESF Match Funded Priority 3: Tackling Poverty Trough Employment

Grants Committee, 20 March 2019, Item 6 - Priority 3: Options for anticipated underspend

Grants Committee (AGM), 10 July 2019, Item 13 - Priority 3 Underspend: addressing issues related to No Recourse to Public Funds

Priority 1: Combatting Homelessness - Shelter, STAR Project

I came to the UK from Bangladesh on a student visa to study. My wife and two children (aged 3 and 4) joined me shortly after. When my student visa expired, I applied for a Family visa. This was rejected five times as I was unable to afford the fee to pay for the application to be submitted. I finally managed to borrow some money to do this, but it was rejected once more.

Whilst I was studying, I was working in Asda until my contract ended. Since then I have been relying on friends and family for financial support. We have had a very unsettled housing situation and frequently have had to move to different properties, relying on friends for help. We are now living in one room in a shared house and share a kitchen and bathroom with other people. My family and friends have been helping me pay the rent, but it is becoming increasingly difficult to rely on this. This summer, the landlord decided to not renew our tenancy and we are now facing eviction. We couldn't afford to find somewhere else to live and so our landlord has been harassing us continuously to encourage us to leave. He most recently has removed the front door to the property in an effort to get us out quicker. I have had to use the door to our room to replace the front door leaving my family and I without privacy.

Since getting help from Shelter things are getting better for my family and I. Shelter contacted the environmental health department at our council, and the private housing team about my landlord. They discovered that the landlord did not have the correct licence to rent the property as a housing in multiple occupation (HMO) and have been to inspect the property. They have said that they will take action against the landlord.

Most importantly, we are now at risk of homelessness and I am still having to borrow money from family and friends to afford rent and food. Shelter have helped me get assistance from the no recourse to public funds team at my council and children's services have said that they will help accommodate myself and my family when we finally are lawfully evicted and have to leave this property. In addition, they have helped me to get support from an organisation called RISE who help people in my situation find work and they have provided me with foodbank vouchers.

Shelter has also made sure that I am getting the proper immigration advice and have linked me in with a pro bono solicitor who has taken on my appeal against the Home Office.

Shelter is still working with my family and myself to help us through this situation.

Priority 2: Solace Women's Aid - Ascent Housing Project

I first called the Advice line with the help of my friend who speaks English, as my English is very limited. I called after I had just fled from my husband who had locked me in the house for three days with no food. I managed to leave by threatening to call the police, he then left the keys, and then I managed to make my escape.

I had suffered verbal, emotional, financial and physical abuse from him, and he was very controlling, not allowing me to learn English or work in my profession as an artist. After I fled, I was staying with a friend but had to leave due to overcrowding, I was then having to sleep outside in the park and on the night bus. I had support from an IDVA then I was referred to the Housing Project to work with a worker around housing support. I had previously approached several councils who found me not eligible for housing support due to having no recourse to public funds. I was also found to be not meeting the threshold for support from Adult Social Care, even though I am disabled and 62 years old. I was due to have a heart operation and an

operation on my arm and couldn't recover from the operations having nowhere to live. I was so sad to become homeless as previously I had worked for over 40 years as an art lecturer and artist, now the only place I had to stay was the streets.

When I was referred to the Housing Project, the worker set up an appointment with a solicitor who took on my case with legal aid. He suggested that I could make a homelessness application as I would be eligible as a self-employed EU National. The worker managed to secure the Ascent No Recourse Fund run by Southall Black Sisters for my accommodation and I was able to stay for 6 weeks in basic hotel accommodation with some subsistence paid for, so I no longer had to sleep on the night bus and in airports. Then the worker supported me to apply as homeless to the council, who accepted interim duty and housed me in a self-contained flat.