

Name of meeting: Cabinet

Date: 16.11.21

Title of report: Afghanistan Refugee Resettlement Programmes

Purpose of report:

Endorsement is sought from Cabinet to receive grant funding in relation to the Home Office Afghanistan Refugee Programmes

<p>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</p>	<p>Yes Answer Yes/ No if it is a Cabinet report. If yes give the reason why</p>
<p>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u></p>	<p>Key Decision – Yes This is only applicable to Cabinet reports Private Report/Private Appendix – No</p>
<p>The Decision - Is it eligible for call in by Scrutiny?</p>	<p>Yes Answer Yes if it is a report seeking a decision by Cabinet If no give the reason why not</p>
<p>Date signed off by <u>Strategic Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p>	<p>Mel Meggs – Strategic Director Children and families 08/11/2021</p> <p>Eamonn Croston 08/11/2021</p> <p>Julie Muscroft 08/11/2021</p>
<p>Cabinet member portfolio</p>	<p>Cllr. Carole Pattison</p>

Electoral wards affected: All

Ward councillors consulted: None

Public.

Has GDPR been considered? Not applicable.

Page 2 of the report

1. Summary

- a) To provide Cabinet with details on how the Council can respond to the Home Office Afghan Relocation Programmes and the Government's request to all Local Authorities to adopt a fair share principle in their response.
- b) Cabinet endorsement is sought on the grant funding to be received related to the new Afghanistan Refugee Programmes in line with financial procedure Rule 22.4
- c) That pursuant to the above, delegated authority is granted to the Strategic Director of Children and families in consultation with the Cabinet Member for Communities to approve any changes to our approach and allocation of resources / changes to the number of families or individuals accommodated, within the financial regulations specified by Home Office Funding regulations (see appendix A) and the fair share principle of allocation. This is detailed at point 7 in this report.
- d) Acknowledge the longer-term approach officers are working on and resources implications to ensure adequate resources to respond including in Housing, Welfare, and Exchequer.
- e) To mandate the Council's ongoing engagement with regional and national bodies to manage any challenges arising from the Home Office requests. The Home office has asked Migration Yorkshire to act as this body across Yorkshire and Humber.

2. Information required to take a decision

Background

- a. The Government has brought out new guidance that aligns the two Afghan Programmes coming into the UK. The Afghan Relocation Assistance Policy (ARAP) and the Afghan Citizen Relocation Scheme (ACRS). Each scheme has now been aligned with the same level of financial and integration support for 3 years, the only difference is the eligibility for each Programme. All will now receive immediate indefinite leave to remain in the UK, or if previously admitted with limited leave to remain are immediately eligible to apply for indefinite leave. There is no restriction on accessing public funds under these schemes. Further detail can be found in the policy statement - Afghanistan Resettlement and Immigration Policy Statement - GOV.UK (www.gov.uk) A summary of the 2 Programmes and Kirklees progress and areas for development and challenges are below.
- b. Following the military evacuation completing in August there are now over 1700 individuals across the country still in quarantine hotels who will be moved out in to holding hotels, the Home Office are still needing more holding hotels so further procurement is pending. There are cases across the UK (1 case in Kirklees) of families taking the decision to leave hotels and move to areas where they know family and friends. Families now arrive with indefinite leave to remain so this now means they would be entitled to Housing Assistance.
- c. The Home Office have now revised the national arrival estimates to 12,000 minimum (7,000 ARAP arrived, plus committed to 5,000 ACRS), and a maximum of 14,000. A new version of the combined totals with the 'fair share' for each Local Authority has been circulated based on the new numbers. Migration Yorkshire are requesting Councils' now pledge the numbers they can resettle as soon as possible.

Afghan Relocation and Assistance Policy [Home Office overview](#)

- d. ARAP is available to people regardless of rank or role, or length of time served. The policy provides for the principal applicant to bring their close family members (spouse and under 18 children) to the UK and significantly expands the eligibility criteria from the previous scheme. Other family members may be resettled in exceptional circumstances. Those on the ARAP scheme will be able to apply for British Citizenship after five years in the UK under existing rules and subject to the appropriate fee.
- e. Migration Yorkshire, in their role as the Home Office's Strategic Partner, to facilitate and enable collaboration between central and Local Government on the Afghan Resettlement Programmes, has held several partnership meetings, providing clear direction on the fair share allocation principles and indicative numbers. Our understanding is that other West Yorkshire Councils are participating on the fair share principles.
- f. Kirklees agreed, after an emergency request, to accept 2 families on this Programme and we are being asked for case matches for our other available property.

Afghan Citizen Relocation Scheme [ACRS](#)

- g. On 18 August 2021, the Prime Minister announced the ACRS, this Programme will provide those put at risk by recent events in Afghanistan with a route to safety. The details became available state.
The scheme will prioritize:
 - those who have assisted the UK efforts in Afghanistan and stood up for values such as democracy, women's rights and freedom of speech, rule of law (for example, judges, women's rights activists, academics, journalists).
 - Vulnerable people, including women and girls at risk, and members of minority groups at risk (including ethnic and religious minorities and LGBT).

3. Suggested Approach

- a. The Home Office have asked regional Migration Yorkshire Partnerships to collate all the stated offers of support from Local Authorities on the fair share allocation principle they have outlined. Kirklees Council, alongside other West Yorkshire Local Authorities, have fed this into Migration Yorkshire
- b. Kirklees minimum fair share is estimated to be 79 individuals. This number may differ marginally depending on family types and housing types.
- c. Kirklees approach is to adopt a phased approach to building towards the minimum fair share allocation numbers to effectively manage the impacts on resources and partnerships. A full consideration has been given to these and is summarised below in Key issues section.

4. Key issues

To support the scheme, this section outlines the key considerations and challenges to make members aware of the key issues:

- a. **Capacity** - In Kirklees there is a strong partnership approach to supporting those seeking sanctuary and protection to settle and integrate. Services have been stretched responding to the pressures created by the asylum contract. Capacity is stretched however in several key areas including housing (including set up), advice services, health and in the Migration and Resettlement Team itself.

- b. **Refugee Resettlement Programme** - Kirklees has supported the Refugee Resettlement Programme since 2015. We have committed to resettling 50 individuals in total, with 41 individuals still to resettle in this budget year, so far, we have resettled 1 family due to Covid restrictions and the decision to use 2 properties for ARAP. Covid could continue to impact on this Programme with the current picture on travel restrictions unpredictable.
- c. **Housing - Property procurement and preparation, homeless presentations**
Identifying suitable homes suitable for resettlement families and getting those homes ready to occupy is a key pressure point. We are exploring offers that have been made to the Council and these include a small number of Council, Registered Provider, and private rented properties.

We have assumed that Council/Registered Provider properties are of decent standard, but more capacity is needed to inspect and verify any private rented homes offered were of a suitable standard. There are extreme pressures on the social housing register, with a reduced turnover of properties since the pandemic started, and extremely high demand for family-sized homes which do become available to let. It is also challenging to find private rented accommodation of decent quality at affordable LHA rent levels, with no shortage of prospective tenants on the open market.

- d. Council/RSL stock: We are holding 9 properties to be prepared for families
- e. Registered Provider stock: Holding 1 property to be prepared and others would find more once the Council is clear on the ask/ numbers we are looking to resettle. Registered Providers are not able to hold/set aside vacant properties unless they are needed for the Programme, this is a very limited pool-
- f. Private rented properties: Without putting a direct call out, some offers of support from the private sector have come forward. Some are potentially suitable and some clearly not but need to be followed up and inspected. This is still a competitive market when it comes to family homes. Sourcing private rented properties will be the focus of phase 2 in the new year and will be underpinned by robust health and safety management.
- g. Concerns have been expressed from Housing Solutions, Homes and Neighbourhoods and the availability of contractor capacity to identify, secure, and prepare properties to be moved into if the expectation is we resettle significant numbers of families in the next 3 months. If staff are asked to do more on this Programme it is at the expense of other priority work such as moving families out of temporary accommodation which some have now been in for a lengthy period. Work is needed to look at existing teams in Housing Solutions and Homes and Neighbourhoods who could with increased staff capacity, resources and increased procurement/ contracting meet the need.
- h. Property owners or organisations are able to register entire homes that may be available for a least 12 months, either on a commercial or charitable basis, on the [government's Afghanistan housing portal](#). The Government is urging Councils to share the links with property owners, organisations, companies, or individuals in their area to register their support via this website. The Ministry of Defence is keen to work with Councils on using their accommodation, with Strategic Migration Partnership or MHCLG as the contact if any access issues arise.
- i. **Integration Support:** Kirklees has a good offer of welcome but additional capacity is needed. The need to increase resources in the existing teams that provide arrival and integration support is crucial but also to review the team's roles and future support needs for the Programme. Conversations are underway with colleagues in Education Safeguarding regarding the International New Arrivals Team and the Housing Options Team to review and refresh roles and responsibilities in the light of this Programme.

- j. **Best Start - Education and nursery place.** We have a process in place working with Pupil Admissions and Education Safeguarding to identify school places and support children to start and settle in to school life. Each child of school age will come with £4500 of funding and how this funding is best used will be agreed with Education Safeguarding and relevant colleagues.
- k. **Health and Mental Health:** Work is taking place with the CCG and public health. The CCG will receive £2600 funding per person which will support patient registration and can also support mental health provision. The specialist GP Practice is in Huddersfield and families could be resettled in areas across Kirklees and therefore there would be a lack of specialist as this cannot be provided by other GP practices. Conversations have already begun with health colleagues on options moving forward and again this will be part of the longer-term work officers will progress.
- l. **Immigration advice:** Work is taking place to extend the existing Kirklees Citizens Advice and Law Centre (KCALC) grant so there is readily available Immigration advice for families arriving through the Programme and families who may decide to move to our areas and importantly those who will want their families to join them.
- m. The proposed Regulations exempt from the Habitual Residence Test persons with a right to reside in the UK and who left Afghanistan in connection with the collapse of the Afghan Government. Once they are in force on Thursday 16 September, they will give that cohort immediate eligibility for social housing and homelessness assistance and so align with the policy objectives of resettlement schemes.
- n. **Families moving from holding hotels into Local Authority areas** - the Government has issued guidance to Local Authorities on what it should do if Afghan families present as homeless unexpectedly, i.e., outside of one of the formal resettlement schemes. This guidance advises that LAs will need to consider the individual circumstances of each case and whether they owe statutory duties towards the household. In fulfilling our responsibilities this could lead to considerable pressures on our temporary accommodation which is already identified as a risk due to unprecedented numbers of homeless households in temporary accommodation. There is evidence families presenting to Local Authorities, including Kirklees (one family), in this unplanned way.

5. **Funding**

The Government will match the tariff for the Syrian Vulnerable Persons Resettlement Scheme (VPRS) to provide a complete package covering health, education, and integration support costs. The core Local Authority tariff of £20,520 per person will be provided over a shorter period of three years (unlike the five-year VPRS provision), enabling more funding in those crucial early years to support resettled Afghans to integrate into British society and become self-sufficient more quickly. We expect the tariff for each person to be frontloaded in year one, to deliver the vital support needed in the early stages of resettlement, tapering down over the remaining years. As with the VPRS, additional tariffs for health, English language and education services will also be provided in year one only.

The full support package will cover:

- £20,520 to cover the Local Authority welcome, integration offer and provision of services
- Up to £4,500 per child to cover education provision, subject to their age (year one only) –
- £850 to cover English language provision, for adults requiring this support (year one only) – paid directly to the Council.

- £2,600 to cover health provision (year one only) – this is paid directly to the NHS CCG services.
- The Home Office have also agreed a further £20m fund of flexible funding in the current financial year (2021/22) to support Local Authorities with higher cost bases with any additional costs in the provision of services.

The table below offers an estimated projection of income for Housing and integration support, based on modelling to highlight the fair share allocation principle numbers. This is based on current Home Office guidance.

Number of individuals	20,520 over 3 years
50 individuals	£1,026,000
79 individuals (<i>minimum fair share allocation</i>)	£1,621,080
100 individuals	£2,052,000
Resettlement	20,520 over 5 years
41	£841,320

6. Timescale

The situation in Afghanistan escalated quickly and as a result, the schemes to assist Afghan refugees under both Programmes, have evolved at pace and there is a pressing need for the Home Office to pursue relocation to permanent homes urgently. This urgency inevitably results in short timescales for notice of mobilisation of schemes in Local Authorities.

7. Delegated decision

- The nature of many humanitarian crisis require Governments to make quick decisions and ask Local Authorities to stand up support schemes at pace.
- Delegated decision making as indicated at point 1.c will provide the Council to be able to respond in a timely manner to the Afghanistan humanitarian crisis and subsequent schemes. This will enable effective management of Kirklees Council response within the context of the resource implications set out in this paper, and any others that may arise. This would always be done in consultation with the lead member for Communities.
- Financial procedure rule 22.4 also affords the Strategic Director the authority to accept the grant, to accept any offer of a grant and subsequent grant conditions up to a maximum up to: (a) 5% of the gross revenue budget of the Service to which the grant relates. or (b) For capital projects, £1,000,000. The Chief Finance Officer in consultation with the Service Director Legal Governance & Commissioning and the appropriate Strategic Director is authorised to approve the acceptance of grants in all other circumstances. The service that this FPR relates to in this instance is all Council services.
- A Strategic Tactical Group has been set up to review, plan and resolve challenges to both immediate and longer-term pressures relating to asylum and refugee schemes. Terms of reference are still being developed following the first meeting. This strategic group will also support the Strategic Director of Children's Social care in any delegated decision making. The Tactical Group will do this by providing both the escalation of issues requiring decisions as well as providing a strategic coordinated view of any consideration of any recommendations the Strategic Director may make to the Portfolio Holder of Communities.
- When a significant delegated decision is taken by officers, the ordinary routes for publication on the Council website will be followed.

8. Implications for the Council

- **Working with People**

Working with people to support inclusion and integration is key to our approach to ensure Kirklees remains a place of welcome. We will ensure plans shared with us to relocate refugees to communities in Kirklees are supported by engagement and local integration support.

- **Working with Partners**

We have strong partnerships that can both support refugees with a safe and supportive relocation and Kirklees communities to be inclusive and offer opportunities to integrate. Our partners work together to ensure health support, accommodation, employment, and other support is in place.

- **Place Based Working**

Understanding our different places and the communities within these are integral to our approach. We will work to build on the strengths to our place-based working and community networks to and resources to foster a sense of inclusion and support to both refugees and the communities they will live in.

- **Climate Change and Air Quality**

As per Council plan, we will work towards the clean and green outcome in our approach, and we will ensure that there are options to access local provision, reducing the need for travel.

- **Improving outcomes for children**

Children and young people of relocated families will be supported to access education, play and learning opportunities, supporting them to lead fulfilling lives. Working with our partners we will ensure they receive the right support and care at the right time they need it.

- **Other (eg Legal/Financial or Human Resources)**

There is a financial implication to the endorsement of approach.

The Council will receive funding to support our involvement in the Afghan Refugee Programmes. The Home Office Funding Scheme is currently still in draft and to be finalised.

Working on the assumption the Financial Scheme will be as detailed in the draft documents (Appendix A) and within the fair share principle as referenced at point 3a&3b, we anticipate this will amount to an estimated £1,621,080 over the 3 years.

We have existing mechanisms to receive and ensure allocation of the funding based on our involvement in the Syrian Programme. The Council must comply with its Public Sector Equality duty under Section 149 of the Equality Act 2010.

It is envisaged that, based on the needs of the families and individuals that are resettled, which at this stage is unknown, there may be short- and medium-term cost pressures not only in terms of health funding but also a range of other services such as social care, education, and housing.

Delegated decisions about resources described at **point 7**. will be made in line within the prescribed Home Office Financial guidance instruction and FPR 22.4

(Subject to the identification of sufficient resources within existing approved budget, or the approval of cabinet, or Council as necessary Service Directors are authorised to accept any offer of grant and subsequent grant conditions up to a maximum of £500,000. Strategic Directors are authorised to accept a grant of up to: (a) 5% of the gross revenue budget of the Service to which the grant relates. or (b) For capital projects, £1,000,000. The Chief Finance Officer in consultation with the Service Director Legal Governance & Commissioning and the appropriate Strategic Director is authorised to approve the acceptance of grants in all other circumstances.)

Afghan Resettlement Scheme have been developed in line with Humans Rights Legislation

Do you need an Integrated Impact Assessment (IIA)?

An IIA stage one is being completed and the mitigations and evidence in place suggest no stage 2 assessment is required

9. Consultees and their opinions

- Kirklees Council continues to work with Migration Yorkshire, the Home Office, and the Kirklees Multi Agency Group to ensure timely provision of services for arriving Afghans.
- Discussions have been taking place on the proposed way forward and Council services and partners contacted are very supportive of doing what they can to support those resettling in Kirklees: Safe and Cohesive Communities, Housing, Homes and neighbourhoods, Children's and Young Peoples Service, Adult Services, Public Health, Huddersfield CCG, Locala, The Whitehouse Centre, Kirklees Multi Agency Group.
- Executive team members have been consulted of the Home Office request to Kirklees Council to provide accommodation on a fair share principle under the Afghan Refugee Programmes.
- Finance have been consulted on the Afghanistan schemes and the financial implications and will look to work within the prescribed guidance *Funding Instruction for Local Authorities in the support of the Afghan Citizens Resettlement Scheme and Afghan Relocation and Assistance Policy (Appendix A)* within any delegated decision making granted by cabinet as outlined at **point 7** in this document
- Risks to note that will require clarification as finalized scheme details are published;
 - Any costs for possible expectations to mainstream this funding longer term.
 - The proposed front loading may require us to pay back funds.

There are established mechanism across West Yorkshire Local Authorities for any transfers made during the period of funded support.

- **Risk and Procurement** colleagues have been engaged and will provide support to ensure compliance with Public Contracts Regulations 2015 and any other procurement requirements detailed in the funding instruction *Funding Instruction for*

Local Authorities in the support of the Afghan Citizens Resettlement Scheme and Afghan Relocation and Assistance Policy (insert link)/. As well as compliance with [KIRKLEES METROPOLITAN COUNCIL contract procedural rules](#) and [Financial Procedure Rules - Constitution 4.6 \(kirklees.gov.uk\)](#)

Withstanding the final guidance from the Home Office, Officers will continue to work closely with risk and procurement colleagues to ensure compliance.

10. Next steps and timelines

Subject to endorsement by Cabinet, to receive the grant funding related to the Afghanistan Refugee Programmes.

Regular briefings will be arranged with the Cabinet Member for Communities to update them on progress across both the approach and the grant funding.

We do not have clear timelines from the home office on relocation of Afghanistan Refugees to Kirklees, but this is imminent.

11. Officer recommendations and reasons

It is recommended that Cabinet endorse the Council to receive grant funding related to the Afghanistan Refugee Programmes in line with Financial Procedure Rule 22.4

It is recommended that Cabinet delegate authority to the Strategic Director Children's Services to finalise the approach to approve any changes to our approach and allocation of resources / changes to the number of families or individuals accommodated, within the financial regulations specified by Home Office Funding regulations (Appendix A) and the fair share allocation principles as outlined at point 7 in this report.

It is recommended that any decisions relating to any future changes to the Programme (currently unknown) are also delegated to the Strategic Director of Children's Services. That this is within the parameters of the Council's financial and contractual procedural rules, and any future Home Office Guidance issued relating to changes. That this is based on consideration and recommendations from the Tactical Group which are also then finalised in consultation with the Portfolio Holder for Communities. Any significant delegated decisions will be reported back to Cabinet in an update report.

It is recommended that cabinet acknowledge and note the longer-term approach officers are working on to manage resource implications to ensure that adequate resources are available to respond including in Housing, Welfare, and Exchequer via the Tactical Group

It is recommended that Cabinet endorse the Council's ongoing engagement with regional and national bodies to managing any challenges arising from the Home Office requests. The Home Office has asked Migration Yorkshire to act as this body across Yorkshire and Humber

12. Cabinet Portfolio Holder's recommendations

Endorse the Council to receive grant funding related to the new Afghanistan Refugee Programmes in line with financial procedure Rule 22.4

Delegated authority is granted to the Strategic Director of Children and families in consultation with the Cabinet Member for Communities to approve any changes to our approach and allocation of resources / changes to the number of families or individuals

accommodated, within the financial regulations specified by Home Office Funding Regulations (Appendix A) and the fair share allocation principle

Endorse the recommendation that any decisions relating to any future changes to the programme (currently unknown) are also delegated to the Strategic Director of Children's Services. That this is within the parameters of the Council's financial and contractual procedural rules, and any future Home Office Guidance issued relating to changes. That this is based on consideration and recommendations from the Tactical group which are also then finalised in consultation with the Portfolio Holder for Communities. Any significant delegated decisions will be reported back to Cabinet in an update report.

Cabinet acknowledges and note the longer-term approach officers are working on to manage resources implications to ensure adequate resources to respond including in Housing, Welfare, and Exchequer via the Tactical Group

Endorse the Council's ongoing engagement with regional and national bodies to managing any challenges arising from the home office requests

13. Contact officer

Jo Richmond, Head of Communities, jo.richmond@kirklees.gov.uk 01484 2211000

14. Background Papers and History of Decisions

There have been no previous reports on the Afghanistan Refugee Programme but given the home office intention to support on the same basis as the Syrian Refugee Programme, those cabinet papers are included at – Appendix B

15. Service Director responsible

Jill Greenfield, Service Director of Communities and Customers.