

# Agenda – Equality, Local Government and Communities Committee

Meeting Venue:

**Committee Room 3 – Senedd**

Meeting date: Wednesday, 7

December 2016

Meeting time: 09.00

For further information contact:

**Liz Wilkinson**

Committee Clerk

0300 200 6361

[SeneddCommunities@assembly.wales](mailto:SeneddCommunities@assembly.wales)

## Informal pre-meeting (9.00 – 9.15)

**1 Introductions, apologies, substitutions and declarations of  
interest**

**2 Inquiry into refugees and asylum seekers in Wales: evidence  
session 1**

(09.15 – 10.15)

(Pages 1 – 17)

Sian Summers-Rees, Chief Officer, City of Sanctuary UK and Ireland and Chair of  
Asylum Justice

Professor Helen Stalford, Liverpool University

## Break (10.15 – 10.30)

**3 Inquiry into refugees and asylum seekers in Wales: evidence  
session 2**

(10.30 – 11.30)

(Pages 18 – 39)

Hayley Richards, Policy & Advocacy Officer, Oxfam

Neil McKittrick, Refugee Operations Support Manager, British Red Cross



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

Elinor Harris, Services Manager for International Family Tracing and Refugee Support, British Red Cross  
Tracey Sherlock, Policy and Communications Manager, Welsh Refugee Council  
Salah Rasool, Advice Caseworker, Welsh Refugee Council

#### **4 Paper(s) to note**

**Correspondence from Adam Price AM to the Chair of Public Accounts Committee in relation to Tai Cantref Housing Association**

(Pages 40 – 42)

**Correspondence from the Chair to the Chair of Public Accounts Committee in relation to Tai Cantref Housing Association**

(Page 43)

**Correspondence from the Chair of Public Accounts Committee to the Chair in relation to Tai Cantref Housing Association**

(Pages 44 – 45)

**Correspondence from the Cabinet Secretary for Finance and Local Government in relation to the Welsh Government draft budget 2017–18**

(Pages 46 – 49)

**Correspondence from the Cabinet Secretary for Communities and Children in relation to the Welsh Government draft budget 2017–18**

(Pages 50 – 56)

**Inquiry into refugees and asylum seekers in Wales: note of visit to the African Community Centre, Swansea**

(Pages 57 – 60)

**Inquiry into refugees and asylum seekers in Wales: note of visit to Oasis and Trinity Centre, Cardiff**

(Pages 61 – 67)

**5 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting**

## **6 Inquiry into refugees and asylum seekers in Wales: evidence session 3**

(11.30 – 11.45)

A participant from Oxfam Cymru's Sanctuary in Wales Project

## **7 Inquiry into refugees and asylum seekers in Wales – consideration of evidence under items 2, 3 and 6**

(11.45 – 12.00)

## **8 Consideration of forward work programme**

(12.00 – 12.20)

(Pages 68 – 76)

- Agree terms of reference for inquiry into human rights
- Forward work programme

Document is Restricted



Portland House | 113-116 Bute Street | Cardiff | CF10 5EQ

Tel: 029 2049 9421 | Fax: 029 2049 2607

[www.asylumjustice.org.uk](http://www.asylumjustice.org.uk)

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)-12-16 Papur 1 / Paper 1

22 November 2016

## **Asylum Justice Consultation Response: Inquiry into refugees and asylum seekers in Wales**

Responses by: 23 November 2016

Asylum Justice is a charity providing legal services to refugees and asylum-seekers in Wales. We are a registered charity and regulated by the Office of the Immigration Services Commissioner (OISC) to provide Level 3 Immigration and Asylum Advice. Asylum Justice has a long history of working with asylum seekers and refugees in Wales over the last decade. We are part of the City of Sanctuary movement and are working with Welsh Refugee Coalition partners. We are members of the Welsh Refugee Coalition and endorse the recommendations made within their submission.

We hope this response offers the Committee a snapshot from an independent legal service provider and is illuminating in assisting the creation of a progressive, far-reaching, rights-based set of services for all refugees, asylum seekers and those whose claim has been refused. As a legal services provider, we are deeply concerned by the removal of legal aid for family reunion cases (which make up a large proportion of our caseload) and changes by the Immigration Act 2016 to limit further rights to appeal and removal of asylum support for those whose claim has been refused.

Whilst we are aware that immigration and asylum and legal services are not devolved to Wales, the impact of changes in these areas is directly felt by

*Asylum Justice is a registered charity (Reg No 1112026) regulated by the  
Office of the Immigration Services Commissioner (Reg No N200800025)*

*Asylum Justice is a Company Limited by Guarantee Registered in England and Wales –  
Reg No 5447875 Registered Office at 3 Deryn Court, Wharfedale Road, Pentwyn, Cardiff CF23 7HA*





other support services (advice, social services, housing, health etc) which the Welsh Government does have competency for. Asylum Justice very much welcomes the Welsh Government's recognition that "*refugee inclusion begins on day one of arrival*"; we would therefore advocate that inclusion can only be realised if an asylum seeker is able to access the asylum system. Legal advice should be provided from 'day one' as it is a fundamental starting point for asylum seekers arriving in Wales, and is the point from which every other aspect of integration should follow. The provision of advice and paralegal services can and has been supported by the Welsh Government in the past. In view of the significant cuts to legal aid and asylum support over the last eight years since the Welsh Government's Refugee Inclusion Strategy (2008) was devised, as well as the removal of an accredited advice and advocacy service for all refugees and asylum seekers (Welsh Refugee Council all-Wales 'one stop shop' service which ceased April 2014), the need for services like ours is significantly outstripping supply.

**1. The pace and effectiveness of the Welsh Government approach to resettling refugees through the UK Government's Syrian Vulnerable Persons Relocation Scheme (SVPRS)**

Asylum Justice does not deal with refugees coming through this scheme and therefore cannot comment.

**2. The effectiveness of the Refugee and Asylum Seeker Delivery Plan**

There are a number of areas of this plan which remain areas of concern regarding service provision to refugees. Asylum Justice is aware of delays in providing 'move on' services to refugees.

Quality of housing to asylum seekers remains an issue of particular concern - Lynx House and the associated properties on Newport Road in Cardiff continue to offer an extremely poor standard of accommodation, and there is no independent advocacy support for asylum seekers in asylum support accommodation which leads to poor quality housing going unchecked as tenants fear reprisal from housing managers.

It is noted that the current All Wales Multi Agency Toolkit regarding unaccompanied minors is in the process of being re-drafted. This process has halted and it is currently uncertain when the new guidance will be



published – it is vital that this guidance is made available as soon as possible.

Asylum Justice is aware of cases where asylum seekers and refugees have not been suitably assisted in education. In a recent case repeated requests by education providers had been made for the young person to be tested for special educational needs. These had been ignored and when, at the point of an immigration appeal, an Asylum Justice legal adviser questioned why he had not progressed further in English in his time in the UK the personal adviser responded that he had not been attending school and college. Asylum Justice are also concerned by the delays faced by unaccompanied asylum seeking young people aged 16 and above in accessing further education.

### **3. The support and advocacy available to unaccompanied asylum seeking children in Wales**

Asylum Justice remains deeply concerned about the levels of support and advocacy available to unaccompanied asylum seeking children in Wales. The main provider of independent advocacy services – the ‘Fair and Square’ project run by Tros Gynnal Plant – closed in February 2016. Since then young people have been left in many cases without an independent advocate. This project was the main provider of independent adults for Local Authority age assessments, and without this service a variety of inappropriate persons have been used in their stead – including Home Office accommodation staff. It is vital that a source of independent adults for age assessment is found. Should Wales follow the Scottish model of providing guardians for unaccompanied asylum seeking children, this might alleviate this issue. The removal of any mention of a guardianship service from the more recent iteration of the Refugee & Asylum Seeker Delivery Plan, however, is a disturbing omission if symptomatic of an intention to ignore this need altogether.

The quality of age assessment services in Wales remains patchy. Asylum Justice is aware of a case where a lone male worker was sent to age assess a female victim of trafficking found in a brothel, who subsequently and unlawfully declined to undertake a full assessment. It is vital that training is made compulsory for any social worker carrying out an age assessment. The reinstatement of a Wales No Recourse to Public Funds Network would be a good start in ensuring the required training and current case law awareness is up to date, Wales currently being the only region of the UK without an NRPF Network in operation. Furthermore, it is noted that at present there is



only one solicitor in Wales that specialises in advising on and challenging unlawful age assessments. It is therefore difficult for Local Authorities to be held to account when unlawful assessments are carried out. The Welsh Government must act to ensure lawful assessments are carried out in every case.

It is clear that the well-being of children is not being taken into account when decisions regarding their immigration cases are being made. As Asylum Justice does not charge for its services it appears that it has become the provider of choice for immigration advice for Local Authorities across South Wales – which impacts on the level of service that can be provided for clients who have no choice in where they go for legal advice. Asylum Justice has been asked to represent young people by a number of Local Authorities in Wales, where they have not been entitled to Legal Aid. Asylum Justice clients have been told incorrectly by Local Authorities that the Authority cannot pay for legal representation in cases where Legal Aid is not available – there appears to be no distinction between cases which are ‘out of scope’ for Legal Aid purposes, and cases where Legal Aid has had to be withdrawn due to the poor merits of a case. Asylum Justice is aware of a case where a Local Authority declined to lodge appeal papers for a young person where the legal representatives had withdrawn, without informing the young person or undertaking any consideration of whether doing so would promote the well-being of the young person. It is gravely concerning that case management decisions are being made by workers without appropriate training.

Asylum Justice has also recently been referred a ten year old child who has been placed with a family member for two years before advice was sought regarding how to regularise her immigration status. It is inappropriate for Local Authorities to be seeking to rely on the third sector for specialist advice in these cases. It is vital that Local Authority legal advisers are trained in immigration and asylum law so that appropriate advice can be obtained in a timely fashion without placing an undue burden on the third sector.

#### **4. The role and effectiveness of the Welsh Government’s Community Cohesion Delivery Plan in ensuring the integration of refugees and asylum seekers in Welsh communities.**

Asylum Justice is unable to comment on this aspect other than to say that refugees who arrive without their families will find it extremely difficult to integrate if they are unable to make an application for family reunion. The first and foremost concern will be for the safety of their family and they will be consumed by worry and fear until their family are arrive in the UK.





Portland House | 113-116 Bute Street | Cardiff | CF10 5EQ

Tel: 029 2049 9421 | Fax: 029 2049 2607

[www.asylumjustice.org.uk](http://www.asylumjustice.org.uk)

## Conclusion

Asylum Justice would like to conclude by highlighting the lack of good quality legal advice available for asylum seekers in Wales (and would also like it to be noted the lack of solicitors able to lodge judicial review applications in asylum related matters). This lack of provision coupled with the restrictions on legal aid (both in terms of the merits test and matters which fall out of scope) impacts the ability of asylum seekers to access justice. Asylum Justice recommends that the Welsh Government gives urgent consideration to funding legal advice provision in Wales to readdress this injustice and disparity compared to other parts of the UK.

Yours faithfully,

**Siân Summers-Rees**

Chair of Trustees  
Asylum Justice

Sent to: [SeneddCommunities@assembly.wales](mailto:SeneddCommunities@assembly.wales)

## **Oxfam Cymru submission to Equality, Local Government and Communities Committee inquiry into refugees and asylum-seekers in Wales**

---

Name: Hayley Richards  
Organisation: Oxfam Cymru  
Email: hrichards@oxfam.org.uk  
Telephone: 0300 200 1269  
Address: Market Buildings, 5/7 St Mary Street, Cardiff CF10 1AT

Oxfam has a long history of working with asylum-seekers and refugees in the UK, particularly in Wales over the last decade, and we represent the Welsh Refugee Coalition on the Welsh Government's Syrian Resettlement Operations Board and are working with the Coalition to try to establish Wales as a Nation of Sanctuary. We fully support the evidence submission and recommendations presented to the Committee by the Welsh Refugee Coalition.

In May 2015, we completed a three year Sanctuary in Wales<sup>1</sup> project (funded by Big Lottery Fund) in the four asylum dispersal areas – Cardiff, Swansea, Newport and Wrexham – alongside our partners [Oasis Cardiff](#), [African Community Centre](#), [Displaced People in Action](#), [BAWSO](#) and [Business in the Community](#). Over 450 women participated in this project sharing their experiences and identifying issues important to them. Some of these women reflected their experiences in this short video: <https://www.youtube.com/watch?v=9F-8b72mBUU>.

### **The pace and effectiveness of the Welsh Government approach to resettling refugees through the UK Government's Syrian Vulnerable Persons Relocation Scheme (SVPRS)**

1. The SVPRS<sup>2</sup> was launched in September 2015 and in response the Welsh Government set up a Syrian Refugee Taskforce and an Operations Board. Initially set up to oversee the effective implementation of the SVPRS, the remit of these bodies has been extended to include a Children's Task and Finish Group, which looks beyond the SVPRS to other Home Office schemes such as the Vulnerable Children Resettlement scheme<sup>3</sup> and the Unaccompanied Asylum Seeking Children (UASC) National Transfer Scheme<sup>4</sup>. The Operations Board has not met since June 2016.
2. Oxfam was critical of the pace of resettlement at the beginning of the process, although there has now been an improvement. An announcement by WLGA in November 2016 stated that *'So far around 17 authorities have resettled refugee families and we anticipate families will have been resettled within all 22 council areas by the end of the year.'* By the end June 2016, Local Authorities in Wales had resettled 112 refugees from Syria through the SVPRS with updated Home Office statistics available on 1 December 2016<sup>5</sup> providing official information up to the end of September.
3. Oxfam welcomed Welsh Government's aspiration to provide a coordination role for the SVPRS, however it is not clear what influence either the Taskforce or Operations Board has had or whether Welsh Government has been able to add value to the work of the WLGA, local authorities and civil society. The Refugee and Asylum Seeker Delivery Plan, for example, does not mention the SVPRS or how Welsh Government is approaching the resettlement of refugees through this scheme. We believe Welsh Government has a role to play in offering greater strategic leadership in responding to humanitarian crises, providing a greater urgency and 'troubleshooting' to ensure local authorities, communities and service providers can respond quickly to such challenges. It is not clear to us that Welsh Government has played this role in responding to the SVPRS.
4. In responding to the SVPRS, there has been a risk of creating a 'two-tier' system, where those arriving through this scheme have received a different level of support to Syrians arriving via the asylum route or those of other nationalities. In assessing the Welsh response to the SVPRS, it is vital that we do not allow this two-tier structure to become permanent. Welsh Government should act to learn from what has and hasn't worked across all schemes in Wales – including through meaningful dialogues with people in Wales – with a clear view to improving provision for all refugees and asylum-seekers in Wales.

5. To that end, having a specific Taskforce and Operations Board focussing on this single scheme while in many ways welcome, risks giving the impression of endorsing a two-tier system. A new, permanent, structure should be created to co-ordinate services for all refugees and asylum-seekers in Wales, which would provide an improved starting point to act in response to urgent humanitarian crises.
6. For example, the Welsh Government has engaged with stakeholders interested in the Refugees, Asylum Seekers and Migrants Inclusion Project specification and budget through a parallel process. Although this engagement has been welcomed, a more strategic approach could have utilised cross sector expertise from the Operations Board to inform and co-produce the specification. This would not only have saved time and resources but may also have enabled a better understanding of how Home Office, third sector and local authority provision could be delivered to provide a more seamless service for asylum-seekers and refugees across Wales. Working in this way could also have prevented delays in issuing this contract which would have allowed maximum opportunity to make effective transition arrangements for when the new contract is in place.

### **The effectiveness of the Refugee and Asylum Seeker Delivery Plan**

7. Oxfam Cymru has welcomed Wales' positive humanitarian stance towards those seeking sanctuary, with asylum-seekers provided with free access to NHS healthcare and access to education. As a globally responsible nation, it is vital that Wales continues to play its part.
8. The Welsh Government Refugee Inclusion Strategy (2008)<sup>6</sup> was seen as progressive: *'One of the principles on which the strategy is based is that refugee inclusion begins on day one of arrival in the UK and successful inclusion is closely related to the standard of reception procedures and people's experiences as asylum-seekers.'* This recognises that the asylum system itself and the support provided to asylum-seekers has a significant impact on the ability of people to integrate into the community and ultimately how well they will integrate once status has been granted. Immigration and asylum is a non-devolved area and successive UK governments have introduced restrictive legislation. The Welsh Government nevertheless has responsibility for many areas that have a key impact on the lives of people seeking sanctuary. This includes health, housing, education, transport and social services.
9. Oxfam Cymru was disappointed with the quality of the Refugee and Asylum Seeker Delivery Plan which lacks concrete and accountable actions in areas of devolved responsibility and lacks any provision to mitigate impacts of UK Government legislation or policy on people living in Wales. At present, many of the actions listed under each priority are not delivery actions but focus on guidance and toolkits, which are unlikely to improve life significantly for refugees and asylum-seekers living in Wales. We would like to see much more detail in the actions that will be taken to achieve each priority. What will Welsh Government do? What will others do? How will the actions be resourced? What is the budget for this work? How will the impact of actions be monitored?
10. In addition to the above concerns, there are a number of significant omissions from the Delivery Plan, some of which are outlined below.

### **Supporting people faced with destitution or with No Recourse to Public Funds (NRPF)**

11. Wales is the only region within the UK not to have a forum or specific staff dedicated to supporting people with NRPF and there is currently no NRPF Network in Wales<sup>7</sup>. This risks leaving an extremely vulnerable group of people without co-ordinated support or ongoing monitoring of practice. Action is needed to ensure people faced with destitution and with NRPF are effectively supported across Wales and that health and social services have expertise and oversight built in. We would recommend the reforming of the NRPF Network.
12. There is clear evidence that the lack of institutional, social and economic resources faced by people living in destitution or with NRPF denies them a sustainable livelihood, and results in a life that is robbed of dignity and unacceptable by human rights standards<sup>8</sup>. Oxfam research documented the humiliating and degrading strategies adopted by destitute asylum-seekers to survive and avoid deportation. This is not acceptable in Welsh society. Oxfam believes that no one should have to live in poverty. The poverty experienced by asylum-

seekers is a consequence of policy that is designed to force them into destitution and encourage their voluntary return to their country of origin. As research shows, not only is current policy deeply inhumane, it simply does not work.

13. We welcome the possible inclusion of practical advice and support for 'those at risk of destitution' in the draft specification the Refugees, Asylum Seekers and Migrants Inclusion Project, but recommend the eligibility criteria for the Discretionary Assistance Fund (DAF) should be expanded to include those with NRPF.

#### **Access to justice/ legal support / cuts to legal aid**

14. With the loss of advocacy support as part of the Welsh Refugee Council's (WRC) 'one-stop-shop' service in April 2014, access to justice on areas relating to and outside of the asylum claim has become much more difficult to obtain. The loss of this service, coupled with a lack of accessible [legal] advice services or any advocacy support to replace it, makes it increasingly difficult to ensure asylum-seekers and those with NRPF have access to legal support in the event of errors and failure to support them. With the Home Office looking to increase the number of dispersal areas, monitoring provision across Wales will be of great importance. It should not be the case that asylum-seekers have significantly different access to legal support depending on where they are located.
15. The lack of legal aid provision has an even greater impact on women and girls, including those who have experienced violence or sexual abuse, including victims of trafficking. In Wrexham, asylum seekers must now pay a fee for lawyers who travel from Manchester. Fresh asylum claims (from those already in Wales) now have to be made in person in Liverpool at the UK Visa and Immigration (UKVI) office – a recent change made by the Home Office. The Welsh Government should urgently explore whether such claims could once again be made in Wales to reduce costs for asylum-seekers.
16. This is especially important in the field of family reunion. Long term separation causes costs to Welsh public services (in particular around mental health provision). Yet the issues are complex and require legal support for an application to be successfully filed. Even if a family reunion application is successful, very limited support is available to ensure practicalities such as flights are covered to enable the reunion to take place.

#### **Impact of UK Government legislation and policy**

17. The UK Government Immigration Act 2016 is of serious concern. In response to the UK Government Welfare Reform Act, the Welsh Government set up a Ministerial Task and Finish Group that commissioned extensive research<sup>9</sup> into the impacts of welfare reforms on people living in Wales. This evidence base was used to inform mitigating action across a range of devolved policy areas<sup>10</sup>. The Immigration Act introduces new sanctions on illegal working, changes to financial asylum support, aims to prevent undocumented migrants from accessing housing, driving licences and bank accounts, and introduces additional measures to enforce existing immigration laws.
18. Certain aspects of the Immigration Act impact upon areas of devolved competence including residential tenancies, availability of local authority support and transfer of responsibility for relevant children, which affords the Welsh Government an opportunity to influence and challenge how these provisions are implemented in Wales. Welsh Government should assess this legislation in the same way it has assessed the impact of Welfare Reform, commissioning extra research where necessary and introducing new policies to mitigate negative impacts.
19. In addition to the above, we have some comments on existing sections of the Delivery Plan including:

#### **Language Services – English for Speakers of Other Languages (ESOL)**

20. Welsh Government has a positive policy to provide free ESOL courses. Improvements are required in the local availability of and access to ESOL classes. This is essential as the ability to speak English has an enormous impact on an ability to integrate, social outcomes and community cohesion. Barriers prevent people – particularly women – accessing formal ESOL classes including a lack of childcare and transport as well as issues around the timings of classes.

21. With class intakes often commencing annually, individuals who arrive at other times in the year are often forced to wait many months before accessing formal provision. The provision of more advanced ESOL Level 2+ classes is incredibly limited and not adequate to support the need identified. Gender analysis of need and provision is required because of the additional barriers facing women (e.g. caring responsibilities, cultural barriers).
22. Welsh Government must work with initial accommodation providers (e.g. Clearsprings) or the Home Office or Migrant Help to ensure we have an understanding of the level of ESOL supply versus demand.

### **Health services – Interpretation & Language Line**

23. Welsh Government policy providing primary and secondary health services to asylum-seekers is particularly welcome. This is not the case in England and is something we should be proud of providing.
24. There is a particular challenge, however, around language and interpretation, which can lead at worst to misdiagnosis and errors in prescribing – both of which were reported by women we worked with. We have evidence from women who have had to rely on their children to interpret for them about health conditions. Clearly this is not appropriate and has occurred at GP surgeries and at hospitals. For example, some Wrexham GPs were found not to be using Language Line despite the fact that health visitors in the area do so.
25. Welsh Government needs to work with health colleagues to ensure all health services in Wales fully integrate Language Line into local health provision. Any guidance needs to make clear that Language Line is not an optional extra. There is also a need for retention of in-person interpretation and not an overreliance on Language Line where particular vulnerabilities are identified and in all complex cases.
26. There could be a role for the Public Services Ombudsman for Wales to ensure that complaints procedures are accessible and there is clarity about the separation of health and immigration services for any patient. At the moment, there is no ability for refugees and asylum-seekers to complain, and as a group they are much less likely to do so due to vulnerability because of their immigration status.

### **Housing**

27. It is unacceptable that asylum housing in Wales, particularly ‘Initial Accommodation’, is not subject to any independent scrutiny on standards and that provision is not subject to any independent means of complaint. The result is that people are forced to endure housing which would not be of an acceptable standard for any other publically funded accommodation. Historically, the advocacy service provided by the WRC assisted with such complaints, as well as collecting data on issues of concern and problem areas for asylum-seekers and refugees. An independent advocacy service must be re-established which enables refugees and asylum-seekers to raise issues of concern without fear of the consequences.
28. The quality of the Home Office contracted housing provider Clearsprings’ housing management also differs considerably. A project participant we worked with had reportedly been threatened with eviction by her housing manager, having complained following a conflict with a house mate. There is legal right to do this.
29. The Welsh Government should prioritise finding ways of using its devolved powers to improve asylum accommodation in Wales by engaging actively with the UKVI Asylum Accommodation and Support Transformation (AAST) stakeholder consultation on new contracts for asylum housing; insisting that the quality of asylum housing is scrutinised by Welsh Government or local authorities; and bringing the next asylum accommodation contract into Wales by supporting a bid from one or more Welsh housing associations, other third sector organisations or Local Authorities, or negotiating with the Home Office to undertake the contracting process itself.

### **Employment**

30. Further action is needed to ensure employers in Wales are as accessible and open as possible to employing people from all backgrounds including refugees. Evidence from our programme experience in Wales suggests:

- The public and third sectors should be actively enabling asylum-seekers and refugees to volunteer in their organisations to build up language skills, social/professional networks, and gain valuable UK work experience.
- The Business Wales service was inaccessible for all the women we worked with during our three year Big Lottery funded project and this area of enterprise was the most challenging to develop. The generic advice and courses available on the website and even on the phone are not adequate in providing the holistic support which refugees often require to get a sound grounding in the UK economy, local markets and opportunities, and the requirements in terms of HMRC and employment law which will likely be very different to the set-up in countries of origin.
- Involving businesses and employee volunteers is a key way of getting employers to value and seek out the contributions of a diverse workforce, including refugees.
- Cuts to Voluntary Community Service (Cymru) in Cardiff, for example, and other volunteering services are further stymieing asylum-seekers' opportunities to volunteer as the competition for voluntary places increases. There needs to be a dedicated training programme for volunteer bureaux across Wales so that the involvement of asylum-seekers and refugees and the positive contributions they can bring are able to be realised.
- There is continued demand for the preparation for volunteering and work via employability training and job coaching – something which Displaced People in Action did in the past, the recent project we ran delivered, and which now is a significant gap in ensuring equality of opportunity.
- One-to-one support is vital in determining individual requirements and providing a safe and secure environment contributing to wellbeing for refugee women and their families - a personalised approach to the delivery of support with flexibility in the allocation of funding for travel, childcare and/or training courses according to individual needs works best.

### **The support and advocacy available to unaccompanied asylum seeking children (UASC) in Wales**

31. The Refugee and Asylum Seeker Delivery Plan states that UASC will have access to independent advocacy in respect of the duties owed to them under the Social Services and Well-being Act 2014. In this regard, UASC have a statutory right to advocacy the same as any other looked after child in Wales. However, UASC all have specific vulnerabilities and need access to dedicated services. To our knowledge no such support exists for asylum seeking children in Wales despite previous commitments from Welsh Government to explore '*the need for a Guardianship model<sup>11</sup> for Wales*'.
32. Appointed Guardians will support young people by helping them to navigate immigration and welfare processes, feel supported and empowered throughout the asylum process and assist them to access the help they need when they need it and help them make informed decisions about their future.
33. Advice and support for children now appears to be included with the specification of Welsh Government's Refugees, Asylum Seekers and Migrants Inclusion Project, which is not recommending this model. Oxfam also has concerns about the age assessment process and safeguarding issues for young people going through this process. It is totally unacceptable, for example, for young people in age dispute cases to be housed in initial accommodation at Lynx House, a practice that has occurred. In accepting UASC from Calais, this was at risk of occurring again, however Cardiff Council acted fast to find alternative accommodation.

### **The role and effectiveness of the Welsh Government's Community Cohesion Delivery Plan in ensuring the integration of refugees and asylum seekers in Welsh communities**

#### **Stigma and Media Portrayal**

34. Research into the portrayal of asylum in the media, undertaken by Oxfam Scotland<sup>12</sup> over a decade ago, found that at the time of study, press coverage was negative to the point of being hostile. The research concluded that government policy was no longer subject to independent scrutiny: the press reflects the government's line that making conditions less welcoming and more hostile for asylum-seekers will deter them from travelling to Britain.
35. Nothing has changed today in 2016 – indeed the situation has worsened, with a recent UN report pointing to the prevalence of "divisive, anti-immigrant and xenophobic rhetoric"<sup>13</sup>. Welsh Government cannot change

editorial policy, but it and local authorities should understand the importance of its communications on community cohesion. Indeed negative comments, and even no comment, can maintain hostile press coverage.

### **Safeguarding**

36. Safeguarding is extremely important and we also agree with protecting the privacy of resettled families. However, a balance has to be struck to enable resettled families to establish a much needed support network of friends and neighbours within their communities. Without such a network people can become isolated which not only impacts on health but can also put people at risk and ultimately affect the success or failure of resettlement schemes.
37. We are also concerned by perceptions and understanding among people resettled via the SVPRS in terms of their rights and responsibilities and their ability to speak out on issues that are important to them. Having experienced so little control over their lives immediately prior to resettlement, people need to be empowered to make decisions on behalf of themselves and their families. Government limiting the voice or freedom of choice of residents, however well intentioned, infringes on basic human rights and has potentially damaging consequences for individuals and society as a whole.

### **Participation**

38. Action needs to be taken to ensure active participation by asylum-seekers and refugees within national and local policy development, including the involvement of asylum-seekers and refugees in policy forums and the co-production of services in Wales. We are concerned, for example, that although asylum-seekers and refugees were consulted about the drafting of the Refugee and Asylum Seeker Delivery Plan, there has been no feedback from Welsh Government on how this input was used or what was changed in the drafting of the Delivery Plan as a result.

### **Education for Global Citizenship**

39. We would like to see support for Education for Global Citizenship as a useful way of making schools more welcoming to asylum-seeking and refugee children and to help mitigate and minimise instances of discrimination/racism on the part of children, teachers and parents. There are also specific resources available like the Schools of Sanctuary resource<sup>14</sup> that could be useful for schools to promote community cohesion (especially in non-dispersal areas).
40. The development of the new curriculum in Wales offers an excellent opportunity to ensure that all our children and young people are ethical, informed citizens who 'respect the needs and rights of others, as a member of a diverse society', and are healthy, confident individuals who 'form positive relationships based upon trust and mutual respect'.

### **Conclusion**

While there are examples of good practice across Wales and Welsh Government's rhetoric has remained welcoming, there are a number of clear areas for improvement within Wales to support the refugee and asylum-seeking communities living here.

We believe that following the recommendations in our report would have a significant impact in supporting some of the most vulnerable individuals within Wales. Importantly, they would also set us on the way to becoming a Nation of Sanctuary, along the lines of the Seven Steps to Sanctuary set out by the Welsh Refugee Coalition.<sup>15</sup>

---

<sup>1</sup> Arad Research (2015), Sanctuary in Wales Final Evaluation & Executive Summary <http://policy-practice.oxfam.org.uk/publications/final-evaluation-sanctuary-in-wales-project-581107>

<sup>2</sup> Home Office (2015), Syrian Vulnerable Person Resettlement Programme (SVPRP), Guidance for Local Authorities and Partners [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/472020/Syrian\\_Resettlement\\_Fact\\_Sheet\\_gov\\_uk.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/472020/Syrian_Resettlement_Fact_Sheet_gov_uk.pdf)

<sup>3</sup> Press release: Home Office (2016), New Scheme Launched to Tackle Children at risk <https://www.gov.uk/government/news/new-scheme-launched-to-resettle-children-at-risk>

- 
- <sup>4</sup> Home Office (2016), Interim National Transfer Protocol for Unaccompanied Asylum Seeking Children 2016-17 <https://www.gov.uk/government/publications/unaccompanied-asylum-seeking-children-interim-national-transfer-scheme>
- <sup>5</sup> Home Office (2016), Immigration Statistics (quarterly releases) <https://www.gov.uk/government/collections/immigration-statistics-quarterly-release>
- <sup>6</sup> Welsh Government (2008), Welsh Government Refugee Inclusion Strategy <http://gov.wales/topics/people-and-communities/communities/communitycohesion/publications/refugeeinclusion/?lang=en>
- <sup>7</sup> No Recourse to Public Funds Network <http://www.nrpfnetwork.org.uk/regionalnetworks/Pages/default.aspx#wales>
- <sup>8</sup> Crawley, Hemmings and Price (2011), Oxfam GB, Coping with Destitution: Survival and livelihoods strategies of refugees asylum seekers living in the UK <http://policy-practice.oxfam.org.uk/publications/coping-with-destitution-survival-and-livelihood-strategies-of-refused-asylum-se-121667>
- <sup>9</sup> Welsh Government (2015), Analysing the impact of the UK Government's welfare reforms in Wales <http://gov.wales/topics/people-and-communities/welfare-reform-in-wales/analysing-reforms/?lang=en>
- <sup>10</sup> Welsh Government (2015), Mitigating the Impact of the UK Government's Welfare Reforms <http://gov.wales/docs/dsijg/publications/151019-mitigating-impact-welfare-reform-en.pdf>
- <sup>11</sup> Scottish Refugee Council [http://www.scottishrefugeecouncil.org.uk/how\\_we\\_can\\_help/advice\\_services/the\\_scottish\\_guardianship\\_service](http://www.scottishrefugeecouncil.org.uk/how_we_can_help/advice_services/the_scottish_guardianship_service)
- <sup>12</sup> Mollard, C (2001), Oxfam GB, Asylum: The Truth Behind the Headlines <http://policy-practice.oxfam.org.uk/publications/asylum-the-truth-behind-the-headlines-111959>
- <sup>13</sup> UN Periodic Review, Committee on the Elimination of Racial Discrimination - CERD/C/GBR/CO/21-23 – 26 August 2016, p.4. [http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/GBR/CERD\\_C\\_GBR\\_CO\\_21-23\\_24985\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/GBR/CERD_C_GBR_CO_21-23_24985_E.pdf)
- <sup>14</sup> Oxfam, Schools of Sanctuary: Giving a warm welcome <http://www.oxfam.org.uk/education/resources/schools-of-sanctuary>
- <sup>15</sup> Welsh Refugee Coalition (2016), Seven Steps to Sanctuary <https://www.welshrefugeecouncil.org/sites/default/files/news/files/Welsh%20Refugee%20Coalition%20Manifesto%20CYM%2016%20English.pdf>



---

## Equality, Local Government and Communities Committee Inquiry on Refugees and Asylum Seekers

### Response from the British Red Cross in Wales

(Contact: Cathrin Manning [cmanning@redcross.org.uk](mailto:cmanning@redcross.org.uk) / 01745 828232)

#### About us:

The British Red Cross helps millions of people in the UK and around the world to prepare for, respond to and recover from emergencies, disasters and conflicts. We are part of the global Red Cross and Red Crescent humanitarian network and we refuse to ignore people in crisis. We support more than 90.000 people every year in Wales.

We welcome the opportunity to submit evidence to the Equality, Local Government and Communities Committee Inquiry on Refugees and Asylum Seekers.

### The effectiveness of the Refugee and Asylum Seeker Delivery Plan

#### General comment about the plan:

Overall the plan lacks SMART actions. Many of the actions are activities which have already been delivered and are coming to an end or are very geographically specific and not available in all dispersal areas.

**Recommendation:** The intended outcomes of the plan, priorities and actions need to be clearly linked with specific, target driven and timed activities, with clear accountability and evaluation.

#### Housing and Advice Services

**1) Context:** The plan fails to address destitution amongst asylum seekers. The British Red Cross defines someone who is destitute as:

*“ A person who is not accessing public funds, is living in extreme poverty and is unable to meet basic needs, e.g. income, food, shelter, healthcare, and who is forced to rely on irregular support from family, friends, charities or illegal working to survive.”*

The Immigration Act 1999 further applies to future scenarios whereby an individual is also considered destitute if they are likely to become destitute within the next 14 days (or 56 days if they are already receiving support).

We provide support to asylum seekers in Wales, many of whom are families, who find themselves destitute for a range of reasons and often experience multiple complex issues including physical and mental ill health, trafficking, domestic servitude, and exploitative relationships. Destitution can occur at any stage in the asylum process. Asylum seekers do not have permission to work and although they are entitled to limited state support this amounts to only 50 per cent of standard income support and is subject to frequent delays due to administrative errors or changes of address. This also affects those who have made a successful asylum claim and whose asylum support is withdrawn while they transfer to mainstream welfare support. They are often left waiting weeks or months for benefits such as child tax credit. Even when a refugee is successfully accessing welfare support, they and their families can face destitution at the point at which they exercise their legal right to be reunited with their children and spouse due to delays in receiving further support, forced to live on one person's entitlement and in overcrowded accommodation.

Even those who are considered refused and appeals rights exhausted can then go on to get some form of leave to remain in the UK.

Many of those who have had their claim rejected and are eligible for Section 4 support experience delays in receiving it or difficulty accessing it leaving them with nothing (see British Red Cross Report<sup>1</sup>). Others feel unable to apply for Section 4 support as they fear for their safety if they return to their country of origin. There are then those who have had their asylum claim rejected and have not returned home or are too frightened to return home. Many failed asylum seekers choose to remain in the UK living a life of destitution over returning to their home country, living with no or very limited access to support from the UK Government.

Refused destitute asylum seekers have nowhere to live and no right to public housing; no money but no access to public funds or benefits and no legal right to work.

This destitution is the result of a failure of UK asylum and immigration policy to provide a safety net for some of the most vulnerable people in our society, including for those who have an entitlement to state support as well as those who are at the end of the asylum process

Destitution has a disproportionate effect on refused asylum seekers, newly granted refugees and women with insecure immigration status experiencing domestic violence. The enforced destitution of vulnerable displaced people has no place in Wales and the Welsh Government must prioritise the prevention of destitution.

We operate four destitution clinics in the dispersal areas of Wrexham, Newport, Swansea and Cardiff, where we provide small amounts of money and clothing to asylum seekers and refused asylum seekers who are destitute, a maximum of £10 a week per individual for a maximum of 12 weeks. The number of people referred to us for destitution support in Newport and Cardiff alone since 2013 has doubled (564 cases in 2013, 1027 in 2015). We fear these numbers will increase further as a result of Home Office intentions to broaden dispersal areas and the impact of the Immigration Act 2016 which introduces changes to financial support for asylum seekers and criminalises illegal working.

In Northern Ireland the Executive Office has established a crisis fund for migrants, refugees, and asylum seekers. The fund provides a small amount of money for those who have issues with benefits, unemployment, have suffered family breakdown or domestic violence. The fund follows the success of a short pilot project, which supported 1,252 people, in 2012 and looked at whether small amounts of money could provide a significant bridge to allow people to get back on their feet. The fund also provides detailed evidence on the scale and cause of destitution to facilitate policy discussion.

The eligibility criteria include those who currently have no recourse to public funds, such as asylum seekers and refused asylum seekers, and other vulnerable migrants including destitute refugees. The Executive Office has continued to provide a further £100,000 until March 2017 which is being managed and administered by the British Red Cross.

***Recent key findings of the OFMDFM destitution fund are:***

- That benefit issues, domestic violence and outstanding and refused asylum claims are the most common causes of destitution amongst the 'client' group.
- Additional checks, administrative errors and a lack of understanding of benefit entitlements within statutory agencies are some of the primary reasons for delays in people receiving state support, (including section 95 and section 4 support) they are entitled to
- Statutory agencies such as Social Services, require support and guidance on what their duties are towards families and children in need and in particular their human rights duties.
- There is a tangible cost of not helping people in destitution.

***The key recommendations following the recent evaluation of the Crisis Fund are:***

- The Northern Ireland (NI) Executive should address the cause of destitution by introducing a range of policy and practical initiatives such as a dedicated point of expertise on the benefit entitlements of non-UK nationals within the Department for Communities.
- The NI Executive should plan for the impacts of the Immigration Act 2016 and UK's exit from the European Union.
- There should be a permanent commitment to making the Crisis Fund available.

**Recommendation:** Welsh Government expands the eligibility criteria for the Discretionary Assistance Fund (DAF) to include those who currently have no recourse to public funds, such as refused asylum seekers and other vulnerable migrants including temporarily destitute refugees. This should include clear guidelines for the administration and monitoring of funds and expectations of the short-term impact on individuals.

**Recommendation:** The administration and monitoring of the expanded Discretionary Assistance Fund (as recommended above) to support the gathering of evidence on the scale and cause of destitution to facilitate policy discussion.

**Recommendation:** The delivery plan fails to consider the impact of the Home Office intention to broaden dispersal areas and the Immigration Act 2016 in Wales and the consequential risk to an increasing number of individuals and families left homeless and destitute. The Welsh Government should commit to exploring the impact of changes to dispersal areas and the Immigration Act 2016 on individuals in Wales, on devolved public service in Wales and on local authorities in Wales, commissioning additional research where necessary and plan to mitigate any negative impacts.

**Recommendation:** The Welsh Government should limit the impact of destitution by introducing a range of policy and practical initiatives such as a dedicated point of expertise on the benefit entitlements of non-UK nationals within the Department for People and Communities.

**Recommendation:** The Welsh Government should share the knowledge and expertise harnessed in Wales by the Wales Migration Partnership to feed into the future of COMPASS contracts.

**2) Context:** Our Supported People funded refugee tenancy support service in Swansea works with refugees during the move-on period after they have been granted refugee status by the Home Office. Once a person seeking asylum is given refugee status their National Asylum Support Service support will cease after 28 days, 21 days if they were in receipt of Section 4 support. This includes the cash allowance (usually £36.95 per week) and they will need to leave their asylum accommodation. Within this time a refugee needs to secure alternative accommodation and access mainstream support. In England and Wales, asylum accommodation is counted as a local connection. This limits the rights of refugees should they choose to move to another local authority and also places greater pressure on dispersal areas where consequently people choose to remain. Refugees who do move may become homeless because of the requirement that they have a 'local connection' with the area in which they are living in order to be entitled to homelessness services.

Refugees, particularly those with limited to no English language find it very difficult to navigate the associated systems and processes to establish their new lives during the 'move-on' period. This is exasperated by inadequate translation support which is only provided at the initial appointment at Job Centre Plus. Many refugees experience delays receiving their national insurance number (NINO) which impedes their ability to access mainstream benefits, despite there being no need to have a NINO to apply for benefits.

At the end of the move-on period many young refugee men become homeless as a result of not being considered a priority case by local authorities and are unable to afford private accommodation. Local authorities are encouraged to provide housing and support to refugees under the Welsh Government Code of Guidance on the Allocation of Accommodation and Homelessness. However, the approaches across Wales are inconsistent as to the classification of certain groups of refugees, particularly young male refugees, as non-priority which subsequently leads to homelessness. Despite the Welsh Government's

action within the delivery plan to promote access to the private rented sector to reduce homelessness if local authority housing is not available, the Immigration Act 2016 is likely to undermine this.

The Act empowers the UK government to extend the 'right to rent' scheme to Wales. Private landlords will be required to carry out 'right to rent' checks on potential tenants and introduces a financial penalty if they rent to anyone excluded from renting as a result of their immigration status. Despite the Welsh Government's action within the delivery plan to promote access to the private rented sector to reduce homelessness, the Immigration Act will likely result in an increase of homelessness amongst refused asylum seekers and those with status as landlords may be deterred from renting to ethnic minority tenants for fear of inadvertently renting to someone who does not have the correct status.

The varying application of the guidance by local authorities and the lack of actions to mitigate the negative impact of the Immigration Act will likely impede the achievement of the intended outcome of the plan to ensure refugees do not experience homelessness.

**Recommendation:** Welsh Government undertakes an Equality Impact Assessment (EIA) of Right to Rent Checks in Wales and monitors the impact of this legislation.

**Recommendation:** Welsh Government works with private landlords to raise awareness of different types of migration status to mitigate any impacts of Right to Rent Checks in Wales.

### **Health, well-being and social care**

**3) Context:** Frequently our service users report that they are not offered interpretation support whilst accessing primary healthcare services which has impeded their ability to communicate their symptoms and understand the medical advice.

The delivery plan recognises the need to work with Public Health Wales to revise current guidance on language provision but despite sector advice that this action be incorporated under the section of physical health for all refugees and asylum seekers it was retained within the section for maternity and children. It is therefore confusing as to who exactly will be offered translation and who will not. All asylum seekers and refugees should be able to communicate their symptoms and medical history which, due to the nature of their arrival in the UK, is often inaccessible or missing. This would support diagnosis and treatment and reduce anxiety.

**Recommendation:** The Welsh Government to strengthen the guidance for health services to ensure that the availability of quality interpreting services is effectively communicated to target groups and consistently provided wherever required.

### **Education**

**4) Context:** Supported by Welsh Government funding, we provide contextualised basic to improver ESOL classes for refugee and asylum seeker women living in Newport alongside a free crèche facility to develop language skills and an understanding of living in Wales to improve integration. The demand for this type of tailored ESOL provision outstrips the availability, with classes constantly operating at capacity and waiting list a common occurrence.

Transport costs are a big barrier, especially for asylum seekers on very limited funds, impeding access to necessary ESOL classes, which, unlike many other community services, are often not available locally and require significant travel costs, especially for those on such a limited budget.

**Recommendation:** More formal provision at different levels (accredited and appropriate to qualifications and access to employment), starting at different times throughout the academic year, so that no asylum seeker need wait longer than a month for ESOL.

**Recommendation:** For the Welsh Government to increase the availability of provision which caters for gender based needs (e.g. childcare provision) and where necessary single-sex provision. This needs to include very low level community based provision with opportunities to practise in a social context.

Community based provision would allow for a more flexible and responsive approach to the needs of the learners.

**Recommendation:** The Welsh Government to work with local authorities to address barriers to access especially for those living outside urban areas, e.g. subsidised transport and more community based outreach courses in neighbourhoods where asylum seekers are dispersed.

### **Community Cohesion**

**5) Context:** Community cohesion can be severely hampered by forced family separation which reduces the coping mechanisms of the individuals affected and is compounded by a lack of social connectedness. We offer a means tested travel assistance programme, in partnership with the International Organisation for Migration, that can help pay the travel costs for the family members of refugees who remain overseas but have been granted a refugee family reunion visa to come to the UK.

Adult refugees have a legal right, under UK and international law, to be reunited with their children and spouse if they are still overseas, but since April 2013 legal aid funding has not been available for family reunion in England and Wales. Many refugees cannot afford to exercise their right to family reunion because they can't afford the legal representation needed. The UK Government withdrew legal aid for family reunification as it deemed it a straightforward process. However, our research report<sup>2</sup> shows that family reunion can be very complex and people face huge difficulties obtaining essential documentation, such as marriage certificates and birth certificates, when they have fled their home country. Without expert advice, difficult issues can stop or delay the reunion from progressing. This lack of legal support also leaves women and children, who are commonly the family members remaining overseas, extremely vulnerable, stranded in dangerous situations and at risk of exploitation and harm.

For many refugees, family reunion is another crisis point – when refugees are at a higher risk of destitution, homelessness or severe overcrowding at home<sup>iii</sup>. These risks place extra strain on families at a critical time, as they attempt to build a home together after what may be years of separation and disrupted family life.

#### **Case study:**

Mousa Al Sharki, his wife Rajaa and their four children lived in Aleppo, Syria. As fighting escalated they realised it was no longer safe and decided to leave. Aleppo has seen some of the conflict's most devastating bombing and fighting – often in residential areas.

Earlier this year, Mousa travelled to the UK, while a heavily pregnant Rajaa and their children went to Lebanon. It was here that she gave birth to baby Omar. Mousa sought refuge in the UK and managed to get a family reunion visa to bring his wife and children to Cardiff. But an error on baby Omar's passport meant it didn't match his birth certificate. He wasn't allowed to board the flight and Rajaa felt she was given no option by authorities but to go on ahead without him.

Distraught, Rajaa boarded the flight, leaving her eight-month-old son with her sister-in-law.

Omar's passport stated he was born in Damascus, rather than in Lebanon. That meant he couldn't re-join his family until the passport was changed. But the family couldn't afford to pay for the change. They turned to the British Red Cross for help.

We asked our colleagues in the International Committee of the Red Cross (ICRC) tracing unit in Beirut to help. They made sure baby Omar got the exit visa he needed to come to the UK.

The Al Sharki family is now happily reunited and living in Wales.

**Recommendation:** The Welsh Government to look at ways to mitigate the adverse impacts of UK policy in Wales by enabling refugees to access the legal advice required for complex family reunion cases.

**Recommendation:** Often support focusses on the individual and the time between claiming asylum to receiving status. The Welsh Government Delivery Plan also needs to incorporate outcomes across departments, such as health, education and housing, that go beyond the 28 day move-on period with a wider focus on the well-being of the whole family by creating an integration pathway which adopts an early intervention and prevention response to family reunion.

**The Reunited Family Support Service** in Scotland is a service delivered by the British Red Cross. It is part of a wider refugee project that is run in partnership with Scottish Refugee Council and other organisations. It helps the families of refugees settle into Scotland after they have been reunited with their loved ones following the complex process of family reunion.

The service helps support and orientate people by providing practical help and assistance. It assists with applications for benefits, enrolling in English classes, accessing education, health and social care, and building social connections through lifeskills classes and group work activities.

It addresses social isolation, and provides people with opportunities to become active members of their communities and meet other families.

## **The pace and effectiveness of the Welsh Government approach to resettling refugees through the UK Government's Syrian Vulnerable Persons Relocation Scheme (SVPRS)**

**6) Context:** By the end of June 2016, Local Authorities in Wales had resettled 112 refugees from Syria through the SVPRS. By the end October 2016, 17 out of 22 Local Authorities had welcomed Syrian refugees through the scheme, with all others preparing to do so by December 2016.

The Red Cross is working alongside local authorities and partners to support the families who have been and are being resettled in Wales. This has involved preparing for their arrival, welcoming the families and working with them individually to rebuild their lives and facilitate integration into their new homes and communities.

We have welcomed the proactive approach of local authorities to prepare for and support families from the point at which they arrive in the UK to ensure they are familiarised and settled into their new home and community.

However, this does contrast to the experience of people who have travelled independently of managed migration routes to seek sanctuary. They also face trauma which is compounded by the asylum system in the UK which is often subject to delays in decision-making, negative decisions resulting in prolonged appeals, and adverse implications of the 28 day move-on period once they receive their refugee status.

The bespoke support available to Syrian refugees arriving under SRVPS combined with the fast-tracking of administrative support is contributing to an emerging two-tier system of support for people in Wales at a vulnerable point in their lives. This has the potential to lead to tensions amongst Syrians and the wider asylum seeking and refugee communities.

**Recommendation:** Those areas taking part in the SVPRS provide an opportunity to explore best practice and learning from the first year of the project across Wales.

**Recommendation:** The Welsh Government to address the two-tier system by evaluating and replicating elements of the good practice delivered via SVPRS and extend to all people seeking asylum to ensure integrated, end-to-end support.

**Recommendation:** The Welsh Government should apply aspects of the support provided under the SRVPS to help refugee families integrate into their new communities. Refugees need to

understand their rights, entitlements and responsibilities. They also need advocacy support to access complex services such as housing, benefits systems and schools.

**Recommendation:** Seek a commitment from Welsh Government to fund the refugee move on service on a long-term basis.

**Recommendation:** Requiring Welsh Government to extend the remit of the Taskforce and Operations Board to include all asylum seekers and refugees.

**Recommendation:** Ensuring Jobcentre Plus staff in Wales are required to increase their understanding, possibly through dedicated training, of the particular barriers faced by refugees in job seeking and supported on an ongoing basis to give specialist assistance to them.

**Recommendation:** Urging Welsh Government to vocalise the impacts of UK policy on people in Wales and actively seek to influence Home Office policy and practice:

- The Home Office should ensure that relevant documentation is received by refugees at the same time as they are informed of their status.
- Where an application has been made for welfare benefits within the 28 days move on period, the Home Office should not cease asylum support until the first payment has been made, including where that payment is a short-term benefit advance.
- The target time for processing an application for an Integration Loan must be less than the length of the move on period. When a newly recognised refugee has applied for an Integration Loan and has not yet received it, they should be allowed to remain in their asylum accommodation.
- UK Government guidance to banks should advise them what documents are issued to refugees and others with leave to remain in the country so that they are encouraged to recognise them as evidence of identity. Bank staff should also be familiarised with the types of ID refugees will carry.

**7) Context:** Welsh Government have been vocal about their support for the SVPRS in Wales. In line with our concerns about the development of a two-tier system for refugee welcome and support, we also have concerns that poor public understanding of the need for international refugee protection is being further eroded with an almost exclusive emphasis on SVPRS.

**Recommendation:** We would like to see Welsh Government demonstrate leadership and proactively promote positive public messages about all refugees being welcome in Wales, as well as the benefits of migration.

---

i <http://www.redcross.org.uk/~media/BritishRedCross/Documents/What%20we%20do/UK%20services/Greater%20Manchester%20destitution%20report.pdf>

ii <http://www.redcross.org.uk/~media/BritishRedCross/Documents/About%20us/Not%20so%20straightforward%20refugee%20family%20reunion%20report%202015.pdf>

iii <http://www.redcross.org.uk/~media/BritishRedCross/Documents/About%20us/British%20Red%20Cross%20-%20Integration%20Experiences%20Report.pdf>



## Welsh Refugee Council

120 – 122 Broadway  
Cardiff CF24 1NJ

Email: [info@welshrefugeecouncil.org.uk](mailto:info@welshrefugeecouncil.org.uk)

Phone: 02920 489 800 | Fax: 02920 432 999

### Submission of evidence to the National Assembly for Wales' Equality, Local Government & Communities Committee inquiry into Refugees & Asylum Seekers in Wales (November 2016).

#### 1. Welsh Refugee Council.

1.1 For over 25 years, Welsh Refugee Council has been working people who are fleeing persecution, conflict & oppression. We deliver direct specialist support services to refugees in Cardiff, Wrexham, Newport & Swansea & work to empower asylum seekers & refugees to build new futures in Wales. We work extensively with a range of community, voluntary & statutory sector partners & strive to contribute to the creation of a society where respect & equality for all are paramount & where human rights are enjoyed. We are an active member of both the Welsh Refugee Coalition<sup>1</sup> & City of Sanctuary<sup>2</sup> movement in Wales. We welcome the opportunity to submit written evidence as part of this inquiry & outline our responses to each of the inquiry's 4 points below.

#### 2. The pace & effectiveness of the Welsh Government approach to resettling refugees through the UK Government's Syrian Vulnerable Persons Relocation Scheme (SVPRS).

2.1 By the end June 2016, Local Authorities in Wales had resettled 112 refugees from Syria through the SVPRS. By October 2016, 17 of 22 Local Authorities had welcomed Syrian refugees through the scheme, with all others preparing to do so by December 2016. For many of these Local Authorities, refugee resettlement is a new area of work & great care has been taken to ensure it works for both the resettled families & the communities that receive them. The Home Office leads on the scheme, with the Welsh Government facilitating a Taskforce & an Operation's Board to co-ordinate the arrival & effective integration of people. Membership of the Taskforce & Board includes representatives from health, local government, education, the third & private sectors, the Home Office & police. Initially set up to oversee the effective implementation of the SVPRS, the remit of these bodies has been extended to include a Children's Task & Finish Group, which looks beyond the SVPRS to other Home Office schemes such as the Vulnerable Children Resettlement scheme & the UASC National Transfer Scheme.

2.2 We welcome Welsh Government's coordination role re the SVPRS, though also seek reassurances that:

**Recommendation 1:** Welsh Government are facilitating an evaluation of SVPRS in Wales & developing mechanisms to promote the sharing & expansion of good integration practice across public services and local authorities. This is especially important in areas where people are resettled in areas without diaspora communities.

1 A coalition of organisations working in Wales with asylum seekers & refugees at all stages of their journey, & with the communities in which they live. We work together in the interests of asylum seekers & refugees, to ensure that our limited resources can be used to best effect & to speak with one voice on policies & practices affecting people seeking safety in Wales.

2 <https://cityofsanctuary.org/>

#### Newport

125 Lower Dock Street  
Newport  
NP20 1EG  
Tel: 01633 266420

#### Swansea

49 Walter Road  
Swansea  
SW1 5PW  
Tel: 01792 630181

#### Wrexham

33 Grosvenor Road  
Wrexham  
LL11 1BT  
Tel: 01978 355818



UK Registered Charity No: 1102449

Company Number: 4818136





**Recommendation 2:** Welsh Government ensure such learning is ongoing & used to inform responses to future refugee crises, in order that these responses can be rapid, as well as effective for refugees & the communities that receive them.

**Recommendation 3:** Welsh Government to require responses to refugee crises be incorporated into the remit of the Wales Resilience Forum & into Local Authority resilience & civil contingency planning.

2.3 In terms of the support available to people, we recognise the SVPRS as a gold standard in many ways: people are welcomed at their arrival point, taken to their housing, supported with cash until benefits start, are accompanied to health & education related appointments & supported to find employment. This contrasts to the support available to people who secure status in the UK after travelling independently of managed migration routes (often referred to as 'spontaneous' refugees). Welsh Government have funded Welsh Refugee Council on an annual basis since 2004 to provide advocacy support for these people gaining status<sup>3</sup> whilst living in Wales or choosing to move to Wales following a grant of status through its move-on service. This service is in high demand & operates from offices in the 4 dispersal cities of Swansea, Cardiff, Newport & Wrexham. Over the quarter July – September 2016, this service supported 734 main applicants (196 of them were newly recognised refugees), with issues as varied as obtaining status documents, obtaining National Insurance numbers, opening bank accounts, applying for integration loans & benefits, seeking employment & accessing homelessness, housing & health services. Through this advocacy provision, we know that people, immediately after being recognised as in need of international protection, are highly likely to experience financial hardship, homelessness & destitution (see also Refugee Council's 'England's Forgotten Refugees'<sup>4</sup> and Red Cross's 'The Move-On Period: An Ordeal for New Refugees'<sup>5</sup>). People moving through the SVPRS are not as vulnerable to these experiences as, arriving with status, they do not face a 28 day move on period, as administrative procedures (particularly around obtaining National Insurance numbers) that contribute to such problems are addressed earlier. We are concerned that the level of investment & focus on Syrian refugees moving through the SVPRS compared with the investment & interest in spontaneous refugees has created a two-tier system. This impacts directly on refugees in Wales at a vulnerable time in their lives, creating tensions between members of the Syrian community & negatively influencing personal perceptions of welcome. It encourages public misunderstanding around the need for international protection & contributes to the damaging rhetoric of the 'deserving' versus 'undeserving' migrant.

2.4 We urge the committee to acknowledge & address this two-tier system by seeking commitments from Welsh Government to:

**Recommendation 4:** demonstrate leadership & proactively promote positive messages & narratives about *all* refugees being welcome in Wales, as well as the benefits of migration to Wales.

**Recommendation 5:** fund the refugee move-on service on a long-term & sustainable basis.

**Recommendation 6:** extend the remit of the Syrian Taskforce & Operations Board to include *all* asylum seekers & refugees.

**Recommendation 7:** vocalise the impacts of UK policy (e.g. homelessness, destitution & an associated pressure & demand on public & third sector services) on people in Wales & actively seek to influence Home Office policy & practice in the following ways:

- The Home Office should ensure that relevant documentation (e.g. NINO & Biometric Residence Permits) is received by refugees at the same time as they are informed of their status.
- Where an application has been made for welfare benefits within the 28 day move-on period, the Home Office not cease asylum support until the first payment has been made, including where that payment is a short-term benefit advance

<sup>3</sup> <http://welshrefugeecouncil.org.uk/what-help-do-you-need/i-have-been-granted-status>

<sup>4</sup> [http://www.refugeecouncil.org.uk/assets/0003/7935/England\\_s\\_Forgotten\\_Refugees\\_final.pdf](http://www.refugeecouncil.org.uk/assets/0003/7935/England_s_Forgotten_Refugees_final.pdf)

<sup>5</sup> <http://www.redcross.org.uk/en/About-us/Advocacy/Refugees/Ending-destitution/The-move-on-period>



- The target time for processing an application for an Integration Loan must be less than the length of the move on period. When a newly recognised refugee has applied for an Integration Loan & has not yet received it, they should be allowed to remain in their asylum accommodation
- UK Government guidance to banks to advise them what documents are issued to refugees & others with leave to remain in the country so that they are encouraged to recognise them as evidence of identity. Bank staff should also be familiarised with the types of ID refugees have available to them.

### 3. The effectiveness of the Refugee & Asylum Seeker Delivery Plan.

3.1 Whilst this plan was welcome, Welsh Refugee Council had concerns that it would neither address critical issues for people seeking sanctuary in Wales, nor create the conditions needed to ensure that people are safe, able to contribute & integrate into communities or enjoy their human rights. Since the committee's consultation in August, Welsh Government have proposed a budget & an outline specification for work they would like to see delivered under the Refugee, Asylum Seeker & Migrant strand of their Inclusion Fund from April 2017. This proposal has been through a number of iterations, with the most recent including areas of work which are missing from the Delivery Plan, though fundamental to recognising & securing the rights of asylum seekers & refugees in Wales: legal advice, advocacy for children & young people & destitution. The latest iteration of the proposal additionally included an uplift in the level of funding available to deliver the work. These developments are very much welcomed. Concerns remain however:

#### 3.2 Ambition

The plan provided missed an opportunity to champion Wales as a Nation of Sanctuary, with clear commitments to improving equality of opportunity, rights based approaches & humane practices. It missed an opportunity to reiterate previous Welsh Government<sup>6</sup> messaging that integration begins on day one of arrival (rather than upon receipt of status or approaching the point at which people are eligible to apply for citizenship or naturalisation) & the opportunity to contextualise & celebrate Wales' response to often restrictive UK/Home Office legislation & policy, as well as to challenging international humanitarian crises. Scotland's Refugee Integration Strategy, *New Scots: Integrating Refugees in Scotland's Communities*<sup>7</sup> offers such ambition, whilst remaining pragmatic.

**Recommendation 8:** Future updates of the plan to promote Wales as a Nation of Sanctuary, re-assert Wales' commitment to integration beginning on day 1 & to acknowledge & celebrate Wales' response to the UK & international context in which the plan is contextualised.

#### 3.3 Accountability

The plan lack clear actions, indicators, benchmarks, lead responsibilities, timeframes or a monitoring & evaluation framework.

#### 3.4 Housing & advice services

a. *Move-on:* As outlined above (section 2.3), Welsh Government fund Welsh Refugee Council to deliver advice & advocacy services to newly recognised refugees (as well as to people with humanitarian protection & discretionary leave). This service is over-subscribed & works with, on average, 700 people a quarter. Evidence from this service highlights that people in priority need spend lengthy periods in temporary & often unsuitable/unsafe accommodation. People not deemed to be in priority need are generally unable to access private rented housing, due to the requirement to pay agency fees, one or two month's rent in advance, the need for a guarantor and lengthy delays in integration loans being processed. When people are able to secure private rented housing, there are concerns about the quality & cost. Where dedicated housing officers exist, with experience & understanding of refugee needs (e.g. in Swansea), evidence suggest that housing outcomes are much improved for refugees.

<sup>6</sup> <http://gov.wales/dsjlg/publications/communityregendevelop/refugeeinclusionstrategy/strategye.pdf?lang=en>, page 22

<sup>7</sup> <http://www.gov.scot/Resource/0043/00439604.pdf>



Housing is one of the areas likely to be impacted by the Immigration Act 2016. The Act provides for 'Right to Rent Checks', making it compulsory for landlords to check the immigration status of all new adult tenants. This places additional pressure on landlords, especially small-scale landlords who are private individuals and will exacerbate concerns of renting to anybody without clear immigration status or documentation and thus potentially increasing unintended discrimination. These checks could lead to destitution and an increase in homelessness, putting more pressures and costs on already stretched local authorities.

**Recommendation 9:** The Welsh Government should act to offset discrimination against refugees in housing, both as new refugees and later. For example:

- Issue guidance to Local Authorities classifying all new refugees as vulnerable so that they are regarded as in priority need for housing; alternatively, provide adequate funding to local authorities and accompanying guidance to enable newly recognised refugees who are not considered in priority housing need to benefit from rent deposit schemes.
- Consider ring-fencing a proportion of the 'Supporting People' fund for refugees (this fund helps people maintain tenancies, with a view to preventing homelessness).
- Ensure Local Authorities in dispersal areas have dedicated housing resettlement officers with an active role in assessing priority need for individual refugees.
- Undertake an Equality Impact Assessment (EIA) of Right to Rent Checks<sup>8</sup> in Wales and monitor the impact of this legislation.
- Work with private landlords to raise awareness of different types of migration status to mitigate any impacts of Right to Rent Checks in Wales.

*b. Asylum housing:* Despite housing being devolved to Wales, asylum housing is an exception to this. This is problematic as housing is a major issue for many asylum seekers with reports that the housing provided is often inadequate and unhygienic. Evidence collated by Welsh Refugee Coalition<sup>9</sup> members highlighted failings with Initial Accommodation housing, failings which are often reported as issues in dispersal accommodation: overcrowding; poor states of repair; broken appliances, boilers & furniture; lack of maintenance; damp conditions & harassment and anti-social behaviour from other tenants and members of staff. Standards of service provision were reported as a serious concern, with a general feeling that the service provider had little appreciation of the difficulties faced by asylum seekers and their reasons for seeking asylum in the UK. This was accompanied with a perception that the service provider is more concerned with internal targets and profit generation than on providing a service that protects and supports vulnerable people. Asylum accommodation is a source of worry and anxiety for people living in it, aggravating pre-existing experiences of trauma, rather than providing a place of sanctuary. It is unacceptable that asylum housing in Wales is not subject to any independent scrutiny on standards nor subject to any independent means of complaint. This lack of accountability, coupled with the fact that asylum seekers are unlikely to complain because of a fear of retribution (from either the Home Office or from the housing provider) mean that people are forced to endure housing which would not be of an acceptable standard for any other publicly funded accommodation.

**Recommendation 10:** Welsh Government actively engages with the UK Visa & Immigration Asylum Accommodation & Support Transformation (AAST) stakeholder consultation to ensure that any new contract for asylum housing in Wales brings housing quality standards, complaints procedures, monitoring & enforcement in line with Welsh Quality Housing standards.

**Recommendation 11:** Welsh Government insist that the quality of asylum housing in Wales is scrutinised by either Welsh Government or local authorities

<sup>8</sup> <http://www.taipawb.org/policy-influencing/immigration-right-rent-checks/>

<sup>9</sup> Welsh Refugee Coalition Briefing for Welsh Affairs Select Committee, 29th February 2016



- c. Homelessness: Welsh Refugee Council, working in partnership with agencies like the Red Cross, see on average of 20 to 25 people who are destitute & homeless each week. People tend to be refused asylum seekers, newly granted refugees or women with insecure immigration status experiencing domestic violence. With the exception of refugees, people have no right to public housing, no money, no right to benefits & no legal right to work. As a result, this group of people are characterised by vulnerability, inability to satisfy essential living needs and poor health and wellbeing<sup>10</sup>. At Welsh Refugee Council, people are provided with small payments of between £5-£10 per week, items of clothing & occasionally food, as well as being advised where they can access community & faith based support (e.g. Sharedydd<sup>11</sup>, Oasis<sup>12</sup> & Nightshelter<sup>13</sup>). Destitution is a breach of the rights of individuals & a community cohesion issue. It is also a resource issue, as the practice places significant & unpredictable demand & on Local Authority & third sector services.

**Recommendation 12:** In line with the Wales Refugee Coalition recommendation, Welsh Government expand the eligibility criteria for the Discretionary Assistance Fund (DAF) to include people who currently have no recourse to public funds (NRPF).

- d. *Advice Services:* Specialist advice & advocacy services for *refugees* have been funded by Welsh Government since 2004. Specialist advice & advocacy services for *asylum seekers* were funded by the Home Office in Wales until March 2014. The later ensured that asylum seekers were informed about their rights & entitlements & had a voice when faced with issues relating to their welfare. Advocacy for asylum seekers is likely to be offered again in Wales from April 2017, via Welsh Government Inclusion funding, though with the level of funding available, it is unlikely that provision will meet need.

### 3.5 Education

- a. *ESOL:* Gaining proficiency in English as soon as possible is one of the most important pillars enabling inclusion & integration & is identified time & time again in focus of asylum seekers & refugees as a key need. Welsh Refugee Council, in partnership with South Wales University, offer free ESOL in Cardiff to approximately 270 students per quarter. Their feedback on accessing ESOL informs our understanding of what is needed. We welcome commitments in the Delivery Plan to improve the flexibility of ESOL provision & for it to have parity with basic skills. We welcome the commitment to providing more contextualised ESOL provision in order that people are able to work towards updating their existing qualifications to those recognisable in the UK & to offer provision which meets the variety of leaner needs. Whilst these commitments and outcomes are welcome, for them to have the desired impact,

**Recommendation 13:** Welsh Government must ensure that provision:

- responds to gender based needs (e.g. women are often carers for children or other family members & so are more able to access provision outside of the school run or which has crèche facilities).
- continues to be available on a no-cost basis and irrespective of immigration status (mirroring the recognition that integration begins on day one).
- is accessible throughout the academic year

### 3.6 Employment

- a. *Employment, Volunteering and Training:* With access to the labour market the most critical aspect of migrant integration<sup>14</sup>, efforts to ensure refugees are empowered to utilise their skills and knowledge

<sup>10</sup><http://www.redcross.org.uk/~media/BritishRedCross/Documents/About%20us/South%20Yorkshire%20destitution%20report.pdf>

<sup>11</sup><https://cardiffdestitutionnetwork.wordpress.com/sharedydd/>

<sup>12</sup><http://oasiscardiff.org/about-us/>

<sup>13</sup><http://newportnightshelter.org/>

<sup>14</sup> Hagendoorn, Louk, Justus Veenman, and Wilma Volleburch, eds. (2003). *Integrating Immigrants in the Netherlands: Cultural versus Socioeconomic Integration*, Aldershot/Burlington: Ashgate.



and to achieve their full potential as members of Welsh society, as detailed in the Delivery Plan, are applauded.

Refugee communities in Wales often rely on 'word of mouth' within their own networks to find employment, rather than finding job opportunities through other means such as online search due to limited digital access & language barriers. This has led to a concentration of refugees in some low-skilled areas of the labour market. In 2015, about 19% of non-UK born residents in Wales worked in elementary occupations compared to 12% of those born in the UK<sup>15</sup>. Through our move-on service and our links with refugee communities, we know of many highly qualified individuals employed in low paid jobs in factories, even years after gaining status. Agencies such as Job Centre Plus, with their emphasis on moving people into work regardless of experience or qualifications, can exacerbate this situation by not looking beyond English language skills, as well as overlooking skills, experience & qualifications gained overseas.

**Recommendation 14:** Welsh Government to support Jobcentre Plus staff in Wales to increase their understanding of the barriers faced by refugees in job seeking to provide a person-centred service with improved longer term outcomes (e.g. refugees being employed in industries they are qualified for).

**Recommendation 15:** Welsh Government invest in systemic support for the transfer & recognition of qualifications: an education and employment advisor in each of Wales' dispersal areas and NARIC<sup>16</sup> (national agency for the recognition and comparison of international qualifications and skills) membership for lead agencies.

**Recommendation 16:** Welsh Government, under its 'Prosperity for All'<sup>17</sup> agenda, to work with business and industry to create training and internship programmes which maximise the use of refugees' skills & minimise time spent outside the labour market. This could include supporting employers to deliver tailored programmes to promote smooth access to the labour market complimented by specialist language provision where appropriate or intensive and flexible ESOL provision to fit around working hours – this would both enhance the skills of their workforce and promote the welfare and retention of employees.

#### **4. The support & advocacy available to unaccompanied asylum seeking children.**

4.1 Whilst Welsh Government's Delivery Plan acknowledges the need to 'ensure the UNCRC derived principles underpin children's policies & programme in Wales in the field of asylum & immigration', this is far from a robust commitment to protect asylum seeking children's rights in Wales. The plan's sole outcome to ensure 'UASCs are safe & supported in order to prevent isolation & social exclusion' similarly lacks fortitude. The Delivery Plan identifies a number of briefings & toolkits which can be used by service providers, though contains only one action to directly support the promotion of rights amongst children as rights holders themselves: that UASCs have access to independent advocacy in respect of the duties owed to them under the Social Services and Wellbeing Act 2014. Advocacy is very much needed as UASCs – before and after being formally recognised as such - have particularly complex needs which demand specialist knowledge & advocacy<sup>18</sup>. Currently, there is no such advocacy in Wales following the closure of Tros Gynnal Plant's specialist provision in 2014. There is a possibility that some advocacy provision for UASCs will be resurrected from April 2017 as part of Welsh Government's Inclusion funding – though again, concerns around levels of funding and competing priorities for this funding apply. This concern is heightened in light of plans to expand resettlement schemes with further Home Office initiatives for asylum seeking & refugee children.

**Recommendation 17:** Welsh Government reconsider their allocation of funding for work with UASCs and seek to provide dedicated, ringfenced funding (i.e. in addition to the Inclusion funding) in order to

<sup>15</sup> Welsh Refugee Council, *Migrants in the Welsh Labour Market*, 2016, <https://www.welshrefugeecouncil.org/migration-information/migration-trends/migrants-in-the-welsh-labour-market>

<sup>16</sup> <http://naric.org.uk/naric/>

<sup>17</sup> <http://gov.wales/docs/strategies/160920-taking-wales-forward-en.pdf>

<sup>18</sup> <http://welshrefugeecouncil.org.uk/resources/research/young-lives-in-limbo>



ensure compliance with recommendations made by the UN Committee on the Rights of the Child<sup>19</sup> to 'provide sufficient support to migrant, refugee and asylum-seeking children to access basic services'.

**Recommendation 18:** Welsh Government to ensure that advocacy provision exists for all age disputed asylum seeking children and young people, not just those who have been recognised as UASCs and who are looked after.

## **5. The role & effectiveness of the Welsh Government's Community Cohesion Delivery Plan in ensuring the integration of refugees & asylum seekers in Welsh communities.**

5.1 *Departments, organisations and people understand hate crime, victims make reports and get appropriate support (Outcome 1):* Welsh Refugee Council's focus groups with people around hate crime suggest that experiences of hate crime are common amongst asylum seekers and refugees and that much more work needs to be done to ensure that people to recognise hate crime and develop the confidence and trust in services to report it<sup>20</sup>. This is especially pressing given the rise in hate crime reported following the Brexit vote.

**Recommendation 19:** Welsh Government, as part of their Framework for Action on Tackling Hate Crimes & Incidents, to require real or perceived migration status to be recognised & recorded as a reason for Hate Crime.

5.2 *Increased evidence and awareness on immigration and supporting the inclusion of asylum seekers, refugees and migrants (Outcome 4):* Funded by Welsh Government, Welsh Refugee Council, in partnership with the Centre on Migration, Policy and Society (COMPAS) and the Migration Observatory at the University of Oxford, lead the Migration Services in Wales project. This project provides up-to-date information on migration policy and practice & facilitates the development of a strategic approach to migration in Wales. As part of this project we produce Legal and Policy Briefings<sup>21</sup>, have provided specialist training<sup>22</sup>, support the development of local strategic frameworks on migration<sup>23</sup> and provide a migration enquiry service<sup>24</sup>. All aspects of this project contribute directly and significantly to this outcome, an outcome that will be jeopardised when this work ceases in March 2017 due to the cessation of Welsh Government funding.

**Recommendation 20:** Welsh Government invest in continuing and building on the work of the Migration Services project to ensure that practitioners and policy makers in Wales have access to up-to-date, Welsh specific, information on migration trends and migrant rights.

**Recommendation 21:** Welsh Government develop a comprehensive National Migration Strategy to address poverty, the labour force and economic renewal of Wales, alongside commitments to equality and human rights and clear messages on the role of migration in Wales' future and the status of migrants in Welsh society<sup>25</sup>. Scotland's Strategic Migration Partnership Policy Toolkit provides a good example<sup>26</sup>.

5.3 Whilst a national strategy is needed to ensure that legislation and policy facilitate integration, it is Local Authorities that, with their partners, have the greatest capacity to build an inclusive culture and practice that touches on everyday lives. Local migration strategies (rather than ad hoc responses by

<sup>19</sup> <http://gov.wales/docs/dsjlg/publications/cyp/160727-final-concluding-observations-2016-en.pdf> (76.f)

<sup>20</sup> <https://www.welshrefugeecouncil.org/news/07102016-1554/hate-crime-report-it>

<sup>21</sup> <https://wrc.wales/migration-information/legal-briefings>

<sup>22</sup> <https://wrc.wales/migration-information/training>

<sup>23</sup> <https://wrc.wales/migration-information/strategic-frameworks>

<sup>24</sup> <https://wrc.wales/migration-information/migration-enquiries>

<sup>25</sup> The conference report is available on the Migration Services in Wales webpage on Local Strategic Frameworks on Migration:

<https://wrc.wales/sites/default/files/Resource%20-%20Strategic%20Frameworks%20on%20Integration%20-%20Conference%20Report.pdf>

<sup>26</sup> [http://www.migrationscotland.org.uk/uploads/files/documents/csmp\\_policy\\_toolkit\\_v2.0\\_0.pdf](http://www.migrationscotland.org.uk/uploads/files/documents/csmp_policy_toolkit_v2.0_0.pdf)



individual services) harness shared goal across the authority, ensure consistency of approach and in communicating a common narrative, and to deliver joined up services. It ensures that full account is taken of the demographic context, that partner agencies can be engaged in considering the options and their role in delivery, and that measurable deliverables are identified.

**Recommendation 22:** Welsh Government to build on the work that it has funded since April 2015<sup>27</sup> and compel local authorities to develop local migration strategies.

5.4 *Key policies and programmes are supporting and evidencing delivery against the national goal on more cohesive communities through the Wellbeing of Future Generations (Wales) Act 2015 (Outcome 6):* The establishment of a 'buddy' programme or mentor system, with clear guidelines and safeguarding measures, which, with sufficient resource, could be coordinated by civil society at the local level and would establish early contact between new migrants and their local community. Throughout Europe, volunteering programmes for refugees promoted contact and understanding across diverse groups<sup>28</sup>.

**Recommendation 23:** Welsh Government invest resource into harnessing the enthusiasm of the many people who have signed up to support refugees across Wales in recent months, including support for the development of established networks such as the City of Sanctuary movement. Additional resource for the voluntary sector would do much to support such efforts.

**Recommendation 24:** Welsh Government compel public service boards to include the needs of migrants, to ensure that the duties owed to different types of migrants are well understood by both front-line practitioners and policy makers and to encourage clear, positive messages on migrant integration. This should recognise the specific needs of vulnerable migrants as well as those of refugees and asylum seekers and demonstrate sensitivity towards the human rights challenges facing those with irregular immigration status.

## 6. Immigration Act 2016

In line with concerns raised by the Wales Refugee Coalition, Welsh Refugee Council urge the committee to consider the constitutional implications and potential impact of the Immigration Act 2016 in Wales.

**Recommendation 25:** Welsh Government should keep a close watch on UK policy on asylum and immigration and where there are adverse effects either lobby for changes or seek ways within its competence to mitigate these. In particular, Welsh Government should explore the impacts of the Immigration Act on individuals, devolved public services and on local authorities in Wales, commissioning additional research where necessary and putting in place policies to mitigate any negative impacts.

Tracey Sherlock  
07817 333511  
22 November 2016

---

<sup>27</sup>

<https://wrc.wales/sites/default/files/Developing%20a%20Strategic%20Approach%20to%20Integration%20in%20Wales%20A%20practical%20resource%20for%20local%20authorities%20and%20their%20partners%20in%20Wales.pdf>

<sup>28</sup> Two examples from the UK can be found on the Cities of Migration website, Birmingham- [Meeting, Mediating and Mentoring: The Power of Peer Mentoring](#), London- [Time Together: Mentoring for Daily Life](#)

## Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau Equality, Local Government and Communities Committee ELGC(5)-12-16 Papur 5a / Paper 5a

Mr John Griffiths AM  
Chair – Equality, Local Government & Communities Committee  
7th Floor  
Clarence House  
Clarence Place  
Newport  
NP19 7AA

Our ref: CED/CJH

15<sup>th</sup>  
September 2016

*Andy Johns*

### **Request for an Inquiry by the Equality, Local Government & Communities Committee**

I write to you with regard to the takeover of Tai Cantref Housing Association by Wales and West Housing Association, to kindly ask that you consider the need for an inquiry by the Equality, Local Government and Communities Committee of which, of course, you are the Chair.

A recurrent and salient issue throughout my conversations with Tai Cantref tenants, members of staff and shareholders was the role of the Welsh Government, both as a regulator of Tai Cantref - a Registered Social Landlord (RSL) - and as an effective catalyst to the takeover following the launch of the Welsh Government's statutory inquiry into Tai Cantref.

I sincerely believe that an inquiry would not only allow for scrutiny of the process which led to the takeover, but of equal importance, an inquiry could consider the different housing legislation which exists for local authorities and RSLs, and ensure that RSL tenants are fully and properly consulted in future, noting that this was a repeated concern of tenants throughout the takeover.

As I am sure you are aware, Tai Cantref's situation as a viable RSL deteriorated dramatically in the lead-up to the takeover by Wales and West Housing Association. On the 16<sup>th</sup> July 2015 at Tai Cantref's Annual General Meeting, the board announced a surplus of funds of £978,000, increasing the total funds available to the company to nearly £6.6 million. However, following the conclusion of the Welsh Government's unprecedented statutory investigation on August 15<sup>th</sup>, the result of which has never been released publicly, a chain of events were set in motion that meant that by April 2016, Tai Cantref's board accepted the need to merge with Wales and West Housing Association. In several conversations with shareholders, I have been led to believe that Tai Cantref, as a consequence of the statutory investigation which discouraged Tai Cantref's investors, faced insolvency unless the takeover was approved.

This chain of events raises several questions which I believe can only be answered by an appropriate inquiry into the matter. Several issues must be addressed to ensure RSL tenants' security and rights.

These include:

- To investigate how a RSL was allowed to deteriorate into the position that it did, necessitating a review of the financial state of Tai Cantref and its relationship with its lenders;

#### **Cynulliad Cenedlaethol Cymru**

37 Stryd y Gwynt, Rhydaman,  
Sir Gaerfyrddin, SA18 3DN  
Adam.Price@cynulliad.cymru  
www.cynulliad.cymru  
01269 597 677

#### **National Assembly for Wales**

37 Wind Street, Ammanford,  
Carmarthenshire, SA18 3DN  
Adam.Price@assembly.wales  
www.assembly.wales  
01269 597 677

Back Page 40



Plaid Cymru | Party of Wales





**Adam Price**

Aelod Cynulliad dros Ddwyrain Caerfyddin a Dinefwr  
Assembly Member for Carmarthen East and Dinefwr

- The standards and nature of Welsh Government monitoring of RSLs, including an investigation into why Tai Cantref was allowed to fail Welsh Housing Quality Standards set in 2012 and which will now only be achieved by 2024 following the takeover, four years later than the Welsh Government revised guidelines;
- The justification given by the Welsh Government to launch an unprecedented statutory inquiry into Tai Cantref rather an investigation of another kind. This is of critical importance considering that it was the statutory inquiry that precipitated the financial crisis between Tai Cantref and its lenders, perceived by some shareholders to have all but forced Tai Cantref shareholders to vote in favour of the takeover;
- Review the consultation process held between Tai Cantref and its tenants throughout the takeover process to ensure that Tai Cantref tenants were fully informed about developments, with a view as to what measures could be implemented to further protect RSL tenants to provide enhanced security where such organisations merge. As it my understanding that Section 105 of the Housing Act 1985 remains applicable, an enquiry could assess whether effective consultation with tenants detailed by Section 105 has been fully adhered to;
- To consider whether existing legislation offers the greatest level of security to the provision of social housing and its tenants in Wales, noting that existing legislation prevents Local Authorities and RSLs from merging as RSLs are only able to merge with other similar organisations. This is given particular relevance in this case given the strength of the application put forward by Carmarthenshire County Council which guaranteed no forced redundancies, a continued focus on Welsh language provision and the use of local contractors in Tai Cantref operations.
- An enquiry could further examine whether existing legislation clearly determines the role and responsibility of RSLs to consult with tenants, focusing on whether existing provisions for Local Authority tenants where they are afforded the right to ballot when a Local Authority transfers housing stock to an alternative company should be afforded to RSL tenants.

By investigating these issues the inquiry could also deliver the crucial publication of the findings of the Welsh Government’s statutory inquiry into Tai Cantref, which set in motion the takeover between Tai Cantref and Wales and West Housing Association.

Finally, I must draw your attention to the clear conflict of interest which existed during this process.

An individual working for the company which was engaged by the Welsh Government to undertake the statutory inquiry was, during the time of the inquiry, co-opted onto the Board of Wales and West Housing Association. Whilst I do not for one minute suggest any inappropriate behaviour on the part of this individual, to have a Board Member conduct an inquiry into the company it later merged with completely undermines the legitimacy and integrity of the Welsh Government’s statutory inquiry into Tai Cantref.





**Adam Price**

Aelod Cynulliad dros Ddwyrain Caerfyrddin a Dinefwr  
Assembly Member for Carmarthen East and Dinefwr

An inquiry by your committee I believe would deliver the answers that Tai Cantref tenants and shareholders so desperately need, and help ensure that the rights of RSL tenants are fully protected.

An inquiry would deliver answers, transparency and ensure that effective provisions are made for any future mergers. I sincerely hope that you will look upon this case favourably.

Thank you in advance of your consideration. I look forward to hearing from you.

*Yours,  
Adam Price*

**Adam Price AC/AM**

**Dwyrain Caerfyrddin a Dinefwr / Carmarthen East and Dinefwr**

**Cynulliad Cenedlaethol Cymru**

37 Stryd y Gwynt, Rhydaman,  
Sir Gaerfyrddin, SA18 3DN  
Adam.Price@cynulliad.cymru  
www.cynulliad.cymru  
01269 597 677

**National Assembly for Wales**

37 Wind Street, Ammanford,  
Carmarthenshire, SA18 3DN  
Adam.Price@assembly.wales  
www.assembly.wales  
01269 597 677

**Pack Page 42**



**Plaid Cymru | Party of Wales**

Nick Ramsay AM  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)-12-16 Papur 5b / Paper 5b

15 September 2016

Dear Nick

Please see attached correspondence from Adam Price AM, dated 1 September 2016, highlighting concerns about the merger between Tai Cantref and Wales and West Housing. My response dated 14 September is also included.

It has been brought to my attention the Public Accounts Committee will be considering potential future inquiries at its next meeting. As this is an issue that lends itself more naturally to the remit of PAC, I felt it appropriate to share with you.

Do let me know if your committee decides to look into this matter.

I look forward to hearing from you.

Kind regards



John Griffiths AC / AM  
Cadeirydd / Chair



John Griffiths AM  
Chair, Equality, Local Government and Communities  
Committee  
National Assembly for Wales

**16 November 2016**

**Public Accounts Committee – Inquiry into Housing Associations**

Dear John,

Thank you for your letter of 15 September 2016 in which you forwarded to me correspondence from Adam Price AM, dated 1 September 2016. The correspondence highlighted concerns regarding the merger between Tai Cantref and Wales and West Housing.

In recently considering its future work programme the Public Accounts Committee agreed to undertake an inquiry into the Regulatory Oversight of Housing Associations. The Committee agreed the following terms of reference for the inquiry:

- The effectiveness of the current Regulatory Framework for Housing Associations Registered in Wales;
- The effectiveness and quality of governance arrangements;
- Whether the current regulatory regime is effective in managing and mitigating sector wide risks;
- The effectiveness of the co-regulatory approach in practice;
- The remuneration of senior executives of housing associations.

The Committee will be launching its consultation on 21 November 2016 and should you wish to submit a consultation response the closing date is 6 January 2017.



I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink that reads "Nick Ramsay". The signature is written in a cursive style with a long, sweeping underline.

**Nick Ramsay AM**  
**Chair**



# Agenda Item 4.4

Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol  
Cabinet Secretary for Finance and Local Government

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)-12-16 Papur 6 / Paper 6



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA(P)/MD/7106/16

John Griffiths AC/AM  
Chair  
Equality, Local Government and Communities Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

22 November 2016

Dear John

Following my attendance at the Equality, Local Government and Communities Committee on 3 November, you wrote to me on 10 November requesting additional information. The matters raised by the Committee are addressed in turn below.

## **Police General Revenue Funding**

The general revenue funding for policing in Wales is provided as Aggregate External Finance (AEF) which comprises revenue support grant (RSG) and redistributed non-domestic rates (NDR). Following the financial devolution of NDR, these figures are now shown separately in the Welsh Budget where, previously, they were shown as a single figure. RSG is in Revenue DEL and NDR is in Revenue AME.

Although the Draft Budget shows a reduction in the Police General Revenue Funding (Revenue DEL) for 2017-18, the overall Welsh Government funding for police has increased. The Welsh Government contribution to general revenue funding for policing will rise by £1.9 million in 2017-18. The changes in the Draft Budget are presentational only. The 2016-17 budget showed the funding for policing as revenue support grant. In reality, part of the funding was provided from non-domestic rates, as has always been the case.

Table 1 provides a breakdown of NDR between the unitary authorities and the police and the differences between the presentation in the 2016-17 Budget and the actual distribution of resources. The final column confirms that the movements cancel each other out when looking at the overall settlements (AEF) for authorities and the police.

**Table 1: Reconciliation of Actual Distribution of RSG and NDR for 2016-17 and that published in the 2016-17 Budget**

		<i>£ million</i>		
		Published 2016-17	Actual 2016-17	Difference
Local Authority	Revenue Support Grant (DEL)	3,122	3,171	49
Local Authority	Redistributed Non-Domestic Rates (AME)	977	928	-49
Local Authority	Total Aggregate External Finance	4,099	4,099	0
Police	Revenue Support (DEL)	137	88	-49
Police	Redistributed Non-Domestic Rates (AME)	0	49	49
Police	Total Aggregate External Finance	137	137	0

### **Non-Domestic Rates (NDR) Annually Managed Expenditure**

The figure in the Draft Budget for non-domestic rates of £1.059 million is our estimate of the amount which will be available to redistribute in 2017-18. This is not the same as the amount which will eventually be collected during, or in respect of, 2017-18. The figure takes account of our latest estimate of the outturn for 2015-16 and an updated assessment of the amount of revenue which will be generated in the current financial year (2016-17), as well as our initial estimate of receipts for 2017-18 following the 2017 revaluation.

All the revenue raised from NDR is pooled. The pool is managed to ensure that, over the long term, all the revenue is redistributed to fund local services. However, given the number of factors involved in managing such a large fund, there is inevitably a surplus or deficit on the balance at the beginning of each year. There are many changes which occur during each year which affect the income generated. These include, for example, changes in the number and nature of businesses and other non-domestic properties, changes of use, collection rates, revaluation, appeals, inflation, eligibility for reliefs etc. The audited NDR account for 2015-16 has been laid before the Assembly.

### **Floor arrangements within the provisional local government settlement**

There are a number of factors to be taken into account in determining funding floor arrangements, including the overall value of the settlement, the range of individual authority settlements and the cost associated with putting a floor in place. Such factors change every year and, as a result, any decision as to whether floor funding is necessary or desirable must be taken each year taking account of the circumstances that year. This, combined with the fact that no budget or settlement figures have been published for years beyond 2017-18, means that we are not in a position at this stage to consider the need for the provision of floor funding beyond 2017-18.

### **Funding within the provisional local government settlement**

Each local authority is an autonomous and democratically accountable body and is statutorily responsible for managing its own financial affairs.

The overall settlement of £4.1 billion is unhypothecated. It is for each authority to determine how it uses this funding in conjunction with the other resources available to it – for example from council tax, grants, and fees and charges – to meet local needs and priorities.

It is vital that every authority ensures it has robust arrangements for informed scrutiny of its spending plans by local elected members. The ongoing monitoring of

performance against these plans. I remain committed to working with local government to design funding arrangements which best support the delivery of our shared outcomes.

Spending on different services is monitored through the information on the annual revenue account and revenue outturn returns collected by Welsh Government. The expenditure data is published on the Welsh Government's website.

The additional £25 million in the settlement for social care recognises the particular pressures faced by the sector. As you recognise in your letter, it will be for each individual authority to decide how best to spend its share of the additional £25 million taking account of its own particular circumstances. Consideration of social care outcomes is a matter for Minister for Social Services and Public Health.

#### Additional funding for town centre car parking

The development of the pilot scheme will be a matter for my Cabinet colleagues. We will wish to discuss our proposals for how this money is to be used with local authorities and we will make further announcements in due course.

#### Additional funding for school transport

The funding is being provided through the local government settlement to provide authorities with as much flexibility as possible to use the additional resources to support the delivery of school transport.

### **Local Government Reform**

I am confident that the £5 million in the Transformation and Legislation BEL will be sufficient to support local authorities in taking forward any preparatory work associated with local government reform in 2017-18 as well as supporting any authorities which seek to merge voluntarily. It is important to recognise that, like all significant change, the process of reform will take place over a number of years. It is essential that the funding is used effectively to introduce the kind of transformative activities that need to happen to embed and deliver new ways of working which enable local government to become more resilient and sustainable. The funding for 2017-18 is sufficient to allow us to begin to make those changes.

Finally, I note your request for more detailed evidence in relation to the wellbeing of future generations to assist the scrutiny of future budgets. The approach set out in our Programme for Government paves the way for the Act to become an increasingly integral part of the Welsh Government's budget and business planning.

Yours sincerely



#### **Mark Drakeford AM/AC**

Ysgrifennydd y Cabinet dros Gyllid a Llywodraeth Leol  
Cabinet Secretary for Finance and Local Government



# Agenda Item 4.5

Carl Sargeant AC/AM

Ysgrifennydd y Cabinet dros Gymunedau a Phlant  
Cabinet Secretary for Communities and Children

Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau  
Equality, Local Government and Communities Committee  
ELGC(5)-12-16 Papur 7 / Paper 7

John Griffiths AM  
Equality, Local Government and Communities Committee  
National Assembly for Wales  
Cardiff Bay



Llywodraeth Cymru  
Welsh Government

30<sup>th</sup> November 2016

Dear John

Thank you for your letter of 17 November asking for further explanations on some matters following the Committee meeting on 9 November.

## Communities First

In my statement on resilient communities on 11 October, I signalled that I was minded to close Communities First. Since then we have begun a broad programme of engagement on the new approach to building resilient communities, including detailed consideration of the impact on people, communities, community buildings and other organisations. As part of our engagement process, we are working closely with delivery partners to gain an understanding of the implications of any decision.

The engagement programme will provide a broad evidence base to inform my decision. There has already been a considerable response to “Talk Communities”, our online survey, and we are drawing on the expertise of the WCVA to ensure we understand how any potential changes to Communities First might impact on Third Sector organisations and individuals.

I cannot pre-empt the outcomes of the engagement programme so I am unable to provide firm budgets and plans at this stage. I will make a further statement in January, or February at the latest, after the first phase of engagement has concluded in the New Year.

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

[Gohebiaeth.Carl.Sargeant@llyw.cymru](mailto:Gohebiaeth.Carl.Sargeant@llyw.cymru)  
[Correspondence.Carl.Sargeant@gov.wales](mailto:Correspondence.Carl.Sargeant@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Within my plans for 2017-18, I have £34.9m available for community purposes, as part of the Prevention and Early Intervention BEL. The community purposes budget covers Communities First, Communities for Work, Lift and other communities related activities.

### **Communities for Work and Lift**

Supporting prosperity through increasing the employability of those furthest from the labour market in our most deprived communities is a priority. This is supported through both the Lift and Communities for Work Programmes. Together these programmes support people facing significant, and often multiple barriers that prevent them taking up training or employment opportunities; they have a particular focus on workless households, those who are long term unemployed or economically inactive. Lift is being delivered in 12 Communities First Clusters and Communities for Work in all 52 Clusters. I have made clear my commitment to these programmes continuing.

As at 31 October, the Lift Programme had provided 3,919 training and employment opportunities to people from workless households, including 800 people supported into employment. Lift is ahead of expectations at this stage and is on track to reach its overall target of providing 5,000 opportunities by the end of December 2017. Within the Prevention and Early Intervention BEL, I have funds available of £1.3 million in 2017-18 for the continuation of the Programme.

As at 21 November, Communities for Work has engaged with 4,607 participants, with 809 participants securing employment. There were some early delays in the implementation of Communities for Work but these have since been overcome. In 2017-18 we expect to engage with 11,613 participants and support 2,692 into employment. Within the Prevention and Early Intervention BEL, I have funds available of £5.925 million for 2017-18 for the continuation of the Programme, with EU funding of a further £9.847 million.

You asked for further details on Children's Zones as they emerge and I am happy to provide these as plans develop.

### **Regeneration**

Regeneration continues to be important for this Government and complements other work including City Deals, Growth and Enterprise Zones, Metros and the Valleys Taskforce. Whilst the indicative budget has reduced I am confident that a significant regeneration programme will be retained. We are working to ensure monies currently held by the Regeneration Investment Fund for Wales (RIFW) will be released as soon as possible to contribute towards a new regeneration programme. I am also exploring other opportunities to add to this budget ahead of final budget stage.

## **Welfare Reform**

The UK Government announced in December 2015 that it would consider giving more responsibility to local authorities in England, and to the Welsh Government, to support older people with care needs – including in the future those who would otherwise be supported by Attendance Allowance. The UK Government has consulted on the implementation of commitments relating to 100% business rates retention for councils in England. The consultation, published on the 5 July 2016, sought views on a variety of options for devolving new responsibilities to local government in England, including more responsibility for caring for older people. The consultation closed on the 26 September 2016.

The UK Government is committed to working closely with the Welsh Government to ensure the implications of any reforms, for devolved administration services or budgets, are properly understood and have stated that they would consult further, in good time, if changes are proposed in this area. I am awaiting any further communication from the UK Government on this matter following the closure of the consultation .

## **Financial Inclusion**

There is no specific allocation to support the Delivery Plan because different funding streams will contribute to delivering it. All of the £13.927m allocated to financial inclusion activities in respect of Advice Services, Discretionary Assistance Fund and Credit Unions will help support the implementation of the Financial Inclusion Delivery Plan.

## **Community Facilities Programme**

The Community Facilities Programme has funded projects right across Wales; in 21 of the 22 local authority areas. The CFP has awarded grants to small and large projects. The small projects include £31,996 to the Friends of Llanfairfechan Library in Conwy to help the community take over the running of the library and safeguard its services and £52,800 to Newport Credit Union towards the costs of moving to better premises allowing it to expand its vital services to more people. Larger projects include £500,000 towards the renovation and extension of the Ask Centre in Rhyl which houses Denbighshire CAB, and is creating a community food bank and IT suite which aims to improve economic outcomes for users. Another £500,000 grant was awarded to Emmaus South Wales, a Bridgend based charity which provides communal accommodation, training and work placement opportunities to formerly homeless people which help to re-integrate them into their communities.

There has not yet been an evaluation of the CFP as it is still quite early in the life of the programme. However, monitoring visits carried out to completed projects indicate that the facilities are well used and sustainable into the future.

In terms of the impact of the reduction in funding allocation, this is straightforward; the scheme will be able to fund fewer new projects in the future. I have already said that difficult choices will need to be made and this is one. Only the very best applications can expect to attract CFP funding in the future.

## **Community Safety**

The National Advisory Group on Violence Against Women, Domestic Abuse and Sexual Violence met on the 9th November and I tasked members with forming a group to take forward work to develop a sustainable funding model for Wales. As part of this work the Welsh Government Cross-Government group is conducting an exercise to determine the levels of funding from across policy areas that contributes to delivering the commitments in the Act.

Rhian Bowen-Davies the National Adviser will be leading the work to develop a sustainable funding model for Wales which will take account of funding coming into Wales via other routes. This will include an assessment of Home Office funding as well as money allocated via Police and Crime Commissioners and Ministry of Justice.

My officials are working to identify the existing funding streams for activity in Wales. This will help us understand how funding is allocated and where Welsh Government can influence UK funding decisions so as to ensure Wales benefits from any England and Wales initiatives to support this agenda.

I anticipate that work on the sustainable funding model will take some months to complete and I have therefore agreed that Local Authorities and Health Boards in Wales can move to a regional structure from 1 April 2018. This will ensure that we can build a funding model for Wales which directs funding where it is needed most, supports services to ensure that they are able to provide services to victims and survivors and enables work to progress in relation to prevention activity and working with perpetrators to begin to break the cycle of abusive behaviour. A key element of this will be delivering healthy relationships education in schools and to young people and learning how we can impact positively to alleviate the impact of adverse childhood experiences.

The Welsh Government has long argued that youth justice should be devolved in Wales. The youth justice system is one of the few key areas of policy relating to children and young people which is not devolved to Wales. The Charlie Taylor review makes several recommendations; key among them is the abolition of the Youth Justice Board, the implementation of legislation to remove the requirement for local authorities to establish Youth Offending Teams (YOTs) and to transfer statutory duties to Local Authorities and the creation of secure schools.

We already have a number of YOTs in Wales that are integrated with the Youth Service and we recognise the value and role of youth work provision in Wales. A more joined up approach has the potential to bring efficiencies and benefits across Local Authorities.

Funding to prevent and deter young people from offending and reoffending are funded from the Community Safety Division through the Promoting Positive Engagement for young people at risk of offending funding line. This funding was started in 2003 (Initially called the Safer Communities Fund and then in 2013 the Youth Crime Prevention Fund) and indicative funding has been agreed for 2017-18 subject to confirmation of the final budget allocations for 2017-18.

Further consideration of the utilisation of the Promoting Positive Engagement funding line will be given along with other funding streams within the Welsh Government once the detail of the outcomes of the Charlie Taylor Review and the UK Government's response to this are known.

### **Rural Housing**

I can confirm there will be an allocation to support the work of Rural Housing Enablers included in the draft budget through the Homes and Places revenue funding.

### **Sustainable Housing**

I am also committed to supporting sustainable housing models. Recent research commissioned from the Welsh School of Architecture has highlighted a range of innovative practice in this area on which I want us to build. Our intention is that 1000 of the additional affordable homes we have planned should be based on new techniques and models.

The details are still being developed but I want us to encourage innovation and I want to see an even greater commitment to developing homes that are cheaper to run. A new approach to meeting the needs of the under 35s, key workers and the homeless is also high on my agenda.

There will be a conference early next year for all those involved in developing and delivering homes where they will hear from those already building new models. My officials will be working with the sector on the detail but I am determined that existing practice will change. This is an area where we need to take a much longer term view and challenge conservative and outdated thinking.

### **Help to Buy**

The majority of transactions in Fund I of the Help to Buy – Wales scheme fell under the price of £225,000 with activity of the top 5 developers driving 42% in the £125,000 - £175,000 category and 30% in the £175,000 - £225,000 category.

Data collected from the same developers during the design phase for Fund II of the scheme suggested of forecast activity, only 6% would fall outside of the current £300,000 price cap.

The latest published official statistics continue to highlight strongest demand in the £150,000 - £175,000 category at 23.1% of all sales.

The total number of completed purchases is set out below.

### **Total Number of Completed Purchases to 31 October 2016, by Property**

*Numbers/Percentage*

<b>Purchase Price</b>	<b>Cumulative legal completions</b>	<b>Percentage of total legal completions</b>
£50,000 - £100,000	61	1.5
£100,001 - £125,000	340	8.1
£125,001 - £150,000	714	17.1
£150,001 - £175,000	966	23.1
£175,001 - £200,000	853	20.4
£200,001 - £225,000	446	10.7
£225,001 - £250,000	422	10.1
£250,001 - £300,000	378	9.0
<b>Total</b>	<b>4,180</b>	<b>100.0</b>

Source: Help to Buy (Wales) Ltd

A cap of £300,000 allows for purchases of properties above the latest (2015) simple average new build purchase price of £201,000. This allows flexibility for the scheme to continue to reflect any increases in the average new build purchase price. It has sufficient potential to provide the required economic stimulus, satisfies the strategic objectives of increasing supply (without distorting the market), and will help ensure that the Welsh housing market remains competitive. The cap has been successfully used to date and our key stakeholders believe it to be the most appropriate level for the Welsh market.

I am currently content that this threshold reflects the objectives of the Help to Buy – Wales scheme and supports those people seeking to purchase properties in the way we originally intended.

If house prices continue to rise, this cap could begin to exclude a larger part of the new build market in Wales, irrespective of house type. Alternatively if the funding available through Phase II of the scheme is used more quickly than anticipated the cap could be reduced to control or limit investment. Therefore, I do not propose that any amendments are made to the cap at this stage. However, my officials are tasked with ongoing monitoring of scheme ‘run-rates’ and I will review the price cap annually to ensure the scheme remains relevant as market conditions change.

## **Rent to Own**

A Steering Group will be set up in early 2017 to oversee the development of the Rent to Own Scheme. The scheme will be open to people aiming for home ownership but without a deposit at the outset. We will be engaging extensively with stakeholders on the details of this scheme and I would be pleased to brief the Committee further in due course.

## **Independent Living**

We have worked closely with delivery partners, including local authorities, housing associations and Care & Repair agencies, to improve the way in which adaptations are delivered and monitored. We have developed and will introduce a standard approach to monitoring and reporting the delivery of all adaptations, not just Disabled Facilities Grants. A data collection tool has been trialled during the development process. We have agreed with partners the extent to which data can be compiled and delivered this year (2016-17). This will form the basis for full monitoring during 2017-18. We will use data collected this year to assess whether further refinements are necessary during 2017-18, including whether specific target timescales should be set for delivery of the three classifications of adaptations – small, medium and large.

Yours sincerely

A handwritten signature in black ink that reads "Carl Sargeant". The signature is written in a cursive style with a large, sweeping initial 'C'.

### **Carl Sargeant AC/AM**

Ysgrifennydd y Cabinet dros Gymunedau a Phlant  
Cabinet Secretary for Communities and Children

## Equality, Local Government and Communities Committee

### Visit to the African Community Centre, Swansea

17 November 2016

\*Please note the participants were service users from the African Community Centre in Swansea and also Swansea City of Sanctuary

- Joyce Watson AM and Bethan Jenkins AM were present from the Committee
- There were approximately 25 service users present along with their children
- There were also staff representatives from the African Community Centre and Swansea City of Sanctuary

### The main problems for refugees and asylum seekers

- **Application forms** not being passed on correctly between areas – one participant within the group said that his case started in Croydon, he is now in Swansea and information has been lost with the move. There is also a **lack of Communication between departments**.
- Many participants noted the need to **encourage** more refugees and asylum seekers to **learn English** to a good standard in order to be able to work in different places, when visiting the doctor, when opening a bank account (to be able to read the terms and conditions for example)
- Home Office **do not accept email applications** – they must be in paper form so need to be posted or faxed over. Asylum seekers find this expensive as they have to pay for the postage. If they used email format there would be no problem.
- If an asylum seeker is starting an application from scratch they have to go to the office in Liverpool. When living in Swansea its far to travel and also expensive – they are reimbursed, but still pointed out that it is expensive and why can they not go to an office closer to Swansea.
- **Transportation** – a lot of asylum seekers are housed on the outskirts of Swansea therefore need to use public transport to enter the city to do things





like shopping and visit the doctor. This becomes expensive especially when a whole family needs to use public transport more than once a week.

- Some reiterated that transport is one of the **biggest problems**.
- Hospitals will reimburse asylum seekers their travel expenses if they are attending a check-up or an appointment which has been arranged beforehand. They will not reimburse if you attend the hospital in an emergency.
- It was pointed out that this was not a known piece of information – lack of communication and information sharing meaning that they were not aware of this, resulting in them not being able to plan financially around this.
- It becomes more expensive when a child reaches 16 years of age as they then have to pay adult prices.
- **Post office** – asylum seekers must go to the post office to receive their money, it has to be the post office in the middle of Swansea, they cannot do this in sub post offices which is causing a problem as they then have to spend money on public transport to get into Swansea.
- Some noted that post office staff are not very friendly and are quite judgemental.
- **Section 4** – if an asylum seeker is placed on section 4 then they can only pay for goods with an Azure payment card, they cannot withdraw cash – cannot pay for the barbers (they only take cash) cannot pay for bus tickets as they also want cash.
- Asylum seekers in section 4 find themselves having to ask friends and neighbours for cash to see them through.
- Can't shop in cheaper stores such as Aldi or Lidl as they won't take their cards, which means they have to shop for food in the more expensive supermarkets.
- Section 4 also means they cannot get medical or dental treatment.
- **Housing** – a lot of asylum seekers are housed by Clear Springs Housing which is controlled by the Home Office.
- They have housing managers that they can call if they have a problem with their housing – these are not very helpful and can be judgemental. Asylum seekers do not know who else they can turn to for help.



- Many of the participants said that they are lucky as they access advice and help in community centres such as the African Community Centre and through Swansea City of Sanctuary, they also have friends and good neighbours, but there were concerns for those who do not know these services exist. Where do they go for help?
- A lot of issues around cleanliness and state of carpets and sofas in these houses.
- Some saying that they were frightened to put their children down on the carpets.
- Others say that their children have had health problems because of the state of sofas and carpets.
- Having to wait a long time for the smallest of problems to be sorted by housing managers/home office.
- Mention of TV licensing being expensive for them – £24 a month.
- Heating – some houses have heating set with automatic timers that they cannot change.
- **Interpreters** – are very costly for organisations who help to arrange these. They find they don't really have the funding to help with this.
- In schools, schools help to provide this for children.
- **Children's extra-curricular activities** – some participants noted that they don't get help from school to pay for things like school trips, Xmas dinner and school uniforms. Others noted that their schools let them pay for things in instalments.
- An issue with activities being in the middle of Swansea, nothing available for families on the outskirts where they live – the transport issue is then risen again.

### Access to information and advice

- As already explained the participants said that they were very grateful for the information and advice they receive from the African Community Centre and Swansea City of Sanctuary.
- There was also a representative who volunteers in a drop in centre on Fridays and Saturdays where they primarily welcome asylum seekers and provide them with information and advice.



- The Welsh Refugee Council / The Red Cross used to do this but they had their funding taken away from them – following this the asylum seekers were given a helpline telephone number for Migrant Help in Cardiff but often the telephone number doesn't work or no one answers.
- Provided us with a list of issues that asylum seekers need signposting to.

### **Integrating into new communities**

- General feeling that the people of Swansea are very welcoming and very helpful. Some said they don't experience discrimination as they did in other places in the UK.
- Mention of one discriminatory incident following Brexit vote.
- Some people can be judgemental, for instance in the post office or in the supermarket, but all in all, general individuals are very helpful and welcoming.

### **Finding work**

- Is not easy for those who are able to work to get work.
- Some companies treat those that are able to work, better than others.
- There's not a lot of help available to help them find work, other than the support they get from the African Community Centre and Swansea City of Sanctuary.

Final word from the group was that they are very grateful to the African Community Centre and Swansea City of Sanctuary for their help and support. They also noted that they would like more refugees and asylum seekers to move to Swansea because of the help and support available and because so many people are nice to them.



## Equality, Local Government and Communities Committee

### Visits to the Oasis Centre and Trinity Centre, Cardiff

17 November 2016

#### Members:

Gareth Bennett AM

Siân Gwenllian AM

Rhianon Passmore AM

Jenny Rathbone AM

#### Participants:

Oasis project workers/officers

Migrant Help UK officers

Space4U workers

Social work student

Trinity Centre co-ordinator

Welsh Refugee Council

#### Oasis

The Oasis Centre is a registered charity and has a mixture of volunteer and paid workers. Its service users are refugees and asylum seekers.

#### **Challenges facing service users**

- Project workers emphasised that refugees and asylum seekers face several barriers to successful integration into the community. One of the main perceived barriers is a **lack of advocacy** from when an asylum seeker or refugee first arrives at the dispersal centre.
- Interpretation is often unavailable making it difficult for refugees and asylum seekers to go through **necessary processes and paperwork** such as applying for job seekers' allowance, joining a GP surgery, attending appointments and applying for housing.



- Project workers noted that another barrier to the successful integration of asylum seekers and refugees are the **cultural differences** between their country of origin and Wales, meaning that they misunderstand everyday systems and services such as GP surgeries, job centres, police, refuse and recycling.
- These barriers can result in **sanctions** (e.g. for not providing the correct paperwork or for littering in the street) which can then be **detrimental to the individual's confidence and lessen the likelihood of successful integration into the community**.
- The project workers noted that service users often have **mental health problems** as a result of traumas experienced in their countries of origin. The problems **often go untreated** due to failure to integrate into the community, and their needs tend to increase as time goes on.
- It was noted that an additional main issue for asylum seekers and refugees is **housing and accommodation**. The project workers told Members that the majority of their service users have been **homeless** at one point during their time in the UK, usually after they have been moved from their initial accommodation upon arrival.
- Single male asylum seekers and refugees are often placed in hostels alongside individuals suffering with substance abuse problems. Project workers noted that **hostel staff are not trained or equipped to assist individuals who have suffered the type of trauma that refugees and asylum seekers have experienced**. It was noted that few private renting landlords will accept tenants who receive Job Seekers' Allowance, meaning there are very limited options for accommodation for Oasis' service users.

#### Services provided by Oasis:

- The majority of service users find Oasis via word of mouth or from signposting by other charities. One example was given of the project being



found on Twitter. It was noted that other charities use the facilities at Oasis as part of their work, such as Migrant Help UK.

- Both charities emphasised that they are **constrained by capacity and funding**. Oasis' capacity means that workers often only have direct access to newly arrived refugee and asylum seekers. Access to individuals who are settled in the community relies on referrals from other services.
- In response to a Member, workers noted that **the project is unable to support all service users** with processes and paperwork **due to the volume of people who drop in to the centre** on a daily basis. One Member queried whether service users who have lived in Cardiff for a longer period could assist with advocating newly arrived refugees and asylum seekers, and although project workers noted that properly structured "befriending" schemes can be beneficial, all service users could be vulnerable, regardless of the length of time they have been living in Cardiff, and so they are not a straightforward solution.
- Volunteers at the project work with newly arrived refugees and asylum seekers, undertaking volunteer activities such as painting and decorating at not for profit and third sector organisations. The aim of such activities is to assist with English language skills and integration. The project workers emphasised the **importance of giving service users the opportunity to practice the English language in an informal, practical setting, to help build confidence**.
- The project runs voluntary, drop-in English classes every day, which are of a mixed ability-level and age group. Lessons are structured by key themes including cultural topics in order to assist with service users' knowledge of/access to everyday services and information, but otherwise they are predominantly student-lead. It was noted that service users are given the opportunity to ask questions, to ensure lessons appear **accessible, interesting and exciting, whilst providing a safe environment**. The classes



also encourage peer-to-peer learning for the service users to share their knowledge and skills with others.

- The classes aim to assist with refugees and asylum seekers' integration into their communities, as the **main barrier for employment is language**. The project workers noted that there is a shortage of English language class provisions in Cardiff, and that it is only possible to apply for colleges such as Cardiff and the Vale ahead of the new term in September, meaning that refugee and asylum seekers could have stayed in Cardiff for up to a year before being able to apply.

### Young service users

- The project's service users include unaccompanied minors who are usually placed with foster families after arrival. The project **encourages a family atmosphere** so that children begin to feel accountable to the staff, who are then more able to encourage them into education or to attend the centre's English classes.
- It was noted that child service users are often wary of social services and reluctant to attend school, and **project workers have been successful in encouraging them** to attend school and further education.

### Recent resettlement of Syrian refugees

- Project workers do not have direct experience of the recent funded resettlement scheme, in which Syrians arrived with refugee status and were provided with a "family development package" including a support worker, specific programmes and classes.
- Project workers suggested that the resettlement scheme has **demonstrated good practice** and that the services available to the refugees on the scheme should be accessible to all refugees and asylum seekers in the community. They also suggested that all refugees and asylum seekers, including those recently arrived from Syria, should be integrated together in the community, to provide a common ground.



## The Trinity Centre

### Services provided at the centre

- Charities such as Space4U have their base at the centre. Space4U provides a **safe environment with recreational activities, English classes, and meeting basic needs for people in the community to access**. They run on a voluntary basis and are open two afternoons a week, with up to 200 drop in's per afternoon. They provide support to asylum seekers and refugees at different stages, for example letter reading, making appointments. They also provide a mum and toddler group.
- Space4U's service users include refugees and asylum seekers who are homeless, and whom have very few other places that they can be referred to.

### Housing and homelessness

- Similar to Oasis, workers at the Trinity Centre find that **housing is one of the main barriers to refugee and asylum seekers' successful integration in the community**. It was noted that once refugee status has been granted, individuals have 21 days to find somewhere to stay, which can be delayed by waiting for National Insurance numbers, having to find money for a deposit and agency fees, as well as landlords' refusal to accept tenants claiming JSA.

### Applications for refugee status

- If Asylum Seekers' applications for refugee status are unsuccessful, they will then have **no access to public funds and become destitute** whilst waiting to re-apply. It was noted that many individuals are in this situation, at which point the ways in which the charities based at the centre can help is limited. It was noted that the timeframe for addressing asylum seeker claims has reduced, from approximately four years to 12-18 months.
- If an application is successful and refugee status is granted, it was noted that some individuals will face further difficulties as they no longer have the initial accommodation provided following dispersal. The centre's workers estimated that **once refugee status is granted, it takes between three and six months**





for individuals to go through the basic processes such as housing applications and job centres.

### Difficulties facing the service providers

- It was noted that the “consortium bid” for services to refugees and asylum seekers which is funded by the Welsh Government **could be making it difficult for smaller organisations** (such as those running out of the Trinity Centre) to tender for such bids.
- The co-ordinator for the Trinity Centre noted that the framework of services that are within the criteria means that **locally generated initiatives can be overlooked**, but it is often these organisations who the service users have become accustomed to.
- It was suggested that it would be useful for the Welsh Government to carry out an **audit of the volunteers** who work with refugees and asylum seekers, to map the pattern of all services that are available and establish which organisations are actually working with refugees and asylum seekers on the ground.

### Longer term integration of refugees and asylum seekers

- The centre’s workers expressed concern around the longer term integration of refugees and asylum seekers in communities, and suggested that a **change of perception within the local people is needed**. It was noted that the majority of jobs for asylum seekers and refugees tend to be stereotypical roles such as working in restaurants, car washes and as taxi drivers. It was noted that these roles do not make the most of the skills held by many refugees and asylum seekers, but there are no affordable conversion courses available to help continue professions from their countries of origin.
- It was noted that of the asylum seekers who are dispersed to Wales and then granted refugee status, only a small number stay long term. The majority move to larger cities due to more perceived opportunities for jobs.



- The **cuts to local government services are affecting the most vulnerable including asylum seekers and refugees**, as they affect access to services they need such as libraries and Citizen's Advice Bureau representatives. It was suggested that strengthening local government services and increasing funding to the third sector could improve this.
- It was noted that centre workers have noticed an **increase in incidences of racial abuse** reported by their service users. One centre worker noted that it appears as if racial prejudice has become more acceptable in communities in recent months. It was suggested that one issue is ratios of contact, as only a small number of people in communities have regular contact with a large number of refugees and asylum seekers.



# Agenda Item 8

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted