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ASYLUM.WELFARE.WORK

# Asylum and refugee support: civil society filling the gaps?

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October 2017

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## **Asylum and refugee support: civil society filling the gaps?**

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What is the scale of the refugee third sector response to gaps in the support regime for asylum seekers, refused asylum seekers and refugees?

This report estimates the financial cost to the refugee third sector of poverty and destitution among these groups. It looks at where refugee third sector organisations are, how many people they are supporting, which groups they are supporting, how they are funded, and support that is hard to cost.



## Table of Contents

<b>List of figures</b> .....	<b>4</b>
<b>List of tables</b> .....	<b>4</b>
<b>List of abbreviations</b> .....	<b>5</b>
<b>Executive summary</b> .....	<b>6</b>
<b>1 Setting the scene</b> .....	<b>17</b>
<b>1.1 Introduction</b> .....	<b>17</b>
1.1.1 The Asylum.Welfare.Work project.....	17
1.1.2 This report.....	18
<b>1.2 Asylum support: the policy context</b> .....	<b>21</b>
<b>1.3 How many people receive asylum support &amp; what is the cost the government?</b> 24	
<b>1.4 The client group: what is known about their needs?</b> .....	<b>28</b>
1.4.1 Destitution .....	31
<b>1.5 The refugee third sector response: scale and scope</b> .....	<b>33</b>
<b>1.6 Research methods</b> .....	<b>37</b>
<b>2 Third sector organisations filling the gap: scale</b> .....	<b>43</b>
<b>2.1 How many TSOs support asylum seekers and refugees?</b> .....	<b>43</b>
<b>2.2 Where are organisations located?</b> .....	<b>47</b>
<b>2.3 How many people are relying on charitable support?</b> .....	<b>49</b>
<b>2.4 Support that is hard to cost</b> .....	<b>54</b>
<b>2.5 The cost of this third sector response</b> .....	<b>57</b>
2.5.1 Sector wide funding.....	57
2.5.2 Size of organisations.....	57
2.5.3 Income sources.....	59
<b>3 Conclusion</b> .....	<b>62</b>
<b>4 Policy Recommendations</b> .....	<b>66</b>
<b>Asylum seekers in receipt of Section 95 support</b> .....	<b>66</b>
<b>Refused asylum seekers in receipt of Section 4 support</b> .....	<b>66</b>
<b>Those granted leave to remain (refugees)</b> .....	<b>67</b>
<b>Refused asylum seekers who are not known to have departed</b> .....	<b>67</b>
<b>Notes and References</b> .....	<b>69</b>



## List of figures

Figure 1. Asylum seekers supported under Section 95.....	26
Figure 2. Number of RTSOs involved with destitute forced migrants 1990 - 2017 .....	44
Figure 3. RTSOs that have ceased operating 1990 - 2017 .....	44
Figure 4. Cumulative refused and total RTSOs .....	46
Figure 5. Number of RTSOs with local, national and international operations.....	47
Figure 6. British Red Cross beneficiaries by immigrations status 2015.....	51
Figure 7. British Red Cross beneficiaries by statutory support type .....	52
Figure 8. British Red Cross destitute beneficiaries by reason for destitution .....	53
Figure 9 Hours worked by volunteers and staff in different size NACCOM member organisations .....	56
Figure 10. Percentage of RTSOs registered with the Charity Commission in each income band .....	58
Figure 11. Type of housing provided by NACCOM members .....	61

## List of tables

Table 1. Asylum support costs .....	25
Table 2. Increasing asylum support.....	27
Table 3. Places with highest number of RTSOs.....	48
Table 4. RTSOs in different areas.....	49
Table 5 British Red Cross Welfare Interventions 2015 .....	57



## List of abbreviations

ASSIST	Asylum Seeker Support Initiative
JRF	Joseph Rowntree Foundation
NACCOM	No Accommodation Network
NAO	National Audit Office
NCVO	National Council for Voluntary Organisations
NINO	National Insurance Number
RCO	Refugee Community Organisation
RTSO	Refugee Third Sector Organisation
TSO	Third Sector Organisation



## Executive summary

### 1 Setting the scene

#### 1.1 Introduction

This report looks at the scale of the refugee third sector response to failures in the asylum support system. Asylum support policies have been subject to extensive criticism from third sector organisations, who often work at the grass roots with various categories of people who have been, or are going through, the asylum system. This is because poverty and destitution amongst their clients creates extra demand for their services. However, successive UK governments since 2002 have argued that restrictions on both welfare and work are necessary to avoid ‘pulling’ disingenuous asylum applicants (economic migrants) to the country.

##### 1.1.1 The Asylum.Welfare.Work project

The policies which relate to the economic rights of asylum seekers (both those in the system and those who have been refused or granted refugee status) are the focus of a three year research project currently being undertaken at the University of Warwick. This research involves three workpackages, this report is part of the second:

**Workpackage 1:** Analysis of policy rationale and policymaking processes

**Workpackage 2:** Costing the policy -cost to government and costs to the third sector

**Workpackage 3:** Impacts of asylum support policy on asylum seekers

##### 1.1.2 This report

In this report we look at the impact on the third sector of the policy regime. The system of economic support which is in place for those going through the asylum system should, in theory, mean that Refugee Third Sector Organisations (RTSOs) are only supporting refused asylum seekers who are destitute. Other groups would not be expected to be accessing food bank vouchers, receiving food parcels, second hand clothes, bus passes or hardship funds. Much is known about the scope of the third



sector response (such as the types of services being provided), but very little is known about the scale. This report therefore seeks to answer three questions:

1. What is the scale of the refugee third sector response to this asylum support policy regime (i.e. financially, geographically, and in terms of the numbers of third sector organisations involved?)
2. How has the scale and scope of the refugee third sector response changed over time, and how does this change relate to the changing policy context?
3. What can the scale of the refugee third sector response tell us about the extent to which policies relating to asylum and refugee support are working as intended (i.e. adequately supporting all who are in need, excluding those who now have no recourse to public funds)?

## 1.2 Asylum support: the policy context

Over the past two decades successive UK governments have sought to decrease the numbers of asylum seekers who are able to travel to the country, make an application for asylum, and whose applications are successful. While this has in part involved border controls, since the early 2000s it has also involved restricting the welfare and working rights of asylum seekers in order to reduce economic ‘pull factors’ which are thought to attract disingenuous applicants. Researchers have described the different economic rights afforded to different groups on the basis of immigration status as a ‘stratified rights regime’. For those who are going through, or have been through, the asylum system, this stratified rights regime is organised as follows:

**Refugees and those with Indefinite Leave to Remain, Temporary Leave to Remain or Humanitarian Protection:** have full access to the mainstream benefits system and the labour market until their status is reviewed (usually after 5 years).

**Asylum seekers:** if demonstrably destitute, receive £36.96 per week in financial support (known as ‘Section 95’ support) plus accommodation provided on a no choice basis in various urban areas around the UK.



**Refused Asylum seekers:** If they are unable to return, have a judicial review pending, and/or if they are complying with processes aimed at returning them in the future, may apply to receive £35.39 per week in non-cash financial support plus accommodation provided on a no choice basis in various cities around the UK (known as ‘Section 4’ support). If none of these criteria can be met, or if individuals cannot meet the threshold of proof required, they receive no support from the state.

### 1.3 How many people receive asylum support & what is the cost the government?

The UK spends about £146 billion on means-tested benefits to help the poorest members of UK society. Asylum support cost the Home Office £234 million in 2014-15. At 31 March 2015, around 4,900 persons were supported under ‘Section 4’ of the Immigration and Asylum Act 1999: in 2014-15, such support cost an estimated £28 million. Recently released Home Office figures indicate that the number of asylum seekers and their dependents receiving Section 95 Support increased by 17 per cent between March 2015 and March 2016, with 35,683 people now supported. Although this number has risen since 2012, the figure remains considerably below that for the end of 2003 (the start of the published data series), when there were 80,123 asylum seekers in receipt of Section 95 support.

If asylum seekers were entitled to the full level of income support, the cost would increase by £72.4 million, which would add 0.05% to the total welfare bill. Bringing asylum support up to approximately 70% of Job Seekers Allowance would add 0.02% on to the total welfare bill. Such a move –increasing asylum support- would only be necessary if the current levels of asylum support paid were deemed inadequate.

### 1.4 The client group: what is known about their needs?

Research has found both that asylum seekers can become destitute at all stages in their asylum journey, including while in the asylum system, and after being granted leave to remain, and that those who are in receipt of asylum support are living in poverty and have needs which exceed state provision. Researchers have found poverty to be present among some of the most vulnerable parts of the asylum seeker



population. This is a finding which is supported by a wide range of different stakeholders. The 2013 Parliamentary Inquiry into destitution among asylum seeking families found that asylum support rates were at that point just 20% of the Joseph Rowntree Foundation's (JRF) Minimum Income Standard. It concluded that 'the current levels of support provided to families are too low to meet children's essential living needs'. Expert witnesses suggested that low levels of asylum support were contributing to malnutrition, high infant and maternal mortality rates, disrupted education for children, mental health problems, health problems related to living in dirty damp conditions and having inadequate clothing, risk of exploitation, and domestic violence. In short, the impacts identified were all symptoms of living in poverty compounded by forced dispersal and histories of persecution. In legal terms, and for third sector organisations seeking to challenge government policy, the concept of 'destitution' is central to this debate.

#### 1.4.1 Destitution

The word 'destitution' is used more commonly than 'poverty' within the context of asylum policy, advocacy and research but different definitions of destitution exist. The legal definition of destitution derives from Section 95 of the Immigration and Asylum Act 1999 and was devised for the purposes of determining eligibility for Home Office accommodation and financial support for asylum seekers. Legally, then:

"A person is destitute if—

(a) s/he does not have adequate accommodation or any means of obtaining it (whether or not his/her other essential living needs are met); or

(b) s/he has adequate accommodation or the means of obtaining it, but cannot meet his other essential living needs."

Others have taken a more expansive approach. Within the JRF's definition all asylum seekers, refused asylum seekers and refugees who are dependent on charitable support are destitute. A key issue is the fact that for those in the asylum system destitution is not a permanent state – there is clear evidence that destitution often arises because of errors and delays caused by government service providers.

### 1.5 The refugee third sector response: scale and scope

Looking at the response of the third sector to the plight of their client groups is an alternative, complementary, method for investigating whether asylum policy relating to the economic rights of asylum seekers, refused asylum seekers and refugees, is working. There is a growing body of knowledge about the scope of activities undertaken by refugee third sector organisations. Organisations are providing housing, legal advice, welfare advice, food and clothes banks, and small subsistence payments. The major changes reported over the past 15 years are in the areas of client demand (increasing) and available funding (decreasing).

The extent of this civil society response does indicate that there is a significant demand for support from asylum seekers, refugees, and refused asylum seekers, and that the state is providing inadequate support. Nevertheless, while we have a good idea of the range of activities undertaken by RTSOs, as well as the challenges faced by them, what is not known is the quantitative *scale* of the third sector response.

### 1.6 Research methods

Exploring the *scale* of the third sector response to refugee and asylum seeker needs presents a significant methodological challenge. In response, we have designed a research approach which brings together four datasets.

1. Data from the Charity Commission, which is the most comprehensive dataset (covering England and Wales) on registered charities and their activities available. We use this to identify all registered organisations who support asylum seekers, refused asylum seekers and refugees, to track growth in the sector over time, and map the geography of RTSOs.
2. A survey of member organisations of NACCOM –the No Accommodation Network- which is a national network of UK based organisations which support destitute migrants, including asylum seekers and refugees who would otherwise be street homeless. We use this data to look at spend on accommodation by RTSOs, and how accommodation based RTSOs are funded.

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3. Data from the British Red Cross, the largest NGO working in this field, with operations in every major dispersal city. We use this data to explore the proportion of asylum seekers, refused asylum seekers and refugees that are in need of support, the geography of destitution in the UK, and the type of support that asylum seekers, refused asylum seekers and refugees need.
  4. We have undertaken two case studies with small local organisations in England who support asylum seekers, refused asylum seekers and refugees: ASSIST in Sheffield, and Asylum Welcome in Oxford. We use these case studies to explore the extent of volunteer involvement in supporting such individuals, some of the broader challenges faced by grass roots organisations 'on the ground', and the extent to which the changing policy context impacts upon their work.

Together, these different types of data provide a more comprehensive picture of the response of third sector organisations to policies relating to the economic rights of asylum seekers and refugees than previously available.

## **2 Third sector organisations filling the gap: scale**

### **2.1 How many TSOs support asylum seekers and refugees?**

We have identified a total of 142 RTSOs that included alleviating poverty and destitution in England and Wales in their activities description (from prescribed options) for the Charity Commission. The total number of charities has increased over time, from just seven in 1990 to 142 when we undertook our research. The increasing number of RTSOs does appear to indicate that there is increasing demand for voluntary sector services.

### **2.2 Where are organisations located?**

The geography of RTSOs resembles the geography of the wider voluntary sector, but the main predictor of the presence of RTSOs is not population size or broader third sector trends, it is dispersal patterns. The geography of the refugee third sector is thus directly related to the implementation of asylum policy at the national level.



### 2.3 How many people are relying on charitable support?

The British Red Cross is the largest NGO working in this field with operations in every major dispersal city. They provide destitute beneficiaries with food vouchers, food parcels, second hand clothes, bus passes and hardship funds. Nationally, the British Red Cross supported 9,138 asylum seekers, refused asylum seekers and refugees, and 4,130 dependents in 2015. The number of asylum seekers supported by the British Red Cross nationally in 2015 is roughly equal to 25% of those in receipt of asylum support that year.

The local response by smaller organisations is also significant. In 2015/16 there were 2,000 visits to ASSIST's Help Desk; 102 clients were provided with small weekly welfare payments; 62 clients were provided with medium term accommodation; and 49 clients were provided with emergency accommodation. In 2015/16, there were 2,976 visits to Asylum Welcome's main office; 2,321 food parcels were handed out; in total 1,029 clients received help; including 88 unaccompanied young asylum seekers and refugees.

The British Red Cross data shows the proportion of asylum seekers, refused asylum seekers and refugees who are supported. The majority (53%) of people receiving support from the British Red Cross in 2015 were asylum seekers; 25% have been granted some form of protection; and just 10% are refused asylum seekers with no further representations to make. The majority (61%) of British Red Cross beneficiaries were also in receipt of statutory support: just 30% were in receipt of no statutory support. The data shows that destitution often arises because of errors and delays caused by government service providers. This includes a significant number of people who are made destitute when granted refugee status (26%), or as a result of issues with NASS support (16% of respondents).

In 2016, the number of people accommodated by NACCOM members over the year came to 1,707, an increase of 29% since 2015. Of these, 808 were refused asylum seekers and 499 were refugees. Member projects were accommodating 789 people



per night at the time of the survey, an increase of 34% in the last year. Over 12 months, NACCOM estimate members provided 209,250 nights of accommodation.

#### 2.4 Support that is hard to cost

There are a number of types of support provided by RTSOs which (financially) cost little or nothing. While volunteer time is one key factor which is difficult to financially quantify, services such food parcels, clothes banks, advocacy and advice contribute to the support package offered to clients, which may become necessary because of gaps in statutory provision. In 2015/16 Asylum Welcome handed out 2,321 bags of food to asylum seekers and refugees, valued at £30,869. After cash, food parcels, clothing vouchers and hygiene packs were the most common types of support the British Red Cross gave out in 2015. In total, the British Red Cross provided 1,535 food parcels, 1,370 vouchers for Red Cross clothing shops, and 1,022 hygiene packs.

The volunteer contribution to the refugee third sector cannot be overstated. For example, we estimate there to be more than 218 volunteers across ASSIST teams in Sheffield, spending on average a total of 463 hours a week volunteering –this is the equivalent of 13 full time roles at minimum wage levels. In a given week 45 volunteers spent a combined total of 189 hours volunteering across Asylum Welcome’s destitution services -this is the equivalent of 5 full time roles. The NACCOM survey shows that smaller organisations rely more on volunteers to deliver services.

#### 2.5 The cost of this third sector response

##### 2.5.1 Sector wide funding

The total income of our sample of RTSOs in 2015/16 was £33.4 million. In the same year, expenditure stood at £31.8 million, 95% of total income. The income reported here is for a range of services, not solely those that try to alleviate destitution, though the British Red Cross portion of this income / expenditure is specifically on destitution.



### 2.5.2 Size of organisations

The sector is dominated by a high number of small and medium sized charities. Organisations with an annual income of over £1 million make up only 3% of the total number of RTSOs registered with the Charity Commission, yet account for 70% of the sector's total income. This resembles the wider charity sector.

### 2.5.3 Income sources

Twenty-four members of the NACCOM network answered detailed survey questions about the proportion of their income received from different sources. Twenty out of 24 NACCOM members received individual donations in 2015/16 and organisations received an average of 50% of their income from charitable trusts or other grants, making grants the largest source of income for the organisations sampled. Much fewer received any form of income from statutory sources. Government funding has a huge impact on the income of larger RTSOs: of the eight RTSOs with an income over £500,000 that are registered with the Charity Commission, three are operating with a significantly reduced income compared to five years ago, as a direct result of a reduction in statutory funding. Over £11 million of government funding contracts have left the sector in recent years. Government funding is therefore precarious and subject to wider trends in state spending.

## 3 Conclusion

The stratified regime of rights afforded to different groups who are going through or have been through the asylum system, results in different vulnerabilities to poverty and destitution as people move through the process. The upshot of this patchwork picture of poverty and destitution is that the third sector are playing a significant role in supporting those who have been failed by the state.

It is hard to be certain about whether the demand which these organisations are responding to is mainly being created by the refused asylum seeker population, who are not supported by the state, or whether it is also being created by demand from asylum seekers and refugees, both of whom should have sufficient access to support. Nevertheless, the number of asylum seekers being supported is much higher than we



might expect if levels of asylum support were adequate for meeting essential living needs. The two main groups who are being supported by the third sector are asylum seekers who are, or should be, receiving Section 95 support, and refugees who have received a positive decision.

We identified a total of 142 UK based RTSOs that work on alleviating poverty and destitution in England and Wales, and the sector is growing year on year. The rate of increase within the sector may indicate that the charitable sector is responding to a significant social problem. In relation to policy, the increase in the number of organisations correlates not with the numbers of asylum applications received by the UK government, but with an ever more restrictive approach to the economic rights and entitlements of forced migrants in the UK.

In light of the increasing number of organisations forming, the pressures on funding, and the precariousness of available funding sources, it seems likely that current rates of expansion within the sector are not sustainable unless public donations can keep pace with charitable need. This in itself is unlikely, particularly since dispersal areas, where there is greater demand for charitable support for these groups, are often located in areas of higher deprivation. What is needed, we suggest are a series of policy changes, which we detail below.

#### **4 Policy Recommendations**

##### **Asylum seekers in receipt of Section 95 support**

- 1.** Grant asylum seekers the right to work once they have been waiting 6 months
- 2.** Increase levels of Section 95 support to at least 70% of Job Seekers Allowance, and increase annually in line with inflation.
- 3.** Address administrative delays and mistakes relating to Section 95 support.

##### **Refused asylum seekers in receipt of Section 4 support**

- 1.** Increase levels of Section 4 support (soon to be changed to Section 95A support) in line with Section 95 levels.

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2. Address administrative delays and mistakes which leave refused asylum applicants who are entitled to Section 4 support destitute
  3. Make Section 4 a cash-based, rather than voucher-based system.
  4. Remove the 21 day deadline for applying for Section 95A support when introduced to replace Section 4 support.
  5. Allow appeals on Section 95A application decisions when introduced to replace Section 4 support.

#### Those granted leave to remain (refugees)

1. Introduce a national refugee integration strategy which starts from Day 1 that leave to remain is granted.
2. Extend the 28 day 'moving on' period.
3. Acknowledge the link to asylum policy.

#### Refused asylum seekers who are not known to have departed

1. Introduce a humane, realistic, and evidence informed strategy for supporting such individuals, which looks beyond detention and removal.
2. Increase access to legal advice, and legal aid, for refused asylum seekers.
3. Section 95 support should not end 21 days after a negative decision is administered.
4. Keep pregnant women and families with children on Section 95 support, regardless of their status.
5. Open up access to Section 95 support for refused asylum seekers who cannot return home due to a lack of documentation and/or...
6. Grant discretionary leave to remain to people who cannot be returned through no fault of their own, after a period of 12 months
7. Introduce an enhanced package of funding for third sector organisations
8. Conduct a review of procedures within the asylum system which can lead to wrongful decisions



# 1 Setting the scene

## 1.1 Introduction

This report looks at the scale of the refugee third sector response to failures in the asylum support system. The vast majority of asylum seekers in the UK are not permitted to enter the labour market. In the absence of the right to work asylum seekers receive welfare support from the Home Office which is delivered independently of the income support system for unemployed citizens (and, currently, EU migrants). The level of financial support is low –around 50% of Job Seekers Allowance. When an individual receives a positive decision on their asylum application they are given 28 days to leave their asylum accommodation and enter the mainstream welfare and employment system. This ‘move on’ period is for many people not long enough to secure a national insurance number (NINO) and enter the mainstream system, and many people find themselves destitute<sup>1</sup>. Those who are refused asylum, and who have exhausted their appeal rights, are left with no recourse to public funds.

These policies have been subject to extensive criticism from third sector organisations<sup>2</sup>. This is, in part, because these organisations often work at the grass roots with various categories of people who have been, or are going through, the asylum system, and poverty and destitution amongst their clients creates extra demand for their services. However, successive UK governments since 2002 have argued that restrictions on both welfare and work are necessary to avoid ‘pulling’ disingenuous asylum applicants (economic migrants) to the country<sup>3</sup>.

### 1.1.1 The Asylum.Welfare.Work project

The policies which relate to the economic rights of asylum seekers (both those in the system and those who have been refused or granted refugee status) are the focus of a three year research project currently being undertaken at the University of Warwick. This research, funded by the Economic and Social Research Council, involves three workpackages, this report is part of the second:



**Workpackage 1:** Analysis of policy rationale and policymaking processes

**Workpackage 2:** Costing the policy -cost to government and costs to the third sector

**Workpackage 3:** Impacts of asylum support policy on asylum seekers

In workpackage 1 we identified that the idea of the ‘pull factor’ has been the primary justification for limiting the economic rights of asylum applicants since 2002<sup>4</sup>. We were, however, unable to identify any research evidence which supports this claim. Of the 23 peer reviewed studies on pull factors undertaken in the past 20 years, none have found a long term correlation between welfare or work policies, and numbers of asylum applications received in a given country<sup>5</sup>. Research interviews with Home Office officials, former Home Secretaries, Immigration Ministers and special advisors also failed to unearth such evidence.

As part of workpackage 2 our working paper, published in November 2016, estimated the cost to the public purse of various policy change scenarios, including if asylum support was brought in line with Job Seekers Allowance and asylum seekers were permitted to work. This scenario, we suggested, could lead to modest savings (of £10 million annually) for the Treasury. In the forthcoming third workpackage we will be interviewing asylum seekers to find out about the impacts of the policies on their lives.

#### 1.1.2 This report

In this report we turn to the impact on the third sector of the policy regime. Following the National Audit Office (NAO) ‘third sector organisations’ (TSOs) here refers to:

*...the range of [not-for-profit] organisations that are neither public sector nor private sector. It includes voluntary and community organisations (both registered charities and other organisations such as associations, self-help groups and community groups), social enterprises, mutuals and co-operatives<sup>6</sup>.*



In this report the category ‘refugee third sector organisations’ (RTSOs) covers all organisations, of any size who specifically focus their charitable work on supporting those who have been, or are going through, the asylum system. We investigate the costs borne by RTSOs across the UK in supporting asylum seekers, refused asylum seekers and refugees. The system of economic support should, in theory, mean that RTSOs are only supporting refused asylum seekers who are absolutely destitute. Other groups would not be expected to be accessing food bank vouchers, receiving food parcels, second hand clothes, bus passes or hardship funds. We would not expect to see the numbers of grass roots organisations necessarily growing, nor large organisations spending more year on year on supporting new clients. Even if the numbers of new organisations, and funds required just to support destitute refused asylum seekers were increasing year on year, this in itself would point to a policy failure, the worst impacts on society of which would be being ameliorated by such organisations.

Much is known about the scope of the third sector response to the conditions created by this policy regime (such as the types of services being provided), but very little is known about the scale. There has been in recent years a selective, but nevertheless growing, literature on the extent of destitution amongst asylum seekers, refused asylum seekers and refugees, but there is little that looks to the responding organisations as an alternative window on the problem. This report therefore seeks to answer three questions:

1. What is the scale of the refugee third sector response to this asylum support policy regime (i.e. financially, geographically, and in terms of the numbers of third sector organisations involved?)
2. How has the scale and scope of the refugee third sector response changed over time, and how does this change relate to the changing policy context?
3. What can the scale of the refugee third sector response tell us about the extent to which policies relating to asylum and refugee support are working as intended (i.e. adequately supporting all who are in need, excluding those who now have no recourse to public funds)?



Answering these questions presents a significant methodological challenge. There are no comprehensive secondary datasets to draw upon, and many of the grass roots organisations that would be included within this study are small scale, possibly even operating ‘below the radar’<sup>7</sup> of standard monitoring methods. In response to this methodological challenge we have designed a research approach which brings together different data sources in order to build a picture of what is happening. This is not a comprehensive, or definitive, picture, but it does provide a better understanding of the scale of the third sector response to the refugee challenge in the UK than offered previously. The research design is described in more detail in section 1.6 but to summarise here, we have brought together four datasets:

1. Data from the Charity Commission, which is the most comprehensive dataset (covering England and Wales) on registered charities and their activities available. We use this to identify all registered organisations who support asylum seekers, refused asylum seekers and refugees, to track growth in the sector over time, and map the geography of refugee third sector organisations (RTSOs).
2. A survey of member organisations of NACCOM –the No Accommodation Network- which is a national network of UK based organisations which support destitute migrants, including asylum seekers and refugees who would otherwise be street homeless. We use this data to look spend on accommodation by RTSOs, and how accommodation based RTSOs are funded.
3. Data from the British Red Cross, the largest NGO working in this field, with operations in every major dispersal city. We use this data to explore the proportion of asylum seekers, refused asylum seekers and refugees that are in need of support, the geography of destitution in the UK, and the type of support that asylum seekers, refused asylum seekers and refugees need.
4. We have undertaken two case studies with small local organisations in England who support asylum seekers, refused asylum seekers and refugees: ASSIST in Sheffield, and Asylum Welcome in Oxford. We use these case studies to explore the extent of volunteer involvement in supporting such



individuals, some of the broader challenges faced by grass roots organisations ‘on the ground’, and the extent to which the changing policy context impacts upon their work.

Together, these different types of data provide a more comprehensive picture of the response of third sector organisations to policies relating to the economic rights of asylum seekers and refugees than previously available.

### 1.2 Asylum support: the policy context

Over the past two decades successive UK governments have sought to decrease the numbers of asylum seekers who are able to travel to the country, make an application for asylum, and whose applications are successful<sup>8</sup>. While this has in part involved border controls, since the early 2000s it has also involved restricting the welfare and working rights of asylum seekers in order to reduce economic ‘pull factors’ which are thought to attract disingenuous applicants. A series of legislative acts have thus been passed which have removed labour market access, have moved asylum seekers out of the mainstream benefits system, and have steadily decreased the levels of financial support paid to them.

The Immigration and Asylum Act (1999) removed the responsibility for meeting asylum seekers’ basic financial and housing needs from local authorities and placed it with the newly created National Asylum Support Service (NASS), thus taking asylum seekers out of the mainstream benefits system. From this point onwards asylum seekers had two support options: financial assistance only (where they source their own accommodation), or financial assistance plus housing. In order to access support individuals must be able to demonstrate that they are destitute, and accommodation is offered on a ‘no choice’ basis around the UK. Early on, financial support was delivered through a cashless voucher system. However, following extensive criticism of this system, the Nationality, Immigration and Asylum Act (2002) phased out the voucher system and replaced it with entitlement cards, with



which asylum seekers can collect their support at post offices (or latterly cash points).

Section 55 of the 2002 Act stated that individuals must apply for asylum status 'as soon as is reasonably practicable' (within 72 hours of entering the UK), in order to be eligible for asylum support. Section 55 was highly controversial, pushing many asylum seekers in to poverty and destitution, and was successfully challenged in the High Court by refugee and homelessness organisations. In 2004 the House of Lords held that forcing an asylum seeker into destitution was a breach of human rights. Section 55 has therefore rarely been used in recent years, though there are indications that it is used more in denying subsistence only support requests<sup>9</sup>. The European Council's 2003 Reception Conditions Directive (2003/9/EC) determines that the Home Secretary has a duty to provide support in respect of essential living needs, though what might count as 'essential' is at the discretion of the Minister. Until 2008, increases to the rates of asylum support were made on an annual basis and were broadly in line with increases to Income Support. In 2008 the link to Income Support ended and from 2009 the separate rate for single adults aged 25 and over was removed.

Levels of asylum support paid were then increased annually in line with inflation until 2012, when such increases stopped. The rate of support (known as 'Section 95' support) has been fixed at £36.95 per person per week for all categories of asylum seeker since August 2015. This was a substantial reduction in support for single parents and families with children who previously received a larger sum. Extra one off payments are provided to pregnant women, women with new babies, and those with children under 3. If refused asylum seekers are unable to return to their country of origin, have a judicial review pending, or if they are complying with processes aimed at returning them in the future (such as applying for travel documents), then they can apply for accommodation and what is known as 'Section 4' support of £35.39 per person per week which is loaded onto a payment card valid in select shops.



Researchers have described the different economic rights afforded to different groups on the basis of immigration status as a 'stratified rights regime'<sup>10</sup>. For those who are going through, or have been through, the asylum system, this stratified rights regime is organised as follows:

**Refugees and those with Indefinite Leave to Remain, Temporary Leave to Remain or Humanitarian Protection:** have full access to the mainstream benefits system and the labour market until their status is reviewed (usually after 5 years).

**Asylum seekers:** if demonstrably destitute, receive £36.96 per week in financial support (known as 'Section 95' support) plus accommodation provided on a no choice basis in various urban areas around the UK.

**Refused Asylum seekers:** If they are unable to return, have a judicial review pending, and/or if they are complying with processes aimed at returning them in the future, may apply to receive £35.39 per week in non-cash financial support plus accommodation provided on a no choice basis in various cities around the UK (known as 'Section 4' support). If none of these criteria can be met, or if individuals cannot meet the threshold of proof required, they receive no support from the state.

The Immigration Act 2016 makes key changes to the existing support framework, the detail of which will be articulated in forthcoming regulations. It is known that the Act will repeal Section 4 support for single adults, and allows for refused asylum seekers who face a "genuine obstacle" to leaving the UK, to be supported under a new provision, Section 95A. This new statutory support will be paid in cash at the same level as Section 95 support (£36.95 per week) but the criteria for accessing Section 95A support will be more restrictive than those currently in operation for Section 4. Single adults will need to apply within a 21 days of refusal of their asylum claim, and there will be no right of appeal on refusal of support.



The British Red Cross have raised concerns about these two criteria, observing that very few Section 4 applications are currently made within 21 days, and that in 75 per cent of appeals in 2014 the Home Office's decision to discontinue support was overturned or reconsidered at tribunal<sup>11</sup>. The Home Office states that these measures have been framed carefully to avoid passing the cost of supporting failed asylum seekers and their families on to local authorities, but no mention is made of the third sector, who are likely to step in.

### 1.3 How many people receive asylum support & what is the cost the government?

In this section we detail how many people are receiving asylum support under the current Section 95 / Section 4 system, and how much such support costs the UK government. The figures provided here are based on analysis of Home Office statistics obtained via a freedom of information request. This perhaps sounds high yet asylum support at current levels in fact costs the state relatively little. The UK spends about £146 billion on means-tested benefits to help the poorest members of UK society<sup>12</sup>, while asylum support cost the Home Office £234 million in 2014-15,

The vast majority of asylum seekers are supported under 'Section 95' of the Immigration and Asylum Act 1999. At the end of March 2015, 30,476 asylum seekers and their dependants were being supported in the UK under Section 95 (either in supported accommodation or receiving subsistence only support). In the year 2014-15, accommodation and cash payments provided under Section 95 and Section 4 cost an estimated £174 million<sup>13</sup>; in 2013-14 such support cost an estimated £154 million (see Table 1). Payroll and administration costs associated with asylum support cost an estimated £60 million in 2014-15; in 2013-14 payroll and administration costs an estimated £56 million. In total, asylum support cost an estimated £234 million in 2014-15; and £210 million in 2013-14.

Where refused asylum seekers have children born before a final decision was made on the asylum claim, they and their dependents generally continue to receive asylum support under Section 95 of the 1999 Act (i.e. the same as they received whilst waiting for a decision on the claim) until the youngest child turns 18 or the family is removed from the UK. In 2014-15, £45 million, around a third of the total cost of Section 95 support, was spent supporting families<sup>14</sup>. In addition, Section 4 of the 1999 Act provides for support for other categories of refused asylum seeker who are unable to leave the country. At 31 March 2015, around 4,900 persons were supported under 'Section 4' of the 1999 Act: in 2014-15, such support cost an estimated £28 million.

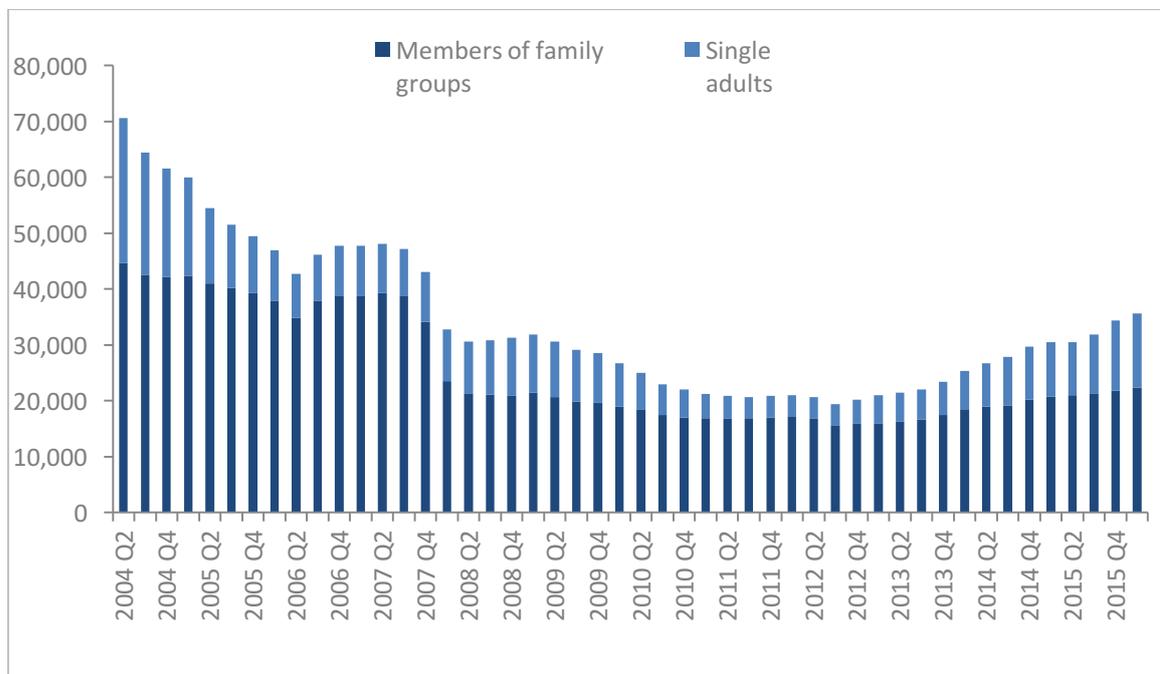
*Table 1. Asylum support costs*

	2011/12	2012/13	2013/14	2014/15
S95 ACCOMMODATION	£80,520,346	£80,155,529	£66,806,029	£83,096,387
S95 CASH	£50,029,415	£48,142,140	£59,374,347	£63,132,564
S4 ACCOMMODATION	£14,935,077	£16,568,366	£16,638,139	£18,126,125
S4 CASH VOUCHERS	£6,554,715	£10,826,446	£10,826,446	£9,310,122
<b>TOTAL:</b>	<b>£152,039,553</b>	<b>£155,692,481</b>	<b>£153,644,961</b>	<b>£173,665,198</b>
STAFF PAYROLL	-	-	£45,220,092	£48,176,279
ADMINISTRATION	-	-	£10,931,603	£11,736,334
<b>COMBINED TOTAL:</b>	-	-	<b>£209,796,656</b>	<b>£233,577,811</b>

Source: Home Office, Freedom of Information request

Recently released Home Office figures indicate that the number of asylum seekers and their dependents receiving Section 95 support increased by 17 per cent between March 2015 and March 2016, with 35,683 people now supported<sup>15</sup>. Although this number has risen since 2012, the figure remains considerably below that for the end of 2003 (the start of the published data series), when there were 80,123 asylum seekers in receipt of Section 95 support (see Figure 1).

Figure 1. Asylum seekers supported under Section 95



Source: Home Office, Immigration Statistics January to March 2016

Currently, asylum support is capped at approximately 50 per cent of the income support rate. With no changes to the rules on working, if all asylum seekers in receipt of support were entitled to 70 per cent of the income support rate (assuming none are working), the asylum support bill for 2014/15 would be £29 million higher (see Table 2). If asylum seekers were entitled to the full level of income support, the cost would increase by £72.4 million<sup>16</sup>. When set within the context of a £146 billion welfare bill these figures appear relatively low, £72.4 million would add 0.05% to

the total welfare bill. Bringing asylum support up to approximately 70% of Job Seekers Allowance would add 0.02% on to the total welfare bill.

*Table 2. Increasing asylum support*

	ASYLUM SUPPORT SET AT 50% OF JSA	ASYLUM SUPPORT SET AT APPROX 70% OF JSA	ASYLUM SUPPORT SET AT APPROX 100% OF JSA
TOTAL COST:	£72.4 MILLION	£101.3 MILLION	£144.8 MILLION
INCREASE IN COST:	-	£29 MILLION	£72.4 MILLION

Such a move –increasing asylum support- would only be necessary if the current levels of asylum support paid were deemed inadequate. In 2015 Refugee Action brought a judicial review case against the Home Secretary in order to argue that proposed (now actual) levels of asylum support were indeed inadequate. The judge decided that a number of items were left out of the calculation of asylum support levels by the Home Office, and that they should revisit their calculations. However, no changes were made to support levels following review, and the Home Office representative had argued during the judicial review that the proposed levels of asylum support would be adequate to meet the essential living needs of asylum seekers. These levels were modelled on the weekly spend, on essential items only, of the poorest 10% of British citizens.

There are various ways in which we might revisit the question of whether support levels (and indeed other types of non-monetary support) are adequate, not only for asylum seekers but also for refugees and refused asylum seekers. In the next section we look at the evidence that this need is placing a significant burden on third sector



organisations, who are filling potentially significant gaps in the provision of state support.

#### 1.4 The client group: what is known about their needs?

Refugees and those who are still in the asylum system are supposed to have their essential living costs covered by the UK government, and would not be expected to be placing a significant burden on third sector organisations in relation to food, clothing, covering expenses, or accessing accommodation if support levels were adequate. Refused asylum seekers who have exhausted their appeal rights, meanwhile, have no recourse to public funds and are left destitute. Because a large proportion of this group do not respond to this nudge and leave the UK (we provide some indicative statistics using Home Office data in section 2.1), we can assume that they are growing year on year, increasing pressure on the third sector organisations who support them. The British Red Cross explored the many reasons that refused asylum seekers do not, or cannot, leave voluntarily in their 2017 report ‘Can’t Stay Can’t Go’<sup>17</sup>. However, the divide between refugees, asylum seekers and refused asylum seekers is not so simple. Research has found both that asylum seekers can become destitute at all stages in their asylum journey, including while in the asylum system, and after being granted leave to remain<sup>18</sup>, and that those who are in receipt of asylum support are living in poverty and have needs which exceed state provision<sup>19</sup>.

We discuss destitution in more detail in the next section but it should be noted here that the line between living in poverty and being destitute can sometimes be blurred, with those who have accommodation and some access to financial support being so poor as to still be classed as ‘destitute’ (depending on the definition of destitution used, see below). In their review of research into poverty amongst asylum seekers and refugees Allsopp and colleagues<sup>20</sup> found poverty ‘to be present among some of the most vulnerable parts of the asylum seeker population, including pregnant women and newborn babies [...] children [...] LGBTI individuals [...]and torture



survivors'. This is a finding which is supported by a wide range of different stakeholders. For example, the 2007 Inquiry into the Treatment of Asylum Seekers by the Joint Committee on Human Rights, the 2013 Parliamentary Inquiry into destitution among asylum seeking families, and the 2013 Home Affairs Select Committee Inquiry into the asylum system all highlighted poverty and destitution among asylum seekers, refused asylum seekers, and refugees<sup>21</sup>.

The 2013 Parliamentary Inquiry into destitution among asylum seeking families found that asylum support rates were at that point just 20% of the JRF's Minimum Income Standard (a figure based on what members of the British public think people need for an acceptable minimum standard of living). It concluded that 'the current levels of support provided to families are too low to meet children's essential living needs'<sup>22</sup>. Expert witnesses (academic researchers, social workers, local authorities and health professionals) suggested that low levels of asylum support were contributing to malnutrition, high infant and maternal mortality rates, disrupted education for children, mental health problems, health problems related to living in dirty damp conditions and having inadequate clothing, risk of exploitation, and domestic violence. In short, the impacts identified were all symptoms of living in poverty compounded by forced dispersal and histories of persecution.

The report of the Home Affairs Committee inquiry into asylum noted that in surveys of asylum seekers receiving support, 50% of respondents had reported experiencing hunger; 70% were unable to buy essential toiletries; and 94% were unable to buy clothing<sup>23</sup>. In July 2013 the charity Freedom From Torture, which supports torture survivors, published a research report on poverty amongst asylum seekers, refused asylum seekers, and refugees. In his foreword Juan E. Méndez, United Nations Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, wrote:

*The research [documented in this report] demonstrates that torture survivors living in exile in the UK are pushed into poverty by government systems that are meant to support them as they pass through the asylum determination system*



*and beyond. I know through the work of my mandate internationally that many torture survivors who manage to reach and claim protection in States such as the UK may not have directly experienced these levels of absolute or relative poverty before<sup>24</sup>*

Lacking resources to participate in normal social activities causes social isolation which is associated with feelings of shame, stigma and embarrassment<sup>25</sup>. The mental health issues associated with destitution are thoroughly explored in Dumper and colleague's research, funded by the Department of Health. Interviews with 80 destitute asylum seekers suggest a high prevalence of mental health issues; nearly all (83%) stated that they suffered from depression 'often' or 'usually', two thirds (63%) often or usually experienced loss of sleep<sup>26</sup>. RTSOs are known to be an important source of support for destitute asylum seekers and refugees, though qualitative research has found that dependency on charity can be experienced as demeaning for recipients<sup>27</sup>.

Qualitative testimonies capture the range of strategies that are employed by asylum seekers and refugees to cope with destitution. For destitute asylum seekers, social relationships can be an important livelihood strategy, and may be overtly or implicitly transactional in nature. Destitute asylum seekers have been found to be providing childcare, cooking, housework and sometimes sex in order to meet their most basic needs including food, shelter, cash and day to day necessities<sup>28</sup>. There is evidence that they are vulnerable to exploitation and even to forced labour<sup>29</sup>, which is not only dangerous for individuals, but also creates safeguarding risks for children and families<sup>30</sup>.

There is, then, significant evidence that both those in receipt of asylum support, as well as those who have been refused asylum, are living in poverty in the UK. This suggests that levels of support are not adequate. In legal terms, and for third sector organisations seeking to challenge government policy, the concept of 'destitution' is central to this debate. We explore why in the next section.

#### 1.4.1 Destitution

The word 'destitution' is used more commonly than 'poverty' within the context of asylum policy, advocacy and research. It is here that the connections between the impacts of government policies and third sector efforts to ameliorate those impacts are most clearly articulated. Different definitions of destitution have been supplied by the government, RTSOs, citizens panels, and refugee research participants<sup>31</sup>. These different definitions are important because the numbers of individuals who are destitute will vary significantly depending on the definition used. The legal definition of destitution derives from Section 95 of the Immigration and Asylum Act 1999 and was devised for the purposes of determining eligibility for Home Office accommodation and financial support for asylum seekers. Legally, then:

*"A person is destitute if—*

*(a) s/he does not have adequate accommodation or any means of obtaining it (whether or not his/her other essential living needs are met); or*

*(b) s/he has adequate accommodation or the means of obtaining it, but cannot meet his other essential living needs."*<sup>32</sup>

Similarly, in research for the Refugee Survival Trust and the British Red Cross on destitution in Scotland, Gillespie<sup>33</sup> defines destitution (in relation to those in, or at the end of the asylum system) as being when one has 'no access to benefits, UKBA support or income and were either street homeless or staying with friends only temporarily, or had accommodation but no means of sustaining it'. Others have taken a more expansive approach and when destitution is thought of in a general sense, and not limited to those who are going or have been through the asylum system (i.e. in relation to citizens), the threshold tends to be lowered. A study commissioned by the Joseph Rowntree Foundation<sup>34</sup> sought to define destitution by interviewing key informants and testing out their definition with focus groups. It concluded that:

*People are destitute if they, or their children, have lacked two or more of these six essentials over the past month, because they cannot afford them:*

- 
- *Shelter (have slept rough for one or more nights)*
  - *Food (have had fewer than two meals a day for two or more days)*
  - *Heating their home (have been unable to do this for five or more days)*
  - *Lighting their home (have been unable to do those for five or more days)*
  - *Clothing and footwear (appropriate for weather)*
  - *Basic toiletries (soap, shampoo, toothpaste, toothbrush)*

*[...] People are also destitute, even if they have not as yet gone without these six essentials, if their income is so low that they are unable to purchase these essentials for themselves*

The authors note that ‘a majority of the public took the view that people who were only able to meet their essential living needs with help from charities, for example, should be considered destitute’<sup>35</sup>. Within this definition, then, all asylum seekers, refused asylum seekers and refugees who are dependent on charitable support are destitute. The report notes that this definition means that ‘certain groups supported by the UK welfare system [including asylum seekers] are, by definition, destitute as their current weekly allowances (excluding housing costs) fall below these thresholds’. Yet they also note that asylum seekers who are living in Home Office accommodation do not have to pay for heating and lighting which may or may not be enough to lift them out of destitution. A key issue is the fact that for those in the asylum system destitution is not a permanent state – there is clear evidence that temporary destitution often arises because of errors and delays caused by government service providers. This includes apparent difficulties that the Home Office and other service providers such as Jobcentre Plus have in keeping to their own timescales at key transition points<sup>36</sup>.

The JRF study involved a survey of destitute people of various backgrounds. Within the asylum group 46% had leave to remain or refugee status and 41% were still in the asylum system<sup>37</sup>. Those who were going through the asylum system experienced



longer periods of destitution than other groups, and respondents who were supported by the Home Office on Section 95 and Section 4 benefits highlighted the low levels of support rates as the main explanation for their situation. Notably, while essential needs might routinely be covered, periodic expenses which low levels of support could not cover often tipped them into being unable to buy basic essentials, thus leading to destitution. This is particularly the case for those without family or friends to fall back on.

### 1.5 The refugee third sector response: scale and scope

Looking at the response of the third sector to the plight of their client groups is an alternative, complementary, method for investigating whether asylum policy relating to the economic rights of asylum seekers, refused asylum seekers and refugees, is working. If there is little demand for the services offered by charitable organisations, then we would not expect there to be a growing number of them, for them to be reporting growing demand, or for their support services (e.g. food banks, clothes banks) to be covering such groups as Section 95 recipients whose essential living needs are covered by the state. In this section we explore what is already known about the scale and scope of this third sector response.

As stated in the introduction, the category ‘refugee third sector organisations’ here covers all not-for-profit organisations, of any size who specifically focus their charitable work on supporting those who have been, or are going through, the asylum system. At the smallest end of the scale are refugee community organisations (RCOs) which are refugee led, are often formed around national groupings, and form in response to changing international events, as well as national asylum policy<sup>38</sup>. These organisations are often too small to meet the Charity Commission mandatory registration threshold (having an annual income of £5,000), which is part of the reason why identifying them is so difficult. Larger organisations tend to serve asylum seekers, refugees, refused asylum seekers, or all three, and work on a city or county wide scale. These are easier to identify (they are usually registered with the



Charity Commission) and are often more well established. The largest organisations are nationally based, with larger incomes and operations in multiple urban centres, and undertake many projects –often only a fraction of their work is focussed on destitution. These include the British Red Cross, Refugee Council and Refugee Action.

There is a growing body of knowledge about the scope of activities undertaken by RTSOs. Much of the information on the scope of activities comes from relatively small scale qualitative studies, often produced by or for third sector organisations. These activities, detailed below, have remained consistent over time according to the research. The major changes reported over the past 15 years are in the areas of client demand (increasing) and available funding (decreasing)<sup>39</sup>. Organisations are often small, local, heavily dependent on volunteers, many are either faith based or rely on churches for service provision support, and are often located in asylum seeker dispersal areas<sup>40</sup>. The services provided include housing management and provision, legal and welfare advice, financial and other types of subsistence support such as clothes and food banks, and rights-based advocacy<sup>41</sup>. As those in the asylum system have become excluded from accessing mainstream benefits, more of them are relying on friends, family, third sector organisations, communities and local authorities for support<sup>42</sup>. At the same time, available funding for third sector organisations and local authorities has dwindled. Organisations have therefore increasingly focused on short-term activities which seek to ameliorate the most severe impacts of the policy environment, rather than playing a ‘community cohesion’, integration, or campaigning role<sup>43</sup>, though it appears that the coalitions mentioned below have taken up a significant campaigning role.

Existing research suggests that funding is not only *dwindling*, but is also *precarious* for organisations that provide services for asylum seekers and refugees<sup>44</sup>. For example, Jonathan Price’s recent qualitative research conducted with sixty-two individuals, representing 51 organisations in Birmingham, London and Nottingham found that services have insufficient funding to meet demand<sup>45</sup>. RTSOs find that securing funding and meeting the rising demand for services diverts resources away from other activities<sup>46</sup>. The Refugee Council found in 2003 that in order to deal with



the increased number of families needing destitution support following the withdrawal of Section 55 support in 2002, organisations suspended services with longer term goals, such as helping refugees access healthcare and settle into the community. Many RTSOs want to lobby local authorities and government on important issues around destitution, but may prioritise front-line delivery over policy work and campaigning<sup>47</sup>. Academics have also raised concerns that some organisations feel they are not able to challenge government policy because of their reliance on government funding<sup>48</sup>.

A key area of provision is housing and housing advice, both for individual refused asylum seekers who are destitute, and those who should be supported within the system, such as refugees and families with children at any stage in the process. As well as providing information on accessing housing, RTSOs are providing night shelters and longer term accommodation. Studies have reported families experiencing difficulties securing the local authority support to which they are entitled (under Section 17 of the Children Act 1989)<sup>49</sup>. This may result in increasing reliance on support from TSOs to plug that gap. Accommodation provided to destitute refugees can draw income from their housing benefit (the rent they pay) in order to fund provision for asylum seekers and refused asylum seekers in the same building. Meanwhile, organisations who solely provide housing to refused asylum seekers do not have access to such funding, which has acted as a catalyst for innovation in funding accommodation services for refused asylum seekers. A number of the case study organisations selected by the JRF<sup>50</sup> as examples of good practice have developed innovative income generating projects which are used to cross-subsidise the support provided to destitute migrants, for example, providing housing for rent or delivering commissioned services.

Partnership working between organisations is increasingly common and, according to Price is often facilitated, for example, by foundations<sup>51</sup>. The accommodation network NACCOM was founded in 2006 and helps to coordinate asylum seeker and refugee housing projects in 28 cities in the UK. Still Human Still Here (now Asylum Matters), a coalition of over 60 organisations that campaigns to end destitution of



refused asylum seekers in the UK, was set up around the same time. Furthermore, a Strategic Alliance on Migrant Destitution was formed in 2015, funded by the Joseph Rowntree Foundation and hosted by Homeless Link and involving the British Red Cross, Housing Justice, Migrant Rights Network, NACCOM, Refugee Action and Refugee Council (amongst others). City of Sanctuary, a network that encourages people to show solidarity with refugees and asylum seekers in their own communities through local voluntary run support and advice services, music, sports, education, health and arts initiatives has grown since it began in Sheffield in 2005, and now has groups established or starting up in almost 80 cities, towns and villages across the UK.

The extent of this civil society response does indicate that there is a significant demand for support from asylum seekers, refugees, and refused asylum seekers, and that the state is providing inadequate support. Nevertheless, while we have a good idea of the range of activities undertaken by RTSOs, as well as the challenges faced by them, what is not known is the quantitative *scale* of the third sector response. Various sources suggest that demand for services is very high, and cannot be met. For example, a London based organization surveyed by Price<sup>52</sup> described having queues outside its door from 6am. The representative of another organization suggested that securing an advice slot with them was a 'golden ticket'. Yet aside from such anecdotal accounts, we do not know how many organisations there are, or how much they are spending on supporting their client groups.

It is extremely hard to quantify, with any accuracy, the number of RCOs operating at any given time<sup>53</sup> but it is likely that since the financial crisis the number of these small precarious organisations has reduced. The end of the Migration Impact Fund, as well as changes to government funding in 2010 which moved away from focussing on single ethnic or national groups and instead favoured multi-national/ethnicity organisations are likely to have had a significant impact<sup>54</sup>, though the research does not exist currently to confirm this. We have developed an approach to counting RTSOs, described in the next section, but the raw numbers of organisations, and of people being supported by them are not necessarily indicative



of demand. Indeed, the fact that RTSOs are difficult to count is perhaps why so much is known about what they are doing (the scope of their response) but so little is known about the *scale* of the response, though this is of course central to the question of whether the state is adequately supporting asylum seekers, refugees and refused asylum seekers.

### 1.6 Research methods

As noted above, RTSOs are difficult to count, which may explain why most research in this area takes a qualitative ‘deep dive’ case study approach in particular locales. This means that exploring the *scale* of the third sector response to refugee and asylum seeker needs presents a significant methodological challenge. In response, we have designed a research approach which brings together four datasets. Even when combined, these datasets cannot provide definitive answers in relation to the scale of the third sector response to this societal challenge, but they can provide a more comprehensive picture of the response of third sector organisations to policies relating to the economic rights of asylum seekers and refugees, than previously available.

First, we draw on data from the Charity Commission database (covering England and Wales) which provides the most comprehensive dataset on registered charities and their activities currently available. The Charity Commission is the government regulator of charities whose annually published statistics report the financial returns of the charities that they regulate. Registered charities in England and Wales must provide information about their activities to the Commission. This information is then publicly available and so we used the Charity Commission’s online database in order to identify organisations supporting refugees and/or asylum seekers and/or refused asylum seekers.

To meet our inclusion criteria charities must use the word ‘asylum’ or ‘refugee’ in their ‘activities description’ on the database, and describe their activities as working ‘for the prevention or relief of poverty’ or ‘provides accommodation / housing’ (from



prescribed options). We reviewed each charity and removed religious organisations and charities that do not serve asylum seekers, refused asylum seekers or refugees as their primary group (for example, charities whose activities focus on different types of asylum such as psychiatric asylums, or charities that provide services primarily to victims of domestic violence, or people who are homeless).

The dataset of 142 charities identified includes the following information about each organisation, downloaded in an Excel spreadsheet by the researchers:

- Name
- Charity number
- Reported income in 2015/16
- Expenditure in 2015/16
- Financial year end date
- Website URL
- What the charity does
- Who the charity helps
- How the charity works

Researchers added the following information for each charity into the dataset:

- Operational locations
- Year established
- Year removed from the register (where applicable)

Charities in England and Wales with an annual income of over £500,000 are legally obliged to provide the Charity Commission with more detailed income and expenditure information. For these we looked for information about the total income from charitable activities, donations, and trading, as well as information about staff and volunteers employed. This data is comprehensive, in that charities are legally required to register with the Commission. However, as with most administrative datasets, there are gaps and limitations. The Commission reports that up to 20 per cent of charities are liable to miss the submissions deadline. For charities that have



not yet submitted for the 2015/16 financial year, data for the previous financial year is used in this report.

Some charities are not required to register with the Commission. These include charities with an annual income of under £5,000 and places of worship with an annual income of under £100,000. Many faith based organisations are known to offer support to asylum seekers, refused asylum seekers and refugees, particularly in providing crisis accommodation<sup>55</sup>. Faith based organisations also tend to be funded differently; receiving a higher proportion of funding from individuals<sup>56</sup>. Places of worship serve multiple purposes and groups; disaggregating costs along these lines is (understandably) beyond the scope of many organisation's accounting practices. For this reason, faith based organisations have not been included in our sample.

The exclusion of faith based organisations and charities with an annual income of under £5,000 will mean that our research significantly underestimates the level of support provided to asylum seekers by non-state actors. The omission of small 'below the radar' organisations, which as McCabe & Phillimore highlight constitute the largest proportion of civil society organisations, also suggests that our calculations are an under-estimate<sup>57</sup>.

Our second dataset relates to a survey undertaken in collaboration with NACCOM – the No Accommodation Network- which is a national network of members preventing homelessness amongst asylum seekers, refugees and other migrants. NACCOM exists to promote best practice in and support the establishment of accommodation projects that reduce destitution amongst asylum seekers. In addition, they may also support migrants with no recourse to public funds (NRPF) and / or refugees facing barriers to accessing affordable housing. NACCOM has been a national charity since 2015 and an informal network of voluntary organisations since 2006. It has 38 full members, and there are new organisations developing housing initiatives in this field in different parts of the country every year.

In 2016 NACCOM conducted their fourth annual survey of member accommodation projects. In total 36 projects completed the survey. In 2016, NACCOM members



accommodated an estimated 1,707 people, an increase of 28.5% since 2015. Of these, 808 were destitute asylum seekers and 499 were refugees with leave to remain in the UK. The inaugural survey in 2013 was completed by 20 projects, which were accommodating 374 people, around 270 of whom were destitute, refused asylum seekers. NACCOM is therefore a key network within the sector, suggesting data from their members can offer insights in to the scale of housing operations and spend on housing and accommodation nationally.

In spring 2017 we collaborated with NACCOM to conduct a survey of member accommodation projects. The survey was sent to all 38 NACCOM members, and was completed by 24 projects. The questions covered a range of financial information, including income and expenditure, funding sources, subsidised costs, staff and volunteer capacity, and the accommodation and other services provided. We use this data to look at how RTSOs operate, in terms of funding and use of other resources.

The third source of data comes from the British Red Cross. The British Red Cross is the largest NGO working in this field and has a long tradition of providing practical and emotional support to vulnerable refugees and asylum seekers in the UK. The British Red Cross supports refugees, asylums seekers and refused asylum seekers in a wide variety of ways. These include offering emergency food, clothes and cash to those facing severe hardship, and giving advice about how to access services. The British Red Cross co-ordinate projects in hundreds of locations across the UK, and routinely collect management information from each project. This includes a great deal of information about beneficiaries, including numbers, and demographic information such as age, gender, nationality and immigration status as well as information about the type of support provided. All of this information may be disaggregated by project location. This rich source of data is routinely used by the British Red Cross in press releases, reports and publications. It is rare for this data to be used by academic researchers, or those external to the British Red Cross, but they have granted us access to some key data which offers further insights in to the scale of the third sector response to the refugee and asylum challenge. In this report we present data on:

- 
- The annual British Red Cross budget for UK destitution services in 2015/16
  - The number of asylum seekers, refused asylum seekers and refugees supported in different locations
  - The forms that destitution support takes
  - The geography of destitution services
  - The numbers of staff and volunteers providing destitution services

We use this data to explore the proportion of asylum seekers, refused asylum seekers and refugees that are in need of support, the geography of destitution in the UK, and the type of support that asylum seekers, refused asylum seekers and refugees need. It should be noted, however, that there are inbuilt limitations within this dataset in that not all client information is recorded in 100% of cases.

The fourth and final data source moves from the national to the local scale. We conducted qualitative interviews and observations with staff and volunteers from two medium-sized charities that are involved in alleviating the poverty and destitution experienced by forced migrants: ASSIST in Sheffield and Asylum Welcome in Oxford. Though we are interested in the national scale, there are many gaps in the data obtained from the sources discussed above, including difficult to quantify resources such as food parcels made up of donated food, and volunteer time spent working at the local level.

ASSIST is a voluntary organisation that offers support to people in Sheffield who are homeless and destitute as a result of being refused asylum in the UK. Sheffield is an asylum seeker dispersal city, has a large and growing population of asylum seekers, refused asylum seekers and refugees, and was the first City of Sanctuary in the UK. The data presented in this report was accessed via semi structured qualitative research interviews with team leaders from nine ASSIST frontline and support teams. We also observed activities and spoke to volunteers during the delivery of two frontline services. These qualitative methods were combined with documentary evidence from ASSIST's own internal monitoring, and data from their financial accounts.



Asylum Welcome is a voluntary organisation that tackles suffering and isolation among asylum seekers, refused asylum seekers, refugees and detainees in Oxford and Oxfordshire<sup>58</sup>. Oxford is not a dispersal city, and is rarely singled out as a case study for exploring the third sector response to the asylum and refugee challenge. Yet Asylum Welcome has a significant asylum seeker and refugee client group, making it an interesting comparator to ASSIST. The data presented in this report was accessed via semi structured qualitative research interviews with six volunteers and staff from Asylum Welcome. Asylum Welcome collect data for their own internal monitoring, and financial accounts which have contributed to this report.

We used the data from these two case studies to identify how local organisations are funded, and the extent of the role of volunteers in local organisations. This gives us vital insights in to the ways in which small local organisations are managing the increasing demand placed on them as a consequence of government policy.



## 2 Third sector organisations filling the gap: scale

In this chapter we look at:

- How many RTSOs support asylum seekers and refugees in England and Wales
- Where these organisations are located
- How many people are relying on charitable support
- What the scale of hard to cost support might be
- The financial cost of the third sector response to poverty and destitution amongst asylum seeking groups

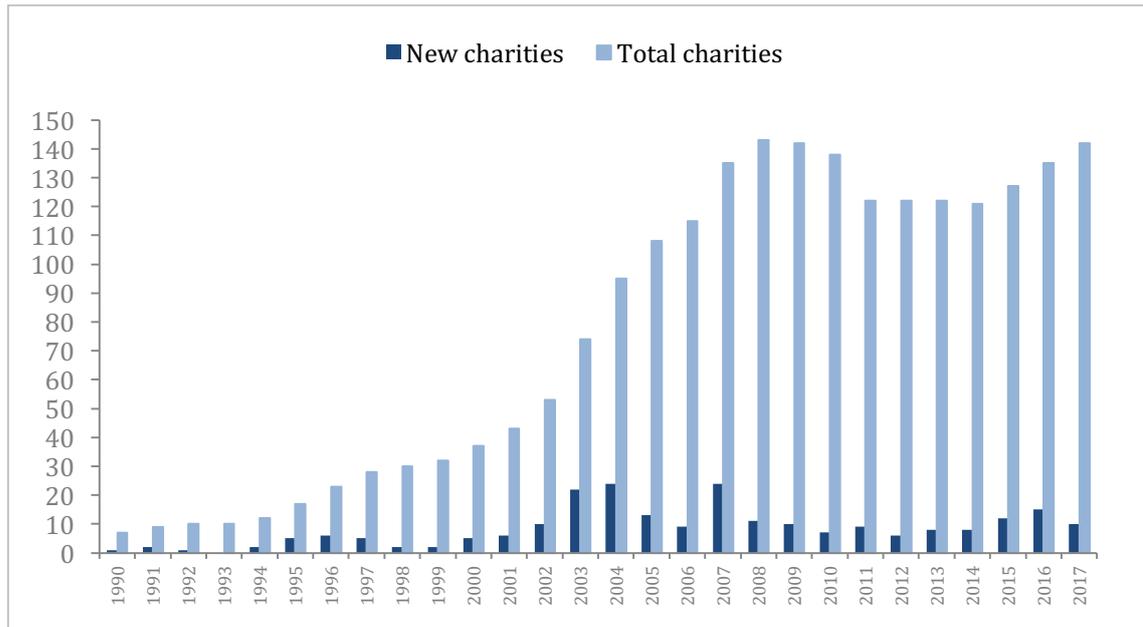
### 2.1 How many TSOs support asylum seekers and refugees?

This section provides an overview of the number of refugee third sector organisations (RTSOs) supporting asylum seekers, refused asylum seekers and refugees. We have developed an approach to counting RTSOs that are registered with the Charity Commission, described in section 1.6. Using this approach, we have identified a total of 142 RTSOs that included alleviating poverty and destitution in England and Wales in their activities description (from prescribed options) for the Charity Commission. All 142 RTSOs work primarily with asylum seekers, refused asylum seekers or refugees, and all at least partly work to alleviate poverty. As noted previously, the approach fails to capture RTSOs that have an income of under £5,000, as such organisations are too small to meet the Charity Commission's mandatory registration threshold. Within the wider voluntary sector 54% of organisations have annual incomes of less than £10,000 (though they make up only 5.5% of the sectors total income)<sup>59</sup>. This means the number of RTSOs would be much higher if smaller organisations were counted.

The Charity Commission records the date charities registered, and the date charities which have ceased operating were removed from the register. Figure 2 presents a breakdown of the number of new charities and the total number of charities

supporting destitute refugees and asylum seekers in each year since 1997. The total number of charities has increased over time, from just seven in 1990 to 142 when we undertook our research.

*Figure 2. Number of RTSOs involved with destitute forced migrants 1990 - 2017*



*Figure 3. RTSOs that have ceased operating 1990 - 2017*

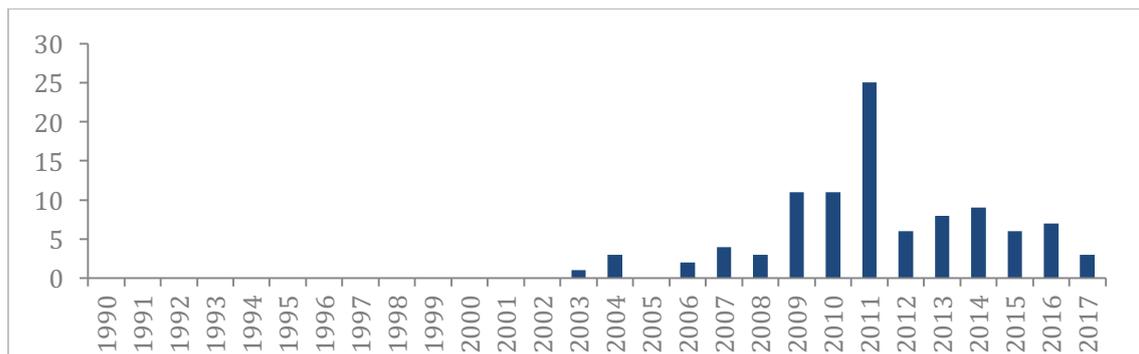


Figure 3 presents a breakdown of the number of charities involved with destitute forced migrants that have ceased operating in each year since 1990. In the decade since 2007, 86 charities have ceased operating. In the preceding decade, just 13 charities ceased operating. The last decade has been a period of financial instability



for the voluntary sector as a whole, encompassing both the financial crisis in 2007 and cuts to public spending under the coalition government from 2010<sup>60</sup>.

The increasing number of RTSOs does appear to indicate that there is increasing demand for voluntary sector services. While this increase in organisations correlates with the increase in asylum applications seen in the early 2000s, numbers of applications dipped around 2005 and stayed at significantly decreased levels for over a decade. Furthermore, in theory asylum seekers and refugees should not need to place such demand on the third sector since their support levels are supposed to be sufficient. If the number of RTSOs is increasing in response to an increasing population of refused asylum seekers, this also raises concerns over the effectiveness of destitution as a policy tool to encourage refused asylum seekers to leave the UK.

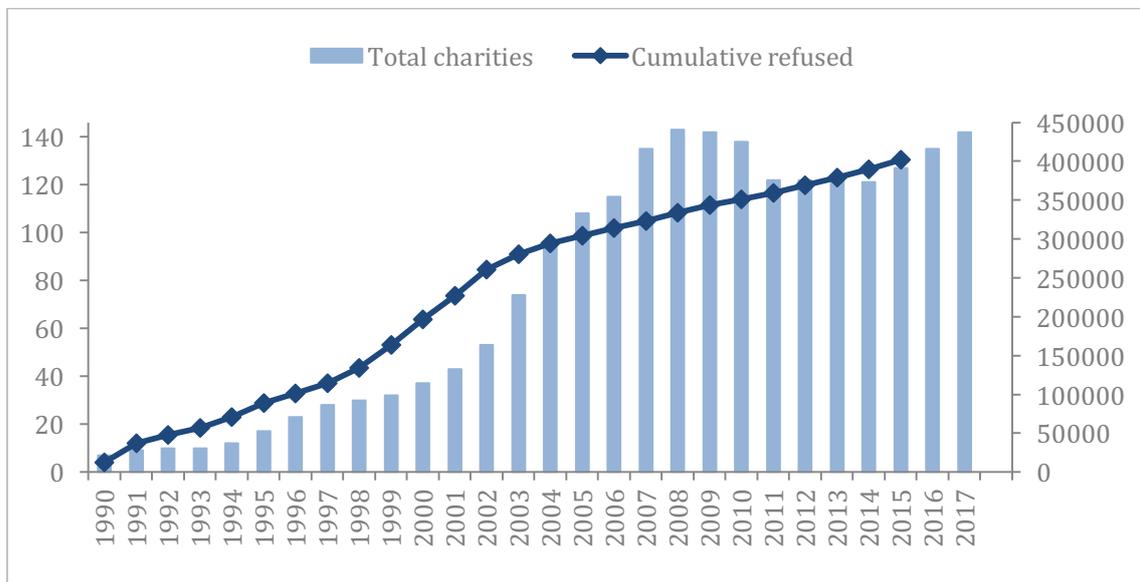
There is currently no national estimate available of the size of the population of refused asylum seekers in the UK. The most recent estimate was offered by the National Audit Office in 2005. However, the Home Office have published data about the final outcomes for those who have made an application for asylum in a given year since 2004. This data shows 40 per cent of asylum seekers who were refused asylum in 2004 are still not known to have departed. In each year since 2004, around a third of asylum applicants are refused protection, and are not known to have departed the UK. While there is no way of knowing how many asylum seekers departed without the Home Office making a record, it is clear there is a growing population of refused asylum seekers in the UK. The 'Can't Stay Can't Go' report published by the British Red Cross in 2017 draws particular attention to the challenges faced by this group –in either remaining in the UK, or departing.

Figure 4 uses the Home Office figures to present an estimation of the rate at which the population of refused asylum seekers is growing. Our approach to calculating the cumulative total population of refused asylum seekers is rudimentary – we start from the obviously incorrect assumption that the population of refused asylum seekers in 1990 was zero, and assume that in each subsequent year one third of

initial applicants have remained in the UK following refusal. Despite the simplicity of the approach, the figures are in the same region as a peer reviewed study, which estimates there to be 280,000 refused asylum seekers living in the UK in 2001, increasing to 500,000 by 2009<sup>61</sup>.

Figure 4 also charts our estimate of the population of refused asylum seekers against the total number of RTSOs. The relationship between the population of refused asylum seekers and the number RTSOs is both intuitive and borne out in this illustration. This raises questions about the sustainability of both the use of destitution as a policy tool, and in the capacity of RTSOs to continue to effectively respond to destitution. There are, however, other factors that may contribute to the growth in the number of RTSOs, and many organisations work on other issues, not simply destitution, meaning that we should be cautious about suggesting that this is a causal relationship.

Figure 4. Cumulative refused and total RTSOs



In section 2.3 we explore in detail the support provided by RTSOs to refugees and those who are still in the asylum system. People within the asylum system should not be expected to need to rely on charities to meet basic needs in relation to food, clothing, covering expenses, or accessing accommodation; on the JRF's terms that would constitute living in destitution. RTSOs supporting high numbers of refugees

and asylum seekers suggest a policy failure regarding the system of support for asylum seekers and refugees: that levels of support are inadequate.

## 2.2 Where are organisations located?

This section provides an overview of the geography of RTSOs working to alleviate poverty and destitution. The Charity Commission register records the location or locations in which a charity operates. As expected, the geography of RTSOs resembles the geography of the wider voluntary sector. As is the case for charities in general, the vast majority of RTSOs operate in one region (see Figure 5); and the number of charities in an area largely mirrors the number of people who live there. Densely populated local authorities such as Birmingham, Leeds, Manchester, Lambeth, Sandwell, Bradford and Croydon have high number of RTSOs (see Table 3) (and charities in general).

Figure 5. Number of RTSOs with local, national and international operations

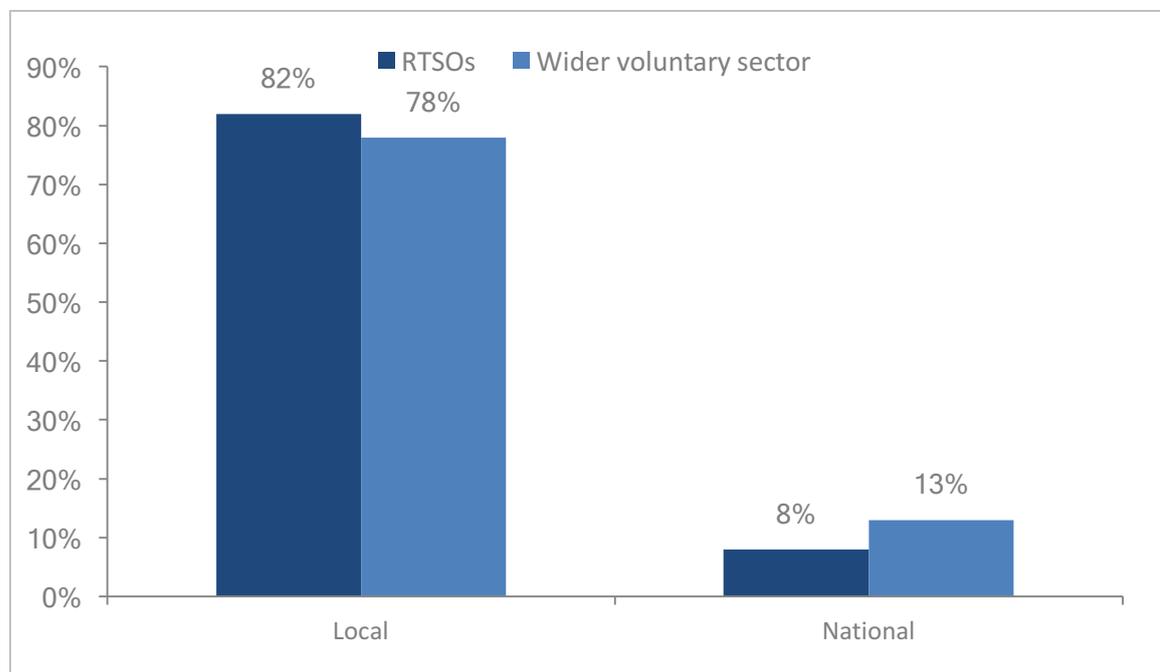


Table 3 records the 10 places in the country with the highest number of RTSOs, and shows the population size in each location. Home Office data records the number of applicants supported under Section 95 in different areas across the UK. As shown in

Table 3, Newcastle-upon-Tyne, Stockton-On-Tees and Middlesbrough have a high number of applicants supported under Section 95 and also have a high number of RTSOs. Aside from having high numbers of applicants supported under Section 95, there is no reason why Newcastle-upon-Tyne, Stockton-On-Tees and Middlesbrough have some of the highest number of RTSOs in the country. These are not major urban areas; they are located in the North East of England –which has the lowest concentration of charities of any region in the UK; and in areas of high deprivation such as these, we would usually expect to see fewer – not more - TSOs<sup>62</sup>

*Table 3. Places with highest number of RTSOs*

CITY / BOROUGH	NUMBER OF RTSOS OPERATING	POPULATION SIZE	APPLICANTS SUPPORTED UNDER SECTION 95
BIRMINGHAM	11	1,111,307	1,451
LEEDS	8	774,060	537
MANCHESTER	7	530,292	926
LAMBETH	7	324,431	44
SANDWELL	7	319,455	698
NEWCASTLE UPON TYNE	7	292,883	509
STOCKTON-ON-TEES	7	194,803	753
MIDDLESBROUGH	7	139,509	765
BRADFORD	6	531,176	524
CROYDON	5	379,031	166

Thanet, Aylesbury vale and Medway closely resemble Newcastle-upon-Tyne, Stockton-On-Tees and Middlesbrough in terms of population size. However, (like many affluent Southern districts) there are not any applicants being supported under Section 95 here, and there are no RTSOs (see Table 4). The geography of the

refugee third sector is thus directly related to the implementation of asylum policy at the national level. Increasingly, new dispersal areas are being used, which is leading to new demand for RTSOs in areas without a history of such activity<sup>63</sup>.

*Table 4. RTSOs in different areas*

CITY / BOROUGH	NUMBER OF RTSOs OPERATING	POPULATION SIZE	APPLICANTS SUPPORTED UNDER SECTION 95
MIDDLESBROUGH	7	139,509	765
THANET	0	139,772	0
STOCKTON-ON-TEES	7	194,803	753
AYLESBURY VALE	0	188,707	0
NEWCASTLE UPON TYNE	7	292,883	509
MEDWAY	0	276,492	0

### 2.3 How many people are relying on charitable support?

In this section we look at the number of asylum seekers, refused asylum seekers and refugees who received support from organisations involved in our research: the British Red Cross (UK), ASSIST (Sheffield), and Asylum Welcome (Oxford) in 2015/16. The British Red Cross data offers a national picture, while figures from the other two organisations indicate the scale of the grass roots response in both dispersal and non-dispersal areas.

The British Red Cross is the largest NGO working in this field with operations in every major dispersal city. They provide destitute beneficiaries with food vouchers, food parcels, second hand clothes, bus passes and hardship funds. Nationally, the British Red Cross supported 9,138 asylum seekers, refused asylum seekers and refugees, and 4,130 dependents in 2015. To put this figure in context, the number of asylum seekers supported by the British Red Cross nationally in 2015 is roughly equal to 25% of those in receipt of asylum support that year.



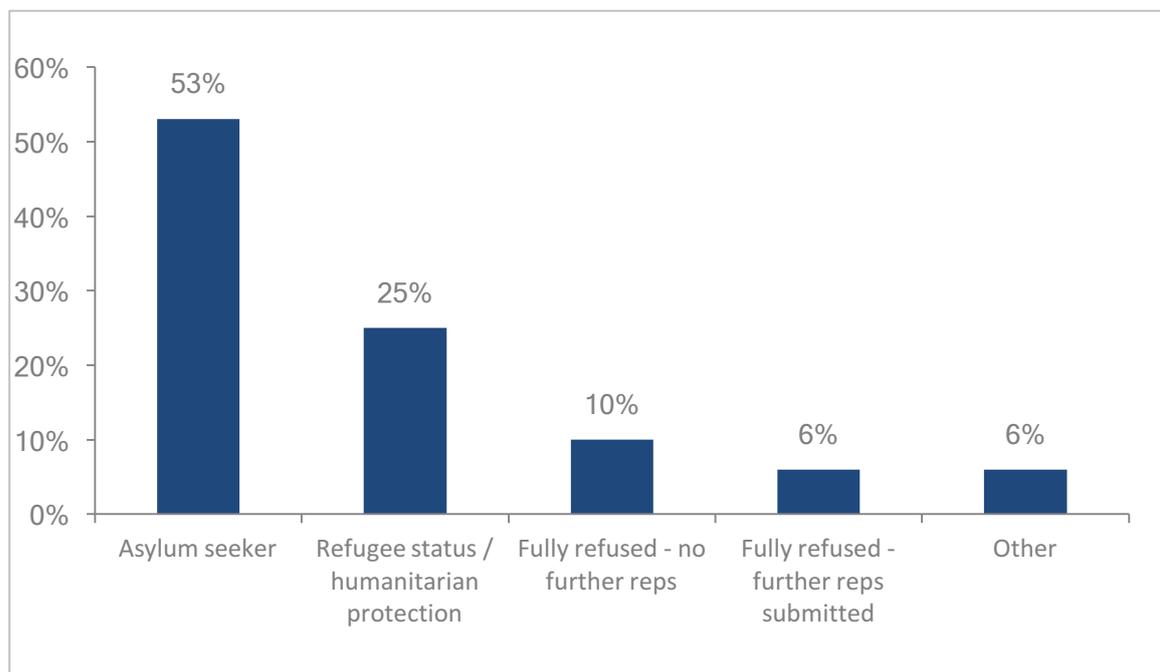
In 2015/16 there were 2,000 visits to ASSIST's Help Desk; 102 clients were provided with small weekly welfare payments; 62 clients were provided with medium term accommodation; and 49 clients were provided with emergency accommodation. In 2015/16, there were 2,976 visits to Asylum Welcome's main office; 2,321 food parcels were handed out; in total 1,029 clients received help; including 88 unaccompanied young asylum seekers and refugees. Asylum Welcome's approach is to prioritise giving asylum seekers and refugees expert advice and negotiating with other service providers to alleviate destitution. In certain circumstances Asylum Welcome also makes small direct cash payments to asylum seekers and refugees to meet urgent needs. Approximately half of those payments are funded by Asylum Welcome's own fundraising. The other half are covered by a partnership with the British Red Cross, whereby Asylum Welcome can reclaim hardship payments made as part of the British Red Cross' commitment to addressing destitution. The British Red Cross supported 76 people in Oxfordshire during 2015, handing out cash / money on 161 occasions; cash / money for local travel on 23 occasions; and providing advice about destitution on 141 occasions.

The number of people receiving help from RTSOs does not necessarily equate to the number of people experiencing destitution. The number of people that an organisation helps may be as much an indication of the organisation's capacity as it is of the demand for that service; and organisations are unlikely to record or publish information about unmet need. Moreover, we cannot be sure how many people who experience destitution do seek help from voluntary organisations. What the British Red Cross data does reveal is the proportion of asylum seekers, refused asylum seekers and refugees who are supported, which is useful to our enquiry. Only refused asylum seekers who are not entitled to Section 4 support are made purposefully destitute by the government, in an effort to encourage departure. Asylum seekers are in receipt of support which the Home Office report is adequate for covering living needs. Refugees or those with temporary leave to remain have access to mainstream welfare benefits. Refused asylum seekers who qualify under limited conditions described in the introduction for non-cash support are also

accommodated. This system of economic support, in theory, should mean that third sector organisations are only supporting refused asylum seekers who are absolutely destitute.

Figure 6 presents a breakdown of the immigration status of the people supported by the British Red Cross in 2015 at their refugee services (where recorded). According to this data the majority (53%) of people receiving support are asylum seekers; 25% have been granted some form of protection; and just 10% are refused asylum seekers with no further representations to make. The fact that the majority of people the British Red Cross helps are asylum seekers or refugees confirms that people are liable to become destitute at all stages in their asylum journey, including while in the asylum system, and after being granted leave to remain.

*Figure 6. British Red Cross beneficiaries by immigration status 2015*

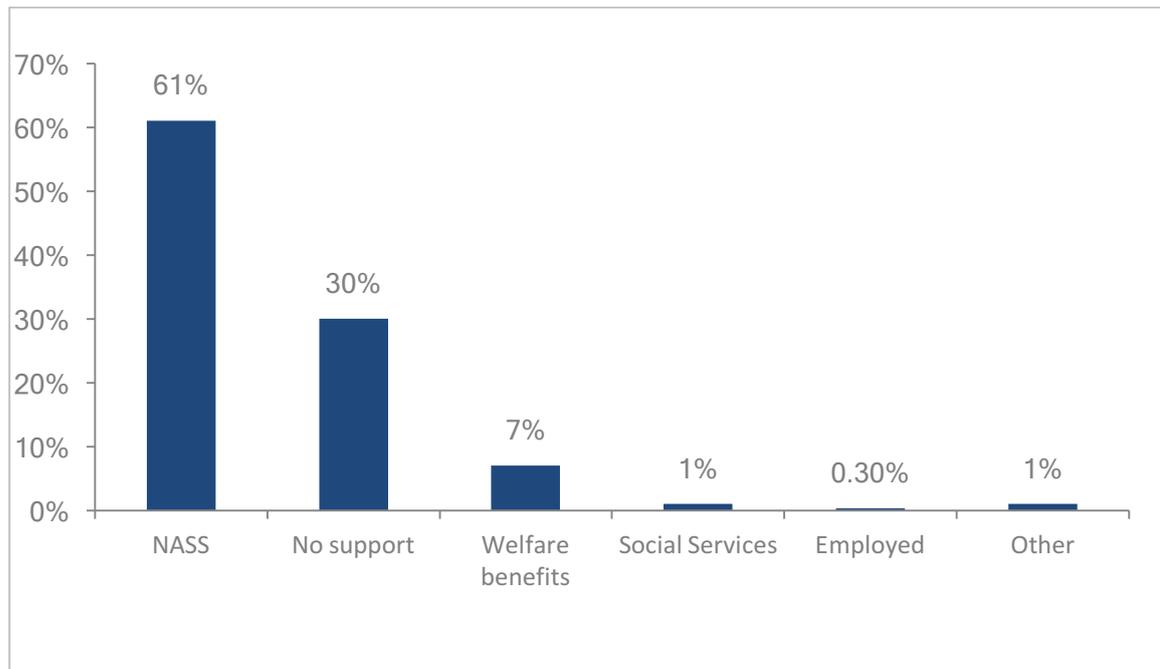


As presented in Figure 7, in 2015, the majority (61%) of British Red Cross beneficiaries were in receipt of statutory support: just 30% were in receipt of no statutory support. Asylum seekers who are in receipt of Section 95 support should not need to rely on charities for food, clothing, bus passes and hardship funds. The fact that so many are supported indicates that even those in receipt of asylum

support live in poverty and are forced, at least on some occasions, to rely on charities to meet their basic needs in relation to food, clothing, bus fares and unexpected financial events.

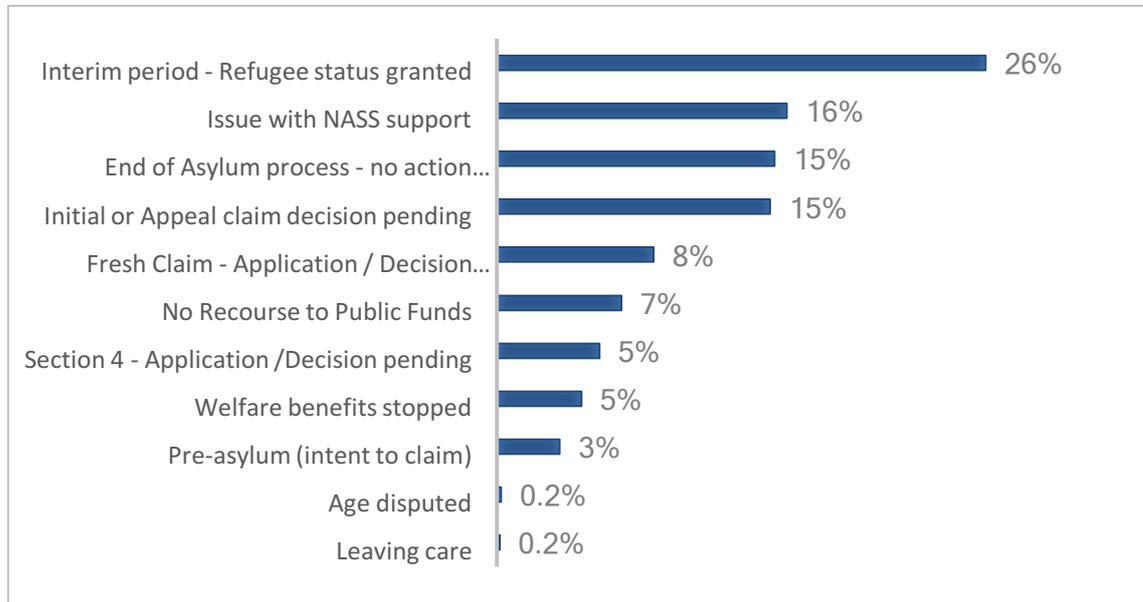
Figure 8 indicates the reasons that beneficiaries of Red Cross support were destitute. Destitution often arises because of errors and delays caused by government service providers. This includes a significant number of people who are made destitute when granted refugee status (26%), or as a result of issues with NASS support (16% of respondents).

*Figure 7. British Red Cross beneficiaries by statutory support type*



For asylum seekers and refugees who are unable to access statutory support, a key area of provision is housing and housing advice. A large number of RTSOs provide information on accessing housing. For example, the British Red Cross are not an accommodation provider, but supported asylum seekers, refused asylum seekers and refugees with 822 accommodation related issues in 2015, including giving away 131 sleeping bags, giving advice and making referrals to accommodation providers around the country.

Figure 8. British Red Cross destitute beneficiaries by reason for destitution



A smaller number of RTSOs are providing night shelters and longer term accommodation. Members of the accommodation network NACCOM provide accommodation to asylum seekers, refused asylum seekers and refugees in 28 urban areas in the UK. In 2016, NACCOM published results from the fourth annual survey of NACCOM accommodation projects. NACCOM members hosted people in 165 houses, 18 flats, 9 church properties, and 6 night shelters (2 permanent and 1 winter only) in 2016. The majority of NACCOM’s members manage hosting schemes which match asylum seekers, refused asylum seekers or refugees with accommodation with host families with rooms to share. In 2016, the number of people accommodated by NACCOM members over the year came to 1,707, an increase of 29% since 2015. Of these, 808 were refused asylum seekers and 499 were refugees. Member projects were accommodating 789 people per night at the time of the survey, an increase of 34% in the last year. Over 12 months, NACCOM estimate members provided 209,250 nights of accommodation.

Most of the requests for help that the British Red Cross receive were for financial support. In 2015, most of the people visiting the Red Cross were requesting: cash, supermarket vouchers, and money for local fares. In total, these three types of



financial support were awarded on 7,181 occasions in 2015. Those receiving financial support are given up to £10 per week for a maximum of 12 weeks, and regular assessments are undertaken to try to address the root causes of the destitution and to help the client to find a way out of their situation. In 2015/16, ASSIST gave regular financial support to 102 destitute refused asylum seekers in Sheffield. Clients receiving financial support choose to receive either £20 per week or £10 per week plus a local bus pass.

## 2.4 Support that is hard to cost

In this section we draw on the data from the British Red Cross, NACCOM, ASSIST and Asylum Welcome, in order to explore the scale of hard to cost support. There are a number of types of support provided by RTSOs which (financially) cost little or nothing. Indeed, it is in the very nature of the charitable sector to do as much as possible with as little as possible, and to rely heavily on the good will of volunteers. While volunteer time is one key factor which is difficult to financially quantify, services such food parcels, clothes banks, advocacy and advice contribute to the support package offered to clients, which may become necessary because of gaps in statutory provision.

In 2015/16 Asylum Welcome handed out 2,321 bags of food to asylum seekers and refugees, valued at £30,869. Access to Asylum Welcome's Food Bank is for asylum seekers, refused asylum seekers and refugees that have insufficient income to feed them and their families. After cash, food parcels, clothing vouchers and hygiene packs were the most common types of support the British Red Cross gave out in 2015. In total, the British Red Cross provided 1,535 food parcels, 1,370 vouchers for Red Cross clothing shops, and 1,022 hygiene packs.

The volunteer contribution to the refugee third sector cannot be overstated. For example, we estimate there to be more than 218 volunteers across ASSIST teams in Sheffield, not counting volunteer hosts who offer accommodation to homeless people in their own homes. ASSIST volunteers provide essential advice, support and

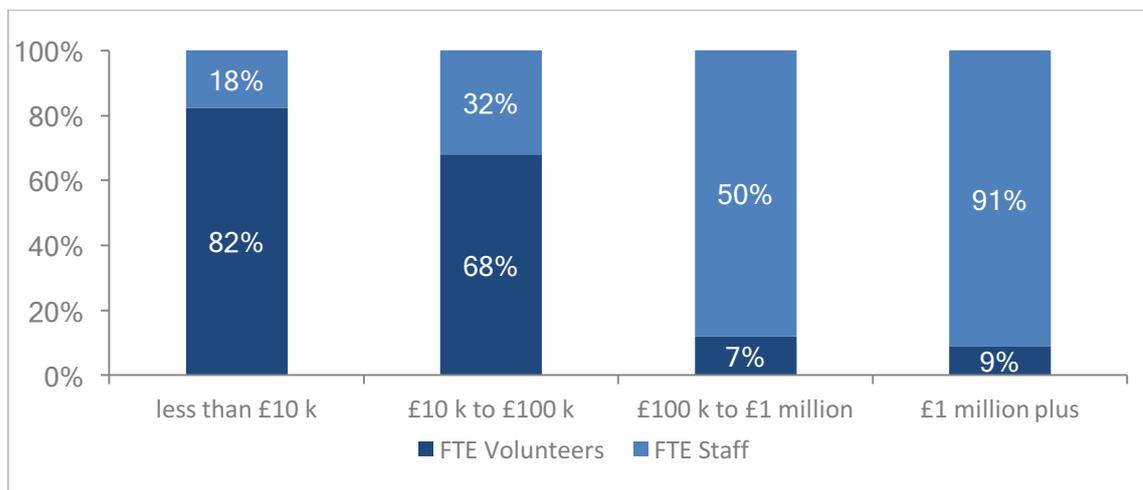


stability to asylum seekers. Their team leaders report that volunteers in frontline teams are most likely to be British citizens, female, and either retired or students. However, there are many volunteers who are themselves refugees or asylum seekers, particularly in the interpreter's team. When this research was undertaken ASSIST volunteers spent on average a total of 463 hours a week volunteering –this is the equivalent of 13 full time roles at minimum wage levels. If volunteers were paid the national minimum wage of £7.50 per hour, the combined wage bill for ASSIST's volunteers would be £700 a day / £3,472 a week / £180,544 a year (excluding overheads such as national insurance contributions). Many volunteers, if paid for what they do in ASSIST, would not be on the minimum wage but a higher rate. As a point of comparison, the highest salaries paid to staff within the organisation are currently £28,000 per annum. Paying volunteers at this rate – rather than at minimum wage – would double the estimated wage bill (excluding overheads) for volunteers – to £364,000 per year.

In Oxford Asylum Welcome receives a new volunteer application most days, volunteers are expected to make a commitment of 12 months, and have specialist skills and experience. For example volunteer teachers are expected to have teaching qualifications and experience. The ability to speak a refugee language is desirable and those who have personal experience of seeking asylum are welcomed as volunteers. Using the management tool Three Rings, Asylum Welcome took a snapshot of volunteer time for a single week in March 2016. That week, 45 volunteers spent a combined total of 189 hours volunteering across Asylum Welcome's destitution services<sup>64</sup> - this is the equivalent of 5 full time roles. If volunteers were paid the national minimum wage of £7.50 per hour, the combined wage bill for Asylum Welcome's volunteers would be £300 a day / £1,500 a week / £78,000 a year. Note the differential burden in Sheffield, a dispersal city, in comparison to Oxford, which is not a dispersal city. ASSIST is one of many organisations operating in Sheffield, while Asylum Welcome is the main RTSO operating in Oxford.

NACCOM member organisations answered survey questions about the number of staff and volunteers who support the organisation. Figure 9 presents a breakdown of the ratio of hours worked by volunteers and staff. Smaller organisations rely more on volunteers to deliver services. Having a high number of volunteers does present some challenges for RTSOs including the potential unsuitability of volunteers for their roles, role creep where volunteers are required to take on ever more duties (particularly in small grass roots organisations), or where they take on responsibilities which reach beyond their original commitment to the organisation, particularly through informal relationships with clients.

*Figure 9 Hours worked by volunteers and staff in different size NACCOM member organisations*



Advocacy and advice services are intended to help asylum seekers to find a way out of destitution. Good immigration advice is essential to supporting routes out of destitution, and a range of services exist, including help with casework, evidence gathering, legal administration, legal and immigration advice. Significant resource is also expended by RTSOs assisting asylum seekers and refugees to access the welfare and benefits that they are entitled to. Three of the four most common reasons for visiting Asylum Welcome’s Advice Service in 2015/16 were: to get help accessing support as an asylum seeker; because of confusion over asylum status /process; and, difficulty accessing mainstream benefits.

*Table 5 British Red Cross Welfare Interventions 2015*

<b>ACTION TYPE</b>	<b>TOTAL</b>
SECTION 95 ADMINISTRATION	244
SECTION 4 ADMINISTRATION	223
SECTION 95 APPLICATION	172
SECTION 4 APPLICATION	153
SECTION 98 APPLICATION	70
SECTION 4 APPEAL	59
JOB SEEKERS ALLOWANCE APPLICATION	48
SECTION 95 APPEAL	27
EMPLOYMENT SUPPORT ALLOWANCE APPLICATION	15
SECTION 4 REQUEST FOR NEW INFORMATION	13
INCOME SUPPORT APPLICATION	9

Table 5 presents a breakdown of the most common welfare related actions that the British Red Cross took in 2015. The range of entitlements, appeals and requests for more information suggest that the complexity of the system is barrier to accessing support entitlements for asylum seekers, refused asylum seekers and refugees.

## 2.5 The cost of this third sector response

### 2.5.1 Sector wide funding

This section examines refugee third sector income, expenditure and funding drawing on Charity Commission (England and Wales) and NACCOM (UK wide) data. The Charity Commission publish the annual income and expenditure of registered charities in England and Wales. The total income of our sample of RTSOs in 2015/16 was £33.4 million. In the same year, expenditure stood at £31.8 million, 95% of total income. The income reported here is for a range of services, not solely those that try to alleviate destitution, though the British Red Cross portion of this income / expenditure is specifically on destitution.

### 2.5.2 Size of organisations

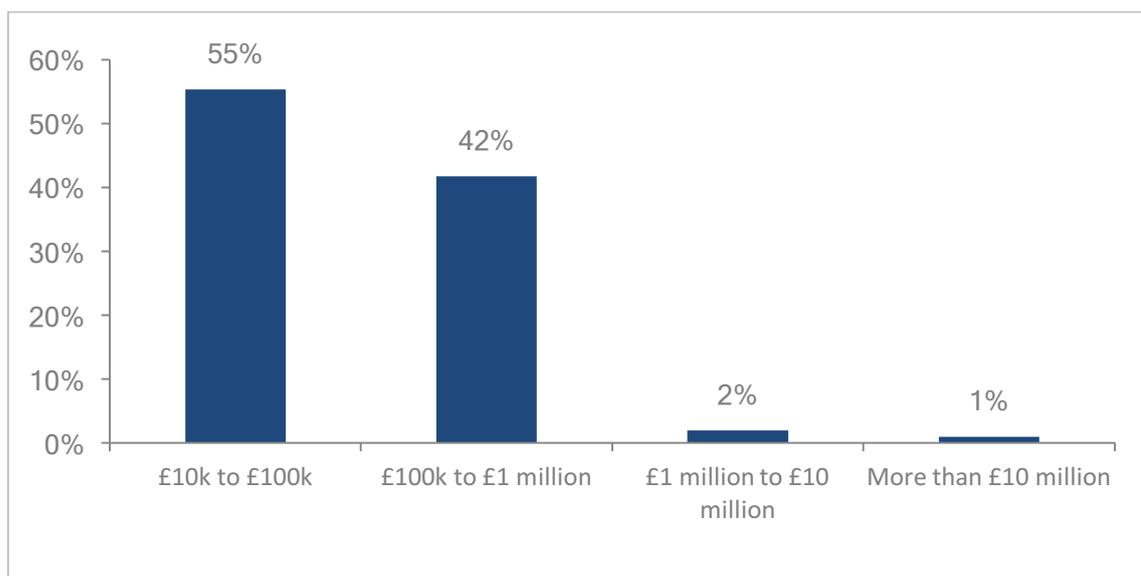
The sector is dominated by a high number of small and medium sized charities. Organisations with an annual income of under £5,000 are not required to register

with the Charity Commission and while some do, it is not possible to estimate the total number in operation. Within the wider voluntary sector, the majority of organisations are very small: 54% have an annual income of less than £10,000. However, these small and very small organisations account for 5.5% of the sector's total income<sup>65</sup>.

Figure 10 presents a breakdown of the number of RTSOs in each income band (excluding organisations with an income of under £10,000). Most of the organisations are small and medium sized: 97% have an income of between £10,000 and £1 million. The average income of RTSOs on the Charity Commission Register was £288.3k in 2015/16.

Organisations with an annual income of over £1 million make up only 3% of the total number of RTSOs registered with the Charity Commission, yet account for 70% of the sector's total income. This resembles the wider charity sector, in which organisations with an annual income of over £1 million make up 2.8% of the sector and receive just over three quarters (77%) of the sector's income<sup>66</sup>.

*Figure 10. Percentage of RTSOs registered with the Charity Commission in each income band*



### 2.5.3 Income sources

Twenty-four members of the NACCOM network answered detailed survey questions about the proportion of their income received from different sources. Twenty out of 24 NACCOM members received individual donations in 2015/16. Of these, organisations received an average of 20% of their income from individual donations. Donations appear to be particularly important to fledgling organisations – one small organisation established in 2016 reports receiving up to 100% of their funds from individual donations; another small organisation established in 2017 received 70% of their income in donations from philanthropic/faith based organisations. Similarly, Asylum Welcome in Oxford receives a significant number of donations from individual supporters in Oxfordshire, often small donations from a large number of ordinary people. Organisations with an income of over £500,000 are required to submit details of their funding sources to the Charity Commission. Of the eight charities that this applied to in 2015/16, organisations received on average just 19% of the income from individual donations.

Twenty two out of 24 NACCOM members received grants from charitable trusts or other organisations in 2015/16. Of these, organisations received an average of 50% of their income from charitable trusts or other grants, making grants the largest source of income for the organisations sampled. This is of course a competitive and finite funding source, which makes relying upon it risky.

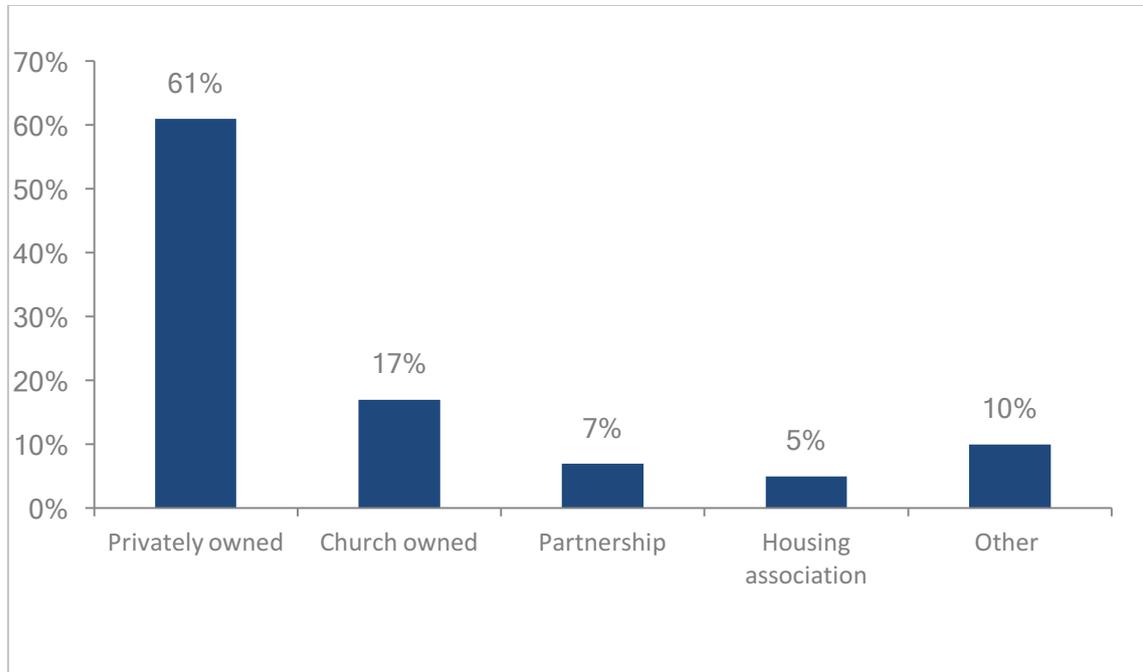
15 out of 22 NACCOM members received statutory funds in 2015/16. Of these, organisations received an average of 15% of their income from statutory sources. All but one of these organisations receives statutory funding from the local council; just one organisation is contracted to an NHS Foundation Trust to provide interpreting services. The NACCOM member survey sample did not include any organisations with incomes over £10 million. Within the wider voluntary sector, organisations with incomes over £10 million received the largest proportion of government funding (42% in 2014/15) and small organisations received the lowest proportion (16%)<sup>67</sup>.



Government funding has a huge impact on the income of larger RTSOs: of the eight RTSOs with an income over £500,000 that are registered with the Charity Commission, three are operating with a significantly reduced income compared to five years ago, as a direct result of a reduction in statutory funding. The Refugee Council lost £3 million of Home Office funding in 2014/15. Refugee Action lost £7.7 million of Home Office funding in 2015/16. The North of England Refugee service lost almost half a million pounds in government funding since 2011, representing half of its income. Reduced statutory funding for these organisations is associated with the loss of a Home Office contract (it should be noted, however, that destitution support is often only one part of the activities of these organisations). In the examples given above, the loss of funding is associated with the Home Office moving the administration of a programme internally, or awarding the contract to an alternative supplier. Government funding is therefore precarious and subject to wider trends in state spending. Losing funding can impact on staff numbers, and can lead to ‘capacity crunch’ – a term used by the National Council for Voluntary Organisations (NCVO)<sup>68</sup> to describe how diminishing income leads to diminishing staff (capacity), which can make it difficult to secure new sources of income.

In light of these pressures, it is not surprising that RTSOs are reasonably good at income generation innovation: 15 out of 22 NACCOM member organisations generated (rather than raised) a proportion of their income in 2015/16. Of these, organisations generated an average of 13% of their income. NACCOM members are all accommodation providers, and these organisations are in some cases able to rent rooms to refugees to generate income, from housing benefit, and rent paid directly by refugee residents. The income from refugee housing here helps to offset the cost of housing destitute people with no income or recourse to public funds. RTSOs that provide accommodation are likely to lease houses that are owned by supporters or the church for a reduced or peppercorn rent, leading to considerable savings. Figure 11 provides a breakdown of the type of housing that NACCOM members manage. The majority of houses (61%) are privately owned, by the organisations supporters.

Figure 11. Type of housing provided by NACCOM members



In effect, organisations that are able to use this funding model are social enterprises, with the most successful funding 50% of their income in this way. Organisations may also provide consultancy services. Income generation can offer a sustainable income model for RTSOs, however it is unclear to what extent models of income generation are scalable, and whether RTSOs that do not manage housing are in a position to generate some of their income.



### 3 Conclusion

This report has shown that:

- Third sector organisations are spending at least £33.4 million per year on supporting asylum seekers, refused asylum seekers and refugees.
- That this spend has decreased by more than £10million in recent years due to decreased government funding.
- That new organisations are nevertheless appearing (around 7 per year) in asylum dispersal areas owing to client demand.
- That the majority of those in receipt of support should already be supported within either the asylum support system, or the mainstream benefits system.

The stratified regime of rights afforded to different groups who are going through or have been through the asylum system, results in different vulnerabilities to poverty and destitution as people move through the process. Asylum seekers in receipt of the Section 95 support that they are entitled to are living on a highly constrained income; they are living in poverty according to many observers, although the Home Office takes a different position. They are vulnerable to destitution when unexpected or unusual costs present themselves, as well as when administrative problems cause delays in receiving support. Refused asylum seekers living on Section 4 support are in the same situation, which is then exacerbated by their lack of access to cash. Not having cash means that essential bus journeys, for example, are impossible. Administrative delays also exacerbate this situation for both those on Section 4 and Section 95.

Refused asylum seekers with no recourse to public funds are invariably destitute and while they remain in the UK, which around a third of each cohort do, and vulnerable to exploitation and to engaging in risky survival strategies. For those who have a positive decision on their asylum application the picture should be much more positive but unfortunately it is not. The 28 day rule throws many people in to destitution soon after being granted leave to remain. Having come from a situation of poverty and occasional destitution while in the asylum system, they are already



highly vulnerable and poorly equipped to navigate the mainstream welfare system, let alone the labour market. This undoubtedly hampers integration outcomes.

The upshot of this patchwork picture of poverty and destitution is that the third sector are playing a significant role in supporting those who have been failed by the state. Analysis of Charity Commission data shows that third sector organisations are spending at least £33.4 million per year on supporting asylum seekers, refused asylum seekers and refugees. This figure is certainly an underestimation, and is also not indicative of demand, which organisations report exceeds capacity. It would cost almost the same amount -£29 million at our estimation- to increase asylum support (including both Section 4 and Section 95) to 70% of Job Seekers Allowance<sup>69</sup>. In this report we have explored the scale of the third sector response. It is hard to be certain about whether the demand which these organisations are responding to is mainly being created by the refused asylum seeker population, who are not supported by the state, or whether it is also being created by demand from asylum seekers and refugees, both of whom should have sufficient access to support. The former would point to a policy failure in relation to refused asylum seekers –it is not sustainable or socially desirable to allow a population of highly vulnerable destitute people with no recourse to public funds to grow year on year. The latter would point to a policy failure in relation to asylum support.

Some insight is gained by looking at the numbers of asylum seekers who are, or should be, in receipt of Section 95 support, who are being supported by third sector organisations. This number is much higher than we might expect if levels of asylum support were adequate for meeting essential living needs. Data from the British Red Cross (where recorded) shows that the majority (53%) of people receiving support from this, the largest national charity supporting such individuals are asylum seekers; 25% have been granted some form of protection; just 10% are refused asylum seekers with no further representations to make. In 2015, 61% of British Red Cross beneficiaries were in receipt of statutory support.



Thus, the two main groups who are being supported by the third sector are asylum seekers who are, or should be, receiving Section 95 support, and refugees who have received a positive decision. Indeed, 29% of those supported with accommodation by NACCOM member organisations in 2016 were refugees. This certainly suggests a policy failure in refugee integration, which is almost certainly related to the very short time (28 days) that new refugees have to find accommodation and financial support once they have been granted leave to remain.

We identified a total of 142 UK based RTSOs that work on alleviating poverty and destitution in England and Wales, though of course this excludes faith based organisations, very small organisations, and organisations which focus on other issues such as homelessness and food poverty but also have destitute asylum seekers and refugees within their client group. A large number of RTSOs closed in 2011, which may be related to 2010 changes to government funding rules, the closure of the Migration Impact Fund, and the broader impact of austerity on the third sector. And yet, currently around 7 new organisations with an income of over £5,000 are created each year. This rate of increase within the sector may indicate that the charitable sector is responding to a significant social problem. In relation to policy, the increase in the number of organisations correlates not with the numbers of asylum applications received by the UK government, but with an ever more restrictive approach to the economic rights and entitlements of forced migrants in the UK. This includes decreasing levels of financial support provided to asylum seekers and refused asylum seekers, increasing restrictions on working, increasing limitations on welfare support for all groups of mainstream claimants, including the use of sanctions, and the petering out of anything resembling a national refugee integration strategy in England, Wales and Northern Ireland.

There are potentially much wider socio-economic costs created by this policy approach, which are mitigated by the work of the third sector. The charity Crisis and academics from the University of York have been working to develop an estimate of the financial cost to the public sector of homelessness<sup>70</sup>. Such a cost is contingent on many factors. For the NHS and criminal justice system, the additional costs of



homelessness are incurred because of the greater likelihood of contact with some homeless people compared to other citizens. Using qualitative and service cost data, the study estimates that for a single man in his 30s who becomes a rough sleeper, allowing homelessness to persist for 12 months costs the public sector £20,128. The researchers did not specifically explore the cost to the public sector when asylum seekers, refused asylum seekers and refugees become homeless. A sector specific calculation would be extremely valuable to RTSOs, grant making organisations and policy makers. Should the figure be close to £20,128, the costs quickly become significant. For example, NACCOM members – who accommodate an average of 789 people per night could be said to be saving the public sector £15.9 million each year by preventing homelessness for asylum seekers, refused asylum seekers and refugees.

In light of the increasing number of organisations forming, the pressures on funding, and the precariousness of available funding sources, it seems likely that current rates of expansion within the sector are not sustainable unless public donations can keep pace with charitable need. This in itself is unlikely, particularly since dispersal areas, where there is greater demand for charitable support for these groups, are often located in areas of higher deprivation. What is needed, we suggest are a series of policy changes, which we detail below.



## 4 Policy Recommendations

### Asylum seekers in receipt of Section 95 support

- 1. Grant asylum seekers the right to work once they have been waiting 6 months** for a decision on their asylum application, and remove the limitation that asylum seekers are only able to work in jobs on the shortage occupation list. This would bring the UK more in line with the European standard, and enable asylum seekers to be self-supporting.
- 2. Increase levels of Section 95 support to at least 70% of Job Seekers Allowance, and increase annually in line with inflation.** Lifting asylum seekers out of poverty would remove a significant burden on third sector organisations, who might then concentrate on those in most need.
- 3. Address administrative delays and mistakes which leave asylum applicants destitute when they should be in receipt of Section 95 support.**

### Refused asylum seekers in receipt of Section 4 support

- 1. Increase levels of Section 4 support (soon to be changed to Section 95A support) in line with Section 95 levels.** Lifting such refused asylum seekers, who are cooperating with removal, out of poverty would remove a significant burden on third sector organisations, who might then concentrate on those in most need.
- 2. Address administrative delays and mistakes which leave refused asylum applicants who are entitled to Section 4 support destitute**
- 3. Make Section 4 a cash-based, rather than voucher-based system.** There is no clear reason for denying recipients of Section 4 access to cash.
- 4. Remove the 21 day deadline for applying for Section 95A support when introduced to replace Section 4 support.** This 21 day deadline will lead to people who should be entitled to support becoming destitute.

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- 5. Allow appeals on Section 95A application decisions when introduced to replace Section 4 support.** Evidence from the current Section 4 system suggests that the lack of right to appeal will lead to people who should be entitled to support becoming destitute.

#### Those granted leave to remain (refugees)

- 1. Introduce a national refugee integration strategy which starts from Day 1 that leave to remain is granted,** to be overseen by a specially appointed cross-departmental Government Minister for Refugees (as argued by the APPG Refugees). This should include: providing new refugees with the vital information that they need to access the mainstream benefits system and labour market, faster access to National Insurance Numbers (integrated in to the initial interview process), information on training and educational opportunities, interim housing beyond the 28 day period, access to advice and assistance beyond the 28 day period on all aspects of life in the UK, access to emergency loans, and training for Job Centre staff on refugee needs.
- 2. Extend the 28 day 'moving on' period.** The new Universal Credit system has an inbuilt 6 week delay before payments are made. The moving on period should therefore be a minimum of 6 weeks.
- 3. Acknowledge the link to asylum policy.** Many of the challenges faced by refugees are linked to having lived in poverty while in the asylum system, making instituting the recommendations made in relation to asylum seekers vital for refugee integration.

#### Refused asylum seekers who are not known to have departed

- 1. Introduce a humane, realistic, and evidence informed strategy for supporting such individuals, which looks beyond detention and removal.** Many refused asylum do not leave the UK because they believe their lives will be at risk if they return to their country of origin. In such cases, refusal to leave might best be addressed by enabling further legal advice and legal avenues to reconsider their cases.

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- 2. Increase access to legal advice, and legal aid, for refused asylum seekers.**

Good quality immigration advice and information about rights and entitlements is essential to ensure that refused asylum seekers are able to make informed decisions about their situation following refusal. In part, this involves ensuring access to legal aid and representation throughout a claim, and more broadly providing end-to-end support until an applicant is granted leave to remain or returns/ is removed.
  - 3. Section 95 support should not end 21 days after a negative decision is administered,** but should continue on an interim basis until the Home Office has delivered its decision in respect to an individual's Section 4/Section 95A application.
  - 4. Keep pregnant women and families with children on Section 95 support, regardless of their status,** to prevent destitution and safeguard the best interests of the children involved
  - 5. Open up access to Section 95 support for refused asylum seekers who cannot return home due to a lack of documentation.** At the same time, Provide clear, realistic and practical guidelines for single adults applying for Section 95A on what is considered as appropriate evidence to prove they have taken reasonable steps to obtain a travel document, and/or...
  - 6. Grant discretionary leave to remain to people who cannot be returned through no fault of their own, after a period of 12 months**
  - 7. Introduce an enhanced package of funding for third sector organisations** who are responding to the growing population of refused asylum seekers. This is essential in order to mitigate the wider social problems created by a growing population of destitute individuals with no recourse to public funds, labour market access, or healthcare access.
  - 8. Conduct a review of procedures within the asylum system which can lead to wrongful decisions** to prevent people from wrongfully being refused and subsequently being made destitute.

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