**Briefing for NACCOM members:**

**Working with Local Authorities to accommodate and support people at risk of street homelessness with no recourse to public funds**

This briefing was published on the 30.03.2020. We will endeavor to update as the situation develops.

COVID-19 presents a unique public health emergency, and current government advice requires that everyone has a place they can stay in order to isolate from other people to reduce the risk of infection and the subsequent pressures on the NHS.

Some Local Authorities have acted quickly to ensure people are not left homeless. However, the responses from Local Authorities in supporting people with no recourse to public funds (NRPF) have been varied across the UK.

This briefing is focused on support people who are rough sleeping or at risk of rough sleeping and who cannot access public funds (included people who have had their asylum claims refused). Dormitory style night shelters are not safe places for people to stay during the COVID-19 pandemic. Additionally, hosting arrangements may continue to work for some guests/hosts, but it is important to begin to think about how new policy changes can be used if hosting arrangements cannot continue.

This briefing is intended to give members an overview of some of those responses, and ideas for working with your Local Authority.

**The National Picture:**

***Local Authorities to house all people who are rough sleeping and in hostels/night shelters***

On the 26th March 2020, the Minister for Local Government and Homelessness [wrote to Local Authorities](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/876466/Letter_from_Minister_Hall_to_Local_Authorities.pdf) asking them to house all people sleeping rough, and those in hostels and night shelters by the weekend. This has been widely understood to include people with No Recourse to Public Funds (and who are Appeals Rights Exhausted).

Therefore, it is NACCOMs understanding that local councils should be accommodating people who are rough sleeping or at risk of rough sleeping in self-contained accommodation for the duration of the COVID-19 pandemic. Councils will require support and partnership from the voluntary sector to do this quickly and safely. As of 30th March 2020, we are aware that some Local Authorities are still turning people from homelessness services because of their immigration statuses. Please update NACCOM on this, as we can use this for national advocacy work and in the wider campaign to lift NRPF conditions.

***Funding for people who do not have recourse to public funds***

Councils have not yet been provided with any guidance or clarity on how this will be funded. They have been asked to ‘utilise alternative powers and funding to assist those with No Recourse to Public Funds who require shelter and other forms of support due to the COVID-19 pandemic’.

It is unclear exactly what these alternative powers and funding are. On the 25th March, [the Minister for Work and Pensions](https://committees.parliament.uk/committee/164/work-and-pensions-committee/publications/3/correspondence/) responded to correspondence stating whilst the Home Office determine eligibility to access public funds the ‘new £500 million Hardship Fund can be used by local authorities to support economically vulnerable people and households’ (Therese Coffey MP, 25.03.20). The DWP stated that they expected the Minister for Housing , Communities and Local Government (MHCLG) to publish further guidance on this soon.

There is pressure from Local Authorities, the Metro Mayors, Devolved Governments and charity groups to lift No Recourse to Public Funds conditions. However, the Home Office is yet to make any announcements on support for people who are NRPF. This places financial burden on Local Authorities.

***High court orders Home Office to give individual destitute asylum seeker accommodation and support during pandemic***

On Thursday 26th March 2020, [Duncan Lewis secured a high court](https://www.duncanlewis.co.uk/news/High_Court_orders_Home_Secretary_to_house_asylum_seeker_due_to_Covid19_(27_March_2020).html) order that the Home Office accommodate a young man who is a refused asylum seeker who had been sleeping in a park and begging to survive. This was an individual case but gives indication of what the admin courts are thinking. If you have any similar cases, you can contact Toufique Hossain on [ToufiqueH@duncanlewis.com](mailto:ToufiqueH@duncanlewis.com)

***Section 4***

People who are destitute and have been refused asylum should be eligible for Section 4 support see [ASAP’s factsheet](http://www.asaproject.org/uploads/Factsheet_20_-_Covid-19_and_asylum_support_updated_27.3.20.pdf), this could be solution for people who are supported by their Local Authority but with no subsistence.

***Data sharing for immigration purposes***

Many people are concerned about data being shared for immigration enforcement purposes. We recommend sensitively raising this with local homelessness teams, recognising the risk of people not accessing services due to fear of immigration enforcement and collaboratively discussing methods that Local Authorities could use.

**Key learnings across NACCOM members**

**Proactive engagement with Local Authorities**

* Positive actions from Local Authority teams to provide accommodation have been as a result of local voluntary organisations proactively communicating, raising risks and clearly setting out potential solutions.
* Presenting cross-organisation solutions to Local Authorities is key, especially if they are hesitant in providing accommodation e.g. such as talking to local hotels about what they can offer, thinking about whether you could expand your housing/hosting and what extra support you might need for that.
* Homelessness teams within Local Authorities should be your first point of call, but you should also be in conversation with local public health teams and NRPF services
* Don’t duplicate, prioritise checking in with other homelessness and migrant support organisations before approaching Local Authorities. Approaches are better made with one voice and the same recommendations.

**Accommodation, but not subsistence**

* As of the 27th March 2020, Local Authorities are generally not providing subsistence with the accommodation for people with NRPF, talk to them from the beginning about how financial support will be provided and the risks to public health if subsistence support is not provided. Make sure that anyone who is accommodated is included in the list of vulnerable people who will require food parcels. NACCOM members could be commissioned to deliver or provide food.
* It is important to make clear that individuals with NRPF who are already supported under s17 of the Children Act 1989 or Care Act 2014 should be receiving subsistence if they need it, and in many cases, will be.

**Partnership working**

* Connect with other local homelessness charities to ensure they are aware of specific issues for people who are NRPF and they include them in their work.
* Look to work with other organisations such as FareShare, Trussel Trust or local Mutual Aid groups to get food cooked and delivered to residents who are accommodated in hotels.
* Raise the option of kitchen use (either by existing hotel staff or volunteers) with hotels from the outset and identify possibilities for food provision.

**Working with, brief and help Local Authorities**

Staff and elected officials at Local Authorities are overwhelmed by the Covid-19 crisis. Understandably, they need to be briefed well. Some organisations approached their local Public Health and local homelessness leads last week to brief on high-risk guests or situations. This was done anonymously, without sharing names but did ensure that Local Authorities could begin to assess the risk.

In one example, the Local Authority rehoused everyone from a moving Night Shelter after being informed of the ages, existing health conditions and risks to individuals and public health. If you are working with high risk individuals with pre-existing health conditions (e.g. HIV, latent TB, other respiratory illnesses or mental health needs) it is important to ensure that Local Authorities are aware that they may be required to accommodate these people.

This approach was used successfully by NACCOM members who run Night Shelters over the past week. NACCOM now recommends that hosting organisations begin to think about how this approach could be used to support hosted guests.

Local charities continue to push for subsistence support for people who have NRPF from the local authority. We are aware that the Metro Mayors are in support of lifting NRPF conditions and so approaching the Mayors directly would be an option in metro areas.

**Examples of Local Authority responses from around the UK**

The examples below range from multi-million pound announcements to the immediate housing of people staying in individual night shelters. Please feel free to share further case studies, successes and discuss points where challenges still lie.

**Middlesbrough Council – using the Severe Weather Emergency Protocol (SWEP)**

In Middlesbrough when the COVID -19 crisis started local members Open Doors North East (ODNE) approached the homelessness team at Middlesbrough Council to see what support they could offer for people who had no recourse to public funds and had nowhere to stay. The Council acted quickly using a type of Severe Weather Emergency Protocol (SWEP) to immediately accommodate people who are refused asylum and evicted from Home Office accommodation and any others who present as homeless even if they have no recourse to public funds. As of 26th March 2020, 5 people have been accommodated in bed and breakfast type accommodation.

The Council is currently not providing these people with subsistence support and destitution payments are being made by ODNE. Additionally, the B&B’s have extremely limited cooking facilities.

**Glasgow Council – Using Hotel rooms organised and supported by Glasgow Night shelter**

Glasgow Night Shelter for Destitute Asylum Seekers (GNS) provides emergency overnight accommodation to destitute people who have previously claimed asylum. The guests of GNS share a room and do not have access to showers, so in its current set-up GNS had no way to follow social distancing guidance to safeguard everyone's health and wellbeing.

Recognising the risk posed to both guests, staff and volunteers, GNS liaised with local hotels and eventually secured hotel rooms at a reduced fixed price per week, room only. Glasgow City Health and Social Care Partnership (GCHSCP) agreed to cover the costs of accommodation only for 24 men for an initial 7 days, and to review every 7 days. They did not agree to fund beds for those on GNS’s waiting list.

30 men have now moved into individual hotel rooms and GNS who were previously open from 8pm - 9am are now offering a 24-hour service. The extra costs incurred in staffing this service, the rooms not funded by the GCHSCP, and providing 3 individually packaged meals a day to the guests is not being covered by local authorities but by GNS’s own funds and additional donations. GNS continue to receive referrals for people seeking accommodation during this crisis, especially those who have been living in precarious situations. They are working hard to find the funds to accommodate them and are liaising daily with the Scottish Government.

**Leicester Council providing fully catered ensuite accommodation**

One Roof Leicester's night shelter which provides accommodation for all including people with no recourse to public funds, was shut on Wednesday 25th March due to the shelter not being a suitable place to self-isolate. They are part of a Multi-Agency Covid-19 Forum which includes the representatives from the Health authority, Local council, homeless charities and support agencies. This group agreed dormitory style accommodation was unsuitable for social distancing and self-isolation. As a result of this partnership working, the local Council agreed to accommodate all 13 people from the night shelter.

Guests without recourse to public funds have been accommodated in bedrooms with ensuite bathrooms in a hostel. This accommodation is fully catered. Those eligible for benefits are in self-contained hotel apartments. This accommodation is secure until the Covid-19 pandemic abates. ORL will continue to provide support to apply for settled status, ID documents, housing etc. In addition, guests will receive food and toiletry provisions.

**London – partnership across the city between charities and Greater London Authority**

The GLA had previously worked on issues surrounding NRPF, publishing a report in January that looked at the numbers of people affected in London. The Mayor and GLA are advocating publically for NRPF to be suspended in the media.

London partner organisations (including Housing Justice) acted quickly in identifying the risks that Covid-19 posed to guests and began advocating for alternative accommodation early on.

This resulted in a trial announced on Saturday 21st March 2020 (shortly after the first social distancing measures were announced) for 300 beds available to people already known to homelessness services. People are already being moved into these rooms and organisations are pushing for the scheme to be expanded.

**Leeds City Council (LCC) – support for people who are cannot access public funds**

Organisations in Leeds joined together to write to their local MPs and council with clear recommendations. In coordinated partnership, they also worked with different teams at Leeds City Council to try to find support for people who need accommodation and subsistence.

The local LAASLO is coordinating work in relation to people who are NRPF and Leeds City Council stated that they will accommodate everyone who is street homeless regardless of NRPF. However, as of 30th March, LCC are not providing direct subsistence support, although LCC/Voluntary Sector food distribution hubs will accept referrals for households who are NRPF.

Following months of lobbying by NACCOM members, access to emergency accommodation for people fleeing domestic violence is no longer limited to those people with access to benefits (or whose who have successfully application for a Domestic Violence concession), and is being coordinated by the LAASLO in conjunction with local DV services.

Local NACCOM partners have also asked LCC for funds to prolong the operation of the local Hardship Fund for people who are NRPF. This usually operates from October to March. The proposal set out how much is needed to continue the hardship fund over the Summer and argued that it is an existing mechanism for support that the council could utilise. They have yet to receive a reply to this request.

With an increased emphasis on virtual/telephone support, up to date online resources have never been as important. Leeds Asylum Seekers Support Network (LASSN) have offered support to LCC to rapidly review/update existing local online directories of information for asylum seekers and other migrants. LCC currently do not have capacity to do this, and so they and LASSN are negotiating over the amount it would cost for LASSN to complete this task on their behalf.

As announced by the DWP, in the city-wide Local Welfare Support Service managed by LCC has widened its referral criteria to include people who are NRPF. As described above, LCC have partnered with Voluntary Action Leeds to develop food distribution hubs to provide and distribute food parcels, rather than enabling access to hardship payments. NACCOM members are advocating on a local and national levels (through NACCOM) that people need access to both cash and food parcels.

LASSN are using their volunteers’ expenses budget (usually earmarked for travel expenses) to provide both clients and volunteers with £5 credit each month to keep in touch with each other and wider circles of support. LASSN’s shared house has a FairFX pre-paid debit card that they are topping up as is needed so that residents can buy food/phone credit and other items.

Local NACCOM partners are [meeting weekly via Zoom to coordinate their efforts](https://migrationpartnership.org.uk/lmp-zoom-meeting-tuesday-31st-march-2020-1230-1430/), and to produce/share/update information by updating [open Google Documents.](https://migrationpartnership.org.uk/corona-virus-covid-19/)

**Joint Welsh working**

In Wales, the Welsh Refugee Coalition (pan-Wales coalition of relevant third sector groups) has been in dialogue with the Welsh Government for two years about legally and practically viable solutions to reduce destitution amongst NRPF asylum seekers. The Local Government and Housing Minister has just received the final report of a wider homelessness review she commissioned last year. Since the COVID-19 outbreak there has been intensive dialogue with local authorities and others and on 25th March the Minister announced, as part of a wider package, a fund allowing local authorities to house and support rough sleepers during this period, explicitly asking them to include NRPF cases. Coalition members are working nationally to feed back to government on this and other live Coronavirus issues, whilst also following up at local authority level.