OVERVIEW

training modules

introduction to the modules

**What is Opening Doors?**
Over the next two years, the *Opening Doors* project will make the business case within the housing association sector for achieving more integrated neighbourhoods in which there is an increase in the amount and quality of housing and support available to refugees and asylum seekers.

With Housing Corporation backing through an I&GP grant, the involvement of key government departments and the combined expertise of the Chartered Institute of Housing (CIH) and hact, *Opening Doors* will seek to mainstream approaches to meeting the housing needs of refugees, asylum seekers and (where possible) of other new migrant communities.

Jointly managed and delivered by hact and CIH, *Opening Doors* will build expertise among six housing association groups in different parts of England.

**Who are the six associations?**
The six associations (or groups of associations) committed to taking part in *Opening Doors* and devoting resources to the programme are:

- Accent Group - working with Horton HA, Bradford Community Housing Trust and Manningham HA
- Accord Housing Group – working with the Matrix Housing Partnership
- First Wessex Housing Group
- Longhurst Homes - working with Tuntum HA
- St. Vincent's HA
- Staffordshire HA - working with Blue Mountain HA

This training programme is designed specifically for these six association groups.

**How is Opening Doors being managed?**
Hact, CIH and the Housing Corporation have established a steering group for the project. At its first meeting, the group chose the six association groups from a range of bids from associations who wanted to take part. The steering group will continue to meet periodically over the two years of the programme.

Hact and CIH brought together the six association groups for their first joint discussion in October, at the Housing Corporation HQ. The next joint meeting is planned for March 2007. In the meantime, hact will arrange visits to the associations and CIH is developing this training programme.
What is the Opening Doors training programme?
The recently published CIH good practice guide, *Housing and Support Services for Asylum Seekers and Refugees*, is being used as the basis for this training framework and for resource materials to develop relevant organisational strategies and change.

The training sessions will be aimed at informing each association’s staff but also at discussing ideas and suggestions for taking them forward within the association.

The training framework will cover ten topics:

1 *The challenge*  
Who are asylum seekers/refugees (basic facts)? Why is housing such an important issue?

2 *The people*  
Who they are/what their needs are (in more detail); how they come to the UK and the processes (eg asylum, Gateway) that govern their entry/acceptance.

3 *The legalities*  
Legal basics and entitlement to social housing, help under homelessness legislation and to housing benefit (asylum seekers, refugees and other new migrants).

4 *Partnerships*  
Working with migrant and refugee community organisations (MRCOs) is key to making progress.

How can we identify them, how they can help to inform our service development, what is their potential role as partners and service providers, are there practical examples of partnerships involving MRCOs and what they have achieved?

5 *Accommodation*  
How are asylum seekers/refugees accommodated? - the different stages, different issues for single people, unaccompanied children, etc.

6 *Destitution*  
Why does it occur? What issues arise, how can HAs help, what potential partnership approaches are there?

7 *Basic support*  
What kind of basic support services are needed - using as examples the Sunrise approach, and longer-term support using eg the RHA model set out in the CIH guide.

8 *Wider support*  
ESOL, health, job-related training, etc and how people gain access to such services.

9 *Integration*  
Working with communities - information about newcomers, improving understanding, creating local networks, making people feel secure, etc (including material from hact’s Accommodate and Communities R Us projects).

10 *Gateway*  
The government is keen that more LAs and HAs consider taking refugees direct from other countries, under the Gateway programme.

The programme will be explained and the advantages/issues discussed.
The ten training modules will be based on the material in the CIH guide (copies of which have been made available to participating associations), updated to reflect current policy.

The modules will be made available as pdf files for printing and as PowerPoint slides for training sessions.

In discussion with hact, each association or group will decide how best to use or adapt the training framework. Some training may take place ‘in house’ and some may take place jointly with all six association groups.

Contacts

Hact
50, Banner Street
London
EC1Y 8ST
Tel: 020 7247 7800
Heather Petch (Director) heather.petch@hact.org.uk
Vicky Evans (administering Opening Doors) vicky.evans@hact.org.uk

CIH
Octavia House
Westwood Way
Coventry
CV4 8JP
024 7685 1700
John Perry (Policy Adviser) john.perry@cih.org
Debbie Larner (Head of Professional Practice) debbie.larner@cih.org
training module 1: the challenge

What this module includes:

■ what the terms asylum seekers, refugees and new migrants mean
■ basic facts on asylum, refugees and migration
■ the challenge for housing organisations

[Refer to chapters 2 and 3 of the CIH/JRF guide]

What do the words mean?

Getting the language right is very important when talking about asylum seekers, refugees and new migrants. Unfortunately, the press and politicians – and hence the public at large – often get the terms mixed up or use them as terms of abuse.

For example, soon after the July bombings in London in 2006, the Daily Express ran the headline ‘Bombers were all spongeing asylum seekers’. Not only could the Express not spell ‘sponging’, but its facts were wrong. None of those thought to have been involved in the bombing were then thought to have been asylum seekers. They were not even immigrants.

Discussion: How do we use the term ‘asylum seeker’ and what does it mean?

■ what words do we use to describe people who are newcomers to country?
■ what effect do they have?
■ what does ‘asylum seeker’ mean?
■ what do people feel about being called ‘asylum seekers’ or ‘refugees’?

Defining the words

The best way to use the different terms is so that they mean what they are supposed to mean – the status that people have in immigration law.

Unfortunately, immigration law is very complex: there are different kinds of status for people who have a right to stay in Britain, peoples’ status can change, and the law is constantly altering.
Also, once a person is accepted as a ‘refugee’, it is really up to him or her how long he uses that label. People might prefer not to be known as refugees if they feel they have now made their home in Britain.

In these training modules we use the following terms. Some more terminology will be introduced in later modules. But these are the basic terms that apply throughout. They can also be safely used in most non-legal reports or papers on this subject.

**asylum**

is the protection under United Nations conventions, given by one country to people from another, who are often fleeing persecution, torture or war

**asylum seekers**

are people who have applied for asylum, but whose cases have not yet been decided or are subject to legal appeal

**point of decision**

is the point at which asylum seekers are notified of the outcome of their application, and the period (officially 28 days) after which the support they received as asylum seekers ends

**refugees**

are people who have been granted refugee status, or leave to stay in Britain - and who have rights to housing, to work, and many of the other rights of full citizens

**people refused asylum**

are those whose applications have been rejected, but are still living here either because they are awaiting return to their home country or have decided to stay without permission

**new migrants**

refers broadly to people who have come to live in Britain for whatever reason, including economic and social reasons, especially from countries which do not already have large, established communities here

**A8 or A2 nationals**

are people who come from the recent ‘accession states’ to the European Union and who have permission to enter Britain to work (see module 2 for more explanation)

**long-term residents**

people established in Britain and forming the ‘host’ communities for new migrants – who may themselves be from minority ethnic groups

**Discussion: How much do we know about asylum seekers and refugees?**

- what proportion of people arriving in Britain every year are asylum seekers?
- how many asylum seekers come here in a typical year?
- do more asylum seekers come to Britain than to other countries?
- where do most refugees live?
Basic facts
Each month more than 2m people come to Britain from overseas, the majority as tourists, visitors or students. The figures below show that those coming to seek asylum are a very small proportion of the total.

How many migrants are asylum seekers or refugees?
This question is not easy to answer. One way to look at it is to focus on the latest year’s figures (the ‘flow’) and another is to ask ‘of all the people here, how many originally came as asylum seekers or refugees?’ (the ‘stock’). No-one knows the answer to the second question, although we do know how many people here were born outside the UK, and the reasons why people are given the right to settle here (see below).

How many new arrivals are asylum seekers?
There are now about 25,000 asylum seekers arriving annually, down from 80,000 in 2002.

Where do they come from?
This fluctuates from year to year as wars and other political problems affect the need for people to seek asylum. Currently (2006), the largest numbers of asylum seekers are from Afghanistan, China, Eritrea, Iran, Somalia and Zimbabwe.

Who are they?
A typical asylum seeker is young, more likely to be male than female and unlikely to have family dependants with him or her. In 2005, the 25,000 applicants had only 5,000 family members with them. Some 70% of asylum seekers are male, and three-quarters are under 35 years old. (This picture may be different in the dispersal areas, where there is a greater proportion of families.)

What about their children?
Most have no children with them, although of course many have left families behind - who are likely to want them to join them if they get accepted as refugees. Some asylum seekers are children travelling independently. Since 2000, about 15,000 unaccompanied children have entered Britain to seek asylum, mainly 14-17 year olds.

How many become accepted refugees?
In 2005 just over 30% of asylum seekers were given the right to stay in Britain, either directly or on appeal.

How many asylum seekers are here now?
Currently (2006) there are about 43,000 asylum seekers in the UK supported by the Border and Immigration Agency (BIA – which has now taken over from the agency BIA). More than two-thirds of these receive accommodation, and less than one-third receive subsistence without accommodation. We do not know the numbers of people still here who refused BIA help when they came.

Where do asylum seekers live?
The map on the next page shows where asylum seekers live who are currently supported by BIA (previously, the agency NASS).

BIA generally accommodates people in ‘dispersal areas’. More than three-quarters of asylum seekers housed through BIA are in the Midlands, the north of England, Wales or Scotland.

However, of those only receiving subsistence, three-quarters are living in London and the south-east.
Number of asylum seekers supported by NASS at the end of June 2006

Total number of asylum seekers in NASS (now BIA) dispersal accommodation – 30,710
Total number of asylum seekers in receipt of subsistence only support – 12,020
Overall total of asylum seekers supported by NASS – 42,930

<table>
<thead>
<tr>
<th>Region</th>
<th>NASS dispersal accommodation</th>
<th>Subsistence only support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scotland</td>
<td>4730</td>
<td>185</td>
</tr>
<tr>
<td>North East</td>
<td>2925</td>
<td>55</td>
</tr>
<tr>
<td>Yorkshire &amp; Humberside</td>
<td>6610</td>
<td>360</td>
</tr>
<tr>
<td>East Midlands</td>
<td>2055</td>
<td>405</td>
</tr>
<tr>
<td>Eastern Region</td>
<td>490</td>
<td>473</td>
</tr>
<tr>
<td>London</td>
<td>1190</td>
<td>8390</td>
</tr>
<tr>
<td>South East</td>
<td>545</td>
<td>710</td>
</tr>
<tr>
<td>Wales</td>
<td>2335</td>
<td>60</td>
</tr>
<tr>
<td>North West</td>
<td>4655</td>
<td>665</td>
</tr>
<tr>
<td>West Midlands</td>
<td>4020</td>
<td>575</td>
</tr>
<tr>
<td>Northern Ireland</td>
<td>155</td>
<td>10</td>
</tr>
<tr>
<td>South West</td>
<td>995</td>
<td>170</td>
</tr>
</tbody>
</table>

10 areas with most asylum seekers receiving accommodation & subsistence:
- Glasgow 4730
- Gtr Manchester 2490
- Leeds 1720
- Birmingham 1370
- Newcastle 1125
- Cardiff 1110
- Nottingham 975
- Sheffiel 970
- Liverpool 870
- Swansea 795

10 areas with most asylum seekers receiving subsistence only:
- Newham 785
- Haringey 675
- Ealing 640
- Enfield 545
- Waltham Forest 460
- Brent 455
- Gtr Manchester 435
- Hackney 385
- Redbridge 360
- Southwark 330

10 areas with most asylum seekers receiving subsistence only (excl. London):
- Gtr Manchester 435
- Birmingham 320
- Leicester 215
- Luton 135
- Slough 130
- Leeds 130
- Bristol 90
- Coventry 90
- Liverpool 75
- Edinburgh 70
**Are asylum seekers especially attracted to Britain?**

World-wide, the vast majority of people moving to escape persecution go to neighbouring regions or countries. So, for example, there are many people who have escaped the repressive regime in Burma (Myanmar) who are living in refugee camps in Thailand. In Sudan, the controversy about the plight of refugees in Darfur is about people who have moved to camps there from elsewhere in the same country. Within the European Union, Britain receives a similar number of asylum applications as Germany does, and France receives twice as many as Britain.

**Gateway – An Alternative Approach**

As we will see in the training module 10, the government is promoting a direct means of helping people who have often lived for years in refugee camps in developing countries, by bringing them here as accepted refugees (missing out the ‘asylum seeker’ stage). This is called the Gateway programme.

---

**Discussion: How much do we know about migration generally?**

- how fast is Britain’s population growing?
- how much is this due to inward migration?
- what kind of people migrate to Britain?
- from which countries?
- what does ‘illegal immigrant’ mean?

---

**Overall migration – more basic facts**

Britain’s population is now about 60 million, and is expected to grow to about 64m by 2030, before stabilising. Migration is an important element: each year, between 150,000 and 200,000 extra people come to live in to the UK, compared with natural population increases of little more than 50,000.

**Is migration increasing?**

Yes, in 2004 about 223,000 more people migrated into Britain than migrated out. This was a record since figures started to be collected in 1991. However, it may not be a long-term trend – it is probably strongly related to the expansion of the EU. In the past, the level of migration has fluctuated considerably. But for the moment, the gap between ‘inflow’ and ‘outflow’ is widening.

See the graph on the next page.

**Who are the migrants?**

Migrants are generally younger than existing residents, so they help to slow the shift towards an ageing population. Around three-quarters of migrants are young people (15-44 years old).
Where are they from? One in twelve people now living in Britain was born overseas. More than half of these are from the US or 'old Commonwealth' countries like Canada and Australia, and the other major groups are people from the Indian sub-continent, Africa and the Caribbean.

Is this pattern constant? No - in 1981, people from India, Pakistan and the Caribbean accounted for 63% of the BME population, now the proportion is down to just over half. Many thousands are now accepted as residents from places like Somalia, Iran, Iraq, Turkey, and the former Yugoslavia. And in the last few years there have been many more people from EU countries.

Is migration from the EU a big factor? Yes - about 400,000 people have come from the A8 and A2 countries to work in Britain since 2004. The number of other EU newcomers – for example, Somali people who move who were residents of countries such as Holland or Sweden – is not known.

How many people who stay here are refugees? Again, this varies from year to year. The chart below shows the reasons people gave for settlement in 2004. About 37% were refugees or their dependants.
And how many people are ‘illegal’ immigrants?

This term is an umbrella term used irresponsibly by the press. If used to mean people who have been refused asylum but are still here, or have otherwise entered or ‘stayed on’ without permission, then the figure can only be estimated. One government study, based on comparisons with other countries, has estimated that the figure may be 430,000 – but it could be much more or much less.

What is an ‘illegal asylum seeker’?

There is no such thing, and the Press Complaints Commission is trying to get the press to avoid using the term (see below).

From the Press Complaints Commission website:

The Commission is concerned that editors should ensure that their journalists covering these issues are mindful of the problems that can occur and take care to avoid misleading or distorted terminology. By way of example, as an ‘asylum seeker’ is someone currently seeking refugee status or humanitarian protection, there can be no such thing in law as an ‘illegal asylum seeker’. A ‘refugee’ is someone who has fled their country in fear of their life, and may have been granted asylum under the 1951 Refugee Convention or someone who otherwise qualifies for Humanitarian Protection, Discretionary Leave or has been granted Exceptional Leave to Remain in the country. An asylum seeker can only become an ‘illegal immigrant’ if he or she remains in the UK after having failed to respond to a removal notice.

What effect does this have on Britain’s economy?

As we have seen migrants to Britain – for whatever reason – tend to be younger people, usually wanting to work, and often having skills needed here. For example, in 2004 there were an estimated 1,000 refugee doctors interested in working in the NHS. Below is one of many studies showing the effects on the economy of immigration.

Immigrants ‘help the economy grow by 3%’

Angela Balakrishnan, from The Guardian, Friday October 27, 2006

Large inflows of migrant workers in recent years have provided a significant boost to UK economic growth, a report by a leading thinktank said yesterday. The National Institute of Economic and Social Research (NIESR) weighed into the growing debate about the impact of immigration on Britain by saying the big influx of people in the past eight years had expanded the economy by a hefty 3%. In 2004-05, immigration contributed about one percentage point to growth of 5.3%.

The NIESR said immigration was providing "substantial benefits to the Treasury" since the tax system meant migrant workers were likely to be net contributors. Adult immigrants were also unlikely to require public funds and so would be more likely to make a net lifetime contribution to the economy. This effect was magnified if they returned to their country. Official data shows that since 1997, immigrants have made up 5% of the working population. This proportion was far higher among the young, with 7.5% of 18 to 24-year-olds and 11.6% of 25 to 34-year-olds being from other countries.
The Challenge! What does all this mean for housing organisations? These changes at national level of course mean changes for the cities or towns where migrants settle (or, in the case of asylum seekers, to which they are ‘dispersed’).

Here are some of the kinds of change that we will be looking at in the later modules of the training programme:

<table>
<thead>
<tr>
<th>Population change</th>
<th>At local level this affects the need for services and the resource requirements of housing organisations.</th>
</tr>
</thead>
<tbody>
<tr>
<td>People need accommodation</td>
<td>What is the demand for housing from new migrant groups? Do we know enough about the kinds of housing they need and their housing preferences?</td>
</tr>
<tr>
<td>People need advice and support</td>
<td>What might the support needs of new migrants be? How do we go about finding out about them?</td>
</tr>
<tr>
<td>People move into communities</td>
<td>What effects will that have? How can we work to ensure that newcomers are accepted in communities? How can we tackle tensions that might arise?</td>
</tr>
<tr>
<td>People form new local groups</td>
<td>Migrant and refugee community organisations (MRCOs) are an important resource for new migrants that can also be a resource for housing organisations. How do we make relations with MRCOs that are mutually beneficial?</td>
</tr>
</tbody>
</table>

**Follow up to training module 1**

- Do you know what information is available on asylum seekers, refugees and other new migrant groups in your area?
- How would you go about finding out?
- In the communities where you work, has the make up of the population changed in the last few years? If so, how?
- Does everyone in your organisation have a good idea what terms like ‘asylum seeker’ and ‘refugee’ mean?
- Are asylum seekers accommodated in your area? If so, where and who by?
- Do you know if asylum seekers, refugees or new migrants generally are already using your services?
- Are you collecting information in ways which would show if they were?
training module 2: the people

What this module includes:

- how people enter Britain
- the asylum process
- other immigration routes
- people’s needs when they are here

[Refer to chapters 3 and 4 of the CIH/JRF guide]

How do people enter Britain?

This is a complex subject and there is no need to go into a lot of detail. These are some of the cases and issues that arise:

- in rare cases, people may come because they were accepted as asylum seekers or refugees before they arrived
- many people migrate with a visa and/or work permit (if they need them) allowing them to live temporarily in the UK, eg to work or study, or potentially to stay permanently (eg as a spouse)
- people who enter for one purpose (eg as a student or visitor) may then seek to stay long term (eg apply for asylum)
- in addition, some people may enter illegally – either seeking work or asylum, or having perhaps been ‘trafficked’ against their will – and then seek asylum after they arrive.

The issue is complex because:

- The system makes it very difficult indeed for people to get permission in their country of origin to enter the UK as asylum seekers or refugees (and they may well put themselves at risk if they try to do so). Effectively people are forced either to enter illegally, or (say) as visitors, then claim asylum once here.
- Many of the issues about immigration status arise after people are already here – for example, if they have a visa and it expires, or they apply for asylum and are refused.
- In most cases, the nature of the situation means that it is difficult to track people and difficult to give numbers of cases involved.

The vast majority of newcomers to the UK that housing professionals meet will have entered in the normal way and passed through immigration controls. The decisions made when they entered, and changes in their immigration status since then, will affect whether they are eligible for help (eg housing benefit).
How does this affect housing professionals?

Housing professionals only need to have a broad idea of these issues and should not get involved in advising people on immigration questions.

There are two main ways in which the legalities do have to be taken into account:

- in interviewing people whose immigration status is uncertain, and
- in assessing eligibility for housing and for HB.

The current position on eligibility for housing will be discussed in module 3. Advice on the legal aspects of interviewing people and the reasons for sensitivity are given on page 22 of the Good Practice Guide, and legal guidance in Appendix 2.

Except for the issue of housing benefit or where the LA has 100% nomination rights, housing association staff are in a different position from those in local authorities and they need to make sure that they treat migrants in the same way as anyone else. CIH recommends that all housing professionals avoid putting people in positions where they may compromise their immigration status.

Discussion: How should we treat immigration status in interviews?

- how should we brief staff?
- what do we really need to know?
- how do we keep up-to-date on the issues?

The asylum process

People apply for asylum either at the ‘port on entry’ or when ‘in country’. After initial screening, some people may be held in detention centres, especially if their case is judged to be weak. Many however are allowed to enter the UK on condition of reporting regularly to the immigration service while their applications are dealt with.

This process used to take months and often years. However, new cases are increasingly being dealt with quickly – perhaps in a few weeks. This means that housing staff will deal both with people who have been ‘in limbo’ for years, and ones who have quickly been given a decision, and may be still very unfamiliar with the UK and public services.

Accommodation and support

Asylum seekers are entitled to very limited state support, and are not entitled to work. If they accept help, it must be in the form either of accommodation and related support, or ‘subsistence only’ support, both provided through BIA (see module 1).

The diagram on the next page shows the relationship between the asylum decision-making process and the BIA system.
Decision-making process and support arrangements for newly-arriving asylum seekers

**application for asylum**
- made at port of entry or, after arrival, to immigration service (BIA)

**initial screening**
- BIA screens applicants to establish identity and ways of proceeding with claim

**detention**
- numbers of asylum seekers are sent to a detention centre (or, in Northern Ireland, prison) pending further investigation

**release into the UK**
- the majority are finger-printed and issued with temporary admission and an Application Registration Card (ARC)

**eligible for BIA support**
- sent to induction centre or reception agency which helps them apply and arranges emergency accommodation

**in eligible for BIA support**
- for example, because applicant is an unaccompanied child, or has own resources and accommodation

**dispersal across Britain**
- BIA provides accommodation on a ‘no choice’ basis in dispersal areas or (in Northern Ireland) through the NIHE

**living in the community**
- either with BIA support (if eligible) or supported by friends or own resources

**in social services accommodation**
- if an unaccompanied child, or accepted as in need of care because of age, illness or disability

**contact with immigration service**
- many asylum seekers are required to sign in regularly at assigned reporting centres (or in Northern Ireland, to the police); all are required to have a ‘substantive interview’

**initial decision on asylum application**
- now usually within two months

**negative decision**

**appeal process**

**final negative decision**

**positive decision**
- gains refugee status and leave to remain

**support ceases**
- must move out of BIA accommodation in most cases
Decisions on asylum cases

A positive decision gives the asylum seeker ‘refugee’ status, or a lesser form of ‘leave to remain’ in the UK. The differences are summarised in the box on pages 17-18 of the CIH Guide. While these differences do of course affect the individual concerned, they all enable him/her to receive housing assistance, welfare benefits, etc and may give a right to ‘family reunion’ (meaning that other immediate members of the family can be brought to join the refugee).

If asylum is refused, there is a right of appeal. Many problems occur because of refusals of apparently well-founded cases. Also, even if a case is refused, it may not be safe for the applicant to return to their home country.

More detail on refusals and their consequences is given on page 18 of the Guide. Module 6 will deal with destitution (which often arises as a result of refusal of an asylum application).

Can refugees come direct to Britain?

Yes they can – in certain specific circumstances. The main programme for receiving people here whose status has already been decided in another country is the Gateway Protection Programme. This has led to numbers of refugees being accommodated directly in places such as Sheffield and Bolton. Module 10 will focus on Gateway specifically.

Another way in which refugees can legally come here is if they have been accepted in another EU country but later decide to move to the UK. This has happened, for example, with thousands of Somali people originally living in Holland and other EU countries, who have since moved to the UK and settled in places like Sheffield and Leicester.

Migration from Europe

In general, people coming from elsewhere in Europe have much more freedom to live and work in the UK than do people from the rest of the world. Here is a (non-legal) summary of the position.

EEA nationals

As well as being in the European Union, Britain is also part of the ‘European Economic Area’ (EEA) which extends rights to live and work in Britain to citizens of the EU but also to certain non-EU countries - Iceland, Liechtenstein, Norway and Switzerland.

In general, residents of the EEA are free to come to Britain to work without any restrictions. They can also come to Britain live for up to three months or for other reasons other than for work (such as to study or retire).

Those that have worked and lived in Britain for a minimum qualifying period (normally one year’s work and three years residence – but varies according to the circumstances) can acquire a right of permanent residence. In exercising any of these rights there is also a right to bring family members.
**accession states**

Special rules apply to **accession states**—certain countries which joined the EU recently (but not Malta or Cyprus, which are treated the same as the rest of the EEA). There are two special groups of accession states.

**A8 nationals**

The A8 countries are the Czech Republic, Estonia, Hungary, Latvia Lithuania, Poland, Slovakia and Slovenia. People from those countries taking up new employment in the UK have to register under the Worker Registration Scheme for the first 12 months. For their entitlement to services, eg under homelessness legislation, see module 3. In all other respects, A8 nationals have the same rights as other EEA nationals.

**A2 nationals**

People from the two countries (Bulgaria and Romania) which acceded to the EU in 2007 have more limited rights to work. Skilled workers whose employer has obtained a work permit for them, or who qualify under another scheme, can enter freely. But low-skilled migration from Bulgaria and Romania is restricted to those sectors of the economy where the UK already has low-skilled schemes and is subject to a quota which will not exceed 20,000 workers per year. A2 workers on these schemes have rights to work limited to six months. For their entitlement to benefits and housing see module 3.

In all other respects, Bulgarians and Romanians have the same rights as other EEA nationals.

**Other work-related migration**

Although people from outside the EEA have more limited opportunities to gain entry to live in the UK, the rules are complex. Specific categories of working people (eg journalists, sportsmen/women, ministers of religion) are able to work here if they satisfy the rules. Many categories of people require work permits, for which their employer has to apply.

There is also a scheme called the Highly Skilled Migrant Programme through which people who qualify can come to look for work, without a permit.

**Migration for other reasons**

Apart from work and asylum, the two main reasons why people from the rest of the world might be permitted to enter and live in the UK are to study and for family reasons (eg a person getting married, or an elderly relative coming to live with a family member here and supported by them). In general, initial entry is conditional on their having no recourse to public funds.

**Becoming settled in the UK**

Settled status, or ‘indefinite leave to remain’, is awarded to various categories of people whose initial entry was conditional. For example, someone entering to marry a British citizen will be able to apply for settled status after two years; someone here on a work permit can apply after five years. Even people whose stay is unlawful can apply for indefinite leave—but only after 14 years.
Despite its name, the entitlement to permanent residence can lapse (eg if someone lives abroad for a period), and therefore many with this status then apply for full citizenship. Both permanent residence and full citizenship bring entitlements to welfare benefits and housing assistance – if people did not previously have them. From April 2007, most people applying for indefinite leave to remain will have to pass the ‘Life in the UK’ test.

**British citizenship**

After five year’s continuous residence (three years in the case of a spouse), many people are eligible to apply for citizenship. Since November 2005, apart from other criteria, most applicants have to pass the ‘Life in the UK’ test, which requires a good level of English, and knowledge about Britain.

**People’s housing and support needs**

As we shall see in subsequent modules, people who have come to Britain - whether to seek asylum, to work or for other reasons - may have housing and support needs, and may be entitled to help of various kinds in meeting them.

The basic categories of support that we will consider are:

*accommodation*

Apart from being a basic need in itself, a secure place to live is essential to gain access to many other forms of support.

*basic support*

Many housing providers are engaged in delivering basic support, for example through Supporting People. An important new programme, due to be rolled out nationally, is Sunrise – it aims to provide initial support to refugees for the period immediately following a positive decision on their asylum case.

*wider support*

This includes ESOL (English for Speakers of Other languages), job-related training, access to health care, etc.

*inclusion*

Measures to help refugees and migrants to be included in the communities where they are living, and to support communities undergoing change because of migration, asylum dispersal, etc.

*People excluded from support systems*

An important category of people consists of those who have ‘no recourse to public funds’ - they cannot get accommodation or other support, and they become destitute.

The two main reasons for this are refusals of asylum applications, or people working (eg A8 nationals) who lose their jobs and have no entitlement to public funds. Module 6 considers this in more detail.
Follow up to training module 2

√ Do you now feel that you know enough about immigration rules?
√ Are there any categories where you need more information?
√ Looking at the different reasons for and rules about entry to the UK, what types of people are most likely to be customers of housing organisations?
√ After receiving the advice in this module, do you need to change your organisation’s approach to such customers?
√ Are there circumstances in which people whose immigration status is in question should disclose information to you? If so, when and how?
√ Can you be sure that your treatment of customers is non-discriminatory? – for example, is a black person more likely to have their status questioned than a white person? How can you avoid this?

Opening Doors is supported by a Housing Corporation Innovation and Good Practice grant and by CLG through the Connecting Communities Plus grants programme.
A life on the run

Diane Taylor and Simon Hattenstone
The Guardian, Saturday January 20, 2007

The Ay family became famous in Britain - emblematic of the miseries endured by asylum seekers trying to make their home in the west. They were split up, imprisoned, then deported. What happened next? Diane Taylor and Simon Hattenstone report

June 2003  The barbed wire loops along the top of the metal wall. Dungavel used to be a prison, but now it is a detention centre for asylum seekers. Not that you'd notice the difference. The visitors' room is a gloomy, institutionalised place with gloomy, institutionalised easy chairs. The Ay family have been here almost a year. "When we got a letter from the Home Office saying they were at liberty to put us into detention, I thought they meant detention like at school where you have to stay behind for 20 minutes at the end of the day," 14-year-old Beriwan says.

Beriwan is the eldest of four children. Since their father was deported to Turkey, she has found herself taking on his role. She is the public spokesperson, the voice of the family. It is Beriwan who tells the immigration officials and social workers, the politicians and pressure groups, the psychologists and the media what it feels like not to belong, why they have spent their lives on the run - from Germany to Greece, back to Germany, to England, and to this detention centre, in Scotland.

In some ways theirs is a typical story. Like many asylum seekers, Beriwan's parents were so terrified of their fate in their native country that they risked their lives in travelling to Germany and then later, with the children, to the UK for a new start. Like others before them, they didn't tell everything to the German authorities in case they were sent back to Turkey and punished yet more severely for speaking out. And, like others, despite the misery they have experienced in the west, they cling to the belief that this is the place that will ultimately allow them to be free.

In other ways they are exceptional: an entire family of asylum seekers pushed from pillar to post, and held in detention for so long; they are a cause célèbre in the press and television, and cited by human rights activists as an example of the worst treatment meted out to asylum seekers. They are also a remarkable family themselves - gentle, funny and stoic throughout a desperate odyssey.

In Dungavel they fear, with good reason, that the government will deport them to Germany because that was the country where they first claimed asylum. But if they are returned to Germany, the likelihood is that they will then be sent to Turkey, a country where none of the children has yet set foot.
Yurdagul and Salih, Beriwan's mother and father, married when she was 16 and he 21. They came from the village of Nerinjin, in the Sirnak area of south-east Turkey, and were proud of their Kurdish identity. The couple refused to change their Kurdish names to Turkish ones and spoke Kurdish rather than Turkish. For this, Salih was jailed six times and Yurdagul three, usually for several weeks. Her father was jailed for three years when she was small because he couldn't speak Turkish. Salih was repeatedly beaten for the same crime when he did his national service. First his arm was smashed, then he was forced to clean floors one-handed.

"They would come looking for Salih, and if he wasn't at home they'd put me in jail instead," Yurdagul says in Kurdish. Beriwan looks intently at her mother as she translates. The third time Yurdagul was jailed, in 1988, she was eight months pregnant. Prison guards put her in an underground cell for several days. "It was freezing," she says. "The guards pushed me around, and after a few days I went into labour. I told the guards, but they didn't believe me at first. When they saw that I really was in labour, they let me go. The baby was born two hours later. She came to this world for just one hour."

The term Kurd was first used in the seventh century AD to describe the nomadic people who lived in Mesopotamia at the time of the Arab conquest. The area of land that is Kurdistan has fluctuated historically, but is generally the geographical region that spreads across the mountainous area where the borders of Iraq, Iran, Syria and Turkey meet. Turkey has always denied the existence of Kurdistan. There are no official population figures for Kurds, but it is accepted that they are the largest ethnic group without a state in the world.

Yurdagul and Salih, a farmer and minibus driver, felt that it was too dangerous to bring up children in Turkey. When Yurdagul became pregnant again later that year, they decided to run. They paid for forged papers and boarded a plane from Istanbul to Frankfurt. They had heard that Germany did not discriminate against Kurds and believed they would be welcomed. But things didn't work out like that. After 18 months, they were told their asylum claim had been rejected. By this time, Beriwan had been born. Again, they fled - this time to Greece for two years. Newroz and Dilovan were born there.

In 1991, they discovered that they were allowed to make another asylum application in Germany, so they returned. This time the family stayed eight years before a decision was made again to deport them. "We heard that England was a safe place for asylum seekers and my father paid some mafia, from Kosovo I think, for places in a lorry," Beriwan says. It was a horrific, airless journey that had a devastating effect on Medya, the youngest child. "We thought we were going to lose her," Yurdagul says.

But life in England was better than they had dared hope. They claimed asylum as soon as they stepped out of the lorry and were given a house in Park Avenue, Northfleet, Gravesend. This was the first time they ever felt that they had a home.

The children started at local schools, picked up English swiftly and shone academically. They were popular with teachers, pupils and neighbours. "The three years we spent in Gravesend were the happiest in our lives," Beriwan says. "We had barbecues in the garden and we all loved playing football - our whole family was a football team. My mum was a great goalie. " As the children flourished, they made plans for the future. Beriwan hoped to be a human rights lawyer.
Then, in March 2002, their world was turned on its head - again. Salih had to report to the police station monthly, as do many asylum seekers. This time, instead of the usual bureaucratic ticking of boxes and a nod signifying that he was free to go, he was arrested and deported to Germany. The rest of the family were left behind in a state of shock. "No matter what happened to us, we always assumed we'd be together," Yurdagul says.

Salih spent three months in Germany, most of it in jail awaiting deportation to Turkey, but he did make a visit to the Turkish embassy in Germany and overheard two officials say that the rest of the family would be arrested and deported soon. "He called us and urged us to go into hiding to avoid deportation," Yurdagul says. The family hid with friends, but this was no life, unable to go to school or show their faces in the community. After two months, they gave themselves up to the police. Detention swiftly followed.

"They came for us early in the morning," Yurdagul says. "We had only 20 minutes to pack." Most of the time in detention has been spent here in Dungavel, on the border between Lanarkshire and Ayrshire. The family are locked indoors for 22 hours a day, have limited access to education and healthcare, and few other children to mix with.

Medya fidgets, and looks through the window. In half an hour, she'll be unlocked to play. They have been here for almost a year now, the longest that child asylum seekers have been incarcerated in the UK. There has been a growing sense of outrage in Scotland, and the Ay family are becoming an embarrassment for the government.

A video camera has been smuggled into Dungavel, so they can be interviewed. The film, shown on the BBC, is heartbreaking; Beriwan tells their story and Newroz sits by her side, at first silent. Tears stream from behind her glasses. She smiles as if to say sorry. "My name is Newroz," she tells the camera, "and it's horrible here. I don't feel like a normal person any more because I can't go to school and do normal things."

Father Vincent Lockhart, a Catholic priest, has regularly visited the family. "I noticed that Newroz in particular started to get quieter and quieter," he says. "When she first arrived, she was just a normal girl. Then a distracted, intense, faraway look developed in her eyes, a sense of foreboding - what the marines call the 500-yard stare. For most children, the significant events in their lives are birthdays and holidays. For the Ay children, they are points in the legal process - appeals, hearings and bail requests. They were in a perpetual state of hope and tension followed by deflation each time a bail request was turned down."

August 2003  The family are transported to the removal centre, Tinsley House; they are about to be deported to Germany. In the visiting room, Medya is watching The Wizard Of Oz on television, Dilovan is as keen as ever to talk about football and his team, Chelsea, but the two older girls are quiet. When Yurdagul speaks, Beriwan strokes her hair. They are beginning to look like a mirror image of each other.

Beriwan looks at Medya. "She could read and write perfectly in English when she was at school, and now she's forgotten it all. And now we'll have to start all over again in Germany. I've forgotten most of my German."

We stare at the planes landing and taking off outside the window.
January 2004  Kirchen is an hour's train journey from Cologne, the nearest city. The family have been placed in a social services-owned flat at the top of a steep hill, next to dense forest. It seems like the edge of the world. The flat is warm and spacious, a huge improvement on Dungavel. It's snowing outside. The children appear much happier. Medya and Dilovan are playing Ching, Chang, Chong, the same game they played in detention. Beriwan and Newroz are reading the English magazines we have brought for them, and talking Justin Timberlake and Eminem like normal kids. It's hard to rouse Beriwan from her magazines. "This is the only time I escape into a different world," she says.

School is a 45-minute walk away, as are the shops. Life is a series of journeys up and down the hill, and longer trips to their solicitor's office and the courtroom. They are delighted to be back in a proper school again, but have been put in the lowest-ability class.

Yurdagul cooks for us. Chicken, salad, rice. She's in her element. "You like?" she says. "It's good?" Dilovan is playing a word game with Medya - two words, five letters and two. It's Salih Ay, and Medya guesses straight away. "My father was a kind and funny man," Beriwan says. "Not knowing whether he is dead or alive is like not having a father at all." Neither Turkish nor Kurdish human rights groups know what has happened to him.

Whether or not you are granted political asylum seems to be a matter of chance. All but three adult members of Yurdagul and Salih's extended families have fled Turkey to seek asylum in European countries. All lived in the same region in Turkey and escaped for the same reasons. Two of Yurdagul's sisters have permission to stay in Germany, as does her brother in Finland. Six other relations are in limbo, awaiting decisions. Three of Salih's family have been granted asylum. The Ays have been told that Salih was sent back to Turkey because of his involvement in the PKK, an outlawed Kurdish organisation.

February 2004  Their appeal against deportation has failed. They are devastated. Their case is gathering support in Germany, but it's probably too late. Viraj Mendis, the Sri Lankan activist who sought refuge in a Manchester church in the late 1980s and now lives in Germany, is helping them. There is growing support from around the world - including from Archbishop Desmond Tutu. The writer Thomas Keneally has condemned the treatment of the family, particularly their time in detention, saying, "In a liberal democracy you can only maintain a policy of locking children up behind barbed wire by spreading lies and demonising the dispossessed of the earth. In the future, these children will tell their stories. There's bound to be literature that comes out of it, and people will gasp and say, 'How did that policy ever get through?' "

In Germany, the Ays' last chance is a humanitarian appeal to the Petitionsausschuss, a body that is part of the apparatus of state government. They are granted a three-week stay of execution, but they need to present new evidence to the committee. Beriwan mentions that, after several years in jail, her aunt has escaped from Turkey to Germany within the past year. We visit her tiny flat in Cologne, where she lives with her husband who escaped from Turkey several years ago. Pain is etched into her hard eyes and her mouth. She is heavily pregnant and shifts with difficulty, the weight of the baby exacerbating the injuries she suffered in jail. White, horizontal scars lie just above the base of her spine. Her story is later used as evidence that the Ay family will be at risk if deported to Turkey.
"Outsiders say the Turkish government is giving Kurds freedoms," she says, "but if you're on the inside you know this is not the case. If a Kurdish person speaks out in Turkey, they are put in jail." She bows her head and then half raises her eyes. "I'm ashamed to say what happened to me. They took off my clothes and raped me and beat me too many times to count. Sometimes I have so much anger inside me because of what happened that I even hit my own husband."

April 2004 At the flat in Kirchen, every knock on the door, every ring on the phone makes the Ays jump. They say they are waiting for the inevitable. "In Dungavel, Medya used to have nightmares and cry in her sleep," Yurdagul says. "Now Dilovan is having nightmares and is scared to sleep alone. He says it's no use going to school and learning things because we'll be deported soon. Newroz keeps everything inside her, and then she gets frustrated and starts screaming."

The absent Salih is at the centre of much of their conversation. There is a little picture on the wall of the whole family cuddling close together. It is beginning to fade.

Yurdagul and her stateless children are constantly fearful for their future. "We are nothing, we don't belong anywhere," Beriwan says. "I've been running all my life and I'm tired now, really tired. Even when I'm at school, I can't always control my brain, it goes off thinking about other things." She rubs at her tears with her sleeve. "I wish I'd never been born. I wish Germany would kill me now rather than sending me to Turkey to die." Not having a country, she says, is like not having a mother and father. "But why do we need countries at all? I don't believe that God created Kurdistan or England or Germany. The way God created it, it's just one world."

September 2004 The family have finally found a specialist willing to examine the children. Because it is expensive and because it takes weeks to get the written report, and they are so desperately short of time, only Newroz and Medya are examined. The conclusions are shocking. Newroz talked extensively about her fear of what has happened to her father, her fear of being imprisoned again and her fear of being deported to Turkey where her aunt was imprisoned and tortured. The doctors says she was in a volcano-like state with more and more pressure gathering inside her and that both girls need medical help they are unlikely to receive in Turkey.

We ask Yurdagul whether there is anything she would do differently if she could start again on the stony road to shelter? "Not really. We never really had any choices. We made the decisions we made because we thought they were less likely to lead to deportation, because we thought it would give us more chance of surviving."

November 2004 We hear that because of the medical report the family are to be granted indefinite leave to remain. The children are told the news at school. Beriwan tells us how all the kids cheered. "I feel like I've got a different heart; a much happier heart," she says. Yet, in many ways, the hard work is yet to start - searching for their father, healing the psychological scars, trying to get back to Britain (all the children say they still feel British, and they speak English to each other) - but this is the result they had hoped for. Celebrations prove to be premature - the German government has only granted the Ay family a limited stay so that the children can receive medical treatment.

April 2006 We receive an ecstatic call from Beriwan - her father is alive and has been in touch. It turns out that initially he fled from Turkey to northern Iraq, but has been persuaded by his mother to return to Nerinjin, the Turkish village he spent more than 13 years running away from. It has taken him two years to track down the family.
- he had no idea they were in detention, let alone that they had been deported to Germany. The initial euphoria that he is alive soon subsides into confusion - what to do next? There are so many things to weigh up. The family desperately want to be reunited with their father, but their first two languages are now English and German, they consider themselves European, and they are at vital stages in their education.

**January 2007**  The family have been moved from the top of the steep hill to the valley below. They have a pleasant flat close to Kirchen station and are thrilled to have hot water. All the children are doing well at school and, three years on from Dungavel, are more grown up, but largely unchanged - innocents in a bleak world. Beriwan, now 18, has started her Abitur (A-levels), and still has hopes of becoming a lawyer. Newroz, 16, fancies becoming a clothes designer, while Dilovan, 15, is hoping to get trials with the local football team, Siegen. Medya, 11, starts secondary school this year.

The daily fear of immigration police banging on the door at dawn is suspended for the time being. Yet still their lives are full of shadows. The immigration laws in Germany are changing and immigrants not involved in work or study will no longer be allowed to remain. With high rates of unemployment, the chances of Yurdagul, who struggles to communicate in German, getting a job are limited. Temporary permission to stay in Germany may not be renewed when it runs out this year. Yurdagul feels torn between the needs of her children and her desire to be with her husband.

We finally get to speak to Salih, three years after first trying to track him down. He is devastated that he has been separated from the family, but is adamant that the children must not go to Turkey to be with him. "I would do anything for my children - anything to make their life easier. Things are very bad here, army, police, no opportunities," he says. The Turkey 2006 Progress Report from the European Commission supports his assessment. Despite a comprehensive legal framework enshrining the rights of minorities such as Kurds, many cases of torture are still reported. "There is a lack of attitude change on the ground and a culture of impunity in relation to torture and ill treatment," it says. According to Turkish government statistics in the first quarter of 2005, there were 1,239 reports of torture and ill-treatment cases filed against law enforcement officials.

Beriwan has seen pictures on TV of villages in the Kurdish south-east of Turkey and, having lived her entire life in western Europe, can't imagine what it would be like to be uprooted now and forcibly moved to the land of her parents. "Kurdish girls who live in Turkey have to wear long clothes and cover their heads and they're married off from the age of 14. They've never known our life and we've never known theirs," she says. "I don't know where we belong or why the British government split us up and deported my dad separately. But all we want is to be reunited with him so we can be a proper family again and to be in a safe country. It's something my school friends take for granted, but for us, after all these years, it's still an impossible dream."
training module 3: the legalities

What this module includes:

- the legal context and how it affects your work
- rights to housing benefit and council tax benefit
- rights to homelessness assistance in England
- rights to the allocation of local authority accommodation in England
- differences between allocation of HA and LA accommodation.

[Refer to chapter 4 CIH/JRF guide. This module updates Appendix 3 of the guide]

The need for caution in giving advice

The rules regarding eligibility for welfare benefits, assistance under homelessness provisions and the allocation of local authority accommodation are complex and what follows is only a summary.

A key message is to be cautious in giving advice or making judgments about eligibility. Never make assumptions about the law as these may reflect value judgements as to what is ‘fair’ and will often be the wrong answer. Here are some examples of beliefs that are fairly commonly held but which are false:

- “Housing associations are not allowed to allocate property which has been built with public subsidy to new migrants”.
- “Housing associations cannot legally give a tenancy to an asylum seeker”.
- “A8 nationals are only entitled to housing assistance after they have been working for one year”.

Differences in the law between local authorities and housing associations

Local authorities are part of government and subject to complex rules governing their ability to help migrants, depending on their immigration status. The rules which this module describes are those that apply in England as at 1 April 2007.

Housing associations, including those created from stock transfer, are independent from government and are not governed by the same rules. In fact they have a duty to treat all applicants equally and not discriminate against anyone because of their immigration status. To do so would open them to challenge under race relations legislation.

In practice, though, there is an overlap with the restrictions governing local authorities, in four ways:
<table>
<thead>
<tr>
<th><strong>nomination agreements</strong></th>
<th>The ability of housing associations to consider all applicants depends on whether they have lettings which are not subject to nomination agreements (see the note to Table A). Some HAs may not have such lettings.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>common housing registers or lettings agreements</strong></td>
<td>These should not inadvertently constrain associations in the scheme to the same rules that apply to any local authority partners. Some applicants may be eligible for housing by an association who would not be eligible for council housing.</td>
</tr>
<tr>
<td><strong>housing benefit</strong></td>
<td>Some new migrants are not allowed to receive housing benefit, at least initially. An applicant that fulfils the letting criteria and who is able to pay the rent (for example, from wages) should be considered in the same way as any other.</td>
</tr>
<tr>
<td><strong>stock transfers</strong></td>
<td>Particular issues arise, especially with whole stock transfers. Associations should consider carefully how their lettings policies relate to immigration law and not simply follow the previous local authority practice.</td>
</tr>
</tbody>
</table>

### Eligibility for assistance

The tables explain eligibility in detail. Below are some introductory notes on each category of person dealt with in the tables.

Definitions of the EEA (European Economic Area) and countries within it, including the (A8 and A2) accession states, were given in module 2.

#### British nationals, Irish Citizens, and others with a right of abode

British citizens have the right of abode (table B) in the UK, the Republic of Ireland, the Isle of Man and the Channel Islands (collectively known as the common travel area). British citizens are eligible for assistance if they are habitually resident in the common travel area.

A British citizen cannot be treated as an EEA worker and so be exempt from the habitual residence test until they have worked in another EEA state.

Certain categories of British nationality, other than British citizenship, do not give the right of abode in the UK (although almost all now do). A British or Commonwealth national who is not a British citizen but who has the right of abode will have this fact stated in their passport.

#### asylum seekers and refugees

Applicants seeking asylum are not entitled to assistance while their asylum claim is processed, except for that provided through the Home Office Border and Immigration Agency (BIA) – previously provided by the agency NASS (see module 2).

Those who have received a positive decision on their claim or who have been granted permission to stay for humanitarian reasons or with discretionary leave are entitled to benefits and housing assistance.

For those who have been refused asylum see module 6.
**asylum seekers, refugees and the local connection rule**

In addition to the rules restricting eligibility, where a refugee applies for homelessness assistance, any period in accommodation provided by BIA counts towards establishing a local connection. A refugee may also be able to establish a local connection for other reasons (employment, for example, or having stayed with relatives).

**non EEA nationals including sponsored immigrants**

Most nationals from countries not in the EEA are subject to immigration control and require ‘leave’ to enter the UK (table B). Most applicants who are granted limited leave (ie for a fixed period) will be subject to a no ‘recourse to public funds’ condition (a fact that will show in their passport) and not be entitled to assistance.

Some migrants, known as sponsored immigrants (table B), are granted leave on the understanding that they will be maintained and accommodated by their sponsor (e.g. family member) for a period (usually two years) after which they get indefinite leave to remain (which is also called settled status). Where their sponsor has signed a written agreement to support them (an **undertaking**) they will not normally be entitled to assistance for a period even if they have indefinite leave to remain. The fact that they are subject to an undertaking is recorded on their passports (see table A).

Other non-EEA nationals who have a right of abode or who have settled status (table B) are entitled to assistance, subject to being habitually resident.

**EEA nationals**

EU citizens have rights to live and work in Britain. The European Economic Area (EEA) extends these rights to citizens of certain non-EU countries.

Restrictions on the right to live and work apply to citizens of the EU accession states (see below). All restrictions which apply to nationals of these states will be lifted after their countries have been members of the EU for five years.

In general, other EEA nationals are free to come to Britain to work without any restrictions. They can also come to Britain to live for up to three months for any reason but this right does not entitle them to claim assistance.

In certain circumstances EEA nationals who start work in the UK but whose employment is temporarily disrupted (eg unemployment or sickness) are treated as still in work and so entitled to assistance (table C).

Certain others who have worked and lived in Britain for a minimum qualifying period (which varies according to the circumstances) can acquire a right of permanent residence. EEA nationals who have lawfully resided in the UK for five years also acquire the right of permanent residence (no period of work is required). See table C.

EEA nationals who enter the UK seeking work can claim income-based jobseeker’s allowance, which means they can also claim housing benefit (but are not entitled to local authority housing until after they start work).
All other economically-inactive EEA nationals (such as students) are entitled to claim assistance provided they have comprehensive medical insurance and have sufficient resources to maintain themselves and their family.

In exercising any of these rights there is also a right to bring immediate family members, including those who are not EEA citizens. EEA nationals have these rights automatically and may not have any documentation to show that they have the right to reside, permanently or otherwise. Non-EEA nationals who are family members have to apply for a residence permit within three months of arrival.

**accession states**

Special rules apply though to accession states – certain countries which joined the EU recently (but not Malta or Cyprus, which are treated the same as the rest of the EEA). As pointed out in module 2, there are two special groups of accession states. Note, however the restrictions about these groups do not apply to the self-employed, students or people who are self-sufficient.

**A8 national workers**

After completing 12 months employment in registered work, A8 nationals are entitled to assistance under the same terms as other EEA nationals whether in or out of work. Those who are not in work who would otherwise be required to register (ie those who are not exempt from registration and who have not completed their 12 month qualifying period) are not entitled to assistance.

**A2 national workers**

A2 nationals have more limited rights to take up paid employment. Most can only take up employment in work which is ‘authorised’ (see table D for exceptions). Authorised work is limited to certain occupations, and the applicant must meet certain other requirements. Applicants in authorised work or who are working but who are exempt from worker authorisation (table D) are eligible for assistance.

After completing 12 months employment in authorised work A2 nationals are entitled to assistance under the same terms as other EEA nationals, whether in or out of work. Those who are not in work who would otherwise be required to seek worker authorisation (ie those who are not exempt from worker authorisation and who have not completed their 12 month qualifying period) are not entitled to assistance.

**The significance of habitual residence**

Strictly speaking all applicants for assistance, including British citizens, need to prove they are habitually resident in the common travel area. The test is intended to exclude non-UK residents who may have a right to reside in the UK from being eligible for assistance immediately on their arrival in the UK – an example might be a person who has British Citizenship but who has never lived in the UK. Some people are exempt from this test including:

- EEA nationals with ‘worker’ status
- refugees or people granted humanitarian protection
- people granted exceptional leave
These are identified in table A where they arise.

There is no set period over which a person who has lived in the UK will acquire habitual residence although most people who have lived in the UK for at least two years will normally be assumed to have passed the test.

For guidance on how to apply this test for benefit purposes, see the *Housing Benefit Guidance Manual*, chapter C4. For homelessness and housing allocation purposes, see *Homelessness Code of Guidance*, annex 10.

---

**Table A: Entitlement to homelessness assistance, allocation of local authority accommodation and housing benefit/council tax benefit**

<table>
<thead>
<tr>
<th>Status</th>
<th>Conditions of Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>British or Irish citizen</strong></td>
<td>Eligible if they are habitually resident in the common travel area.</td>
</tr>
</tbody>
</table>
| **Other British nationals**                      | Eligible if:  
• they have leave to enter the UK and left the territory of Montserrat after 01/11/1995 due to the volcanic eruption; or  
• they have leave to enter the UK which is not subject to a public funds restriction and they are habitually resident in the common travel area; or  
• they are in the UK as a result of their deportation, expulsion or other removal from another country.                                                                                                                                                                                     |
| **Asylum seeker**                                | Not eligible.                                                                                                                                                                                                                                                                                                                                       |
| **Refugee**                                      | Eligible (together with their dependents) without further conditions.                                                                                                                                                                                                                                                                                   |
| **Humanitarian protection, discretionary or exceptional leave** | Eligible without further conditions but only if their leave is granted without the condition that there is no recourse to public funds.                                                                                                                                                                                                                       |
| **Non EEA nationals** (who are not in any of the classes above or below) | Eligible only if:  
• they have been granted indefinite leave and they are habitually resident in the common travel area and are not the subject of sponsorship agreement to maintain them; or  
• they are a sponsored immigrant subject to an undertaking and at least five years have passed since they entered the UK or the agreement was made (whichever is the later); or  
• they are habitually resident in the common travel area and they are subject to an undertaking but all those who signed it have since died; or  
• (in respect of housing benefit and council tax benefit only) they have limited leave but their funds from abroad are temporarily disrupted and there is a reasonable expectation they will resume within three months. They are entitled to HB/CTB for up to 42 days in any one period of leave. |
### EEA nationals*
(who are not in any of the classes above or below)

Eligible if:
- they are self-employed in the UK (including a person who is temporarily unable to work due to sickness or injury);
- they are currently in paid work in the UK;
- they were previously working in the UK but have retained their worker status whilst temporarily out of work (table C);
- they are a retired worker who has acquired a right of permanent residence (table C);
- (in respect of housing assistance and allocation only) they have lawfully resided in the UK for a continuous period of five years and are habitually resident in the common travel area;
- (in respect of housing benefit and council tax benefit only) they have lawfully resided in the UK for a period of five years;
- they are economically inactive (including students) and do not fall into any of the categories above but are self-sufficient and habitually resident in the common travel area.

### A8 nationals

Eligible if:
- they are self-employed in the UK (including a person who is temporarily unable to engage in their business due to sickness or injury); or
- they are currently working and have previously worked in the UK for an uninterrupted period of at least 12 months whilst on the worker registration scheme; or
- they are currently working whilst on the worker registration scheme or have applied to go on to it within the first 30 days of starting their job; or
- they have completed an uninterrupted 12 month period of work in the UK whilst on the worker registration scheme; and
  - although not now working have acquired some other right to reside (eg as a worker); and
  - are habitually resident in the common travel area;
- they have indefinite leave to remain in the UK which was granted before 01/05/04, and they are habitually resident in the common travel area.

### A2 nationals

Eligible if:
- they are a person who is currently self-employed in the UK;
- they are a person who is working, is subject to worker authorisation, has a worker authorisation document and who is fulfilling the conditions set out in that document;
- they are a person who is working who is exempt from worker authorisation (including a person who has completed 12 months authorised work);
- they are a person who is exempt from worker authorisation (including a person who has completed 12 months authorised work); and
  - are habitually resident in the common travel area and have the right to reside in the UK; and
  - now has some right to reside in the UK (eg as a worker or former worker).
| Nationals of Turkey, Croatia or Macedonia | Eligible (in respect of housing benefit or council tax benefit only) if they have been granted leave or temporary admission by the immigration authorities, which has not expired; and they are habitually resident in the common travel area. |

Notes on table A:

1 Table A does not include persons who may have other transitional or preserved rights to housing or benefits arising from legislation which was in force before 1 January 2007.

2 A person will be considered to be allocated local authority housing if they:
   • are selected to be a local authority introductory or secure tenant, or
   • transfer from an existing secure or introductory tenancy granted before these rules were in force (this does not apply to mutual exchanges), or
   • are nominated by the local authority to be an assured or assured shorthold tenant of a registered social landlord (whether under a voluntary arrangement or otherwise).

3 Other persons entitled to housing benefit and/or council tax benefit
   In addition to the rules for eligibility in table A above a person will be entitled to housing benefit and/or council tax benefit (but not housing assistance or local authority allocation) regardless of their immigration status if they are in receipt of either:
   • income-based jobseeker’s allowance;
   • income support; or
   • state pension credit.

A claimant is also still entitled if they were entitled to anyone of those benefits or housing benefit or council tax benefit on the 30/04/05 and have remained entitled to at least one of those benefits since.

Table B: Glossary of selected immigration terminology

<table>
<thead>
<tr>
<th>Illegal entrant</th>
<th>A person who enters the UK without leave and who has not been granted temporary admission.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leave</td>
<td>Legal permission to be in the UK granted by the immigration authorities within the immigration rules (or in exceptional circumstances outside the immigration rules at the discretion of the Home Secretary). Leave can be for a fixed period (limited leave eg a visa) or open-ended (indefinite leave). Temporary admission is not a form of leave.</td>
</tr>
<tr>
<td>Overstayer</td>
<td>A person whose leave has expired and has not been renewed and for whom no appeal is pending.</td>
</tr>
</tbody>
</table>
| Public funds   | A claim for any of the following benefits or assistance:
   • income support; income-based jobseeker’s allowance; state pension credit; housing benefit or council tax benefit (and most other non-contributory state benefits) or;
   • housing assistance provided under the homeless persons legislation. |
**Right of abode**
A person with a right of abode is entirely free from UK immigration control. It applies to all British citizens but not necessarily other forms of British nationality. Certain citizens of Commonwealth countries also have the right of abode and can apply for a certificate to prove this (a sticker in their passport.)

**Settled status**
Describes when a person subject to immigration control has been granted indefinite leave to remain (ILR) in the UK by the immigration authorities. Their passport may be endorsed as such and accompanied by an authenticating stamp issued by the Home Office Immigration and Nationality Directorate, or they may have a letter confirming that indefinite leave to remain has been granted.

**Sponsored immigrant**
A person who has been granted leave to remain in the UK to join a family member (referred to as a ‘sponsor’) on the understanding that their sponsor will provide their maintenance and accommodation. This arrangement may be acknowledged by a written agreement (‘undertaking’) in certain circumstances.

**Temporary admission**
The period of grace allowed a person who has entered the UK while their application for leave or for asylum is determined. Temporary admission is not a form of leave but a person who has been granted it is ‘lawfully present’.

---

**Table C: Economically inactive EEA nationals who have the right to reside in the UK following a period of work and/or residence**

<table>
<thead>
<tr>
<th>Category</th>
<th>Conditions of eligibility</th>
</tr>
</thead>
</table>
| Workers temporarily unemployed or unable to work due to sickness | An EEA national (including an A8 or A2 who has completed their one year qualifying period in legitimate work), who was previously working in the UK but who is temporarily out of work, will retain their worker status (and so be entitled to assistance) if they are a person who:  
  • is temporarily unable to work as a result of illness or accident;  
  • is currently registered as a jobseeker; and who  
    o was employed for one year or more before becoming unemployed; or  
    o has been unemployed no more than six months; or  
    o can provide evidence that they are seeking employment and have a genuine chance of being engaged;  
  • is involuntarily unemployed and has started vocational training;  
  • has voluntarily stopped working and has started vocational training related to their previous employment.  

Note: in the cases above reference to voluntary or involuntary employment is determined by reference to whether the person is still genuinely in the labour market and not to the circumstances in which in which they ceased to be employed.
| **Retired workers** *(incapacity or old age)* | A EEA national (including an A8 or A2 who has completed their one year qualifying period in legal work) will acquire a right of permanent residence if they are a person who:  
- has retired after working (including self employment) in the UK for at least 12 months prior to reaching age 65 (60 for a woman) and they have continuously resided in the UK for more than three years;  
- has taken early retirement as an employee after working in the UK for at least 12 months and they have continuously resided in the UK for more than three years;  
- has retired from work (including self employment) after reaching age 65 (60 for a woman) and their spouse or civil partner is a UK national;  
- has taken early retirement as an employee and their spouse or civil partner is a UK national;  
- ceases working (including self-employment) as a result of permanent incapacity; and who  
  - is entitled to UK incapacity benefit or industrial injuries benefit, or  
  - has continuously resided in the UK for more than two years; or  
  - has a spouse or a civil partner who is a UK national; or  
  - is incapacitated as a result of a work-related injury or illness. |

**Note 1:** Where one of the conditions above requires a minimum period of work: then any period of inactivity which is due to sickness or injury; any period of unemployment during which they are registered as a jobseeker; or any other period of inactivity for ‘reasons not of their making’; will be deemed to be a period of work.

**Note 2:** Once acquired this right of residence is only lost after absence from the UK for a period exceeding two years.

| **Others with a permanent right of residence** | An EEA National (including an A8 or A2 who has completed their one year qualifying period in legal work) who has lawfully resided in the UK for a continuous period of five years. Some absences are allowed during this period.  
Note: Once acquired this right of residence is only lost after absence from the UK for a period exceeding two years. |
Table D: Accession state nationals who are allowed to work without restrictions

**A8 Nationals who are not subject to worker registration**

(a) a person who had leave to enter the UK on the 30/04/04 which was not subject to any condition restricting their employment;
(b) a person who has legally worked in the UK for an uninterrupted period* of 12 months (whether that period started on, before or after 1 May 2004);
(c) a person who is also a national of the UK or another EEA state, other than an A8 or A2 state (i.e. has dual nationality);
(d) a person who is a family member** of an EEA national who has a right to reside in the UK other than an accession national who is subject to worker registration or worker authorisation who has not yet completed their one year qualifying period of work;
(e) a person who has been posted to work in the UK by an organisation that is based in another EEA member state.

**A2 Nationals who are not subject to worker authorisation**

(a) a person who has leave to enter the UK who is not subject to any condition restricting their employment;
(b) a person who has legally worked in the UK for an uninterrupted period* of 12 months (whether that period started on, before or after 1 January 2007);
(c) a person who is also a national of the UK or another EEA state, other than Bulgaria or Romania (i.e. has dual nationality);
(d) a person whose spouse or civil partner is either a UK national or a person with settled status;
(e) a person who is a family member** of an EEA national who has a right to reside in the UK other than an EEA national who is subject to worker authorisation;
(f) a person who meets the Home Office criteria to enter the UK under the highly-skilled migrant programme and who holds a blue registration certificate that includes a statement that they have unrestricted access to the UK labour market;
(g) a person who has been posted to work in the UK by an organisation that is based in another EEA member state.

Notes:
* any intervening periods within the 12 months in which that person was not in work are ignored provided they do not together exceed 30 days.
** family member includes spouse, civil partner and any direct descendents up the age of 21 and certain other relatives.

*Opening Doors* is supported by a Housing Corporation Innovation and Good Practice grant and by CLG through the Connecting Communities Plus grants programme.
training module 4: partnerships

What this module includes:

- the aim – working closely with migrant and refugee community organisations
- who and what are MRCOs
- how they develop
- differences and similarities
- how they are financed
- potential ways of working with MRCOs

[Refer to chapter 7 of the CIH/JRF guide]

Working with migrant and refugee community organisations

It is fundamental to the Opening Doors project that organisations participating in it seek to build partnerships with local migrant and refugee community organisations (MRCOs). Why?

The main reasons are:

- they have important local knowledge about people’s needs
- they provide the basis for engaging with people about how housing bodies can work with migrant/refugee communities
- they may already be offering services formally or informally
- they may have potential to develop further
- partnership working should embrace non-RSL partners that can help to meet diverse needs
- government policy (in the refugee integration strategy Integration Matters) promotes the role of such local groups, as does the Housing Corporation eg in its BME Action Plan.

This module gives general information as the basis for Opening Doors partners to make their own local contacts and partnerships.

Definitions

- refugee community organisation
  RCOs are bodies run by refugees and acting on behalf of or providing services for refugees and/or asylum seekers

- migrant community organisation
  MCOs are similar bodies run by (mainly non-refugee) migrants, such as economic migrants from EU member states

In this module we refer to them collectively as MRCOs (potential differences between RCOs and MCOs are explained later).
### MRCOs – the basics
Many MRCOs serve particular national or ethnic groups (Somalis, Kurds, etc). Some cover broad geographical regions (Africa, Latin America), or are culturally-based (Arabic, Francophone). Yet others focus strongly on women’s needs or deal with particular issues (children, disability, etc).

MRCOs are found throughout Britain but are especially numerous in London (where there are more than 500 RCOs alone) and also in significant numbers in cities like Birmingham, Sheffield, Leicester and elsewhere.

### How do MRCOs develop?
MRCOs are typically formed by a small number of committed refugees or migrants who often operate from a private house or a community centre before gradually acquiring premises and funding. They may start by serving a particular nationality, often by providing basic advice on access to services. Their gatherings enable asylum seekers, refugees and other migrants to come together, share information about their country of origin and discuss issues of concern to them.

Many groups have considerable demands made on them by asylum seekers, particularly those whose applications have been refused and who have limited or no resources.

### A spectrum of different groups...
Like any community-based groups, MRCOs represent a spectrum from newly-formed organisations (perhaps set up in response to new groups of migrants moving to a particular place, possibly because of asylum dispersal or because of work opportunities) to long-established bodies with a history of serving refugees or migrants over many years.

### ...with diverse aims
MRCOs have diverse aims. For example, while most provide services at least at a ‘self-help’ level, some may see themselves as mainly advocacy groups – challenging immigration decisions or indeed immigration and wider policy.

At the other end of the ‘spectrum’, some groups may be registered as companies, or even be social enterprises. Others have a mainly cultural focus - and of course some may include all these elements.

### ...that can lead to complex patterns of groups
Another issue is the complex pattern of groups that develop in some places: for example, one ethnic or nationality group might have a number of different representative organisations in one area. This happens for various reasons - such as the politics of communities living in exile, because different groups provide different specialist services, or because a large country like Somalia is not homogeneous but has different communities within it.

### How do MRCOs relate to other local BME organisations?
In many areas, MRCOs exist outside the framework of long-established BME organisations, and may not be part of local umbrella bodies (like multi-faith groups or race equality bodies).

This has changed in some towns as migration has increased and (for example) asylum dispersal has taken place – but the position needs to be investigated at local level.
What differences are there between refugee and migrant groups?

It is difficult to generalise, but representatives of the different groups have themselves suggested the following differences:

- Refugees are often affected by the trauma associated with being a refugee, affecting their ability to integrate, whereas other migrants may ‘hit the ground running’ and integrate more quickly.

- Communities evolve from being mainly refugee to being mainly migrant communities, and the same applies to their community organisations. Latin Americans, for example, no longer really see themselves as a refugee community.

- Some communities overlap – for example, Somali immigrants from other EU countries are statistically ‘migrants’ yet may have similar needs to Somali refugees.

- Refugees and other migrants often live in different areas. Refugees may have been subject to ‘dispersal’ but then have moved away from dispersal areas later.

- RCOs work with asylum seekers and are often not concerned about their legal status. Also, they are often supporting people in very vulnerable circumstances.

- MCOs in contrast are often newly-forming and are working with people who may not plan to be here on a long-term basis.

How are MRCOs financed?

Some government funding for RCO development is available through the Refugee Community Development Fund. Some other Home Office funds, such as the Challenge Fund, can benefit RCOs. Strategy towards funding RCOs is under review at present.

But most groups depend on a combination of locally-accessed public funds and/or sources such as grant-making trusts and the Lottery. Funding is often temporary whereas needs are permanent (or at least, long-term). Short-term funding causes many problems:

- uncertainty
- energy devoted to fund-raising instead of providing services
- difficulty in building expertise because staff are insecure
- competition for funding between projects
- pressure to ‘innovate’ or establish new projects even when there is an established need for an already-existing service.

Discussion: How can we find out about local MRCOs?

- which MRCOs do we already work with?
- what contacts do they have with other groups?
- how can we find out about the full spectrum of local groups?
- can we use local sources to locate groups – shops, cafes, internet cafes?
Ways of working with MRCOs

The CIH guide suggests that housing organisations might want to work with RCOs (and MCOs) in three main ways:

- supporting the formation of emerging groups
- help groups develop their capacities
- create partnerships with established groups

The guide also suggests working with refugee-based housing associations, but these are largely confined to London.

supporting emerging groups

Ways of doing this are suggested on p89 of the Guide. Opening Doors partners may want to consider these possibilities as they begin to make contact with refugee/migrant communities and work with them to assess their and what help they want. Part of this investigation should be to find out what new groups may be emerging and whether there is scope to support them – but hact’s experience is that it is important that the group should already exist in some form.

working with new groups

See p90 of the Guide. A particularly important issue for Opening Doors partners will be establishing the housing and support needs of refugee/migrant communities. Are there new or emerging MRCOs that can help in this process?

working with longer-established groups

If these exist in the area, they are likely to already be a valuable local resource to their communities, offering services and providing the opportunity for longer-term partnerships. Pages 90-91 of the Guide offer suggestions for working with established MRCOs.

Examples of partnership working

Many cases already exist of MRCOs working in partnerships as service providers. A few examples are:

- London Borough of Haringey has worked with many local MRCOs to act as Supporting People service providers
- NETT in Sheffield is an MRCO which provides training under contract with Jobcentre Plus
- Several MRCOs manage accommodation on behalf of HAs, or meet specific accommodation/support needs.

Follow up to training module 4

√ what can we do to support emerging MRCOs?
√ can they help in getting a better picture of local needs?
√ are they potential partners in service provision?
√ how can we start to develop our relationship with them?
√ which suggestions in the Guide might be relevant?
√ do we have any further ideas for joint working with MRCOs that we want to develop through Opening Doors?
training module 5: housing

What this module includes:

- why housing is important
- the range of housing needs
- refugee housing needs at the ‘point of decision’
- longer-term refugee housing needs
- housing needs for new migrants
- assessing needs among all migrant groups
- further resources

[Refer to chapter 4 of the CIH/JRF guide]

Why housing is important

Obviously, good housing is important to anyone, but for migrant households it is often especially important because they may well have gone through a period – perhaps a long period – of living in temporary accommodation or very insecure conditions. Having a proper place to live and a fixed address means that people can start to integrate properly and get access to benefits and services.

asylum seekers and housing

Most asylum seekers are not eligible for local authority accommodation or nominations, and so many are not potential customers of housing associations. The CIH/JRF guide gives examples (page 23) of when this might nevertheless be the case.

The guide goes on to outline the system of public support for asylum seekers through BIA (previously through NASS).

refugees

Refugees are eligible for accommodation in the ways that apply to UK citizens. A particularly critical period is that immediately following a positive decision on their refugee status, when they might need to leave BIA accommodation with very little notice.

This and other issues about refugee housing are covered in this module.

new migrants

As we saw in module 3, the rules relating to housing assistance for new migrants generally are complex. Many will not be eligible for housing help, and will be living in accommodation arranged by employers. However, issues may arise about the quality and management of the accommodation, or the arrangements may break down, eg if people lose their jobs.
The range of housing needs

This module concentrates on housing issues for refugees and for new migrants. It is more detailed on issues about new migrant housing as the CIH/JRF guide covers refugee housing in some detail (and references will be given). The issues to be covered will therefore be:

■ refugee housing needs at the ‘point of decision’ when their status is decided.

■ longer-term refugee housing issues.

■ housing issues for other new migrants.

Issues about destitution are covered in module 6 and about accommodation for Gateway refugees in module 10.

Refugee housing needs at the ‘point of decision’

Several studies have identified the ‘point of decision’ – the time when asylum seekers receive the decision on their case – as the most critical from the point of view of resolving housing needs and (if possible) avoiding homelessness. If the decision is negative (or a negative decision is confirmed on appeal), as we saw in module 2, an asylum seeker loses the right to any support in most circumstances. If he/she decides to stay in the UK they risk becoming destitute.

If the decision is positive, in theory the (now accepted) refugee has 28 days in which to find alternative accommodation, obtain HB, get furniture and perhaps apply for other benefits. In practice, administrative delays may mean that housing providers have an even shorter time in which to assist. So only good coordination and rapid action by housing providers can prevent many accepted refugees having to be made homeless (see example on p41 of the CIH/JRF guide).

Since the CIH/JRF guide was published, the situation has changed in that many recent asylum seekers are receiving immigration decisions much more quickly. While this is welcome, other elements of the process have not necessarily improved or speeded up.

It also means that they have had much less time to learn English and find out ‘how the system works’: they may be even more vulnerable at the ‘point of decision’.

Preventing homelessness

Because accepted refugees are eligible for local authority housing and nominations, and for help under homelessness legislation, they should be covered by local authority and housing association strategies to prevent homelessness.

Two aspects are particularly relevant to housing associations:

■ The government has urged housing providers to be particularly responsive to BME homelessness, as it is higher than for the indigenous population. CLG guidance on this includes refugees but not new migrants (see resource list at end of module).
Preventing homelessness is part of housing associations’ ‘efficiency agenda’ and there is CIH/Housing Corporation guidance on this. The Housing Corporation homelessness strategy seeks to embed prevention of homelessness and sustaining tenancies as strategic priorities for associations (see resource list).

### Discussion: How do we fit into local strategies to prevent homelessness?

- do the local authorities we work with have such strategies?
- do they have a special focus on BME groups, including refugees/migrants?
- do we have our own strategy or action plan to prevent homelessness?
- do we have the right partnerships in place to deliver it?
- have we looked at this from the ‘efficiency’ perspective?

### Refugees’ longer-term housing needs

The CIH/JRF guide (pp 37-45) gives examples of different approaches to accommodating refugees in the longer-term and has (p29) a ‘map’ of the routes into housing in one local authority area.

### Discussion: How do we help meet refugee housing needs?

- what is the ‘map’ for refugee routes into housing in areas where we work?
- what part do we play in this?
- what can we learn from examples like those in the guide?
- do our lettings and other policies properly recognise refugee housing needs?

### Housing needs of new migrants

As we discussed in module 1, there are many different categories of migrant apart from asylum seekers and refugees, although some (such as au pairs) are not likely to have a significant impact on local social housing providers. Many new migrants are also from the Indian sub-continent (Sri Lanka, Pakistan & India) and tend to join their established communities.

Here we focus on the housing needs of two groups: migrants from long-established (pre-2004) EU states, and those from the new EU accession states (A8 or A2 countries – see modules 1 and 3).

### Migrants from long-established EU states

Because of the long-standing freedom of movement within the EU before 2004, there has always been migration between EU countries, including to and from the UK. Many people from EU countries probably occupy social housing or have received help under homelessness legislation, but are unlikely to be particularly evident to their social landlords.
One category of people – although not separately identified in any statistics – that does pose significant housing issues is the secondary migration to the UK of people accepted as refugees in other EU countries. In England, the main group in this category has been Somali people moving from countries such as Holland to cities such as Leicester, Sheffield and Bolton, in some cases in significant numbers over a fairly short time period (in the case of Leicester, around 8,000 people). Often these cities already had established, but smaller, Somali refugee or migrant communities.

**Somali/EU people – housing needs**

A particular issue with Somali/EU migrants has been their desire to live in communities, which public authorities made it difficult for them to do in Holland (where there is a very active dispersal policy). By settling in areas in the UK that were already ethnically-mixed, they put pressure on the social housing stock and as a result there has often been tension between ethnic groups (eg Somalis and Afro-Caribbean people).

Also, Somali Muslims have not necessarily felt welcome in existing mosques and meeting places and have wanted to establish their own community facilities. (In the case of Birmingham, Somali businesses have revived the city’s Stratford Road area.)

Councils like Leicester have therefore worked (often in partnership with housing associations and local tenants’ associations) to encourage and support moves by Somali families into new areas – even ones which previously have been hostile to new migrants. This has been particularly necessary to meet the increased demand for large family accommodation.

**Migrants from EU accession states**

After May 2004, migration from the countries which became the new EU states increased markedly. Up to September 2006, over 500,000 people from those countries registered to work in the UK (although the number here at any one time is probably much less than that). Numbers will continue to remain high, with people arriving weekly from the accession states, often on official work schemes (eg for low-paid farm work).

Because they are often not eligible for local authority nominations or help under homelessness legislation, the main housing impact of these migrants is in the private sector. There are three main areas of need.

**people in tied accommodation**

Many of the work schemes require accommodation to be arranged in advance. However, this may be very basic accommodation (especially in rural areas) with poor conditions, high numbers of people sharing facilities, and dormitory arrangements for sleeping.

Apart from the issue of the quality of the accommodation, employers or the intermediary gang masters may take advantage of migrants by deducting at source a higher ‘board and lodging’ payment than is reasonable. Migrants may also be at risk of destitution if they lose their job for some reason and do not go back to their home country.
<table>
<thead>
<tr>
<th><strong>people in the private rented sector</strong></th>
<th>If people arrive without having arranged work/accommodation in advance, they may end up in poor private sector conditions, perhaps even in illegal lettings (e.g., people sleeping in roof spaces) that may be hazardous both for the migrants and for other people in the building (e.g., through fire risk).</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In spite of the enhanced powers provided in the Housing Act 2004, many authorities claim they do not have the resources to act. It has been especially difficult to cope in areas with increased numbers of houses in multiple occupation that are accommodating migrant workers and where conditions may be particularly poor.</td>
</tr>
<tr>
<td><strong>destitution</strong></td>
<td>Although not yet thought to be as significant an issue as destitution among asylum seekers, migrants from EU accession states have started to be found ‘sleeping rough’ in London and elsewhere. Some people may be doing this even if they are still working, others may have lost all means of support and be dependent on charitable help. Homeless Link has published an informative guide to working with homeless or destitute A8 nationals (whose principles would apply also to A2 nationals - see resource list at end of module).</td>
</tr>
<tr>
<td><strong>Assessing housing needs of all migrants</strong></td>
<td>Assessing housing needs among migrant groups of all kinds is not an easy task as census information is often out of date, does not give the information needed and may well not cover the groups in question in any event. Local authorities and housing associations are often in the position of having to piece together information from different sources which almost inevitably gives an incomplete picture.</td>
</tr>
<tr>
<td></td>
<td>Here are some possible sources of information:</td>
</tr>
<tr>
<td><strong>asylum seekers</strong></td>
<td>Numbers of asylum seekers dispersed to an area, or supported on a subsistence-only basis are provided by BIA and are available at regional level. BIA figures do not cover asylum seekers who do not claim support or who become destitute.</td>
</tr>
<tr>
<td><strong>refugees</strong></td>
<td>Numbers are only known at the ‘point of decision’ (except in the case of special schemes like Gateway), and LAs are supposed to monitor refugee homelessness and include it in their prevention strategies (see CLG ‘health check’ guide in resource list). Because there is no accepted period over which someone remains a ‘refugee’, housing needs thereafter tend not to be identified separately from those of the population generally. But of course this does not mean that refugees do not have separate support needs in many cases (see later modules).</td>
</tr>
<tr>
<td><strong>migrants from long-established EU states</strong></td>
<td>Groups such as the Somali communities mentioned above do not ‘show up’ in regular statistics and may not be evident from census figures. Special surveys are likely to be needed (see below).</td>
</tr>
</tbody>
</table>
migrants from EU accession states

Again, sources are limited. Some available sources cited in the Audit Commission report (see resource list below) include:

- DWP records of national insurance numbers given to foreign nationals.
- Home Office worker registration scheme.
- DfES data on languages spoken in schools.

The Audit Commission also suggests making links with known local employers of EU workers and contacts with frontline agencies such as the police.

Local surveys and links with local groups and agencies

Ideally, local housing needs surveys will be extended so as to cover migrant groups. But they are expensive and not likely to take place frequently, so more ad hoc methods may be required.

Establishing a relationship with local migrant and refugee community organisations (MRCOs) or with local advice agencies and faith groups can provide invaluable, if impressionistic, information. This approach is an essential starting point in finding out where to look. Sustaining the relationship can support a constant flow of community intelligence as the picture can change quickly.

Some MRCOs (like has already happened with a range of Somali groups in Sheffield) have carried out (or may be willing to carry out) local surveys to establish numbers and types of local housing and support needs. In the Sheffield case, the groups received a grant which enabled them to train local people to do the survey work.

The Audit Commission report has references to examples of local needs surveys.

Resources on homelessness prevention

The resources referred to earlier in this module are:

- the ‘development guide’ Tackling Homelessness amongst Ethnic Minority Households (available at www.communities.gov.uk)
- the CIH/Housing Corporation briefing paper Homelessness Prevention and Housing Associations – Contributing to Efficiency (available at www.cih.org/policy).
- the Housing Corporation homelessness strategy (available at www.housingcorp.gov.uk/server/show/nav.2135).

Resources on new migrant housing issues

The CIH/JRF guide provides further resources on asylum seeker and refugee housing needs, but does not cover new migrant needs in any depth.
Three recent, useful sources of information are:

- the Audit Commission report *Crossing Borders – Responding to the Challenge of Migrant Workers* is available from the Commission’s website (www.audit-commission.gov.uk)

- the Joseph Rowntree Foundation is sponsoring a range of studies on new migrant issues: one important forthcoming report is *Life Beyond the Workplace: the experiences of East European migrants in the UK* (see www.jrf.org.uk for availability of this and other studies)

- Homeless Link’s good practice guide *Sharing Solutions: Working with A8 nationals in homelessness services* is available from their website (www.homeless.org.uk).

In addition, *Inside Housing* has carried various articles about new migration and its effect on housing - see, for example, its issue of 12 January 2007.

---

**Follow up to training module 5**

- √ do we have a picture of migrant housing needs in the areas where we work?
- √ who do we work with to try to establish and maintain such a picture?
- √ is there already information available?
- √ as a social housing agency, how can we help with needs in the private sector
- √ or with people becoming homeless or destitute?

---

*Opening Doors* is supported by a Housing Corporation Innovation and Good Practice grant and by CLG through the Connecting Communities Plus grants programme.
training module 6: destitution

What this module includes:

- what destitution means
- why it occurs
- examples of local patterns
- finding out about destitution locally
- the legal position
- possible responses by housing associations

[Refer to chapter 4 of the CIH/JRF guide]

What destitution means

Destitution means ‘lack of the means of subsistence’ and in the housing context usually means a combination of homelessness and lack of money.

Why it occurs

In the context of the Opening Doors programme, there are two main groups of people who are likely to become destitute:

- asylum seekers who lost access to publicly-provided accommodation or support when their claim was rejected (but see p36 of the CIH/JRF guide for other possible reasons)

- A8, A2 or other working migrants who have lost their job/place to stay and have no ‘recourse to public funds’.

Another group is spouses whose relationships break down within two years of their arrival.

While many migrants may be able to solve their problems by getting work, most asylum seekers are not legally able to work. Some may be eligible for limited support (known as section 4 support).

What it means at local level

Several studies have looked at problems of destitution at local level, how many cases are involved, and what the support needs are.

Newcastle-upon-Tyne

Several thousand asylum seekers with no legal status are thought to be living in the Newcastle area, many supporting themselves by working illegally. Of those who are destitute, 20-30 are found to be sleeping outdoors on any one night. The only facilities are 10-15 drop-in centres, some offering food, and a smaller number of charities offering limited cash support, clothing or take away food.
**Leicester**

Refugee Action reported 168 destitute asylum seekers known to agencies in the city in June 2005, of whom more than three-quarters had been destitute for more than a month. 32 had slept rough at some point.

**London**

A recent study of destitution among A8 nationals found over 600 cases in one week from the agencies surveyed. Most were unemployed and about half were sleeping rough. The majority were likely to be destitute only for a short time, and needed help in finding work. A smaller proportion, however, were in greater difficulty and needed longer-term support.

**How do we find out about destitution at local level?**

The three studies above (see resource list – and the briefing on the ICAR website which mentions other studies) all collected information from local advice/support centres dealing with either asylum seekers or rough sleepers or both.

In any locality it would be relatively easy to carry out a study of local agencies – and of MRCOs, where they exist – to obtain quantitative and qualitative information on how many people are destitute, the reasons, and what their needs are. Local agencies would also provide information about local services, their effectiveness and the gaps in provision. In some places ‘destitution funds’ exist, but they do not cover rents. The local authority or other agencies may have information on the effects of destitution at neighbourhood level.

The information from a survey could be used to make the case for extra resources at local level to tackle destitution and its effects.

**Wider effects of destitution**

Obviously, the main effect is on the individual who is sleeping rough or without sufficient food or clothing. But there are wider effects:

- Destitute people often seek help from family or friends within the same community, putting pressure on them, ‘sofa surfing’ and perhaps driving people living on very limited incomes into further hardship.

- Pressure is also put on local groups and advice agencies, which might not have the facilities (eg relevant language skills) to help. Many MRCOs report severe pressure on their resources caused by destitution, perhaps affecting their ability to help other types of case.

- Destitution can affect community relations if – for example – there are groups of young men congregating in an area with no money and nothing to do.

All of these problems have grown significantly (even though we cannot say by how much) over the last few years as policy towards asylum seekers has tightened and more migrants have come from accession states whose only resources come from their work here, and who are vulnerable if they lose their jobs.
Discussion: What do we know about destitution in our area?

- has there been a local survey? could we do one out or work with others to do so?
- has destitution been reported as an issue, for example at neighbourhood level?
- do we have contacts with local agencies that could supply information?
- what is the potential for new services to respond to destitution?
- which local agencies can best provide people with legal advice?
- is there a local destitution fund from which people can be helped?

The legal position

The government’s obligation to provide support to asylum seekers ends once their case has been rejected or rejected on appeal (except for those eligible for ‘section 4’ support and who are willing to meet the conditions that apply).

Many categories of other migrant are here on the basis that they support themselves (see module 3). Both groups may therefore be in a position where they have no recourse to public funds.

Local authority social services departments may be obliged to help some people, such as those with children, or those ‘in need of care and attention’ but may refuse some applications, such as those from EEA nationals, or offer only the fare home. Such decisions can sometimes be open to legal challenge, especially where the human rights to family life or against degrading treatment are involved.

Possible responses by housing associations

Housing associations are not prevented from helping destitute people in these cases, but of course they are not eligible for HB and may have no income to pay any rents or charges. Associations may be best able to help in partnership with local agencies which are trying to tackle destitution but have limited resources. They may be able to help by:

- Using charitable funds to assist drop-in or other local projects.
- Making premises available for use by other organisations.
- Providing limited emergency accommodation in association hostels (if they exist), in partnership with other local bodies, financed from the association’s own funds.
- Working with MRCOs to support them in their support services for destitute people.
- Making sure you are in touch with local expertise/networks, eg legal advisers, local help and research projects.
By carrying out, helping to resource, or taking part in the kind of survey mentioned earlier, associations will become aware of the problems in their area and will be better able to come up with ideas for the kinds of help they may be able to offer.

**Resources on destitution**

ICAR, the Information Centre about Asylum and Refugees, has a briefing on destitution among asylum seekers (which can be downloaded at [www.icar.org.uk/?lid=6575](http://www.icar.org.uk/?lid=6575)). It has information about some local surveys and other available resources.

One recent survey relating to asylum seekers is that in Newcastle, *Destitute and Desperate* (available from [www.opendoor-ne.org](http://www.opendoor-ne.org)).

Homeless Link has a page on its website about destitution among A8 and A2 nationals, with information on its research study *A8 Nationals in London Homelessness Services* and its practical guide *Sharing Solutions* ([www.homeless.org.uk/inyourarea/london/policy/a8](http://www.homeless.org.uk/inyourarea/london/policy/a8)).

Southall Black Sisters ([www.southallblacksisters.org.uk](http://www.southallblacksisters.org.uk)) has produced a resource pack called *How can I support her?* - about helping women with no recourse to public funds.

---

**Follow up to training module 6**

√ is destitution a problem in the areas where we work?

√ if so, can we help?

√ what local partnerships exist or would be useful to tackle the problem?

√ given the resource problems, what idea do we have for ways to help?

√ how can we try to add value to what is being done already?

---

*Opening Doors* is supported by a Housing Corporation Innovation and Good Practice grant and by CLG through the Connecting Communities Plus grants programme.
What this module includes:

- what basic support means
- typical services
- how needs are assessed
- the Sunrise programme
- integration loans
- potential for associations to provide support

[Refer to chapter 5 of the CIH/JRF guide]

What is meant by basic support

Basic support includes meeting the immediate needs of a refugee or new migrant for help related to their accommodation, housing costs and other support aimed at ‘getting them started’ in the UK.

Such basic support can be (but is not necessarily) delivered by housing agencies directly, eg as part of Supporting People services. It is also the subject of the Sunrise programme for new refugees, described below. And, in many cases, people look for and receive such support from MRCOs and other voluntary organisations.

Types of basic support that may be offered

Examples of the kinds of support that might be needed are given on pp 55-60 of the guide. They are:

- setting up and running the home
- paying for the home, applying for benefits, handling paperwork
- help with language problems
- access to schools and services for children
- meeting disabled people’s needs
- access to legal and immigration advice.

Of course, as pointed out in module 3, many categories of migrant are not entitled to benefits and their access to other services may also be restricted.

Aims of support services

The objectives of basic support services and ways of delivering them are covered on pp 47-49 of the CIH/JRF guide. Although this relates principally to refugees, the principles apply more generally – with the strong proviso that support needs will vary enormously, and for refugees there is the added dimension of possible support needs related to their past experiences.
Ways of developing a ‘support plan’ for an individual or household are set out on pp 49-54 of the guide, based on the approach used by Refugee Housing Association. Other bodies will have different approaches. The Sunrise approach is different and is described below.

The Sunrise programme

The Sunrise programme is intended to meet the immediate support needs of refugees, from the ‘point of decision’. It is being piloted currently, and the aim is to roll it out nationally (but a timetable has not yet been announced). When this happens, the aim is to provide up to 20 hours of intensive casework support to refugees over 12 months. Support will be concentrated in the early stages following the ‘point of decision’ and will be based on a ‘personal integration plan’. The casework will be supplemented by support from volunteers.

Caseworkers will ‘signpost’ clients to other services (eg housing) to meet their wider needs.

Sunrise pilots

Four Sunrise pilots started in October 2005 and are still running:

- West London & Croydon – service provided by Refugee Arrivals Project with Migrant Helpline as a major partner
- Leeds & Sheffield - by a partnership of the city councils supported by Refugee Housing Association and Refugee Council
- Manchester - by Refugee Action (and MRCoS)
- Scotland - by the Scottish Refugee Council.

Limitations of Sunrise

Hact, CIH and other organisations have expressed concern that, while welcome, Sunrise should not be seen as the full ‘answer’ to refugee support needs. While some refugees may require only the limited support envisaged, others will continue to have more significant support needs. And of course the programme is limited to accepted refugees and does not apply to other categories of migrant.

Refugee Integration Loans

In June 2007 the Home Office introduced a loan system, linked to the ‘personal integration plan’, which will enable refugees to borrow money to ‘get started’ with more permanent accommodation or in other ways. The items eligible for the new Integration Loan are:

- vocational training where provision is not available through Jobcentre Plus
- a deposit for accommodation
- buying essential items for the home
- purchase of tools of trade

Only one loan is available for each individual. Applications have to be made in writing to the BIA. Forms and guidance notes are available from BIA (www.ind.homeoffice.gov.uk/6353/6356/10611/integratedloan).
Potential for associations to provide support

Associations may want to consider how they could be involved in support services, either directly or with other partners. Even if they do not engage in direct support work, they may be able to work with MRCOs to identify unmet support needs.

Examples of HA involvement in providing support are in chapter 5 of the CIH/JRF guide.

Follow up to training module 7

√ do we already have expertise in providing this kind of support?

√ do we want to develop it, and if so how?

√ can we work in partnership with other bodies to scope support needs?

√ can we consider this issue with local MRCOs?

Opening Doors is supported by a Housing Corporation Innovation and Good Practice grant and by CLG through the Connecting Communities Plus grants programme.
training module 8: wider support

What this module includes:

- what wider support means
- typical services
- agencies involved
- service availability and gaps

[Refer to chapter 5 of the CIH/JRF guide]

What is meant by wider support

We have used the term wider support to refer to the kinds of needs people have once ‘established’ in the UK – and which are likely to apply to all kinds of migrant.

It is unlikely that support of this kind will be offered directly by housing providers: but they may be involved in lobbying or networking to obtain services or ensure they are accessible to new migrants.

Types of wider support that may be needed

Examples of the kinds of support that might be needed are given on pp 57-62 of the guide. They include:

- access to health services
- ESOL training (English for speakers of other languages)
- job-related training
- help in finding work.

Agencies providing wider support

The statutory agencies providing these services are normally:

- the NHS (health) – at local level, normally the PCT
- Learning and Skills Councils (ESOL) – with other agencies also working locally in this field
- Jobcentre Plus (job-related training) and its local job centres (help in finding work).

In addition, many MRCOs or other specialist agencies work in these support areas, depending on local needs, funding and difficulties in accessing statutory services.

Examples are referred to below.
Many studies have shown how asylum seekers, refugees and new migrants have difficulty accessing these kinds of statutory service or in some cases may be ineligible for them.

Here are some examples of the problems and responses to them.

**Health**

Entitlement to full NHS services varies according to immigration status, so that some categories (eg asylum seekers whose cases have been rejected) may have access only to emergency services.

Even when people are entitled to them, everyday health services may not be appropriate to needs, eg because of language problems, because of lack of cultural understanding, or because of lack of appreciation of the personal stress which many migrants suffer. The guide gives further examples of problems on pp 57-58.

In some areas with considerable experience of migration, the NHS has developed specialist services (examples are provided on p66 of the guide).

There are also MRCOs which provide specialist services, for example in mental health support, funded either through Supporting People or through the local PCT (see example on p67 of the guide). Further examples and ideas about the role of MRCOs in health provision will be available in the hact guide to Commissioning MRCOs (see resource list).

**Learning English**

The independent commission on integration and cohesion led by Darra Singh has put considerable emphasis on the importance of learning English in its report (see resources section). It said the most commonly identified barrier to greater integration and ‘being English’ is inability to speak the language.

Yet while asylum seekers and accepted refugees have (in theory) free access to ESOL training, many other categories of migrant do not qualify and may therefore either not have access to formal classes or (where available) may use services provided by MRCOs or other voluntary agencies. Government is considering further limits on access to free ESOL training.

Even if in theory access is available, there are enormous problems of the supply of ESOL training not meeting the demand for it, especially in high pressure areas such as London. This often means that more marginalised groups ‘miss out’ on services to which they are entitled.

So far, the involvement of MRCOs in providing services funded by the Learning and Skills Council has been limited to London. There are two MRCO-based projects which offer ESOL support, in one case to asylum-seeking women and in the other to young people.

In Glasgow (see p67 of the guide) several local support networks provide ESOL training, eg through informal conversation classes for women, run by volunteers, with childcare facilities.
Job-related training and help in finding work

Housing providers have an interest in the ability of migrants to find work for several possible reasons, eg:

- maximising economic independence and reducing the need for people to depend on benefits
- in the case of worker migrants (eg A8 and A2 nationals) who lose their job, in many cases regaining work is the key to avoiding destitution/sleeping rough (see module 6)
- in low demand areas, attracting people to continue living in the area will depend on their finding jobs
- providing work-related training or experience is an opportunity to promote integration and community cohesion.

Pages 68-69 of the guide have examples of projects with these different objectives. There are also a range of other possibilities for work-related initiatives mentioned briefly on pp 61-62 of the guide.

Several of these examples involve housing associations, and clearly there is considerable scope for imaginative partnerships with other agencies.

Resources on wider support services

Hact and the Joseph Rowntree Foundation are producing a guide to commissioning MRCOs to provide public services, which will have chapters on the three service areas covered in this module, and will provide much more background material on the policies of the commissioning bodies and the opportunities for MRCOs. The guide will be available in autumn 2007 but in the meantime further information can be obtained from hact.


---

Follow up to training module 8

√ are we aware of wider support services in our area?

√ do they cater well for migrants?

√ can we work in partnership with other bodies to scope such support needs?

√ can we consider this issue with local MRCOs?

---

Opening Doors is supported by a Housing Corporation Innovation and Good Practice grant and by CLG through the Connecting Communities Plus grants programme.
OPENING DOORS
training modules

training module 9: integration & cohesion

What this module includes:

- what integration and community cohesion mean
- the government’s agenda
- a local agenda
- resources

[Refer to chapter 6 of the CIH/JRF guide]

What is meant by ‘integration’ and ‘community cohesion’

These terms have particular meanings as part of government policy on these issues. However, this policy area is under review as part of the work of the Commission on Integration and Cohesion chaired by Darra Singh. In any case (and this is one of the points made in the Commission’s report) there is value in agreeing local definitions, especially of what a more cohesive community might mean in particular cases.

**integration**

In relation to refugees, the Home Office largely sees integration as applying to individuals. It is said to take place when they:

- achieve their full potential as members of British society
- contribute to the community, and
- access the services to which they are entitled.

The Singh commission interim report said:

*People have also told us that there needs to be agreement on what integration means. It has traditionally been understood as a two-way process that new arrivals and established communities go through, where new people learn enough about the country they have moved to in order to settle effectively; and where existing residents (of whatever race or faith background) adjust to, welcome, and accept their new neighbours.*

The commission is recommending a review of how integration should be defined (see below).

**community cohesion**

The current definition is very elaborate. It can be summarised as:

- a ‘common vision and sense of belonging’ for all communities
- valuing diversity
equal opportunities
‘strong and positive’ relations between people of different backgrounds and in different contexts (schools, work, neighbourhoods).

**proposed new definition**
The Singh Commission is suggesting that the ideas of integration and cohesion be brought together in a single concept. Below is its recommended definition.

---

### A Recommended New Definition of Community Cohesion

An integrated and cohesive community is one where:

- There is a clearly defined and widely shared sense of the contribution of different individuals and different communities to a future vision for a neighbourhood, city, region or country.
- There is a strong sense of an individual’s rights and responsibilities when living in a particular place – people know what everyone expects of them, and what they can expect in turn.
- Those from different backgrounds have similar life opportunities, access to services and treatment.
- There is a strong sense of trust in institutions locally to act fairly in arbitrating between different interests and for their role and justifications to be subject to public scrutiny.
- There is a strong recognition of the contribution of both those who have newly arrived and those who already have deep attachments to a particular place, with a focus on what they have in common.
- There are strong and positive relationships between people from different backgrounds in the workplace, in schools and other institutions within neighbourhoods.

**Source:** *Our Shared Future*, para. 3.15

---

**The government’s agenda**
The government has a policy for refugee integration and of course a wider policy on community cohesion. There is no specific policy on integration of new migrants.

These issues are being brought together in the work of the Singh commission which is reviewing policy across the field (although not the specifics of refugee integration, which will remain part of the Home Office remit).

See the resource list for the relevant documents.

**A local agenda**
Whatever the developments in official policy, housing providers are concerned about the particular communities in which they work. One particular facet of both asylum dispersal and recent new migration is that it has changed the nature of some communities and brought new challenges for integration and cohesion.
Chapter 6 of the CIH/JRF guide suggests that some communities may need a ‘community support plan’ developed jointly with local people, including of course with relevant MRCOs. It suggests elements such as:

- improving personal understanding between people
- providing information and ‘myth busting’
- ways of bring people together
- creating local networks
- helping people feel secure.

It also discusses the issue of changing perceptions more widely, eg through work with local media. Opening Doors partners can use the material in chapter 6 of the guide (including its practical examples) to work on integration/cohesion issues in their local areas.

Hact also has two programmes – Accommodate and Communities R Us – which are looking at these issues. Material from the programmes is referenced on the hact website (see below).

### Resources on integration and community cohesion

#### Official sources

The long-standing and current definition of community has its origin in the report by Ted Cantle on the 2001 disturbances in northern cities. Official guidance based on the Cantle report, which quotes the current definition of community cohesion, is available from the LGA website: [http://www.lga.gov.uk/Publication.asp?lSection=0&id=SX11F2-A7828C18](http://www.lga.gov.uk/Publication.asp?lSection=0&id=SX11F2-A7828C18)

The Singh commission website [www.integrationandcohesion.org.uk](http://www.integrationandcohesion.org.uk) has both its final report *Our Shared Future* and other material.

The Home Office strategy for refugee integration, *Integration Matters*, is available from their website at: [www.ind.homeoffice.gov.uk/lawandpolicy/refugeeintegration/](http://www.ind.homeoffice.gov.uk/lawandpolicy/refugeeintegration/)

#### CIH materials

In addition to the CIH/JRF guide, CIH has published a range of material on community cohesion (available at [www.cih.org/publications](http://www.cih.org/publications)). There is also a community cohesion section of the CIH policy page: [www.cih.org/policy](http://www.cih.org/policy) - and in the Consultations section on the same page you can find the CIH submission to the Singh commission which discusses some of these issues in more detail.

Two publications which are particularly relevant are the report *How Housing Management can Contribute to Community Cohesion* which looks in depth at case study examples, and the good practice guide to *Housing and Community Cohesion*. A new edition of the guide is published in October 2007.
On the hact website (www.hact.org.uk) you can find more detailed material on the Accommodate and Communities R Us projects, which are both 'work in progress'.

---

**Follow up to training module 9**

√ can we organise a discussion on what integration/cohesion mean in our HA?

√ are there communities where work to promote cohesion is particularly needed?

√ have we looked at the available material to generate ideas?

√ have we discussed this with local partners such as LAs and MRCOs?

---

*Opening Doors* is supported by a Housing Corporation Innovation and Good Practice grant and by CLG through the Connecting Communities Plus grants programme.
# training module 10: Gateway

What this module includes:

- what the Gateway Protection Programme aims to do
- how it works
- examples so far
- potential for Opening Doors partners to be involved

## What the Gateway Protection Programme aims to do

The Gateway Protection Programme is aimed at resettling refugees in a ‘third’ country (Britain) directly from a ‘second’ country where they have taken refugee from war or other major problems in their own, ‘first’ country. The third country agrees to give them refugee status in advance, thus avoiding the asylum seeker stage.

## Who benefits from Gateway?

Gateway is aimed at groups of refugees who have little prospect of returning peacefully to their first country, and who potentially could benefit from the opportunity to create a new life here.

The UNHCR (the United Nations High Commissioner for Refugees) assesses refugees for the Gateway programme in the second country where they are living, and its criteria are aimed at identifying the most vulnerable cases (eg people whose safety is at risk, those needing specialist care not available locally, vulnerable people such as lone parents with children, etc).

After the UNHCR has made its assessment, the Home Office makes its own assessment, prior to the people coming to Britain. Those that come are therefore assured of refugee status in advance.

## How does Gateway work?

The success of Gateway depends on work in preparing the accommodation and support arrangements in this country, working with the ‘host’ communities to which they will move, and preparing the refugees before they leave their second country.

**accommodation and support arrangements**

Extensive preparation is need to ensure that the right number of units of accommodation will be available immediately the refugees arrive, appropriate to their family circumstances (including accessibility requirements where appropriate).
Support systems are required both to meet the refugees and ‘settle them in', and then to roll out the longer-term support programme. The types of support needed are similar to those described in modules 7 and 8, with the added factor that newly-arrived refugees are of course completely new to the country and without even the limited experience of Britain which (say) asylum seekers have.

This is not the place to go into the details of preparing the support arrangements, but there is now considerable experience available among the authorities and associations who initiated the Gateway programme.

**preparing the host community**

Gateway is very high profile locally, and of course it is vital that there is local political support, not just from the council but from ward members in the areas where resettlement takes place and from local MPs. Getting the local media ‘on board’ is also crucial.

At neighbourhood level, considerable work is needed in discussing the Gateway principles at an early stage with tenants' or residents’ groups, then engaging in a wider and more detailed programme across an area, which will involve identifying and focussing particularly on groups or local facilities which most need to be consulted and involved. This will include – among others – schools, places of worship that might be relevant to the Gateway refugees, their planned neighbours, etc, etc.

Experience in the areas where Gateway has operated so far has been that, with proper preparation, this work can be successfully done and the refugees can receive a positive welcome.

Some ideas on how to tackle these issues were referred to in module 9 and are included in chapter 6 of the CIH/JRF guide.

**preparation in the second country**

Once UNHCR has selected the refugees and the Home Office has agreed, and arrangements are in place for resettlement, a certain amount of work is done with the refugees to prepare them for life in Britain and give them specific information about the places where they will be resettled. English language training may also begin.

**Funding for Gateway**

Funding for Gateway is provided by the government. It is aimed at covering the first 12 months of the support which the refugees will need. It includes:

- housing benefit and income support costs
- costs of casework support
- cost of English language training
- extra costs for other services such as health (through the PCT).

Housing associations which take a lead in Gateway will need to look carefully at the financial arrangements. Funding covers direct costs, but there will be significant inputs of staff time, including at senior level, needed to make it work.
What’s in it for us?

Associations which get involved in Gateway will, first and foremost, be meeting the very real and obvious needs of people likely to be in far worse circumstances than their usual customers.

In addition, there could be many secondary advantages such as making better use of stock, promoting staff satisfaction and developing expertise in working with new client groups, and in building relationships with refugee communities.

Handled well, Gateway can make a significant contribution to wider community cohesion by (for example) providing volunteer opportunities for existing residents or stimulating the involvement of tenants’ groups (see the Sunderland example on p82 of the guide).

Examples so far

Currently 13 countries have Gateway-style programmes and in 2004 this led to over 80,000 refugees being resettled worldwide. This is a small proportion of the many millions of refugees in the world at any one time, but it does represent direct help to some of the most intractable cases and traumatised people, often condemned to living in refugee camps for many years.

Britain’s Gateway programme started only in 2004/05, with the resettlement of 151 refugees in Sheffield and Bolton. The refugees came originally from Liberia and East Congo. Since then, Sheffield accepted a further 51 refugees from Burma, and Bolton (with Bury) accepted a further 84 Sudanese refugees.

In total in 2005/06 about 260 refugees will have been resettled under the programme in five local authority areas.

The government has set a modest annual target of 500 Gateway resettlements, but so far this has not been met.

Potential to get involved

Clearly, the range of support needed by Gateway refugees means that it is unlikely that a housing association, even if it takes a lead role, could operate without the full backing of a local authority and other local service providers. In Sheffield and Bolton, housing associations have been involved in Gateway, but there has also been strong commitment – including political commitment – from the two local authorities.

The best ways to approach this will vary from place to place. There is the potential though for a housing association to have both a landlord role and possibly (depending on its experience) a casework support role – although this is most likely to be delivered through a partnership arrangement.

Potential partners include those within the sector, such as Refugee HA and Safe Haven, who already have experience of such support work.

There is also a possible role for MRCOs (whether in providing part of the support service or in offering services such as mentoring or interpreting).
After the first year

Inevitably there are a proportion of the resettled refugees who need support beyond the first year when funding runs out. Providing such support is greatly helped if there is local infrastructure for supporting refugees generally (as was the case in Sheffield and Bolton).

Resources on Gateway

The Home Office website has a Gateway section at www.ind.homeoffice.gov.uk:80/lawandpolicy/ (look for ‘refugee integration’ then ‘resettlement’). Its booklet on Gateway (currently under revision) can be downloaded.

The magazine Inside Housing has run articles on Gateway, for example in the issue of 5 November 2004 about the arrival of refugees in Sheffield.

Follow up to training module 10

√ is Gateway relevant to our area?

√ do we know about the attitudes of local authorities?

√ what might our role be?

√ what partnerships would we need to consider?

Opening Doors is supported by a Housing Corporation Innovation and Good Practice grant and by CLG through the Connecting Communities Plus grants programme.