Dear Ms McKelvie

CALL FOR VIEWS ON DESTINATION AND ASYLUM IN SCOTLAND

Thank you for your letter advising that the Scottish Parliament’s Equalities and Human Rights Committee is intending to examine the issue of destitution and asylum in Scotland.

Please find response to each question below:

Question 1 - As a public service provider, what support are you able to provide to asylum seekers and what are the main barriers to providing support?

It is understood that the Home Office currently contracts SERCO to provide accommodation and support to Asylum Seekers and their dependents whilst their claim for Asylum is being assessed under s95 of the Immigration and Asylum Act 1999. Those who receive both support and accommodation are dispersed across UK.

The main barriers to providing support to Asylum Seekers are:

1) **Funding**

   It is understood that no funding is presently available to Scottish Local Authorities, Health Boards or Health and Social Care Partnerships to provide support to Asylum Seekers. If reasonable levels of funding were provided, then as a Dundee Partnership we would work with our partners to provide support and accommodation, in line with our commitment to the protection and wellbeing of people seeking humanitarian protection.

Within Dundee/
Within Dundee, we have adopted a multi-agency approach to supporting refugees seeking humanitarian protection. The support is funded by Home Office and has enabled development of a local approach which is already demonstrating positive feedback and outcomes in relation to integration. It may be helpful to use learning from the approach taken to supporting those seeking refuge and apply this to those who are destitute and/or seeking Asylum.

2) Legal Processes

Immigration legislation is complex, particularly when set against Scottish legislation. These legislation articulate what support can legally be provided to those who are subject to immigration legislation and who are destitute and/or seeking Asylum by Local Authorities, Health and Social Care Partnerships and Health Boards. However, as the legislation is complex, this may cause differing interpretations as to what is deemed as legal and good practice.

To assist with providing a fair and consistent approach across Scotland to the support of those who are destitute and/or seeking Asylum it may be helpful that:

- Guidance is established between Scottish Government, COSLA, NHS Scotland, Home Office, UK Government which sets out what support can be legally be offered to Asylum Seekers by Local Authorities, Health Boards and Health And Social Care Partnerships and what funding will accompany provision of support;

- A workforce development programme is introduced which supports implementation of the guidance if developed.

This guidance should also be continuously reviewed and updated to reflect underlying changes in legislation.

Question 2 - We'd also like to hear about how a person's need for support is assessed and what would make this assessment process easier, please make reference to any policies and procedures within your organisation.

Within Dundee, a No Recourse to Public Funds procedure has been developed as a cross sector partnership between Dundee City Council, Dundee Health and Social Care Partnership and third sector agencies to provide consistency in approach within Dundee.

This procedure provides guidance on responding to requests about provision of public funds, where a person has No Recourse to Public Funds and is legally present in the UK. Of note, a set of principles and a single point of contact for all requests for a no recourse to public funds assessment in Dundee has been established as part of development of this procedure. This development has been undertaken to make the assessment process easier and streamlined for the applicant and for all agencies involved.
Ms Christina McKelvie

2 March 2017

The persons need for support is assessed in two stages. Firstly an initial assessment in relation to whether a person is legally present in the UK. If a person is legally present then a joint assessment between social work, housing and welfare rights will be undertaken to determine a person's needs and from that eligibility for support. This assessment includes a human rights assessment and the offer of advocacy and translation.

**Question 3** - If your area does not have experience of asylum seekers, it would be helpful to know what policies, guidance or procedures are in place or being developed to address support for asylum seekers.

As above.

I trust that the Committee will find the above information helpful. Should you wish any further information please do not hesitate to contact Alexis Chappell, Locality Manager at 01382 438300 who will be happy to assist you.

Yours sincerely

[Signature]

David Lynch
Chief Officer
Dundee Health and Social Care Partnership

**copy to:**  
Diane McCulloch, Head of Service (Health and Community Care)  
Alexis Chappell, Locality Manager  
Kathryn Sharp, Senior Manager