3 March 2017

Christine McKelvie
Convener
Equality and Human Rights Committee
T3.40
The Scottish Parliament
EDINBURGH
EH99 1SP
equalities.humanrights@parliament.scot

Dear Ms McKelvie

Call for views on destitution and asylum in Scotland
Draft Response by The Orkney Partnership

In response to the letters issued to health boards, local authorities and integration joint boards, I'm pleased to submit a joint response on behalf of The Orkney Partnership (Orkney's community planning partnership).

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

The public sector partners within The Orkney Partnership have very limited experience of asylum seekers in Orkney and have no specific local policies in place.

As you will be aware, Orkney is a group of islands with an estimated population of 21,670. Our understanding is that asylum seekers are more likely to gravitate towards larger urban areas and it is likely that the absence of numbers presenting directly to us is due in part to our remote location and distance from other communities. We are aware that accommodation for dispersed asylum seekers is supplied by contractors to the Home Office, mostly in areas of lower housing demand. In Orkney demand for housing is very high and for that reason, along with the lack of specialised support services, is unlikely to be considered a suitable location for the asylum dispersal scheme.

Although we have limited experience and are not a dispersal area, we take our legal and moral duty to provide protection to people fleeing persecution very seriously. We are currently developing a range of measures to accommodate refugees through the Syrian Resettlement Programme, and are planning for two families due to our housing situation. Many of these measures, where appropriate given the legal differences between refugees and asylum seekers, could be used in future for those very infrequent occasions when asylum seekers present to us.
The main barriers to the provision of support are the very limited numbers presenting to us, the lack of specialised services within Orkney and the absence of an existing peer group within the community to offer social support to this vulnerable group.

* 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.

To date any support has been assessed on a case by case basis. Orkney Islands Council does not have a specific procedure for conducting human rights assessments as the rules are governed by the legislation. In each case an eligibility test would be carried out along with an assessment of need. Going forward, in order to assess a person's need for support, the operational working group established for the Syrian Resettlement Programme could be re-convened, if it was felt necessary, in order to offer a holistic and joined up approach to assessment and provision. This is a community planning multi-agency group and its involvement would ensure the most effective use of available local resources.

We do not have a specific policy or procedure on No Recourse to Public Funds. Up-to-date advice on best practice would be sourced, if needed, through COSLA's Strategic Migration Partnership and the No Recourse to Public Funds Network.

Any improvements to the immigration status processes to help prevent people from falling between the gaps in decision making and confirmation of status would be welcome and would enhance the ability for authorities to provide the best support, at the right time and for the right period. The legal picture is extremely complex and any clarity on what can be done within legal boundaries could enable a more proactive approach to be taken to the issues of destitution and asylum seeking. The complexities of restrictions, types of status and changes to schemes could mean that the support available is not always maximised. There are particular challenges at the point where a person is granted refugee status and has to move out of their asylum accommodation within 28 days. This short window of opportunity to plan means most refugees do not move smoothly from asylum accommodation to a longer-term solution.

* 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 stated, we do not have specific policies in place. A range of measures have been developed as part of our preparatory work around the Syrian Resettlement Programme, including actions around housing, education, health, volunteers, ESOL, communication, donations, interpreters, translation, benefits, cultural awareness and training, worship and food amongst others. As part of this work officers made an application to Orkney Islands Council's Charitable Trust in relation to funding to purchase necessities for the refugees if required. The Trust subsequently agreed a grant of up to £5,000, or £500 per person, to be awarded to the British Red Cross to purchase clothing and necessities for Syrian refugees being relocated to Orkney in terms of the Programme. The humanitarian approach and the measures we have taken in respect of the Programme could form the basis of a wider policy if such were to be needed in future.

Yours sincerely

[Signature]

Steven Heddle
Orkney Islands Council Convener and Chair of The Orkney Partnership