Response to Equalities Committee of Scottish Parliament

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

Members of the committee will be aware that asylum seekers can apply for support for the period during which their asylum application and any subsequent appeal is being considered. This is often referred to as Section 95 support (defined in Section 95 of the Immigration and Asylum Act 1999). The application can be for subsistence and accommodation or for subsistence only. Asylum seeking individuals who are applying for or have had residency applications refused, have broadly no other entitlement to public services, with the exception of education services for children and specific universal health services. Unaccompanied asylum seeking children and young people are granted looked after status under current legislation, and receive care and support in line with existing legislation.

In terms of accessing local authority services, asylum seeking individuals may present to housing and homeless services requiring accommodation and support. The contract for providing support to individuals seeking asylum in Scotland is currently managed by Glasgow City Council. Any individuals seeking asylum and support who present to Renfrewshire Council housing services will be signposted to the relevant team in Glasgow City Council and the Home Office. Officers will also signpost people to the Scottish Refugee Council or to local charitable organisations that may be able to assist with informal support.

Asylum seeking individuals may be living in Renfrewshire and not be known to council services, because they are living with friends or relatives, or they may not have children who require to access an educational placement.

The number of asylum seeking individuals presenting to homeless services is very small in Renfrewshire, with only one recorded case between 1 April 2015 and 31 December 2016, with the individual being signposted to relevant contacts in Glasgow City Council and the Home Office.

In cases where an asylum seeking individual has presented with children, officers from both children’s and housing services will work together to ensure the welfare of the children is protected.

Unaccompanied children and young people are granted looked after status under current legislation, and must be supported by the local authority responsible for their care to apply for UK residency ahead of their 18th birthday. A decision is then made by the Home Office as to whether to grant permanent leave to remain in the UK. There is some potential for local authorities to incur legal costs in terms of supporting UASC through this process, particularly where an appeal is lodged if a child is not granted leave to remain in the first instance.

In terms of legislation in Scotland, the Children and Young People (Scotland) Act 2014 requires that support is available to all “looked after children” until their 26th birthday.

Renfrewshire currently provides support to a small number of unaccompanied asylum seeking children, several of whom are being supported following the transfer of children to Scotland from France through the “Dubs Amendment”.

Where an asylum seeking child is located within Renfrewshire we ensure appropriate educational provision is put in place as quickly as possible. Needs are assessed to ensure appropriate provision is put in place. This will include additional expenditure on English as an additional language (EAL) support is put in place to ensure the learning of English is as speedy as possible. Integration into the local community is vital and school is a key part of this process. Our experience is such that we are
confident that asylum seeking children and families will find a supportive and inclusive approach to meeting their educational needs.

_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._

In terms of asylum seeking adults, there are no required processes other than referral to the relevant Glasgow City Council or Home Office team. In cases where an asylum seeking individual has presented with children, officers from both children’s and housing services will work together to ensure the welfare of the children is protected.

The committee may wish to note that legislative changes in 2014 relating to EEA nationals have required the introduction of internal procedures relating to required residence tests. A small number of individuals have been assessed as being ineligible for assistance through these tests.

In terms of unaccompanied asylum seeking children and young people, there are issues relating to age assessment which may require to be undertaken should relevant identification be unavailable. This is a process which requires significant professional social work and legal input, and can be difficult for the child and young person.

The need for translation support in many of the circumstances can be additional barrier, however in terms of the experience that the Council has established, particularly through the resettlement of Syrian refugees and unaccompanied asylum seeking children, there is growing knowledge and expertise across services about how to access the required language support.

_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._

The population of Renfrewshire is becoming increasingly diverse in terms of culture and ethnicity. Council officers have been working closely with local partners across the public, private and third sector, to review the support and services which are available to support those people who come to live in Renfrewshire. Work has begun to develop an integration network locally, with a “New Buddies” event taking place on 3rd March which was facilitated by the Scottish Centre for Community Development. The main focus of this work is around sharing information for those coming to Renfrewshire, particularly around the support that can be provided by third sector organisations to individuals or families. This support could be accessed by those individuals that do not have status / residency but who may require charitable support.

_**Other points to note.**_

The initial letter inviting evidence to the committee notes that dispersal accommodation for asylum seeking individuals was recorded as being located in Renfrewshire. The Committee may find it helpful to note that Migrant Help operate a support and accommodation service for asylum seeking individuals who may have been trafficked or who are assessed as being vulnerable. Council officers maintain very good links with this service locally.