

## **Ending Destitution Together Strategy and COSLA NRPF Survey Report**

### **Summary and Recommendations**

This paper outlines progress relating to the Ending Destitution Together (EDT) (2021-24) Strategy which COSLA co-owns with Scottish Government. The paper draws the attention of members to the changed policy context within which the EDT strategy now operates and proposes next steps in relation to reviewing the current strategy.

This paper invites members to:

- i. Review Appendix A: NRPF Survey Report, and note / provide comment on observed changes across NRPF cases supported by Scottish local authorities;
- ii. Note the specific issues relating to provision of NRPF assistance in paragraph 8;
- iii. Agree the commencement of a strategy review period to reflect broader policy changes and issues arising since strategy inception; and
- iv. Endorse the COSLA position and issues for further development.

### **References**

Previous reports on Ending Destitution Together:

- 23-10-20 CWB Board Item 5.2. Ending Destitution for People with NRPF and 5.2a Draft EMB
- 23-09-01 CWB Board Item 4.2 Ending Destitution Together Strategy
- 23-04-21 CWB Board Item 5.3. Ending Destitution Together NRPF Survey

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**Date Considered:** February 2024



## **Ending Destitution Together Strategy and COSLA NRPF Survey Report**

### **Purpose**

1. This paper outlines progress relating to the Ending Destitution Together (EDT) (2021-24) Strategy which COSLA co-owns with Scottish Government. The paper draws the attention of members to the changed policy context within which the EDT strategy now operates and proposes next steps in relation to reviewing the current strategy.
2. To inform comments from members, this paper is also supported by a presentation from the Centre on Migration, Policy, and Society (COMPAS), University of Oxford, on Understanding Migrant Destitution in the UK research and a summary report (Appendix A) outlining data from the COSLA NRPF Survey (2020-2023).
3. Members are asked to endorse the proposed COSLA position and provide comment / discussion on the policy issues, presentation and survey report provided. COSLA officials are keen to hear feedback from members on the issues outlined today to inform the proposed review of the EDT strategy over the coming months.

### **Current COSLA Position**

4. COSLA and Scottish Government are co-signatories of the current Ending Destitution Together Strategy (2021-2024) which aims to address destitution, particularly amongst those with No Recourse to Public Funds (NRPf) conditions. The strategy brings together a diverse range of key stakeholders to inform how those with NRPf conditions can be supported to avoid destitution.
5. To date the strategy has successfully established a network of valued partners to support this cross-cutting piece of policy work and fostered a sense of collaboration and co-ownership on an issue which Local Government cannot address in isolation. The strategy is also viewed as an important example of devolved UK policy innovation which provides a humanitarian, rights-based response to UK Government's immigration policies.

6. In the 2021-2024 period, Scottish Government, COSLA and partners have progressed many key action areas of the strategy. Achievements to date across programme partners are detailed in [year 1](#) and [year 2](#) progress reports.
7. However, we recognise that the number of NRPF referrals and cases supported by local authorities continues to rise. The COSLA NRPF Survey is issued to local authorities across Scotland and, to date, we have gathered data on NRPF cases between 2020 and 2023. A summary of data generated via the survey, and reporting data from the International Organization for Migration (IOM) is provided (Appendix A). Of note, the number of referrals throughout the reporting periods (2020/21 – 2022/23) increased 174% from 908 cases to 1583 cases. For the same period, supported cases increased 260% from 578 to 1503. The costs incurred by councils supporting households facing destitution with NRPF conditions rose by £2.4m between 2021/22 and 2022/23 from £5.9m to £8.3m.
8. COSLA officials continue to feed issues raised by local authorities into strategic discussions on the strategy and agreed governance arrangements. Discussions with strategy partners and stakeholders to date have highlighted:
  - a) Increasing challenges and barriers in the provision of support to those with NRPF at risk of destitution. Since the launch of the strategy there have been substantive immigration policy changes which have further restricted the rights and entitlements of those seeking refuge and asylum in Scotland. There is also ongoing uncertainty around the timetable to implement key aspects of the Illegal Migration Act, which will have a significant impact on the rights and entitlements of asylum applicants and refugees. It is anticipated that there will be an increase in the number of people in the UK with NRPF conditions at risk of destitution and associated harms because of the Act.
  - b) The emergence of an increasingly complex and fragmented immigration policy landscape, with increased settlement routes, variable visa conditions and longer waiting times on complex decisions which all make it more difficult to establish status, rights and entitlements of people seeking assistance.
  - c) An increase in queries from EEA nationals as the deadline for EU Settlement Scheme (EUSS) late applications has passed and the conditions for late applications have become stricter. Changes in how applicants evidence reasonable grounds for late EUSS applications mean that without qualified immigration support many vulnerable individuals may now be at increased risk of a refusal and NRPF. The COSLA Local Authority NRPF survey indicates that requests for support from EEA nationals have significantly increased in the last 12 months and now comprise almost half of all referrals. Data provided by IOM showed that between April 2022 and March 2023, 91.8% of those receiving advice from IOM caseworkers were EEA nationals. Additionally, this support is increasingly coming from applicants with existing

vulnerabilities. IOM report that between May and August 2023, 60% of referrals for support with late EUSS applications were from vulnerable people who have been in the UK for five years or more and so are eligible for settled status (rather than pre-settled or joining family members).

- d) Key challenges in mitigating destitution due to limited housing pathways out of homelessness and a resultant increase in the number of those with NRPF rough sleeping. The number of people at risk of destitution and homelessness has also been impacted by the cost-of-living crisis. IOM reported that, during the 2022/23 reporting period, 44.3% of those provided with direct casework support were homeless or rough sleeping.

### **What is changing?**

9. As the current strategy approaches the end of its third year, COSLA is engaged in strategic discussions with Scottish Government and continues to press the need for this critical area of work to continue beyond 2024.
10. COSLA officers are seeking the Board's endorsement to work with Scottish Government officials to initiate a strategy review period between February and June 2024 which will enable consultation with stakeholders on the current and emerging priorities outlined in this paper. The outcome of this review will be jointly published by Scottish Government and COSLA in Summer 2024.
11. To support this work, we will seek confirmation from Scottish Government that key workstreams will continue to be funded throughout 2024/25 to ensure Local Government has access to relevant resources and assistance. Ongoing Scottish Government commitment will be sought in relation to:
  - a) Ongoing funding for COSLA staff to ensure adequate training, updated guidance and legacy training resources for councils which reflect upcoming / relevant NRPF policy and legislative changes including in relation to the Illegal Migration Act; and
  - b) Ongoing provision of expert legal advice and assistance. COSLA currently works with IOM to increase access to specialist immigration advice to support local authorities assisting people with NRPF. The support IOM provides assists local authorities with queries and capacity-building and ensures people at risk of destitution are supported to regularise their immigration status and avoid NRPF conditions wherever possible.

### **Proposed COSLA Position**


12. The Board is asked to agree that COSLA officials work with Scottish Government to conduct a review of the current EDT Strategy highlighting Local Government data on NRPF cases and policy issues outlined in this report.

13. Recognising the issues outlined in the report, and broader pressures on Local Government across a range of linked services during the review, we will also seek to:
- a) Further strengthen housing pathways available to those at risk of destitution via the Fairway Scotland partnership and the broader housing sector, including engagement with registered social landlords.
  - b) Establish work across the broader public sector to increase awareness of rights and entitlements of those with NRPF conditions. This will help establish a wide safety net of provision whereby service deliver leads e.g. health/police/justice/social security are informed of the role they have to play in ensuring people at risk of destitution are supported and reduce the risk of associated harms.
  - c) Further develop existing areas of COSLA work on Violence Against Women and Girls (VAWG), Human Trafficking and Exploitation and Child Poverty to raise awareness on the links between destitution, NRPF conditions and associated harms which will likely increase due to the Illegal Migration Act.
  - d) Establish closer partnership with Social Security Scotland to ensure the extension of financial support available to those with NRPF is fully realised. Additionally, we would look to work with local authorities and partners to review how available support can be maximised and drive innovation on provision of financial assistance via local and devolved powers.
  - e) Further work between COSLA and Scottish Government throughout 2024-25 to review the impacts of the Illegal Migration Act and the devolved competencies available to strengthen commitments around the realisation of human rights and to mitigate destitution in Scotland.

### **Next Steps**

- 14. Following agreement of the Board, COSLA officers will progress work on the review with Scottish Government officials and stakeholders via existing governance arrangements. COSLA will engage with local authority officers via the NRPF Scotland Network.
- 15. Following discussion at the Board, COSLA will publish the 2022/23 statistical release on the COSLA website and circulate via our networks.

**Contribution to agreed COSLA Plan and Verity House Agreement:**

<p><a href="#">COSLA Plan 22-27</a></p> 	<p><b>Priority Areas</b></p> <p>Strengthen Local Democracy <input type="checkbox"/></p> <p>Secure Sustainable Funding <input checked="" type="checkbox"/></p> <p>Improve the Wellbeing of Individuals, Families and Communities <input checked="" type="checkbox"/></p> <p>Enhance Education and Support for Children and Young People <input type="checkbox"/></p> <p>Deliver a Just Transition to a Net Zero Economy <input type="checkbox"/></p> <p>Support the Most Vulnerable in our Communities <input checked="" type="checkbox"/></p>
<p><a href="#">Verity House Agreement</a></p>	<p><b>Shared Priorities</b></p> <p>Tackling Poverty <input checked="" type="checkbox"/></p> <p>Just transition to net zero <input type="checkbox"/></p> <p>Sustainable Public Services <input checked="" type="checkbox"/></p>

**COSLA Migration, Population & Diversity Team**

**Date Considered:**  
February 2024