

15th December 2023

CAP ON SAFE AND LEGAL ROUTES CONSULTATION

Purpose

1. To consider and agree a response, on behalf of WLGA, to the UK Government's consultation on the Cap on Safe and Legal Routes, as part of the Illegal Migration Act 2023.

Background

2. At the last Executive Board meeting in November, members considered and agreed a number of principles and key issues to be reflected in the WLGA response to the consultation. It was also agreed the principles and key issues would be used to help inform individual responses from councils.
3. Attached (Annex 1) is a draft WLGA response, which has been prepared reflecting the principles and key issues agreed. WLGA officers asked all councils to share their individual consultation responses with the WLGA and Wales Strategic Migration Partnership (WSMP) and what number they have included ahead of the deadline for consultation responses, which has been extended from the original 15th December to 9th January 2024.
4. A verbal update will be provided to members at the Executive Board on the overall numbers for Wales reflecting the individual responses from councils.

Recommendation

5. **Members are asked to:**

- 5.1 **Consider and agree the WLGA's response to the UK Government's consultation on the Cap on Safe and Legal Routes, as part of the Illegal Migration Act 2023.**

Cleared by: **Cllr Andrea Lewis, WLGA Housing Spokesperson**

Authors: Jim McKirdle, Interim Head of Housing and Migration and Anne Hubbard, WSMP Manager

E-mail: jim.mckirdle@wlga.gov.uk and anne.hubbard@wlga.gov.uk



Response Form – Cap on Safe and Legal Routes Consultation

About you

Full name	Naomi Alleyne
Job title or capacity in which you are responding to this consultation exercise	Director of Social Services & Housing, Welsh Local Government Association
Local authority (or equivalent) represented	Welsh Local Government Association and Wales Strategic Migration Partnership
Date	
Postcode	



Responses

Ahead of responding, please familiarise yourself with the consultation paper, with particular regard to the “Instructions for completing the questionnaire” section.

Question	Response
Q1: What organisations (including VCS organisations, and community sponsorship groups) in your area have you engaged with while compiling your response and have you included the responses received from these organisations in your local authority consolidated response?	<p>The Leaders of all 22 local authorities, via the WLGA Executive Board, considered and agreed a range of principles and key issues which has informed the WLGA’s response to the consultation, and it was agreed to provide an overview of the commitments being made by Councils in Wales.</p> <p>Both WLGA and WSMP have also engaged and consulted with all 22 Welsh local authorities.</p> <p>Each local authority has in turn consulted with local partners, which will vary in each area but will include health, fire, Police, support providers, community sponsorship groups and third sector organisations local to the area.</p> <p>Welsh Government officials were also part of a larger event organised for Welsh Councils, with attendance from the Home Office policy lead, where local authorities were able to hear about the consultation and consider individual and collective responses to the consultation and to future resettlement.</p>



<p>Q2: What is your capacity to house and support those coming through safe and legal routes under the cap in calendar year 2025?</p>	<p>The pledges identified by Councils in Wales amount to XXXX.</p> <p>Many local authorities have indicated that they will be able to participate in the UKRS, ARAP and ACRS schemes.</p> <p>All pledges will require local political endorsement, which may be challenging to secure ahead of the deadline for this consultation.</p> <p>Wales prides itself on striving to be a Nation of Sanctuary and it is within this framework that local authorities are responding. There is no lack of political will but there are a range of challenges to be addressed in identifying capacity in 2025. When local authorities across Wales began their journey participating in the Syrian Vulnerable Person's Resettlement Scheme (VPRS) and Vulnerable Children's Resettlement Scheme (VCRS) the accommodation offered was a mixture of private rental sector and social housing. When local authorities rapidly responded to assisting the UK Government with the resettlement of Afghan families, most were forced to focus on the private rental sector due to a lack of availability on social housing. To date Wales has resettled 1,098 refugees across all schemes.</p> <p>The current UK housing crisis has seen unprecedented levels of increased rental costs, landlords selling properties etc resulting in many examples of refugee families (and others) requiring accommodation to be provided by the local authorities. These are often larger families with very limited affordable four plus bedroom properties being available. Local authorities report unprecedented levels of homelessness presentations and those in temporary accommodation or on waiting lists are at an all time high, further putting pressure on local authorities and services.</p>
--	---



	<p>Home Office market analysis (findings shared verbally with WLGA/WG) has previously indicated that there is a severe shortage of PRS properties.</p> <p>Councils are concerned that focusing on specific individual resettlement schemes, rather than on a much broader context across all asylum and humanitarian programmes reflects a lack of coherence in developing sustainable humanitarian protection programmes and adds complexity to resettlement at the local level in terms of delivery.</p> <p>Councils are also unclear on how the cap will interact with other programmes; how commitments made as part of the cap will interact with and impact on numbers of new arrivals via other routes being placed in local areas; or how areas with unsustainable pressures across asylum and resettlement and housing pressures will have those pressures addressed. The consultation is running in parallel but separately with the forthcoming review of regional dispersal plans for asylum. This could have provided an opportunity to join up the approach across central and local government to all programmes that currently welcome new arrivals to the UK and to better inform councils' responses to the Consultation.</p> <p>The fact that this consultation is being undertaken in parallel, but not in conjunction, with broader discussions and initiatives is problematic for local authorities in understanding individual and cumulative pressures across different cohorts of people requiring accommodation and support.</p> <p>UK Government has asked local authorities to use the figure they committed to in 2023 as a guide to their 'pledge' to deliver in 2025. The consultation requires councils to calculate a figure which will reflect their capacity in 2025 without sufficient guidance as to how this should be analysed.</p>
--	--



	<p>Assumptions would include: future housing and service pressures, any additional crisis (response to world events), and projections on arrival numbers from asylum and resettlement schemes not included in the cap. As a result, any 'pledges' should be viewed as extremely precarious as any number given is submitted based on a series of assumptions about the impact of unknown future pressures on local capacity, without the availability of UK Government data on the number of projected arrivals through asylum and routes not included in the cap.</p>
--	--



<p>Q3: What evidence can you provide to support this (for example, number of properties that you have available or can procure)?</p>	<p>Councils in Wales are currently experiencing extreme pressure on housing and homelessness services. There is competition in obtaining properties for refugee resettlement, asylum, and Ukraine and other homeless families and those in housing need.</p> <p>The gap between Local Housing Allowance and even the cheapest market rents, combined with higher interest rates over the last 18 months and increased competition for properties, have made it uneconomic for some private landlords to agree to house families who rely on Universal Credit. Most of the refugee families who have been accommodated in Wales over the past seven years have been on out of work benefits for a period when they first arrived in the UK. Almost all refugee families who find work need to claim Universal Credit as well, as their incomes alone will not meet their living and housing costs.</p> <p>The experience in Wales of the resettlement of Afghans from hotel accommodation during the Summer of 2023 showed that accommodation can be found if additional funding is provided and intensive casework delivered, to overcome the difficulties outlined above.</p> <p>WLGA welcomes the recent announcement LHA rates will be uplifted to match the 30th percentile of open market rents. However, with increasing rental costs the challenge of securing and maintaining suitable affordable housing is still very much a reality. Many of the Syrian families who have now been living in Wales for over 5 years still require assistance with rental costs and support, where the tariff is no longer available. The benefit cap impacted on many of these larger families and is still an issue for newly arriving families.</p>
---	---



<p>Q4: Of the above number, in 2025, how many of the following groups do you anticipate being able to accommodate, and ensure appropriate support is in place for:</p>	<p>a. Complex Cases: Unable to answer this as the ability to resettle a complex case depends on housing availability and required support services at any given time.</p> <p>b. Single people: Unable to answer this as the ability to resettle a single case depends on housing availability at any given time.</p> <p>c. Large families: Unable to answer this as the ability to resettle a large family case depends on housing availability at any given time.</p>
<p>Q5: Of the above number, how many of these do you expect to come through the community sponsorship scheme in your area?</p>	<p>Community Sponsorship has been successful in Wales, with the earliest groups being established in West Wales and welcoming their first families in 2017. More families were welcomed in the following years with a more widespread footprint across the Nation. In total 16 families (89 people) have been welcomed by 11 community sponsorship groups.</p> <p>However, there are difficulties in community sponsorship groups raising the necessary funding required to sponsor a family, or families being able to afford rental market rents in such areas. We continue to work with RESET on community sponsorship across Wales, but there has been a significant decrease in activity since 2022, with small numbers of groups forming and do not expect this to grow significantly. This is accounted for in the response.</p>



<p>Q6: The Resettlement Tariff and Community Sponsorship Funding provide the local authority with access to central funding for the purpose of supporting refugee integration. What impact has this funding had on your ability to resettle refugees in your area?</p>	<p>Welsh local authorities feel that the resettlement tariff is adequate, enabling participation in any ongoing humanitarian protection schemes and an ability to provide the necessary integration support. However, a long term commitment for funding, which is reflected in the consultation paper, is welcomed and can enable longer term planning in available support. This commitment must be retained over the long term.</p> <p>However, a streamlined system, encompassing all schemes into one funding stream would be more effective.</p> <p>The tariff has also not been uplifted since 2015, despite significant increased costs due to inflation and staff costs and a request is made to consider an uplift to reflect other inflationary costs.</p> <p>The disparity between Local Housing Allowance rates and market rental costs within the Private Rental Sector will hamper local authorities' efforts in securing 'affordable and sustainable' accommodation. Families receiving universal credit will not be able to afford to live with the costs of living, utilities, and rental costs. Discretionary Housing Payments are meant to be a temporary solution to homelessness prevention and not a long-term solution. Additional housing costs within the tariff for rental top-up will assist but not be an option for larger cities, given their relatively higher rental costs.</p> <p>The UKRS scheme was originally intended to include all planned resettlement into the UK when it was launched in February 2020, and we would urge UK government to use this model for refugees from all countries, including Afghanistan. Local authorities would find it more useful to make one claim, reducing bureaucracy and administration costs.</p>
---	--



	<p>Councils take the view that individual schemes should not be favouring or disadvantaging people from a particular country because their funding package is different from UKRS. This also makes for more streamlined administration, and the fair matching of families in need with available accommodation.</p>
Q7: There is no additional funding being introduced with the cap. How could the funding instructions be changed to maximise the existing funding, enabling innovation and increased delivery of services in your area?	<p>The funding instructions should be clarified to explicitly allow bridging the gap between Local Housing Allowance and market rents in the private rented sector.</p> <p>The funding instructions are deemed as appropriate for refugee resettlement by local authorities. Although it would be preferable if all resettlement schemes adhered to the same funding instructions/tariff duration.</p>



<p>Q8: What impact do you assess the local provision of public services such as education, social care (adult and children) and healthcare has on your ability to resettle refugees in your area? Why do you assess this to be the case?</p>	<p>The process in Wales for offering properties and matching families for resettlement is undertaken in a planned way. Local authorities lead the process, working with a range of partners to ensure that access to key services such as education, social care and health care will be in place to meet the needs of those resettling, and that services are prepared for arrivals.</p> <p>WSMP also works with the Welsh Health Specialised Services Committee (WHSSC) to ascertain where serious or specific medical cases can be treated across Wales.</p> <p>During the Afghan bridging hotel closure a number of local authorities across the UK were unable to support a move into the private rental sector due to high levels of requests for families to move with local authority integration support, being able to remain on the resettlement scheme. Most local authorities will have contracts with support providers, usually within the third sector, for a specific amount of families. We are seeing a number of local authorities having to create teams in-house to support the families that they have resettled. This creates a need for top-slicing of the tariff and regular resettlement and associated funding will be required to retain such staff.</p> <p>Many of the services made available to refugee families are already under tremendous strain, as a result local authorities state restrictions on school places, medical services, etc when submitting a property to the resettlement schemes.</p> <p>Welsh Government' has a ESOL policy states that all adult refugees will be able to access ESOL provisions on day 1 of arrival in Wales. However, there are gaps in provision across Wales and shortages of supply of ESOL, at the right level, in major conurbations.</p>
---	---



Please send your response by midnight on 15 December 2023 to:

capconsultation@homeoffice.gov.uk