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### Inside this issue

This briefing focuses on developments in the area of No Recourse to Public Funds (NRPF). In this issue, we report on a new piece of research, conducted by the NRPF Network, on the financial implications of NRPF for local authorities; we announce a series of events co-hosted by the NRPF Network; and provide information on the potential lifting of the ‘transitional arrangements’ for A8 nationals.

### No Recourse to Public Funds: Financial Implications for Local Authorities A Report by the NRPF Network

Research conducted by the NRPF Network during 2008 found that 48 local authorities were supporting almost 4,000 people with no recourse to public funds (NRPF) at a minimum cost of £33.4 million a year. This is an increase of 8% on expenditure incurred in the financial year 2006/07.

Local authorities have a statutory duty to support migrants who have NRPF with assessed community care needs, yet the cost of providing this support is not reimbursed by central government.

Forty eight local authorities from across the UK provided data for financial years 2006/7 and 2007/8, looking at numbers being supported and expenditure across children’s and adult social services.

The report makes recommendations to the UKBA focusing on how issues facing local

authorities and the clients they support can be resolved.

#### Key findings

The research found that during the financial year 2007/08, at least £33.4 million was spent by 48 local authorities supporting individuals and families who have no recourse to public funds. This only covers accommodation and subsistence costs and doesn’t take into account additional legal and staffing costs.

Numbers of adults being supported decreased slightly (by 2.2%) from 2006/7 to 2007/8, whilst numbers of families being supported increased more dramatically (by 10.7%).

#### Key recommendations

In order to address the issues posed by individuals having NRPF status, the report

makes the following recommendations to the UKBA as a way of resolving this situation:

(i) Work with local authorities to find sustainable solutions

The current system where local authorities are supporting people with care needs until their case is resolved by the UKBA or until they are removed creates a parallel welfare system that is unsustainable. These individuals' immigration status must be resolved as a matter of priority by the UKBA.

Part of the solution is to recognise that removal (voluntary or enforced) is not an option in a significant number of cases and that leaving people destitute is not in the interests of community cohesion. In such cases the UKBA should consider granting people temporary or indefinite leave to remain, thereby entitling them to work or access mainstream benefits.

The NRPF Network suggests that as local authorities collect considerable amounts of information on clients whilst supporting them,<sup>1</sup> the UKBA should use this to inform decision-making and help find sustainable solutions to individual cases. Furthermore, the UKBA should consider adopting a casework approach to address individual cases being supported by local authorities in order to reach these solutions more efficiently.

(ii) Reimburse local authorities

A key principle of asylum policy between local and central government is the recognition that this is a national issue. As such, costs must be met centrally and not

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<sup>1</sup> All individuals receiving support will have up to date community care or mental health assessments

fall entirely on local authorities and council tax payers.

Central government should reimburse local authorities the expenditure incurred on supporting individuals and families who have NRPF *where they have a statutory duty to do so*, pending their removal (if enforceable) from the UK. Reimbursement should form part of a strategic response to NRPF, which should focus principally on finding sustainable solutions to people's situations.

(iii) Work with local authorities to issue detailed guidance on eligibility for local authority assistance

The NRPF Network has developed practice guidance in assessing and supporting people with NRPF. However, the Home Office has not issued any statutory guidance to local authorities on their duties to support people with NRPF. This has resulted in inconsistencies in local authority practices.

The UKBA should work with local authorities and the NRPF Network to develop statutory guidance to local authorities on their duties to provide services to people with NRPF. This would ensure consistency across local authorities and also that authorities are fulfilling their statutory duties.

**UKBA response**

This report was submitted to the UK Border Agency (UKBA) in September 2008. Lin Homer, Chief Executive of the UKBA, responded to the report with the following key comments:

- Local authorities will be eligible to apply for funding to manage the transitional impacts of migration under the new immigration legislation, however local authorities will not be directly reimbursed for their expenditure on people with NRPF.

- The establishment of UKBA ‘local immigration teams’ should enable the UKBA to address more effectively the problem of vulnerable migrants subject to immigration control placing a burden on local authority support services, through increased communication and intelligence sharing with local authorities.
- A strategic response to the financial difficulties presented by NRPf cases should focus on tackling the problem at its source.
- Granting temporary leave or the right to work to failed asylum seekers who cannot

leave the UK through no fault of their own is contrary to Government policy  
 The NRPf Network welcomes the UKBA’s commitment to resolving cases currently being supported by local authorities. The Network also welcomes the acknowledgement of the importance of this issue for the UKBA. The Network will continue to highlight the importance of resolving cases and ensuring that individuals and the local authorities supporting them are not left in ‘limbo’.

To access a full copy of the report, please use the following link and scroll to the bottom of the page:  
<http://tinyurl.com/czhser>

**Destitute EEA Nationals and Access to Public Funds – Cardiff Conference**  
**Friday 27<sup>th</sup> March 1-5pm**  
**Norwegian Church, Cardiff Bay**

This conference is the fourth in a series of conferences organised by the NRPf Network and the British Red Cross. The conference aims to stimulate discussion on the issues relating to European Economic Area (EEA) migrants and access to public funds, with a particular focus on Accession 8 (A8) and Accession 2 (A2) nationals.

There will be opportunities for delegates to raise concerns regarding service provision for EEA nationals in addition to general discussions about good practice and changes in legislation. The event will take into account potential changes to local authority duties to A8 migrants if the ‘transitional arrangements’, imposed on the freedom of movement for workers from the A8 countries, are lifted.

A panel of speakers will include representatives from the Welsh Assembly Government, the British Red Cross and the NRPf Network.

Delegates will have the opportunity to take part in three workshops on the following topics:

- Local authority assessments and support for EEA nationals, including A8 and A2 migrants
- Voluntary sector good practice in supporting destitute EEA nationals
- Eligibility of EEA nationals to mainstream benefits

To book a place, please see the following booking page on the British Red Cross website:  
<http://www.redcross.org.uk/norecourse>

## Events to Explore the Development of Regional NRPF Networks in Wales, the South East of England and the South West of England Newport (26<sup>th</sup> March), Taunton (31<sup>st</sup> March) and Brighton (24<sup>th</sup> April)

The NRPF Network is organising a series of events in partnership with the Regional Strategic Migration Partnerships to explore the development of regional NRPF Networks in Wales, the South West and the South East of England.

Regional networks provide front-line practitioners with the opportunity to share information and good practice on NRPF. Regional network meetings also provide opportunities to discuss specific cases.

Currently, there are regional networks in London, the West Midlands, Yorkshire and Humberside, and the East of England. The regional groups meet quarterly and generally comprise local authority representatives, representatives from central government (mainly UKBA) and the IOM. Regional network meetings are coordinated by members of the National NRPF Network steering group.

### Issues to explore at the events

- What are the key NRPF issues in the region and is there a need for a regional NRPF Network?
- Which NRPF clients are local authorities supporting/being referred to their services, and how many are there?

- Is there a need for regional policies and protocols for NRPF?
- What might be the best structure for a regional NRPF Network and who should be involved?

### Wales event – Thursday 26<sup>th</sup> March (10.30 am – 3.30 pm)

#### Newport Centre, Newport, South Wales

This event is open to statutory and voluntary sector service providers. For more information and to book a place, please email Selina Moyo:

[Selina.Moyo@newport.gov.uk](mailto:Selina.Moyo@newport.gov.uk)

### South West of England event – Tuesday 31<sup>st</sup> March (1 pm – 4.15 pm)

#### Somerset Cricket Club, Taunton

This event is open to statutory and voluntary sector service providers. For more information and to book a place, please email John Price by 17<sup>th</sup> March:

[John.PRICE@gloucestershire.gov.uk](mailto:John.PRICE@gloucestershire.gov.uk)

### South East of England Event – Friday 24<sup>th</sup> April (1 pm – 4.45 pm)

#### Jubilee Hall, Brighton, East Sussex

This event is open to local authority representatives. For more information and to book a place, please email the following address by Friday 3<sup>rd</sup> April:

[SESPM@portsmouthcc.gov.uk](mailto:SESPM@portsmouthcc.gov.uk)

## Potential Lifting of ‘Transitional Arrangements’ for A8 Nationals in May 2009

From May 1<sup>st</sup> 2009, the ‘transitional arrangements’ imposed on workers from Accession 8 (A8) countries (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) may be lifted, thereby entitling them to the

same rights in the UK as nationals from the ‘old member European Union states’.

A decision on whether the transitional arrangements will be either lifted or extended for a further two years is expected in April.

Currently, workers from A8 countries need to register to work in the UK and they have no recourse to public funds if they have not worked continuously for 12 months.

Support, Income-Based Jobseeker's Allowance, Council Tax Benefit) if they have a right to reside and can pass the Habitual Residency Test.

If the transitional arrangements are lifted, A8 nationals will be eligible for income-related benefits (Housing Benefit, Income

Developments in regards to the transitional arrangements will be sent out via this briefing.

## **WE WANT TO HEAR FROM YOU**

The NRPF Network will be publishing an online list of contact details of departments within local authorities responsible for dealing with NRPF cases. The database aims to:

- improve the efficiency of referral pathways
- facilitate joint working between and within local authorities
- recognise NRPF as requiring a joint response from all local authorities

We encourage authorities to provide a contact telephone number and email address. Where responsibilities for people with NRPF are divided between adult and children's services, please provide details of both departments. Contact names will not be provided on the list. For authorities that do not provide contact details, main contact numbers for adult and children's services will be added to the list.

Please send all details to Jonathan Price at the following e-mail address:  
[nrpf@islington.gov.uk](mailto:nrpf@islington.gov.uk)

*The NRPF Network is committed to supporting and working with local authorities, the voluntary sector and central government. The Network has over 900 members and our website attracts over 1000 web hits per month.*

*We would also like to thank the UK Borders Agency (UKBA) for their continued support to the NRPF Network and for being committed to continued working with local government.*

*The NRPF Network is funded by the UKBA and Islington Council.*

**For further information or to unsubscribe, please contact: [nrpf@islington.gov.uk](mailto:nrpf@islington.gov.uk) or tel 020 7527 7121**

**NRPF Network c/o Refugee and Migrant Service, Islington Council, 23-26 St Albans Place, LONDON N1 0NX. Web: [www.islington.gov.uk/nrpfnetwork](http://www.islington.gov.uk/nrpfnetwork)**