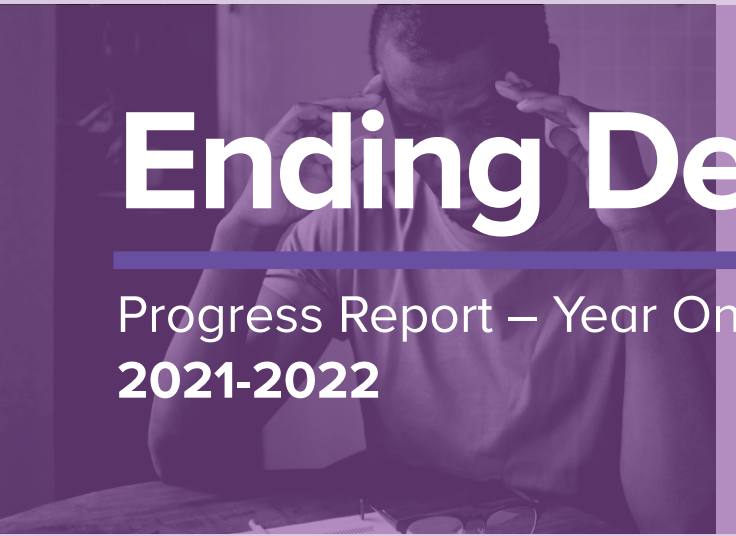




Ending Destitution Together

Progress Report – Year One
2021-2022



Scottish Government
Riaghaltas na h-Alba

Foreword

Joint foreword from Cabinet Secretary and COSLA Spokesperson

We are delighted to present this first year report, outlining the implementation and delivery of initial actions of the Ending Destitution Together strategy. The joint strategy, published in March 2021, builds on the inquiry by the Scottish Parliament's Equalities and Human Rights Committee which highlighted the increased risk of destitution facing those with no recourse to public funds. This group were found to be increasingly vulnerable to human trafficking, violence, and coercion as a result of insecure immigration status and restricted access to support services.

Scottish Government and Local Government remain committed to supporting the human rights of those fleeing violence and persecution, as illustrated most recently by the work undertaken to support Ukrainians across Scotland throughout 2022. Ending Destitution Together clearly sets out our inclusive approach, whilst recognising that there are limits on action that can be taken because immigration and nationality, including NRP policy, are reserved to the UK Parliament.

This pioneering strategy is the first of its kind and is being delivered in partnership with the third sector, local authorities and other key public services until 2024. Through this framework of closer partnership working across public services and the third sector, and the pooling of skills, expertise and resources, partners are working to forge new solutions to tackle some of the toughest challenges and are doing so alongside people who are experiencing or have experienced destitution first hand.

The strategy provides the route map for stakeholders and partners to come together to deliver support to those most at risk of destitution. This work builds on precedents set during the COVID-19 crisis, to ensure essential support is made available to those at risk of destitution. Going forward, this work will integrate learning on support made available to those at risk of destitution throughout the pandemic to safeguard communities from the impacts of current and future challenges such as the cost-of-living crisis.

This first year of progress has included joint work at a national level with key partners to deliver: a Hardship Fund in partnership with the British Red Cross to support those facing destitution including those with no recourse to public funds; work to ensure dignity in the provision of culturally appropriate food for those facing destitution in partnership with the Govan Community Project; the establishment of the Everyone Home Collective which seeks to end destitution and homelessness through aligning the Ending Destitution Together and Ending Homelessness Together strategies; guidance and training for councils on migrant rights and entitlements; increased access to advice and casework support for migrants via a COSLA partnership with the International

Organization for Migration (IOM); and work piloted by Safe in Scotland and Simon Community Scotland to increase access to mental health support for those facing destitution.

During the first year of delivery, there have been challenges to navigate, and these continue to have an impact. We have seen the ongoing and gradual recovery from the COVID-19 pandemic. We are now living through a cost of living crisis. We have seen changes for EEA nationals post-Brexit, as well as the commencement and implementation of the UK Government's Nationality and Borders Act.

Alongside the work of the EDT partnership, there continues to be a need for the UK Government to recognise the implications of legislation such as the UK Borders and Nationality Act which will increase the likelihood of those with NRPF experiencing destitution and risks driving those at risk of destitution further from the support they need. COSLA and Scottish Government continue to press the UK Government to recognise the implications such policies have on those at risk of destitution and our wider communities. These risks are particularly acute amongst women and children who are vulnerable to trafficking, exploitation and abuse.

The Scottish Government and COSLA will continue to raise issues impacting people living in Scotland with UK Government in order that policy and legislation prevent, rather than create, destitution. We believe it is morally right that everyone in our communities has their human rights respected and can access support in times of need. We remain bold in our actions and ambitions, as we strive to create a fairer Scotland for everyone.

Despite the challenging context we face, we have made progress in delivering the strategy, and work is continuing in order that we maintain momentum as we move through the next year of delivery. Over the coming year we will look to learn from our experience of supporting those at risk of destitution throughout the pandemic and integrate the voices of those with lived experience of destitution through establishing an expert advisory group which will bring together those with lived experience, policy area experts and practitioners to inform future work. We will also develop joint political oversight arrangements to reflect the shared role Local Government and Scottish Government play in supporting those at risk of destitution.

The second year of delivery of the Ending Destitution Together strategy will bring its own challenges, alongside changes and developments in the wider policy and legislative landscape. Now, more than ever, it is important to work together to ensure Scotland is a warm and welcoming country and to deliver change for people who need our support. We must be bold in utilising the powers that are devolved to us, to ensure that people living in Scotland are able to seek support when they need it without fear, and regardless of their immigration status.

Now that we are in year two of delivery, we look to focus our attention on the remaining actions contained within the strategy. We will continue to raise issues impacting people living in Scotland and urge the UK government to prevent, not create, destitution. With the commencement of the Nationality and Borders Act, we will engage with Home Office to ensure that Scotland is represented in any planning and delivery on differentiation in the devolved context. We will also advocate for the removal of the Scottish Welfare Fund from the restricted list of public funds in paragraph 6 of the Immigration Rules. We will endeavour to continue supporting the good work the British Red Cross are doing in delivering the Scottish Crisis Fund project as well as supporting the Scottish Refugee Council and Fair Way Scotland delivery of the national helpline providing advice and advocacy support. We will work with Public Health Scotland to improve access to primary health services and access to mental health services for adults and children with NRPF. We will also work on embedding the lived experience of those with experience of destitution due to NRPF conditions through establishing an expert advisory group which will inform and shape the implementation of the strategy and meaningfully participate in policy development and service design at a national and local level.

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Overview

[Ending Destitution Together \(EDT\)](#) aims to improve outcomes and support options for people with No Recourse to Public Funds (NRPF) living in Scotland. The strategy was developed jointly by Scottish Government and COSLA and published on 24 March 2021. Engagement to inform the development of the strategy included input from frontline staff in third sector support organisations, local authorities, public services, legal practitioners and people with lived experience of NRPF and destitution. The strategy will run until 2024 and is being delivered as a partnership between the Scottish Government and COSLA.

The strategy builds on an inquiry by the Scottish Parliament’s Equalities and Human Rights Committee and its report: *Hidden Lives – New Beginnings*¹. It takes a preventative approach that aims to support people to resolve the issues they face before they reach a point of crisis. For people who experience destitution, it aims to improve the safety nets that are available in Scotland.

The EDT vision is that:

“No one in Scotland is forced into destitution and everyone has their human rights protected, regardless of their immigration status.”

There are three principles to frame the strategy approach:

- Prevention – to support people before crisis, enabling people to make more informed decisions and access assistance prior to suffering the impact of destitution.
- Partnership – to take a coordinated, collaborative approach across the public and third sectors.
- Personalisation – the complexity of NRPF requires responses and prevention to be flexible enough to recognise individual needs and circumstances. A ‘one size fits all’ approach will not be effective.

EDT is a cross-cutting strategy and is the first of its kind in the UK. It sets out thirteen initial actions across three workstreams: essential needs; advice and advocacy; and inclusion.

¹ [Hidden Lives - New Beginnings: Destitution, asylum and insecure immigration status in Scotland | Scottish Parliament](#)

Actions in the strategy are being phased to focus on areas of highest priority first – namely those actions which seek to meet the urgent needs of those experiencing destitution – whilst the remaining actions will be taken forward throughout the duration of the strategy. This report presents work that has been undertaken up to March 2022, so does not provide an update on all of the actions outlined in the strategy.

Learning from the implementation of the strategy is helping us to build a stronger evidence base on the nature and scale of need for people with NRPF and to strengthen our understanding of what it takes to implement sustainable solutions across Scotland. It is also helping inform the development of longer term actions.

Workstream One: Essential Needs

We will work to increase safe and dignified access to essentials, including accommodation, food, healthcare, and finance. We will aim to establish a basic safety net which meets the most urgent needs of people experiencing destitution, including identifying opportunities to deliver support in partnership with the third sector.

Action 1: We are piloting a Hardship Fund to support people with NRPF across Scotland who are facing crisis situations.

During 2020-21, the British Red Cross operated a Hardship Fund, which provided cash assistance to those facing increasing vulnerabilities due to the COVID-19 pandemic. Overall, the Hardship Fund supported almost 2,300 people in Scotland, of which just over 700 were people subject to NRPF.

Recognising there were people facing crisis situations and sudden destitution for a variety of reasons, the Scottish Government provided funding from January to March 2021 to develop the reach of the Hardship Fund in Scotland in key areas, including supporting people with No Recourse to Public Funds, women who had been subject to domestic abuse and victims of trafficking. 392 people were assisted through the Scottish Government's funding, including 200 people subject to NRPF, with support totalling over £160,000.

These figures provided an estimate of support required for the Scottish Crisis Fund project. The project is a pilot that is being delivered by the British Red Cross, with the aim of supporting people across Scotland, including those subject to NRPF, who are facing crisis situations.

Crisis funds are accessed via a cash distribution network of local organisations, providing people, inclusive of those subject to NRPF, with wider advice and support, and offering critical help for people facing destitution. The project also brings together a community of practice, with a view to improving coordination or support and developing a model of case work provision alongside hardship grants, to help support people out of destitution in the longer term.

Understanding the level of demand for cash assistance is one of the key objectives of the project. We are working to build knowledge through the facilitation of community of practice meetings that support organisations to share expertise on key issues that impact people in vulnerable positions.

The project also supports partners and organisations with learning on new immigration requirements and rules on benefit eligibility that will apply to EEA Nationals residing in Scotland, and how these affect entitlements to benefits, housing assistance and social work support. It will also assist in developing pathways out of destitution by supporting partners working with people in vulnerable positions and their families to plan a route out of destitution either directly or by onward referral.

The Scottish Crisis Fund project took forward learning from the Hardship Fund, and started in July 2021, for an initial 12 month period. Figures for the first financial year cover nine months of the project and show over 300 referrals resulted in almost 500 grants being made, totalling over £131,000 being paid in support. These consisted of multiple payments and single payments. Almost 45% of people supported by the project were at risk of, or were homeless, 35% were eligible for public funds and 65% had one or more members of the household with NRPF conditions. Nearly 12% of supported people had recent and significant deterioration in mental or physical health with 16% having a long term mental ill-health condition or medical condition.

Action 2: We will improve dignified access to culturally appropriate food, in line with the dignity principles outlined in *Dignity: Ending Hunger Together*.

During 2019-21, Govan Community Project (GCP) delivered a project to work with people seeking asylum and local services to improve access to, and coordination of, community food provision for people seeking asylum. Through this project, GCP identified a number of recommendations to improve support available to people seeking asylum and people with NRPF.

A key recommendation was around development of resources for frontline food providers to understand the challenges facing this group and support better engagement at points of contact. The Scottish Government looked to support a subsequent project to deliver on this recommendation as part of its 2021-22 budget but, due to budgetary pressures, this work was paused. However, in partnership with Nourish Scotland, GCP are taking this work forward as part of the 2022-23 Fair Food Fund programme.

Although GCP's project did not proceed in 2021-22 as planned, other opportunities to engage with them and the Participatory Action Research (PAR) group presented themselves. The PAR group were part of the lived experience reference group on the Scottish Government's consultation on a Draft National Plan to End the Need for Food Banks, with representatives providing valuable insights to officials as part of the process.

Govan Community Project also delivered a voucher scheme on behalf of Scottish Government as part of the 2021-22 Winter Support Fund. The scheme had a primary focus on tackling food insecurity, with the key action being to provide a 'cash first' alternative to food bank referrals. It was designed in such a way as to be inclusive of people with NRPF. A report on the findings of this scheme has been submitted to the Scottish Government and officials have considered its findings in subsequent policy deliberations.

Action 3: We will contribute to the ambition of ending homelessness and specifically support actions relating to people with NRPF and destitute asylum seekers. This includes work to support the development of a five-year delivery plan by the *Everyone Home Collective* on the ‘route-map’ to end destitution.²

In February 2021, the Scottish Government provided £24,345 to Homeless Network Scotland to enable them to develop Fair Way Scotland, a five year plan³ aimed at designing out destitution in Scotland. In January 2022, the Scottish Government provided a further £74,732 to Homeless Network Scotland to complete the start-up phase of Fair Way Scotland, and also to ensure that consortium members were able to quickly mobilise to accommodate people with NRPF when necessary in order to protect public health. Furthermore, in December 2021, the Scottish Government provided £61,067 to Safe in Scotland for core costs to ensure the continued provision of accommodation and support for people with NRPF in order to protect public health until March 2022.

Action 5: We will update guidance and training to support local authority provision of services to people with NRPF. We will deliver further training to officers working in local authorities and launch a new online learning module. We will also provide training to third sector organisations to support understanding of local authority duties and responsibilities and encourage partnership working.

Following the publication of the joint strategy, COSLA has been developing a programme of work to update, strengthen, and support the development of guidance and training for local authorities on key priority areas. This is part of our aim to embed an effective and consistent approach to ending destitution across Scotland and will specifically enable councils to support provision of services for people with NRPF, champion a joined up approach across the public and third sector, and help to improve service delivery and stronger local planning to respond to migrant destitution.

Since the publication of the strategy, there have been significant changes to migrants’ rights and entitlements and the needs of people with NRPF are constantly developing. Changes including the UK Exit from the EU and its impact on EEA nationals’ rights, the creation of a new visa route for people from Hong Kong with British Nationals (Overseas) status and uncertainty regarding the public health context and its impacts on the rights and entitlements of people with NRPF. These changes mean that there are increased needs and risks of destitution for people with NRPF, and that public services have faced new challenges and pressures in supporting people with NRPF.

² [Ending Homelessness Together - updated action plan - October 2020](#)

³ [Fair Way Scotland - Our Way 2021-26](#)

During Year 1 of the strategy, COSLA has continued to provide operational support to local authorities in relation to NRPF policy and to promote the implementation of the [national guidance on migrants' rights and entitlements](#) across its networks. COSLA has started to review updates that are needed to the national guidance and has commissioned and supported production of online webinar resources, which will be rolled out to councils in 2023. This suite of learning resources will also be accessible to third sector partners.

COSLA has also continued to support good practice and provide ongoing support to council officers on considerations for assessing support to people with NRPF, with a view to strengthen local authority approaches to the delivery of services. COSLA has scoped the models of guidance and training needed to strengthen Local Government capacity and to deliver the Ending Destitution Together Strategy. As part of this, it has delivered opportunities for local authorities to discuss their views on the national strategy; supported strategic and service discussions on responses to destitution and pushed for greater awareness within local authorities of the risks of destitution for EU nationals post-Brexit.

COSLA has continued to prioritise the COVID-19 recovery and response, and officers have worked to develop a [COVID-19 recovery framework and supplementary guidance](#) for local authorities and their partners on *Supporting Migrants with NRPF during the COVID-19 recovery period*, outlining how local authorities can implement this position.

Given the number of recent changes and complexities associated with EEA nationals' rights post-Brexit, this has been identified as a key priority area for providing up-to-date resources and training to local authorities. As such, in 2022 COSLA commissioned new guidance and training for councils on EEA nationals' rights and entitlements to reflect recent policy and legislative changes and set out clear information to help local authorities establish a person's support options when they are destitute or at risk of homelessness.

COSLA continues to host quarterly meetings of the NRPF Scotland Network for local authorities, which incorporates practice-sharing, capacity-building and training, including in collaboration with third sector. While COVID-19 impacted on plans to deliver face to face training for local authority staff, COSLA has run an online session on migrants' rights and is planning future training, awareness-raising and capacity-building events.

Action 7: We will improve access to mental health services for adults and children with NRPF by working to better understand the barriers and to collectively agree the practical actions that can be taken by local authorities, the Scottish Government and the NRS. We will also work to inform forthcoming work on mental health service renewal.

In December 2021, the Scottish Government provided funding to enable Safe in Scotland (SiS) and Simon Community Scotland (SCS) to explore and address particular challenges that people with NRPF face in accessing support for their mental health. Safe in Scotland works with people who are considered appeal rights exhausted in the asylum system, whilst Simon Community work with people from the EEA. The two projects are connected and share actions and outcomes.

Key deliverables include:

- developing the role of New Scots Advocates who will support people with lived experience and the appropriate language and cultural knowledge to develop mental health advocacy skills and to directly support individuals to access and navigate the local mental health system
- working in partnership with the Scottish Recovery Network and others to deliver a framework of mental health advocacy skills development for all staff engaged in helping people better understand their mental health issues and how best to engage with mental health support, treatment and recovery
- working in partnership with community-led groups and New Scots Advocates, develop and support a programme of activities and group work that contribute to overall well being
- improving understanding of the experience of mental health issues
- improving advocacy for people to know and exercise their rights to treatment and recovery support from health and associated resources
- improving understanding of the best way to support rights based access to mental health support for agencies working in the space
- improving skills and competence to deliver mental health advocacy support; and
- developing a model of peer advocacy for people perceived to have NRPF as a result of the immigration and asylum system.

Workstream Two: Advice and Advocacy

We will aim to prevent destitution and, when that is not possible, reduce the time people experience it by improving access to high quality immigration and welfare advice, which enables people to resolve issues and make empowered decisions. We will support work which addresses gaps in provision of legal advice, working in partnership with legal and advice sector to raise awareness of rights and entitlements. We recognise the role of third sector advocacy in supporting people to access their rights and entitlements and will seek opportunities for partnership.

Action 9: We will increase access to specialist immigration advice to support local authorities assisting people with NRPF. This will support especially vulnerable groups and complex cases, as well as building local capacity and strengthening local service design. It will also collect data to strengthen the national evidence base on immigration needs advice.

The International Organization for Migration (IOM)'s casework capacity⁴ in Scotland is hosted by COSLA, and IOM and COSLA closely collaborate to provide support to all 32 local authorities in Scotland. During this reporting period (1st October 2021 – 31st March 2022)⁵ despite the ongoing COVID-19 challenges, IOM engaged successfully with Scottish councils, receiving referrals for direct immigration advice and support from Glasgow, Edinburgh, Angus, West Lothian, Clackmannanshire, Falkirk, East Ayrshire and Aberdeenshire councils, and local third sector organisations (Streetwork, Simon Community, Crisis, and Sense Scotland).

Between October 2021 and March 2022, 117 vulnerable people received support through this project. IOM's OISC-registered caseworkers provide comprehensive legal advice and assistance to vulnerable individuals to enable them to progress their immigration status and enjoy their rights. This includes direct, one-to-one casework support, support in gathering and examining evidence, liaison with support workers and other agencies involved, providing qualified legal advice and support with application processes.

The majority of casework support in this reporting period was provided to EEA nationals; this included new (late) applications to the EU Settlement Scheme (EUSS) as well as applications to convert Pre-Settled Status to Settled Status for those eligible. IOM caseworkers also provided advice regarding Settlement applications for resettled refugees to local authority resettlement officers.

⁴ The IOM-COSLA partnership in Scotland provides casework capacity to Local Authorities beyond the one FTE caseworker directly funded under EDT Strategy. Figures in this report for cases supported under the EDT Strategy funding are therefore calculated pro-rata for this 1 FTE capacity.

⁵ The IOM-COSLA partnership funded under the Ending Destitution Together Strategy started on 1st October 2021, therefore the reporting period for the 2021/2022 financial year is for six months.

Second tier advice was also provided to frontline staff in councils and third sector organisations, with many of these queries related to entitlements for EEA nationals. This type of support is much appreciated by frontline staff, especially where the immigration history or status of vulnerable people supported by councils is unclear.

More broadly, IOM's casework focuses on vulnerable individuals, and clients supported during this reporting period included people from the Roma community, people with mental health issues, people who were homeless or rough sleeping, people with disabilities, looked after children and care leavers, and people who were destitute or at-risk of destitution. Most of the referrals for support involved people with multiple intersecting vulnerabilities, such as health concerns, disabilities, mental health issues, lack of documentary evidence and digital and language barriers. These beneficiaries also faced additional barriers with language and literacy, financial destitution, and many suffered from depression or anxiety.

Referrals were often made when people were at the point of urgent need and very distressed due to not being able to access support, as a consequence of their insecure immigration status. Half of the cases referred to IOM in this reporting period involved people who were homeless or rough sleeping. Many EEA nationals who missed the EUSS deadline also had their benefits stopped, which exacerbated vulnerabilities and increased risks of destitution. This emphasises the vital need for continued access to complex immigration advice in Scotland, which can be a clear pathway out of destitution for people.

With the expansion of IOM's support to cover a wider range of immigration applications, IOM caseworkers and COSLA colleagues have also been delivering training and awareness-raising sessions to local authority staff supporting people with NRPF, helping to build knowledge and capacity within councils and respond to priority areas and needs depending on local context.

The experience in the initial six months of IOM support delivery under Action 9 of the strategy, has highlighted the ongoing need in Scotland for support with immigration related matters, particularly complex case support, for vulnerable people and support for local authorities. It has also illustrated how regularising immigration status can enable access to services and support to prevent and mitigate risks of destitution. Going forward, officers will continue to expand the project and learn from delivery, working in close partnership to support local authorities assisting people with NRPF.

Looking ahead to Year Two

Continued commitment

Throughout the first year of delivery of the strategy, partners have made a significant contribution to the implementation of the initial actions set out in the strategy. There is a recognition of continued challenges for the strategy, but through the continued commitment of partners and stakeholders, we will strive to achieve the vision of creating a Scotland where no one is forced into destitution, and everyone has their human rights protected, regardless of their immigration status. The Scottish Government and COSLA will continue to raise issues impacting people living in Scotland and urge the UK Government to prevent, not create, destitution.

Next Steps

- Officials will be working closely with Public Health Scotland and SG Health to progress actions around primary health care services access, health access cards, mental health service access
- Engagement with employability policy leads to ensure that employability support is accessible
- Establish and expert advisory group which focuses on integrating lived experience within future development of the strategy
- Input to the next Race Equality Action Plan
- SG and COSLA working to strengthen provision of financial assistance and wider LA support
- Updated national guidance on migrants' rights and entitlements
- Scottish Welfare Fund (SWF) – engagement with Home Office counterparts to explore the possibility of removing the SWF from list of funds not accessible to those with NRPF.

Noted below are some of the key priorities identified at the outset of Year Two of the delivery of Ending Destitution Together. Work already in train will continue to progress.

Workstream One: Essential Needs

Action 4: We will strengthen provision of financial assistance and wider local authority support to destitute families with children and vulnerable adults.

COSLA is engaging closely with local authorities and our public sector partners to progress this action. We will be taking steps to establish an evidence base on NRPF support activity delivered by local authorities and the costs associated with providing assistance to people with NRPF. This work will include working in partnership to explore future funding and delivery models which strengthen and improve support for people with NRPF across Scotland

Action 6: We will improve access to primary health services, including by working with Public Health Scotland and other partners to address health inequalities experienced by people subject to NRPF, translating Health Access Cards and promoting to NHS staff the right to access healthcare for migrants and people seeking asylum.

The Scottish Government and COSLA are engaging with Public Health Scotland to take forward this work. Mapping exercises have been undertaken and will be used as a basis to develop and progress partnership in this area.

Workstream two: Advice and Advocacy

Action 8: We will invest in the provision of diagnostic legal advice delivered in partnership with advocacy support for people subject to NRPF, including expanding the geographical reach outside Glasgow.

In January 2022, the Scottish Government committed £171,000 to support the delivery of a diagnostic legal advice project, to be delivered by the Scottish Refugee Council (SRC), as part of Fair Way Scotland(FWS).

SRC are part of FWS, a unique public, third and academic sector partnership, working alongside people with direct experience of the asylum and EU settlement processes to end homelessness and destitution among people with NRPF. FWS's five year plan is based on the learning of the Humanitarian Project and Destitute Asylum Seeker Service projects, seeking to extend the model to all parts of Scotland, and for all groups (including EU nationals) affected by or at risk of NRPF destitution. FWS comprises a delivery

consortium including Scottish Refugee Council, Safe in Scotland, Refugee Survival Trust, Simon Community Scotland and Turning Point Scotland. It is supported by an infrastructure for monitoring, evaluation and learning provided by the Joseph Rowntree Foundation (JRF), Heriot-Watt University and Homeless Network Scotland.

The project, developed in partnership with FWS, supports the delivery of this action. It will provide data to help inform on the circumstances of people that require legal support and the extent and nature of NRPF destitution in Scotland to support the development of sustainable solutions. The project will run for an initial 6 months, and commenced in April 2022. Its aim is to support: people in asylum accommodation at risk of eviction; people with previous experience of the asylum system no longer in support; people with NRPF experiencing or at risk of destitution; and people with insecure immigration status, to access appropriate support and advice for their circumstances.

During this period, SRC is triaging the legal advice needs and providing support, including signposting, for all people contacting them through the existing national helpline, which is already operational.

The number of people with NRPF outside Glasgow who may be at risk of destitution is not currently known. The SRC national helpline will be capturing information to improve understanding of destitution levels and geographical location to enable coordination of advice provision between partners to build the evidence base.

Workstream Three: Inclusion

Action 10: We will extend financial support to people subject to NRPF where that is possible to do so, on the same basis. We will explore opportunities to ensure people are included in any new benefits developed through the extended social security powers. While these powers are limited, any new benefits should be made equally available to everyone living in our communities where possible.

COSLA and Scottish Government officials are engaging with policy leads on progressing this work.

Action 11: We will ensure that employability support is accessible to people subject to NRPF who have permission to work. We will improve understanding of the employability support needs of people with NRPF to strengthen the pathways of No One Left Behind.

COSLA and Scottish Government officials are engaging with policy leads on progressing this work. Mapping exercises have been completed to provide a basis to build on and progress in this stream of work.

Action 12: We will contribute to development of the next Race Equality Action Plan to ensure that it takes into account the challenges faced by people with NRPF and explore what further action can be taken to ensure no one faces destitution.

COSLA and Scottish Government officials are engaging with delivery leads on progressing this work.

Action 13: We will work with people with lived experience of destitution and NRPF to continue to inform and share the strategy during implementation. This will include supporting opportunities for people to participate meaningfully in policy development and service design at national and local level.

COSLA and Scottish Government officials are progressing this action in partnership with third sector colleagues alongside establishing an expert advisory group which will embed the lived experience of those subject to NRPF conditions

Governance and Monitoring

To support successful delivery of the strategy we will bring together political leaders, practitioners and those with lived experience through a range of working groups. Through these arrangements we will seek to ensure effective delivery of the stated actions within the strategy and also ensure that the strategy remains agile and responsive to new opportunities and issues which affect the lives of those facing destitution.

To bring about strong political leadership and coordination of the strategy we will establish a joint political oversight group, co-chaired by Scottish Government and COSLA that will draw membership from key partners, expert advisors and those with lived experience. This group will be responsible for progress in delivering on our key actions and reviewing these existing actions in relation to innovation, partnership working and problem solving.

Supporting the political oversight arrangements two groups will be formed; a Delivery Leads Forum which brings together key partners responsible for delivering on each action within the strategy, and an Expert Advisory Group which will draw on the experience and expertise of stakeholders to better shape and inform the strategy over the coming years.

This approach will ensure that the strategy continues to recognise the challenging and evolving policy context anti-destitution work sits within and continues to build on our current approach of strong collaboration and co-production of activities across Scottish and Local Governments, the public sector and voluntary sector partners.

ANNEX A: Local authority models of service delivery: tackling destitution at local level

Local authorities across Scotland are delivering key services to support people with NRPF who are destitute or at risk of destitution. Alongside the programme of work covered under specific actions within the Ending Destitution Together strategy, councils continue to adapt and innovate their approaches in order to provide holistic support and to contribute to the wider ambition of ending destitution in Scotland.

Below are a few examples of the work Scottish councils are doing in this area:

Glasgow City Council

In Glasgow, the Health and Social Care Partnership worked to develop a process to support the discharge of people with No Recourse to Public Funds (NRPF) from acute mental health sites. The process was agreed in order to clarify discharge arrangements for people with NRPF with complex and ongoing mental health requirements in order that their needs can be met in relation to their mental health, broader accommodation and social issues and minimise the risk of harm to themselves, others and the likelihood of readmission within a short period of time. The process agreed is identical to general discharge protocols. However, where a person is identified as having NRPF then agreement is sought from an identified senior manager to agree the funding for the identified accommodation and support package. Funding is agreed for an initial three month period in order to facilitate the safe discharge of the person from hospital. During this period, the individual is supported to access ongoing care for their mental health needs and is assessed for any ongoing requirements beyond the 3 month period by their case management team, aiming to secure a long-term pathway out of destitution for them wherever possible.

North Lanarkshire Council

North Lanarkshire Council first developed a staff protocol in relation to No Recourse to Public Funds (NRPF) in 2017. This ensured that decisions regarding the provision of support for people with NRPF were applied consistently within the local area. By developing this protocol and delivering staff training, the local authority improved understanding of NRPF cases across different departments and council employees were in turn better equipped to support people with NRPF. Furthermore, by introducing a multi-agency approach when undertaking human rights assessments, bringing together colleagues from housing, social work, health, education and legal services, North Lanarkshire Council have improved communication across these various departments and agencies, creating collaborative interactions. In doing so they have employed a holistic approach where the private and family life rights of the individual or family are considered, and other important statutory duties are factored into decisions made. Post

COVID-19, the council is in the process of updating its staff protocol to include new guidance in relation to public health considerations as well as adding a more robust review process which will implement quarterly reviews for any cases on support where the individual or family being supported are subject to the NRPF condition.

City of Edinburgh Council

From the start of the COVID-19 pandemic, City of Edinburgh Council has provided temporary accommodation for all, regardless of eligibility, including those who may have NRPF, in order to meet public health requirements. At the end of March 2022, there were up to 400 households in temporary accommodation under emergency public health measures. This has been a significant cost and resource on their Local Authority.

City of Edinburgh Council has worked in partnership with the third sector, including colleagues in Streetwork and Shelter, to support households to access their rights under the EU Settlement Scheme, and to equip them with information and knowledge on their rights and entitlements, including what they require to enable them to be eligible for recourse to public funds. As part of this emergency response, the local authority has held off making eligibility decisions on homelessness applications in order to give households the opportunity to access support enabling them to meet eligibility criteria for ongoing assistance.

South Lanarkshire Council

In South Lanarkshire presentations from individuals or families with NRPF are dealt with on an individual basis depending on their situation. There are many reasons why someone may have a NRPF condition and needs for support and advice vary widely. Within South Lanarkshire families/individuals tend to present either to housing/homelessness service or to locality (or emergency) social work services. A good multi-agency approach allows for links to be made with the right services/agencies. Where legislation allows and social work services are providing support (this can be financial, accommodation and/or support and advice) regular inter-agency meetings or internal review meetings are held to track progress, offer advice and support the family/individual to move on.

Where an individual presents for homelessness advice and it is determined they have NRPF, a response is provided based on individual circumstances. Often temporary accommodation is provided prior to confirmation of an NRPF condition - in this situation liaison between homelessness and social work services would confirm if the criteria were met to allow for social work support to be provided under relevant legislation.

During the period covered by this report, accommodation for people with NRPF was provided under a Public Health emergency response. Numbers of presentations from families and individuals with NRPF were relatively low, however the need for support ranges from short-term to much longer term, for example where a family is not yet able to apply for settled status under the EU Settlement Scheme, are unable to support themselves financially and completion of a human rights assessment indicates that support should be provided.

Highland Council

Highland Council has developed an internal protocol for frontline staff on how to manage and support homeless households with NRPF. This includes step-by-step guidance for frontline staff from the point of someone's initial presentation to the council's Homeless Team up to the resolution of the situation (depending on the specific circumstances of the case). The guidance is structured into a three-stage process with the goal of helping the NRPF person or household to resolve their homelessness or obtain recourse to public funds and access a full homeless service. This NRPF protocol is being piloted within Highland Council and will be actively reviewed and evaluated for future policy and practice implications.

ANNEX B: Ending Destitution Together strategy actions

Essential Needs

1. We are piloting a Hardship Fund to support people with NRPF across Scotland who are facing crisis situations. Crisis funds will be accessed via a cash distribution network of local organisations, providing people subject to NRPF with wider advice and support and offering critical help for people facing destitution. The project also involves bringing together a community of practice, with a view to improving coordination of support and developing a model of case work provision alongside hardship grants, to help support people out of destitution in the longer term. The pilot is being delivered by the British Red Cross as part of the winter package of support responding to COVID-19, receiving £180,000 until 31 March 2021 and anticipated to reach 400 people across Scotland. Discussions on how we can build on learning from the pilot and extend the project into 2021-22 are underway. Importantly, the project will capture data to inform the potential development of a longer term model of provision.
2. We will improve dignified access to culturally appropriate food, in line with the dignity principles outlined in Dignity: Ending Hunger Together.^[52] We will work to increase access to cash as the most dignified response to food insecurity, as well as to improve the quality, coordination and awareness of food provision for people impacted by NRPF. Through this, we will be taking forward recommendations from Govan Community Project's Food Insecurity Participatory Action Research project, including their call for improved links between community food projects and specialist retailers.
3. We will contribute to the ambition of ending homelessness and specifically support actions relating to people with NRPF and destitute asylum seekers, as set out in the Ending Homelessness Together action plan. This includes work to support the development of a five year delivery plan by the Everyone Home Collective on the 'route-map' to end destitution. This work, which is led by a partnership of third sector and academic organisations across Scotland, will seek to scale-up community-based accommodation provision and holistic support to meet the needs of an estimated 300-500 people with NRPF who are not entitled to local authority housing or homelessness services.
4. We will strengthen provision of financial assistance and wider local authority support to destitute families with children and vulnerable adults. There are two parts to this action: a. COSLA will convene a working group and establish an evidence base on NRPF support needs and the costs to local authorities of providing assistance under their statutory safeguarding duties; and b. The Scottish Government will work with COSLA to develop and agree future funding and delivery models in line with the vision and principles of this strategy.

5. We will update guidance and training to support local authority provision of services to people with NRPF. We will deliver further training to officers working in local authorities and launch a new online learning module. We will also provide training to third sector organisations to support understanding of local authority duties and responsibilities and encourage partnership working.

6. We will improve access to primary health services, including by working with Public Health Scotland and other partners to address health inequalities experienced by people subject to NRPF, translating Health Access Cards and promoting to NHS staff the right to access healthcare for migrants and people seeking asylum.

7. We will improve access to mental health services for adults and children with NRPF by working to better understand the barriers and to collectively agree the practical actions that can be taken by local authorities, the Scottish Government and the NHS. We will also work to inform forthcoming work on mental health service renewal.

Advice and Advocacy

8. We will invest in the provision of diagnostic legal advice delivered in partnership with advocacy support for people subject to NRPF, including expanding the geographical reach outside Glasgow.

9. We will increase access to specialist immigration advice to support local authorities assisting people with NRPF. This will help support especially vulnerable groups and complex cases, as well as building local capacity and strengthening local service design. It will also collect data to strengthen the national evidence base on immigration advice needs.

Inclusion

10. We will extend financial support to people subject to NRPF where that is possible to do so, on the same basis. We will explore opportunities to ensure people are included in any new benefits developed through the extended social security powers. While these powers are limited, any new benefits should be made equally available to everyone living in our communities where possible.

11. We will ensure that employability support is accessible for people subject to NRPF who have permission to work. We will improve understanding of the employability support needs of people with NRPF to strengthen the pathways and approach of No One Left Behind.

12. We will contribute to development of the next Race Equality Action Plan to ensure that it takes into account the challenges faced by people with NRPF and explore what further action can be taken to ensure no one faces destitution.

13. We will work with people with lived experience of destitution and NRPF to continue to inform and shape the strategy during implementation. This will include supporting opportunities for people to participate meaningfully in policy development and service design at national and local level.



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This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80525-405-8 (web only)

Published by The Scottish Government, January 2023

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1215482 (01/23)

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