




COSLA



Scottish Government
Riaghaltas na h-Alba



Ending Destitution Together

Progress Report – Year Two 2022-2023



1. Foreword

We are delighted to present this second progress report, updating on the delivery of the Ending Destitution Together strategy. The joint strategy, published in March 2021, continues to build 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 by the continuing work to support displaced people from Ukraine across Scotland. 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 NRPF policy, are reserved to the UK Parliament.

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 and UK Government legislative changes.

This second year of progress has included joint work at a national level with key partners to deliver; the continuation of the Scottish Crisis Fund project in partnership with the British Red Cross to support those facing destitution and is inclusive of people 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 progression 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 migrants rights and entitlements; continued support of the Scottish Refugee Council and Fair Way Scotland in delivering a national helpline providing a coordinated approach to triage needs, identifying where specialist legal advice may be able to resolve underlying status issues or access to support, and provide third sector advice for other (non-legal) needs; and increased access to advice and casework support for migrants through a COSLA partnership with the International Organisation for Migration (IOM).

We have continued to navigate challenges throughout 2022/23 which continue to have an impact; we are now living through a cost of living crisis; the continued war in Ukraine; the commencement and implementation of the UK Government's Nationality and Borders Act; and the recently introduced Illegal Migration Act. As co-owners of this strategy, Scottish Government and COSLA recognise these challenges have created additional complexity and pressure across this area of work. We will continue our joint commitment to support those who are at risk of, or are, destitute, where we have the devolved competency to do so. We will look to work in partnership across both spheres of government, and with key stakeholders

and partners, to understand how we can continue to progress our commitments to support those facing destitution in the future.

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.

Great progress has been made in delivering the Ending Destitution Together strategy, and work is continuing in order that we maintain momentum as we move through the final year of delivery. Over the coming year we will look to learn from our experience of supporting those at risk of destitution through multiple crises and integrate the voices of those with lived experience of destitution through the establishment of a lived experience forum and ongoing engagement with the EDT expert advisory group. We will also look to identify how recent changes to the policy and legislative landscape will impact upon Scotland's ongoing commitment to end destitution and propose next steps in this area.

As we move through the next year it remains 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.

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2. 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 in 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 Beginnings¹. 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.

Actions in the strategy were 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 have been taken forward throughout the duration of the strategy. This report presents work that has been undertaken from April 2022 to March 2023.

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

Learning from the implementation of the strategy continues to aid us in building 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.

Key progress markers:

- Establishment and meetings of the Delivery Lead Forum, bringing together those responsible for the delivery of particular actions across Scottish Government, third sector and local authorities; sharing good practice, making connections and enhancing cross-policy working.
- Establishment and initial meeting of the Expert Advisory Group formed of practitioners and policy experts across the field of immigration advice and anti-destitution support.

3. Strategy Delivery and Implementation

3.1 Essential Needs

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

In 2022-23, the Scottish Government funded the British Red Cross to continue to deliver the Scottish Crisis Fund, with a combined total of £642,500 from the Asylum and Refugee Integration and Food Insecurity budgets. The project delivers crisis grants, which 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 casework 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.

People supported during April 2022 to March 2023:

Of the 1857 people supported by the project, 915 were subject to no recourse to public funds.

Client Circumstances

- 38% at risk of homelessness
- 18 % were homeless
- 9.3% had recent and significant deterioration in mental health
- 5.4% had recent and significant deterioration in physical health
- 15.8% unable to find employment
- 5.8% were in debt
- 11% were facing gender-based violence
- 41% had other reasons for applying– which are unique and not included in the current referral form.

Disability

- 5.3% had long-term mental ill-health
- 3.3% had a long-term medical condition
- 2.5% had a physical impairment

Eligibility for public funds

- 49% had one or more member of the household with NRPF conditions
- 51% were eligible for public funds

Scottish Ministers have agreed to extend this project for another year, providing up to £715,000 of funding.

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

Govan Community Project (GCP) completed the production of a suite of resources for frontline community organisations to better their understanding of food dignity in relation to working with people with NRPF/asylum seeker status. These resources are available alongside other key elements of the ‘[Dignity in Practice](#)’ programme funded by the Scottish Government to support transition to core dignified responses to food insecurity and hosted on the [Nourish Scotland Website](#).

GCP have begun to deliver their first learning events to provide organisations with interactive learning to support their awareness on significant issues. These activities focus on three main themes; raising awareness of the specific experiences and challenges for asylum seekers; building empathy and helping people see and care about people in the asylum process; and encouraging action to improve the situation for people now and in the future.

Co-production methods have been embedded at the core of this project, with every element having been produced with the Food For All groups’ input and direction. GCP have noted that the ‘most powerful outcome of this project so far has been seeing the confidence of the group members grow, and the pride they have in the work they have produced’.

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

During 2022-23, with the ending of public health measures due to the Covid-19 pandemic, some local authorities ceased providing accommodation under public health emergency powers to people with NRPF who newly presented as homeless, continuing to provide support only if there was a statutory duty to do so. Local authorities implemented a transition period for people with NRPF who were in local authority temporary accommodation, and provided assurances that processes were person-centred and implemented in partnership with the third sector.

The Scottish Government supported the set-up and implementation of third-sector (Fair Way Scotland) and local authority NRPF partnership structures in two local authority areas. Local liaison groups were put in place at both casework and

² [Supporting documents - Ending homelessness together: updated action plan - October 2020 - gov.scot \(www.gov.scot\)](#)

strategic levels to ensure every individual who was accommodated under public health emergency powers accommodation was engaged with and supported to explore all options for continued accommodation and support. The NRPF local liaison groups continue to meet regularly and to build on good practice and collaborative working between local authorities, Fair Way Scotland and other key actors.

The Scottish Government have provided £75,000 of funding to Homeless Network Scotland in 2022-23 to support the ongoing facilitation and infrastructure costs for Fair Way Scotland. Provision of this funding met commitments outlined in Ending Homelessness Together and Ending Destitution Together.

The Scottish Government also provided funding of £129,994 towards operating costs of the Rapid Re- Accommodation Welcome Centre (RRWC) in Edinburgh, which was operating between October 2022 and May 2023. The RRWC provides short-term emergency accommodation to people with NRPF to reduce the risk of rough sleeping in the city. According to the RRWC Annual Report³2022-23, 1,167 individuals were supported which was a 40% increase on the previous year. 73% of guests were male, 26% female and 1% other. 89% of those accommodated in the RRWC said they would have had nowhere else to stay. 55% of guests were UK nationals and 45% were non-UK nationals. The average age of guests was 36, however 23% of guests were aged under 25. On average, a guest who had NRPF stayed in the accommodation for 18 nights compared to nine nights if the guest did have recourse to public funds.

The Scottish Government provided £77,898 of funding towards the operating costs of a RRWC in Glasgow which operated between December 2022 and March 2023. RRWCs are open to everyone. Personalised budget funding of £42,000 was provided to frontline organisations across Scotland allowing those organisations to respond flexibly to need in order to prevent rough sleeping.

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

COSLA has been progressing work to understand the scale and complexity of support provided by local authorities to people with NRPF in their local communities. In 2022/23, COSLA officers worked with the Centre for Migration, Policy and Society (COMPAS) at Oxford University, to develop an annual reporting template to be issued to local authorities, which seeks to establish an authoritative evidence base on local authority provision for those with NRPF at risk of destitution. This evidence will be used to inform policy and practice on the provision of assistance and support. The data will be collated by COSLA and inform the national evidence base researchers at COMPAS are developing.

This UK-wide research entitled '[Understanding Migrant Destitution](#)' (funded by abrdn Financial Fairness Trust), due for publication in January 2024, will provide the first comprehensive overview of social care provision for vulnerable people with no

³ [Rapid Re-accommodation Welcome Centre Report 2022-2023 \(bethanychristiantrust.com\)](#)

recourse to public funds across the four UK nations. This will be a valuable policy resource to demonstrate the impact of local authority activity in this area. To assist COSLA in better understanding work being carried out by Scottish councils, COSLA officers issued a survey to all 32 local authorities for completion at the end of February 2023. COSLA has collated and analysed survey responses to produce an aggregate data release in the [COSLA Survey of Local Authority NRPF Support](#) which outlines key data relating to NRPF support need and provisions for 2020/21 and 2021/22.

Survey responses provided by local authorities indicate that:

- In 2020/21, councils received at least 908 referrals for support under legal duties. Of these referrals, 578 individuals were provided with assistance. In 2021/22 there was a 48% increase in the number of referrals (1343) and a 40% increase in the number of cases supported (811).
- The majority of referrals and support provided in both years fell under the Children Scotland Act followed by support provided under the Public Health Act.
- Breakdown of referrals by immigration type indicated the highest level of referrals from those with leave to enter/remain with NRPF, followed by EEA nationals. Across both these categories there was a significant rise in the number of applications between 2020/21 and 2021/22: a 92.8% increase from those with NRPF conditions and a 138% increase for EEA nationals.
- The total reported spend by local authorities in supporting claimants with NRPF in 2021/22 was at least £5.9 million. Most of this expenditure was on accommodation costs (£5.13m) followed by subsistence (£480k) and staffing costs (£240k).

Going forward, COSLA will continue to issue annual NRPF local authority surveys to build an evidence base on NRPF support need and provisions and will work together with Scottish Government to ensure this data helps inform EDT strategy progress, including in how to develop and agree future funding and delivery models in line with the vision and principles of this strategy.

Action 5: We will update guidance and training to support local authority provision of services to people with NRPF.

COSLA has continued to develop its programme of work to update, strengthen, and support the development of guidance and training for local authorities on key NRPF priority areas.

Work to develop the national guidance on Migrants' Rights and entitlements to Local Authority Support has been central to this; COSLA has been working closely with JustRight Scotland to revise and update the national guidance, to account for feedback from practitioners and review the document against existing policy. The updated version will specifically reflect recent policy and legislative changes to ensure it continues to provide accurate information and key guidance in this area of work, as well as act as a useful resource for local authority staff.

As part of this process, COSLA and JustRight Scotland have been consulting on the draft guidance update with a wide range of stakeholders; this has included at least 33 local authorities, public bodies and third sector organisations. COSLA officers have been coordinating engagement with councils to support their participation in this process via the NRPf Scotland Network and other key local authority networks and contacts. Feedback has been welcomed on the content, structure, format and accessibility of the materials as well as any case studies highlighting good local authority practice or insights into legal or practice issues that officers would like to see clarified in the guidance. COSLA and JustRight Scotland are now in the process of reviewing and incorporating the feedback received, with a view to finalising the guidance update in summer 2023.

Alongside the updated guidance, COSLA held a series of NRPf training events and resources, including an online webinar on migrants' rights and entitlements with JustRight Scotland, to improve the skills and confidence of frontline local authority staff and to raise the awareness and understanding of migrants' rights and entitlements to access support.

COSLA has also continued to provide operational support to local authorities in relation to NRPf policy and to host quarterly meetings of the national NRPf Scotland Network for local authorities. We remain committed to supporting good practice and scoping out models for training, awareness-raising and capacity-building for council staff on an ongoing basis. In autumn 2022, in response to developments around public health emergency accommodation provision, we organised four capacity-building sessions for local authority housing and homelessness staff in Edinburgh City Council to assist their officers supporting EEA nationals in their temporary accommodation provision. 43 LA officers attended these sessions which were designed and delivered together with immigration advisers from IOM who we work closely with to connect EDT Action 9 (IOM delivery lead) with other actions within the strategy. We are looking to extend this offer of training to other Scottish councils going forward and to tailor further sessions depending on local context and specific needs of individual councils.

In February 2023, COSLA organised a training session for councils on support options for people with NRPf which was delivered by the UK NRPf Network and had 30 attendees. A further training session on welfare benefits for EEA nationals was delivered to council staff by the Child Poverty Action Group (CPAG) in March 2023. COSLA will continue to develop and commission training and resources based on feedback and insight from councils in terms of NRPf priorities and challenges and promote opportunities to improve knowledge and practice, working to identify what would be most useful to councils in order to support people with NRPf.

Action 6: We will improve access to primary health services.

Work is underway to develop resources which will explain the right of people subject to NRPf to access health services. Resources will be developed for people with NRPf and for NHS staff. A scoping meeting was held with Just Right Scotland (JRS) to explore options for developing resources for people with NRPf.

Intelligence is being gathered from primary care frontline staff to understand any knowledge and training needs with regards to supporting people subject to NRPF to access health services. We have engaged with GP Practice Managers Network and plan to engage with pharmacy services, and NHS Inform.

Further consideration may be needed around raising staff awareness of the different types of barriers that people may experience.

NHS Education for Scotland have been made aware of this work and agreed to host any staff training materials on their learning zone to ensure maximum reach.

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.

Funding was allocated in the 21/22 financial year to fund two projects to support mental wellbeing of people with NRPF. Following the funding year, the projects begun an evaluation process and are now looking to embed the learning from the evaluation. Project One found that three of their outcomes were so closely related they are now to be taken forward as a group rather than individually.

These outcomes were:

- Outcome 1. New Scots Advocacy - develop the role of New Scots Advocates, supporting 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.
- Outcome 2. Workforce development - working in partnership with Simon Community Scotland and 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, how best to engage with mental health support and treatment and recovery.
- Outcome 3. Trauma-informed therapeutic inputs for destitute asylum seekers - working in partnership with community-led groups and New Scots Advocates, we will develop and support a programme of activities and group work that contribute to overall wellbeing.
As part of embedding the learning they are working with the Scottish Recovery Network to further develop the model of peer support and what their guests mean and need from peer support.
Their fourth outcome was to improve understanding of the best way to support rights-based access to mental health support, and a model of practice to implement this.
The evaluation findings were almost exclusively around structural and institutional barriers rather than improving an external approach. To a greater

degree than anticipated, this may require legal support/challenge, rather than advocacy support.

- Outcome 4 is also being taken forward post project by the second project as following the completion of the project the two organisations merged.

Project Two: Recommendations from the evaluation into this work to address the mental health needs of those with NRPF involve improving practice, strengthening relationships and partnerships, strengthening peer support, decreasing stigma, engaging members of the community in service development and delivery; promoting staff learning and development; improving research; improving policy; improving press and media coverage.

Following completion of the project they are looking to further develop their applied practice, focusing on action research around peer support and strengthening the skills and understanding of the team. They are also integrating outcome 4 from project one for further development and exploration.

3.2 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.

During 2022-23, 5,772 calls were received by the National Helpline, delivered by the Scottish Refugee Council (SRC) and Fair Way Scotland. 2,182 of these were calls from asylum seekers who had claimed asylum but found themselves homeless, needing legal advice or emotional support. Calls were received from 17 local authorities, with a large proportion of these calls from the central belt of Scotland.

SRC provided casework support for 352 destitute asylum seekers, 80% of whom were male and 20% female. A total of 3885 interactions with clients were done, including providing information on options available, advice on accessing rights and resources, advocating on behalf of people, signposting and referring when and as required.

On 21 December 2022, the Minister of State for Immigration, sent a letter to SG and relevant stakeholders, informing that negative cessations of asylum support for people living in the areas of Devolved Governments would start on 3 January 2023. At the time of the cessation announcement, Home Office stated that 270 people were in Home Office accommodation at risk of destitution in Glasgow. This population includes people who are on Section 4 Covid only support and people who are appeal rights exhausted following a determination on their asylum claims.

The Home Office confirmed that all Section 4 negative cases would have a right of appeal and people would receive an appeal notification letter with their cessation letters.

Since January 2023, SRC has supported 45 people to respond to their cessation letters and 53 people to respond to their Section 4 Support Review letters from Home Office. 36 clients were assisted to submit an appeal to the asylum support tribunal with a 56% success rate. SRC meets weekly with British Red Cross, Govan Community Project and Community Info-source to share learning and exchange referrals.

Out of 352 people SRC worked with, 134 people are still at risk of immediate eviction from different types of accommodation and 91 are at risk of HO support cessations because they are currently staying in Home Office accommodation. 32% of the population currently supported are not supported by Home Office and have various forms of accommodation. 14 people are staying with friends and family, 2 are sofa surfing, 15 are people in Safe in Scotland accommodation and 4 in Social Work accommodation.

In April 2023, the Minister for Equalities, Migration and Refugees confirmed a further year of funding to support the delivery of the project delivered by SRC and Fair Way Scotland.

Action 9: We will increase access to specialist immigration advice to support local authorities assisting people with NRPf.

IOM's casework capacity in Scotland is based with COSLA, and IOM and COSLA closely collaborate to provide support to all 32 local authorities in Scotland. During this reporting period, 128 individuals have accessed IOM services (includes local authority and third sector support staff engaged through outreach, training, and other activities). IOM received referrals for direct casework assistance and support requests from 14 local authorities and three third sector organisations and supported 93 vulnerable individuals through direct casework provision and second tier advice and support.

IOM's OISC-registered caseworkers provide comprehensive direct and second-tier legal advice and assistance to vulnerable individuals to enable them to complete their immigration applications. The majority of casework support in this reporting period was related to the EU Settlement Scheme (EUSS). There has been an increase in new referrals for Late EUSS applications, which amounted to over 60% of the caseload, highlighting the ongoing needs, as well as supporting clients with previously refused applications and joining family member (JFM) applications. Clients who have previously made an application are also provided with follow up support, help with meeting requests for additional information, and updating their details on the view-and-prove-your-status portal where required

Individuals referred to IOM face multiple intersecting vulnerabilities, with additional complexities linked to their applications (e.g. destitution, lack of proof of identity, lack of proof of residence, breaks of continuous period of residence, physical or mental health challenges, language and literacy barriers). Almost half the cases referred to IOM in this reporting period related to people who are homeless or rough sleeping who were referred for immigration advice for late EUSS applications through IOM's close engagement with homeless charities and local authority housing teams. Many clients were referred for immigration advice when they were already at point of need, when their lack of immigration status became apparent due to its impact on their access to support, which exacerbated vulnerabilities and increased risks of destitution. This led to an urgency in submitting applications, emphasizing the vital need for access to this complex immigration advice and support in Scotland.

In this reporting period IOM has continued strengthening working relationships with local authority frontline teams and third sector organisations, as well as EDT delivery partners, leading to improved coordination and enhanced referral pathways in Scotland to help reach and support vulnerable individuals. IOM also continued compiling anonymised data to identify needs and develop an evidence base to help improve support provision to vulnerable beneficiaries as well as support local authorities in Scotland.

3.3 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.

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

The main focus in 2022-23 has been on ensuring progress on actions supporting essential needs and advice and advocacy, as well as taking forward work on inclusion where possible. Scottish Government and COSLA officials aim to progress this work on these actions in 2023-24.

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.

The Race Equality policy team in the Scottish Government published a [progress report examining the progress made on commitments contained within the Race Equality Framework \(2016-2030\) and the Immediate Priorities Plan \(2021-2023\)](#) in 2023.

The report provides a detailed examination of progress made in relation to commitments made within the Race Equality Framework 2016-2030 (REF) and the Immediate Priorities Plan (IPP). Content has been mapped according to the six themes of the REF:

- Theme 1: Overarching work
- Theme 2: Community cohesion and safety
- Theme 3: Participation and representation
- Theme 4: Education and lifelong learning
- Theme 5: Employability, employment and income
- Theme 6: Health and home

This will identify what work remains in progress or is outstanding, and outlines approaches to be taken forward to advance anti-racism. The report contains updates on what has been achieved during year two of the delivery of EDT.

Relevant policy areas from across Scottish Government that are responsible for IPP and REF actions have been asked to review and update sections in the report. The Race Equality team has also engaged with funded organisations to discuss how they contribute towards REF actions, and this will be included in the publication.

Feedback on previous race equality action plans have been that it has been difficult to track and measure progress; some actions are vague and therefore there is a lack of tangible and meaningful outcomes. Ensuring continued relevance, accountability and measuring impact were also challenging areas. This supports the need to move to a programme of high-level systemic change in bringing about equity. Systemic change will entail working to identify and tackle high-level issues, in order to bring about meaningful change and create structures that work for all, moving away from short-term actions that simply serve to maintain inequitable systems.

The focus for the Race Equality team in 2023/24 will be on developing internal processes and governance mechanisms to provide oversight, scrutiny and support of policy areas throughout Scottish Government. This will be done in conjunction with the new Anti-Racism Observatory of Scotland, which will provide a range of functions to support and challenge the Scottish Government and the public sector, including:

- Bringing together quantitative and qualitative data on ethnic and racial inequalities in Scotland. This should not only include epidemiological data but also cultural, historical and other socio political and economic factors;
- acting as a repository which holds historical and current evidence from a range of different sources to maintain awareness and inform actions;
- ensuring collaboration that reflects the consensus between the Scottish Government and all other relevant stakeholders that Scotland needs to better engage with the experiences of those racialised in society; and
- promoting co-production processes led by those who are most affected by its outcomes.

The Observatory will be a source of advice and support, and we would particularly want to work with the Observatory to ensure there are ongoing opportunities for knowledge exchange.

The Race Equality Team will continue to encourage the embedding of antiracism approaches across the EDT actions and remain available to help support other delivery leads achieve this when and where necessary.

Action 13: We will work with people with lived experience of destitution and NRPF to continue to inform and share the strategy during implementation.

Govan Community Project (GCP), in partnership with Scottish Refugee Council, previously worked closely with the Scottish Government and COSLA on the development of the Ending Destitution Together (EDT) Strategy, through a project funded by the Joseph Rowntree Foundation. The project ensured that the voices of people directly impacted by destitution/risk of destitution caused by immigration policy were heard, and their knowledge and experiences valued as equal co-production partners in policy development. This new project aims to build on this work. It will support and develop an inclusive forum which facilitates opportunities for the Scottish Government and other local and national policy makers to continue meaningful engagement with people with lived experience to inform the delivery and implementation of the EDT Strategy.

GCP will appoint a Group Coordinator to coordinate and support a group of people with lived experience, to work with the Scottish Government and COSLA on continuing community engagement with the implementation of the Scottish Government's EDT strategy. As well as working on EDT, the groups will be able to help inform the update of the New Scots refugee integration strategy, as well as feeding into broader work across asylum and refugee integration.

The Coordinator will work collaboratively with partners to recruit participants, ensuring cross sectional representation from the different communities impacted by NRPF and support the group participants to gain the necessary skills to feel confident and empowered to work as equal partners with Scottish Government and COSLA colleagues. The Coordinator will play a key role in providing ongoing practical and wellbeing support to group participants to mitigate barriers to participation.

The funding provision will facilitate focused workshop events and review meetings; will cover participation costs for group members to ensure inclusivity; food vouchers; the use of loaned devices; and travel. A key part of this funding will provide participants with wellbeing wraparound support to ensure that people's participation does not result in re-traumatisation. Inclusive communications will be required to bring together a wide range of views and experience which requires interpreters and translation of texts.

Through this project, the key outcomes are to ensure the implementation of EDT continues its commitment to highlight the lived experiences of those living in or at risk of destitution in informing delivery and evaluation of the strategy; the creation of a safe, nurturing and mutually inquisitive space to explore and evaluate agreed focused areas for discussion in relation to strategy implementation and interventions introduced/planned; ensuring individuals with lived experience are supported to develop skills and confidence in engaging with policy development work, becoming agents for change on policy issues which directly affect them. In addition to this, the project will support individuals with lived experience benefit from seeing their influence resulting in positive changes at local delivery level; witness the impact of the work of the group and the strategy on positive change in policy and practice in Scotland can be recognised and held up as a good practice model; and ensure that all organisations involved develop learning and good practice which can be shared with other agencies/service providers.

4. Looking ahead

4.1 Continued commitment

As throughout the first year of delivery of the strategy, partners have continued to make a significant contribution to the implementation of the actions set out in the strategy. There is a recognition that despite continued and emerging challenges relating to the rights and entitlements of those at risk of destitution, 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 the rights and entitlements of people living in Scotland and urge the UK Government to prevent, not create, destitution. Throughout the third year of delivery, we will work better to understand how legislation such as the Illegal Migration Act will impact levels of destitution and the associated consequences experienced by those with NRPF and ensure services remain informed of, and responsive to, new duties in this area.

4.2 UK Legislative Changes

We remain alive to the pressures that partners are under due to the ever-increasing complexity of the refugee and asylum landscape, as well as the complexity and restrictions imposed by the reserved nature of immigration and asylum. On 7 March 2023, the UK Government introduced the Illegal Migration Bill in the House of Commons. On 20 July 2023, the Bill received Royal Assent.

The Illegal Migration Act outlines significant changes to asylum and immigration law in the UK, which will further reduce the rights and entitlements of people to seek asylum in the UK and negatively impact on the limited support currently available to people with NRPF. The set of measures outlined in the Act will likely increase destitution and exploitation in our communities, with an anticipated rise in the number of people with inadmissible asylum claims, no means to regularise their status or seek employment and who will be subject to NRPF conditions.

The Scottish Government is opposed to the Illegal Migration Act and has repeatedly raised concerns that the measures taken under the Act will not achieve the outcomes the Home Office set out, but will increase the risks of exploitation and destitution. Local government in Scotland has also expressed concerns to the UK Government regarding the risks posed by new measures of the Act and the pressures new provisions will place on local services. Unintended consequences of the Act will increase the complexity and associated challenges local authorities face in ending destitution faced by vulnerable and destitute adults, children, and victims of exploitation. [Evidence from councils in Scotland](#) outlines that in 2021/22 local authorities supported over 800 NRPF cases under statutory duties, at a cost of at least £5.9m; it is anticipated that this Act will increase demand for such support and place unsubstantiated financial burdens on councils.

As co-owners of the strategy we remain committed to do all we can, within devolved powers, to protect communities and support people. However, we anticipate an

increase in destitution, human trafficking and exploitation, as a direct result of the Act, and that such cases will be more likely to go unreported as a result of people being fearful to engage with services.

The Act includes provisions which will make people ineligible for permission to enter or remain in the UK and prevent them from obtaining British Citizenship, if they have ever met the conditions relating to removal from the UK, if they arrived on or after 20 July 2023. This will prevent people from regularising their status and is likely to result in increased risk of exploitation and destitution, including more people at risk of destitution presenting to local authorities for assistance.

Other provisions of the Illegal Migration Act are also likely to have a significant impact for local authorities in Scotland – including provisions which remove powers from Scottish Government to provide support to victims of trafficking and exploitation, and powers to compel local authorities to accommodate or to cease providing accommodation to unaccompanied children and young people in their care, and to hand over care of these children to the Home Office.

Both powers are entirely novel, and therefore untested, and it is difficult to say how they will work in practice in Scotland – it is, however, clear that they will have a significant impact upon the ambitions of this strategy and the steps which will be needed to mitigate any harmful unintended consequences of the legislation.

The Scottish Government and COSLA remain committed to protecting people living in communities across Scotland.

5. 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:

Aberdeenshire Council

Historically in Aberdeenshire, NRPf presentations were relatively low but over the last 2 years services and partners have been anecdotally reporting a steady increase in cases. This could be for a number of reasons including an increase in visas being issued with NRPf conditions, wider asylum dispersal and an overall increase in migration movement around the UK. Services most likely to encounter NRPf presentations in Aberdeenshire are Housing and Social Work. Both services respond appropriately but are often limited in the detailed and consistent advice they can give.

In December 2022, COSLA Community Wellbeing Board agreed to action an annual NRPf data return for local authorities to complete. Aberdeenshire Council had no mechanism for recording NRPf presentations across services, so with no systematic data available, completion of the survey was challenging. In response to the NRPf data deficit, short term budget was identified from Tackling Poverties and Inequalities to assist Aberdeenshire Council to move to a more informed and NRPf data led position. A proposal was developed for the appointment of an NRPf Development Officer whose role would include mapping historical and existing NRPf presentations across services, liaising with the No Recourse North East Partnership and relevant partners, developing an NRPf Operational Framework for Aberdeenshire, identifying training needs and creating a mechanism for recording NRPf data. The project outcomes identified for Aberdeenshire Council included: the ability to evidence NRPf impacts across services, having data on NRPf presentations, being able to respond confidently to NRPf presentations in a coordinated and informed way, and within the context of the Ending Destitution Strategy, and contributing to the wider outcomes of the No Recourse North East Partnership.

The project has now been approved and recruitment for a NRPf Project Worker is underway. Funding for Grampian Regional Equality Council (GREC) has also been approved to ensure the project is embedded in the work of the No Recourse North East Partnership.

Glasgow City Council

Glasgow City HSCP has been providing support to families and single adults with No Recourse to Public Funds (NRPf) for a number of years. In 2018, the HSCP published internal guidance to support frontline practitioners to provide support to households with NRPf, which is in process of being updated.

The number of households supported in Glasgow has increased significantly in the last three years. This is in part due to the complex legislative landscape post-Brexit, with the restriction of rights and entitlements of people with insecure immigration status leading to increased support provided to EEA citizens and also the accommodation of individuals using public health legislation during the Covid-19 Public Health emergency. As a city offering sanctuary to asylum seekers and refugees for decades and since becoming an asylum dispersal city in 1999, Glasgow has traditionally had higher levels than other Scottish Local Authorities of presentations of families with NRPf who are not currently receiving Home Office support for various reasons and there is continued support provided to these families.

As experience supporting households with NRPf has developed, Glasgow City HSCP has looked at ways to improve the support provided to families and ensure consistency in approach across the city. The HSCP's new single point of access has allowed for improved practice in this regard. Glasgow City HSCP launched a new service, Health and Social Care Connect, in November 2022. This multi-disciplinary service is a single point of access for HSCP services for a number of care groups including Adults and Older People's Services, Children and Families, Homelessness, Occupational Therapy Services and Alcohol and Drug harm reduction.

All initial assessments for families who present requiring accommodation who may have NRPf are carried out by Health and Social Care Connect jointly by Homelessness and Children and Families staff, assessing needs, risk and human rights to ensure the best and most appropriate outcomes for families and individuals presenting with NRPf. The co-location and joint working between Homelessness and Children and Families Social Work teams providing support to their families at initial presentation has led to a more seamless service for families with more timely provision of support. Accommodation and financial support can be provided quickly following an initial assessment of families' needs and eligibility. Families who are housed in Temporary Furnished Flats are provided with support workers commissioned by Glasgow's Homelessness services who support families to regularise their immigration status and claim benefits if possible or link in with appropriate services. We also work closely with third sector and other partners to ensure service users are provided support around their immigration status and entitlements.

Inverclyde Council

The Inverclyde Joint Board agreed in November 2022 to extend the use of Section 12 of the Social Work (Scotland) Act 1968 and Section 22 of the Children's (Scotland) Act 1995 to a wider cohort of staff (including health visitors, family nurse partnership staff, community mental health team, district nurses, occupational therapists school nurses, homeless services as well as the Refugee and Migration team) to give them immediate access to hardship and destitution funding to address needs being faced by the residents of Inverclyde due to the cost-of-living crisis.

The legislation used to make these payments allowed immediate access to payments where there was destitution and hardship to individuals and families. Where a member of staff identified an individual/family in immediate financial

difficulty and they were unable to purchase/provide vital items such as: Food, Heating/power, Appropriate clothing or any other items which, in the staff member's professional judgement was a significant need, without the requirement for a referral to social work, they could complete the appropriate form and access immediate assistance via the following: cash, supermarket vouchers or electronic payments to mobile/email.

The scheme was open to people with No Recourse to Public Funds and members of the Refugee and Migration Team successfully applied for payments on a number of occasions.

Perth & Kinross Council

Perth & Kinross Council have established a fund which mirrors the Crisis Grant element of Scottish Welfare Fund for people with No Recourse to Public Funds, this fund allows people with NRPF to access emergency funds for a temporary period of time. This is an integral part of our [Financial Insecurity Fund](#). We also have a multi-agency working group which comes together when required to address issues that may be affecting those with NRPF in the local community.

South Lanarkshire Council

Individuals presenting as destitute with a child in their care and subject to NRPF, will initially be referred to the HAAS team - Homeless Access & Assessment Service. The HAAS team will identify emergency accommodation when needed and assess the families housing needs. When the HAAS team receive confirmation through Home Office checks that the family are subject to NRPF status, they will close the homelessness application, pass to the local office homelessness team and make a referral to the Children and Families team. This starts the process of a social worker in Children and Families being identified to complete a Human Rights Assessment and arrange a multiagency meeting bringing together colleagues from social work, housing, health, welfare rights, education, and legal services. A request will also be sent to the Children and Families fieldwork manager to agree funding for accommodation while the family's needs are being assessed, and longer if needed to prevent destitution. While the Human Rights assessment is being completed, the family will be offered support, guidance and signposting depending on the immediate presenting needs and then, if needed, ongoing work undertaken based on needs identified through the Human Rights Assessment.

6. Annex B: Actions

6.1 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**. 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.

6.2 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.

6.3 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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