

**Immigration Corporate Panel**  
**22 February 2017, 7pm**  
**Committee Room 1, Town Hall**

**Panel Members:**

- Cllr Bob Littlewood (Chairman)
- Cllr Emma Best
- Cllr Farah Hussain
- Cllr Paul Merry
- Su Bhui (Aanchal Women’s Aid)
- Rita Chadha (RAMFEL)
- Jocelyn Davis (Redbridge Foodbank)
- Ross Diamond (Redbridge CVS)
- Elise Gellatley (Community Police)
- Mark Kirk (Redbridge CAB)
- David Landau (Redbridge Equalities and Community Council)
- Sonia Lynch (Welcome Centre)
- Harmander Singh (Redbridge Faith Forum)
- John Clifton (Salvation Army)
- Health Representative (TBC)

**Agenda:**

#	Time	Agenda Item	Responsible
1	7:00	<b>Minutes of the previous meeting</b> To review and agree the minutes of the previous meetings on 23 January.	Chairman
2	7:10	<b>Current approach to NRPF in Social Care</b> An overview of the current approach to people with NRPF in children’s and adult social care.	Caroline Cutts & Cathy Worboyes
3	7:45	<b>Current approach to NRPF in Housing</b> An overview of the current approach to people with NRPF in housing and homelessness.	Jackie Odunoye
4	8:20	<b>Controlling Migration Fund</b> An update to Panel members on the plans for the Council’s application to the Controlling Migration Fund.	Jackie Odunoye
5	8:30	<b>Case Studies</b> Best practice examples on working with people with NRPF, including: <ul style="list-style-type: none"> <li>• Redbridge TB Partnership</li> <li>• Islington Council</li> </ul>	Chairman
6	8:50	<b>Forward Planning</b> To decide what topics should be considered at the next meeting.	Chairman
7	9:00	<b>Close of Meeting</b>	Chairman

**Next meeting:** 21 March 2017, 7pm in Committee Room 1, Town Hall

**Item 1: Minutes of the Previous Meeting**  
**23 January 2017**

**Attendees:**

- Cllr Bob Littlewood (Chairman)
- Cllr Emma Best
- Cllr Farah Hussain
- Cllr Paul Merry
- Su Bhuhi (Aanchal Women’s Aid)
- Rita Chadha (RAMFEL)
- John Clifton (Salvation Army)
- Jocelyn Davis (Redbridge Foodbank)
- Ross Diamond (Redbridge CVS)
- Elise Gellatley (Community Police)
- David Landau (Redbridge Equalities and Community Council)
- Harmander Singh (Redbridge Faith Forum)
- Sarah Tranter (London Borough of Redbridge)

**Item 1: Welcome and Introduction**

Panel members discussed possible outcomes they would like to see from the group, which include:

- Strong, coordinated response of all agencies to people with NRPF
- The creation of a joint strategy/policy/statement for people with NRPF
- Clarity amongst partners of what each other’s roles are regarding people with NRPF
- Joint lobbying activity to national government on issues affecting people with NRPF

**Item 2: Future Meeting Dates**

The following dates were agreed:

- 22 February, 7pm
- 21 March, 7pm
- 24 April, 7pm

Panel members were reminded that they are able to send a substitute if they are not able to attend any of the meetings.

**Item 3: Terms of Reference**

The terms of reference were agreed. It was discussed that the Panel may want to look at immigration issues beyond just newly-arrived migrants with no recourse to public funds.

Actions:

Produce a short overview of any additional immigration issues that if may be useful for the Panel to look at, to be circulated to panel members ASAP.	Rita Chadha
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**Item 4: Background and Context**

Panel members noted the information.

**Item 5: Work Programme**

The following were discussed as issues that the Panel wishes to examine over the coming meetings:

- Learning from examples of good practice at other councils e.g. Islington
- The existence and use of data on people with NRPF and immigration more widely. It is generally accepted that this data is not collected consistently or well understood.
- The impact of recent NASS policies.
- The potential use of the Controlling Migration Fund. Redbridge Council is currently looking at putting a bid, and it may be useful for the Panel to feed into this.
- Potential use of civil society to boost the borough's response to people with NRPF.
- The effect of Operation Nexus

**Actions:**

Contact Sarah Tranter with any additional ideas/suggestions for issues that the Panel could consider.	All Panel members
Circulate GLA slides relating to the Controlling Migration Fund to Panel members.	Rita Chadha
Consider inviting members of the public with NRPF to address the Panel	Cllr Bob Littlewood & Sarah Tranter
Invite representatives from the Welcome Centre and the health sector to sit as members at the next Panel meeting	Cllr Bob Littlewood & Sarah Tranter
Consider the issues raised and produce a detailed work plan/agenda for the next two meetings.	Cllr Bob Littlewood & Sarah Tranter

**Date of next meeting**

The next meeting will take place on Wednesday 22 February at 7pm in Committee Room 1, Town Hall. Papers will be circulated to Panel members a minimum of five working days before the meeting.

## Item 2: Current Approach to NRPF in Social Care

### Introduction

During the early 2000s families started approaching Local Authority (LA) social service departments for financial/accommodation support. Some were failed asylum seekers, others had no applications for Leave to Remain and increasingly it was families with Human Rights Act (HRA) 1998 Article 8 applications. At the time, all were entitled to support under the Children's Act (CA) 1989 Section 17 if their children were assessed as in need.

The Nationality, Immigration & Asylum Act (NIAA) 2002, Schedule 3 came into force on 8 January 2003. This prevented LAs from providing CA 1989 Section 17 support to those in the UK unlawfully, unless necessary to prevent a breach of their human rights as in the HRA 1998.

In January 2008 a dedicated NRPF Lead Officer joined the Child Protection & Assessment Team (CPAT) to work alongside social workers and manage the complexity of managing immigration and home office support, alongside accommodation and financial support.

The numbers of families with valid human rights applications at the Home Office (HO) have since gone up and down in line with different government policies, the speed of HO determinations, changing HO priorities and worsening economic factors making more families destitute.

The NRPF Officer liaises closely with a HO contact to ensure cases are prioritised and as a result the number of supported families fell to a low of 1 or 2 in late 2010. Unfortunately restructuring in the HO has led to numbers rising again. Islington Council established a No Recourse to Public Funds (NRPF) Network to co-ordinate LAs' approach to this client group and to lobby the HO for additional funding. Redbridge joined the Network in August 2008 and the NRPF Officer attends these meetings.

The biggest increase in Redbridge cases happened during 2013 when they rose from 15 to 38. This was accounted for in part by the economic downturn but mainly because cases were not being decided by the HO and therefore not as many cases closed, rather than an increase in new cases.

The NRPF Connect database was introduced in January 2014 and was joined by Redbridge. The database allows joint information sharing by both LAs and the HO with a view to working together to resolve case issues. There are currently 40 LAs using NRPF Connect, including 24 of the London boroughs. On 12 September 2016, there were 2,390 households supported at a combined cost of £37,000,000 per annum, or an average of £925,000 per LA; Redbridge spent £500,000 last financial year.

### Current Position

The number of families supported in Redbridge at the end of the last financial year (15/16) was 39. Redbridge's neighbouring boroughs supported the following number of families; Barking & Dagenham 61, Havering 13, Newham 96, and Waltham Forest 66. However, it is not understood if the criteria for support are the same across the boroughs and therefore how comparable the case loads are. For example, Redbridge's figure includes the NRPF families held in our long-term teams and those representing small spends such as for child's school meals only. Other boroughs may not be providing the same level of support.

### The Future

Redbridge will need to respond to expected changes in legislation. When Regulations in the Immigration Bill 2016 are enacted it will mean that support for families and care leavers with no immigration status will no longer be available through the CA 1989. It was understood that these

would be brought in in April 2017 after further consultation, but to date no further information has been received from the HO.

In August 2015, the NRPF Lead Officer attended a joint Local Government Authority, Assistant Directors of Children's Services, NRPF Network and HO roundtable where the government were proposing to terminate Immigration and Asylum Act 1999 (Section 95) support to failed asylum seeker families and stated that there were 16,000 such individual family members. The Roundtable was an opportunity to discuss possible implications for LAs. The details have not been published and LAs have been told there will be further consultations between the HO and LAs.

**Conclusion**

It is evident that Redbridge continue to meet their statutory duty to support children and families with no recourse to public funds. The role of the NRPF officer means that much needed expertise is available for the support of children and families but more widely it means that Redbridge is making a contribution to discussions with other bodies and the HO for the future requirements of the LAs in their support. At the same time Redbridge will have the necessary expertise to implement any forthcoming legislative changes as required so that services are delivered as efficiently and effectively as possible.

### Item 3: Current Approach to NRPF in Housing

#### Eligibility for homelessness assistance

Eligibility for housing assistance and an allocation of accommodation is determined by s185 and s160ZA respectively of the Housing Act 1996, as amended, s185 (2) provides:

185 (1) A person is not eligible for assistance under this Part if he is a person from abroad who is ineligible for housing assistance.

(2) A person who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996 is not eligible for housing assistance unless he is of a class prescribed by regulations made by the Secretary of State.

The Regulations that prescribe the classes of persons eligible for assistance are the Allocation of Housing and Homelessness (Eligibility)(England) Regulations 2006 SI No 1294. These have recently been amended and include seven classes, which are broadly:

- Class A: Persons recorded as a refugee
- Class B: Persons granted exceptional leave, outside the provisions of the Immigration Rules
- Class C: Persons with indefinite leave
- Class D: Persons granted Humanitarian Protection (HP)
- Class E: Undetermined Asylum claims made before 3 April 2000
- Class F: Person who are Afghan Citizens employed there by the UK Government
- Class G: Persons with limited leave to remain granted on family or private life grounds under art 8 of the Human Rights Convention that have recourse to public funds.

However, under the Housing Act 1996, any person is entitled to housing advice to try to prevent homelessness, irrespective of eligibility:

179 (1) Every local housing authority shall secure that advice and information about homelessness, and the prevention of homelessness, is available free of charge to any person in their district.

**What this means in practice is that we must provide anyone, irrespective of immigration status, with advice but cannot provide housing to those who are deemed ineligible.**

#### Eligibility for an allocation of housing

160 ZA(1) A local housing authority in England shall not allocate housing accommodation–

(a) to a person from abroad who is ineligible for an allocation of housing accommodation by virtue of subsection (2) or (4),...

(2) A person subject to immigration control within the meaning of the Asylum and Immigration Act 1996 is ineligible for an allocation of housing accommodation by a local housing authority in England unless...

(4) The Secretary of State may by regulations prescribe other classes of persons from abroad who are ineligible to be allocated housing accommodation by local housing authorities in England.

The regulations referred to above are the Allocation of Housing and Homelessness (Eligibility)(England) Regulations 2006 SI No 1294 and essentially mirror the categories for homelessness assistance.

### Rough Sleepers

At the time of the last street count in November 2016 there were 60 verified rough sleepers in Redbridge. The majority of these are sleeping rough in and around Ilford Town Centre and many of these are NR cases.

These individuals are known to the housing and enforcement services and to our third sector partners. They fall into two groups: European nationals not exercising treaty rights (because they are too far from the labour markets), and Indian nationals. In both cases they are not entitled to public housing or housing services. There is an exception when a SWEP is called due to severely cold weather (below 0 degrees at night for 3 consecutive nights) in which case these rough sleepers can access the night shelter or emergency bed and breakfast if there are no spaces in the night shelter.

Individual rough sleepers with no recourse can be assisted by partner third sector organisations. EU nationals who can be assisted into work can regularise their position but this is difficult for a number of reasons. They may have substance or alcohol misuse issues, and their lack of a fixed address makes getting work very difficult. They may wish to use reconnection services to return to their country of origin. A previous third sector project run from the Welcome Centre has shown that this works best when there is a complimentary programme in the country of origin which will support the returner with work, housing and advice.

The group of Indian nationals might be assisted to regularise their status although this is a time consuming process, Ramfel have taken the lead on this work, and it is particularly difficult if they do not have any papers.

A number of these rough sleepers are known to the immigration Service and some are already subject to Removal Notices. However, the IS does not conclude its processes quickly and often the rough sleepers are left to remain on the street for months; when the IS does decide to pick up an individual it is not unusual for them to have moved on and be untraceable.

Anecdotally there have also been instances where rough sleepers who have been reconnected either voluntarily or by removal have subsequently returned to the area and been found to be sleeping rough again.

### Possible Innovation

We have recently been approached by a small specialist housing association which is interested in working up a scheme where they could provide a housing solution for people with no recourse. They would do this using private money rather than public and offering wrap around support from their own resources and in partnership with the council and other local agencies. Given the numbers that we have this is a project that is worthy of further consideration.

#### **Item 4: Controlling Migration Fund**

##### **Overview of the Fund**

The fund will be available between 2016/17 to 2019/20, unlike previous similar funds the Controlling Migration Fund, focuses on responding to the problems caused by high migration in localities as identified by local authorities and would deliver benefits to the established resident population. There are two parts to the fund;

- A Local Service Impact worth £100 million aimed at easing pressure on local services
- An Enforcement part worth £40 million to direct enforcement action against people in the UK illegally in order to reduce the pressures on local areas

It has been made clear that the prime purpose of the fund is to benefit the resident population and not to benefit the migrant.

Bids can include either part or both in one scheme. They should include joint work with third sector organisations and might be cross borough.

The Home Office has signalled that it is very interested in receiving a bid from Redbridge.

Given our housing and enforcement issues in Redbridge the basic proposition is that any bid should be centred on Ilford although potentially moving beyond the town centre.

##### **Co- production**

Any Redbridge bid should build on the relationships between the council and third sector organisations in Ilford and the proposition is that the project should be designed jointly from the outset. Given the rough sleeping issues in the town centre and the concerns being expressed by businesses and local residents it is also proposed that local businesses should be encouraged to work with us on the bid and the work programme that would follow.

Within the council both housing and enforcement teams should be involved as should children's services.

Other public services such as health and the police and possibly the fire brigade will also be invited.

In order to set the ball rolling it is proposed to invite these stakeholders to a workshop to kick start the process and brain storm potential projects. From this it would be essential to establish a small team to develop the proposals to work into a credible bid – and this should be ambitious in scale and outcome.

There will be a variety of opinions on the enforcement element of the fund and these will need to be identified and discussed early in the design process. It may be that different partners will want to be involved in different parts of the programme and the programme design should take account of these preferences.

The bid and the underpinning projects will need some thought but although there is no bidding deadlines we need to set a relatively rapid deadline for ourselves to give ourselves the best chance of a successful bid followed by successful project outcomes.

### **Possible Projects**

Some ideas – in no order of importance or preference

- Rough sleepers – reconnection – funding for a robust service which linked properly to services in the country of origin
- Rough sleepers – immigration status – funding for assistance with dealing with immigration issues and thus gaining access to services, housing and employment opportunities
- Children Act cases – project working on improving outcomes for those housed under Children Act duties and or looked after children who will have no recourse when they reach adulthood
- Targeting Criminal Landlords i.e. those who are renting to migrants without any consideration of legal duties and responsibilities often in very overcrowded situations and in accommodation which is dangerous and unsanitary
- Project linking targeting the activities of criminal landlords with actions relating to sex working and potential people trafficking
- Links to possible project to provide housing for no recourse individuals using private money

There will be lots more ideas once we have the brainstorming workshop!

### **Links with other Boroughs**

There may be some advantage on a joint borough bid, this remains to be explored. For instance there might be mileage on an East London project for targeting criminal landlords as they are likely to be operating in more than one borough and collaboration could increase the chances of success.

## Item 5: Case Studies

### Redbridge Council TB Protocol

Protecting the health of the local population is the health protection duty of local authorities since the 2013 Local Authorities regulations 2013. The Redbridge Health Protection Strategy sets out the health protection priorities and the remit of the Redbridge Health Protection Forum. The prevention, treatment and reduction of Tuberculosis (TB) is identified as a priority for Redbridge.

Redbridge has a well-established local Redbridge TB Partnership Forum which brings together local and regional TB expertise, utilising national resources (guidelines and legislation), such as the National TB Strategy for England, to support TB prevention, control and treatment locally.

The TB Partnership strategy includes development of a local NRPF Protocol to address “underserved populations” such as homeless patients to ensure completion of their TB treatments and cure.

### **Background**

The TB Partnership strategy considers underserved populations and the specific challenges and vulnerabilities faced by such groups. Within the Redbridge 3 year TB strategy, we have identified such groups to include: migrants, homeless people and those “dependant” on drugs and alcohol. (Because of this, the substance misuse team are part of the TB Partnership.)

The challenges for supporting underserved populations are also compounded by complexities that include funding, immigration and the law. In addition, within the TB Partnership Strategy, we have identified that while TB treatment is free in the UK, vulnerable groups such as those with NRPF have lack of access to funds, accommodation and support to ensure treatment completion and the resulting cure.

We have developed a protocol for supporting accommodation for TB patients with NRPF, see attached appendix.

### **Current guidance**

Our NRPF protocol is supported by the NRPF guidance, which became available as of April 2015 (when part 1 of the Care Act 2014 came into). This guidance provides a reference for local authorities in England to assist with assessing whether they have a duty to support destitute adults who have NRPF by providing accommodation in order to meet their needs for care and support. Since the Care Act 2014 came into force, provision of accommodation is no longer subject to a separate test, so adults with NRPF can access care and support in the same way that every other adult would, and are subject to the same eligibility criteria.

However, the TB partnership NRPF protocol does not cover children and families. Because of the complexities involving children and families, these are covered under a different legislation and a separate guidance called *Assessing and Supporting children and families with NRPF*.

### **Legislation**

In preparation and implementing the TB Partnership NRPF protocol, particular attention was given to the National Assistance Act 1948, which was established to ensure appropriate care was provided for people who did not pay National Insurance. Section 21 of the act gives Local Authorities a duty of

care towards any person who has a connection with the locality, so long as the need for care is not due to destitution alone.

All TB patients who were supported from homelessness during their TB treatment through the TB Partnership NRPF protocol had a connection with Redbridge and needed accommodation and support in order to complete their treatment for cure and prevention of onward transmission of TB infection to the wider public; as well as but not only because they were destitute.

### **Case Study 1**

This was an Indian man who had been on treatment for over two weeks and hence was no longer infectious. Accommodation was sourced for him through the housing department at time when our TB partnership protocol was in the process of development. He completed treatment successfully and was discharged by the BHRUT TB team. Following his cure from TB his family came forward and offered him accommodation, as well as continued support from the Home Office.

### **Case Study 2**

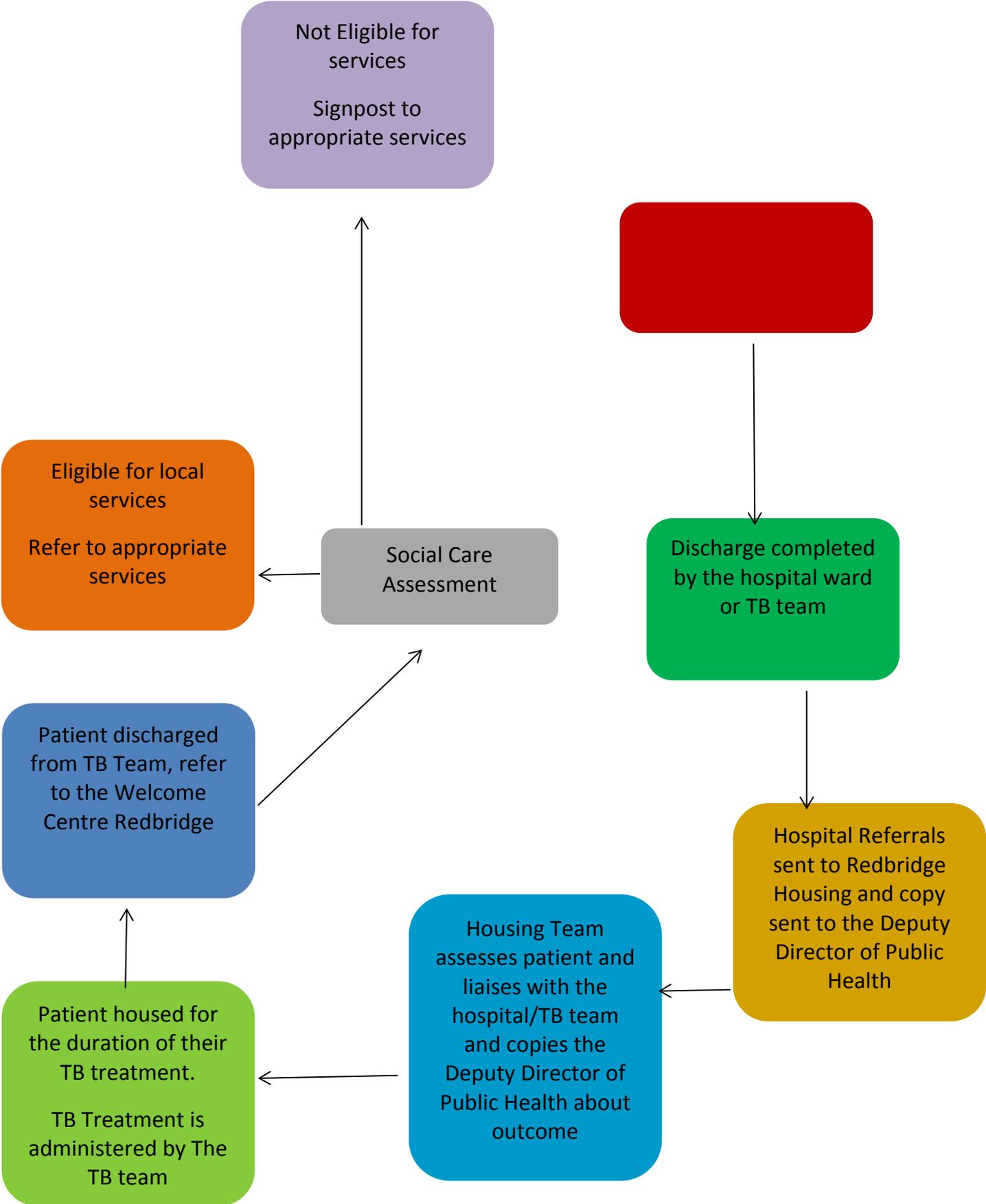
This was a Bangladeshi man, who spoke little English, but the outreach worker who was administering his TB Directly Observed Therapy (DOT) could speak the Bangladesh language. He was referred to Redbridge housing using our TB partnership protocol and was swiftly assessed and accommodated initially within Redbridge. However due to support care issues, this accommodation proved not suitable, as he needed care support. He was therefore moved to another care facility where all his care support needs were met. As this was sourced from another borough, and following the guidance that where such a patient is placed in another borough, the placing borough must continue supporting all needs including transport, we purchased him an oyster card and topped it up each week. This allowed him to travel to Redbridge each day to get his DOT at his meeting point and also to access his traditional food and social support at the Goodmayes temple. He completed his TB treatment successfully and was discharged by the TB Physician consultant and Team at BHRUT. At the time of his discharge he had gone from 56KG to 86Kg weight and gained self-care abilities. The TB partnership protocol is an efficient tool to ensure support of TB patients with NRPF who are homeless to complete their treatment and cure, achieving not only TB reduction but reducing onward TB transmission.

### **Conclusion**

The TB partnership NRPF protocol has ensured integrated TB treatment and care for vulnerable TB patients, through a multi-agency approach, including clinicians, relevant local authority teams, and public health professionals and appropriated community organisations.

It has addressed all aspects of TB prevention, care and control including housing and social support. The TB partnership protocol as stipulated within the local TB Strategy highlights as a priority within the Redbridge Health protection strategy and shows the commitment to ensure it remains in the strategic need assessment for Redbridge to continue to ensure reduction of the TB burden.

Appendix 1: Accommodation Protocol for a Patient with NRPF during TB treatment



### **Islington NRPF Team**

Islington Council runs a dedicated NRPF team in order to manage spend on people with NRPF. This team works closely with officers in Social Services and Housing to ensure that officers are dealing with NRPF cases correctly and that immigration queries are resolved with the Home Office quickly.

The team:

- Supports accommodation and subsistence costs for people with NRPF.
- Liaises with the Home Office and legal representatives to resolve immigration issues and barriers, including determining the immigration status of individuals and to determine the duties and powers the Council should exercise in each case.
- Completes Human Right Assessments where appropriate.
- Assesses what alternative support networks are available to provide financial assistance to people with NRPF.
- Work with people with NRPF to support assisted voluntary return to their country of origin or signpost them to further advice and support if appropriate.
- In the case of being granted status, support the individual to get documentation that will enable access to benefits and make referrals to the appropriate support (for housing, employment and any other services that they are now eligible for).

There are agreements in place with service areas setting out the various roles and responsibilities of each team, and how they will work together (please see Annex A for an example of an agreement with Children's Services). The team also provides advice and guidance to service areas on next steps in NRPF cases, including helping officers to understand the relevant legislation.

### **Dedicated webpage**

Islington Council has a dedicated webpage with information, advice and signposting about NRPF. It contains information on:

- Who is eligible for NRPF support from the local authority
- Clear information on where referrals should go (via social services, not directly to NRPF team)
- An email/telephone contact for more information (explicitly not for providing immigration advice to individuals)
- Links to social care referral pages
- Links to other useful organisations, including the NRPF network, NASS and Citizen's Advice

The webpage also contains information on the weekly basic subsistence rates people with NRPF who are receiving assistance can expect to receive based on how many children they have and whether they are a couple or single. This document explains how and why the Council have set these rates, what the money should be used for and explains why there may be variations to basic rates.

### **National NRPF Network**

Islington Council co-ordinates the national network for NRPF. This is a network of local authorities and partner organisations focusing on the statutory response to migrants with care needs who have NRPF.

The NRPF Network works at practice, policy and strategic levels and aims to:

- Share information and good practice amongst local authorities and other agencies working in this area;
- Support local authorities in meeting their statutory duties to people with NRPF;
- Work with the UKBA and other government departments to improve the efficiency of resolving local authority-supported NRPF cases;
- Represent the concerns of local authorities in regards to the NRPF client group.

Main activities of the NRPF Network include:

- Issuing detailed practice guidance on the duties and responsibilities of local authorities to people with NRPF;
- Undertaking policy work to represent the views of Network members to the Home Office and other government departments;
- Delivering a range of NRPF training programmes to members;
- Circulating legal, policy and practice updates to members on a bi-monthly basis through news bulletins;
- Running an advice and information enquiry service;
- Organising events and conferences do explore current issues in the field of NRPF;
- Working alongside and supporting the regional NRPF Networks to pick up on regional trends and concerns and make the most of this opportunity for practitioners to meet and share information and good practice around NRPF issues.

## **Annex A: Children's Services Agreement**

This document sets out how Children's Services and the NRPF team work together in order to ensure that cases with NRPF are dealt with in a timely, cost effective and efficient manner that makes best use of the resources available to the council to provide the fairest outcome for the family and children involved.

### **What is NRPF?**

No Recourse to Public Funds (NRPF) is an immigration condition restricting access to public funds, including many mainstream benefits such as welfare and housing.

Despite the NRPF condition, families and individuals may have a right to financial support (accommodation and subsistence) from social services to avoid destitution or because of complex health needs.

In these cases, the local authority has a duty to support the accommodation and subsistence costs of residents with NRPF. These cases are often complex to identify, assess and resolve and unpredictable in terms of how much they cost and how long they last.

The council receives no funding to support this work and so Islington has a dedicated NRPF team in order to manage how much we spend and to liaise with the Home Office to make sure that immigration queries are resolved quickly.

Islington also co-ordinates the national network for NRPF which brings together local authorities and can provide detailed advice and guidance on NRPF.

[www.nrpfnetwork.org.uk](http://www.nrpfnetwork.org.uk)

### **Agreement between Children's Social Care and NRPF Team**

1. The NRPF team and Children's Social Care will work closely together in the identification, assessment, support for families who are NRPF and require support under Section 17 of the Children's Act (1989.)
2. Children's Social Care will get in touch with the NRPF team as soon as possible on receiving an NRPF enquiry
3. The two teams will work closely with Legal Services to fully understand the duties and powers the Council has, as well as the limits of that support, including in some cases supporting families to return to the parent's country of origin.
4. A family who is funded from the NRPF budget will be supported by Islington Council under Section 17 of the Children's Act until such a time as the needs of the child can be met other than by financial support from the local authority.

5. In practice this means that where a referral has been made to the NRPF team:

<i>Children's Services will</i>	<i>NRPF caseworkers will</i>
Keep the case open for assessment and annual review under the Children's Act to safeguard and promote children, even <b>where the family is housed out of borough</b> and where the case has been transferred to the NRPF team	Support accommodation and subsistence costs for families and dependents until a resolution as outlined above is achieved
In an emergency, or in the case of an out of hours referral where a child is destitute, provide accommodation on the day ideally for at least 4 days where possible, before a joint meeting has taken place	Liaise with the Home Office and legal representatives to resolve immigration issues and barriers

6. NRPF cases should be treated as a priority. They are financially costly to the council and can be resolved and a better outcome realised for the family and children if they are progressed quickly through the assessment process. As a guideline, timescales are given below:

<i>Children's Services will</i>	<i>NRPF caseworkers will</i>
Complete a draft Child in Need Assessment for comment within <b>15 working days</b>	Complete Human Right's Assessments (where appropriate) within <b>10 working days</b>
Close the assessment <b>as soon as possible</b> and within the 45 day statutory period	

7. The NRPF team and Children's Services will work together to ensure that information on ICS and NRPF Connect are up to date.
- NRPF Connect is a database between local authorities and the Home Office, which allows for the quicker progression and resolution of queries related to immigration status. The NRPF team manage this database and all correspondence with the Home Office related to immigration status should be via NRPF Connect.
  - Children's Services will hold responsibility for cases on ICS and will create all contacts. If the NRPF team provide support a case **will not be closed** but instead will be transferred to them for the duration of that support and **the record will be kept open on ICS for the duration of that support.**
8. The NRPF team will work together with the relevant operational manager to review quarterly the NRPF caseload, spend and upcoming case reviews in order to speed up resolution of cases and maximise the resources of the council.

## How should I support a client with NRPF?

<b>When a family first presents... OR If a query related to immigration status comes to light...</b>	
<i>Children's Services should</i>	<i>NRPF caseworkers should</i>
<p>Be aware of the kinds of families who <b>could</b> fall under the NRPF condition, including:</p> <ul style="list-style-type: none"> <li>- Visa overstayers</li> <li>- Asylum seekers or refused asylum seeker</li> <li>- People on spousal or student visas</li> <li>- People with Leave to Remain with NRPF stamped on their visa</li> <li>- EEA nationals (who have been refused access to mainstream benefits)</li> </ul>	<p>Direct caseworkers to relevant advice and guidance at <a href="http://www.nrpfnetwork.org.uk">www.nrpfnetwork.org.uk</a>.</p>
<p>Get in touch with the NRPF team for advice and to flag the case as a potential client.</p> <p>Ask the family for relevant documentation:</p> <ul style="list-style-type: none"> <li>- Related to immigration status (such as passport or other Home Office identification such as visa, biometric card or any document related to their current stay),</li> <li>- To confirm homelessness (such as a letter confirming notice to quit existing accommodation)</li> <li>- To provide evidence of destitution (such as previous bank statements)</li> </ul>	<p>Provide over the phone or email guidance on next steps:</p> <p>Mon-Fri 9am-5pm: ext.3054/7129 Email – <a href="mailto:nrpf@islington.gov.uk">nrpf@islington.gov.uk</a></p>
<p><b>Children's Services should organise a joint meeting with the presenting family to determine if the council has a duty to assess and ask the family to bring along relevant documentation.</b> In this meeting:</p>	
<i>Children's Services should</i>	<i>NRPF caseworkers should</i>
<p>Seek to establish whether the child is a child in need.</p> <p>Seek to establish 'territorial responsibility' – (are they the responsibility of Islington?), whilst recognising that they must not step back away from a duty just because they believe it is the</p>	<p>Seek to confirm the immigration status of family through a paper review of documentation and liaison with the Home Office.</p> <p>In partnership with Children's Services, seek to confirm whether the family is destitute through a review of bank</p>

<p>responsibility of another area.</p> <p>Assess if there are other potential concerns relating to the family, including:</p> <ul style="list-style-type: none"> <li>- Child protection and safeguarding</li> <li>- Private fostering arrangements</li> <li>- Risk of child trafficking</li> </ul>	<p>statements and letters from family and friends regarding previous support, including assessing what alternative support networks are available to financially assist.</p> <p>In the case of a partner on a spousal visa fleeing domestic violence, encourage the partner to seek legal advice and apply to the Home Office under a fast track procedure.</p>
<p><b>If they decide to assess...</b></p>	
<p><i>Children's Services should</i></p>	<p><i>NRPF caseworkers should</i></p>
	<p>Arrange and provide emergency accommodation and subsistence payments whilst an assessment is undertaken.</p> <p>Write to the family, copying in the social worker, with details of the level of support and the assessment.</p>
<p>Complete a Child in Need Assessment.</p> <p>Liaise with the NRPF team and, if necessary, Legal Services to make a decision within 24hours of the assessment being completed.</p> <p>Allow the parent to comment on the completed assessment.</p>	<p>Determine if the family is caught by Schedule 3 exclusions to Section 17 support in the Nationality, Immigration and Asylum Act.</p> <p>If so and when appropriate, complete a Human Right's Assessment to ascertain if withdrawing or withholding services would be a breach of human or community treaty rights.</p>
<p><b>If the family is not eligible for support</b></p>	
<p><i>Children's Services should</i></p>	<p><i>NRPF caseworkers should</i></p>
<p>Check the NRPF letter and sign off by a team manager</p>	<p>Meet with the family to explain the decision.</p> <p>Write to the family explaining the decision – signed off by the NRPF team manager.</p> <p>Provide a 21 day notice period until termination of support.</p> <p>Work with the family to support assisted voluntary return to their country of origin or signpost them to further advice and support if appropriate.</p>

<b>If the family is eligible for support</b>											
<i>Children's Services should</i>	<i>NRPF caseworkers should</i>										
<p>Ensure that the assessed needs of the child are being met.</p> <p>Transfer the case to the allocated NRPF caseworker (NOT close the case) unless there are additional social work concerns in which case it will remain with the allocated social worker with NRPF caseworker support.</p> <p>Allocate the case annually to a social worker to review the case alongside an NRPF caseworker - even where they are housed outside of the borough.</p>	<p>Write to the family confirming the decision and why support has been agreed.</p> <p>Procure accommodation, if not already in place.</p> <p>Provide subsistence payments at the following rates:</p> <table border="1"> <thead> <tr> <th><b>Group</b></th> <th><b>Weekly subsistence rate</b></th> </tr> </thead> <tbody> <tr> <td>Single parent</td> <td>£43.94</td> </tr> <tr> <td>Couple</td> <td>£72.52</td> </tr> <tr> <td>Each child</td> <td>£52.96</td> </tr> <tr> <td>Nursing money for expectant mothers and those with children under 1 year/ 1-3 years</td> <td>£5/ £3</td> </tr> </tbody> </table> <p>Liaise with the Home Office and family to support the progression of the case towards a resolution.</p> <p>Review the case annually, alongside a social worker, including reassessing destitution.</p>	<b>Group</b>	<b>Weekly subsistence rate</b>	Single parent	£43.94	Couple	£72.52	Each child	£52.96	Nursing money for expectant mothers and those with children under 1 year/ 1-3 years	£5/ £3
<b>Group</b>	<b>Weekly subsistence rate</b>										
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Couple	£72.52										
Each child	£52.96										
Nursing money for expectant mothers and those with children under 1 year/ 1-3 years	£5/ £3										
<b>Once the case is resolved</b>											
<i>Children's Services should</i>	<i>NRPF caseworkers should</i>										
<p>Review the case in order to understand if there are any remaining Child in Need or child protection issues.</p> <p>Hold an exit interview with the family.</p>	<p>Write to the family to confirm the decision including the start of a 28 day notice period until NRPF support will finish.</p> <p>In the case of being granted status, support the family to get documentation that will enable access to benefits and make referrals to the appropriate support (for housing, employment and any other services that they are now eligible for).</p> <p>Inform Children's Services and, if appropriate, close the case on ICS.</p>										

## Annex B: Islington NRPF Webpage

### What is 'No Recourse to Public Funds?'

No Recourse to Public Funds (NRPF) is an immigration condition restricting access to public funds, including many mainstream benefits such as welfare and housing.

Families and individuals may have a right to financial support (accommodation and subsistence) from social services to avoid destitution or because of complex health needs.

In these cases, the local authority has a duty to support the accommodation and subsistence costs of residents with NRPF.

These cases are often complex to identify, assess and resolve and unpredictable in terms of how much they cost and how long they last. The council receives no funding to support this work and so Islington has a dedicated NRPF team to provide accommodation and subsistence and to liaise with the Home Office to make sure that immigration queries are resolved as quickly as possible.

Islington also co-ordinates the [national network for NRPF](#) which brings together local authorities and provides detailed advice and guidance on NRPF – including regular updates on case law and legislation.

### Who is eligible for NRPF support from the local authority?

There are three main groups who may be eligible for NRPF support from the local authority.

Group	Supported Under
Destitute families	S17 Children's Act (1989)
Single adults with care needs	Care Act (2014) S117 Mental Health Act (1983)
Young people leaving care	Children (leaving care) Act (2000)

NRPF cases must first present to social services (or Mental Health services) who will then refer to the NRPF team where appropriate. The NRPF team does not accept referrals directly from individuals, or referrals from organisations other than social services or Mental Health teams, but is happy to answer queries related to NRPF.

The NRPF network runs a free advice line on 020 7527 7121 which is available from 9am-5pm Mon-Fri – however, we cannot provide immigration advice to individuals. For further information please email [nrpf@islington.gov.uk](mailto:nrpf@islington.gov.uk).

## Useful information and links

### Islington Social Services

Any resident requesting NRPF support should present to social services in the first instance:

- [Children's Services Contact Team](#) – the single point of contact for all services for children, young people and families in Islington who may need extra help and support.
- [Adult Social Services: Access and Advice Team](#) – the first point of contact for adult social care – providing information, advice and care support.

### NRPF Network

As well as practice guidance and a regular newsletter, the NRPF network runs a free advice line on 020 7527 7121 which is available from 9am-5pm Mon-Fri – however, we cannot provide immigration advice to individuals.

Link: [NRPF network](#)

### National Asylum Support Service

The NRPF team does not generally support asylum seekers or refused asylum seekers which is usually provided by the National Asylum Support Service (NASS) on 0808 8000 630 Mon-Fri 8.30am-7pm or

Link: [asylumhelpuk.org](http://asylumhelpuk.org)

### Citizens Advice

Adviceguide provides information on the immigration rules and where to get immigration advice. All immigration advisors must be OISC registered.

Link: [Adviceguide](#)

**Minutes of the 22 February 2017**

**Attendees:**

- Cllr Bob Littlewood (Chairman)
- Cllr Emma Best
- Cllr Farah Hussain
- Cllr Paul Merry
- Rita Chadha (RAMFEL)
- Jocelyn Davis (Redbridge Foodbank)
- Sonia Lynch (Welcome Centre)
- Ross Diamond (Redbridge CVS)
- Elise Gellatley (Community Police)
- Cecelia Rufus/Khadra Mohamed (Redbridge Equalities and Community Council)
- John Clifton (Salvation Army)
- Sarah Tranter (Redbridge Council)
- Caroline Cutts (Redbridge Council)
- Jackie Odunoye (Redbridge Council)

**Apologies:**

- Mark Kirk (Redbridge CAB)
- David Landau (REEC)
- Catherine Worboyes (Redbridge Council)

**Item 1: Minutes of the previous meeting**

Panel members agreed that the minutes were an accurate reflection of the meeting of 21 January 2017. Outstanding actions – Rita Chadha apologised for not circulating her summary of issues beforehand. This was shared with members in the meeting and will be tabled for discussion at the next meeting.

**Item 2: Current approach to NRPF in Social Care**

Caroline Cutts introduced the NRPF in children’s social care paper. The main point of concern is the implementation of the Immigration Act, which will change the way we work with families who are currently covered under the Children’s Act. However, it is not yet known when this will come into force or what the details of the regulations are, although the intention was originally for implementation in April 2017. The Council will not be able to tell how many families will be affected and how until the Home Office releases these details.

Barking and Dagenham are just completing a review of the proposed changes within the Immigration Bill. This will be published shortly and should help to inform the debate. It may be that the Home Office will take responsibility for families who are no longer covered under the Children’s Act, although there is some concern that this could result in communal accommodation outside of the home borough for such families.

Rita Chadha highlighted that there seems to be a training issue with staff in children’s centres and health visitors not referring children with immigration issues to children’s services for an assessment.

Rita Chadha also informed the Panel that because children’s services have a legal duty to report to the Home Office, there are occasions when RAMFEL and other NGOs will not refer to children’s services for fear of families being identified by the Home Office.

**Actions**

Circulate Oxford University’s study on families with NRPF.	Rita Chadha
Feedback training issues via NELFT and Early Intervention and let the Panel know of any developments.	Caroline Cutts

**Item 3: Current approach to NRPF in Housing**

Jackie Odunoye introduced the NRPF in children’s social care paper. The legislation around this area is not very straightforward, particularly when some family members are subject to immigration controls and others are not. The Council can, however, provide housing advice to anyone regardless of their immigration status. This can include helping people find accommodation in the private rented sector if they are ineligible for public housing.

Panel members were very interested in the possible innovation with a specialist housing association. Discussions are in their earliest stages at the moment, but the Council will definitely be taking these forward. This would provide a housing first approach, which has been tested and successfully used in Redbridge before.

The Salvation Army is still interested in the site at Chadwick Road and is in discussions with the Council about this. This would be used to help accommodate people with NRPF alongside those with recourse (to offset costs). There are some legal issues to tease out about the use of Council land. Factoring land costs into either of these projects would put the costs up significantly.

There is a significant issue with a small number of people who are entrenched rough sleepers. The costs of enforcement, clean up etc. are likely to be significant with this group. They could benefit from intensive work to move them towards independence. There is a possibility this could be funded by the Greater London Authority.

The Rough Sleeper Protocol is in need of updating as it does not reflect current practice. Panel members agreed that current practice seems to be working well, although the work is increasingly challenging.

**Actions:**

Circulate any more detailed information we have on the 60 rough sleepers – e.g. exact numbers who have NRPF, who have been on the streets for over 2 years	Jackie Odunoye
Meet to work through the issues with the Chadwick Road site.	John Clifton and Jackie Odunoye
Research the Greater London Authority’s funding pot for entrenched rough sleepers.	Sarah Tranter
Feedback to the Panel when the Rough Sleepers Protocol has been updated.	Jackie Odunoye
Produce a note on rough sleeping hotspots	Jackie Odunoye

**Item 4: Controlling Migration Fund**

Jackie Odunoye introduced the Controlling Migration Fund paper. She emphasised the fact that any bids must provide benefits to the established population, not just migrants.

Cllr Bob Littlewood suggested two further projects that could be considered – ESOL provision and working with new communities through, for example, youth provision, in order to encourage integration.

It was suggested that at some point discussions should be broken into two to discuss the issues of enforcement and integration separately. However, these may not be able to be separate bids due to overlapping outcomes that cannot necessarily be seen in isolation.

**Actions:**

Update the Panel once progress has been made on this project.	Jackie Odunoye
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**Item 5: Case Studies**

Panel members noted the case studies provided. Islington Council provides the NRPF Network, which is a good resource that everyone should be using. Redbridge Council's NRPF officer is very proactive and talks to Islington and other local authorities very often to pick up best practice.

**Forward Plan**

Members agreed that they wish to discuss the following at the next meeting:

- Rita Chadha's briefing document on issues affecting the different types of migrants in Redbridge and potential solutions
- Invite Praxis to talk about their hosting scheme
- Invite the Housing Association to provide more information on their potential project in Redbridge
- Caroline Cutts to provide a further paper on the standards of accommodation provided for NRPF families

An invitation to join the next meeting will also be extended to the asylum support accommodation provider in the Borough, and officers from the overseas departments in St George's and Queens hospitals.