



An inspection of contingency asylum accommodation

May 2021 – November 2021

David Neal

Independent Chief Inspector of
Borders and Immigration

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Foreword

This inspection focuses on the use of hotels as contingency asylum accommodation. It follows the ICIBI's inspection in February 2021 (with Her Majesty's Inspectorate of Prisons), of the use of Napier Barracks and Penally Camp as contingency asylum accommodation.

The use of hotels as contingency asylum accommodation is not new, but the COVID-19 pandemic and restrictions on moving people on to Dispersed Accommodation increased the demand for Initial (and contingency) Accommodation, and therefore hotels. This was exacerbated by the sharp rise in asylum intake in summer 2021. By November 2021, 21,500 asylum seekers were being accommodated in 181 hotels, more than double the figures in May 2021. The cost of providing contingency asylum accommodation is eye-wateringly expensive and the AASC¹ contracts have a combined value of more than £4.5 billion over 10 years. The landscape has changed considerably since these contracts were let, and they must be overhauled to account for the changed situation, maintaining oversight to ensure delivery and quality.

I was keen to ensure that we had an extensive evidence base, and the team inspected 20% of each of the 3 providers' hotels. My overall conclusion is that the service providers delivered accommodation broadly in line with the statement of requirements. There are 3 further observations which I make from the findings:

Firstly, whilst relationships are now being repaired, the short notice and lack of consultation provided by the Home Office to local authorities prior to new hotels being established in their areas has damaged relations considerably.

Secondly, the Home Office needs to be realistic in setting targets and working with providers and stakeholders to agree what is achievable. At the start of this inspection we found little credible evidence that the target to end the use of hotels as asylum accommodation by May 2021 would be met; 12 months later nobody believes the revised target of March 2022 is achievable. A clear understanding of the situation which allows the creation of an effective strategy is an essential first step to tackling the huge challenges the Home Office faces.

Finally, ministers need to make timely decisions to enable senior officials to effect change quickly. No one is clear whether the establishment of reception or processing centres will be sufficient to accommodate the current hotel population. However, it is crystal clear that the Home Office must speed up the asylum decision-making process to give people some certainty and move them through the system so they can get on with their lives. Whatever the solution, it cannot come quickly enough for the large number of people who have been living in hotels for many months.

This report was sent to the Home Secretary on 16 February 2022.

David Neal
Independent Chief Inspector of Borders and Immigration

1 Asylum Accommodation and Support Contracts.

1. Scope and purpose

1.1 This inspection focused on the delivery and assurance of the Asylum Accommodation and Support Contracts (AASC), including:

- how contingency asylum accommodation providers deliver contingency asylum accommodation in line with the AASC contracts and the measures taken to ensure that service provision meets the expected standards – with particular reference to safeguarding and accommodation provided for asylum seeking families with children
- the processes used by the Home Office to assure itself that the actions of the contingency asylum accommodation providers, the conditions and use of contingency asylum accommodation, and the treatment of service users,² are in line with the contract requirements – with particular reference to safeguarding and accommodation provided for asylum seeking families with children
- Home Office plans to meet its stated aim of ending the use of hotels for contingency asylum accommodation, with particular reference to how the Home Office engages with commercial and other partners (including local authorities) to achieve this.

1.2 The inspection scope did not include:

- the provision of accommodation for unaccompanied asylum-seeking children (UASC) on their arrival in the UK
- the provision of Dispersed Accommodation (DA)
- the procurement and assurance of other types of hotel accommodation procured by the Home Office and other departments for those arriving in the UK, including initial processing centres to relieve the pressure on the Kent Intake Unit (KIU),³ and bridging hotels under the Afghan resettlement schemes.

² A person staying in asylum accommodation is referred to as a 'service user', which may be abbreviated to 'SU'.

³ One of 3 units that make up the National Asylum Intake Unit (NAIU). The NAIU is responsible for the receipt and initial processing of asylum applications.

2. Methodology

2.1 Inspectors:

- reviewed open source information relevant to contingency asylum accommodation, including the ICIBI's inspection of the Home Office's management of asylum accommodation provision, published in February 2018,⁴ and the National Audit Office report on asylum accommodation support, published in July 2020⁵
- on 25 January 2021, published a 'call for evidence' on the ICIBI website inviting contributions from anyone with knowledge or experience of contingency asylum accommodation
- in June and July 2021 held video conference calls with Home Office units, accommodation service providers and non-governmental organisations (NGOs), and visited contingency asylum accommodation sites across the UK, speaking to service provider staff, service users, and relevant stakeholders, as part of familiarisation
- analysed the documentary evidence and data provided by the Home Office in response to inspectors' preliminary, formal, and further evidence requests
- between October 2021 and November 2021, interviewed and held focus groups (via MS Teams and in person) with Home Office managers and staff from Executive Officer to Senior Civil Servant
- between October 2021 and November 2021, visited contingency asylum accommodation sites across the UK, speaking to service provider staff, service users, and relevant stakeholders as part of the onsite phase of the inspection
- between October 2021 and November 2021, interviewed and held focus groups (via MS Teams and in person) with service provider staff, hotel staff, and relevant stakeholders
- on 17 November 2021, presented the emerging findings to Home Office senior management

2.2 This inspection was conducted during the COVID-19 pandemic. Acknowledging the pressure that Home Office staff were under, deadlines for the return of evidence requests were extended, often by several weeks, to provide the Home Office with sufficient time to respond fully.

⁴ <https://www.gov.uk/government/publications/an-inspection-of-the-home-offices-management-of-asylum-accommodation-provision>

⁵ [10287-001-accommodation-for-asylum-seekers-Book.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/10287-001-accommodation-for-asylum-seekers-Book.pdf)

3. Recommendations

The Home Office should:

- 3.1** conduct a review of the AASC contracts, including the volume caps, key performance indicators and the approach to provider delivery that goes 'above and beyond' the Statement of Requirements, to ensure they can adapt to fluctuations in intake levels and are fit for purpose for the remainder of the contract period
- 3.2** develop effective consultation mechanisms with local authorities and their associated wraparound services (for example health, education) to enable constructive engagement prior to the establishment of contingency asylum accommodation and to facilitate the delivery of additional Dispersed Accommodation
- 3.3** develop effective plans and forecasts for the continuing intake (and seasonal peaks) from small boat arrivals and their impact on the contingency asylum accommodation estate
- 3.4** develop realistic plans to end the use of hotels for contingency asylum accommodation, with realistic targets for the procurement of additional Dispersed Accommodation by the service providers, acknowledging that the current target date of March 2022 is unachievable
- 3.5** resource the AASC-A⁶ team to ensure it is sufficient to maintain a programme of quarterly (in line with the Service Delivery and Contract Assurance Overview improve resourcing of document) intelligence-led inspections of all contingency and Initial Accommodation sites, alongside targeted inspections of Dispersed Accommodation
- 3.6** prioritise the delivery of a Home Office data system that provides access to, and effective scrutiny of, all service provider contract performance and delivery data
- 3.7** implement a system to record details of safeguarding issues identified in contingency asylum accommodation, including the accommodation site, issue of concern, and outcome

⁶ Asylum Accommodation and Support Contracts – Assurance.

4. Background

Background

- 4.1 This inspection focuses on the use of hotels as contingency asylum accommodation.
- 4.2 From October 2020 onwards, several stakeholders contacted the Independent Chief Inspector with concerns about the quality of the properties being used as contingency asylum accommodation, in particular Napier Barracks in Folkestone and Penally Training Camp in Wales. In November 2020, the Chief Inspector notified the Home Office of his intention to inspect the use of hotels and barracks as asylum accommodation.
- 4.3 In January 2021, the Chief Inspector invoked section 52 of the UK Borders Act 2007 to enable Her Majesty's Inspectorate of Prisons (HMI Prisons) to provide support for an inspection of former Ministry of Defence accommodation that was being used as contingency asylum accommodation. To enable the Home Office to utilise the learning points raised concerning the use of former military and alternative forms of asylum accommodation, the Chief Inspector published interim high-level findings from the inspection in March 2021. The full report was published by the Home Office in July 2021.⁷ On completion of the inspection of Napier Barracks and Penally Camp, ICIBI's attention turned to the Home Office's use of hotels as contingency asylum accommodation, which is the focus of this report.
- 4.4 Under the Immigration and Asylum Act 1999, the Home Office has a statutory obligation to provide accommodation and support to asylum seekers who would otherwise be destitute. The type of accommodation provided depends on where they are in the support process (see the detail on legislation below). During the normal operation of the asylum accommodation and support contracts, the Home Office's accommodation providers have plans in place to procure additional accommodation in the event of an unforeseen surge in asylum intake. This includes exploring options across their contract areas by looking at Dispersed Accommodation (DA)⁸ procurement and available hotel contingency when there is a shortage of Initial Accommodation (IA).⁹
- 4.5 Hotel accommodation has previously been used by the Home Office as contingency asylum accommodation, and at the start of the COVID-19 pandemic in March 2020 there were already

7 <https://www.gov.uk/government/publications/an-inspection-of-contingency-asylum-accommodation-hmip-report-on-penally-camp-and-napier-barracks>

8 Described as 'longer-term temporary accommodation managed by accommodation providers on behalf of the Home Office. You will normally be able to stay in dispersal accommodation until your asylum claim has been fully determined. It is not always possible to stay in the same property.' See: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/821324/Pack_A_-_English_-_Web.pdf Note that dispersed accommodation can also be provided to failed asylum seekers and immigration detainees who have been released on bail and are temporarily unable to leave the UK because of a legal or practical obstacle under section 4 of the Immigration and Asylum Act 1999.

9 "Initial accommodation is short-term housing that can be full-board, half-board or self-catering. It is usually in a hostel-type environment. It is for asylum seekers who need accommodation urgently, before their support applications have been fully assessed and longer-term accommodation can be arranged. The amount of time people stay in initial accommodation can vary, but around 3-4 weeks is normal, before moving onto dispersal accommodation." <https://www.gov.uk/government/publications/living-in-asylum-accommodation>

significant numbers of service users – the term used for asylum seekers in accommodation – in hotels.¹⁰

- 4.6** The contractual basis for the provision of hotel accommodation is provided under the Asylum Accommodation and Support Contracts (AASC). Although the contracts were awarded for the provision of IA and DA, they also apply in their entirety to the provision of contingency asylum accommodation, which includes hotels.
- 4.7** Management of the AASC contracts and the service providers' performance in delivering them is overseen by the Asylum Support Contracts (ASC) team in the Asylum Support and Specialist Casework (ASSC) team in the Home Office. ASSC sits within the Resettlement Asylum Support and Integration (RASI) directorate in the Asylum and Protection area of the Home Office.
- 4.8** Following the implementation of COVID-19 lockdown measures in March 2020, the Home Office decided to pause the cessation of asylum support. This meant that service users could remain in their existing accommodation and comply with Public Health guidance. However, asylum seekers continued to arrive in the UK while no service users were leaving supported accommodation. The Home Office's statutory obligation to house those who would otherwise be destitute meant that it needed to put in place a rapid response to the increased demand for accommodation. Ministerial approval was given for the increased use of hotel accommodation during this phase of the pandemic.
- 4.9** As COVID-19 restrictions were lifted, the Home Office ended the moratorium on asylum support cessations. However, the 'outflow' of people from the asylum system was less than the 'inflow' of new asylum seekers. This presented a risk that the Home Office would fail to meet its statutory obligation to provide support to those who would otherwise be destitute through a lack of available accommodation, and so the pressures on the system and the need to identify additional accommodation remained.

Immigration statistics

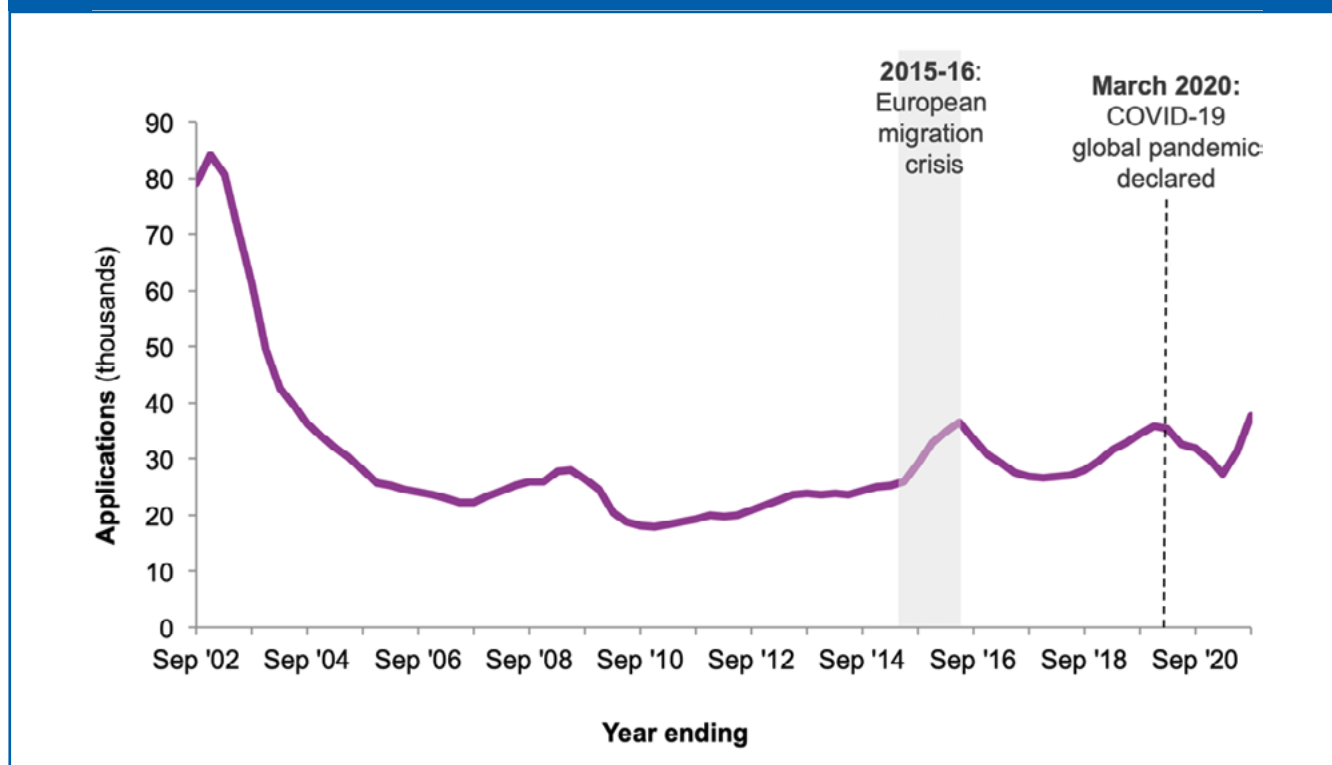
- 4.10** The Home Office's summary of immigration statistics for the year ending September 2021 showed that the number of asylum applications lodged in the UK rose year on year, from 26,547 in 2017 to 35,737 in 2019, but the figures for 2020 fell to 29,815 as a result of the COVID-19 pandemic. There were 37,562 asylum applications (relating to 44,190 people) received in the year ending September 2021. This figure was 18% higher than the previous year and was "the highest number of asylum applications in the UK since the year ending June 2004 (39,746)".¹¹ The increase was partly linked to the easing of global travel restrictions as a result of COVID-19 and an increase in arrivals by small boats. In the year ending June 2021, the UK received "8% of the total asylum applicants across the EU+¹² and UK combined over that period" which was "the 17th largest intake when measured per head of population".

¹⁰ The National Audit Office report on asylum accommodation and support, published in July 2020, said that there were more than 1,000 accommodated asylum seekers in hotels each night between October 2019 and March 2020. See: <https://www.nao.org.uk/wp-content/uploads/2020/07/Asylum-accommodation-and-support.pdf>

¹¹ <https://www.gov.uk/government/statistics/immigration-statistics-year-ending-september-2021/how-many-people-do-we-grant-asylum-or-protection-to>

¹² Countries in the EU, EEA and Switzerland.

Figure 1: Asylum applications lodged in the UK, years ending September 2002 to September 2021



4.11 A House of Commons Library research briefing on asylum statistics, dated September 2021, noted:

“The fall in the number of asylum applications [in 2020] was chiefly due to a fall in the number of applications being made ‘at ports’ or, in other words, at the UK border immediately on arrival by plane, ferry, or train... 97% of applications were made ‘in country’ in Q2 2020, as opposed to ‘at ports’. ‘In country’ applications include those made by most people crossing the Channel in small boats... around one third (35%) of applications in Q2 2020 and approximately 44% of all asylum applications in Q3 2020 were small boat arrivals.”¹³

4.12 The briefing also noted:

“In total in 2020, roughly 8,400 people crossed the Channel [in small boats]. This was substantially more than in 2019 (1,800) and in 2018 (300).

In the year to the end of August 2021, over 12,000 people crossed in small boats. The estimated number of people who crossed in July 2021 (around 3,500) was the highest number in any month to date.”

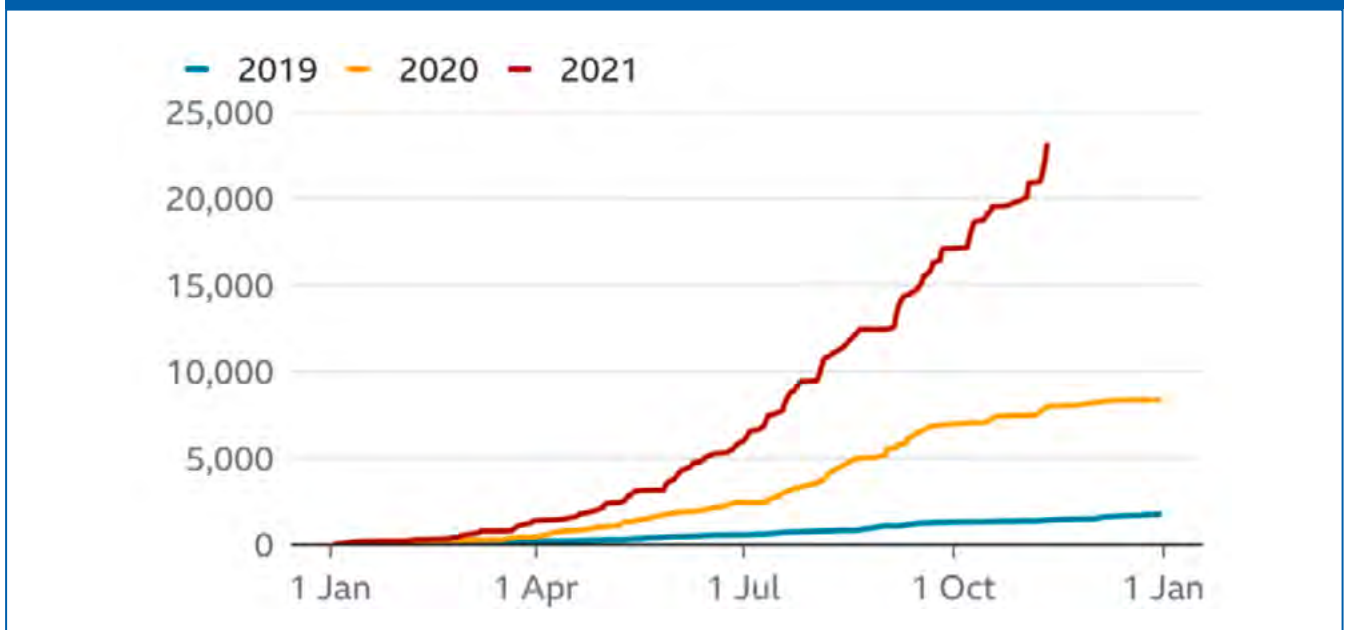
4.13 In November 2021, the BBC reported the highest number of people crossing the English Channel by small boat to reach the UK in a single day (1,185)¹⁴ and that the total number for the year, 27,500, was more than 3 times that for 2020.¹⁵ These figures, in a month when numbers were traditionally lower due to the winter weather, were described by a senior manager as “scary”, with another telling inspectors that the Home Office was “in crisis mode”.

13 <https://researchbriefings.files.parliament.uk/documents/SN01403/SN01403.pdf>

14 <https://www.bbc.co.uk/news/uk-59257107>

15 <https://www.bbc.co.uk/news/uk-59375590>

Figure 2: People crossing the English Channel in boats, year to date (November 2021)



- 4.14** At the end of September 2021, the total number of asylum applications awaiting an initial decision was 67,547 (relating to 83,733 people), an increase of 41% on the previous year.¹⁶ No reason was provided for this significant increase, but the speed and quality of asylum decision making was frequently cited by Home Office staff and stakeholders as a contributory factor to the delays in moving people through the asylum accommodation system.
- 4.15** The ICIBI’s report on an inspection of asylum casework, published in November 2021, examined the average number of days from when an asylum application was submitted until an initial decision was made. Home Office data showed that the average time taken for decisions made between 1 January 2017 and 18 May 2021 rose year on year and peaked in Q1 of 2021, when it took an average of 473 days.¹⁷
- 4.16** The rise in the number of arrivals by small boats and the impact of the measures taken during the pandemic are reflected in the number of hotels being used as contingency asylum accommodation. In February 2021, the Home Office told inspectors that it was using 97 hotels across the UK as contingency asylum accommodation, housing 10,319 service users. By May 2021, as a result of efforts to move service users on to DA, the figures had fallen to 83 hotels housing 8,223 service users. However, by November 2021, this figure had risen to 181 hotels and 21,521 service users, largely due to the increase in the number of people arriving in the UK by small boat.

Impacts on staff

- 4.17** Senior managers in ASC unanimously expressed their pride at the commitment and dedication of their staff, which ensured that the Home Office had met its statutory duty to provide accommodation for all new arrivals, even during this period of intense pressure. This commitment and dedication were apparent in the interviews and focus groups conducted with staff by inspectors. However, one senior manager described the last 18 months as the hardest of their career, describing the work as “the job that no-one wants”. They said:

¹⁶ <https://www.gov.uk/government/statistics/immigration-statistics-year-ending-september-2021/how-many-people-do-we-grant-asylum-or-protection-to>

¹⁷ <https://www.gov.uk/government/publications/an-inspection-of-asylum-casework-august-2020-may-2021>

“I have watched this break people – the team have done all they can. I could not be prouder of the team.”

4.18 But with no obvious short-term solution to ending the arrivals by small boat, senior managers were concerned about the impact of the sustained levels of pressure on their teams’ wellbeing. Another senior manager told inspectors:

“The system burns people out. Everyone is taken to the brink. You see very senior and very junior people fall. There are lots of conversations about that but there’s no change.”

4.19 Given the sustained pressures on the staff working on this area over a prolonged period, inspectors were concerned about the cumulative impact on their wellbeing. It is incumbent on the Home Office to ensure sufficient resources are in place, both in terms of staff numbers and wellbeing and welfare initiatives, to manage the pressures its staff are under.

Legislation

4.20 The UK has a statutory obligation to provide destitute asylum seekers with temporary accommodation, transportation, and cash/subsistence support while their application for asylum is being considered.

Accommodation and support

4.21 The provision of temporary support and accommodation to asylum seekers is stipulated in Section 98 of the Immigration and Asylum Act 1999:

“98 Temporary support.

(1) The Secretary of State may provide, or arrange for the provision of, support for—

- (a) asylum-seekers, or
- (b) dependants of asylum-seekers,

who it appears to the Secretary of State may be destitute.

(2) Support may be provided under this section only until the Secretary of State is able to determine whether support may be provided under section 95.”¹⁸

4.22 Once their application has been approved, support and accommodation for asylum seekers is provided for under section 95 of the Immigration and Asylum Act 1999:

“95 Persons for whom support may be provided.

(1) The Secretary of State may provide, or arrange for the provision of, support for—

- (a) asylum-seekers, or
- (b) dependants of asylum-seekers,

who appear to the Secretary of State to be destitute or to be likely to become destitute within such period as may be prescribed.”

¹⁸ <https://www.legislation.gov.uk/ukpga/1999/33/section/98>

4.23 Section 96¹⁹ of the Immigration and Asylum Act 1999 details ways in which support may be provided:

“(1) Support may be provided under section 95—

- (a) by providing accommodation appearing to the Secretary of State to be adequate for the needs of the supported person and his dependants (if any);
- (b) by providing what appear to the Secretary of State to be essential living needs of the supported person and his dependants (if any);
- (c) to enable the supported person (if he is the asylum-seeker) to meet what appear to the Secretary of State to be expenses (other than legal expenses or other expenses of a prescribed description) incurred in connection with his claim for asylum;
- (d) to enable the asylum-seeker and his dependants to attend bail proceedings in connection with his detention under any provision of the Immigration Acts; or
- (e) to enable the asylum-seeker and his dependants to attend bail proceedings in connection with the detention of a dependant of his under any such provision.”

4.24 In practice, asylum accommodation is provided to asylum seekers (and some failed asylum seekers) who do not have any other accommodation and who would otherwise be destitute as set out under section 95 (3) of the 1999 Act. Asylum accommodation is provided on a ‘no choice’ basis meaning that asylum seekers cannot choose where in the United Kingdom they will live.

4.25 Accommodation provided to asylum seekers before the completion of their asylum claim comes in 2 forms: Initial Accommodation (IA), usually full-board facilities, and Dispersed Accommodation (DA), flats and houses. Once an asylum claim is complete, including any appeal rights exhausted, asylum seekers supported under section 95 must leave their asylum accommodation and their Home Office support ends. If granted leave to remain, asylum seekers are eligible to work, claim mainstream benefits, look for housing and can be assisted in the same way as other UK residents. If an asylum claim is unsuccessful, the individual is expected to leave the UK.

4.26 IA is short-term housing that can be full-board, half-board, or self-catering. It is for asylum seekers who require accommodation before their support applications have been fully assessed and longer-term accommodation can be arranged. The amount of time people stay in IA can vary, but prior to the COVID-19 pandemic it was typically around 3 to 4 weeks before moving on to DA.

4.27 DA is longer-term accommodation managed by accommodation providers on behalf of the Home Office. Asylum seekers are normally allowed to stay in DA until their asylum claim has been fully determined, but it is not always possible to stay in the same property. The Home Office told inspectors that it had an internal target of 19 days to complete this consideration and disperse.

4.28 Failed asylum seekers may be supported under section 4(2) of the Immigration and Asylum Act 1999:

“(2) The Secretary of State may provide, or arrange for the provision of, facilities for the accommodation of a person if –

¹⁹ <https://www.legislation.gov.uk/ukpga/1999/33/section/96>

- (a) he was (but is no longer) an asylum-seeker, and
- (b) his claim for asylum was rejected.”

4.29 The Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) Regulations 2005 set out the eligibility criteria:

“3.—(1) Subject to regulations 4 and 6, the criteria to be used in determining the matters referred to in paragraphs (a) and (b) of section 4(5) of the 1999 Act in respect of a person falling within section 4(2) or (3) of that Act (1) are—

- (a) that he appears to the Secretary of State to be destitute, and
- (b) that one or more of the conditions set out in paragraph (2) are satisfied in relation to him.

(2) Those conditions are that—

- (a) he is taking all reasonable steps to leave the United Kingdom or place himself in a position in which he is able to leave the United Kingdom, which may include complying with attempts to obtain a travel document to facilitate his departure;
- (b) he is unable to leave the United Kingdom by reason of a physical impediment to travel or for some other medical reason;
- (c) he is unable to leave the United Kingdom because in the opinion of the Secretary of State there is currently no viable route of return available;
- (d) he has made an application for judicial review of a decision in relation to his asylum claim—
 - (i) in England and Wales, and has been granted permission to proceed pursuant to Part 54 of the Civil Procedure Rules 1998,
 - (ii) in Scotland, pursuant to Chapter 58 of the Rules of the Court of Session 1994 or
 - (iii) in Northern Ireland, and has been granted leave pursuant to Order 53 of the Rules of Supreme Court (Northern Ireland) 1980 ; or
- (e) the provision of accommodation is necessary for the purpose of avoiding a breach of a person’s Convention rights, within the meaning of the Human Rights Act 1998.”²⁰

4.30 Financial support comes in the form of a weekly payment of £39.63 to each person in an asylum seekers’ household (which will rise to £40.85 from 21 February 2022). This is intended to help asylum seekers pay for essential living needs including food, clothing, and toiletries. The allowance is loaded on to an ASPEN card.²¹

4.31 There is also support available for failed asylum seekers who would otherwise be destitute and are unable to leave the UK for reasons outside their control. This support is the same as above, however ASPEN cards issued to those who have been refused asylum cannot be used to withdraw cash. The support available is conditional on those refused asylum taking up the offer of somewhere to live.²²

²⁰ <https://www.legislation.gov.uk/ukxi/2005/930/regulation/3/made>

²¹ An ASPEN (Asylum Support Enablement) card is a debit payment card given to asylum seekers by the Home Office.

²² <https://www.gov.uk/asylum-support/what-youll-get>

- 4.32** Where an asylum seeker is pregnant or a mother with children under the age of 3, an extra allowance is given – £3 for expectant mothers, £5 for mothers with a baby under the age of 1, and £3 for mothers with a child under the age of 3.²³
- 4.33** Asylum seekers are also entitled to free healthcare on the NHS. They receive free prescriptions, free dental care, free eyesight tests, and help with paying for glasses. Asylum seeking children must attend school if they are aged 5 to 17 and are eligible for free school meals.

²³ In its factual accuracy response of February 2022, the Home Office stated, “Asylum seeking expectant mothers can apply for a one-off £300 maternity payment if their baby is due in 8 weeks or less, or if their baby is under 6 weeks old. There is also provision for service users to apply for exceptional one-off payments should they have additional needs.”

5. Commercial background

- 5.1** In 2019, the Home Office awarded 7 regional contracts for the provision of accommodation and transport for asylum seekers and their families to 3 providers – Clearsprings Ready Homes (CRH), Mears Group and Serco. These contracts are known as the Asylum Accommodation and Support Contracts (AASC). A contract for a new helpline and support service (AIRE – Advice, Issue Reporting and Eligibility) was awarded to Migrant Help at the same time.
- 5.2** The AASC contracts replaced the COMPASS contracts, which provided accommodation and support services through 6 regional contracts between September 2012 and September 2019. A National Audit Office (NAO) report in 2014 found that the COMPASS providers had “struggled to establish their supply chains, resulting in poor performance, delays and additional costs for the Department”.²⁴
- 5.3** The AASC contracts have a total estimated value of more than £4 billion over 10 years. The AIRE contract is valued at £235 million. Figure 3 illustrates the amount awarded to each AASC provider and the regions they were awarded, based on the Contracts Finder facility on GOV.UK.²⁵

Figure 3: AASC contract values

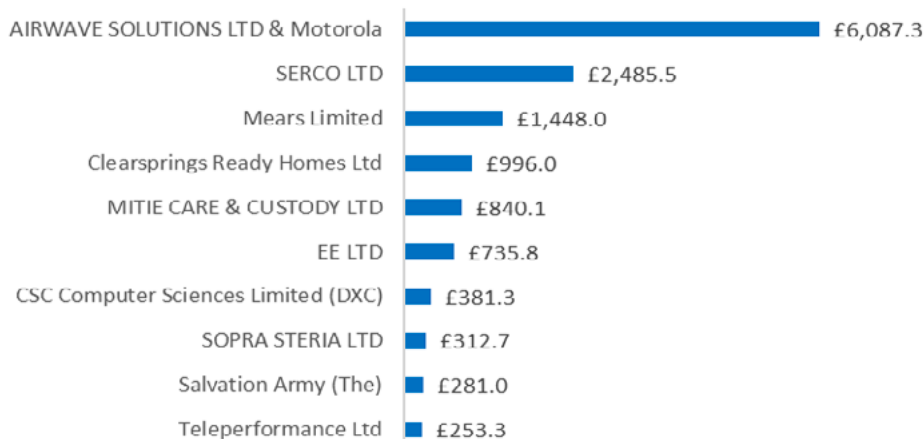
Provider	Region	Awarded Value
SERCO	Midlands & East of England	£1,030,000,000
SERCO	North West	£1,079,000,000
Clearsprings Ready Homes	South	£662,000,000
Clearsprings Ready Homes	Wales	£334,000,000
Mears Ltd	Scotland	£514,000,000
Mears Ltd	North East Yorkshire & The Humber	£821,000,000
Mears Ltd	Northern Ireland	£113,000,000
	Total awarded value	£4,553,000,000

- 5.4** Figure 4 illustrates the top 10 supplier summary to the Home Office by total contract value. The AASC providers rank second to fourth in that list (note that the figure for SERCO includes a separate contract with Immigration Enforcement).

²⁴ [10287-001-accommodation-for-asylum-seekers-Book.pdf](#)

²⁵ <https://www.contractsfinder.service.gov.uk/Search/Results>

Figure 4: Home Office top 10 supplier summary by total contract value (£ millions)²⁶



- 5.5** Governance of the AASC contracts is the responsibility of the Asylum Support and Specialist Casework (ASSC) team. Three Grade 6 staff oversee teams that manage asylum support operations, asylum support contracts and operational engagement and accommodation planning. The Asylum Support Contracts (ASC) team has a Grade 7 manager for each of the accommodation providers, each of whom has a team of service delivery managers (SDMs) working for them. Each SDM is responsible for one of the contracts. The primary objective of the SDMs is “to ensure that the delivery of the services is planned, monitored and controlled effectively”. They are the primary contact point between the Home Office and the service providers, and speak with the service providers on a daily basis regarding their service delivery and performance. They also attend a daily routing call which discusses the availability of suitable accommodation to meet the Home Office’s statutory obligation.
- 5.6** The ASC team also includes ASC Operations, overseen by a Grade 7, which includes the ASC Assurance team (ASC-A). This team was established to work alongside the service providers to ensure safe, reliable, fit for purpose and consistent services are delivered to service users while they wait for the outcome of their asylum claims. The team’s function is:
- “to hold our Service Providers to account and ensure that we receive value for money for the funds invested with them, as well as to partner with them to continually improve services and to respond to the ever changing and difficult circumstances which surround the Asylum system.”
- 5.7** The team also “assures the performance of the AASC and AIRE providers by analysing data against the contracts’ key performance indicators (KPIs)”, carries out “information led property inspections to ensure they are being maintained to the required standards”, and checks “that relevant licences, gas and electricity safety certificates are in place.”
- 5.8** A 2020 National Audit Office report examined the replacement of the COMPASS contracts with the AASC and AIRE contracts.²⁷ Amongst other findings, the report highlighted how:
- the Home Office did not have enough time to consider all options for redesigning the service before the COMPASS contracts expired

²⁶ Source: Home Office Commercial Directorate, November 2021.

²⁷ <https://www.nao.org.uk/wp-content/uploads/2020/07/Asylum-accommodation-and-support.pdf>

- the Home Office paid an estimated 28% more to providers under the new contracts, but had “negotiated improvements to the service in return for paying providers more, such as additional household goods and more information for those using the service”
- the Home Office could have secured improvements “if it had a better understanding of what the service should cost” (3 regions were awarded to the sole bidder and the competition was restarted in 2 regions as there were no initial bids).

5.9 These findings echoed a Home Affairs Committee report on asylum accommodation which stated:

“we believe that the COMPASS contracts should have been reviewed sooner, so that they could have been replaced with a better approach when the term of the contracts ended this year. It is disappointing that the Home Office did not do this and as a result has had to extend the existing COMPASS contracts while wider changes to the system are now considered.”²⁸

5.10 More positively, the report highlighted improvements to support for asylum seekers, such as the introduction of the AIRE service and contractual requirements to focus on vulnerable people. It also noted that the majority of accommodated asylum seekers did not have to relocate during the transition to the new providers (although it noted that there was serious disruption in one region). It found (at time of publication) that the accommodation providers were broadly meeting the AASC performance standards, having improved how they addressed emergency maintenance issues and resolved complaints. However, since the start of the contracts they had generally failed to meet the targets on finding suitable Dispersed Accommodation (DA) and the speed with which service users were moved into it.

5.11 On assessing the value for money from the new contracts, the NAO report said that the Home Office had shown it had learned from the COMPASS contract and had laid the foundations for a better service. It highlighted the challenges the Home Office faced in “adapting services to changing demand and in delivering its plan to redistribute people across the country”. ICIBI inspectors heard that this was now a major issue because of COVID-19 restrictions and an increase in arrivals by small boat.

5.12 In August 2021 it was reported that the Home Secretary had told the Home Affairs Committee that the Home Office expected “to spend at least £40 million, and up to £70 million on hotels for migrants in the current financial year”.²⁹ However, inspectors were told by a senior manager in ASSC in October 2021 that the cost of operating contingency asylum accommodation hotels over and above the AASC contract costs was “around £1 million per day since the summer spike”.

5.13 In December 2021, the Home Office told inspectors that additional costs for contingency accommodation were included in its reserve claim and COVID-19 pressure bids to HM Treasury (HMT) and that in 2019 to 2020 “HMT provided an additional £350m of funding which included additional costs of contingency accommodation”. For 2021 to 2022, the Home Office said that “some provision” was made for the additional costs of contingency accommodation in the asylum support budget allocation, but as cost pressures continued to increase, which it said

²⁸ <https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/637/637.pdf>

²⁹ <https://www.telegraph.co.uk/news/2021/08/09/hotel-accommodation-migrants-will-cost-70m-year/>

were “driven largely by continued high intake”, it was “seeking further additional funding from HMT through the supplementary estimates/reserve claim process”.³⁰

5.14 Management of the supplier’s performance is formally reviewed by a tiered series of interactions between the Home Office and service providers:

Figure 5: AASC contract governance

Governance item	Frequency	Attendance	Purpose
Provider routing call	Daily	Grade 7 contract managers, SDMs, Home Office data hub, service providers	To ensure sufficient capacity and beds to meet the Home Office’s statutory obligation
Contingency recovery meetings	Weekly	SDMs, service providers	To hold providers to account on their performance against hotel exit plans and interrogate provider reporting
High-level contingency recovery issues	Weekly	Not specified	Internal Home Office meeting to discuss high-level concerns regarding provider performance against recovery plans and set the direction for the week ahead
Recovery plans – internal progress review	Weekly	Not specified	Internal Home Office meeting to review provider performance against recovery plans following contingency recovery meetings with providers
Contract Management Group (CMG)	Monthly	SDM (chair), Home Office commercial manager, service provider contract manager	Formal contract governance meeting as mandated in the contracts to discuss provider performance
Strategic Review Management Board (SRMB)	Quarterly	Home Office Senior Responsible Owner (chair), SDMs, Home Office commercial manager, service provider executive board member, service provider operations lead, service provider contract manager	Formal contract governance meeting as mandated in the contracts to look at provider performance and the strategic view ahead

5.15 The AASC contract covers all aspects of the providers’ relationship with the Home Office, including specific requirements for the standard of provided accommodation, treatment of service users, and provision of essential items. This is covered in detail in Schedule 2 of the AASC, which is also known as the Statement of Requirements (SoR).³¹

³⁰ On 2 February 2022, the Home Office Second Permanent Secretary told the Home Affairs Committee that the total hotel bill was £1.2m a day, but this figure was subsequently corrected by the Home Office, which clarified that the £1.2m cost was to accommodate Afghan refugees (who are not accommodated in hotels covered by the AASC contracts) and another £3.5m a day is spent on other asylum seekers. See: <https://www.bbc.co.uk/news/uk-60249130>

³¹ <http://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AASC - Schedule 2 - Statement of Requirements.pdf>

- 5.16** Two distinct types of accommodation are covered by the AASC: Initial Accommodation (IA) and DA. Contingency accommodation is considered to be IA for the purposes of the AASC, therefore all criteria that apply to IA also apply to contingency accommodation.
- 5.17** The SoR sets out the criteria for assessing whether a property, and any outside areas, is safe, habitable, and fit for purpose. These criteria include utility supply and fire safety and certification, damage to the fabric of the building, and quality of life issues such as flooding, mould and necessary adaptations for families and disabled service users. All properties are also required by the SoR to meet a minimum standard regarding bathroom, kitchen, bedroom and dining room fittings and equipment.
- 5.18** Schedule 5, paragraph 4 of the contract (Service Charges) details the contractual profit share scheme entered into by both the Home Office and the service provider. Under this scheme the Home Office shares in any profit made by the service provider above an agreed threshold mark up. This is reviewed annually and is based on certified accounting provided by the service provider.
- 5.19** Regarding relationships with local authorities, the onus is on the provider to develop these, and co-ordinate local authority and Home Office delivery. Paragraphs 1.6.1 and 1.6.2 of the SoR state:

“1.6.1 The Provider shall develop close working relationships with the Local Authorities in which Service Users are accommodated, to support the effective coordination of Provider and Local Authority delivered services, acting in the best interests of Service Users. This will include establishing relationships with relevant Local Authority teams, and attending relevant Local Authority and multi-agency meetings, as required.

“1.6.2 When working with Local Authorities, the Provider shall, as a minimum:

- liaise and consult with Local Authorities regarding the location of Accommodation for Service Users, and the appropriate information to be shared with Local Authorities to support their planning and activities, in accordance with Paragraph 2.4, Paragraph 4.1.6 and Annex A of this Schedule 2;
- provide a notification service to Local Authorities regarding the cessation of support for Service Users, to help prevent homelessness, in accordance with Paragraph 4.4.7 of this Schedule 2;
- refer Service Users to Local Authorities for care and support assessments, where required, and liaise and cooperate with Local Authorities regarding the discharging of Local Authority responsibilities under the Care Act 2014 (or Social Services and Wellbeing (Wales) Act 2014 or Social Care (Self-Directed Support) (Scotland) Act 2013, as applicable), in accordance with Paragraph 1.2.5 of this Schedule 2;
- ensure Houses of Multiple Occupation (HMO) accommodation is licensed by the relevant Local Authority, where applicable, in accordance with statutory requirements and/or Local Authority requirements, prior to using the HMO accommodation to house Service Users (or in accordance with the Local Authority’s specified licencing procedure), and ensure the accommodation remains compliant with licensing rules and regulations whilst the property is used as HMO accommodation for Service Users.”

6. Inspection findings: Assurance

Hotel inspections

- 6.1** Responsibility for inspecting Initial Accommodation (IA) (and therefore contingency asylum accommodation), as well as Dispersed Accommodation (DA) (inspections of which were paused due to the COVID-19 pandemic and had not resumed as at November 2021), sits with the ASC Assurance team (ASC-A) within the Asylum Support Contracts area of Asylum Accommodation and Support Contracts (AASC). Assurance officers at Executive Officer (EO) grade report into 3 regional assurance leads (one for each service provider) at Higher Executive Officer (HEO) grade.
- 6.2** The ASC team has developed a Service Delivery and Contract Assurance Overview document for “both current contract assurance staff, to clearly articulate what we need to do, new staff, to understand in a short space of time how we work, and (potentially) serves as the basis for explaining the same to external stakeholders when needed”. It describes the inspection regime for contingency asylum accommodation as:
- “Hotels entering the accommodation portfolio are inspected by the provider and approved by Service Delivery, and inspections are carried out by the ASCA team on at least a quarterly cycle where possible. These inspections are much the same as with IA inspections, focussing on service provision, the accommodation provided, provision of personal items and the provision and quality of food. They also look more closely at the wellbeing of the SUs [service users] and what provision is in place by the provider to ensure that they are able to register with Doctors and have their health needs met, that there is a presence on site from the provider to enable SUs to ask for help and advice and to see what other provision has been put in place to ensure SUs wellbeing such as interaction with local charities, NGOs, LA’s [local authorities] [sic] etc.”
- 6.3** Inspectors were provided with copies of the inspection reports completed by the assurance officers. In many cases they highlighted issues that were identified, but were light on detail in terms of the actions taken to report or rectify the issues and whether or how they were followed up. The assurance officers told inspectors that they would take photographs of the issues and raise them with provider or subcontractor staff on site. They would also note the issues in their inspection reports and flag them to the Grade 7 in charge of the ASC-A team. If an issue was deemed to be sufficiently large or serious it would be reviewed in a follow-up visit.
- 6.4** Defects were logged on a ‘non-conformance tracker’ which was checked when monthly work was undertaken to assure the providers’ performance against the key performance indicators (KPIs) in the contract. Photographs could be requested to prove that the defect had been rectified, but the assurance officers said that the service providers usually updated their systems, which the assurance officers could access. An acting regional assurance lead said that

if they were made aware of any major concerns they could “get out the next morning or that afternoon”.

- 6.5** The assurance officers said that provider staff accompanied them on their hotel inspections, which they said was “effective”, and ICIBI inspectors saw evidence of this. Providers were generally given 5 days’ notice of an inspection by the Home Office.
- 6.6** Inspectors also saw copies of each of the provider’s inspection templates and noted that they were not consistent in their format. One provider’s template ran to only 3 pages, covering 15 general areas, and did not include a check to ensure that window restrictors were in place. The templates for the other 2 providers were far more detailed and ran to 22 and 32 pages with individual questions. Both included checks to ensure that window restrictors were in place.
- 6.7** The Home Office provided inspectors with records of hotel inspections dating back to October 2020. This was when routine inspections resumed following the easing of COVID-19 restrictions. Before this, it said that “some inspections may have been carried out on an individual basis (by ASC-A or other staff, such as Service Delivery Managers) due to issues raised, of which we have no readily retrievable information”. Inspectors noted that this meant that the Home Office had no reliable records of any hotel inspections that were carried out by its assurance team for the first year that the new AASC contracts were in place.
- 6.8** The hotel inspection data did not include dates to show when hotels were first used as contingency accommodation. It appeared to show that nearly all hotels in use at the time the data was provided, except those added in the last quarter, had been inspected by the ASC-A team or had an inspection planned. Despite the Home Office’s intention to inspect every hotel 4 times a year, inspectors noted several hotels that had periods of 5 months between inspections, with some showing intervals of 6 or 7 months. The data on hotels that had been stood down as contingency accommodation did not include the date from which they were no longer used, making it impossible for inspectors to assess whether inspections had been carried out at the required frequency.
- 6.9** Assurance officers told inspectors that each hotel inspection lasted for around 1½ to 2 hours. Inspectors noted that the assumptions in the ASC-A team capacity planning document from July 2021 said inspection time varied and inspections could take longer if they were intelligence-led “as their [sic] will be specific issues to investigate”.
- 6.10** Assurance officers had broadly consistent views on which providers and subcontractors they thought were performing well and those performing less well. They highlighted a proactive subcontractor whose staff would already be working to address an issue identified at one hotel by the time the assurance officers reached the next one. In contrast, they highlighted concerns about the number of staff allocated to hotels by one provider and the fact that the Home Office could not insist on more appropriate staffing levels, as such a stipulation was not included in the contract.
- 6.11** Food was highlighted as an area that was “never going to please everyone” but the assurance officers acknowledged improvements in portion sizes and the introduction of food questionnaires for service users. (The issue of food is discussed in more detail in section 9 of this report.) Other common issues were the size of the hotel rooms, resulting in instances when there was not enough room for the furniture required under the contract, and the length of time that service users had stayed in hotels. (In December 2021, the Home Office provided inspectors with a document that showed that a service user had spent 699 days in contingency accommodation. The average length of stay was recorded as 63 days.)

- 6.12** Inspectors were told that the ASC-A inspection team had paused their hotel inspections while ICIBI inspectors were onsite. This had allowed the team to focus “for a short period” on improvements to the monthly KPI assurance process. When interviewed by inspectors, the senior civil servant for the ASC team was unaware that hotel inspections had been paused for this period (ICIBI inspectors visited 26 hotels over 3 weeks). In December 2021, inspectors were told that improvements to the KPI assurance process had been introduced and that hotel inspections had restarted.
- 6.13** The Grade 7 contract managers for each of the service providers told inspectors that they thought the Home Office was doing all it could when it came to oversight and assurance of the work of the service providers. They emphasised that the team was “not an infinite resource” and said their oversight was “probably improving the quality of these hotels”. They had “become experts in hotels” and some would “be handed back better than when we procured them”. They also said that “in many regards the hotels are getting two levels of assurance – statutory assurance by the local authority and then our work on top. Then our assurance team who can respond to any intelligence referrals”. They highlighted the difficulties of securing local authority approval for new accommodation sites, saying that “on one hand what is seen as good practice to support the homeless is seen through a different prism for our cohort. Our users are often better behaved. Rough sleepers cause more issues but the local authorities’ response to our users is more hostile”.
- 6.14** When asked by inspectors whether all aspects of Schedule 2, the Statement of Requirements (SoR), were reviewed during an inspection, a senior ASC-A manager said that many of the team had worked in the area for some time and had “a good grasp” of what the SoR said. They therefore did not “feel it was necessary to have a long checklist of requirements” in the standard operating procedures (SOP) and inspection template, adding that “to tick lots of boxes would have been a waste of time” and it was not possible to standardise everything. Their perception was that it had worked well, and the team had “been picking up the things the checklist prompts for”. They highlighted the role of one manager who reviewed inspection reports and escalated issues. It was “important for people to understand what they’re doing and what to do about what they see”.
- 6.15** In terms of consistency in the information that assurance officers provided to the service delivery managers (SDMs), a senior ASC-A manager said they did not think this was “consistent across regions but is more so than it used to be”. The assurance team was not previously in a national structure and reported to the SDMs who tasked their own contract assurance staff. This was highlighted in ICIBI’s 2018 inspection of asylum accommodation, which noted that Contract Compliance Officers (the previous name for assurance officers) “had developed their own individual ways of working” and identified “inconsistencies across the board”.³²
- 6.16** The ASC-A senior manager told inspectors that a national structure had been introduced to improve consistency and the feedback provided to the SDMs was something they were “working hard on”. They highlighted that the team was now conducting assurance work on the KPIs early each month and liaising with the provider to clarify issues so they could give the SDMs “a very clear view of the authority’s view of the suppliers’ performance” that they could provide at the Contract Management Group (CMG). This was said to be “partly working” but was not yet “consistent in all areas” and there were “nuts and bolts in six different areas that will take time to sort out”.

³² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/757285/ICIBI_An_inspection_of_the_HO_management_of_asylum_accommodation.pdf

6.17 The senior civil servant that led the ASC team told inspectors that they had not visited a contingency asylum accommodation site. Having only been in post for 7 weeks when interviewed, they said that they had been “too busy” getting an understanding of how the area worked. The head of the Home Office Commercial team for the AASC contracts had also not visited a contingency hotel and told inspectors that there was “no reason” for their team to do so. The lead for the Home Office asylum support policy team told inspectors that neither they nor their team had visited a contingency hotel. They acknowledged that they had “sometimes thought it would be a good idea” but did not consider it to be “essential”. However, they did acknowledge the benefits when they had visited IA sites as it had helped them to “conceptualise it”. Inspectors found it striking that neither the policy, delivery, nor commercial leads had visited a contingency accommodation hotel.

Staffing

6.18 The assurance officer role includes:

- “Undertaking quality housing inspections, to ensure that the accommodation provider is maintaining property standards and reporting issues in line with the AASC contract. This will involve inspecting properties jointly with Mears and their contractors.
- Using intelligence from internal and external sources to identify properties to inspect, using sound judgement to plan and prioritise inspections accordingly.
- Interacting with service users throughout the course of your inspections, to conduct wellbeing checks, responding to accommodation issues and signposting to support services where needed.
- Undertaking compliance & data audits to provide additional assurance on the delivery of the AASC contract. This will include desk-based audits using [...] management information and attending [...] premises.
- Drafting reports following the completion of compliance audits.
- Monitoring and reporting on the Key Performance Indicator (KPI) regime for the AASC accommodation contracts, checking data accuracy, identifying discrepancies and reporting on provider performance.”

6.19 During the ICIBI’s 2018 inspection of the Home Office’s management of asylum accommodation, there were 9 Contract Compliance Officers (the previous term for assurance officers).³³ The current job description for these roles shows that assurance officers are based in one location to cover a service provider’s contract area, but as part of the wider team they are expected to travel to support their colleagues nationally should the need arise. The 2018 report noted that “for some this meant considerable amounts of travel and time spent away from home, which as well as being inefficient, was a source of stress”. When interviewed by inspectors during the current inspection, an acting regional assurance lead suggested that the need to travel nationally was commonplace as they ensured “all the regions are covered. The guys are fabulous, and they travel all round the country”.

6.20 The 2018 report recommended that the Home Office should:

³³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/757285/ICIBI_An_inspection_of_the_HO_management_of_asylum_accommodation.pdf

“Review the role, size, structure, geographical distribution, workload and performance targets of the Contract Compliance Team, and confirm it is “fit for purpose”, and staff are fully-trained for their roles”.

- 6.21** The Home Office accepted this recommendation, but audits carried out in late 2020 by the accounting firm EY showed that “the command needed significantly increased resource.”
- 6.22** As at March 2021, the ASC-A team chart showed that there were 13 assurance officers in post, an increase of 4 in the 3 years since the 2018 inspection. In July 2021, capacity planning documents projected a total of 15 assurance officers, but 4 positions were vacant. Recruitment was underway for some of the posts. By November 2021, the number of assurance officers in post had fallen to 10, but 3 vacancies were due to be filled. Recruitment of additional staff had been agreed which would take the complement up to 18 assurance officers.

Figure 6: Actual and projected assurance officer figures by ASC-A region (excluding for the AIRE contract), and number of hotels by region

ASC-A region	Number of assurance officers (March 2021)	Hotels (18/05/21)	Number of assurance officers (July 2021)	Hotels (06/08/21)	Number of assurance officers (November 2021)	Hotels (17/11/21)	Number of assurance officers (projected November 2021)
London/South	2	56	2	67	2	96	4
Wales	2	0	1	0	1	0	2
Midlands and East	2	5	2	18	2	31	3
North West	2	4	2	6	1	15	3
North East, Yorkshire and Humber	3	14	3	18	3	25	4
Scotland and Northern Ireland	2	4	1	4	1	14	2
Vacancies/being recruited	N/K	-	4	-	3	-	-
Total at full complement	13	-	15	-	13	-	18

- 6.23** A senior manager in ASC-A told inspectors that the intention going forward was to use targeted accommodation inspections using intelligence and information from a range of sources. However, inspectors noted that one of the assumptions in the July capacity planning document was that “core IA inspections will be back to normal and we are no longer inspecting contingency sites”. Given the increase in the number of hotels that had been taken on since then (as shown in Figure 6 above), and the realisation that Operation Oak and Hotel Recovery were going to take much longer to complete than originally planned (see section 8), inspectors were concerned that these projections did not reflect the rapidly evolving situation and that contingency asylum accommodation inspections would be required for much longer than originally planned.

Guidance and training for Home Office staff

- 6.24** One of the ICIBI's 'expectations' of asylum, immigration, nationality and customs functions is that "Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent".³⁴ Everyone should receive the training they need for their current role, and individuals and teams should "have the tools, support and leadership they need to perform efficiently, effectively and lawfully".
- 6.25** One of the accepted recommendations in the ICIBI's 2018 inspection of asylum accommodation related to training for the ASC-A team's predecessor,
- “(3) a. Review the role, size, structure, geographical distribution, workload and performance targets of the Contract Compliance Team, and confirm it is ‘fit for purpose’, and staff are fully-trained for their roles.”³⁵
- 6.26** Inspectors were shown the (undated) Contract Management Group introduction and training pack, which included information on a range of training required for staff in Asylum Support, from mandatory e-learning to job-specific training, as well as an introduction to some of the specific tools staff need to carry out their roles. Inspectors found the pack informative and that it covered the relevant training needs for staff working in this area.
- 6.27** The assurance officer job description states that new staff will receive a structured induction package, including e-learning and a 2-day personal safety training course. The Home Office told inspectors that access to the level 2 personal safety training had been curtailed during the COVID-19 pandemic, which prevented staff whose training had expired from conducting inspections until it could be renewed. The Home Office also said that “most staff” had received training on the Housing Health and Safety Rating System (HHSRS) which was relevant to their role in inspecting properties.³⁶
- 6.28** The training records provided to inspectors showed that 8 staff out of a total of 19 in the ASC-A team had completed the HHSRS training. Of the 14 staff who had completed a personal safety training refresher course, only half had done so within the previous 12 months as required, potentially limiting the number of staff that could undertake inspections. Inspectors noted the impact this could have on the already limited numbers of assurance officers in the ASC-A team, as highlighted above.
- 6.29** The Home Office said that it was “developing a more comprehensive approach to training across the Asylum Support Contracts command”. This included rolling out accredited commercial training to all ASC-A staff who would be required to undertake the Foundation-level course. Records seen by inspectors showed that 4 members of the ASC-A team were enrolled on this course.
- 6.30** Inspectors were shown the SOP for hotel visits following the COVID-19 pandemic. COVID-19 safe system of work SOPs were also provided. The hotel visit SOP was a comprehensive document which explained that hotel inspections were resumed in September 2020 following the COVID-19 lockdown. Before each visit, assurance officers are expected to obtain a ‘property information report’, which is compiled by ASC staff and provides information on “issues, defects and complaints raised via Migrant Help in relation to the property, as well as relevant information reported by the AASC Provider in their KPI reporting”. Visits should be

³⁴ <https://www.gov.uk/government/publications/icibi-expectations-for-inspection>

³⁵ <https://www.gov.uk/government/publications/an-inspection-of-the-home-offices-management-of-asylum-accommodation-provision>

³⁶ See: <https://www.gov.uk/government/collections/housing-health-and-safety-rating-system-hhsrs-guidance>

undertaken by at least 2 people, “the second being either an appropriate HO employee or an appropriate employee of the primary Provider”.

- 6.31** Detailed guidance on what to inspect was provided, in line with the general headings on the inspection template: induction, health and safety, accommodation standards, and meals and other services and activities. These were broken down into 28 separate questions.

Guidance and training for service provider and subcontractor staff

- 6.32** Schedule 2 of the contract (SoR) sets out the training requirements for service provider staff and their subcontractors. It states at paragraph 1.2.4.1 that,

“all the Provider staff involved in the delivery of this Contract must cover, as a minimum, the following requirements:

- the asylum and asylum support systems;
- equality and diversity;
- data protection; and
- safeguarding.”³⁷

- 6.33** There are additional training requirements for staff who have:

“regular or face-to-face contact with Service Users, and/or responsibility for the safety and security of Service Users and dependent children, [and] must cover, as a minimum, the following requirements:

- ethnic diversity and cultural awareness;
- suicide and self-harm awareness and prevention;
- basic first aid;
- gender based violence;
- fire safety;
- health and safety;
- vicarious trauma;
- unconscious bias;
- counter terrorism;
- modern slavery;
- training relating to required housing standards and relevant regulatory requirements; *and*
- any other relevant training as specified by the Authority.”

- 6.34** The Service Delivery and Contract Assurance Overview document states that “all Service Providers are required to have a Training Team in place to create clear and deliverable training programmes to ensure staff have the right skills, knowledge and competencies for their roles”. It also states that “under normal circumstances”, the Home Office asks “Service Providers to

³⁷ <http://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AASC - Schedule 2 - Statement of Requirements.pdf>

demonstrate the skills and training their staff have received annually at a minimum”, although no detail is provided on how this should be carried out. The service providers are required to maintain training and skills records which the Home Office can ask to be provided within 5 days. If gaps are highlighted, the Home Office should review “their plans for ensuring that those gaps are addressed”.

6.35 The assurance overview document also states that the Home Office reviews and audits the quality and standards of the training provided by the service providers. Where it is not possible to certify or accredit training through recognised bodies, the service providers are asked:

“to work with relevant subject matter experts to review training programmes at least every three (3) years, or more regularly if we believe there are deficiencies in the training provided. Service Providers are required to demonstrate their adherence to these rules at the annual audits.”

6.36 The Home Office told inspectors that each service provider’s training approach and their training logs were reviewed before their permits to operate were issued at the start of the contracts. However, it said that its assurance team had not conducted either a “further general review of training” (which had “been delayed by recent operating conditions”), or a “wholesale review of provider training since the transition to the current contracts”. It said that training was discussed with the providers regularly and that it would “revisit training more widely as we implement the Service Delivery & Assurance Framework”.

6.37 Inspectors asked to see the training records for each service provider and their subcontractors, showing the training received by each member of staff involved in the delivery of contingency asylum accommodation. All returns demonstrated that the service providers understood the training requirements under the contract, but the detail provided varied between them. One service provider submitted detailed records of the number of staff working in their accommodation, their training status and the number of training modules they had completed. The vast majority of staff had completed their training, with newer staff having a small number of modules to complete. Another service provider submitted a list of staff and a list of training courses but no records to indicate when the courses were delivered or whether individual staff members’ training was up to date. A third service provider submitted training records for a large number of provider and subcontractor staff. Inspectors noted that the records for one of their subcontractors showed many course completion dates as 2022 or 2023. They also noted that some staff had failed the suicide prevention and safeguarding vulnerable adults courses.

6.38 Inspectors asked the Home Office for its opinion of these records. A senior manager in the ASC-A team said that it was not routinely audited, although they had requested and reviewed the data as a result of this inspection. If the Home Office had reviewed this data, it was not clear to inspectors what action had been taken to address the issues they had identified. The ASC-A senior manager said they wanted to get to “a fixed expectation” on how to audit training and how often to do this, but “a pragmatic decision” had been taken to follow up on other things.

6.39 Inspectors spoke to several service provider, subcontractor and hotel staff during the inspection. Service provider and subcontractor staff had generally received the required training. Some service providers used training portals that allowed staff and managers to view training completion and progress, but others were less well-developed, with one regional manager saying, “as regional manager I don’t know who has had which training”.

- 6.40** Inspectors observed a different picture for hotel staff – those staff directly employed by the hotels rather than by the subcontractors or service providers (usually reception, maintenance and housekeeping staff). Inspectors heard that these staff had not received any training from the service providers or subcontractors specific to the AASC contracts. Given that these staff, particularly reception and housekeeping staff, had regular contact with service users in the hotels, it was a concern that they had not received safeguarding or other training to enable them to ensure the wellbeing of their service users.
- 6.41** Stakeholders also raised concerns around the lack of training for hotel staff, especially in relation to safeguarding issues. One told inspectors:
- “In many cases untrained hotel staff seem to be the first point of contact for vulnerable asylum seekers and their families, often communicating decisions on people’s living arrangements to them.”
- 6.42** Another said:
- “We are concerned about the training and preparedness of the staff in the hotels who are having to deal with issues that they do not have the skills or knowledge to manage.”
- 6.43** And another, relating to the siting of hotels outside town centres:
- “If the residents cannot access services or support then they depend on hotel staff for everything, and the staff do not have the training or resources to cope.”
- 6.44** Inspectors also asked the Home Office for records of when service provider right to work checks had been reviewed since September 2019. The Home Office said that provider “right to work checks were reviewed as part of mobilisation and transition to the new contracts in the summer of 2019” but it had “not conducted wholesale reviews of these since the start of the contracts”, adding that it had worked with the providers on “important elements – for example various procedures and training materials have been reviewed at or as a result of discussions at the cross-provider Safeguarding Board”. Inspectors were concerned by this given the issues raised about employment practices during the inspection of Napier Barracks by HM Inspectorate of Prisons in February 2021.³⁸ Detail on this can be found in Annex A.

Accommodation assurance plan

- 6.45** The Home Office told inspectors that as the AASC contracts contain a wide range of requirements to deliver a complex service, “there is no simple mechanism available to assure all aspects of performance”. To develop a more comprehensive approach to assure performance, it had produced a ‘Service Delivery and Contract Assurance Framework’ which set out “the required assurance activity against each aspect of service delivery”.
- 6.46** The Service Delivery command in the ASC team is responsible for day-to-day oversight and formal governance of the contracts. It is supported by Home Office Commercial Directorate and the ASC-A. The key assurance activities which fall to the ASC-A team include:
- monthly testing of each provider’s reported performance against the KPIs
 - inspecting properties to check their condition against the required standards

³⁸ <https://www.gov.uk/government/publications/an-inspection-of-contingency-asylum-accommodation-hmip-report-on-penally-camp-and-napier-barracks>

- assurance reviews of other aspects of provider performance, such as safety certificates

6.47 The Home Office told inspectors that, as a result of a number of inspections into asylum accommodation in 2017 and 2018,³⁹ it had developed an assurance plan to address the underlying problems identified in the system. The plan comprised of 60 projects across 3 workstreams (asylum support contracts, asylum support operations, and engagement and planning), which were then divided into 8 themes:

Figure 7: Assurance action plan themes



6.48 The Home Office said that “significant progress” had been made in implementing the plan, with 35 projects signed off by June 2021. Those that had been closed would continue to be monitored to ensure they delivered the planned impacts. A monthly Accommodation Assurance Plan Delivery Group is held to review progress against the plans. This is assured by a Quarterly Assurance Steering Group, which is chaired at senior civil servant level and provides strategic oversight, as well as the opportunity to discuss blockers or gaps in the plan, and drive progress.

Assurance framework

6.49 The Service Delivery and Contract Assurance Framework provides an overview of the way the team engages and partners with the service providers, and the measures and processes they use for providing feedback to them. It was described to inspectors as a “living document” which was “in the process of implementation” and would be updated as the team further developed its approach.

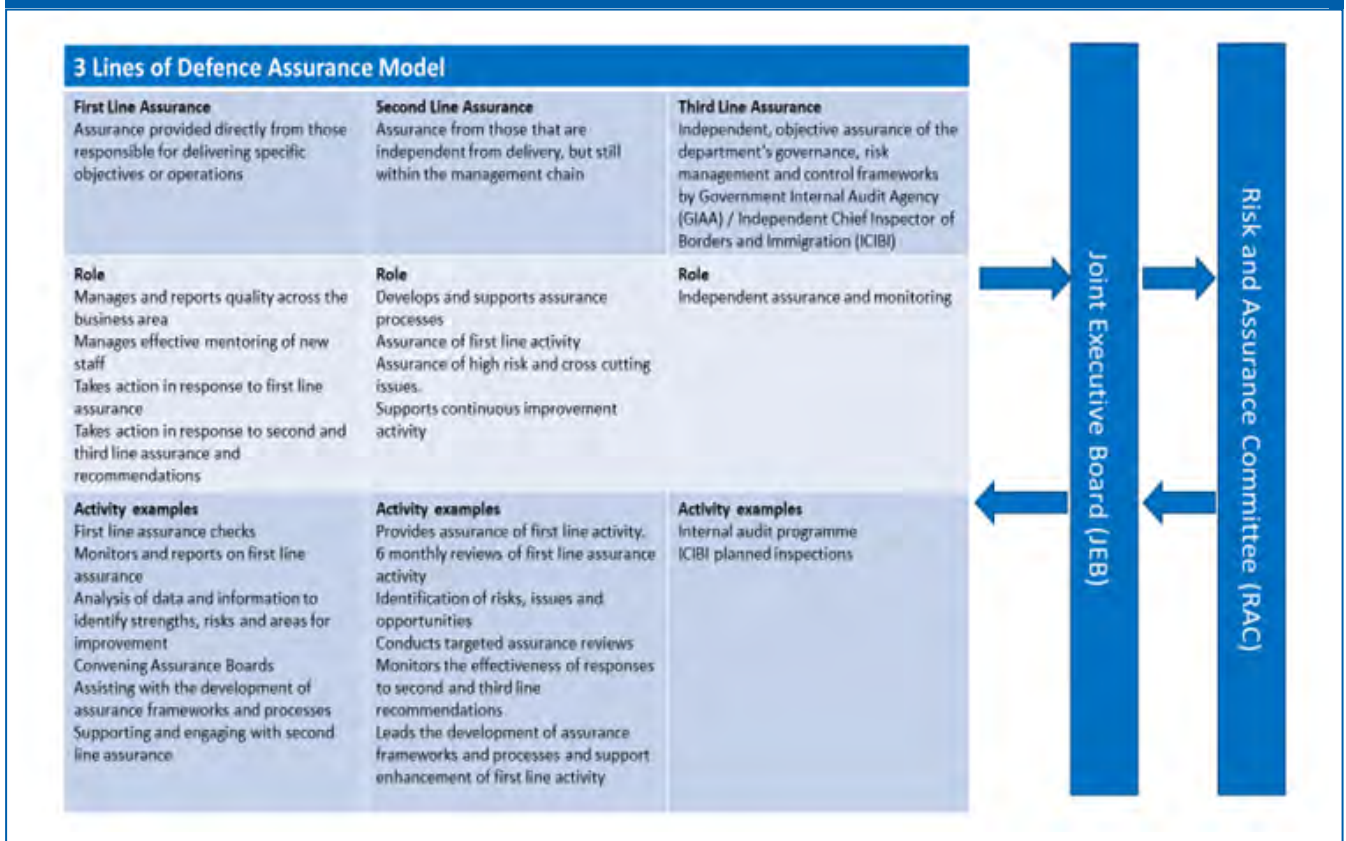
6.50 The document clarifies the role of the ASC-A team, which is:

“not to check, on a day to day basis, that services are being delivered, but to maintain an appropriate level of assurance over services as a whole, by routinely scrutinising provider performance against KPIs, auditing their processes and challenging and providing feedback on areas for improvement.”

6.51 The document explains how the ASC-A team sits within the wider UK Visas and Immigration (UKVI) assurance strategy, which uses a ‘three lines of defence’ assurance model.

³⁹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/757285/ICIBI_An_inspection_of_the_HO_management_of_asylum_accommodation.pdf, ICIBI 2018, <https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/637/637.pdf>, Home Affairs Committee 2017, <https://publications.parliament.uk/pa/cm201719/cmselect/cmhaff/1758/1758.pdf>, Home Affairs Committee 2018.

Figure 8: Three lines of defence assurance model



- 6.52 First line assurance is provided by the ASC-A team “to ensure the provider is delivering against the requirements laid out in the contract”. It does this by undertaking “random sampling of outputs or processes using various methods” and checking them against agreed standards.
- 6.53 According to the document, second line assurance is provided by the UKVI Strategy, Transformation and Performance Central Operations Assurance Team (COAT). COAT “is independent from the AASC business areas but has a good understanding of end-to-end workstreams and cross-cutting impacts”. Its role is to share good practice and drive consistency of approach across UKVI, and to conduct deep dives into high-risk areas. The document states: “COAT works with business areas to maximise the effectiveness and rigour of first line assurance, and encourages a culture of continuous improvement at individual, unit and directorate level.” COAT also produces assurance statements for each business area following the Period 6 (P6) and Period 12 (P12) reporting timeframes.
- 6.54 Inspectors asked the Home Office for copies of the P6 and P12 assurance statements on the work of the ASC-A Team since the ASC contracts were introduced in September 2019. The Home Office said that it did not have any such statements, explaining that COAT had “not historically covered the functions” of this work area. It said that the second line assurance required on asylum support contract functions would be “significantly different from the type of assurance the COAT team is used to undertaking in respect of immigration casework functions” but believed it would “be practicable to develop and implement a second line checking model for key processes, for example to check that the ASC-A KPI assurance processes are being carried out in line with the procedures and guidance”. However, it also said that the processes would need to be in more of a steady state “before it would be sensible to design the second line checking model”. No date for when a steady state was expected to be achieved was provided.

- 6.55** The assurance framework document states that third line assurance is provided by individuals and agencies that are external to the Home Office, such as the Government Internal Audit Agency (GIAA) and ICIBI, the Home Affairs Select Committee (HASC), the NAO and the United Nations High Commissioner for Refugees (UNHCR).
- 6.56** This view of third line assurance does not align with definitions of assurance frameworks used by government and professional bodies. HM Treasury guidance states:
- “As an additional line of assurance, sitting outside of the internal assurance framework and the Three Lines of Defence model, are external auditors, chiefly the NAO , who are external to the organisation with a statutory responsibility for certification audit of the financial statements.”⁴⁰
- 6.57** The Institute of Chartered Accountants in England and Wales uses a ‘four lines of defence’ model, which it describes as:
- “essentially the same as the ‘three lines of defence’ model, but adds in a fourth line: the external assurances provided by the external auditor, regulators and other external bodies... External bodies may not have the existing familiarity with the organisation that an internal audit function has, but they can bring a new and valuable perspective. Additionally, their outsider status is clearly visible to third parties, so that they can not only be independent but be seen to be independent.”⁴¹
- 6.58** Progress against second- and third-line assurance recommendations is monitored by the Strategy, Transformation and Performance (STP) Central Operations Compliance Team until the recommendations are implemented. Progress and issues are reported to the Home Office Joint Executive Board and Risk and Assurance Committee.
- 6.59** In addition to the three lines of defence model, the Home Office uses a Simplified Management Assurance Framework (SMAF) which uses a questionnaire to gather compliance using the self-assessment technique. This “allows directors and their senior managers to participate in rating the organisation’s risk management, control and assurance processes”. In relation to commercial contracts and activities, the SMAF includes:
- “Procurement of service
 - Contract and supplier management
 - Compliance of delivery partners adherence with equality duties
 - Sharing and disclosing personal information.”
- 6.60** The Home Office provided inspectors with a copy of the SMAF that was submitted in January 2020, noting that the SMAF process operates at Director level. The SMAF shows that, in its self-assessment, the directorate gave itself a ‘Basic’ rating for contract management capability, which was defined as “incomplete compliance with core activities”, adding that contract managers did not attend contract management training or knowledge-sharing events, including contract management training and accreditation. For contract and supplier management, the directorate rated itself ‘Good’, which was defined as “complete compliance with core activities” and “additional activities bolster assurance, while remaining proportionate”.

40 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/270485/assurance_frameworks_191212.pdf

41 <https://www.icaew.com/technical/audit-and-assurance/assurance/what-is-assurance/assurance-glossary/four-lines-of-defence>

6.61 In terms of third-party compliance with equality duties, the directorate rated itself as ‘Basic’, stating: “We require third parties to adhere to the Equality Act in commercial arrangements but we do not consistently review implementation or [sic] documentation of considerations by third parties.” On sharing and disclosing personal data, the directorate rated itself ‘Good’.

Performance reporting

6.62 The Service Delivery and Contract Assurance Overview document makes it clear that “Sub-Contractors are required to meet the same contractual standards and are subject to the same measurements and controls as the Service Providers themselves”. It also states that the “Home Office will hold Service Providers to account for those services provided in the same way as it holds them to account for services they provide directly”. Service providers are expected to undertake due diligence “to ensure that their Sub-Contractors have the relevant skills, certificates, training and equipment to undertake their role effectively”. In addition, “Service Providers need to provide the necessary data management, reporting tools and system access to their Sub-Contracted network, in order to ensure that performance is transparent and reportable”.

6.63 The Service Delivery and Contract Assurance Overview document explains that the AASC contracts are designed to be self-reporting. This means that the service providers submit data on their performance to the Home Office monthly, which is then reviewed by the ASC-A team. The team examines it “for inconsistencies or missing information”, and compares it to other data sources, which is listed as “AIRE⁴², Home Office and Stakeholder information”. This can include complaints data, customer service data and data collected from Migrant Help through the AIRE contract.

6.64 Service performance is managed in accordance with Schedule 13 (Performance Management Regime) of the AASC contracts, and performance is governed by Schedule 7 (Contract Management), with critical activities covered by 9 KPIs. Schedule 13 of the AASC states that the KPIs “have been structured to incentivise the delivery of Services to the requisite level of performance necessary to assure the safety and wellbeing of Service Users”.

Figure 9: AASC key performance indicators and performance indicators

KPI	Service dimension	KPI measure (measured within each payment period)
KPI1	Accommodation Proposals	Accommodation proposals delivered on time and to the required quality
KPI2	Dispersal of Service Users	Service Users moved into appropriate DA or TDA within required timescale
KPI3	Move-in Services	Service Users provided with a Move-in service on time and to the required quality
KPI4	Service User Transportation	Service Users transported on time and in accordance with the Authority’s requirements
KPI5	SAFE Accommodation	Service Users are provided with accommodation which is safe (in accordance with Annex B of Schedule 2)
KPI6	Habitable Accommodation	Service Users are provided with accommodation which is habitable

42 AIRE is the Advice, Issue Reporting and Eligibility support contract held by Migrant Help.

KPI	Service dimension	KPI measure (measured within each payment period)
KPI7	Fit for purpose Accommodation	Service Users are provided with accommodation which is Fit for Purpose (in accordance with Annex B of Schedule 2)
KPI8	Complaints Resolution	Appropriate action is taken to resolve Service User complaints within the timescales required by the Authority
KPI9	Management Information	The Authority is provided with required MI and reporting within the timescales required by the Authority
PI	SU Experience (PI)	The provider will proactively monitor the Service User experience of provider services

6.65 The Service Delivery and Contract Assurance Overview document states that details of any defects are captured by the ASC-A team and checked against provider data to ensure that the correct timescales were assigned for repair and that the timescales were met “If a particular concern is raised regarding a property or if the data does not collate with the findings of the Assurance team a reinspection may be undertaken to ensure that suitable rectifications have taken place”.

6.66 The overview document states:

“Records of all defects, rectification action and dates of resolution are kept by the Provider and this information, alongside information provided by the AIRE service, can then be analysed by the ASCA team to ensure that suitable action has been taken and to appropriate timescales. Should any concerns arise, the ASCA Team may choose to inspect or re-inspect a property to ensure that the action has taken place or, they may request evidence for example invoices or other proof of the work being carried out.”

6.67 Following an accepted recommendation in the ICIBI’s 2018 inspection of asylum accommodation (the need for regular assurance checks for decisions on the application of service credits for non-conformance with the COMPASS KPIs),⁴³ the Home Office told inspectors that the level of non-conformance against KPIs was now calculated by the ASC-A team for the Service Delivery Manager (SDM) to apply at the Contract Management Group (CMG) meeting, which leads to the automatic calculation of the appropriate level of service credit. The procedure is now as follows:

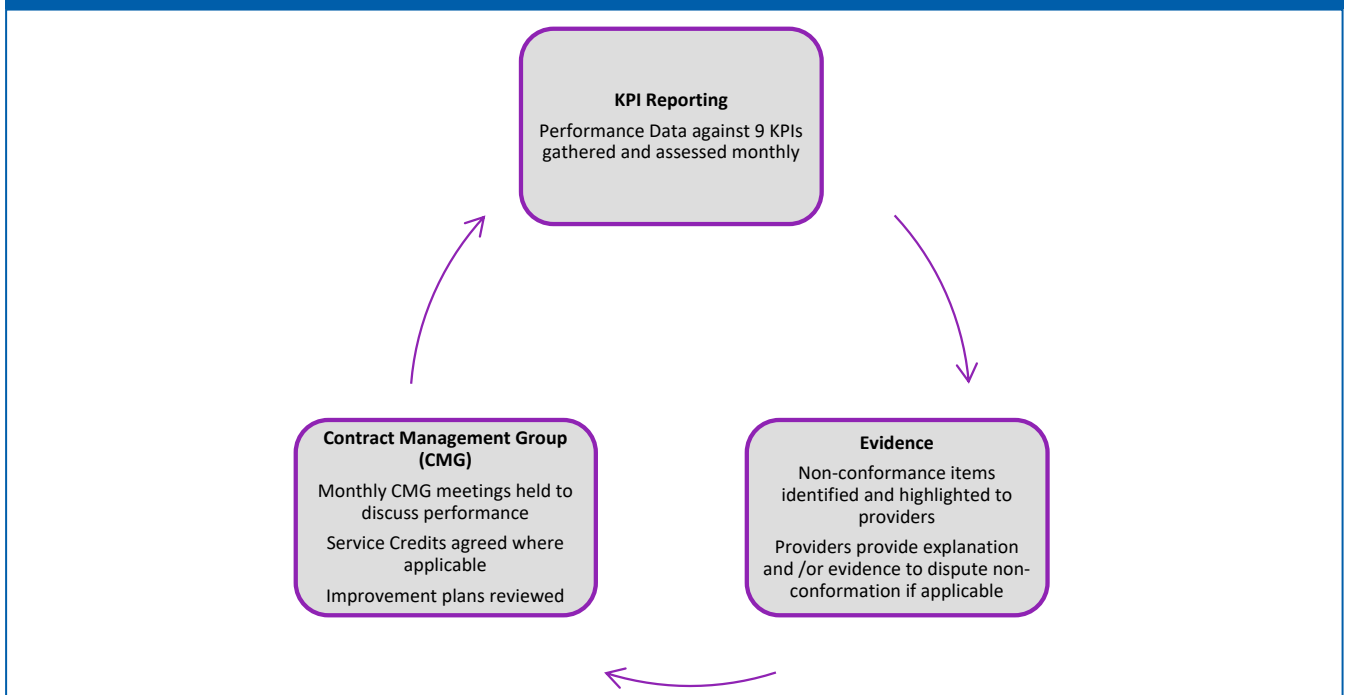
“The assurance team consults the provider in advance of the CMG...to ensure it has the relevant facts before passing its final view to the SDM to apply. If a provider considers that the level of non-conformance applied is due to factors out with its control, it may submit mitigation to the Head of Asylum Support Contracts and request that associated service credits be waived. Alternatively, if a provider believes the performance score is incorrect, it may choose to dispute the findings using the formal dispute mechanism set out in the contract.”

6.68 The assurance overview document explains:

“a record is kept of provider performance for future information, analysis of trends and to evidence the requirement of any special measure [sic] that are required to be applied in order to improve provider performance.”

⁴³ <https://www.gov.uk/government/publications/an-inspection-of-the-home-offices-management-of-asylum-accommodation-provision>

Figure 10: Monthly KPI assurance cycle



- 6.69** The service providers told inspectors that they performed well against the KPIs, the impacts of COVID-19 notwithstanding. One senior manager said that the KPIs were realistic “prior to the pandemic” and that they could meet the KPIs during business as usual (BAU), but they were “trying to get back to BAU”. Another described the accommodation standards KPIs as “challenging”. They said that the timescales involved were “difficult and the penalties are high”, while another said that the Home Office was “the most rigorous organisation I’ve ever worked with”. They said they provided 20,000 lines of data per month to the Home Office which it compared to its own systems to identify any omissions. The service provider estimated that around 100 to 200 discrepancies were identified by the Home Office each month which they employed a team to work through.
- 6.70** Inspectors noted the difference in perspective across service providers for different contracts. One service provider representative, who was closely linked to but not part of the AASC contracts, said that they provided monthly performance data to the Home Office and that their “experience of Home Office assurance is that it is very robust. We are managed very effectively”. However, when it came to the management of the AASC service providers’ performance, they said, “I’m not so sure that is the case for the accommodation providers”.
- 6.71** A senior manager in the ASC team said that the service providers performed “relatively well” against the KPIs relating to maintenance, but the “real difficulty” had been around the KPIs relating to the provision of Dispersed Accommodation, which they described as “the single biggest weakness” in the service providers’ performance. They added that the COVID-19 pandemic had meant that meeting the KPIs had been “difficult for a period”, but noted that “since then, the property market is back and it is within their control – the pandemic no longer has a part to play in their procurement”.
- 6.72** Documents provided by the Home Office explained how the impact of the COVID-19 pandemic had placed all 3 AASC providers under enormous pressure. High numbers of arrivals by small boats, managing and maintaining their estates during COVID-19 lockdowns and contributing to the work to exit hotels had all added to the pressures. In particular,

Clearsprings Ready Homes (CRH) had seen a large number of recently arrived asylum seekers “disproportionately accommodated” in their contract region as a result of a “ministerial direction to provide contingency accommodation mainly in London”. They were also asked to stand up accommodation at Napier Barracks and Penally Camp at short notice and to manage the “intense political and media scrutiny” resulting from their use as contingency asylum accommodation. This meant that they had reached their contractual volume cap, which provided a challenge for the Home Office to manage.⁴⁴

6.73 While the Home Office continued to monitor performance against the KPIs during the COVID-19 pandemic, some measurement processes did not operate in the usual way. KPIs 1 and 2, relating to accommodation proposals and the dispersal of service users, saw the Home Office cease “routinely to issue cases to providers for dispersals” and instigate a system of provider-led moves. This has now ended and the Home Office has reinstated issuing cases to the service providers at the levels required under the Hotel Recovery plans.

6.74 KPI 5 (relating to accommodation that is safe) was applied in full throughout the pandemic “to ensure urgent maintenance was addressed but due to COVID-19 restrictions providers have had to take a risk-assessed approach to more routine maintenance”. The Home Office stated it had “taken other measures to ensure customer welfare (in particular scrutiny of AIRE data on defects, issues and complaints)” during the pandemic but that it had reinstated full scrutiny of KPIs 6 and 7 (relating to accommodation that is habitable and fit for purpose) as the restrictions had eased.

Figure 11: Response times for reactive maintenance.⁴⁵

Category	Classification	Meaning	Response Time
1	Unsafe	Works which are necessary where the condition of the Accommodation is unsafe , in accordance with the criteria outlined in Paragraph B.2, such that there has been, or is likely to be, an imminent risk to a Service User’s health, safety or security, or disruption or loss of a fundamental service or facility of the Accommodation.	Continuous call out facility to investigate and restore/rectify or provide temporary alternative Accommodation within four (4) hours of the Provider becoming aware of the maintenance issue.

44 The Home Office told inspectors that, to allow for fluctuations in the numbers of service users accommodated by the providers across regions, volumes are capped on both a fixed and annual basis.

– The Fixed Cap is absolute and is a proportional distribution of the overall national Fixed Volume Cap of 70,000 service users.
 – The Annual Volume Cap is variable – based on the number of service users accommodated at the end of the previous calendar year – up to a defined point. The number of service users can increase each year by up to the Annual Volume Cap, up to the point at which it reaches the Fixed Volume Cap. In the event that any region reaches the Annual Volume Cap or the Fixed Volume Cap, the Authority will ask all providers (not just the provider in the region having reached the cap) to provide their updated Contingency Plans for accommodating service users above the cap. The Authority will also temporarily suspend dispersals to the region that has reached the Volume Cap until service user volumes decrease below the Volume Cap. The challenge is that, when the volume cap is hit in a region, accommodating people in that region relies on standing up contingency and could lead to prolonged contingency use if sufficient extra accommodation cannot be sourced in other regions. We are therefore in discussion with relevant providers about increasing volume caps where that may provide a better outcome.

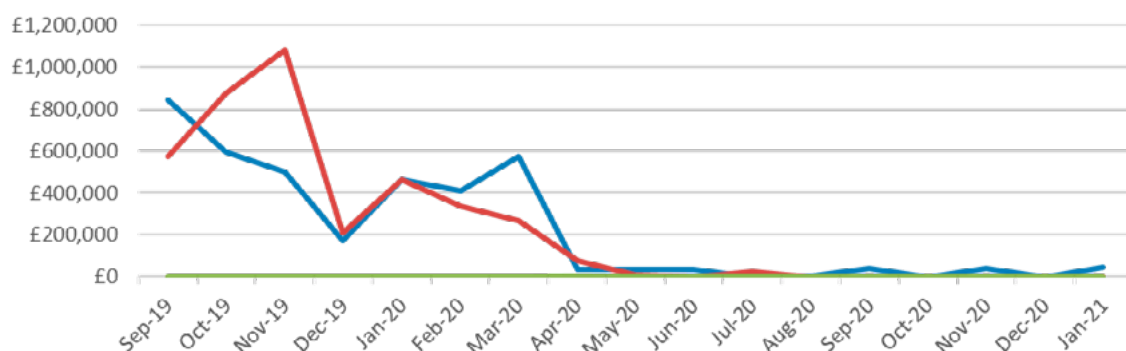
45 <http://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AASC - Schedule 2 - Statement of Requirements.pdf>

Category	Classification	Meaning	Response Time
2	Uninhabitable	Works which are necessary where the condition of the Accommodation is uninhabitable , in accordance with the criteria outlined in Paragraph B.3, such that there may be an adverse effect on a Service User's health, safety or security or which have a significant detrimental impact on the property or the quality of the life of the Service User.	Continuous call out facility to investigate and implement an appropriate interim solution within 24 hours after the Provider becomes aware of the maintenance issue. Having implemented an appropriate interim solution, the Provider is to affect a permanent repair or remedy or provide temporary alternative Accommodation within five (5) working days of becoming aware of the maintenance issue. If the Provider cannot implement an effective interim solution within twenty-four (24) hours, the Provider must provide temporary alternative Accommodation.
3	Unfit for purpose	Works which are necessary where the condition of the Accommodation is unfit for purpose, in accordance with Paragraphs B3 to B14 inclusive, such that there has been, or is likely to be, an adverse effect on the comfort and convenience of a Service User, or the potential to lead to further damage to the property if not addressed.	Investigate and implement a permanent repair or remedy within twenty-one (21) Working Days of becoming aware of the maintenance issue.

- 6.75** Inspectors were provided with a review of service provider performance against the KPIs which was undertaken by the ASC-A team in July 2021. The analysis of performance against the individual KPIs frequently refers to “initial teething problems in the first six months of the contract” (for those measuring accommodation proposals, dispersal of service users, and safe and habitable accommodation), after which it was reported that performance tended to improve.
- 6.76** The narrative against some KPIs stated that “self-reporting indicates compliance for this KPI” (move-in services), “self-reporting [is] sufficient at this time” (management information) and “performance in this area is reported as good” (service user transportation). For other KPIs, self-reporting by all providers was reported as being “very poor” (safe accommodation) and “under scrutiny” by the ASC-A team for one service provider (complaints resolution), which was likely to generate retrospective non-conformances. The quality of self-reporting by one service provider was highlighted on a number of occasions, and inspectors noted how this translated to the level of service credits applied.⁴⁶
- 6.77** In the period from September 2019 to January 2021, 2 providers had service credits of nearly £4 million each, while the one that was reported as having poor self-reporting had service credits of only £4,000 over the same period (as reflected by the green line in Figure 12 below).

⁴⁶ A service credit is the amount to be deducted from the payments which would otherwise be payable by the authority to the provider under the contract.

Figure 12: Service credits by month by each AASC provider (provider identifiers removed)



6.78 This picture appeared to reflect a concern held by senior managers in the ASC team regarding the nature of the self-reporting contract. While stating that the KPIs were “appropriate”, the senior civil servant for ASSC said that they were “not a fan of self-reporting contracts”. While the performance dashboards told them that the providers were meeting the KPIs, they said they did not trust them and that “KPIs do not give a true picture of performance”. They added:

“There are broader and softer areas we need to start measuring as well. KPIs carry a service credit, but there are other measures we need to look at that don’t carry a service credit.”

6.79 A senior manager in Home Office Commercial Directorate told inspectors that the KPIs “served a purpose” but they were the same KPIs that were in use 20 years ago.

6.80 The same senior manager expressed concerns about the way ASC staff interpreted the contract, saying that the “operational side are always wrong on interpretation of the contract” and that they did not “always like the advice from Commercial”. They gave an example of the ASC team, believing that KPI failures could be “rolled over month to month for not being able to provide dispersal accommodation” under KPIs 1 and 2. Their view was that the contract did not say this but they said it could “sometimes be a bit of a battle” with the ASC team.⁴⁷

6.81 The senior civil servant for ASSC pointed out that their teams were not contract managers and said, “contract management is a different skill set, that’s why we have a commercial arm”. But they also acknowledged that they were reviewing the structure of the ASC teams, noting the potential for conflict by having the compliance and service delivery teams located in the same area.

6.82 The NAO’s 2020 report on asylum accommodation and support included a recommendation that the Home Office should:

“publish more information about the service’s performance, cost and service improvement plans, in line with Cabinet Office guidance on public contracts. Greater transparency will help the public and other stakeholders to better understand the service and its performance.”⁴⁸

⁴⁷ In its factual accuracy response of February 2022, the Home Office stated that, “in the example given, the operational team had been acting on commercial advice that was later changed”.

⁴⁸ <https://www.nao.org.uk/wp-content/uploads/2020/07/Asylum-accommodation-and-support.pdf>

- 6.83** Stakeholders cited concerns about the lack of publicly available information on the service providers' performance which led to a perception that it was not being assured by the Home Office. One stakeholder told inspectors:
- “It is poor. There appears to be no formal inspection. The Home Office don't seem to be embarrassed by the lack of delivery on the statement of requirements by their providers. The Home Office don't appear to hold them to account.”
- 6.84** Another stakeholder said that they were “not aware of any oversight or any monitoring and evaluation of the service providers' contracts”. However, they acknowledged that the contracts provided “a useful base for NGOs to negotiate with the accommodation providers”.
- 6.85** A senior ASC manager told inspectors:
- “We could be much more transparent and less afraid to publish this information. We've got more information than we've ever had, and we need to get better at demonstrating what we are doing.”
- 6.86** Inspectors asked the Home Office for details of the information it published on provider contract performance and the information it routinely shared with local authorities, strategic migration partnerships, NGOs and any other interested stakeholders.
- 6.87** In addition to the Cabinet Office's quarterly transparency data on KPIs for the government's most important contracts, the Home Office said that it shared “a wide range of information with trusted stakeholders as part of operational engagement and its local partnership forum. This includes information on the dispersed population and contingency population changes”. Examples cited included a regional population and reporting pack “to offer regional partners a more consistent view of the supported population in their area and includes summary statistics on national and local population totals, regional dispersal densities and accommodation estate”. Customer experience surveys were also “shared with a host of strategic shareholders”, but the copies shared with inspectors appeared to relate to DA rather than contingency accommodation or IA. The Home Office said it had also been piloting a process to share personal data with local authorities (taking account of Data Processing Agreement (DPA) and General Data Protection Regulation (GDPR) requirements) to assist them to deliver their services, which it had plans to roll out nationally in early 2022.

Issue reporting

- 6.88** Schedule 2 (Statement of Requirements) for the Advice, Issue Reporting and Eligibility support (AIRE) contract states that the AIRE provider (Migrant Help) should “provide a Single Point of Contact (SPOC) for Service Users within the Asylum and Asylum Support systems”.⁴⁹ In addition to providing advice and guidance, the AIRE provider's role includes:

“being the SPOC for Service User complaints, reports of issues and requests for assistance, for the services provided by:

5.1.1.1 the Provider;

5.1.1.2 the AASC Providers; *and*

5.1.1.3 the Asylum Support Payments Provider.”

⁴⁹ [http://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AIRE_Contract-Schedule_2-SoR - HOC_Published.pdf](http://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AIRE_Contract-Schedule_2-SoR_-_HOC_Published.pdf)

- 6.89** The types of contact from service users can include feedback and complaints about asylum support services provided by the AASC provider and “reports of maintenance issues with their Asylum Accommodation provider by the AASC provider”. The AIRE provider has to ensure:
- “that Service Users are able to contact the Provider, twenty-four (24) hours a day, three hundred and sixty five (365(6)) days a year, to report:
- 5.1.3.1 complaints with any Asylum Support services; *and/or*
- 5.1.3.2 Maintenance Issues with their accommodation; *and/or*
- 5.1.5.3 high-priority/safety critical Requests for Assistance.”
- 6.90** While a detailed evaluation of the effectiveness of the AIRE contract was out of scope for this inspection, the links between the AASC and AIRE contracts meant that inspectors heard from service users, accommodation providers, Home Office staff, stakeholders and Migrant Help staff about the service provided under the AIRE contract.
- 6.91** Inspectors heard about delays experienced by service users when they tried to contact Migrant Help. Problems created by the transition to a new ASPEN card⁵⁰ provider in May 2021 meant the volume of calls reportedly rose from 3,000 to 4,000 a day to 20,000 a day, with levels in early November at around 5,000 a day. Waiting times of over 2 hours were common, with complaints about the quality of advice and assistance provided when they did get through to someone. Stakeholders told inspectors that Migrant Help were “hard to get hold of”. Staff at one hotel told inspectors, “Migrant Help is a big issue for them [service users] in terms of how long it takes to get through to them”. An ASC-A assurance officer told inspectors:
- “The call time to get through can wait for hours. The SDMs [service delivery managers] have been working on this for 18 months. Processes have been put in place, but they are still being implemented.”⁵¹
- 6.92** The Home Office provided data on maintenance issues reported in contingency asylum accommodation since 1 October 2019, including the date of the report, the type of fault and the status of the issue. The Home Office said that there were “limitations in the data provided in that address information is not consistently recorded. In most cases a postcode was provided, so this has been used to differentiate contingency from other accommodation”. This highlighted a problem experienced by inspectors throughout the inspection regarding the consistency of information provided by the Home Office (see section 7 on planning and forecasting).
- 6.93** The data showed that, of the 125,482 maintenance issues reported to Migrant Help since October 2019, only 397 (0.3%) related to contingency accommodation. Inspectors considered this number to be very low given the number of service users accommodated during this period. Of these 397 issues, 4 (1%) were listed as “unresolved”, the oldest dating back to 24 December 2020. Pest infestations were reported most frequently, on 66 occasions (17%).
- 6.94** Inspectors were told by service provider staff at nearly every hotel they visited that service users were encouraged to raise maintenance issues with in-house maintenance teams.

50 As part of the asylum support package while waiting for the outcome of an asylum claim, claimants receive an allowance to help ‘pay for things you need like food, clothing and toiletries.’ The allowance is loaded onto a debit card (ASPEN card) each week, which can be used to withdraw cash from a cash machine. See: <https://www.gov.uk/asylum-support>; The new card provider is Prepaid Financial Services (PFS).

51 In its factual accuracy response of February 2022, the Home Office stated, “The average wait time for June to August 2021 was 16 minutes 17 seconds and from September to November 2021 the average wait time was 18 minutes 9 seconds”.

Inspectors were told that this was a much faster and more efficient way of reporting and rectifying issues than doing so via Migrant Help.

- 6.95** There was also a lack of knowledge and some confusion about Migrant Help's role. Hotel staff told inspectors that they did not understand Migrant Help's role. They had been told by the service provider that, if something did not work or the service provider was unable to help, service users should contact Migrant Help. However, in practice, if service users had issues with their accommodation, they contacted the hotel staff and did not report them to Migrant Help.
- 6.96** This approach was endorsed by the AIRE contract manager in the ASC team. They told inspectors that the complexity of the issue determined whether it was reported to Migrant Help. They said it was "probably reasonable that hotels deal with minor problems around maintenance rather than it being reported to Migrant Help". They were not sure if this meant that the data on issue reporting was not representative. They said it "could be seen as under reporting – but if the matter is resolved quickly then that's OK".
- 6.97** ASC-A assurance officers told inspectors that they had "no faith" that service providers ensured that service users used Migrant Help to report issues with their accommodation. Inspectors were concerned that this meant that the Home Office was not receiving an accurate picture of the scale of issues in contingency hotels, but a senior manager in the ASC-A team told them that a "very high proportion" of maintenance issues were raised through Migrant Help. They said there was nothing to tell them that there was "a big problem with people...not wanting to phone Migrant Help". They continued that they had "no sense" that the AASC providers were trying to stop people contacting Migrant Help and said, "people will naturally report things where they think things will be best sorted. I don't think we should read too much into that".
- 6.98** ASC-A assurance officers raised concerns about the consistency of Migrant Help's reporting, with one telling inspectors that they had seen a category 3 defect (see Figure 11) being recategorised as a request for assistance. Another said that "if a service user makes a complaint it is badged as a complaint, even if it isn't" and another that "feedback is put through as a complaint". They also said that if Migrant Help wanted an issue addressed quickly "they put it in a higher category".⁵²
- 6.99** A stakeholder raised issues with inspectors about Migrant Help's role and how it was unable to provide advice to service users. They said that, during the pandemic, "Migrant Help just recorded issues and forwarded them but didn't follow up on them or go back to the people who raised them". They felt that this was not understood, "even in the NGO setting", which they believed contributed to frustration with Migrant Help. They suggested that it would be good practice if Migrant Help could follow up on the issues raised with them, adding that they had raised issues with Migrant Help which they did not believe were recorded, as the Home Office had told them it could not see them on their system.
- 6.100** In their conversations with inspectors, a number of service users said that they had not heard of Migrant Help, and of those who had, their view of Migrant Help's service was mixed, with some saying that their service was "useful" and "helpful", especially in relation to the advice provided about ASPEN cards. Others expressed frustration about the length of time it took to

52 In its factual accuracy response of February 2022, the Home Office stated: "We have been working closely with Migrant Help and AASC providers on consistent categorisation of the vast range of issues that people raise, for example to address previously grey areas over whether some items should be classed as category 3 maintenance issues or requests for assistance. It is correct that a service user is entitled to raise a complaint even if the substance of the complaint would not otherwise have merited that categorisation. It is also correct that the defect classification process will result in a higher priority for defects that need to be addressed more quickly".

speak to someone and that they were unable to provide any updates on the progress of their asylum application.

- 6.101** Service providers had mixed views of Migrant Help’s role and performance. One senior manager said that they had a positive relationship with Migrant Help and that they viewed them “positively and as an effective organisation”. Another said that Migrant Help were “struggling with the volume of work” but there was “no evidence they have ramped up resources in response”. Another highlighted frustrations with Migrant Help’s service during and since the COVID-19 pandemic, saying “I think they quickly retreated which is a shame. They’re almost reluctant to be a front facing role and are looking to us to provide their service”.
- 6.102** Citing similar problems to the pressures on the AASC providers, a senior manager at Migrant Help told inspectors that they were delivering on the AIRE contract based on the original contract provisions, but questioned whether they were still appropriate. They said it was no longer possible to complete inductions within 24 hours of a service user’s arrival at a hotel given the sheer number of them now being used.⁵³ They also acknowledged that complaints and maintenance issues “were sometimes wrongly classified” by Migrant Help and wanted to understand the causes behind this. With only 300 staff, they were having to think about what their future provision looked like. They wanted to support migrants to thrive and believed they could do more and at a higher quality with a different financial model.
- 6.103** Another senior manager spoke positively about the relationship and engagement that Migrant Help had with the Home Office and service providers. They said that the service providers had a good understanding of Migrant Help’s work but acknowledged that hotel staff could lack knowledge about their role. They also highlighted how decision making by the Home Office on asylum applications was slow which led to frustrations from service users and contributed “to the bottleneck in the continued use of hotels”.
- 6.104** Home Office senior managers told inspectors that the service Migrant Help provided was “incredibly useful” and that they were “well-motivated” and wanted “to do the right thing”. They acknowledged that Migrant Help had been struggling with the volume of work, that there were some delays and that they sometimes categorised issues incorrectly, but they also stated that the Home Office had “put them in a very difficult situation”. Workshops were being planned with them to look at the contract provisions and service improvement plans early in 2022.

Complaints

- 6.105** The ICIBI’s ‘expectations’ of asylum, immigration, nationality and customs functions state that complaints should be “handled efficiently, effectively and consistently”.⁵⁴ The Home Office told inspectors that “complaints relating to contingency asylum accommodation are subject to the same processes as other complaints”. Complaints administration is managed by Migrant Help as part of the AIRE contract. If a complaint is made directly to the Home Office or an AASC provider, it is redirected to Migrant Help to be recorded and tracked. Migrant Help record complaints on their ‘Ellis’ system and refer it to the appropriate party. If a response is not forthcoming within the contracted timescales, or if the complainant is unhappy with the outcome, Migrant Help escalate it to the Home Office for investigation where it will be

⁵³ Under the AIRE contract, Migrant Help also have responsibility for providing an induction for every service user when they enter Initial (and therefore also contingency) Accommodation. KPI 2 states that this must be done “within one (1) calendar day of the Service User’s arrival into Initial Accommodation”.

⁵⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/753382/2018-10_-_ICIBI_s_Expectations_-_Final_002_.pdf

investigated by a dedicated complaints team. If a complaint indicates a contractual failure on the part of a provider, it will be raised with the ASC-A team to consider whether it raises non-conformances against the KPIs.

- 6.106** Paragraph 4.4.2 of Schedule 2 (Statement of Requirements) of the AASC contract states, “the Provider shall signpost the feedback and complaints process to Service Users and appropriately resolve complaints.”⁵⁵ Service provider performance on complaints resolution is managed under KPI 8, which states, “The Provider shall implement appropriate actions to resolve Service User complaints within the timescale of five (5) working days”.⁵⁶ This is measured from “the date and time on which the Provider is made aware of the complaint”.
- 6.107** The Service Delivery and Contract Assurance Overview document explains that the AIRE provider (Migrant Help) “is required to receive, categorise and record all complaints [in relation to services provided by the Home Office, the AIRE provider and the AASC providers], regardless of where they originate”. It states that complaints are defined in the AASC contract as:
- “Service User expressions of dissatisfaction relating to:
- the provider’s staff, and their conduct, behaviour or attitude;
 - a failure to rectify maintenance issues within the relevant response times;
 - a failure on the part of the provider to deliver its required services and Service User support; and/or a criticism of a specific aspect of the provider’s service delivery.”
- 6.108** Schedule 2 (Statement of Requirements) of the AIRE contract outlines the complaints administration service that Migrant Help provides. This includes classifying and recording service user complaints, referring the complaint to the appropriate party for resolution, recording activities undertaken by the appropriate party to resolve the complaint, contacting the party responsible for the resolution of the complaint for an update on resolution activities, and recording the relevant actions taken (if Migrant Help has not received an update from the party responsible within 5 working days of Migrant Help referring the complaint).
- 6.109** Stakeholders’ submissions highlighted service users’ reluctance to complain about issues in contingency accommodation. One submission stated that service users were “victimised” by provider staff in hotels if they complained. Another said that some service users “were fearful about raising complaints about their living conditions or treatment because of the perception this would affect their asylum claim”. This was echoed by another stakeholder who said, “it seems to be fixed in people’s minds the close links between their asylum claim and [the service provider]”.
- 6.110** Another stakeholder raised frustrations about the reporting process, saying that “despite systemic issues being identified by a large number of advocacy and support organisations on a number of occasions to the Home Office and private contractors they have been told to raise individual complaints through the AIRE contract procedures”. In November 2021, one stakeholder told inspectors: “There remains no way to raise issues about accommodation providers without fear of repercussions.” However, one stakeholder told inspectors that there had been “some incremental improvements in handling complaints and raising awareness of entitlements”.

55 <http://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AASC - Schedule 2 - Statement of Requirements.pdf>

56 <https://atamis-8888.cloudforce.com/sfc/p/58000000L5A4/a/4I000001Quri/71zgoiwnXHPra3tctyvyqSKTBMil6CWCEqqffrOngcgE>

- 6.111** The service providers acknowledged the difficulties in ensuring that service users reported issues to Migrant Help, with one telling inspectors that “lots of SUs are fearful to report issues, but Housing Officers and inspection teams point them to Migrant Help”. They were upbeat about the small number of complaints raised about their service, with one senior manager saying that they had “very few complaints from service users against our staff”. The regional managers for one subcontractor told inspectors that complaints were “dealt with on site, then sent to [the service provider] and only via Migrant Help to the Home Office as a last resort”, which left inspectors concerned about potential under-reporting. Other regional managers were frustrated about the lack of complaints data they received from Migrant Help, saying that Migrant Help were “invited to bi-monthly focus groups but won’t share complaints data”.
- 6.112** Inspectors requested the following data from the Home Office:
- Ellis records of all complaints raised via Migrant Help in respect of service users calling from/about contingency asylum accommodation since 1 October 2019
 - AASC complaints team records for all complaints received in respect of contingency asylum accommodation since 1 October 2019.
- 6.113** The Home Office provided inspectors with a spreadsheet that included Ellis data that covered defect reports, requests for assistance and complaints. Its response noted that:
- “on receipt of the data we also identified that many complaints resolved by our team still appeared to be outstanding on Ellis. We have checked our records and manually updated both the spreadsheet and Ellis where we know that a complaint has been resolved. This exercise had identified a flaw in our recording process that has now been resolved.”
- 6.114** Analysis of the Ellis data showed that 1,420 complaints were received from service users in contingency accommodation over this period. 62 remained “unresolved” at the time the data was sent to inspectors, the oldest of which dated from November 2019, almost 2 years earlier.
- 6.115** The formatting and structure of the data provided by the AASC Complaints team made analysis more difficult. For example, prior to April 2021 the data lacked column headings, or contained text that was misaligned with the corresponding complaint. Over this period, 37 complaints were recorded as having been investigated by the complaints team, but outcomes recorded were inconsistent or missing in some cases. Most complaints related to the food provided in hotels.
- 6.116** The data for the period from April 2021 onwards showed that 93 complaints were investigated by the complaints team. Of these, only 4 were shown as having been upheld following investigation by the complaints team and the quality of data entry was again poor. Of the total complaints: 35 (38%) related to service delivery, 29 (31%) to food and 29 (31%) to staff behaviour. Inspectors noted that, in the version of the spreadsheet that was updated by the Home Office following receipt of the data, 91 (and not 93) complaints were recorded for the same period, and all were dismissed following investigation by the complaints team. These discrepancies again raised concerns for inspectors about the quality and accuracy of the data being produced and used by the Home Office.⁵⁷
- 6.117** Despite these issues, Home Office staff had positive views of the complaints process and data. The AIRE contract manager told inspectors that the data received from Migrant Help was

⁵⁷ In its factual accuracy response of February 2022, the Home Office stated: “The figures quoted relate solely to complaints from people in contingency accommodation. For the same period, of a total of 373 escalated complaints received about accommodation providers, 143 were upheld. These figures are of course in relation to a population in the thousands.”

accurate “in part” but said that it was an “area where learning needs to be done”, especially with regard to the classification of reporting. They said there were “very good relationships” between the assurance and complaints teams and Migrant Help. They highlighted the work done by the Service delivery managers to review the Migrant Help data each month, which they shared with the assurance teams to review KPI performance.

- 6.118** The service delivery managers highlighted the improvements made by the service providers, saying that they had “finessed the way that they are working now, and the levels of complaints are getting less”. This was also the view of a senior manager in the ASC team who told inspectors that the service providers and their subcontractors were responsive to issues and concerns raised “in most cases”. They said they had been “frustrated with the providers and the complaints process” as on some occasions they had not responded well initially. However, they said that there were now clear instructions and that they were “in a much better place now”, although it had taken a lot of work with the providers to reach this point.

Data

- 6.119** The 2020 NAO report on asylum accommodation and support recommended that the Home Office should:

“encourage the AIRE and accommodation providers to automate links between their systems, to more efficiently resolve supported asylum seekers’ issues, and evaluate the potential of the information collected by AIRE as a resource to improve the service over the longer term, including using aggregate and trend data to resolve issues raised by stakeholder organisations.”⁵⁸

- 6.120** In its 2018 inspection of asylum accommodation, the ICIBI recommended that the Home Office should “provide software and training aids” and “define the data standards Providers must employ” in relation to reporting “inspection visits, defects/repairs, complaints and incidents” and that they should be in use by Quarter 3 of 2018 to 2019 “before the new contracts go live”.⁵⁹ Despite this, Home Office staff told inspectors about the difficulties they had in monitoring the service providers’ performance. They did not have one IT system that enabled them to look at all the performance data in one place. Instead, it was spread across 4 different systems, which gave the senior civil servant in ASC cause for “considerable concern”. Staff relied on the data provided by Migrant Help, which one senior manager described as a “godsend” for their contract assurance work. They looked “at what that is telling us”, but then had to look at the AASC data as well. Inspectors were told that work was underway to enable the Migrant Help system to interface with the AASC providers and enable Home Office staff to view it.
- 6.121** Some of the transactions between the ASC team and service providers flow via Atlas (the Home Office’s caseworking system) through a ‘collaborative business portal’ (CBP), but inspectors were told that the CBP had “not been enhanced much since” it was introduced in 2005. However, approval had been given to make enhancements to the CBP, principally to enable it to interface with the providers’ systems. Inspectors were told: “Fairly soon we will have integrated systems.”

58 <https://www.nao.org.uk/wp-content/uploads/2020/07/Asylum-accommodation-and-support.pdf>

59 <https://www.gov.uk/government/publications/an-inspection-of-the-home-offices-management-of-asylum-accommodation-provision>

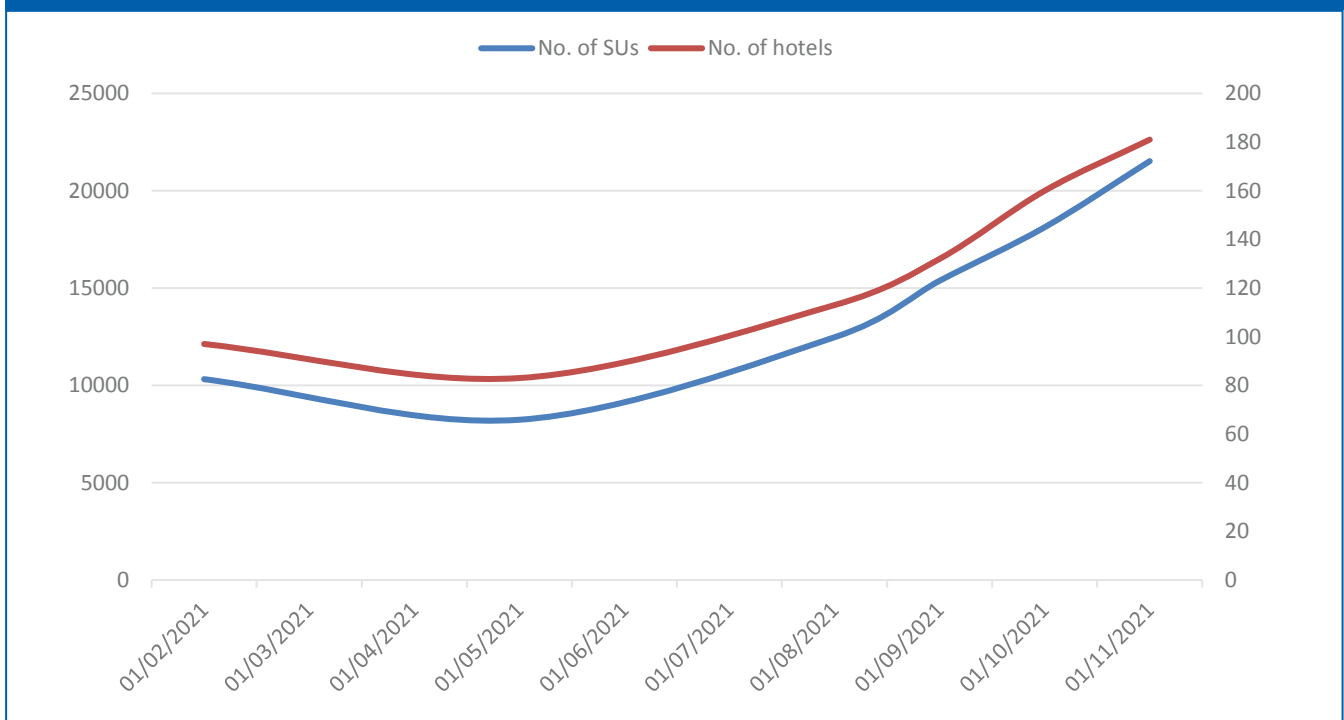
Risk management

- 6.122** The Home Office told inspectors that business risks in the AASC area were managed “in accordance with the UKVI Risk Strategy” and that the Risk Strategy had been extended “to provide for more effective management of risks arising in the AASC and AIRE contracts, which are shared with each provider”. Providers were responsible for capturing risks and issues and discussing them at monthly contract governance meetings. A deep dive risk management meeting was also held with each provider on a quarterly basis.
- 6.123** The UKVI Risk Management Strategy is accessible to all staff on the Home Office intranet and was last updated in March 2021. It comprehensively sets out UKVI’s risk management processes for all staff and incorporates the 10 Home office management of risk principles, reporting timelines and guidance on escalation routes. The aim of adopting the strategy was to “allow UKVI to continue as a risk focussed, robust business, allowing risk-based decisions to be made in confidence at all levels”.
- 6.124** Inspectors asked the Home Office for the current risk registers relating to contingency asylum accommodation for the Home Office and each service provider and subcontractor. The Service Delivery and Contract Assurance Overview document states:
- “The Home Office maintains Risk Logs at a regional (contract by contract) level, and manages and escalates risks as per the documented risk management process. In the case of the AAS Contracts, this means that 7 regional contract logs are maintained (for each region/contract provider), with a master risk log maintained at an Asylum Support level.”
- 6.125** In its response to the ICIBI’s request, the Home Office provided the joint registers for the Strategic Review Management Board (SRMB) and for all service providers and their subcontractors. Inspectors noted that the joint Home Office and service provider registers did not use a standard template and did not record risks and issues in the same way. Registers completed by the same service provider tended to be replicated for each of their regions, suggesting a lack of careful consideration of the risks specific to each region. Each register recorded the lack of available accommodation as the highest risk in terms of likelihood and impact, closely followed by COVID-related risks.
- 6.126** The risk registers for the individual service providers and their subcontractors varied in quality and content. Inspectors found that some risks were carefully thought through with mitigating actions assigned to individual owners, but other registers did not assign owners to individual risks, and lacked detail. The risk registers of 2 subcontractors of the same service provider were particularly poor, with one entitled, ‘Risk assessment of registers’. The risks listed, their impact and probability scores and their mitigating actions were all identical and contained very little detail, and no risk owners were assigned to any of them. While both subcontractors worked for the same service provider, inspectors considered it highly unlikely that 2 different subcontractors would record their risks identically. This gave rise to concerns about the level of scrutiny given by the service providers to their subcontractors’ risk registers.

7. Inspection findings: Planning and forecasting

- 7.1** Inspectors were told by the Home Office that hotels had been in use as contingency asylum accommodation since the AASC contracts were introduced in 2019.⁶⁰ They had also been used prior to that at times of increased demand for accommodation. Because of the COVID-19 pandemic, the use of hotels as contingency asylum accommodation has, for the most part, increased over time – generally in line with the number of service users entering the system.
- 7.2** As more service users have entered the system, more hotels have been brought online to satisfy the demand for accommodation. Similarly, where intake has dipped, hotels have been stood down.

Figure 13: Service users and hotel occupancy over time



- 7.3** Inspectors heard from stakeholders and Home Office staff that the speed with which hotels were being stood up had also increased in line with demand, and that this had meant that the lead-in time had shortened. This lead-in time is important, as it gives time for relevant third sector and wraparound services to be put in place (as long as the Home Office and accommodation providers engage with these sectors in advance) when service users move into accommodation. It also gives time for accommodation site standards to be brought in line with the requirements of the AASC contracts.

⁶⁰ The NAO report on asylum accommodation and support, published in July 2020, said that there were more than 1,000 accommodated asylum seekers in hotels each night between October 2019 and March 2020. See: <https://www.nao.org.uk/wp-content/uploads/2020/07/Asylum-accommodation-and-support.pdf>

- 7.4** Inspectors were told by a senior manager in ASC that the point at which accommodation standards are to be met is when service users inhabit the property rather than when the property is procured and that “providers have a responsibility to make sure properties are up to standard before people are in them” but that “we don’t check before people are in them that they have done that”.

Stakeholder engagement

Third sector

- 7.5** Inspectors heard from several third sector stakeholders that the lack of notice provided by the Home Office in advance of standing up a new hotel caused issues for service users. They also told inspectors that the process for selection and screening of sites was unclear and that this fed into a perception that the Home Office failed to plan adequately when standing up new accommodation sites. One stakeholder told inspectors that there “Doesn’t appear to be any process” and that the Home Office “Don’t tell anybody when they are going to do it [stand up a new site]” adding that the process is “opaque” and that “it is certainly not clear to Local Authorities (LA) or SMPs – sites just appear”.
- 7.6** Another told inspectors that they would be “fascinated to know what the process is”, adding that they “didn’t understand it”. One said that sites were “set up quickly without prior engagement with key stakeholders” and that there was “lots of tension due to how the Home Office approached opening sites”. Another London-based organisation told inspectors that when hotels were stood up in their area “there appeared to be no central co-ordination, no conversation with the local community, and no notice of the hotel being stood up”.

Strategic Migration Partnerships (SMPs)

- 7.7** This ambiguity in process and perceived lack of engagement extended to the SMPs that inspectors spoke to. While SMPs appeared to have a better grasp of the process for screening and selecting sites (although this was inconsistent across SMPs), the speed and lack of engagement around the setting up of sites was an issue that inspectors heard repeatedly. One SMP told inspectors that the process appeared to be consideration of a site by the service provider, the Home Office, the minister and then the local authority, but added that “it is always last minute and an emergency situation” which meant that the process was often conducted in a very short timeframe.
- 7.8** Another SMP told inspectors that the process for selecting a site was something they were informed about, rather than being directly involved in, and that they had suggested to the Home Office that they should “engage more with local authorities” on the appropriateness of sites.
- 7.9** One SMP told inspectors that the process was “not as partnership focussed” as they would like. They added that they could not see the Home Office rationale as to why they chose certain areas for contingency asylum accommodation and that they had seen “quite a lot of push back about where sites are located”. They went on to add that “the new sites and timeframes from the Home Office are a concern”.

Asylum Support Contracts (ASC) team

7.10 The speed with which hotels have had to be stood up to meet demand is a challenge for the Home Office, and this was recognised by staff inspectors spoke with. A senior manager in ASC told inspectors that:

“Providers had to take on a lot of hotels at pace without much time to prepare. I think it’s inevitable that not everything has been quite right or entirely perfect in some hotels from day one.”

7.11 Another told inspectors that:

“whilst there are teething problems with sites as they are stood up, the speed with which they are stood up in response to intake is impressive.”

7.12 One senior manager, while accepting that the pace with which hotels had been procured and stood up had been challenging, stated that they thought that it had improved over time. They said that “telling an LA [local authority] they have 12 hours” was not ideal but said that “better processes are now in place – scale and speed are the challenge, but you have to maintain quality at the same time”. They added that “the scale and pace at the start of the pandemic caused us issues” noting that, initially, authorisation had to be sought from the Home Secretary to stand up every new contingency hotel and this had caused problems in terms of being able to react quickly. This process had now changed, and Home Secretary sign-off was no longer required.

7.13 The challenge in meeting the demand created by the intake of new arrivals was also noted by the senior civil servant responsible for the ASC team, who said that “from July the speed at which we’ve had to set up the hotels has sometimes challenged us”. In response to this, and in recognition of the fact that engagement with third sector stakeholders, local authorities and SMPs was key to the successful running of a contingency asylum accommodation site, inspectors heard from the Head of Operational Engagement and Planning within ASC that a new process for engagement was being used.

7.14 An engagement platform called SMART had been introduced to log interactions with stakeholders. It was hoped that it would enable the Home Office to identify patterns and build better relationships with stakeholders. However, as of October 2021, the system was not fully operational, and the team needed to run the new engagement portal was not properly resourced. No date was given as to when it would be fully operational.

7.15 Inspectors were sympathetic to the challenge that increased demand for contingency asylum accommodation sites posed to the Home Office. However, engagement with interested stakeholders around the standing up of sites had clearly taken a back seat, and inspectors considered that improvements in this space, including better planning and clearer processes (which are clearly communicated to stakeholders) could lead to better outcomes. While staff pointed to improvements already made, inspectors did not get the impression from discussions with external stakeholders that they had seen the impact of these improvements. The sentiment that “it is always last minute and an emergency situation” was one that many organisations involved in this area outside the Home Office would recognise.

7.16 In 2018, the ICIBI made recommendations relating to the quality and extent of engagement between NGOs, the Home Office, and accommodation providers, noting that it varied

significantly from region to region and within some regions in relation to Dispersed Accommodation (DA).

7.17 The GIAA⁶¹ also recommended that the Home Office should develop a stakeholder engagement plan which sets out key stakeholder groups and how and when to engage with them.

7.18 Inspectors asked for an update on the ICIBI recommendations and were told that the Home Office had created a standard procedure for procuring hotel accommodation to enable sufficient notice and consultation with stakeholders to take place prior to occupation:

“We have documented and issued on 1st October 2021 a new SOP for hotel procurement which clearly defines roles, responsibilities and interactions. Clear criteria have been developed and included in the SOP as well as the process across the SDMs, senior manager and Minister. A clear template has also been developed and issued with the SOP. The SOP has recently been revised to address the criticism surrounding insufficient LA notice and engagement prior to procurement. The new process formalises an additional engagement point undertaken currently by SDMs. The revised SoP has been combined with the [Overflow Dispersed Accommodation] SoP, signed off and distributed.”

7.19 During this inspection, inspectors saw issues that could be directly attributed to the lack of prior engagement by the Home Office before standing up sites, and ongoing engagement while sites were in use. When allocating accommodation, accommodation providers have a responsibility to consider the appropriateness of the location with regards to the capacity of local health, education and other support services. The Home Office should work collaboratively to ensure community impact assessments are carried out to inform their decision making.

Education

7.20 There is no explicit provision within the AASC contracts compelling accommodation providers to ensure access to education for service users. However, due to the length of time service users are spending in contingency asylum accommodation, this issue was raised numerous times to inspectors, and access to education is discussed in detail in the section on asylum seeking families with children. Generally, access to education has been facilitated through engagement with local authorities in and around the standing up of a contingency asylum accommodation site.

7.21 Accommodation providers told inspectors that they had built good relationships with the local authorities and the schools in their areas that were willing to register children staying in hotels.

Healthcare

7.22 Accommodation providers have a responsibility to assist service users in registering to access healthcare as per the requirements set out in the AASC contract.⁶² In practice, this is achieved by engaging with local healthcare providers to ensure that service users are registered with local GPs.

7.23 Inspectors heard from a number of stakeholders that access to healthcare was a concern, especially with regard to the speed with which sites were being stood up and the level of

⁶¹ <https://www.gov.uk/government/organisations/government-internal-audit-agency>

⁶² In accordance with paragraphs 1.4, 4.4.5 and 4.4.6 of the Statement of Requirements.

engagement from the Home Office and accommodation providers around the standing up of those sites.

- 7.24** One third sector organisation told inspectors that one of the biggest challenges facing service users was their “inability to access healthcare”. Another told inspectors that due to a lack of engagement, there is “no wrap around support for service users, including health visitors”. Another told inspectors that they “still find vulnerable families and individuals who don’t have a GP in regions with stretched GPs”.
- 7.25** Inspectors also heard from NHS foundation trusts, and one raised specific issues about the lack of engagement and the knock-on effect this had:
- “Local health services such as the Health Visiting Service in Camden were not informed about the families being moved to the area at any time. This led to a delay in us being able to offer the family a service, risking their health needs. We initially found out about the families when we had notifications from a local hospital about a new-born baby and mother living in a student accommodation. We thought this unusual so called the manager, who then informed us about the many children placed there.”
- 7.26** Another stakeholder told inspectors that no engagement had been undertaken to ensure that the health needs of service users were met before accommodation was used in their area:
- “Typically, no meetings between the Home Office and its contractors and local authorities were held to determine whether the health, wellbeing and social care needs of the households could be met at the locations in question before bookings of hotel rooms were made and placement of asylum seeker families undertaken”.
- 7.27** Inspectors sought to understand the provision of access to healthcare by visiting contingency hotels. They saw evidence in 24 properties (92% of sites visited) of the service providers actively assisting service users to find healthcare, such as GP surgeries, nearby. Inspectors welcomed this proactive approach.

Northern Ireland

- 7.28** However, in Northern Ireland, inspectors were told by the accommodation provider about the difficulties of registering service users accommodated outside Belfast with healthcare and education providers. The service provider spoke positively about the Northern Ireland New Entrant Service (NINES)⁶³ in Belfast, “a nurse-led service which provides health care advice and health assessments for adults and children who are new to Northern Ireland and not already registered with a General Practitioner (GP)”. But as this service was not provided outside the Belfast area, service providers described accessing healthcare and education services for service users accommodated outside Belfast as a “serious challenge” and said that it was an area where they “fell down”.
- 7.29** The accommodation provider was using the contingency asylum accommodation hotels that had been set up outside Belfast as quarantine/self-isolation hotels for service users entering the accommodation system for the first time, with the intention that they would be moved on to other hotels in the Belfast area after around 10 days (although inspectors heard that this was not always happening in practice). The result of the lack of access to the NINES service was that the service provider did not register healthy service users with a GP while they were staying

63 <http://www.cypsp.hscni.net/wp-content/uploads/2020/09/NINES-Leaflet.pdf>

in the accommodation outside Belfast (but any service users with serious medical issues were registered). In addition, the service provider saw “lots of dental challenges” where NINES did not operate outside the Belfast area. Service users were advised to call 999 if they had a serious health or dental issue. Although they said that they were discussing these issues with the Home Office and the SMP, one service provider manager said, “my main worry is health”.

- 7.30** Education was also not accessed until service users moved into DA, with the obvious impact on children. The service provider said that they were “trying to work with the education authority” which had “come to the hotels to put some education in place”.
- 7.31** The accommodation provider told inspectors about a large increase in service users requiring contingency asylum accommodation in Northern Ireland over the previous few months, which had been “very difficult to manage”. Previously they had seen around 50 service users a month requiring accommodation, but this had increased almost four-fold, to 180 to 190 per month. This had resulted in a ‘procurement drive’ for more contingency asylum accommodation hotels in Northern Ireland. Inspectors were concerned that more service users would be accommodated outside Belfast, and therefore unable to access healthcare and education services.
- 7.32** Inspectors spoke to the SMP staff for Northern Ireland. They said they did not have a grant agreement with the Home Office to fund their work and had not received any direction from the Home Office on what they wanted them to do, despite being in discussions with the Home Office since 2019. They described their engagement with the Home Office as being “very erratic to non-existent” and “not timely”. Because of this lack of engagement and information sharing, the SMP was unable to provide an assessment of the provision of contingency asylum accommodation in Northern Ireland, describing their position as “being on the back foot”. However, they did say that newly established engagement with the accommodation service provider was a “game changer”.
- 7.33** In December 2021, the Home Office told inspectors that work had taken place during 2021 “to review and ensure that the activities of the SMP are fully aligned to the Grant Agreement”. This had delayed formal sign-off, but it was “expected to be signed off imminently.” The Grant Agreement was focused on the Asylum Dispersal element “which reflects current priorities and pressures” and discussions were taking place “outside of the Grant Agreement in relation to Unaccompanied Asylum Seeking Children provision in Northern Ireland”.
- 7.34** The accommodation service provider told inspectors that they had not been given any information by the Home Office on the reasons for the recent increase in the number of service users in Northern Ireland. The Home Office explained the recent increase by stating:

“Most people who claim asylum... state that they have travelled to Northern Ireland from the Republic. Many state that they were in other European countries prior to their arrival in Dublin, with some people saying that they claimed asylum in the Republic of Ireland and some not. We no longer have access to Eurodac which may have given us more of a travel history and enabled third country returns to the Republic of those who had claimed asylum there.

International Returns and Readmission Policy (IRRP) have advised that if an asylum seeker boards a plane to Dublin, it is highly likely they will be able to gain access to the UK to claim asylum via the Common Travel Area.”

7.35 The SMP said that there was a “lack of forecasting” for the number of people requiring accommodation. Inspectors spoke to policy leads and senior managers in ASSC, but none of them were aware of the reasons for the increase. A senior manager told inspectors that they were aware of the challenges but not the specifics of the issue. They were also aware that the increase meant that the service provider had reached the contractual volume cap for Northern Ireland, noting that the contract did not do the Home Office “any favours” in that respect. They said that contractual change control was “unacceptable” given the expense to the Home Office, with the “only choice” being “to move them [the service users] back to England or pay a ridiculous amount”. It was an area that they were keen to examine in more detail.

Far right activity

- 7.36** When allocating accommodation, providers have a responsibility to consider the appropriateness of the location with regards to the absence of any reported social tension incidents at the time of allocation and the level of risk of increased social tension if service user numbers increase within the relevant area.⁶⁴
- 7.37** When a new site is proposed, the accommodation provider and/or the Home Office should liaise with the local police force or other interested stakeholders to understand whether accommodating asylum seekers there will cause any issues with the local community.
- 7.38** Inspectors heard from a number of stakeholders that sites were frequently stood up in areas where there was an active far right presence and that this could have been avoided with better engagement and planning on the part of the Home Office and accommodation providers.
- 7.39** One third sector organisation told inspectors that service users suffered from a “fear of harassment” when in contingency asylum accommodation due to the far right presence around hotels. Another told inspectors that they had experienced “numerous incidents of far right activity where new sites have opened up”. They added that one hotel had seen activity which had “scared people”. The organisation had questioned the standing up of a hotel in an area which they knew to be an “unsafe place for people seeking asylum”, but were told by the Home Office that “they understand that [that the location was unsafe], but that it had to open quickly”.
- 7.40** Inspectors visited several sites where far right activity had been reported. While this activity had predominantly occurred around the time that the accommodation site had been stood up, leading inspectors to question the prior planning and scoping which the Home Office had done before agreeing to sites in particular locations, they also heard reports of a resurgence in activity towards the end of 2021.
- 7.41** Inspectors were told that Britain First had visited a site twice and that far right activists had also tried to gain access to the site. Inspectors heard a similar story when visiting another site, with staff telling inspectors that far right activists had tried to gain access and had filmed service users. It was clear from the conversations with staff at these sites that far right protest groups were active in the local areas and had been prior to the standing up of contingency asylum accommodation in the area.
- 7.42** Senior accommodation provider managers echoed the concerns of their staff, with one telling inspectors that “there have been issues around people trying to enter hotels”. Another told inspectors that “right wing activity is a worry”.

64 <http://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AASC - Schedule 2 - Statement of Requirements.pdf> (para 2.4.6)

7.43 In Northern Ireland, inspectors heard about 2 weeks of protests from far right groups after a local councillor raised objections to a site being used as contingency asylum accommodation in an online post. The site was stood up at a sensitive time locally which made the situation more difficult. Staff at that site told inspectors that “We had issues when the site first opened but the Police Service of Northern Ireland (PSNI) dealt with that and they patrolled the area”. Staff and stakeholders told inspectors they were not surprised by the protests. The SMP for Northern Ireland questioned the choice of site and the haste with which it was stood up: “They just spring up...the Home Office should have contacted the Executive Office and sought advice from the PSNI”.

Planning and forecasting for the use of hotels

7.44 Considering the speed with which contingency asylum accommodation hotels had been stood up, inspectors sought to understand the high-level planning undertaken to ensure that demand for hotel space was fulfilled.

7.45 Inspectors asked for details of the forecasting and modelling for the provision of contingency asylum accommodation that was undertaken in advance of the increase in small boat arrivals during the summer of 2021, and the planning that was being undertaken in advance of summer 2022.

7.46 The scale of the challenge that was faced by the Home Office is borne out in the numbers. The rise in the number of arrivals by small boats and the impacts of the measures taken during the pandemic are reflected in the number of hotels used as contingency asylum accommodation. In February 2021, the Home Office told inspectors that it was using 97 hotels across the UK as contingency asylum accommodation, housing 10,319 service users. By May 2021, as a result of efforts to move service users on to DA, the figures had fallen to 83 hotels housing 8,223 service users. However, by November 2021, this figure had risen to 181 hotels and 21,521 service users, largely due to the increase in the number of people arriving in the UK by small boats.

7.47 Inspectors were told that forecasting and modelling for the provision of contingency asylum accommodation that was undertaken in advance of the increase in small boat arrivals in Summer 2021, was built on a data forecasting plan that had a trajectory of arrivals from 2020. This was clearly insufficient as demand increased well above forecasts. Inspectors were told that “This led to a plan which was not sufficient for the unprecedented high numbers of arrivals that were seen”.

7.48 When asked about the 2021 summer intake planning, the Head of Operational Engagement and Planning in ASC said, “Unfortunately we have been using last year’s data, and this year turned out to be far worse” adding that “the patterns and placement of arrivals have changed” and the “data was not sufficient for this year’s intake”.

7.49 Another senior manager told inspectors that plans for the intake in 2021 and the bed spaces that were procured to meet the forecast were insufficient. “There is always planning. It always seems wrong, there appears to be a continual optimism bias.”

7.50 Several staff told inspectors that forecasting around intake was no more sophisticated than using the previous year’s numbers and taking into account the weather. One senior manager told inspectors that it was “Not a surprise that summer comes each year”. The senior civil servant responsible told inspectors that:

“There was planning last year, the forecasted numbers were so far off it was unbelievable... it’s astounding that we have just relied on the weather.”

7.51 Inspectors were told about a new capacity buffer that was being put in place. This buffer would always see 1,000 bed spaces available from 16 October 2021 onwards. Inspectors were told that a lot of work had taken place during summer 2021 to put the buffer in place, presumably in response to the pressures on the systems throughout 2021 where planning and forecasting had not been sufficiently accurate. However, inspectors heard from ASC senior managers that high intake meant that the buffer “keeps being eaten into”. A senior policy manager told inspectors that “You can’t really plan for the intake we have had. You can’t build a big enough buffer”.

7.52 Inspectors were told that planning for intake for the summer of 2022 was already underway. No specific details were provided, but the Home Office said:

“We are presently building a forecasting and modelling plan for the summer of 2022 and this is very much inclusive of a sufficient capacity buffer that will have a parameter for unpredicted arrivals.”

7.53 Inspectors considered that the forecasting and modelling work that was being undertaken needed to take into account the level of arrivals seen outside the summer months of 2021, and that it should consider high intake over the winter months as business as usual going forward rather than an exceptional occurrence.

7.54 Inspectors also noted the 2020 NAO report on asylum accommodation and support which stated that “The Department [Home Office] does not have a single, integrated process to forecast demand”⁶⁵ and hoped that the forecasting and modelling plan for the summer of 2022 would take steps to address this shortcoming.

7.55 Inspectors also note the cross-government review of small boat arrivals that was announced in November 2021. The ICIBI also commenced an inspection of migrants arriving via small boats at Tug Haven in December 2021.

Planning and forecasting for hotel exit

7.56 In response to the extended use of hotels as contingency asylum accommodation, and the recognition that their continued use is unsustainable both in terms of service user impact and the cost to the Home Office, the Home Office implemented a recovery programme to facilitate a return to business as usual. This programme has been called at various times ‘Operation Oak’ and ‘Hotel Recovery’. The effectiveness of the programme, and the planning and forecasting involved in its delivery, are discussed in section 8 of this report.

7.57 In terms of cost to the Home Office, inspectors understood the importance of the success of Operation Oak/Hotel Recovery. A senior manager in the Home Office Commercial Directorate told inspectors that the cost to house service users in contingency asylum accommodation was “eye watering”. Another said:

“Hotel recovery is all about reducing costs. Hotels are costing £70,000 an hour 24 hours a day, over and above contract – well over budget and this is why hotel recovery is so important.”

65 <https://www.nao.org.uk/wp-content/uploads/2020/07/Asylum-accommodation-and-support.pdf>

Home Office data

- 7.58** Throughout the inspection, inspectors sought to understand the scale of the hotel estate and the number of service users housed in contingency asylum accommodation. They requested this information to inform their planning so that they could inspect hotels based on the cohorts and numbers of service users they were accommodating.
- 7.59** This information was requested at regular intervals during the inspection as the numbers changed considerably over time. They asked for a list of contingency asylum accommodation in use at various dates, broken down by:
- accommodation name – for example, hotel, hostel or building name
 - type of accommodation – for example, hotel – private rooms, hotel/hostel – shared rooms, other (please specify)
 - AASC provider
 - AASC provider subcontractor details if relevant
 - AASC region
 - date first used as contingency asylum accommodation
 - expected end date for use as contingency asylum accommodation
 - service user type – for example, single male, single female, single parent and child(ren), family group including under 18s, family group not including under 18s, other (please specify)
 - number of service users currently housed in the accommodation
 - maximum capacity of each location
- 7.60** Inspectors expected this information to be readily available to ASC staff and were disappointed that the information contained inconsistencies and inaccuracies on several occasions. The address details supplied for contingency asylum accommodation sites were sometimes inaccurate. Inspectors also found issues with the cohort classification, number of service users in properties and consistency in the use of property names.
- 7.61** Inspectors considered this inaccurate data to be problematic, not just for the smooth running of the inspection, but more broadly in terms of how the Home Office plans, forecasts, and manages the contingency asylum accommodation operation on a day-to-day basis. They asked for an explanation of the issues relating to the provision of this information, to which the Home Office responded:

“The data sets provided to the ICIBI during the course of their inspection regarding hotel contingency accommodation sites were prepared exclusively at the ICIBI request and do not represent the format, nomenclature or classification that data on the supported population or accommodation estate is held on Home Office or providers’ systems. The summary data requested by the ICIBI was prepared manually from analysis of individual daily occupancy records and addresses and was therefore provisional and subject to change.”

Safeguarding

- 7.62** Inspectors sought to understand how safeguarding concerns in contingency asylum accommodation were dealt with, both by the accommodation providers and the Home Office.

Home Office

- 7.63** The ASC's Service Delivery and Contract Assurance Overview document states that any concerns regarding a service user's safety as identified by an accommodation provider or Home Office staff should be highlighted immediately. Service users can also raise a Request for Assistance (RFA) if they have concerns for their own or another's welfare. RFAs are reported via Migrant Help and records of this are maintained by the Home Office.
- 7.64** The Home Office has a dedicated Safeguarding Hub to ensure that high-quality and timely interventions, referrals and signposting work is undertaken to support vulnerable customers, in line with the UKVI safeguarding strategies for children and vulnerable adults. This work also supports the UKVI mission to safeguard the vulnerable and their host communities.
- 7.65** The safeguarding team within Resettlement Asylum Support and Integration (RASI) works with various agencies to protect and support vulnerable children and adults at risk. This may involve making safeguarding referrals to various front-line agencies (such as health, social care and support services), attending child/adult protection meetings with police and social workers, arranging case conferences internally and liaising with both external and internal partners to share information. If a serious or urgent incident occurs concerning a service user's safety, the regional service delivery manager may become involved to liaise with local authorities, the police, housing providers or social workers to ensure that the service user's safety is protected.
- 7.66** Inspectors spoke with a senior manager at the Safeguarding Hub. They told inspectors that the Safeguarding Hub received around 350 safeguarding referrals a week, mainly from accommodation providers and Migrant Help, and that the Hub acted as a signpost to refer cases on to the relevant organisations.⁶⁶ Referrals are received by email and logged on CID and Atlas (the Home Office's caseworking systems). The senior manager told inspectors that the work of the Safeguarding Hub had improved since contingency asylum accommodation was first used and stated that "Greater knowledge and better protocols have come from gaining more experience. Safeguarding leads have become better at responding to issues".
- 7.67** In addition to the Safeguarding Hub, an ASC Safeguarding Board was established with AASC and AIRE providers to bring together experts from the accommodation providers, Migrant Help, and the Home Office to consider the specific safeguarding needs of people seeking asylum and those who have been granted refugee status in the UK.
- 7.68** The responsibilities of the board are to:
- "Take action as a result of the meetings; ensuring that a contractual understanding of what we are managing and how effectively we are delivering that.
 - Establish clear principles in a collaborative, informed approach to ensure consistency across the board and to improve the customer journey.
 - The group will monitor delivery of safeguarding responsibilities against the safeguarding framework.
 - Share best practice, learn, and put measures in place that would benefit all. Discuss safeguarding themes, with case studies circulated to enable that discussion. A referral form is annexed for consideration.
 - Have access to any data and information necessary to support its work."

⁶⁶ In its factual accuracy response of February 2002, the Home Office stated that the hub received "around 1,000 new safeguarding referrals a week, mainly from accommodation providers, Migrant Help and asylum decision makers".

Accommodation providers

- 7.69** All the accommodation providers had dedicated safeguarding teams/managers that escalated safeguarding concerns to the Home Office Safeguarding Hub. One accommodation provider told inspectors that “We link in with the Hub. We have a dedicated safeguarding team who have a very good relationship with the Hub”.
- 7.70** Another explained how they categorised incident reports, the highest of which was immediately referred to the Home Office Safeguarding Hub. These reports were “tracked until resolution” and inspectors were told that their dedicated safeguarding manager “worked closely with welfare managers onsite” to ensure that safeguarding concerns were dealt with appropriately.
- 7.71** Another described how staff were trained to raise concerns locally (on site at a hotel), internally (within their own organisation) and externally to the Home Office Safeguarding Hub.
- 7.72** The work on safeguarding within contingency asylum accommodation appeared to be good and the work of the team within the Safeguarding Hub was talked about enthusiastically. Providers noted the sharing of good practice facilitated by safeguarding boards. However, inspectors were concerned to hear from the Hub lead that it was limited by the fact that there was no system in place to record referrals in a way that identified trends in referrals or helped to build a broad picture of safeguarding issues.
- 7.73** Inspectors noted that without this, planning and responding to safeguarding trends was almost impossible and represented a significant gap in capability. A senior manager said: “The only way to identify trends or gain a broad view of safeguarding concerns would be to do a manual trawl of all the data”, adding that “broad data would be useful for UKVI to see if particular hotels were causing issues”.

8. Inspection findings: Operation Oak/Hotel Recovery

Background

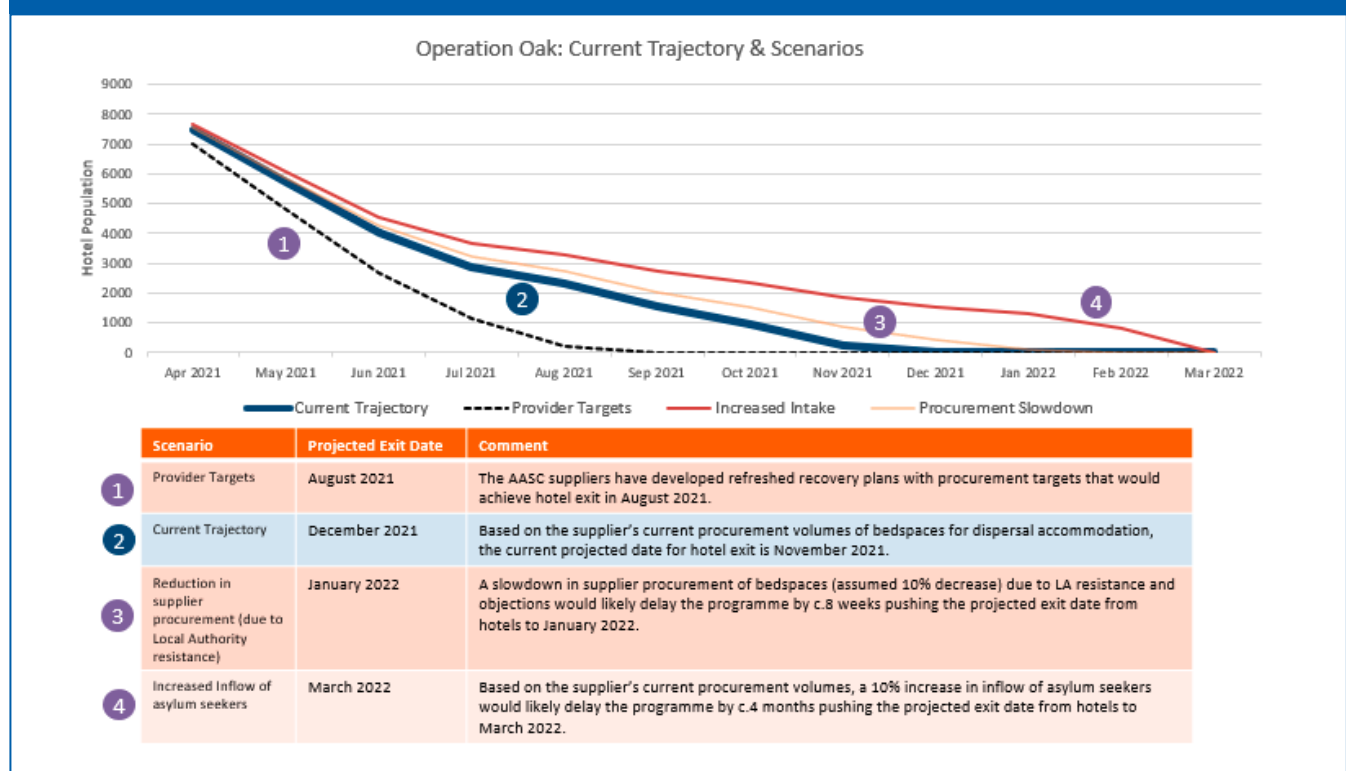
- 8.1** In response to the extended use of hotels as contingency asylum accommodation, and the recognition that their continued use is unsustainable both in terms of service user impact and cost, the Home Office deemed it necessary to implement a recovery programme to facilitate a return to business as usual.
- 8.2** In December 2020, the Home Office and the 3 accommodation providers began to implement the recovery plan which was named Operation Oak.
- 8.3** Operation Oak outlined an aspiration for the rapid procurement of Dispersed Accommodation (DA) and Overflow DA to help facilitate a return to business as usual and reduce its dependency on hotels. Responsibility for asylum seeker dispersal and the implementation of the recovery plan sat with the service providers, with the Home Office working closely to support.
- 8.4** Initially, consultants from Deloitte were asked to help steer the operation, with a view to the Home Office taking over once the process was established. Deloitte's responsibilities included drafting communications for providers and local authorities (LAs) on the aims of Operation Oak and engaging the accommodation providers to obtain data in relation to weekly procurement and future procurement plans. With the help of Deloitte, the Home Office and accommodation providers agreed recovery plans which outlined the expected weekly procurement needed to facilitate hotel exit. Deloitte also helped to set up weekly calls with each of the providers to monitor performance and update relevant Home Office stakeholders.
- 8.5** The Home Office took over from Deloitte in May 2021. The Home Office Data Hub team now produces data dashboards and summaries, while Operation Oak provider performance is managed by the relevant lead service delivery manager.
- 8.6** In March 2021 Operation Oak was rebranded as Hotel Recovery. At the time of drafting this report, the 3 service providers had been asked to devise new procurement and recovery plans to measure the success of the project going forward. These new plans will take into account projected intake, with more focus on the movement into Dispersed Accommodation (DA) of families, vulnerable service users and those who have remained in Initial Accommodation for the longest periods of time.

Progress

- 8.7** From the outset of Operation Oak, the plans submitted by the service providers indicated a hotel exit date of May 2021. By April 2021, all providers were behind on their recovery plans. As a result, the accommodation providers developed refreshed recovery plans with procurement targets that would achieve hotel exit by August 2021.

- 8.8** In May 2021, inspectors asked for an update on the progress of Operation Oak, including target completion date and confirmation of whether hotels/hostels would continue to be used as contingency asylum accommodation following its completion.
- 8.9** By this time, it was already clear that the revised exit date was unachievable. An April 2021 document predicted, in a worst-case scenario, an exit date of March 2022.

Figure 14: Operation Oak: Trajectory & scenarios as at April 2021



- 8.10** By the time inspectors asked for a further update on progress in August 2021, Operation Oak had been rebranded as Hotel Recovery. The date for hotel exit had shifted definitively to March 2022. This shift was attributed variously to increased intake, and an inability of the accommodation providers to procure enough DA to move service users out of hotels.
- 8.11** This aim, however, seems unrealistic. A senior manager in ASC told inspectors that the March 2022 target was a “phenomenal challenge”, another told inspectors that “There is no way that all people will be out of hotels by March 2022”. The senior civil servant told inspectors that March 2022 was the “aspiration” and that they “couldn’t disagree that it’s not realistic”.
- 8.12** The senior manager responsible for the Hotel Recovery project told inspectors that the accommodation providers’ performance data (on procurement) indicated that hotel exit would not be achieved by March 2022. They were more explicit in stating that “we need to be realistic; this is going to go on beyond March 2022”.
- 8.13** Inspectors saw weekly Hotel Recovery performance reports, which indicated slippage in targets – particularly impacted by increased intake over the summer of 2021.
- 8.14** Inspectors asked Home Office staff and interested stakeholders for their views on the progress of Hotel Recovery. Generally, the view was that Operation Oak/Hotel Recovery was failing, but in some cases the picture was unclear. Inspectors heard from some that they thought the project had been paused. One Strategic Migration Partnership (SMP) told inspectors that they

had been told by the Home Office that it had been paused, and that they had no idea of the current target date.

- 8.15** This was echoed by several external stakeholders for whom updates on progress appeared to be inconsistent. One NGO told inspectors that “the Home Office said they had numbers down by a few thousand but then it went in complete reverse”. Another NGO said they were “not really sure what’s happening” and another that they had received “no update since being told it would end by June”. An SMP told inspectors that “It’s been paused – they are still standing hotels up, there is no date, no mention of it, no plan for exiting”.
- 8.16** Inside the Home Office the picture did not appear to be any clearer. One senior manager told inspectors that they “used to get weekly updates from SMPs but had not heard anything since before the summer”. Service delivery managers told inspectors that a “spike in intake paused the exit strategy”.

Provider performance

- 8.17** While intake has a material impact on the level of DA needed to fulfil demand, the ability of the providers to secure DA is key to the success of Operation Oak/Hotel Recovery.
- 8.18** The progress of Hotel Recovery is measured against the accommodation providers’ recovery plans. The plans were first agreed at the outset of Operation Oak, revised in April 2021, and will be revised again before this report is published.
- 8.19** It is generally accepted in the Home Office that provider performance against their recovery plans has been slow and this is reflected in the continued flexing of the hotel exit target. However, there are mitigating factors that affect the providers’ ability to secure DA.
- 8.20** Inspectors were told by Home Office staff, accommodation providers and interested stakeholders that the providers faced several challenges when trying to secure DA.

Procurement

- 8.21** The main challenge is the ability to stand up new accommodation in dispersal areas through the procurement of housing stock. Accommodation providers have had difficulty in procuring DA suitable for single adults – the most common being Houses of Multiple Occupation (HMOs).
- 8.22** Accommodation providers frequently face resistance from LAs when looking to procure DA. LAs raise issues around the provision of local services including healthcare and education and the impact that having DA in an area can have on these services for their residents. Concerns are also raised about community cohesion, and more generally about the suitability of areas identified by the providers.
- 8.23** To procure HMO accommodation suitable for service users, accommodation providers need to obtain licences from the relevant LAs. Inspectors were told that this process was difficult and was exacerbated by LAs using the licensing mechanism to frustrate the procurement of DA in their areas.
- 8.24** One accommodation provider told inspectors that “the challenge [to achieving increased provision of DA] is finding HMO”, that “these don’t exist, so you have to create them” and that LAs make this “very difficult”. They went on to state that “Local authorities are using licensing

to stop [accommodation providers] getting out of hotels” and that “unless this is dealt with you will never be able to create enough HMOs”.

- 8.25** A senior manager in the Home Office told inspectors that “HMO properties are a big issue” and that “providers are struggling to procure HMOs”. They said that this was because “local authorities are using article 4 to block licences”.⁶⁷
- 8.26** The difficulty in procuring HMO properties for dispersal of single adults had prompted a change of focus, confirmed by a Home Office internal document, that outlined “more focus on the movement of families”. Accommodation providers find it easier to procure properties for families, as the licensing issues do not apply to single-use dwellings, and LAs are generally more receptive to housing families. One accommodation provider told inspectors that they had a “decent supply of family dispersed accommodation coming through”. Inspectors were told that families with children accounted for around 10% of intake, and the change of focus reflects the importance of moving this cohort on.
- 8.27** Although the difficulties in procurement were recognised across ASC, some staff told inspectors that they felt that accommodation providers could be doing more. One senior manager told inspectors that he was “disappointed by the lack of innovation” amongst the providers when it came to sourcing and procuring appropriate DA. Another told inspectors that one provider was “not hitting their targets” and “could be doing far more”.

Engagement with local authorities (LAs)

- 8.28** Key to overcoming the difficulties in procuring properties in dispersal areas is Home Office and accommodation provider engagement and consultation with LAs, to encourage them to accommodate service users in DA in their areas.
- 8.29** The Statement of Requirements (SoR) for the AASC contracts sets out several principles in relation to working with LAs, and specific requirements for the procurement of new properties to be used as accommodation for asylum seekers.
- 8.30** At paragraph 4.1.6, the SoR states that providers should provide a consultation and liaison service for LAs:
1. “The Provider shall liaise and consult with relevant Local Authorities to ensure that any Accommodation provided to Service Users does not adversely affect Local Authority developments or community plans.
 2. The Provider shall, in selecting Accommodation for procurement, consult and liaise with Local Authorities regarding the suitability of Accommodation for Service Users, being mindful of the risks to Service Users and host communities from the use of the Accommodation for Service Users.
 3. In the event that the Provider cannot reach agreement with the Local Authorities in such matters, it shall refer the matter to the Authority.”
- 8.31** And it sets out the following performance standards:
1. “With respect to every new Accommodation procured the Provider should liaise and consult with the Local Authority.

⁶⁷ A change to planning regulations known as Article 4 means that any property which has been established as a single dwelling requires planning consent to be used as an HMO.

2. Accurate and auditable records maintained evidencing liaison and consultation with Local Authorities regarding the procurement of Accommodation for Service Users.
3. Timely notifications made to the Authority in all instances in which the Provider cannot reach agreement with Local Authorities regarding the procurement of Accommodation for Service Users, including relevant information and records to allow the Authority to understand the nature of liaison and consultation to date, and the reasons for the Local Authorities' objections to the relevant Accommodation procurement."

8.32 Paragraph 2.4.3 of the SoR also states:

"The consultation and liaison with Local Authorities regarding the location of Service User Accommodation is aimed at ensuring that Service User Accommodation is in areas appropriate to house Service Users, being cognisant of relevant risks to Service Users and host communities. The consultation and liaison with Local Authorities does not represent a right of veto on the location of Accommodation for Service Users on the part of Local Authorities."

8.33 Inspectors were shown a procurement process standard operating procedure which set out how the requirements above, including objection and referral to the Home Office, should work in a consistent and appropriate manner. This document makes it clear that the providers should liaise and consult with the LA regarding every new accommodation procured, and auditable records of this activity should be kept. Where an LA rejects procurement citing that it would breach an agreement, such as not procuring in a particular postcode or only procuring a certain type of accommodation in a certain area, and where adjudication is subsequently requested by the provider, a Home Office official (a service delivery manager) should be provided with evidence of the agreement said to be breached. This is seen as a last resort.

8.34 Inspectors asked internal and external stakeholders how this consultation and engagement process worked in practice. Service providers gave mixed reviews. Generally, it appeared that relationships were good – but the same objections were heard in different provider regions in terms of why DA was not approved. One provider said that "some councils won't engage and in that case you just have to get on with it". Another told inspectors that "this is a real challenge... Locations of sites can be an issue as is what can be seen as a drain on education and health". And another told inspectors that "Some authorities come forward with accommodation, but this can be for only three people. Some say they have none".

8.35 One senior ASC manager told inspectors that:

"The strain on the system by contingency hotels and the DA issues has been as tough as I can remember it. LA feeling the pinch and the pressure. This is the straw that broke the camel's back. We wrote at the start of the pandemic to say we were going to have to use it, and could they help us – we had one LA come back and offer to help."

8.36 Home Office engagement with LAs appeared to be improving. A senior manager explained how a new team and the new SMART engagement logging system would hopefully improve relationships and engagement with LAs: "Each team member has a split between the regions – this ensures that all the engagement is consistent. We have made in-roads into the local authorities ... All being logged on SMART, which helps to ascertain patterns in relationships and communications." Another told inspectors that LAs were "continually engaged with through regular forums".

- 8.37** However, inspectors also heard that “engagement on Dispersed Accommodation needs to get on a firmer footing” and that “relationships [with local authorities] are at an all-time low. The pandemic has taken its toll on us and the LAs”.
- 8.38** The senior civil servant in ASC told inspectors that the Home Office was “firefighting at the moment” and “reacting to the correspondence of complaints”. They said that the Home Office “shoot ourselves in the foot so many times. There are times where we don’t have any capacity”.
- 8.39** However, they went on to state that the Home Office had recently begun “taking a more consultative approach” although this had yet to be properly defined. This mixed messaging perhaps reflected the fact that the improved engagement processes outlined above had only been in place for a short time and were yet to be fully operational.
- 8.40** Part of the SMPs’ remit is to support the dispersal and integration of asylum seekers and provide a means for engagement between local and national government, and the private and voluntary sectors. In practice, however, inspectors heard that engagement levels varied from one SMP to another. Inspectors were told that it could be “very different depending on which SMP you are talking to” and this was problematic as “messaging should be similar across the board ... not every SMP is the same or as pragmatic as others”. Inspectors were told that the relationship between SMPs and LAs was “critical” and that unfortunately, where these relationships were not as good, engagement could suffer.
- 8.41** The key role that SMPs play in encouraging LAs to provide DA in their areas can be affected by this. A senior manager in ASC told inspectors that the effectiveness of SMPs “varies” and that “it is not consistent across the piece”.
- 8.42** SMPs echoed the internal Home Office view. Inspectors were told that engagement levels could “depend on the locality” and on the Home Office’s “capacity to engage” and that relationships had been “pressed incredibly hard”. One SMP told inspectors that the Home Office challenge “seems to be around the capacity to engage ... they are under intense pressure which has meant that issues haven’t been resolved”. Another was more optimistic and told inspectors that engagement had “improved” and that there had been a “real culture shift” in which sharing of information had been key. The challenge of building relationships with LAs was highlighted, with one SMP telling inspectors that LAs were “always representing their elected members and there can be challenges where there is a delicate political balance”.
- 8.43** ICIBI’s 2018 report on asylum accommodation noted:
- “In November 2017, the Home Office had told HAC [Home Affairs Committee] that it would review the role of the SMPs, and their funding for 2018-19 and beyond. The outcome of this review was outside the scope of this inspection, but from discussions with the Providers their clear priority for the SMPs was to secure the agreement of more local authorities to become COMPASS [Commercial and Operational Managers Procuring of Asylum Support Services] areas, and they told inspectors that they saw little evidence of this happening.”⁶⁸
- 8.44** In October 2021, the Home Office told inspectors that a review into the role of SMPs was being undertaken and the aim was hopefully to lead to a more consistent approach.
- 8.45** Inspectors were told that the review involved asking SMPs to provide business cases where they felt they were carrying out work that was outside of the current grant agreements.

68 <https://www.gov.uk/government/publications/an-inspection-of-the-home-offices-management-of-asylum-accommodation-provision>

However, inspectors heard that “COVID had impacted on this and the business cases are currently being reviewed”.

Dispersal areas

- 8.46** The current dispersal area situation serves to magnify the problems discussed above. A Home Office submission in May 2021 highlighted that only 137 out of 414 LAs across the UK had accommodated asylum seekers placed in their area. This was raised as an area of concern in the Home Affairs Committee’s 2017 report on asylum accommodation, which highlighted the government’s “limited success in persuading local authorities to accept asylum seekers”.⁶⁹
- 8.47** While there are no provisions in the relevant legislation (Part 6 of the Immigration and Asylum Act 1999) to prevent the Home Office’s providers using private accommodation to house asylum seekers in new areas, the Home Office operates by dispersing asylum seekers only to those authorities that have volunteered to take part in the dispersal process. This limits the pool of accommodation which the providers can access and is contributing to the time taken to exit hotels.
- 8.48** This limitation is one that is recognised inside and outside the Home Office and it was raised repeatedly with inspectors. NGOs told inspectors that “dispersal should be widened” and “Dispersing people in communities means they can be distributed widely. The numbers are not high – we should be able to manage and absorb them if we distribute equally and fairly”.
- 8.49** SMPs told inspectors that “Providers need more encouragement to look elsewhere – all the time you are on a profit/loss basis you will look in certain places which are already stretched. They need to step out to different areas”. They also said that an end to the use of contingency asylum accommodation would need “a considerable shift in gear in terms of ways of working with LAs – it may mean mandating”.
- 8.50** The service providers told inspectors that “We need to get wider areas to take people” and “This is the elephant in the room. Local authorities ask why they are doing it, but others are not”.
- 8.51** Within the Home Office the message was the same – there was a recognition that widening of dispersal areas was key to hotel exit. A senior manager told inspectors that:
- “There is no requirement for the Home Secretary to mandate, there is an obligation on the LAs to provide Sect 95 assistance. The language has been unhelpful. Ministers believed they needed a power, there isn’t a need for this. We have placed in an artificial step. There is nothing to stop a provider going to an area and procuring a property. It would be a simple thing – a letter – to say every area in the UK is a dispersal area. It’s a political decision. We are taking a statutory obligation and allowing a local authority to vote on it.”
- 8.52** Another told inspectors that there was “More to be done there in terms of widening the dispersal area” and the senior civil servant in ASC told inspectors that widening dispersal areas was “the right thing to do”.
- 8.53** Prior to the pandemic the Home Office had implemented a strategy for widening dispersal. A national change plan was agreed which would, over 10 years, deliver equity in levels of asylum seekers between regions. This work had begun – and having agreed each region’s

69 <https://www.statewatch.org/media/documents/news/2017/nov/uk-hac-asylum-accommodation-report-gov-response-11-17.pdf>

overall dispersal level, it was anticipated that LAs within each region would be more able and willing to balance demands between themselves. However, due to the pandemic, this plan was not pursued and instead the Home Office began work on alternatives.

- 8.54** Inspectors were shown a ministerial submission dated May 2021 which related to the options for improving the asylum dispersal process. It set out 3 options for changing the system:
- 8.55** **Option 1: Maximising the Existing Dispersal System:** Under this option, the Home Office would focus on the existing dispersal areas and, in effect, override any concerns or restrictions LAs attempt to put on procurement in their area.
- 8.56** **Option 2: ‘Assumed’ Dispersal:** Under this option the Home Office would focus on areas which do not currently accommodate asylum seekers because they have not volunteered to participate in the dispersal scheme or have previously declined to do so when approached.
- 8.57** **Option 3: Targeted Assumed Dispersal:** This was a restricted version of Option 2 where assumed dispersal would only be used in certain areas based on criteria including size of area, availability of suitable accommodation in the private rental sector and pressure on neighbouring areas in a region.
- 8.58** Assumed dispersal was the preferred option 2. In this option the Home Office would make use of the existing consultation process as outlined above, but the LAs’ agreement would not be sought. Risks to this approach were identified, primarily around LAs not agreeing that their areas were appropriate for asylum seekers and alleging flaws in the consultation process, but the document stated:
- “Whilst assumed dispersal would ‘open the door’ for us we would want to make sure that local authorities retained some control and therefore would commit to following our Standard Operating Procedure (SOP) for the procurement consultation and that we will consult on all new properties used in this way, for the adequacy of services and social cohesion. There would also be the option for us to limit the growth in areas so as not to create large local pressures.”
- 8.59** Inspectors were shown a response to the submission (dated 22 July 2021), in which the Home Secretary firmly ruled out options 1 and 2, and did “not want any form of mandating Local Authorities to take asylum-seekers under Dispersed Accommodation”.
- 8.60** One senior manager in the Home Office told inspectors that “if ministers are serious about reducing the hotel accommodation, we need to widen dispersal areas.”
- 8.61** On 23 November 2021 the National Transfer Scheme became mandatory for all LAs. Under this change, all LAs have been given legal notice to accept transfers of unaccompanied asylum-seeking children (UASC) to relieve the pressures on Kent County Council.⁷⁰ This approach appears to be very similar to Option 2 described above, albeit it is focused on only one cohort of asylum seekers. It is notable that this approach has not been adopted for widening DA areas.

Asylum decision making

- 8.62** Inspectors heard from several stakeholders that the asylum decision process was having a material impact on the aims of Operation Oak/Hotel Recovery and the accommodation providers’ ability to meet their own hotel recovery plans they had set out. The number of

⁷⁰ <https://www.gov.uk/government/news/national-transfer-scheme-to-become-mandatory-for-all-local-authorities>

asylum applications awaiting a decision and the time taken to process them was highlighted in ICIBI's recent inspection of asylum casework.⁷¹

- 8.63** One NGO told inspectors that “if the Home Office want to reduce people in the system, they need to get better at making asylum decisions. If the Home Office made decent asylum decisions and got them right first time, then none of this would be a problem”. Another told inspectors that “The HO does not draw the connection between accommodation and the asylum system”.
- 8.64** Home Office staff appeared to agree. A senior manager in ASC told inspectors that “Speeding up decision making is one element. We need to look at the criteria, there are some quicker wins and acknowledge which cohorts can get approval – use the intelligence. We should be looking at that”.

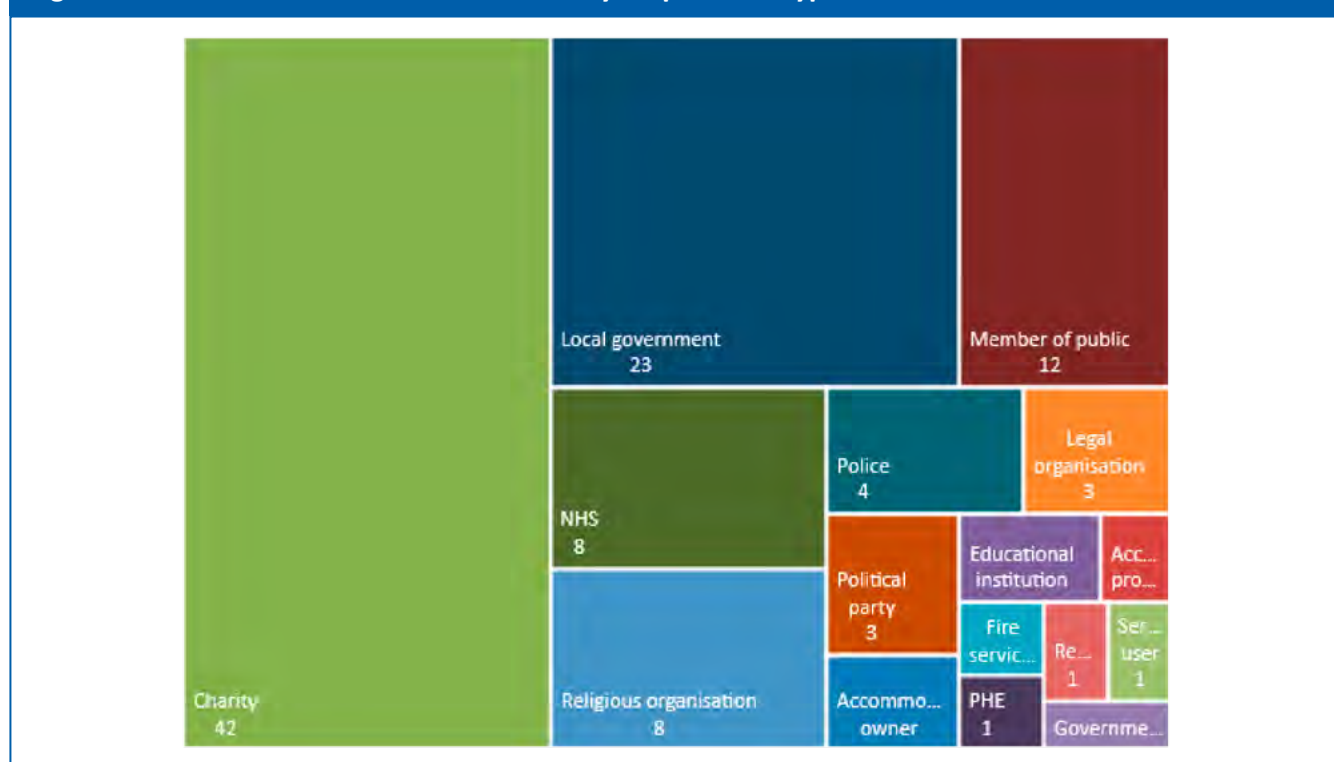
⁷¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1034012/An_inspection_of_asylum_casework_August_2020_to_May_2021.pdf

9. Inspection findings: Service user experience

Background

- 9.1** To gain an understanding of the conditions and experience for service users in contingency asylum accommodation, inspectors visited accommodation sites as described in Annex B. During their visits, inspectors spoke with accommodation provider staff, Home Office staff, relevant third sector organisations and service users.
- 9.2** Inspectors also sought input via a ‘call for evidence’ which asked for submissions from “anyone with relevant knowledge or experience [of the] use of hotels and barracks as contingency asylum accommodation”.⁷²
- 9.3** The call for evidence was issued in January 2021, during the second national lockdown for COVID-19, and the submissions reflected the issues faced by service users during that period. While some of those issues had decreased in frequency and severity, inspectors saw and heard examples that had persisted throughout.
- 9.4** 116 submissions were received from a wide range of stakeholders, with the overwhelming majority coming from third sector organisations (see Figure 15 below).

Figure 15: ‘Call for Evidence’ submissions by respondent type



⁷² <https://www.gov.uk/government/news/call-for-evidence-an-inspection-of-the-use-of-hotels-and-barracks-as-contingency-asylum-accommodation>

9.5 Inspectors also asked the Home Office for evidence of the service user experience which covered several themes identified during on-site visits and from stakeholder submissions. From the response, it was clear that there were several cross-cutting issues facing service users which impacted on the conditions and their experiences in contingency asylum accommodation.

Food

9.6 The provision of food in contingency asylum accommodation was a common issue raised with inspectors, from accommodation providers, Home Office staff, third sector organisations and other interested stakeholders. It was frequently mentioned as the single biggest issue facing service users.

9.7 Inspectors heard from third sector organisations that the “food isn’t good”, and that the food served in contingency asylum accommodation was often “culturally inappropriate”. In particular, some raised the inappropriateness and poor provision of food for children, with one charity telling inspectors that “in many hotels children were served the same food as adults” and that they had worked with “children who are missing development milestones because of problems with nutrition”. Another told inspectors that the food served was “too spicy for children” and that, as a result, families were having to rely on food banks to source appropriate food.

9.8 There is provision in the AASC Statement of Requirements (SoR) that food served in contingency asylum accommodation, where service users are accommodated in full board style accommodation without access to facilities for food storage and preparation, should include the following:

- “a) breakfast;
- b) lunch and evening meals, with a choice of at least one hot and one cold selection. At least one vegetarian option shall be provided at each meal;
- c) a beverage service with each main meal;
- d) a food service for babies and small children with the appropriate foodstuffs. This service shall enable babies and small children to be fed whenever necessary;
- e) options which cater for special dietary, cultural or religious requirements (including, without limitation, gluten free and diabetic options where necessary); and f) additional foodstuffs or meals as required to meet the nutritional needs of Service Users for whom three daily meals may be insufficient.”

9.9 In addition, there is a requirement that accommodation providers should meet appropriate nutritional standards for each varied menu and satisfy cultural, religious, health or other specific requirements. They should also ensure that each menu is validated by a suitably qualified nutritionist or health professional as being appropriate to the dietary needs of service users.

9.10 Inspectors asked to see records of the nutritional assessments of menus and visited and spoke with accommodation providers at contingency asylum accommodation sites.

9.11 In general, the evidence submitted to inspectors showed that the accommodation providers were complying with the contractual requirement to have menus nutritionally validated and were providing a varied menu – usually rotating menus every 3 weeks. However, when they

visited hotels, inspectors were told by provider staff that they adhered to NHS guidelines in terms of providing 5 portions of fruit and vegetables a day, but only 18 of the 26 sites visited (69%) provided evidence that menus had been certified as required.

- 9.12** When visiting accommodation sites, inspectors noted that menus that were on display at the sites appeared to be well balanced and showed that food options were rotated to create variety. They also found that all the properties that were required to supply meals provided the required number as stipulated in the SoR (4.1.4.3). The remaining 3 properties were self-catering. The SoR (4.1.4.3) also requires service providers to provide specialist meals as needed and that they should cater for special dietary, cultural or religious requirements. Inspectors saw evidence that specialist meals were provided in 22 (85%) properties where required, and that dietary needs were considered in 21 (81%) properties.
- 9.13** However, inspectors did note differences in the way that food was provided and served between the accommodation providers. Two of the accommodation providers had continued to serve food to service users in their rooms, even after COVID-19 restrictions had been lifted, and it was clear that there was room in the hotel to allow them to serve food in a dining hall or other communal area. The other accommodation provider had tried to ensure that food was served in communal areas at their sites by staggering mealtimes, and inspectors noted the difference in atmosphere in those properties. It was clear that allowing service users to gather communally to eat their food created a more inclusive environment. Inspectors also noted that, at sites where service users were able to dine communally, there appeared to be fewer issues with the food.
- 9.14** Despite the differences in approach, service provider staff said that they had all heard complaints from service users about the provision of food at their sites. Staff at one site said, “No one is ever going to be happy with the food” and that they always got “two or three service users who would complain regularly”. Service provider staff at another site told inspectors that “service users complain about the food, that it is not culturally appropriate for them” and at another site, “Food is an issue. It is impossible to cater for so many different needs”. Inspectors also spoke to service users who complained about the food and said that it gave them stomach problems.
- 9.15** The problems regarding food provision were echoed by senior accommodation provider staff. Inspectors were told by one that “food has been a concern” although noted that they had heard fewer complaints more recently. Another told inspectors that, from feedback received from service users, they recognised that “lack of choice around food and the fact you can’t cook on your own gets people down”.
- 9.16** The challenge of food provision was also recognised by Home Office staff. A senior manager in ASC told inspectors that “If Migrant Help data is correct, then the biggest problem is food and not being able to cook their own”, adding that “people get pretty bored of eating the same meals”. ASC-A assurance officers told inspectors that there were “lots of complaints about food” and service delivery managers said that “food is always an issue”.
- 9.17** However, there was also a recognition that accommodation providers had made efforts to improve the food provision at their sites. A senior ASC manager told inspectors that an accommodation provider had been “using service user feedback to improve food” and others told inspectors that “in the early days there were complaints about food” but that one accommodation provider had brought in a consultant dietician and that they had shared this best practice with the other providers. In some cases, inspectors noted a good deal of service

user input into menus, which had the effect of diffusing issues with food and creating a more collaborative environment.

- 9.18** Inspectors noted that, when catering for a large and diverse group of people, it would be difficult to please everyone. Of course, the problems around food provision are exacerbated when service users are accommodated for long periods in contingency accommodation. This was recognised by Home Office staff, with an ASC senior manager telling inspectors that food was “not a short-term issue, but if people are accommodated longer it becomes a problem”.

Families with children

- 9.19** Third sector organisations raised concerns around food provision for families with children accommodated in contingency asylum accommodation.

- 9.20** One response to the ‘call for evidence’ stated:

“Children living in hotels where there are no cooking facilities, and are given food instead, are reporting being given small amounts of unhealthy food unsuitable for small children. This is a risk to health.”

- 9.21** Another said:

“Women with babies have not been given items to meet the needs of their children and we have had to refer to food banks and baby banks. We have also heard from several parents that their children are particularly struggling with the food – everyone is given the same and children are finding it hard to adjust to unfamiliar food, as well as to meals that are overly spicy.”

- 9.22** And another:

“Many of our patients, children and adults, are suffering from poor diet and nutrition in the hotel. We are seeing a number of health conditions in this patient group which can be directly attributed to poor nutrition such as new presentations of type 2 diabetes in young patients, poorly controlled type 1 and type 2 diabetes resulting in hospital admissions for diabetic ketoacidosis, a high number of cases of constipation compared to what is usually seen in general practice, failure to thrive and weight loss in babies and young children, obesity and raised BMI, pre-diabetes and impact on mental wellbeing, iron deficiency anaemia, B12 and Folate deficiencies, Vitamin D deficiencies. Food is often high in carbohydrate and low in vitamin content such as chips and potatoes and is rarely culturally appropriate (although halal ingredients are used to our knowledge). Particularly for children new to the country this poses difficulty for mothers both in getting their children to eat such unfamiliar food but also because the food itself is leading to constipation and vitamin deficiencies. Many of the patients report they are unable to eat the food that is provided and that they are often going hungry unless charities step in with food parcels.”

- 9.23** ASC-A assurance officers appeared to agree with the sentiments expressed above, with one telling inspectors that only “self-catered apartments” were appropriate for families with children, and another said that accommodation is only appropriate where “the issue of food is taken off the table”.

- 9.24** During accommodation site visits, inspectors saw some evidence of alternative menus being offered for children or families. Inspectors also saw evidence of more general provisions for children, including the provision of baby milk, which is covered further in section 10.

Length of stay

- 9.25** Alongside food provision, length of stay in contingency asylum accommodation appeared to be a key issue affecting service user experience, with third sector stakeholders highlighting it as a key issue. One told inspectors that being accommodated in a contingency site is a “liminal existence, you have no agency” adding that a service user’s “entire life is in the hands of somebody else. The Home Office is distant, inaccessible and won’t give updates on what is going on – there is uncertainty on how long things will take”.
- 9.26** Another told inspectors that the biggest challenge facing service users was “never knowing how long they will be in it [contingency accommodation site]”.
- 9.27** When inspectors visited sites and spoke to accommodation staff, the same issues were raised. Many accommodation staff said that the issue most frequently raised by service users was how long they would be staying at a site. This was not a question that provider staff could answer, leading to frustrations for service users and provider staff. Staff at one site told inspectors that the most common issue they encountered was service users asking “how long they are going to stay in accommodation – we get asked this a lot but can’t answer”.
- 9.28** At another site, inspectors heard that service users were “worried about how long they will be in hotels”, adding that “being in a hotel is not normal life”.
- 9.29** Senior accommodation provider managers echoed this view. One told inspectors that the mental health of service users was being affected by the long stays in hotels. Another told inspectors that their first concern was the appropriateness of hotels for long-term use, adding that “they are not suitable for more than three months, especially for families”.
- 9.30** This challenge was appreciated by the Home Office. A senior ASC manager told inspectors that the most common concern raised by service users was length of stay. There was a general acceptance by Home Office staff that accommodation in hotels for prolonged periods was unsuitable.
- 9.31** Inspectors noted that the length of time that some service users had spent in contingency asylum accommodation was impacted by the COVID-19 pandemic and the associated restrictions. After March 2020, the Home Office and accommodation providers were unable to move people out of hotels for long periods of time. Once restrictions were lifted, the backlog, increased intake, and lack of Dispersed Accommodation meant that progress in exiting hotels continued to be slow.
- 9.32** There are obvious challenges to moving service users out of contingency asylum accommodation. But inspectors noted that stakeholders, accommodation providers and Home Office staff all expressed concerns about the suitability of hotel accommodation for extended stays. One senior manager in ASC told inspectors that “The problem isn’t with the place the people are in, it’s that we have to use hotels and it takes longer than it should to move them on”.

Activity

- 9.33** During their visits to contingency hotels, inspectors sought to understand how service users generally spent their time. This was particularly relevant considering the length of time some service users were spending in contingency asylum accommodation.
- 9.34** At most sites, inspectors were told that service users would spend a lot of time in their rooms, especially during the lockdown periods. Inspectors spoke to service users in some hotels who said they were bored and had nothing to do. While they were grateful for the accommodation they were provided with, they likened it to a “five star prison”.
- 9.35** Where restrictions had been eased, inspectors heard from provider staff that service users spent time visiting local towns and socialising with other residents. At one site, inspectors were told that service users “hang out together” and “go for walks”. At another site, inspectors were told that service users spent time in the local park. In one city centre site, inspectors were told that service users “go out and do their own thing”.
- 9.36** In most cases, inspectors saw evidence of activities being arranged for service users. These were generally run by third sector organisations and could include English classes, activities run by local churches and mosques, and volunteering opportunities. At one site, inspectors were told that “local charities arrange days out for them – litter picking, planting trees, football” and the charities had to work with the accommodation providers’ liaison team to organise the activities.
- 9.37** At other sites, inspectors saw evidence of activities being arranged by accommodation providers directly, including football matches, movie nights, and cooking lessons. At the sites where these kinds of activities were commonplace, inspectors noted an improved atmosphere in contrast to those where very few activities were arranged.
- 9.38** The Migration Advisory Committees (MAC) annual report for 2021 highlighted that “asylum applicants in the UK are generally not permitted to work whilst their application is pending a decision”.⁷³ This meant that they could “become disengaged with the labour market, therefore making it harder for them to integrate if they are ultimately granted asylum in the UK”. The report also highlighted research undertaken by Refugee Action, which described “the anxiety and stress experienced by those awaiting a decision” and noted “that both the impact on wellbeing and the periods of destitution experienced while unable to work or study would be likely to hinder long-term integration”.⁷⁴ The MAC report recommended that the government should review its policy on allowing asylum seekers to work.

Families with children

- 9.39** Third sector stakeholders raised concerns about activities for families with children accommodated in contingency asylum accommodation. One told inspectors that “social activity is lacking” and that “hotels are not appropriate for children”.

⁷³ <https://www.gov.uk/government/publications/migration-advisory-committee-annual-report-2021/migration-advisory-committee-mac-annual-report-2021-accessible-version>

⁷⁴ <https://www.refugee-action.org.uk/wp-content/uploads/2020/07/Waiting-in-the-Dark-Report.pdf>

9.40 Another echoed this and told inspectors that hotels “are not appropriate for families with children, especially long term. There is limited play space”. They went on to state that:

“Children need physical space to learn how to walk, learn social skills. These are normal development milestones. We know that children in poverty start school one year behind. It is hard to be a good parent in normal circumstances. It is incredibly hard in a hotel and after a traumatic experience. It is hard for them to give love and they are set up to fail.”

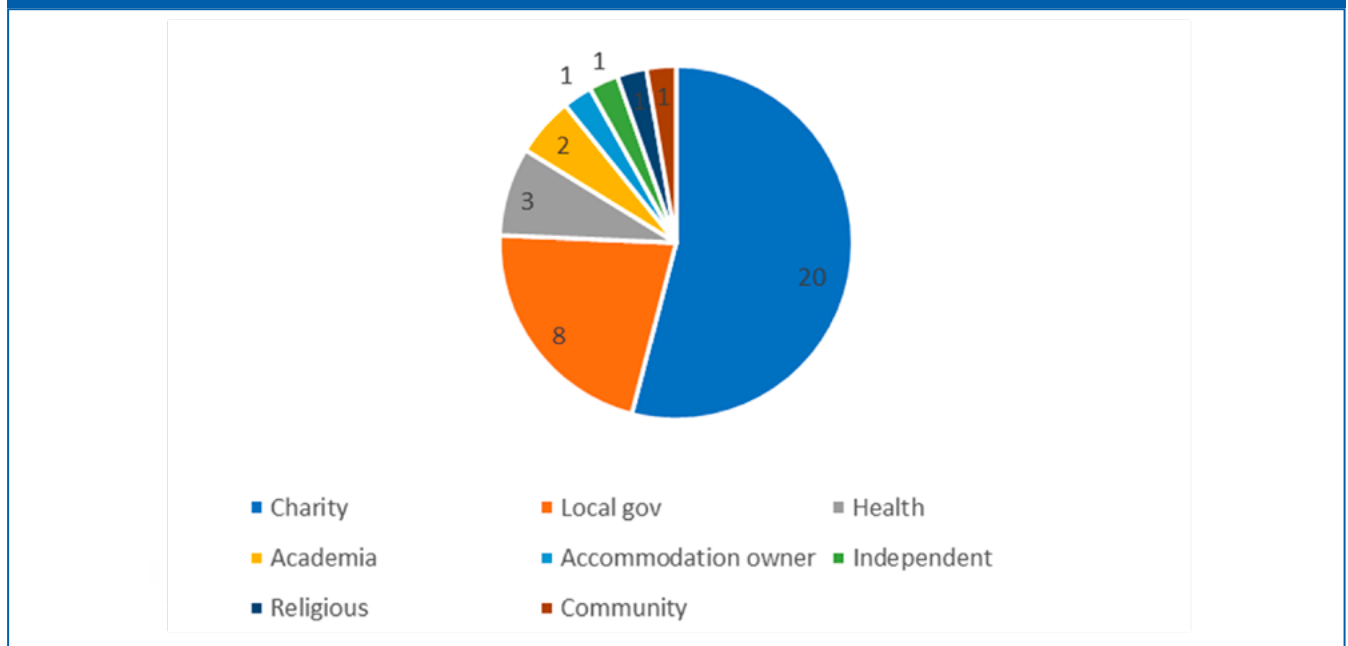
9.41 On visits to accommodation sites, inspectors saw no evidence of activities specifically tailored to family groups or children.

10. Inspection findings: Asylum seeking families with children

Background

10.1 In response to a call for evidence from “anyone with relevant knowledge or experience [of the] use of hotels and barracks as contingency asylum accommodation”,⁷⁵ there were 37 submissions (51%) that raised issues relating to families with children in contingency asylum accommodation: 20 were received from charities, 8 from local government, 3 from public health bodies, 2 from academia, and one each from an accommodation owner, an independent organisation, a religious organisation, and a community organisation.

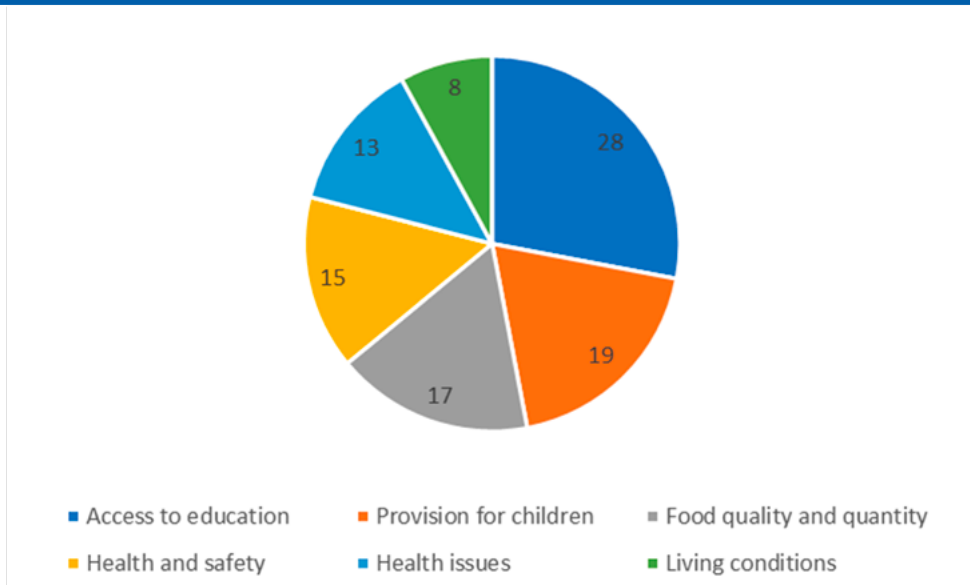
Figure 16: Stakeholder submissions relating to families with children, received by stakeholder type



10.2 The issue raised most frequently by stakeholders was access to education. This was followed by general provision for children, including mothers and babies, the quality and quantity of food provided by hotels, health and safety, and access to healthcare.

⁷⁵ <https://www.gov.uk/government/news/call-for-evidence-an-inspection-of-the-use-of-hotels-and-barracks-as-contingency-asylum-accommodation>

Figure 17: Frequency of issues/concerns raised in stakeholder submissions relating to families with children*



*Several submissions reported more than one issue or concern, resulting in a greater number of issues raised than the number of submissions received

10.3 The submissions were consistent in stating that accommodation in hotels was not suitable for families with children over prolonged periods of time. This was acknowledged by the ASC senior civil servant who said that the use of hotels was “absolutely not appropriate for families”. Service providers were also aware of the limitations of hotel accommodation for families with children, acknowledging that their situation was not the same as a family staying in a hotel room during a holiday. One hotel group director summarised the views of several hotel staff that inspectors spoke to as:

“We have family rooms and it’s warm and dry and comfortable but it’s a contingency. Someone on their own could last longer but children need structure and exercise.”

10.4 In December 2021 the Home Office told inspectors that its Hotel Recovery work was “focused on moving families with children into Dispersed Accommodation (DA) as swiftly as possible”. In September, it had agreed with the service providers the need for “a renewed focus on ... family groups and particularly getting families with children into DA”. This was at a time when it estimated that around 1,425 family groups were in need of DA. This led to a new structure in the Hotel Recovery work that separated out work on procurement of family accommodation, including weekly targets for the service providers in terms of the number of requests for moves for families to DA until mid-November 2021. A copy of the process to be followed by the service providers to move families out of London and the South East was shared with inspectors.

10.5 The Home Office did not provide inspectors with the requested update on progress against the weekly targets it set in September 2021. However, inspectors noted that, by mid-November 2021, the number of family groups in contingency accommodation had risen to 1,808.

Access to education

- 10.6** The right to an education is enshrined in the Human Rights Act. Under Protocol 1, Article 2: Right to education, the Act states:
- “No person shall be denied a right to an education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions.”⁷⁶
- 10.7** According to Home Office figures, there were 1,356 family groups accommodated in contingency asylum accommodation in October 2021. This figure had risen to 1,808 family groups only one month later. The AASC contracts do not make any specific reference to providing access to education for service users in Initial Accommodation (IA) (and therefore contingency accommodation), either in terms of signposting them to the local authority or to local schools. For service users in DA, Schedule 2, section 4.4.1 of the Statement of Requirements (SoR) states:
- “4. Within seven (7) calendar days of the Service User’s arrival in the Dispersal Accommodation or Temporary Dispersal Accommodation, the Provider shall provide an additional ‘move in’ briefing service to provide the Service User with further information and assistance to help them acclimatise and settle-in to their community. This additional briefing shall, as a minimum, include:
- b. information to assist the Service User to register their children (where applicable) with appropriate schools in the area.”
- 10.8** This approach reflects the fact that at the time the contracts were drafted, service users were only expected to stay in IA for a short period before being dispersed. In May 2021, the Home Office told inspectors that it had an internal target of 19 days for completing consideration of eligibility for, and implementation of, movement to DA. In practice, this meant that service users were not usually registered for education or healthcare services (unless they had specific or pre-existing healthcare needs) until they were moved into DA.
- 10.9** The 2020 NAO report on asylum accommodation and support showed that, between September 2019 and February 2020, asylum seekers spent on average 26 days in IA before being rehoused in longer-term accommodation.⁷⁷ It also stated that the Home Office expected most people to be rehoused within 35 days.
- 10.10** The pressures on the accommodation estate caused by the COVID-19 restrictions and the number of arrivals by small boats meant that service users were now staying in hotels for many months at a time. This had implications for the provision of education for children who were staying in hotels for extended periods.
- 10.11** The statutory guidance for local authorities on children missing education, published by the Department for Education in 2016,⁷⁸ states:
- “Local authorities have a duty under section 436A of the Education Act 1996 to make arrangements to establish the identities of children in their area who are not registered

⁷⁶ <https://www.legislation.gov.uk/ukpga/1998/42/schedule/1>

⁷⁷ <https://www.nao.org.uk/wp-content/uploads/2020/07/Asylum-accommodation-and-support.pdf>

⁷⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf

pupils at a school and are not receiving suitable education otherwise. This duty only relates to children of compulsory school age.”⁷⁹

10.12 In the section entitled ‘Children at particular risk of missing education’, 52.g of the guidance states:

“Children of new migrant families – children of new migrant families may not have yet settled into a fixed address or may have arrived into a local authority area without the authority becoming aware, therefore increasing the risk of the child missing education.”

10.13 This highlights the potential risk that children could miss out on education if the Home Office failed to inform a local authority about the establishment of a contingency asylum hotel in their area that was accommodating children of school age.⁸⁰

10.14 Stakeholders reported their surprise at the “huge gaps in basic knowledge” about what should happen regarding children’s education and how they were frequently contacted to provide advice about children’s rights. Some reported instances when a local education authority had stated that there was no provision for children in local schools. Others highlighted the pressures placed on neighbouring schools when several families were placed in one location and the schools were asked to accommodate several children with unassessed needs at short notice. The impact of this lack of planning and engagement was highlighted in areas where there were already pressures on the school system. Charities cited instances when they had helped to provide the children with school shoes and bags.

10.15 Local authorities that undertake to accommodate asylum seekers in their areas do not receive an uplift from central government for doing so. This contrasts with the position with the Afghan nationals who were evacuated to the UK in August 2021. In oral evidence to the Home Affairs Committee on 17 November 2021, Victoria Atkins, Minister for Afghan Resettlement, said:

“We have set out a really ambitious package for local authorities who are looking after families and Afghans in permanent accommodation. That is wraparound support, including extra funding for school places so that those children are helped through their schooling.”⁸¹

10.16 Stakeholders noted the lack of support in place to enable children to continue to access education in instances when they needed to self-isolate with their families and during the COVID-19 pandemic. Related issues included the lack of Wi-Fi in some locations and the lack of access to educational sources or digital devices to enable them to continue to engage with their learning, and to maintain contact with family, friends and social networks. One stakeholder stated:

“Families are struggling to support their children’s learning in contingency accommodation. Children don’t have the designated space to learn, are becoming easily distracted because the whole of [the] family’s life is confined to one room and the internet connection from the hotel Wi-Fi is often insufficient for remote learning, particularly where there is more than one child in the same room. Families complain of noise and disruptions from other people and there are severe limitations on alternatives usually open to people, such as libraries.”

⁷⁹ Statutory school age is defined as on or after a child’s fifth birthday.

⁸⁰ In its factual accuracy response of February 2022, the Home Office stated it was “unaware of any hotels being established without the local authority being informed”.

⁸¹ <https://committees.parliament.uk/oralevidence/3009/pdf>

- 10.17** These issues, combined with limited activities and options for places to go, were highlighted as being potentially detrimental to children’s mental health in the longer term.
- 10.18** Inspectors heard that the location of a hotel could affect the provision of school places, with those located on the outskirts of towns or residential areas less likely to secure school places. They heard both positive and negative examples of education provision during the inspection. In one location, they met a single mother with 3 young children, all of whom were living in one room with very little space for anything other than their beds, which were pushed together to fit into the room. The youngest child was a baby, the middle child had recently started at nursery and the eldest child, who was around 8 years old, was waiting for a school place. He had nothing to do other than play games on a mobile phone, and his inability to access education was clearly a concern to his mother.
- 10.19** In another location, the service provider told inspectors about a single mother with 3 children who had been staying at the hotel for 18 months. She had declined offers to move on to DA as her children were all registered and settled in local schools. The service provider reported a positive relationship with the local authority, which understood the requirements of the service users and meant that they were able to register children with the local schools. Inspectors noted that the prospect of registering a child in school while living in contingency asylum accommodation was almost entirely dependent on the location in which they were staying.

General provision for children

- 10.20** The limited size of hotel rooms for families with children and the need to store children’s equipment such as cots, pushchairs, nappies and sterilising equipment in this limited space were frequently cited as issues in stakeholder submissions. The provision of children’s clothing, toys and baby equipment was also frequently raised by stakeholders, with a number of accounts from charities and NGOs describing how they had been asked to help provide these items at a number of hotels.
- 10.21** Annex B of Schedule 2 of the SoR states:
- “B.11.2 The Provider shall provide, where applicable, childcare equipment including cots and high chairs, and ensure that sterilisation equipment is available for children under the age of one (1) year.”
- 10.22** Submissions received via the call for evidence cited examples of families asking for supplies of nappies and wipes, as the amount they were receiving was not sufficient for their babies and toddlers. One charity said that mothers were frequently told by managers that they could not have baby milk more than once every 10 days. Another told inspectors that the service providers did not appear to know what should be provided through the AASC contract and said that Moses baskets and baby bottles were frequently missing. They also said there was a lack of awareness amongst service users in terms of what they were entitled to, while acknowledging that they had seen incremental improvements in this and the handling of complaints. They said that the lack of wraparound care when a new hotel was established was “short sighted”.
- 10.23** Inspectors visited several hotels accommodating families with children and saw evidence of stores of baby supplies. All service providers said that supplies could be requested by service users whenever they were needed. Less evident was the provision of toys, games and activities for children. One stakeholder said:

“hotel accommodation is ill-suited to families and lacks facilities to safeguard the health and well-being of young children, that includes the availability of play areas and equipment.”

- 10.24** At some hotels it was clear that activities had been in place before the COVID-19 pandemic but had been suspended during the lockdowns. Work to reinstate them was not consistent across the service providers. Inspectors found that some providers were far more proactive than others at reaching out to the voluntary sector to provide items and activities for children and this was replicated in terms of general engagement with the voluntary sector by the providers. Hotels where the providers actively sought engagement with the voluntary sector and worked to develop relationships with them appeared to operate more smoothly and in a more co-operative atmosphere. A local charity had provided one hotel with several bikes for service users.
- 10.25** Ultimately, as reflected by stakeholders, service providers and Home Office staff alike, long-term hotel accommodation is not suitable for families with children. A hotel car park does not constitute a safe or appropriate play area, nor does it provide the variety of activities required by children. The service providers recognised the need to move families on to DA as quickly as possible, but this was dependent on the supply of suitable available housing in local authority areas.

Window restrictors

- 10.26** In August 2021, a young Afghan boy fell to his death from a ninth-floor window at a hotel in Sheffield.⁸² According to the Home Office, the hotel in which the boy was staying was not contingency asylum accommodation. It was described as a temporary hotel to accommodate Afghan families arriving under the Afghan Relocations and Assistance Policy (ARAP)⁸³ until a longer-term home became available for them through the local authority. As such, the hotel was not covered by the SoR for the AASC contracts, which states in Annex B:

“B.4.1 The following Standards must be satisfied for Accommodation to be regarded as fit for its intended purpose. Failure to comply with these requirements will mean that the Accommodation is considered **unfit for purpose (Category 3 maintenance issues)**, requiring action by the Provider within twenty-one (21) working days:

B.4.1.11. all windows above ground floor level have restrictors where children or vulnerable adults with specific needs may be present.”

- 10.27** Inspectors observed window restrictors being used in most properties they visited and saw several rooms in which they were inoperable or had been tampered with by service users. According to the service providers, this was because service users either wanted to smoke out of their bedroom window or they wanted to let more air into their room.

⁸² <https://www.theguardian.com/uk-news/2021/aug/25/afghan-boy-5-fell-sheffield-hotel-car-park-roof-inquest-told>

⁸³ <https://www.gov.uk/government/publications/afghan-relocations-and-assistance-policy/afghan-relocations-and-assistance-policy-information-and-guidance>

Figure 18: A broken or disconnected window restrictor in an apartment visited by inspectors, which had been used to accommodate families with children



- 10.28** Inspectors were told that the tragedy in Sheffield had prompted the ASC-A team “to look more closely at window restrictors in hotels” which had generated the need “to inspect more family hotels that we hadn’t seen”. Managers said they were assured from the inspection reports that their inspection teams had been looking at window restrictors.
- 10.29** Service providers, their subcontractors, and Home Office staff told inspectors that tampering with the window restrictors was an ongoing issue. Service provider staff said they regularly reminded service users that the restrictors were in place for their own safety. However, inspectors found that the frequency with which window restrictors were checked varied widely, from weekly checks in some properties to checks when a service user left a property, which potentially meant after a stay of many months. The responsibility for checking the window restrictors also varied across the properties, from service provider staff to subcontractors, hotel staff and even housekeeping staff.
- 10.30** The AASC contract does not stipulate how often window restrictors should be checked or by whom. Inspectors heard how the cohorts being accommodated in hotels were regularly changed by the Home Office as it sought to appropriately manage the estate considering the intake of service user cohorts daily. This meant that a hotel that had previously accommodated single males or single females could be changed to accommodate families with children at short notice. In effect, this meant that all hotels procured as contingency asylum accommodation should have a requirement for window restrictors to be in place.

- 10.31** Inspectors found that the approach to conducting the checks of window restrictors was inconsistent and considered that the Home Office should provide guidance on the frequency that window restrictor checks should be conducted, and the party responsible.
- 10.32** Inspectors also noted the number of ongoing accommodation procurement programmes being conducted across the Home Office. Properties are being procured for contingency asylum accommodation, initial processing centres (to relieve the pressures created by small boat arrivals at Tug Haven), and Afghan bridging hotels for the ARAP programme and Operation Warm Welcome. The accommodation was being procured under different contracts and overseen by different business areas, raising concerns about how a uniform standard of service was being delivered. The ASSC senior civil servant told inspectors that weekly meetings had been set up with the Crown Commercial Service so that they could “learn from them”, but it was unclear how this would drive consistency in areas such as checks on window restrictors.

Annex A: Employment practices and use of data

On 21 March 2021, the previous Independent Chief Inspector of Borders and Immigration wrote to the Director General of Asylum and Protection, outlining 2 matters regarding actions by the subcontractor at Napier Barracks in February 2021:

“The first concerns poor employment practices. When the ICIBI/HMIP team visited Napier on 17-18 February they found that some employees were living onsite in squalid and unsafe accommodation and were seemingly working in breach of their student visa conditions. When I visited on 4 March, I was told that these individuals were no longer working for the sub-contractor as they were not willing to reduce their hours. I was also told that the accommodation they had been using was no longer in use and locked.

The second concerns the use by the sub-contractors of Gmail to share personal information, including service users’ dates of birth, CID [Casework Information Database] references and details of safeguarding concerns. Inspectors were concerned that this constituted a data breach and, as such, should be reported by the department to the Information Commissioner.

You will obviously want to satisfy yourself regarding the facts. ICIBI will be interested in the outcome of your investigations, and in knowing what actions have been taken.”

The Home Office replied on 18 May 2021. Regarding poor employment practices, the Home Office said:

“[Provider] conducted a thorough audit of all contingency subcontractor employment practices following the Observer article of 21 February, including a review of on-site practices at Napier. The review set out a list of actions which have now been completed. The audit found that no students are working more than 20 hours per week, no one is receiving the minimum wage, all staff are now PAYE and there are no self-employed staff.

“The Home Office also further instructed [provider] to implement transparent arrangements for subcontractor oversight more widely, which cover:

- Employment practices and checks, including security (DBS [Disclosure and Barring Service checks], BPSS+ [Baseline Personnel Security Standard]), right to work and credit checks, necessary insurance, employment, and equality matters.
- Enhanced operational audits for all Initial Accommodation (IA) contingency providers, and a team of [provider] auditors for the IA contingency sites is now inspecting each site fortnightly. They are using a robust process that my team have reviewed.
- Routine and defect resolution inspection of all Dispersed Accommodation (DA) carried out by [provider] staff, with the process to be reviewed.”

Regarding the use of Gmail, the Home Office said:

“A data incident has been raised with the Data Protection Officer within the Home Office on the basis that data owned by the department involving service users may have been at risk due to the

contractors use of the Gmail account, which is no longer in use. An investigation with the main contractor [provider] and its subcontractor, [subcontractor], has been opened. We will notify you of the outcome of the investigation and of any potential referral to and determination by the Information Commissioner's Office."

Inspectors followed up with the Home Office on 12 July 2021 and requested details on the outcome of the investigation. The Home Office responded on 15 July 2021, in which, it stated:

"The Home Office and its suppliers take their data protection responsibilities extremely seriously and have robust processes in place to safeguard individuals' data.

"As the ICIBI/HMPI (sic) [HM Inspectorate of Prisons] notes, no individual service user data has been lost or compromised during the delivery of services at Napier/Penally. Accordingly the Data Protection Officer has advised that there is no data breach to report to the Information Commissioner's Office as suggested by the former ICIBI.

"The Department has however investigated the former ICIBI's concerns that, prior to the inspection, service user personal data was not handled securely. We are pleased to confirm that the evidence does not support the assertion that the subcontractor's transmission of some data and information about resident via email was through insecure accounts. The email accounts that were used for short period following initial set-up of the site, and which were subsequently replaced with enhanced accounts and process prior to the ICI inspection, have been confirmed to be suitably encrypted business email accounts. The department's investigation of the matter has found no evidence to suggest any breach of compliance with data protection laws, regulations or contract standards has occurred."

Inspectors asked for a copy of the Home Office's Risk Assessment, which it shared on 9 September 2021. The Risk Assessment said that the use of Gmail was "temporary and historic", and that use of the account was "phased out several months prior to the alleged breach being identified by the ICIBI". This is contrary to inspectors' observations of multiple subcontractor staff using the Gmail account on 17 and 18 February 2021. Inspectors also had evidence and screenshots, shared by the Home Office, of Gmail accounts in use. These screenshots showed that the Gmail account was accessed and held relevant information relating to residents in February 2021.

Inspectors responded to the Home Office on 21 September 2021 with additional questions. The Home Office replied on 12 October 2021 and asked inspectors to provide documentary evidence and further details of what they witnessed. The ICIBI responded on 14 October 2021 with supporting evidence, including screen shots of Gmail being accessed in relation to personal information dated 19 February.

The Home Office replied to ICIBI's questions on 14 December 2021:

"On the evidence available there has been found no factual basis to support the view that a non-secure email network has been used.

[The service provider has] confirmed that their subcontractor established the (Gmail) email accounts specifically and exclusively for business use only. The accounts were not personal email accounts and the accounts included two factor authentication and suitable encryption that is compliant with contractual requirements for data security. The Home Office has therefore not seen evidence to indicate that the use of such business email accounts were insecure, nor used in way (sic) that constitutes a data or security breach. Furthermore during the course of establishing the facts of this matter, the subcontractor [...] also made their own enquiries directly with the

ICO [Information Commissioner's Office] to confirm that use of such an email account does not constitute a breach or require a referral.

On the evidence available there has been found no factual basis to support the view that the use of email has led to loss of, inappropriate use of, or unauthorised access of personal data.

The email accounts (Gmail.com) are closed and deleted and therefore have not been subject to physical inspection by the Home Office. [The service provider has] however confirmed and provided evidence that the replacement email accounts [...] were in place from October 2020 onwards. In addition, [the service provider has] confirmed that the former (Gmail) email accounts were fully phased out by December 2020. [The service provider has] established and confirmed that no service user details were sent to the old (Gmail) email accounts beyond December 2020 and no email was responded to from the old (Gmail) accounts beyond this date. [The service provider has] advised that authorised access to the former (Gmail) email accounts was maintained beyond December 2020 for reference purposes only, until a data transfer and account closure was fully completed subsequent to the ICIBI inspection.

Beyond the access to historic emails for reference purposes that the ICIBI has highlighted, the Home Office has not found evidence that the secure business (Gmail) accounts were being used inappropriately, or for anything other than the appropriate processing of data. On the evidence and facts available there is no indication to support a conclusion that limited ongoing referential access to secure business email by authorised employees for legitimate and lawful processing of data has resulted in any loss of personal data or undermined the integrity of data.

[The service provider has] confirmed that data was transferred out of the (Gmail) accounts before the accounts were subsequently deleted. [The service provider has] provided evidence that the [...] account is no longer accessible/in existence through the log-in page."

The Home Office detailed the investigation undertaken:

"A formal data incident was raised on 18 May 2021 in order to establish the pertinent facts of the allegation made by the ICIBI concerning an alleged use of a 'non-secure email network to communicate information about vulnerable residents'. Enquiries were made with [service provider] management, who consulted their Data Protector Officers and [subcontractor] Admin Officers. We have also consulted Home Office Data Protection Leads, Home Office Cyber Security and Office for Data Protection. Following full establishment and assessment of facts the final risk assessment report was formally completed on 27 August 2021.

After receiving the information from [service provider], we went back to them and asked them to explain why the initial data incident report stated that the Gmail account was used until 31 January 2021, whereas the information provided subsequently stated that the Gmail account was not used beyond December 2020. They confirmed that the account was not in general use after the 31 December 2020. It was used for a short period after this date to transfer."

Annex B: ICIBI hotel inspection methodology

Methodology

In 2018, the ICIBI conducted an inspection of the Home Office's management of asylum accommodation provision. The report described how "difficult it was to agree on what constituted 'an acceptable standard' of accommodation" between the Home Office, service providers, NGOs and asylum seekers.¹

To ensure that the findings from this inspection were objective and evidence based, inspectors devised a checklist of requirements based on the Schedule 2 Statement of Requirements (SoR) of the AASC (see Annex D). The SoR provides the standards that service providers and their contractors, subcontractors and volunteers should adhere to. This approach ensured that all aspects of the SoR were assessed while a property was being inspected. It also enabled the ICIBI inspection team to interrogate Home Office records to assess the rigour applied to Home Office inspections of contingency asylum accommodation sites. This data was gathered at all 26 properties inspected and then analysed to show how service providers were complying with the requirements of the SoR.

Between 11 October 2021 and 28 October 2021, inspectors visited 26 Home Office contingency asylum properties. This represented 20% of each provider's accommodation as of September 2021: 16 (62%) of the properties were operated by Clearsprings Ready Homes (South region), 6 (23%) by Mears (North East, Yorkshire & Humber and Northern Ireland regions) and 4 (15%) by SERCO (Midlands and North West regions). The visited properties included 23 (88%) hotel style accommodation and 3 (12%) hostels or self-contained apartment style accommodation. No hotels were visited in Wales or Scotland as, at the time of planning the visits, there was no contingency asylum accommodation in Wales and only one hotel in Scotland (which was being used as a quarantine hotel). The Chief Inspector also visited Driscoll House in London.

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/757285/ICIBI_An_inspection_of_the_HO_management_of_asylum_accommodation.pdf

Annex C: ICIBI hotel inspection data analysis and case studies

Staff, contractors, subcontractors and volunteers

The Statement of Requirements (SoR) states that staff must possess a clear, unambiguous photo identity card showing their name and job title. This was observed by inspectors in 23 (88%) of the properties visited. In addition, staff must display their ID card while dealing with service users, and this was observed in 21 (81%) properties visited.

In all properties, staff were appropriately dressed and there were appropriate staffing numbers, including security. The SoR (1.2.3.10) stipulates that “staff uniforms shall not be worn”. At one property inspectors saw security staff provided by a subcontractor who, while not dressed in a uniform, were dressed in identical tactical-style clothing. Inspectors were told that the service users did not find their appearance intimidating.

The training requirements for all staff are stipulated in the SoR (1.2.4.1 and 1.2.4.2) and apply to service providers, subcontractors and other persons working at hotels. Training is broken into 2 sections, the first applying to all staff at the hotel, and the second to all staff who have face-to-face interaction with service users.

At 22 (85%) properties, inspectors saw evidence that all staff had received the basic training and at 21 (81%) properties there was evidence that all face-to-face staff had received the enhanced training. Inspectors were told that Disclosure and Barring Service (DBS) checks had been undertaken on staff in 25 (96%) of the properties.²

Communication and engagement

Inspectors saw evidence that service users were provided with briefings at all the properties and all relevant material was provided within the timescales and language requirements laid out in the SoR (4.2.2).

Signs and posters in the languages required and adequate descriptions of maintenance being undertaken was seen in 24 (92%) properties.

A daily register of service users entering and leaving the property is not a requirement in hotels, although it is for hostel type accommodation (4.2.1.3). Of the properties inspected, 21 (81%) kept a register and encouraged their use. Inspectors also saw some properties maintaining a register at mealtimes as part of wellbeing checks and to ensure that service users had been seen by staff on a regular basis. This was particularly important where social distancing rules and space constraints required service users to eat in their rooms.

The SoR stipulates at 1.2.1.9 that the service provider (or their contractors) must facilitate access to health and social care or provide advice on how to obtain it. Although this could include a referral to

² Employers can check the criminal record of someone applying for a role. This is known as getting a Disclosure and Barring Service (DBS) check. See: <https://www.gov.uk/dbs-check-applicant-criminal-record>

the Advice, Issue Reporting and Eligibility (AIRE) contractor, the contract places the responsibility on the service providers to ensure that service users have access to this support. Inspectors saw evidence in 24 (92%) properties of the service providers actively assisting service users to find healthcare, such as GP surgeries, nearby. The 2 properties inspected in Northern Ireland were unable to do this due to funding issues (see section 7). Inspectors saw evidence in 18 (69%) properties that service users who were “at risk or with specific needs” (1.2.5.4) were referred to local authority teams.

Service user experience

Food provision

Inspectors found that all the properties that were required to supply meals provided the required number as stipulated in the SoR (4.1.4.3). The remaining three properties were self-catering. The SoR (4.1.4.3) also requires service providers to provide specialist meals as needed and to “cater for special dietary, cultural or religious requirements”. Inspectors saw evidence that specialist meals were provided in 22 (85%) properties where required and that dietary needs were considered in 21 (81%) properties.

Case study 1 – Hotel chef unaware of a service user with dietary requirements

At all the properties visited, inspectors were told that all service users were asked on their arrival at the property whether they had any dietary requirements. This information was passed on to the on-site chef or the off-site catering teams providing food for the properties to ensure that dietary requirements were catered for.

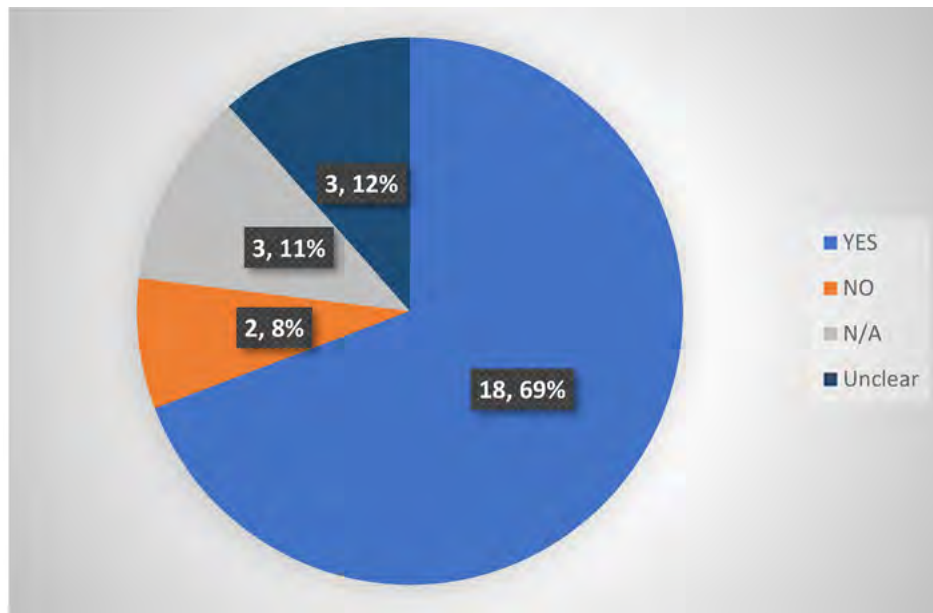
At one property, inspectors were told by the service provider’s housing manager that one of the service users was a diabetic. However, when inspectors spoke to the hotel’s onsite chef, he said that there were no service users in the hotel with any dietary requirements.

Inspectors were concerned at the potential impact on the service user as they were not being provided with food that met their dietary requirement.

The SoR (4.1.4.5) requires that all menus are certified by a qualified nutritionist. This caused confusion among some of the providers and hotel staff. Staff told inspectors that they adhered to NHS guidelines in terms of providing 5 portions of fruit and vegetables a day³ but only 18 (69%) properties provided evidence that menus had been certified as required.

³ <https://www.nhs.uk/live-well/eat-well/5-a-day-what-counts/>

Figure 19: Proportion of properties where menus were certified by a qualified nutritionist



Protective clothing and equipment

Of the properties inspected, 22 (85%) provided evidence of the issue and use of correct personal protective equipment.

Gender-specific facilities

All the properties that were required to provide gender-specific facilities did so.

Linen

In addition, at 25 (96%) properties, service users were provided with all the linen required in the SoR (B.13.2).

Communal areas

The SoR specifies that communal areas are only required in hostel style accommodation, but inspectors found such areas provided in many of the non-hostel style properties. Of the 2 hostel style properties visited, one did not meet the requirement, and 8 of the hotel style properties provided communal areas that met the requirements.

Safe, habitable and fit for purpose

Paragraphs B2, B3 and B4 of the SoR define the criteria for a property to be deemed safe (B2), habitable (B3) and/or fit for purpose (B3). All properties visited by inspectors had evidence of mains gas, water and electricity supply and there was no evidence of gas leaks, severe structural or weatherproofing issues (although ICIBI inspectors were not qualified to identify anything other than obvious concerns). Appropriate gas and electric certification were confirmed by the service provider (although not seen by inspectors) at 20 (77%) of the properties. There was no obvious evidence of electrical disrepair identified in 23 (88%) properties.

Figure 20: Condition of accommodation (internal) (Sch2 – B2, B3, B4, B6, B13)

CRITERIA	Requirement met		N/A	Not known/ unable to confirm	TOTAL
	YES	NO			
Gas leaks	26	0	0	0	26
Gas supply	24	0	1	1	26
Mains electricity	26	0	0	0	26
Mains water	26	0	0	0	26
Hot water supply	26	0	0	0	26
Certification	20	0	2	4	26
Drains	19	2	3	2	26
Flooding	23	2	0	1	26
Structural instability	8	0	0	18	26
Unstable ceilings or floors	22	0	0	4	26
Mould on ceilings, walls	25	1	0	0	26
Weatherproof	23	0	1	2	26
Ventilation	25	0	0	1	26
Natural/artificial light	26	0	0	0	26
Broken glazing	25	0	0	1	26
Secured windows/doors	26	0	0	0	26
Fall protection	17	0	5	4	26
Window/door restrictors	21	3	0	2	26
Handrails	26	0	0	0	26
Electrical disrepair	23	1	0	2	26
Heating system	26	0	0	0	26
Smoke/fire detectors	26	0	0	0	26
CO detectors	22	0	2	2	26
Fire damage	25	1	0	0	26
Toxic/hazardous chemicals	26	0	0	0	26
Pest infestation	25	0	0	1	26
Locks on doors	19	0	4	3	26
Adequate bins	25	1	0	0	26
Adaptations	18	0	5	3	26

Smoke and fire detectors

All properties provided sufficient natural light, ventilation and smoke/CO2 detection equipment and there was no evidence of broken glazing or insecure doors or windows.

Case study 2 – Smoke alarm tampered with

At one hotel room, inspectors observed a smoke alarm in a bedroom that had been covered with a face mask, presumably to prevent it from setting off the alarm when the service user smoked. The current occupant of the room told inspectors that they did not smoke, and inspectors noted that the room did not smell of cigarettes. The service user said they had moved into the room about a week-and-a-half previously and the mask was already in place.

Inspectors were told by the service provider’s housing manager that the smoke alarms were checked whenever a new service user moved into a room. This led inspectors to question both the frequency and thoroughness of the service provider’s checks.

Drainage and flooding

Internal drainage was seen to be in working order in 19 (73%) properties, but 2 properties were deemed by inspectors to have significant flooding issues, including one where flooding had led to mould growth in a room recently vacated by a family group.

Case study 3 – Apartment water leak

Inspectors visited an apartment that had, up until that morning, been used to accommodate a couple with 2 children. It was obvious that there had been a significant water leak through the ceiling of the hallway into the apartment. Despite the significant staining to the ceiling and raised laminate flooring, the accommodation provider’s subcontractor said the leak had only occurred the day before. When it was pointed out that there was mould growing around the stained area of the ceiling, inspectors were told by different members of staff that the leak had occurred either one week, 2 weeks or 4 weeks previously. It was reported that an engineer had been unable to establish the cause of the leak and that, despite being requested to do so, the family had refused to move to a different apartment as they had been told that they were going to be moved on to Dispersed Accommodation imminently.



Inspectors were concerned for the implications for the service users' health, especially that of the children, given the black mould growing at the site of the leak.

A senior manager for the subcontractor told inspectors that the issue should have been escalated up the management chain for a resolution. Inspectors noted that this raised questions about the process followed by accommodation providers and their subcontractors when service users refused to move out of their accommodation to enable maintenance work to take place. Paragraph 4.1.1 of Schedule 2: Statement of Requirements states,

“2. The Provider shall:

b. provide alternate temporary Accommodation for any Service User caused to vacate Accommodation as a result of the Accommodation being deemed unsafe or uninhabitable in accordance with the standards and Response Times defined in Annex B.

3. The Provider shall provide longer term replacement Accommodation for any Service User that has to vacate Accommodation as a result of Accommodation being deemed as unsafe or uninhabitable, if that Accommodation cannot be restored to the required standard, within five (5) Working Days of the event that caused the Accommodation to be deemed unsafe, in accordance with Annex B of this Schedule 2.”

Protection against falling

Protection against falling from a property was identified at 17 (65%) of the properties and there was evidence of operational window restrictors in 21 (81%) properties. However, inspectors saw numerous incidents of the restrictors having been tampered with by service users (see the case study in section 10). All properties had the required handrails on stairways.

Fire damage

One property had significant fire damage from a very recent incident but there was evidence of the issue being rectified while inspectors were onsite.

Bins

Of the properties inspected, 25 (96%) had adequate bins and receptacles for refuse.

Bathrooms

The bathrooms in all the relevant properties complied with the requirements of paragraph B.13.1 the SoR.

Furniture

Four properties were operating room sharing that did not meet the requirement to have one wardrobe per service user in every bedroom. Where properties had provided lounge/dining areas, 2 had not provided the required number of tables, chairs, or other seating.

Condition of accommodation

At 23 (88%) properties, evidence was provided that lifts were maintained, even if they were out of use due to COVID-19 restrictions.

Paragraph B.6 of the SoR states that accessible areas outside the hotel that are owned or operated by the service provider or their subcontractor must be maintained, and evidence of this was seen at 21 (81%) properties.

There was no evidence at any property of an external pest infestation in the grounds or surrounding area, and 25 (96%) properties had operational external lighting and secure doors.

Figure 21: Condition of accommodation (external) (Schedule 2 – Paragraph B.6)

CRITERIA	YES	NO	N/A	N/K	UNCLEAR	TOTAL
Accessible areas maintained	21	2	1	1	1	26
Lifts maintained	23	1	1	1	0	26
Lighting in all areas	25	0	0	1	0	26
External drainage	9	0	0	0	17	26
Pest infestation	0	25	0	0	1	26
Doors/hatches etc.	25	1	0	0	0	26

Annex D: ICIBI hotel inspection checklist

STAFF, CONTRACTORS, SUBCONTRACTORS AND VOLUNTEERS		
1) Do all staff possess a clear, unambiguous photo identity card showing their name and job title?	Y	N
2) Do all staff display their ID card when dealing with Service Users?	Y	N
3) Are all staff smart and dressed appropriately for their role, but not in a uniform?	Y	N
4) Have all staff received the training mandated by Schedule 2?* Has this training been refreshed in the past 12 months? Are there refreshers booked?	Y	N
<i>*The asylum and asylum support systems; equality and diversity; data protection; safeguarding.</i>		
5) Have staff with regular face-to-face contact with Service Users received the training mandated by Schedule 2?* Has this training been refreshed in the past 12 months?	Y	N
<i>*ethnic diversity and cultural awareness; suicide and self-harm awareness and prevention; basic first aid; gender based violence; fire safety; health and safety; vicarious trauma; unconscious bias; counter terrorism; modern slavery; required housing standards and relevant regulatory requirements.</i>		
6) Have staff who are likely to have direct contact with a Service User been through a Disclosure and Barring Service (DBS) (or regional equivalent) check?	Y	N
7) Are staffing levels appropriate?	Y	N
<i>What are the shift times worked by the staff at the accommodation, how many are on at any one time, what is the breakdown of Provider staff and contractor/sub-contractor staff?</i>		
8) Do all staff understand their responsibilities with regard to safeguarding etc?	Y	N
<i>What is the understanding amongst staff of data protection, safeguarding, health and safety and section 55?</i>		
COMMUNICATIONS AND ENGAGEMENT		
9) On arrival are Service Users briefed, in a manner they can understand, about the services they can expect to receive, their rights and how to request assistance and support?	Y	N

10) Within one calendar day of arrival are Service Users briefed, in a manner they can understand, about the services they can expect to receive, their rights and how to request assistance and support?	Y	N
11) Are signs and posters concerning emergency procedures in all relevant languages or designed in a way that a Service User can understand what to do (pictures, etc.)?	Y	N
12) Is there a daily register of Service Users coming in and going out from the accommodation?	Y	N
[HOSTEL]		
13) Does the Provider (or their contractor) facilitate access to health and social care? How?	Y	N
14) Have any Service Users with needs relevant to Local Authority teams been referred for support and/or assessment?	Y	N
15) Is routine and urgent maintenance explained to Service Users in a manner they can understand and accompanied with a written explanation?	Y	N
ACCOMMODATION		
16) Does the accommodation offer the necessary meals* (full board service)?	Y	N
<i>*breakfast, lunch and evening meal. Each meal to have at least 1 hot and 1 cold choice with a vegetarian option and a beverage service.</i>		
17) At mealtimes are there child, religious and/or culturally sensitive options provided? Are these clearly signposted for Service Users in a manner they can understand?	Y	N
18) Is there any evidence that all meal options have been validated by a qualified nutritionist?	Y	N
19) Is there any evidence the Provider (or their contractor) have taken proactive steps to try and ascertain specific dietary needs? Has this been communicated back to the Home Office?	Y	N
20) Do all staff and Service Users have access to protective clothing and equipment suitable for the needs of health and hygiene?	Y	N

21) [HOTELS] Are gender-specific wash facilities (bathrooms, shower rooms etc.) offered?	Y	N
22) [HOSTELS] Are communal areas, with sufficient tables and seating supplied? As a minimum there must be one mixed-gender, one female-only and one family-only area (if relevant groups are present within the accommodation).	Y	N
23) Has each Service User been provided with 2 bath towels, 2 hand towels, 2 face towels, 2 tea towels, 2 sheets, 2 pillows with cases, 2 blankets and 1 duvet with 2 duvet covers?	Y	N
24) Condition of accommodation (internal)		
Gas leaks	Y	N
Gas supply to where it should be (gas oven etc.)	Y	N
Mains electrical power supply	Y	N
Mains water supply	Y	N
Hot water supply	Y	N
Certification of gas (12 months) or electrical (5 years) appliances	Y	N
Blocked, leaking or damaged drainage system (drains, overflows, wastewater pipes)	Y	N
Flooding, free-standing water or water penetration through the structure of the accommodation	Y	N
Structural instability (cracks, crooked doorways and windows etc.)	Y	N
Falling or unstable ceilings or floors	Y	N
Mould on ceilings, walls etc.	Y	N
Roofs, walls, ceilings are weatherproof with no severe draughts.	Y	N
Internal ventilation sufficient to prevent damp and condensation and provides adequate removal of waste air, smoke, fumes and gases	Y	N
Sufficient provision of natural and artificial light	Y	N
Broken glazing and/or windows or external doors which prevent the property being secured	Y	N
All accessible windows and external doors can be closed and secured	Y	N
Windows or balconies have protection against falling (accommodation with children or adults with specific needs only)	Y	N
All windows above ground level have restrictors (accommodation with children or adults with specific needs only)	Y	N
All staircases have at least one handrail	Y	N
Child safety gates fitted on each staircase (accommodation with children only)	Y	N

Electrical damage or disrepair (sockets hanging off walls, bare wiring, etc.)	Y	N
Space heating system capable of heating the whole accommodation	Y	N
Smoke and fire detectors (Houses of Multiple Occupation (HMO) – must be mains wired)	Y	N
Operational carbon monoxide detector where a property has a solid fuel or gas appliance	Y	N
Significant fire damage which could cause harm	Y	N
Exposure to toxic or hazardous gases or chemicals	Y	N
Evidence of any type of pest infestation	Y	N
[HMO] Bathroom, shower rooms, toilets and bedrooms can be locked from the inside	Y	N
Adequate bins throughout for refuse collection and storage	Y	N
All necessary adaptations to meet the needs of the Service Users (wheelchair ramps, handholds etc.)	Y	N
25) Condition of accommodation (external)		
Accessible areas free from defects, litter, debris, graffiti, and well maintained	Y	N
Lifts maintained and in full working order	Y	N
Lighting in all areas in full working order	Y	N
External drainage in full working order with no leaks or overflow	Y	N
Evidence of any type of pest infestation	Y	N
Doors, hatches and other coverings in full working order	Y	N
26) BATHROOM – Each room designated as a bathroom must have:		
Bath and/or shower	Y	N
Wash basin	Y	N
Toilet	Y	N
Waterproof covering for the bath or shower (shower curtain, etc.)	Y	N
Suitable and hygienic floor covering	Y	N
27) KITCHEN – Each room designated as a kitchen must have:		
Sufficient cookware, utensils, cutlery and crockery	Y	N
Refrigerator and freezer	Y	N
Cooker or oven and hob	Y	N
Microwave	Y	N
Broom and/or other forms of cleaning equipment (dustpan and brush, mop)	Y	N
Laundry facilities and drying facilities (machines, vouchers for laundrette, etc.)	Y	N
Hygienic food preparation and worktop areas	Y	N
Sink	Y	N

Iron and ironing board	Y	N
Suitable and hygienic floor covering	Y	N
Sufficient cupboard and storage space	Y	N
28) BEDROOM – Each room designated as a bedroom must have:		
Beds to suit composition of Service Users	Y	N
1 wardrobe and 1 chest of drawers per room or per single Service User if room is shared	Y	N
Curtains or blinds over windows	Y	N
29) DINING AND LIVING AREAS – Each room designated as a dining or living area must have:		
Table suitable for the number of Service Users	Y	N
1 dining chair per Service User	Y	N
1 armchair or sofa seat per Service User	Y	N
Curtains or blinds over windows	Y	N
30) GENERAL NOTES AND CONTINUATION (note question number)		

Annex E: Public Health guidance

In September 2021, inspectors became aware that room sharing in contingency asylum accommodation had resumed. The service providers told inspectors that they had been sent a formal notification of the resumption of room sharing by the Home Office. However, inspectors were told by a senior manager in the ASC-A team that there was not a “point in time where a decision was made... to turn room sharing on again”.

Annex C of Schedule 2 Statement of Requirements, details the criteria for room sharing:

“C.1.3 The Provider may allocate Accommodation such that the following may share the same sleeping quarters:

C.1.3.1 husband and wife;

C.1.3.2 persons who the Authority has agreed may cohabit;

C.1.3.3 related children of the same sex under 16 years of age;

C.1.3.4 related children of different sexes under ten years of age (or 16 years of age where they are all IA Service Users);

C.1.3.5 couple and one child under ten years of age (or 16 years of age where they are all IA Service Users);

C.1.3.6 single parent and one child under ten years of age (or 16 years of age where they are all IA Service Users); or

C.1.3.7 couple or single parent and more than one of their children under the age of 16 (provided they are all IA Service Users).”

and:

“C.1.5 The Provider may allocate Accommodation such that the following may share the same Accommodation unit:

C.1.5.1 unrelated couples; or

C.1.5.2 same sex, same language, families where any unrelated children over the age of ten years are of the same sex.”

The Home Office stated that Public Health England (PHE) guidance allowed room sharing from February 2021 where there was no alternative. Initially, service providers were able to continue providing single adults with their own rooms, but by July 2021 this was no longer possible due to the increasing numbers requiring accommodation as a result of the number of small boat arrivals and the difficulties providers were experiencing in procuring hotels in the top 20 most populated cities. This prompted the Home Office to send a submission to ministers on the situation.

The submission noted that PHE had,

“so far declined to move away from the advice that single en-suite accommodation should be available for asylum seekers, despite being informed we cannot conform with the advice. Where single occupancy accommodation is not available, the guidance indicates small groups of 6 or fewer people should be provided. We are continuing discussions with PHE and have asked for further information on the evidence supporting guidance on 6 people. The latest proposed wording for accommodation is unhelpful.”

The Home Secretary signed off the submission on 16 July. This was:

“based on the urgent requirement for asylum-seeker accommodation to meet statutory duties and in light of intense pressures across the asylum and resettlement system outlined in the submission. She was content to agree to room-sharing only on an as required basis. This was an urgent measure based on specific circumstances, which was later reviewed to confirm a) whether those circumstances still remain and can continue and b) whether new PHE guidance has come into play on room-sharing.”

The Home Office communicated the reinstatement of room sharing, where necessary, to the accommodation providers during the daily routing call on 16 July. The minutes of the meeting recorded a line under any other business which reads “Room sharing is permissible from today – working with the providers – What’s the push backs – Local authorities don’t like room sharing, the concern is a public health one”.

Senior service provider managers gave inconsistent accounts of what and how the Home Office had told them about the resumption of room sharing. One said they “received an emergency instruction” in July 2021, before the PHE guidance changed, to “see where in our properties this [room sharing] could happen as there were no other options”. They then received official PHE notification of the change in September 2021.

A senior manager from another service provider said that the Home Office had asked them to assess whether they could resume room sharing in August 2021. The manager said they could not recall any consultation by the Home Office, but also added that they had not been instructed to use room sharing.

A senior manager from a third service provider told inspectors that they were “under some pressure to do this [room sharing]” but it was difficult to insure hotels where room sharing was being used and they were unsure how other service providers were obtaining it. They said that the hotels they worked with were “very clear that they won’t enter into contracts if there is room sharing – the environment would be too difficult as there would be too many people”.

Emails from 2 of the providers to the Home Office showed that they resumed room sharing in July, while the third said they had not been able to implement it as all the councils in their region had resisted it via their licensing powers to approve contingency asylum accommodation.

A Home Office equality impact assessment (EIA) produced on 15 July 2021 assessed the decision to move from single occupation bedrooms to room sharing in Initial, Contingency and Dispersed Accommodation following the declaration of a critical incident due to the numbers of asylum seekers arriving by small boat.

The EIA was produced before the updated guidance from PHE was published on the GOV.UK website on 23 July 2021.⁴ It was based on the assumption that, following implementation of Step 4 of the roadmap out of lockdown, the guidance “looked like it will remain the same for the accommodation of Asylum Seekers”. This assumption was correct, as the updated guidance stated:

“Single rooms with en-suite bathroom facilities suitable for self-isolation provide the lowest risk accommodation and should be made available. However, if single occupancy accommodation is restricted, accommodation where cohorting in small groups is possible should be provided. All accommodation providers should ensure there are effective COVID-19 prevention mitigations in place along with COVID-19 outbreak plans.”

The inspection of Penally Camp and Napier Barracks by Her Majesty’s Inspectorate of Prisons (HMI Prisons) in February 2021 examined whether the Home Office had followed PHE pandemic guidance during the establishment of that contingency accommodation, an issue that prompted considerable debate.⁵ The EIA of 15 July 2021 stated that the Home Office had considered the newly published PHE guidance but:

“Balancing against the critical need to meet our statutory duty, we take the view that both the current and proposed guidance should not be the decisive factor in reaching a decision on how to accommodate service users. Indeed the proposed guidance states ‘This guidance is aimed at all staff involved in the support of asylum seekers in all accommodation settings. This guidance is of a general nature and should be treated as a guide. In the event of any conflict between any applicable legislation (including the health and safety legislation) and this guidance, the applicable legislation shall prevail.’

We are satisfied that our statutory obligation to accommodate destitute asylum seekers overrides the guidance.”

4 <https://www.gov.uk/government/publications/covid-19-guidance-for-providers-of-accommodation-for-asylum-seekers/covid-19-guidance-for-providers-of-accommodation-for-asylum-seekers>

5 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005065/An_inspection_of_contingency_asylum_accommodation_HMIP_report_on_Penally_Camp_and_Napier_Barracks.pdf

Annex F: Role and remit of the Independent Chief Inspector

The role of the Independent Chief Inspector of Borders and Immigration (until 2012, the Chief Inspector of the UK Border Agency) was established by the UK Borders Act 2007. Sections 48-56 of the UK Borders Act 2007 (as amended) provide the legislative framework for the inspection of the efficiency and effectiveness of the performance of functions relating to immigration, asylum, nationality and customs by the Home Secretary and by any person exercising such functions on her behalf.

The legislation empowers the Independent Chief Inspector to monitor, report on and make recommendations about all such functions. However, functions exercised at removal centres, short-term holding facilities and under escort arrangements are excepted insofar as these are subject to inspection by Her Majesty's Chief Inspector of Prisons or Her Majesty's Inspectors of Constabulary (and equivalents in Scotland and Northern Ireland).

The legislation directs the Independent Chief Inspector to consider and make recommendations about, in particular:

- consistency of approach
- the practice and performance of listed persons compared to other persons doing similar activities
- the procedure in making decisions
- the treatment of claimants and applicants
- certification under section 94 of the Nationality, Immigration and Asylum act 2002 (c. 41) (unfounded claim)
- the law about discrimination in the exercise of functions, including reliance on section 19D of the Race Relations Act 1976 (c. 74) (exception for immigration functions)
- the procedure in relation to the exercise of enforcement powers (including powers of arrest, entry, search and seizure)
- practice and procedure in relation to the prevention, detection and investigation of offences
- the procedure in relation to the conduct of criminal proceedings
- whether customs functions have been appropriately exercised by the Secretary of State and the Director of Border Revenue
- the provision of information
- the handling of complaints
- the content of information about conditions in countries outside the United Kingdom, which the Secretary of State compiles and makes available, for purposes connected with immigration and asylum, to immigration officers and other officials

In addition, the legislation enables the Secretary of State to request the Independent Chief Inspector to report to him in writing in relation to specified matters.

The legislation requires the Independent Chief Inspector to report in writing to the Secretary of State. The Secretary of State lays all reports before Parliament, which he has committed to do within 8 weeks of receipt, subject to both Houses of Parliament being in session.

Reports are published in full except for any material that the Secretary of State determines it is undesirable to publish for reasons of national security or where publication might jeopardise an individual's safety, in which case the legislation permits the Secretary of State to omit the relevant passages from the published report.

As soon as a report has been laid in Parliament, it is published on the Inspectorate's website, together with the Home Office's response to the report and recommendations.

Annex G: ICIBI's 'expectations'

Background and explanatory documents are easy to understand and use

(e.g. statements of intent (both ministerial and managerial), impact assessments, legislation, policies, guidance, instructions, strategies, business plans, intranet and GOV.UK pages, posters, leaflets etc.)

- They are written in plain, unambiguous English (with foreign language versions available, where appropriate)
- They are kept up to date
- They are readily accessible to anyone who needs to rely on them (with online signposting and links, wherever possible)

Processes are simple to follow and transparent

- They are IT-enabled and include input formatting to prevent users from making data entry errors
- Mandatory requirements, including the nature and extent of evidence required to support applications and claims, are clearly defined
- The potential for blockages and delays is designed out, wherever possible
- They are resourced to meet time and quality standards (including legal requirements, Service Level Agreements, published targets)

Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent

- Individuals understand their role, responsibilities, accountabilities and powers
- Everyone receives the training they need for their current role and for their professional development, plus regular feedback on their performance
- Individuals and teams have the tools, support and leadership they need to perform efficiently, effectively and lawfully
- Everyone is making full use of their powers and capabilities, including to prevent, detect, investigate and, where appropriate, prosecute offences
- The workplace culture ensures that individuals feel able to raise concerns and issues without fear of the consequences

Decisions and actions are ‘right first time’

- They are demonstrably evidence-based or, where appropriate, intelligence-led
- They are made in accordance with relevant legislation and guidance
- They are reasonable (in light of the available evidence) and consistent
- They are recorded and communicated accurately, in the required format and detail, and can be readily retrieved (with due regard to data protection requirements)

Errors are identified, acknowledged and promptly ‘put right’

- Safeguards, management oversight, and quality assurance measures are in place, are tested and are seen to be effective
- Complaints are handled efficiently, effectively and consistently
- Lessons are learned and shared, including from administrative reviews and litigation
- There is a commitment to continuous improvement, including by the prompt implementation of recommendations from reviews, inspections and audits

Each immigration, asylum, nationality or customs function has a Home Office (Borders, Immigration and Citizenship System) ‘owner’

- The BICS ‘owner’ is accountable for
 - implementation of relevant policies and processes
 - performance (informed by routine collection and analysis of Management Information (MI) and data, and monitoring of agreed targets/deliverables/budgets)
 - resourcing (including workforce planning and capability development, including knowledge and information management)
 - managing risks (including maintaining a Risk Register)
 - communications, collaborations and deconfliction within the Home Office, with other government departments and agencies, and other affected bodies
 - effective monitoring and management of relevant contracted out services
 - stakeholder engagement (including customers, applicants, claimants and their representatives)

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