



Home Office

The Home Office response to the Independent Chief Inspector of Borders and Immigration's report:

An Inspection of UK Refugee Resettlement Schemes

November 2019 – May 2020

The Home Office thanks the Independent Chief Inspector of Borders and Immigration (ICIBI) for his report.

Resettlement offers a safe and legal route to the UK for vulnerable refugees. Since September 2015, the UK has resettled more than 25,000 refugees across our different resettlement schemes, the highest number in Europe. This includes more than 19,750 people in need of protection through our Vulnerable Persons Resettlement Scheme. The Home Office has a proud record of welcoming those fleeing persecution and in genuine need of our protection and resettlement is a vital element of that.

The Department is pleased that the Independent Chief Inspector of Borders and Immigration (ICIBI) acknowledges that the resettlement of every refugee presents a host of challenges and therefore each arrival should be considered to be an achievement, given the complicated logistical and practical arrangements of transferring people who are living in difficult and challenging circumstances in large refugee hosting countries.

The Department accepts the challenge that there is room for improvement and would like to assure the ICIBI that it continuously reviews the operation of the scheme and is committed to using feedback from delivery partners and stakeholders to drive improvements for the benefit of the refugees that are resettled. Due to COVID-19 related restrictions and pressures, both overseas and in the UK, resettlement arrivals are currently suspended. The department is evaluating its approach and aims to resume refugee resettlement activity when it is safe to do so.

The Home Office accepts or partially accepts all ten recommendations.

The Home Office response to the recommendations:

The Home Office should:

- 1. Resource and carry out (on a rolling basis) a detailed analysis of all cases in the UK Resettlement Scheme (UKRS) “Work in Progress” (WiP) queue that have been at the ‘accommodation matching stage’ for more than 13 weeks to identify the specific reasons why, and**
 - a. produce an Action Plan for each case that addresses its particular obstacles to resettlement, with target dates for reaching solutions, for quarterly senior management review(s), and for formal reconsideration of the referral (no later than 12 months after acceptance)**
 - b. produce a Strategic Plan that addresses recurring or systemic obstacles, including where the solution lies with a third party (for example, another government department, local authority, NGO, or the community).**

1.1 Partially accepted

1.2 We agree with this recommendation but have only partially accepted it because we will not be able to implement it immediately. As a result of the pandemic and the pause in resettlement activity to the UK, the large majority of cases in the accommodation matching stage have been there for significantly longer than 13 weeks. In the normal course of business, the accommodation management team review the WiP on a bi weekly basis. Once resettlement activity is restarted, we will review all cases in priority order and will add a quarterly senior management reviews for cases which have been in the WiP for the longest period to discuss how their placement should be approached. This will include formal consideration of whether the referral should remain active and engagement with UNHCR to determine whether other solutions could be identified. During the pause in resettlement, a large proportion of the team have been deployed to assist other priority areas, but we will start the review process once the team is back up to full operating capacity. We agree that the review process should be used to identify recurring issues and where possible work to address these with partners. This may include refinement of our resettlement criteria where necessary.

- 2. Pending completion of the detailed analysis of the cases in the UK Resettlement Scheme (UKRS) WiP that have been at the ‘accommodation matching stage’ for more than 13 weeks as at 1 August 2020, set a cap on the number of new non-Urgent UNHCR referrals that will be accepted in 2020/21, in order to ensure that older, “harder to place” cases are prioritised, in particular those marked as “Urgent” by UNHCR that were carried over into UKRS from the previous schemes.**

2.1 Accepted

2.2. The Department has already taken the decision to stop the referral of all new cases (urgent and non urgent) to avoid the further build-up of cases in the WiP and once resettlement resumes will work with UNHCR to determine when and how the referral of new cases (including those considered urgent) should resume and at what volume.

- 3. Publish guidance on how the UK Resettlement Scheme (UKRS) will handle “Emergency” cases, including clarification of whether the Home Office’s understanding of the term is as defined by UNHCR.**

3.1 Accepted

3.2 Details of how UKRS will handle “Emergency” cases (including relevant definitions) will be added to our resettlement policy statement, once the policy has been confirmed. The updated policy statement will be published on GOV.UK ahead of the launch of UKRS.

- 4. Publish a Statement of Intent in respect of the eligibility of unaccompanied minors to be resettled through the UK Resettlement Scheme (UKRS), capturing and drawing on the lessons learned from those resettled through VCRS, and including details of the steps being taken to ensure that the National Transfer Scheme (NTS) is fully functioning.**

4.1 Accepted

4.2 UNHCR have already received written confirmation that referrals of unaccompanied minors will be accepted under the UK Resettlement Scheme subject to local authority capacity and their inclusion in the UK Resettlement Scheme will be confirmed in the resettlement policy statement (see above). A consultation on the operation of the NTS was carried out in September 2020, with the aim of trying to build capacity for unaccompanied children and improve how the NTS functions. The outcome of the consultation will be shared with local authorities as soon as possible.

- 5. As a means of encouraging greater local authority and community sponsor participation, make more effective use of the “exceptional costs” budget by identifying and actively encouraging claims where appropriate, and considering how it might be used to “unlock” cases that have been at the ‘accommodation matching stage’ for a prolonged period (12 months+).**

5.1 Accepted

5.2 Changes have already been made to the latest Funding Instruction to include a new annex which provides local authorities with a guide to claiming exceptional costs. Regular discussions take place with Strategic Migration Partnerships (SMPs) and Local Authorities to discuss the use of exceptional costs. As part of the review of cases in the accommodation matching WiP, queries are made of the payments team to consider if exceptional funds would be available to local authorities and community sponsors if they accepted families with specialist requirements. There are however Treasury-imposed restrictions on the use of this funding which need to be taken into account and therefore use of exceptional costs might not be appropriate or acceptable in all cases.

- 6. In light of concerns about the practical and financial difficulties refugees are likely to face when applying for Indefinite Leave to Remain (ILR) after five years:**

- a. Reconsider whether the policy decision that the refugees resettled through the UK Resettlement Scheme (UKRS) will be granted Leave to Remain (LTR) is justified and necessary (publishing the supporting Equality Impact Assessment and Risk Assessment)**

- b. Grant ILR to those refugees initially referred through Gateway and taken into the UKRS WiP, so that they are not disadvantaged because of delays in completing their resettlement under the old scheme and extend this (as a minimum) to any referral**

where the refugee family has “been living in a protracted refugee situation for over five years”.

6.1 Partially accepted

6.2 The Home Office has produced a detailed Policy Equality Statement covering all elements of refugee resettlement, including the grant of leave. As part of our holistic policy design of UK Resettlement Scheme (UKRS), strengths from across all parts of our existing schemes were identified, both regarding the best way to support resettled refugees and to ensure the integrity of the resettlement process.

6.3 The concerns around access to legal advice for resettled refugees is addressed in the response to recommendation 7 below.

6.4 On the impact on the ability for resettled refugees to fully integrate, there is a practical policy justification behind the decision to grant five years refugee leave to refugees resettled under UKRS. This grant offers immediate access to the labour market and benefits system, a path to fee free settlement with no knowledge of language and life requirement and the ability to apply for family reunion with immediate family members, all of which help to support resettled refugees’ journey towards integration and self-sufficiency. This also aligns with the approach taken for the largest current schemes, VPRS and VCRS, as well as to the wider policy on asylum.

6.5 However, as with our resettlement approach in general, the type of leave granted to resettled refugees will be kept under review and reconsidered where there is evidence to support this.

7. Agree a plan with the Ministry of Justice, Legal Aid Agency and Office of the Immigration Services Commissioner (OISC) to ensure that refugees resettled throughout the UK are able to access affordable, good quality legal advice should they need to apply for Indefinite Leave to Remain (ILR) or for any other immigration-related purposes.

7.1 Partially accepted

7.2 The Home Office will continue to engage with the OISC as an arm’s length body of the Home Office to ensure that regulated quality immigration advice is available to all those who seek it. The issue of the quality and availability of affordable legal advice in the immigration/asylum context goes wider than just for resettled refugees and this is something that the Home Office works with the Ministry of Justice, and Legal Aid Agency on via its engagement with them. Any improvements or changes should not be specifically for refugees but for all those requiring advice in the immigration context. The Ministry of Justice has recently started a broad piece of work looking to ensure the sustainability of the whole civil legal aid market. It is considering a broad range of factors, from the current quality and provision of legal aid, to the ability of providers to offer legal aid services into the future and will include concerns relating to specific categories of law, such as immigration and asylum.

8. Produce a communication strategy for the Community Sponsorship Scheme (CSS) aimed at increasing the number, geographical spread and diversity of applications, set against realistic but stretching targets. The strategy should incorporate the learning from CSS groups, resettled families and relevant NGOs, and involve them in its delivery. It should also deal directly with real or perceived concerns of prospective groups, such

as the requirement for Muslim groups to complete PREVENT training or that the financial commitment and period that support will be required are understated.

8.1 Accepted

8.2 As part of the grant funded arrangements for capacity building of community sponsorship, we will produce a communication strategy in 2021/22.

Growing Community Sponsorship

- The current grant agreement for support and training delivery to community sponsor groups concludes in March 2021. Options are being explored to further develop the functions of the Community Sponsorship capacity-building organisation to increase the number, geographical spread and diversity of community sponsorship groups via the proposed outcomes for any further grant agreement. Within the current grant agreement, Reset is in the process of developing a campaign designed to recruit more sponsors through use of videos, social media content, etc, with the aim of reaching 5,000 people and generating 20 new groups.

PREVENT Training

- There is a legislative commitment for an independent review of the Prevent strategy which is currently underway with a deadline of August 2021. Work is ongoing with stakeholders to develop and propose new guidance for colleagues to consider ahead of the review. Work is also ongoing with a selection of community sponsorship groups and Reset to further understand the issues and concerns groups may have and further action will be taken based on the recommendations from the independent review.

Financial Commitment

- The financial commitment requiring groups to have £9,000 is not designed to be a definitive figure of the cost of sponsorship. It is not a suggested minimum or maximum spend. It is an indicative figure of the amount that groups may need to enable them to support a resettled family's integration for 12 months and housing for two years, alongside the financial support a resettled family may have access to through benefits or through their own income. The amount that a sponsor group may need in practice will vary according to a variety of factors. It is made clear to groups that they will need to develop a credible budget of the likely amount of funds that they will need dependent on local circumstances.
- Feedback is actively and continuously sought from sponsor groups on a range of issues connected to the policy and operation of the Community Sponsorship scheme. When asked if the figure should be changed, the feedback received was that while budgets will vary, the existing financial requirement is an important part of the process; serving to help mobilise and prepare groups.

Duration of Support

- The requirement for groups to provide resettled families with 12 months of integration support is made clear in the Home Office guidance, and in Reset's and the Home Office's interactions with groups throughout the application process. However, it is recognised that a significant number of groups continue to maintain contact and provide some element of support to resettled families after the end of the 12 months. For this reason, following the government's announcement of its future resettlement plans, sponsor groups and stakeholders were specifically asked about the duration of support. While many considered that it should be increased, the same proportion considered that it should not be lengthened. Feedback received from some suggested that lengthening

the requirement could have a detrimental impact on groups, and on resettled families' journey towards developing greater self-sufficiency.

9. Analyse and publish the findings to date of the Ipsos Mori “three-year qualitative longitudinal evaluation” of VPRS/VCRS with a view to obtaining stakeholder feedback to help inform the final year of the study.

9.1 Accepted

9.2 The findings from the first two years of Ipsos MORI's longitudinal evaluation, and feedback from a range of stakeholders, has been used to inform our approach to the final year of this study. The Home Office intend to publish the findings of this evaluation in early 2021.

10. Ensure that the resourcing of the UK Resettlement Scheme within UKVI has sufficient capacity at senior levels to manage the policy and strategy challenges, including cross-departmental dependencies, and at working level to run the scheme day-to-day, ensuring that all roles have up-to-date Job Descriptions

10.1 Accepted

10.2 As mentioned in the report, the operational team is well resourced. Up to date job descriptions were included in the materials that were used as part of the slotting in exercise to prepare for the UK Resettlement Scheme. Capacity at senior levels will be reviewed on a regular basis as part of the usual workforce planning processes that take place within the Department.