

# **Models of accommodation and support for migrants with no recourse to public funds (NRPF)**

**A resource for practitioners and groups who want  
to get involved**

***Produced for Housing Justice, NACCOM and Praxis  
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# Foreword

## *From the organisations behind the report*

Churches, along with other faith groups, have become a key strand in the provision of support for destitute migrants. This is difficult work and almost always carried out in a hand to mouth fashion. So I really welcome this report – it has been a privilege to help to steer its progress and wonderful to see the work completed. I encourage anyone who has an interest in helping people with no recourse to public funds to read the report and to follow up the recommendations.

**Alison Gelder, Housing Justice**

When NACCOM first came together in 2006 as a loose network of voluntary organisations accommodating destitute asylum seekers, we had little idea of the extent of migrant destitution in the UK, or how to deal with it effectively. As we have grown into a national charity representing over 30 member organisations, the need for good quality research to support our practical work has become crucial to the effectiveness and influence of NACCOM. This report provides an in-depth quality study of viable accommodation models, and I heartily recommend it.

**Dave Smith, NACCOM**

Destitution was first defined as a concept during the Victorian era and however harshly we might judge the response- the workhouse- at least there was an acceptance that destitution was unacceptable. It is hard to believe that destitution has reappeared in such a significant way in 21st Century Britain. Praxis Community Projects responded by developing temporary accommodation for destitute migrants in an innovative and award winning scheme, providing food, shelter and casework support to find solutions so that people can move out of destitution. This valuable report highlights the different models used by organisations across England to respond to this humanitarian crisis, so that others can do the same. I cannot recommend it enough for both migration and homelessness organisations.

**Sally Daghlian, Praxis**

## Key messages

1. There are a range of projects across the UK which have highlighted the presence of destitute migrants and the need to develop responses to their humanitarian needs. These projects have also developed innovative practices that have the potential to inspire others. This resource identifies some of the elements of best practice in relation to these models.

2. Projects are at the cutting edge of practice and generally under-resourced. Though work in this area has risks, there are good ways to minimise and manage these which are described in this resource.

3. There are a range of ways in which people can further work in this area. This resource summarises recommendations for current projects, funders and investors and those thinking of setting up projects in this area. The following audiences may wish to focus on certain sections:

- **Grants officers or investors:** will find Section 1 helpful as an overview and introduction to the field
- **Housing providers:** can see what sort of housing is provided in Section 2 and the housing management issues raised in Section 3
- **People running existing projects:** may find further inspiration in Section 4 on potential new developments, as well as Sections 2 and 3
- **Those thinking of setting up a project:** may find Section 1 useful to talk to potential partners and supporters

4. Existing projects inevitably respond to particular local configurations of people, existing services, housing market and types of migrant needing support. As a result all projects will need to assess which model works best for them in the particular local circumstances. Given this, there is potential to pilot other approaches or combinations of approaches.

5. Projects are usually providing accommodation and other support for migrants with NRPF on a shoestring. It should be noted, however, that projects do not measure their value uniquely in financial terms. The value lies in the benefits to the users, to those who work with them and to the communities in which they live. All these flow essentially from the commitment embedded in these projects to 'make it work' for all involved. The contribution of commitment and volunteer time is considerable.

6. Supporting people who have for whatever reason reached the end of their time in the UK is a key concern for those thinking about doing work in this area. Many projects deal well with this sensitive issue, acknowledging that failure to open up a discussion with migrants about what will happen and how they may plan for it lets them down. Unless the conversations are held which help the individual understand what the future will hold in the UK, with no support and no money potentially for the rest of their lives, the 'choice' of voluntary return may not have a chance to settle in focus. When that discussion is held without an agenda in a project, with somebody the individual trusts, it may be that for the first time the real choice becomes clear. For all projects, managing the boundary between telling users about how the system works and appearing to support it is a difficult one.

7. All successful projects are thoroughly embedded in local networks, and this is especially important in enabling access to good quality advice for users. There is, however, room for more and better partnerships with housing providers both to learn from their experience and to encourage increased engagement.

## Introduction

There are projects around the UK which accommodate and support migrants with no recourse to public funds (NRPF). These provide services with few resources but great commitment and invention.

The individuals and organisations taking these schemes forward often work in relative isolation. This resource gathers information about their work in order that people can learn about the issues and what people are doing to respond to them. It has been produced for Housing Justice, NACCOM<sup>1</sup> and Praxis and aims to be of use to:

- Existing providers of such support
- People who wish to set up new schemes and who are interested in finding out what has been ‘tried and tested’
- Funders who may be interested in supporting work in this area

### What the resource covers

This resource is in five sections.

- Section One gives an overview of key contextual points.
- Section Two distils the main ‘models’ which people round the country described during the research. These are organised by type from the migrant’s point of view (as opposed to on the basis of e.g. funding sources).
- Section Three gives information on property ownership and management, a key issue for many who have set up projects or are thinking of doing so
- Section Four gives an overview of potential ideas for new projects
- Section Five summarises key suggestions made for future work in the area

### How we gathered information

The research involved a mixture of document review, web research and interviews with people who are currently providing accommodation and support to migrants with NRPF. We also met with migrants with NRPF in London and Manchester to ask them about their experiences and what they would like to see. A full list of those interviewed is attached at Appendix A. We spoke to people between September and December 2014, and then a draft was commented on by a steering panel in February 2015 which helped shape this final product.

The research was carried out by Ceri Hutton and Sue Lukes, two independent researchers with many years’ experience in the migration and housing fields. Ceri and Sue would like to thank all contributors for their input.

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<sup>1</sup> The national ‘No Accommodation Network’, the informal membership of which is responsible for many of the projects reviewed and summarised in this resource.



# 1. Context and Key Issues

## 1. Who are migrants with no recourse to public funds?

There are various ways in which people who have come to the UK find themselves without 'recourse to public funds'<sup>2</sup> and therefore in need of accommodation and support. Migrants with NRPF include:

- i. **Asylum seekers whose claim has failed.** This includes those who cannot or refuse to go home as well as those who believe that they have new evidence and want to open a fresh claim.
- ii. **Refugees who** have been given refugee status or other leave but **do not yet have the documentation necessary** to claim benefits or apply for housing. They may find themselves effectively destitute if they cannot find work. Newly recognised refugees may wait for their papers for months.
- iii. **People trafficked into the UK** for work or other reasons who have not (yet) been able to secure recognition of their status as a victim of trafficking
- iv. **People who have lost their documentation** and so cannot prove their right to access benefits. Both migrants and non-migrants lose documentation (for example, as part of the process of becoming homeless) but it is concerning that most who then find themselves unable to access benefits are either migrants or people from BME communities.
- v. **People whose leave includes a condition of NRPF** but who can no longer support themselves because of a change in circumstances (e.g. relationship breakdown, illness)
- vi. **European migrants who cannot claim benefits** because of problems with their 'right to reside'. Since 2014 this may include work seekers who lose their right to reside after six months, people who work but do not earn enough and people who have lost their job who can only claim unemployment benefits for a restricted time before losing their right to reside as a worker.
- vii. **People with leave to remain with NRPF who through a change in circumstances can no longer support themselves.** Visitors, students, workers and people who come to join their family are usually given leave to stay in the country with no recourse to public funds. But if their circumstances change (e.g. relationship breakdown or through illness) and they cannot go home they may be stranded with NRPF. They may also need legal representation to argue their case to stay in the UK.
- viii. **People given leave to remain with NRPF who cannot support themselves.** The rules on granting leave based on long residence in the UK, including children resident for 7 years or more, changed in 2012. Since then, leave with NRPF is the default option, but most people given this are either in low paid work or unable to work because of childcare commitments. With time and good advocacy support the condition can be lifted but until and unless that happens families become destitute.

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<sup>2</sup> Recourse to public funds' is a legal term defined in the Immigration Rules and used as a condition of a non-EU migrant's leave to remain or enter. In such cases, leave is granted on condition that the migrant can support and accommodate him/herself (and family members where relevant) 'without recourse to public funds'. The public funds this refers to are specified in the Immigration Rules, and include certain types of local authority housing (or nominations for housing), the means tested benefits (such as income support or housing benefit), most disability benefits and child benefit. The condition can only be applied to people given limited leave to remain, and applies to all such leave granted to students, those coming to work, spouses and visitors.

- ix. **Parents of British children** who have a specific right to reside under European rules which gives them the right to stay and bring up their children in the UK but does not make them eligible for housing or benefits
- x. **'Irregular' or 'undocumented' migrants:** people who have no leave, who may have overstayed or entered illegally for a variety of reasons

It is difficult to piece together accurate numbers on the numbers of people involved, partly because of the blurred boundaries between categories. Though anecdotally projects report an increase in migrants with NRPF requiring their support, the statistical data on the numbers of such people is either out of date or incomplete. The data we have includes:

- A study on undocumented migrants by the London Schools of Economics for the Mayor of London which provided a median figure of 618,000 undocumented migrants in the UK. Regarded as the authoritative study at the time, it is now out of date as it was produced in 2009 though based on 2007 data.
- CHAIN collects data on rough sleepers' nationalities and found 911 non-EU nationals, (14% of all rough sleepers) in London in 2013/4. However, these could be homeless people who happened to be citizens of other countries, and may not be 'NRPF' but people with leave and access to benefits.
- About 23,000 people applied for asylum in 2013. 64% of these people were refused, although 24% of those who appealed their decision were successful. In addition, some people made a fresh claim and so got 'recycled' back into the asylum system. Of all those who had applied for asylum in 2012 (a similar number), by the end of 2013 about 30% had been refused and were not recorded as having left the UK voluntary or via removal or deportation. It is therefore a reasonable estimate that each year at least 6,000 more refused asylum seekers are staying in the UK.
- In 2013 50,741 foreign nationals were either removed from the UK or left because of a threat of removal or deportation (the latter forming almost half of the total), an increase of 14% on previous year. However, official figures do not tell us how many of these were effectively 'turned around' at port or airport and so would not have had the chance to become destitute in the UK.
- 566 people applied to the National Referral Mechanism in the first quarter of 2014 to be classified as victims of trafficking. 392 of them were adults, with Albania, Nigeria and Romania the top three countries of origin. 66% were women. 143 of them were trafficked for labour exploitation, 160 for sex and 49 for domestic servitude. One third of them got a positive response, 45% of them were still waiting at the end of the quarter.

## 2. What support is available for migrants with NRPF?

This section gives an overview of the main support options available through mainstream and other routes to migrants with NRPF.

### Local authority support

Local authorities have some legal responsibilities towards migrants with NRPF including their duties under Section 17<sup>3</sup> and Section 21<sup>4</sup>. The NRPF Network has been set up to promote good practice amongst local authorities in respect of their statutory duties towards migrants with NRPF.<sup>5</sup>

Such requirements do, however, sit alongside a raft of other pressures as well as diminishing funding from central government for this work with the result that local authorities can be hard pressed to respond positively to all needs.

Broadly, support and accommodation is available for households with children or adults in need of care and attention, and is not available to most undocumented migrants unless they have made a human rights based application to remain<sup>6</sup>. Councils may offer support to return home in other cases. If support is offered it may include paying private sector rents, placement in specialist accommodation if needed, or support while staying in the community. In one case reported to us, social services in an area of relatively low housing demand and rents negotiated with housing associations to offer occasional vacant properties for peppercorn rents for no recourse cases.

### Rough sleeping and the single service offer

Local authorities coordinate strategies and fund or commission services to reduce rough sleeping in their areas. Commissioned services include hostels, day centres, outreach and other services including 'reconnection' to the last place where the homeless person had settled accommodation. Services for rough sleepers are also provided by non-commissioned voluntary, faith and community groups, such as night shelters offering short term accommodation for homeless people, including those with NRPF. Most shelters operate a referral system from local agencies. Streetlink, the national rough sleeper referral line can also link rough sleepers to appropriate local services.

Commissioned services working with rough sleepers generally (especially in London) make a 'single service offer' to all users as soon as possible, intended to end their homelessness. When this offer is for hostel accommodation entitlement to benefits is a requirement, so the single offer to those who cannot access benefits has tended to be that of 'reconnection', which for many migrants means to cooperate with the Home Office in order to leave the UK. However, although the Home Office may detain people, it is often the case that people end up on the streets again fairly quickly as the Home Office has little hope of removing most undocumented migrants. There is a tense discussion about this, which is part of a wider discussion about the efficacy of the single service offer approach. The Street

<sup>3</sup> Section 17 (1) of the Children's Act 1989 imposes a general duty on local authorities to safeguard and promote the welfare of children within their area who are 'in need'. This applies to all children in the UK regardless of their nationality or immigration status.

<sup>4</sup> Section 21 (1) of the National Assistance Act 1948 directs local authorities to make provision for residential accommodation for those over 18 who by virtue of 'age, illness, disability or any other circumstances are in need of care and attention which is not otherwise available to them'

<sup>5</sup> <http://www.nrpfnetwork.org.uk/Pages/Home.aspx>

<sup>6</sup> For a more detailed explanation which examines the nuances of such eligibility check [www.housing-rights.info](http://www.housing-rights.info)

Legal projects were set up to offer an alternative approach that offered immigration advice, temporary accommodation and voluntary return as part of the package.

### **Accommodation for asylum seekers and victims of trafficking**

Asylum seekers are people who seek permission to stay in the country on the grounds of a well founded fear of persecution. Asylum seekers are 'dispersed', which is the term given to the process by which the Home Office moves an asylum seeker to accommodation outside London and the South East. Such accommodation is provided via private sector contracting, generally in areas of low housing demand, once an asylum application has been officially received or a fresh claim (i.e. a new asylum claim lodged with fresh evidence) judged to have sufficient merit to be pursued. The Home Office did unveil a plan to demand that all such fresh claims were to be made in person in Liverpool, with no statutory provision to pay fares, which has now been put on hold. If it is implemented, it is likely that the number of homeless former asylum seekers will increase unless they can find the means to fund the travel needed to lodge such a claim.

Victims of trafficking accepted by the National Referral Mechanism<sup>7</sup> are able to access accommodation and financial and other support provided by specialist agencies.

### **Informal networks of support**

Most migrants with no recourse support themselves through working (legally or otherwise) and/or get support from friends, family and informal community networks. Family and friendship networks are critical for many and house the vast majority of such people through a network of so-called 'sofa surfing' arrangements which they get to know about through their connections. However, those with less developed networks may find that such informal support comes at a price: perhaps just of accepting difficult conditions but at worse accepting exploitative arrangements to secure a place to live.

There are also informal 'services' offered by migrants for migrants. For example, we were told of a house in Manchester squatted by homeless Polish men who rent out space there nightly in return for bottles of cider. A network of Somali families, all on benefits, offer a rotating night shelter to destitute young men. Such arrangements spring up in response to need and are by their nature highly informal.

### **Specific projects for migrants with NRPF**

The main models of support currently being provided or explored are looked at in Section Two. Traditionally such projects have been relatively isolated from housing and homelessness agencies, though this is now beginning to change. The key features of such projects are a great reliance on volunteers, a capacity and need to assess local opportunities and 'learn on the job' and a commitment (often faith-driven) to respond to the humanitarian challenge posed by often growing numbers of destitute migrants in their area.

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<sup>7</sup> The National Referral Mechanism is the name of a process set up by the UK Government to identify and support victims of trafficking in the UK. It both helps collect data on the scope of human trafficking in the UK and ensure that those who are identified as being 'trafficked' receive the appropriate protection and support.

### 3. Issues raised when accommodating migrants with NRPF

#### The challenges of operating as housing projects

Significant dispersal of asylum seekers out of the south east only started in 1998 and most projects for asylum seekers started about five years later as the destitution problem became apparent. They counted on few initial resources other than enthusiasm, determination and time and were often set up by people who have learned their housing management skills on the job.

During this time, the wider world of housing and homelessness has been changing rapidly:

- Housing markets have overheated in some locations – mainly in London and the South East - making rents inaccessible to many people on benefits and affecting the provision of social housing.
- The costs of developing or buying housing for people in need are now supported by government only if the housing is let at rents described as 'affordable' but actually set at a percentage of the market rent. This leads to increasing numbers of tenants, especially those in work, depending on benefits to survive and the effective exclusion of those unable to claim.
- Regulation of social housing providers who are registered with the Homes and Communities Agency is focused on asset and financial management and arguably constrains a wider community investment role.
- Some of the largest housing associations who manage most of the social housing stock have moved away from being locally rooted and responsive to specific communities
- Many homelessness services have experienced a decrease in funding as a result of reductions to Supporting People – a funding stream many had relied on to fund housing related support. Since the ring fence for supporting people was removed in 2009 the programme is now wholly decentralised, and spending in this area has fallen by a median of 45.3% between 2010/11 and 2014/5<sup>8</sup>. Increasingly, projects accessing this reduced funding are required to agree to prescribed outcomes to secure contracts within a procurement framework. The sector has struggled to adjust to these changes. Much supported housing requires high levels of rent and service charge to cover costs which makes it relatively inaccessible for those on the margins or excluded from benefits.
- In this context, new models of provision for destitute migrants may not fit easily into the wider housing market. As a result, some projects may be relatively isolated from other housing, homelessness and support agencies within their own town and region. Though support networks exist (notably NACCOM, but also wider networks based on faith, political commitment or within the refugee and migrant world) the benefits of being linked to experienced housing providers in the area have sometimes not been realised.

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<sup>8</sup> NAO (2014) Local government report, *The impact of funding reductions on local authorities* <http://www.nao.org.uk/wp-content/uploads/2014/11/Impact-of-funding-reductions-on-local-authorities.pdf>

## Targeting of projects (migrants vs refugees)

Almost all projects based outside London offer accommodation to asylum seekers, normally with a proviso relating to the need to reopen their asylum claim or plan for return. Some accommodate other people as exceptions, usually where there is an 'asylum-like' reason such as suspected trafficking and almost exclusively for migrants from non EU countries.

Most asylum seekers get support and accommodation from the Home Office. For childfree households such support ends when the application ends and when the person becomes, in the legal sense, a person with no current leave. In such cases failed asylum seekers may be eligible for Section 4 ('hard cases') support if they are, for a range of reasons, unable to leave the UK.

Projects explained this focus on asylum seekers either because they felt a sense of moral obligation given what was happening to asylum seekers, or more practically because it was known locally that such people had needed help. Often these two types of motivation converged over time. Few projects had considered extending the remit to other migrants, apart from the individual exceptional cases mentioned above.

Limiting the support given to asylum seekers has advantages, including:

- The likely outcomes and pathways for users are known
- Timescales are also known to some extent (around making fresh claim)
- Projects and individuals are therefore more able to plan
- Referrals in and out are simpler, with partner organisations usually being few in number. Asylum seekers tend to come from specific national groups and often cluster in specific areas, which enables the development of expertise both in working with them in culturally appropriate ways and in supporting them with fresh claims.
- Though those fleeing human rights abuses are more likely to have trauma related illnesses, these are somewhat known quantities with associated resources.
- The association with a human rights cause (and, as a narrative of 'Britain welcomes genuine refugees', one accepted by all significant political parties) is more likely to generate volunteers, support and resources.

Working with a wider range of migrants presents more risks:

- It is likely that users will have less certain options and timescales.
- More dilemmas may present and staff and volunteers have less ethical certainty on which to draw to resolve them. For example, helping someone who came to the UK to work because they believed they could and wanted to escape poverty may feel less morally compelling than helping a girl fleeing gender violence or a man traumatised by the murder of his family or comrades.
- We are at early stages of understanding how migration interacts with mental health, and disentangling the 'refugee effect' from the 'migration effect' which may lie behind some of the disturbing behaviours noted by those working with homeless migrants.
- Projects find it difficult to secure the support they need from other agencies, especially as the negative climate around migration has developed over the last few years.

## Motivation

Many projects are set up by people motivated by faith. Most of these are Christian, although there are a lot of varieties within that description (such as Catholic Worker, Quakers, house churches). Most, at least in theory offer, services to people of all faiths and none, apart from the National Zakat Foundation which is explicitly a service for Muslim people.

Faith communities are an important source of volunteers, faith networks have produced housing and other offers of support, and religious belief has clearly sustained some workers through some difficult times. However, if projects want to expand beyond their current size this may prove limiting. It may for instance limit those who want to volunteer or work with the project.

For those not motivated by religious faith, projects arise through a mix of political, humanitarian and pragmatic motivations. As migration becomes more of a polarising issue this may also present risks. Examples of people offering accommodation to undocumented migrants as an act of political defiance were reported outside the UK (the sanctuary movement in the US has been an example of this as well as more recent ‘tomas’ in Spain) and some reported that this happens on a small scale in the UK<sup>9</sup>. The risk is that the political connotation restricts access to resources or support and may deter funders and supporters of such schemes.

## Upholding human rights

Projects for migrants with NRPF cannot avoid the tensions of upholding rights vs providing charity even if the people they serve seem to have few rights under the current system.

Migrants currently face high levels of discrimination, both official and unofficial, at a time when ways to challenge such discrimination have reduced and rights to access accommodation and support have narrowed.

One response to this has been to seek other ways of upholding rights via the law, by using human rights instruments, European rights, interpretations of existing legislation<sup>10</sup> and using child protection and community care law. These challenges have sometimes shoehorned people into provision designed for others (often a short-lived result<sup>11</sup>), but more commonly have sought to establish a basic level of provision below which no-one should be allowed to fall<sup>12</sup>. The introduction of the private landlord checks in the Immigration Act 2014 stimulated wider interest in using discrimination law to challenge unlawful refusals of housing and benefits.

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<sup>9</sup> For a fictional account of how such arrangements work see the Immigrant X website and associated media at <http://www.buzzfeed.com/nicolasmedinamora/immigrant-x-on-the-border-between-reality-and-fiction#.saR8nod34>

For a current “toma” in Madrid that houses people in “irregular situations” see <http://madrid.tomalosbarrios.net/5285681/>

<sup>10</sup> The National Assistance Act 1948 S21 was of mainly academic interest until it was realised it could be used to provide help for those excluded in 1996 from the homelessness provisions.

<sup>11</sup> For example, the use of the NAA S21 where courts have successively expanded and then reduced its application to people with different levels of need

<sup>12</sup> Supported by reference to Art 3 ECHR on inhuman and degrading treatment, supported by the House of Lords in *R v Secretary of State for the Home Department ex parte Limbuela* [2005] UKHL 66 but previous case law cited *R v. inhabitants of Eastbourne* (1803) 4 East 103 which established human rights in the UK before the Act, citing, in defence of foreigners seeking poor law relief “the law of humanity, which is anterior to all positive laws, obliges us to afford them relief, to save them from starving”



The existence of projects to support destitute migrants can support these efforts to extend legal rights. They may be the first point of contact for people who have rights to be enforced. They make visible an issue that might otherwise not be obvious. Good networks with experienced lawyers enable the identification of litigable issues. Test cases may need accommodation and support while they get into court.

However, there are challenges for projects, including:

- The existence of provision, even at the basic level some projects offer, may conceal a problem, dampen enthusiasm for what may be a difficult legal battle, or even undermine a legal case<sup>13</sup>.
- Where statutory provision is inadequate or demeaning projects may face a dilemma. Asylum support accommodation, for example, is offered on a no choice basis that explicitly must not take account of the applicant's wishes but only of their needs. An applicant who successfully lodges a fresh claim and has what they (and maybe the project) believes is a compelling reason to stay in an area, may nevertheless have accommodation offered elsewhere by the Home Office. In such a circumstance, there may be pressure on the project to continue accommodating.
- Some projects exclude anyone who has rights to other support, but may be unaware of legal developments that move those boundaries.

## Return

Assisting return (including referral to voluntary return projects) must be part of the menu of support offered by projects working with people with NRPF. Some are more explicit about this than others, but most seem to have worked with people who have chosen the return option.

The relationship with voluntary return does not pose a problem of principle. Indeed raising this as an option may provide a welcome springboard to an honest conversation about the reality of an individual's situation and the options open to them.

Raising the issue does, however, present difficulties of degree, emphasis and presentation. Project workers agree that overemphasising it is counter-productive because many migrants need time, thought and more self-esteem to be able to decide to return. Funders and other supporters, however, may want the reassurance that projects are not too reluctant to grasp this nettle, especially since some reports have characterised the migration-focused voluntary sector as opposed to voluntary return<sup>14</sup>.

## Enforcement

The anti-migrant discourses over the last few years have often associated migration with criminality. Living in the UK without leave or without documentation is now routinely described as an 'offence' and the harm caused by 'illegal migrants' is conflated with the harms caused by exploitative and illegal landlords, employers and people traffickers by Home Office officials. Other agencies (some local authorities, hospitals, homelessness agencies) are increasingly involved in enforcement activities. There are also limited

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<sup>13</sup> For example after *Limbuela* the test of whether refusing accommodation and support was in breach of Art 3 depends to some extent on whether there are any other options available

<sup>14</sup> See, for example, *No Easy Options: Irregular immigration in the UK* Tim Finch and Myriam Cherti, IPPR 2009.



solutions for homeless migrants offered by the Home Office in the form of a limited number of places in detention<sup>15</sup> and eventual removal or deportation, for which often there is simply often no capacity.

For those working to reinsert failed asylum seekers into the application process the relationship with the Home Office is easier because it focuses more on compliance (on the basis of an independent relationship) than on enforcement, as one project described. *“We need to work with the HO wherever we possibly can. And try and foster good relationships. So in terms of compliance we encourage strongly all of our residents to report to the HO as required. Because we have discovered that even though fearful of going it doesn’t help them if they don’t. Much more likely to be deported if not reporting than if they are.”*

However, for some NRPF projects, such compliance presents difficulties, and enforcement, of course, presents dangers. And those who work for a wider group of migrants may find that there is resistance to enforcement cooperation, as described by another project: *“Certainly some of our projects are a bit more radical than others – some would not hesitate in hiding people or whatever.”*

For those working with migrants with NRPF, the reasons to cooperate with enforcement strategies are primarily pragmatic rather than moral and hinge on creating and maintaining relationships of trust with enforcers in the interests of the project and residents.

### **The ‘end of the road’**

Most projects make an ‘exit strategy’ a condition of entry. But though many people who have been told they have no further options in the UK can, if given good advice and support, reopen their asylum cases or make a successful application for leave to remain, there are some for whom this is just not possible. All projects work in the knowledge that there are many more people they could be helping and face a dilemma if they are housing someone indefinitely who has no way out.

This is made harder because all involved know that many current policies are unfair, and some people even become involved in projects as an expression of their rejection of how border controls operate. But a failure to open up that discussion with migrants about what will happen and how they may plan for it also lets them down. One interviewee described it as a basic well-being issue, and several noted that unless the conversations are held which help the individual understand what the future will hold in the UK, with no support and no money potentially for the rest of their lives, the ‘choice’ of voluntary return may not have a chance to settle in focus. When that discussion is held without an agenda, with somebody the individual trusts, it may be that for the first time the real choice becomes clear. For all projects, managing the boundary between telling users about how the system works and appearing to support it is a difficult one.

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<sup>15</sup> An option that has proved fatal to some homeless migrants

## 2. Models of Accommodation and Support

Individuals and organisations have developed a range of creative responses to helping migrants with NRPF. This section summarises the main types of provision we found when talking to a sample of projects and initiatives. The research did not evaluate the quality of any provision, but rather gathered the main lessons about setting it up and running it. The examples given here are therefore provided not as ‘best practice’ (though undoubtedly some of them are) but rather examples of a model ‘type’.

Creating clear typologies for this support is challenging. We have deliberately categorised this provision from the point of view of the migrant accessing the accommodation and support, rather than, for instance, on the way in which it is funded. For example, there are different ways in which a group might both fund and manage the provision of a shared houses for migrants with NRPF, but the ‘Shared house with wrap-around support’ model appears only once.

Under each of the following seven headings we give a flavour of the range of projects we found and some key variations between them. The table then lists some key learning which summarise elements it may be useful to consider if thinking about setting up such a scheme.

### 1. Hosting

A range of initiatives round the country offer accommodation to destitute migrants in the homes of volunteer ‘hosts’.

#### *How projects differ around the country*

- ◆ **Location of project.** Hosting has proved more popular in some areas than others. There are not as many hosting schemes as one might expect in London, for example, which may be for a range of reasons including the fact that any spare rooms are, owing to high house and rental prices, more likely to be being rented out to paying lodgers and/or informal arrangements with family, friends or community members. The main exception to this is hosting done through religious orders (such as Jesuit Refugee Services), or Spare Room (a scheme set up by the Quakers).
- ◆ **Presenting need.** Nearly all hosting schemes we looked at were for failed asylum seekers who may want to try and make a fresh claim or challenge support decisions. Some areas may have more destitute asylum seekers (or at least visible destitute asylum seekers) than others given the dispersal of asylum seekers out of London.
- ◆ **Link to other support.** Hosting normally forms part of a basic package of support (which may include for instance advocacy, health advice, employment advice, support in accessing legal support to regularise status and other types of accommodation support). The link to such support is more formal in some hosting schemes than others, and the range of activities and support offers also varies from project to project.
- ◆ **Formality of approach.** At one end of the spectrum are the hosting initiatives which operate almost entirely ‘under the radar’ and informally, where individuals open their doors to destitute migrants off their own bat. We learnt of a few such examples, such as the priest who has been hosting destitute migrants for ten years, or the individual whose home is ‘open house’ for any Eritrean who needs a bed. At the other end of the spectrum are people who are motivated or encouraged to become hosts by chance

encounters, faith connections or curiosity, and who are guided and assessed by a formal 'hosting project' (such as Grace Hosting in Leeds) until they feel ready and able to provide space for a prescribed length of time.

- ◆ **Length of time guests stay in the host's home.** In some projects, hosting is for only emergency accommodation. Night Stop also does this for young people, though is not migrant-specific. At the opposite end of the spectrum are hosting schemes such as Spare Room which may develop into long-standing arrangements. Most hosting arrangements are for between 3 – 6 months. The longest hosting arrangement we heard of was 7 years though this was owing to exceptional circumstances.

<p><b>Why do this?</b></p>	<ul style="list-style-type: none"> <li>▪ Most projects do this to give destitute migrants a period of time in a home environment where they can regroup and focus on sorting out their lives and (it is hoped) regularise their immigration status.</li> <li>▪ Some hosting is also used for emergency accommodation purposes to prevent street-sleeping. In Sheffield, for instance, there is a weekend hosting scheme which fills in for the absence of a night shelter over the weekend for particularly vulnerable migrants.</li> <li>▪ These schemes can be run simply to provide a home base for a while to relieve destitute living. However, it is normal that hosting is for a time-limited period and the process of leaving the host after a period of respite from destitution will need to be managed.</li> </ul>
<p><b>Who is it for?</b></p>	<p>At present projects are primarily for destitute asylum seekers with one or two exceptions, i.e. the 'guests' need to be working towards some kind of regularisation through, normally, a fresh claim. There are clear assessment routes as the risk to hosts needs to be taken into account. Both men and women are hosted, and occasionally couples. People with complex mental health needs are normally screened out, though in Sheffield ASSIST is looking to set up a scheme where particularly experienced hosts take on NRPF migrants with mental health issues who require monitoring and support.</p>
<p><b>What is involved?</b></p>	<ul style="list-style-type: none"> <li>▪ Hosts need to be identified through some route. Projects use various means: through faith groups, stalls at Farmers' Markets, word of mouth, volunteer networks in refugee, asylum seeker and migrant projects and friends. Spare Room has had some success recruiting through flat letting sites.</li> <li>▪ Criteria for accepting people needs to be established. Who are you going to 'allow' as guests and how do you know they are not going to present hosts with an undue burden, stress or even danger? Projects are working with referral agencies (such as the British Red Cross) which both know about local populations of destitute migrants and are skilled in talking with and assessing them. Standard criteria are normally set around 'no drugs, no violence, no severe mental health issues'.</li> <li>▪ The process of 'matching' has to take account of personalities, idiosyncrasies and preferences. Coming to agreements about boundaries for both guest and host is crucial, and needs time to discuss and agree.</li> <li>▪ Ongoing support will need to be provided to the guest (weekly allowance; support to access legal services; travel expenses) and how these are accessed needs to be considered and made clear to both guest and host</li> </ul>

<b>Benefits</b>	<ul style="list-style-type: none"> <li>▪ Does not need much if any investment of money (although it does require an investment in terms of infrastructure and volunteer support, for instance)</li> <li>▪ Can be as big or as small as you like as a scheme, depending on the number of hosts coming forward</li> <li>▪ Hosts can gain from the project with new relationships formed and awareness gained</li> <li>▪ Migrants gain access to good, stable accommodation which may reduce isolation, have a positive impact on their health (both mental and physical) and enable them to progress their case.</li> </ul>
<b>Resources needed</b>	<ul style="list-style-type: none"> <li>▪ Commitment both of organisers and hosts: this often comes in the form of faith-driven motivation</li> <li>▪ Public liability insurance may be needed to cover any damage or losses to the host's home, though approaches vary on this round the country. Some schemes just tell people to check their home contents and buildings policies.</li> <li>▪ Time needed to find, assess and support hosts. Resources needed for this can be considerable and should not be under-estimated</li> <li>▪ Money for guests in the home to cover food</li> <li>▪ Sometimes a small contribution to hosts for house bills</li> <li>▪ Travel costs for guests to ensure they can attend signing and vital appointments</li> </ul>
<b>Good practice</b>	<ul style="list-style-type: none"> <li>▪ Sound assessment process. ASSIST in Sheffield has a scheme which involves more experienced hosts having migrants to stay first for a 'trial', then debriefing after two weeks to check if there are any problems. This scheme only uses couples who are experienced at providing such accommodation as 'test hosts'.</li> <li>▪ Host training – Grace Hosting (Leeds) does two day training, plus evening sessions about boundaries and how to cope with difficulties, for instance.</li> <li>▪ Host support groups during the year, often as informal evenings where people can meet and swap stories, can be useful.</li> <li>▪ Setting good boundaries and knowing the 'dos and don'ts' of hosting (to cover, for instance, what to do if signs of distress, if asked legal questions). As examples, Grace Hosting (Leeds) and Jesuit Refugee Service have hosting handbook that covers these issues well.</li> <li>▪ Agreements drawn up beforehand covering behaviour etc and spelling out expectations and roles. In some longer term hosting arrangements there are expectations around contributing in some way to the household, for instance. Grace Hosting in Leeds has a four-way hosting agreement discussed and agreed between the Hosting project, the host, the guest and the referring agency and a range of protocols covering hosting engagement which they are happy to share.</li> <li>▪ Keep the provision of other resources (money, travel expenses for example) separate from the host so that a) boundaries do not get blurred and b) the 'guest' is encouraged to maintain contact with other services</li> <li>▪ Check in regularly with the host (fortnightly minimum)</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>▪ Hosts can be difficult to find, particularly for longer term (3 months +) spells. Host Beacon in Bradford, for instance, reported that they had found it difficult to find people recently.</li> <li>▪ Even where hosts are found, those who have a spare room may live in</li> </ul>

	<p>relatively affluent areas away from refugee communities and support organisations. This can lead to increased social isolation for guests, especially in predominately white areas.</p> <ul style="list-style-type: none"> <li>▪ These schemes bring volunteer hosts into close proximity with the clients in their home so the need for assessment as a safety measure is great. All projects need good safeguarding policies and processes. Some insist on DBS checks.</li> <li>▪ Large investment of time is needed to constantly support and renew the host 'pool', liaise with hosts and ensure that hosts and guests are well matched and that expectations around the length of time they can stay, and the support hosts are expected to give, are very clear. This also needs to be followed up and checked.</li> <li>▪ Unless time is put into matching the 'host-guest' relationship well these can fail. One experienced hosting agency put it this way: <i>'All thoughts of equal opportunities went out the window when I came to matching hosts: it's things like tidiness, smoking, talking, animal tolerance/acceptance, whether the host wants them to join in, bed times etc which can be make or break the relationship.'</i></li> <li>▪ Hosts may feel reluctant to assert boundaries (for example, around cooking in the kitchen at certain times, number of possessions, use of 'public' spaces)</li> </ul>
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## 2. Providing rooms in a shared house with wrap-around support

Some groups have one or more houses which they lease on a short-term basis to a number of migrants with NRPF who then share the same house. Just Homes is a good example of this model.<sup>16</sup>

### *How projects differ around the country*

- ◆ **Prompt to setting them up.** These schemes are starting for a range of reasons. Some describe providing such accommodation almost by chance because they came into possession of a house (or use of a house) and they know there is a need. Others set out to find a house as part of enhancing an existing package of support to destitute asylum seekers which can help them stabilise their lives and re-engage with legal processes.
- ◆ **Number of houses.** Some projects such as Fresh Start (Refugee Action) in Leicester only have one house whereas other projects own or manage a few houses, such as Hope Housing, Bristol Hospitality Network, Abigail Housing or Open Door North East.
- ◆ **Type of support which comes with the accommodation.** All projects make it clear that ongoing liaison and engagement with formal advice and support is needed and support this to a lesser or greater extent. There are then a range of other activities which may be available. Hope Housing has activities and courses which can be attended, other activities may be home-based and led by the house residents, such as sewing or gardening.
- ◆ **'Homeliness'.** Some projects encourage the guests to make their space into a temporary home, giving residents keys and providing shared facilities. Other projects are more 'belt and braces' and, for example, provide shared rooms only without a key.

<sup>16</sup> <http://www.justhomes.org.uk>

<b>Why do it?</b>	<p>Projects are mainly trying to provide a ‘stepping stone’ from which the destitute asylum seeker can re-orientate themselves and (it is hoped) regularise their status. Current projects have a fairly high level of support to enable the resident to stay focussed on progressing their legal case and moving into statutory accommodation if they can.</p> <p>Another purpose is to provide destitute, homeless and rootless individuals with a stable base and ‘home’ in which they regain a sense of community, self-respect and perspective. Some residents speak about how much better they feel with both a degree of autonomy and a sense of community.</p>
<b>Who is it for?</b>	<p>Projects mainly provide for destitute asylum seekers where there is a chance of regularisation. A Peace House in Coventry is in the process of being set up which will also provide shared accommodation and where it is likely there will be space for migrants who are not asylum seekers – this is currently the exception, however. Projects get referrals from a range of agencies including the Red Cross.</p>
<b>What is involved</b>	<ul style="list-style-type: none"> <li>▪ Getting a house. This may be gifted, leased at peppercorn rent by private landlord, or provided by housing associations or diocese for instance</li> <li>▪ Assessing the state of the properties, both in terms of how ‘habitable’ they are and in terms of how much they might cost to maintain. Advice from a surveyor may be useful in this regard. Open Door, for example, have appointed somebody who used to manage properties for an estate agent.</li> <li>▪ (Potentially) Doing up the building if it is a run-down or uninhabitable property and furnishing it with the basics</li> <li>▪ Working out the ongoing price, taking into account insurance, Council Tax, licensing and any adaptations required (see next section for more on this)</li> <li>▪ Finding people to occupy and assess their suitability (all projects interviewed used referral agencies such as social services, Red Cross or specialist asylum teams)</li> <li>▪ Establishing criteria for accessing the project and assessing tenants and referrals routes from trusted agencies</li> <li>▪ Deciding length of stay permitted. Most are between 3 – 6 months. Some projects report thinking about decreasing the amount of time (e.g. from 4 to 6 months) to allow more people to benefit from the project, but this needs to be balanced against whether the length of time provides sufficient opportunity for them to sort their case.</li> <li>▪ Maintaining and repairing the building and equipment within it and paying for utilities. This can be both time-consuming and expensive, particularly if the houses which have been loaned for free then require significant funding to heat and maintain them<sup>17</sup>. Finding such money from charitable trusts is difficult.</li> <li>▪ Building a positive culture in the shared housing, facilitating and ensuring there is a shared commitment to understanding of ‘house rules’ and other policies and procedures to enable the project to deal with fallouts in relationships, tensions in the house, misunderstandings</li> <li>▪ Introducing and running positive activities (such as gardening, sewing)</li> <li>▪ Helping residents gain access to a range of useful services, primarily advocacy and legal representation (particularly if the core purpose is to help them find a route out of destitution)</li> </ul>

<sup>17</sup> One project quoted £5,000 p.a. per house as a ballpark figure



<b>Benefits</b>	<ul style="list-style-type: none"> <li>▪ Can give migrants a degree of autonomy and a sense of home</li> <li>▪ Particularly outside London there are a range of properties (empty Church properties were frequently mentioned) which may not be suitable for private rented sector but are suitable for temporary accommodation of this nature (although all need to meet minimum standards: see below)</li> <li>▪ Sharing housing with others in a similar situation may help people open up and gain a sense of 'family'</li> </ul>
<b>Resources needed</b>	<ul style="list-style-type: none"> <li>▪ Several such projects have their roots in relationships of trust and/or faith. For example in Glasgow, a new project will place migrants who have had their case assessed in accommodation which is run by a housing provider who will accommodate them whilst they are trying to resolve their case. This offer has been made because of existing relationships between the Refugee Survival Trust and the provider.. In other projects, faith is a motivation for individuals to gift or lend houses, as with Boaz, Abigail, Action Housing and Open Door, for instance. Arimathea was set up by people involved in the Refugee Forum and faith groups.</li> <li>▪ Costs vary depending on whether the house is owned or let and also the amount needed to maintain and heat the house. Funding to cover rent – usually peppercorn - is gained in a variety of ways: grants, individual donations or increasingly the renting of other properties in a way which generates a small surplus which can cover the 'rents' of the NRPF clients. Open Door North East is now acting as managing agent for a range of ex-student properties which were previously rented but had become empty, and charge a management fee for doing this which is channelled back into funding their activities, including accommodation provision for destitute asylum seekers.</li> <li>▪ Other house-related costs include, potentially: insurance; Council Tax; other local authority fees (e.g. licensing); maintenance costs; utilities (electricity and lighting); repair and upkeep</li> <li>▪ Guests will need a weekly payment to cover food and travel (particularly needed for signing on and visits)</li> <li>▪ Staffing within projects delivering this model varies: Boaz and Action Housing have a full time fundraiser whereas other projects report having to cover a multiplicity of tasks and not having sufficient time to e.g. liaise with Councils on exemptions and look to funding sources. Ensuring that there is sufficient expertise to manage and maintain houses is important.</li> </ul>
<b>Good practice</b>	<ul style="list-style-type: none"> <li>▪ Ensure that those managing the project have expertise in both housing management and maintenance, or make contact with those who can provide some e.g. local housing providers who may be able to help with developing policies and procedures, for example.</li> <li>▪ Good induction for residents into a) the rules of the house and b) what services they can access. Boaz takes a month at the beginning of occupancy to orientate with essential services (GP, lawyer, other support services)</li> <li>▪ Regular meetings and attendance at the house. The frequency of this varies from daily to monthly. There should be a strong emphasis on following up on resident engagement, learning if possible from homelessness agencies and supported housing providers.</li> <li>▪ Setting and regularly revisiting rules and agreements about how the house will operate (e.g. on food sharing, guests, smoking, violence etc) is needed as is regular support and checking on residents' engagement with Home Office signing requirements and legal advice (which may sometimes</li> </ul>

	<p>involve accompanying residents to appointments)</p> <ul style="list-style-type: none"> <li>▪ Establish and uphold clear rules around length of stay and what behaviour will result in eviction from the house. Standard rules are around no drugs, violence or fighting. Other rules (such as no male visitors in a shared female house) may be more difficult to set but can be considered important if women with experience of domestic violence are using the house. Fresh Start in Leicester has experience of some of the sensitivities of negotiating and upholding this 'no male visitor' rule.</li> <li>▪ Clear conflict or dispute resolution pathways in the event of tensions or breach of rules, rooted in effective resident engagement practices</li> <li>▪ Involving the residents in meaningful activities: for instance, cooking, gardening, various learning projects.</li> <li>▪ Planning for outcomes: Arimathea uses an adapted version of the outcomes star in use in homelessness projects to discuss and plan progress with users</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>▪ Shared housing often involves disputes and these may be caused or exacerbated by different cultures, religions or just the stress of vulnerable and depressed people with no prior relationship living together. Again resident engagement here is the key, coupled with good assessment and monitoring. Even these won't prevent some instances happening, but poor assessment or monitoring will increase the risks of dangerous incidents in the home: various examples of aggression were reported.</li> <li>▪ Managing and maintaining property is more time-consuming than most expect, as several projects reported. A lack of skills and experience in property management can mean that the range of tasks required is not fully thought through. Though people can learn on the job, it is vital to remember that maintenance takes many forms, from serious structural issues to mending a washing machine.</li> <li>▪ Damage to property results in liabilities and potentially losing the accommodation</li> <li>▪ Range of regulations govern the specification of the house which need to be adhered to.</li> <li>▪ Moving people on into lower standard accommodation (e.g. via Section 4 support, which may be hundreds of miles away) can be difficult as several projects (such as Praxis) report. There can be conflicted feelings when somebody moves to a non-destitute status and gains Section 4 accommodation but loses the home they have come to feel comfortable in.</li> <li>▪ Home office raids can prove damaging for a household and projects reported a range of episodes where they have had to win back trust. Most projects seek to 'register' the presence of the house in the hope of keeping HO officials away, and this sometimes works if good relationships are built up. However, communication can break down: one such episode resulted in a raid on a shared house the day after Zimbabweans were pronounced safe to return in Leicester. House residents were shaken and temporarily lost trust in what the project told them as a result.</li> <li>▪ People may leave and join the house at different times so maintaining a sense of shared commitment to the house, and introducing meaningful activities, may be difficult.</li> </ul>



### 3. Providing rooms for migrants within a mixed shared house

Some groups provide one or more rooms for migrants with NRPF in a house which is otherwise rented out to refugees with status (normally newly recognised). Arimathea Trust in Nottingham<sup>18</sup> has just opened such a house and Open Door North East has long experience of doing this. Praxis has set up a project which will mix (and cross subsidise) social services placements and other destitute migrants.

#### *How projects differ around the country*

- ◆ **Number of houses and rooms.** Open Door have developed a model where one room for a migrant with NRPF is possible in an otherwise rented space. Other models are possible.
- ◆ **Type of support which comes with the accommodation.** Rooms are offered in the expectation that the migrant with NRPF will engage with trying to regularise their status, but the level and quality of support for this may vary.

<b>Why do it?</b>	<p>Projects provide a 'stepping stone' from which the destitute asylum seeker can re-orientate themselves and (it is hoped) regularise their status.</p> <p>This type of model may be suitable where the provision of low cost housing to disadvantaged people is already up and running and there is potential for a room to be set aside for a migrant with no recourse.</p>
<b>Who is it for?</b>	Projects provide for destitute asylum seekers where there is a chance of regularisation. Individual migrants with NRPF will access such schemes through networks and other support agencies, as well as night shelters and other emergency accommodation.
<b>What is involved</b>	<ul style="list-style-type: none"> <li>▪ Obtaining a house in which a room can be set aside, which is owned or managed by the project.</li> <li>▪ Making the room available to a migrant with NRPF needs to be understood by others living in the house and be an accepted condition of their tenancy</li> <li>▪ The individual needs to be assessed and referred by an agency which knows how to assess suitability such as the Red Cross</li> <li>▪ Deciding on length of time people can stay</li> <li>▪ Maintaining and repairing the building and equipment within it</li> <li>▪ Paying utilities and maintenance costs</li> <li>▪ Dealing with any fallouts in relationships, tensions in the house, misunderstandings</li> <li>▪ Helping residents gain access to a range of useful services, primarily advocacy and legal representation (particularly if the core purpose is to help them regularise status)</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>▪ Can give migrants with NRPF a degree of autonomy and a sense of home</li> <li>▪ Having a room in a house where there are others whose status has been regularised may act as incentive and a 'positive model' to the individual to pursue their legal case ('It is possible')</li> <li>▪ Sharing housing with others who have been through similar experiences may help them open up and share their stories.</li> </ul>

<sup>18</sup> <http://nottinghamarimathea.org.uk/new-house-opening-october-2014/and>

<b>Resources needed</b>	<ul style="list-style-type: none"> <li>▪ House to rent, which can come from a variety of sources (gifted, renting from friendly landlords, straightforward commercial arrangements in areas where housing is cheap enough, loan of house from e.g. Diocese)</li> <li>▪ Costs will vary and clearly when other rooms in the house are being rented (even at low rates) there is a possibility that this can cover the cost of the one room. However, the amount of work needed to model this effectively, take proper account of voids and costs associated with all the rooms, find and support the rent-payers, and carry out the full range of landlord responsibilities towards them should not be underestimated.</li> <li>▪ Other house-related costs include, potentially: insurance; Council Tax; other local authority fees (e.g. licensing); maintenance costs; utilities (electricity and lighting); repair and upkeep</li> <li>▪ NRPF residents need a weekly payment to cover food and travel (particularly needed for signing on and visits)</li> <li>▪ Staff and volunteers to cover the maintenance and care of the house and support the residents.</li> </ul>
<b>Good practice</b>	<ul style="list-style-type: none"> <li>▪ Good induction for all residents into a) the rules of the house and b) what services they can access. Boaz takes a month at the beginning of occupancy to orientate with essential services (GP, lawyer, other support services)</li> <li>▪ Supporting and checking on NRPF residents' engagement with both HO signing and legal advice (including, sometimes, accompanying them to appointments)</li> <li>▪ Rules around length of stay, and what behaviour will result in eviction from the house. Standard rules are around smoking, drugs, no violence or fighting. However, for mixed houses there must be absolute clarity that NRPF residents, as bare licensees, actually have fewer legal rights than the refugee renters, who are likely to be tenants. Projects must decide how this plays out in practice: while they obviously have different occupancy agreements, and the options for eviction of renters are more limited and complicated, the basic house rules need to cover everyone.</li> <li>▪ Regular engagement and follow up with residents about the observance of rules and agreements about how the house will operate (e.g. food sharing, guests, smoking etc) to ensure that these are being followed and to resolve any emerging disputes.</li> <li>▪ Clear conflict or dispute resolution pathways</li> <li>▪ Mapping and making good use of existing expertise (for instance, legal) and other agencies (e.g. refugee agencies) operating in the area and forging partnerships to help provide the support needed.</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>▪ Many of the risks associated with this provision are dealt with in more detail in the section below on housing management.</li> <li>▪ Assessing individuals in terms both of their eligibility and 'fit' within the house</li> <li>▪ Lack of skills and experience in property management means that the range of tasks required and the level of ongoing funding needed for heating and maintenance is not fully thought through.</li> <li>▪ Damage to property results in liabilities and potentially losing the accommodation in the short or long term</li> <li>▪ A range of regulations govern the specification of the house which need to be adhered to.</li> <li>▪ Moving NRPF people on into lower standard accommodation (e.g. Section</li> </ul>

	<p>4) can be difficult as several projects (such as Praxis) report. There can be conflicted feelings when somebody moves to a non-destitute status and gains Section 4 accommodation but loses the home they have come to feel comfortable in.</p> <ul style="list-style-type: none"> <li>▪ Home Office raids. The risk of these can be decreased by liaison and negotiation with the Home Office and the effects on residents mitigated by explaining about the nature of the scheme and being 'up front' with them. But refugee renting residents may find the possibility quite disturbing, given they now hope to feel safe enough to settle, and should be encouraged to make sure they have their documentation always available (actually, this is good general advice given the number of places where documentation checks now happen)</li> <li>▪ Managing refugee accommodation requires specific skills, networks etc. Projects need to decide how much they are going to do for these tenants, or how they are to refer them for employment, training, benefits, legal and other advice. The mix may also cause resentment: tenants may be getting advice about how to find work while NRPF licensees are still worrying about whether they will be able to reopen their case. The importance of partnerships to help pull in a range of expertise and not try to do it all yourself is extremely important here.</li> </ul>
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## 4. Communities

Some projects working with destitute migrants described themselves as communities: in other words they seek to minimise the differences between migrant service users and those providing the service and do this particularly by being involved in joint activities and decision-making. We spoke to three people involved in running communities and visited one.

### *How projects differ around the country*

- ◆ **History:** each community represents a different story. Emmaus was famously set up by Abbe Pierre in 1949, Catholic Worker houses continue a tradition of hospitality initiated in the US in the 1930s, the Bristol community acknowledges its learning from Catholic Worker but is not exclusively Christian.
- ◆ **Ideology:** all communities could possibly describe themselves as rooted in solidarity and share an absolute belief in residents' as doers, deciders and makers of their own and the world's futures. Their reasons for choosing to work in this way are, however different in ways that, from the outside seem quite subtle but are clearly important to founders and participants.
- ◆ **Activities:** Emmaus intends to be a self sufficient social enterprise, with all members working in furniture reclamation to pay for the community. Catholic Worker exists to bear witness and to act, so non migrant (and maybe some migrant?) members are involved principally in campaigning against war and also on migration. The Bristol community also has some social enterprise as a means of fundraising and organises joint social activities. The Catholic Worker farm grows food as well as campaigning on peace etc.

<b>Why do this?</b>	<p>Communities tend to share basic motivations:</p> <ul style="list-style-type: none"> <li>• A worked out belief in the intrinsic value of all human beings and their equality</li> <li>• A belief that the way asylum seekers (and maybe migrants) are treated in the UK is wrong in the light of this</li> <li>• A belief in the value and effectiveness of solidarity</li> </ul>
<b>Who is it for?</b>	<p>All projects we spoke to worked with former asylum seekers, although they did allow for some exceptions. Others (other Emmaus communities, for example) may house a wider variety of migrants within a broader group of homeless people. The Peace House being planned for Coventry will house women and include a wider group than just asylum seekers, but seek some connection to human rights abuses.</p>
<b>What is involved</b>	<p>All communities live together, sharing meals and tasks and have some degree of joint decision-making, with rules agreed and enforced. Residents usually have access to some form of minimal allowance for needs outside the home. Communities have good links to other services for migrant residents, and may take referrals from them.</p>
<b>Benefits</b>	<p>Residents at Giuseppe Conlon House put it at the top of an imagined hierarchy of provision: <i>"Other people say I live in heaven" "You couldn't find anywhere more welcoming than here; "You won't find a better place." "Nightshelter better than the bus station, Shelter from the Storm better than the nightshelter, here is better than Shelter from the Storm"</i></p> <p>Solidarity can actually work: for some it increases self esteem, it overcomes a lot of obstacles and enables a lot of sensible, sensitive approaches</p>
<b>Resources needed</b>	<ul style="list-style-type: none"> <li>▪ Communities' main resource needs are for people with the commitment, shared belief and energy to make them work. Emmaus has a more conventional business model and uses Housing Benefit to fund other residents, but the social enterprise profits and donations to pay for the two migrant places in Oxford.</li> <li>▪ Catholic Worker in London uses church premises on a lease and gets about £30,000 p.a. in donations from individuals and religious orders. Bristol has a donated (lent) home, charges rent to the non-migrant hosts in houses, has some income from social enterprises in which residents are involved and some grant aid for specific parts of the project.</li> </ul>
<b>Good practice</b>	<ul style="list-style-type: none"> <li>▪ The involvement of guests/companions/users in decision-making is exemplary. Bristol notes that the demand for core rules came from them.</li> <li>▪ The effective use of resources makes these projects very good value for money but it is probably more important to emphasise that they see their own value in something much more significant than monetary terms.</li> <li>▪ The other solidarity activities may contribute to long term attitudinal change which would benefit all migrants</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>▪ All three projects interviewed told us they had too many meetings!</li> <li>▪ Models of good participative decision-making can be culturally specific and so need work to make them function in such mixed communities (so more meetings!)</li> <li>▪ With the exception of Emmaus (who simply include small numbers of migrants in wider projects and are part of an international federation) these projects may be insecure with risks from internal disagreements and external factors (loss of buildings for example, or internal disagreements or disillusion). But they do work: Catholic Worker has been offering hospitality for 80 years.</li> </ul>

## 5. Night Shelters

Night shelters offer free or very cheap accommodation for a limited period of time, sometimes on a night by night basis. Some function specifically in winter months, and many rotate their operations between different venues each day. There are shelters in most London boroughs and year round night shelters in various places (for example, one in Glasgow and Liverpool were mentioned). Two examples examined were Shelter from the Storm and Missionaries of Charity which operate from specific premises. Boaz run a night shelter specifically for asylum seekers in Manchester, on a rotating basis.

### *How projects differ around the country*

- ◆ **Availability:** some shelters operate year round and some only for the winter months
- ◆ **Attitude to migrants:** since night shelter accommodation is free, there is no need to claim Housing Benefit for residents. Others have excellent links with migrant organisations and advice, and some projects run exclusively for asylum seekers
- ◆ **Occupancy time:** a few shelters operate night by night so there is no guarantee that accommodation will be available tomorrow. Most take people for longer
- ◆ **Networks:** some are very much part of local networks (Refugee Survival Trust's project in Glasgow has arrangements with a local law firms, for instance) but others are less so.

<b>Why do this?</b>	<p>Many night shelters are set up and supported by faith groups, often part of ecumenical activities, with different groups contributing premises, food, money and volunteers</p> <ul style="list-style-type: none"> <li>• Shelter from the Storm was set up by two people determined to do something practical for homeless people.</li> <li>• Missionaries of Charity is run by a religious order and described by one ex user as very old fashioned.</li> <li>• Boaz, ASSIST and Open Door run the night shelters as part of their suite of services</li> </ul>
<b>Who is it for?</b>	<p>Apart from Boaz, anyone who is physically homeless, including all types of migrants (although some shelters reportedly may refuse some migrants). In London 23% of users of winter shelters were non UK, non EEA migrants, although many may have had access to public funds.</p>
<b>What is involved</b>	<ul style="list-style-type: none"> <li>▪ Finding a place to stay (if it is a winter and rotating shelters). One common model is to find seven churches or other premises which offer their space one night a week.</li> <li>▪ Getting bedding provided (in each venue)</li> <li>▪ Assessing people as they come in and turning away those who do not meet criteria or adhere to the rules (e.g. no alcohol or drugs). Some shelters only take referrals from specified agencies.</li> <li>▪ Providing hot food for dinner and breakfast.</li> <li>▪ Having volunteers to oversee the stay during the night</li> <li>▪ Making sure people leave in the morning</li> <li>▪ Providing information on places people can go during the day</li> <li>▪ Referrals to other agencies where appropriate and possible</li> <li>▪ For 'fixed' shelters: a similar process.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>▪ Relief for those who are otherwise likely to be the most vulnerable</li> <li>▪ 'Night by night' model means you don't need to look after people during the day (though providing information is a good idea and some shelters</li> </ul>

	<p>make every attempt to refer)</p> <ul style="list-style-type: none"> <li>▪ Night shelters are a good way to attract and then filter/assess/triage people for other services such as accommodation or hosting</li> </ul>
<b>Resources needed</b>	<ul style="list-style-type: none"> <li>▪ Housing Justice works with the growing network of church and community night shelters offering start up training and support, as well as their 'Shelter in a Pack' guide and Quality Mark accreditation scheme. Small grants are available to new night shelters in their network. They record that 'Each pound of government money invested this season has released £11.92 of volunteer time' which is a handy assessment of the relative importance of money vs volunteering in this type of provision.</li> <li>▪ For shelters offering longer term accommodation such as Shelter from the Storm quite a lot of fund-raising is needed, with an enthusiastic team of volunteers doing it. Missionaries of Charity also fundraise and have the extra input from the Sisters themselves.</li> <li>▪ Access to suitable premises.</li> <li>▪ In some cases referral agencies.</li> </ul>
<b>Good practice</b>	<ul style="list-style-type: none"> <li>▪ There is a constant attempt to improve the quality of accommodation on offer and encourage providers to maintain minimum standards in winter and rotating shelters. The Housing Justice Quality Mark accreditation scheme, and the training and resources it offers, could help with this.</li> <li>▪ Most projects emphasise the importance of welcome and this certainly contributes to self esteem and allowing users to move on and make changes if needed or access necessary services</li> <li>▪ The communal nature of provision can break down isolation, encourage people to communicate and learn from and teach each other.</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>▪ Rotating and winter night shelters depend on goodwill, available premises and strong organisation. All are variable commodities.</li> <li>▪ Some premises are inadequate: ideally users should, for example, be able to shower. And some cannot.</li> <li>▪ Longer term users of the 'rotating' nightshelters find the constant moving with nowhere to leave possessions unsettling, as do users of the Missionaries of Charity who have to queue nightly for a bed.</li> <li>▪ Users of some nightshelters may include quite a lot of people with quite severe problems which have contributed to their continuing street homelessness. This can be intimidating for other users such as NRPF migrants<sup>19</sup>.</li> <li>▪ There are gaps in the day when neither shelters nor other provision is open and this leaves people at risk</li> <li>▪ Where shelters do not confine themselves to referrals only, volunteering on the door can be very difficult as it requires high level assessment skills and some determination and presence.</li> <li>▪ As with other provision for rough sleepers there is an occasional accusation (though no particular foundation in fact) that they facilitate a street lifestyle. The more 'old fashioned' shelters are certainly founded on ideas of dependence</li> </ul>

<sup>19</sup> Although one author has an abiding memory of referring a Latin American refugee some years ago to one of the worst shelters in London as the only bed available that night and getting a phone call the next morning thanking her profusely because the abundance of 'material' there had sorted his writers block.

## 6. Hostels

There are no hostels specifically for people with no recourse to public funds, but some hostels do set aside a small number of places or fund-raise to do so. The best known of these are Women's Aid, but some larger homelessness organisations also do this. We spoke to St Mungo's Broadway.

### *How projects differ around the country*

- ◆ **Type of hostel:** women's refuges have been offering no recourse places for many years (in fact, since women on spousal visas got excluded from benefits). Emmaus provides similar accommodation but in a community. More recently some homeless hostels have started to offer places to support wider projects, for example by taking referrals from day centres.

<b>Why do this?</b>	<ul style="list-style-type: none"> <li>▪ Women's refuges come from a tradition of setting up and offering accommodation as a way to generate strategic and other change. Their continuing offer of NRPF places is part of an effort to plug the gaps left in provision for women victims of domestic violence, after quite successful campaigns to ensure there is decent provision from women on spousal visas in this situation</li> <li>▪ Hostels for the homeless tend to offer places as part of wider projects to support such as Street Legal</li> </ul>
<b>Who is it for?</b>	<ul style="list-style-type: none"> <li>• This provision is in very small numbers and so the beneficiaries are quite specific. Obviously refuges are for women victims of domestic violence and those with NRPF are likely to be partners of people on time-limited visas or undocumented migrants. The places offered via Street Legal are for people identified as street homeless who need a place to stay while they get and act on immigration advice.</li> </ul>
<b>What is involved</b>	<ul style="list-style-type: none"> <li>▪ The hostels simply offer a place to a person with NRPF but do not charge anything. Where necessary there will also usually be some arrangement to pay some money to buy food and toiletries.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>▪ Hostels usually have a programme of activities and support from which the person placed can benefit.</li> <li>▪ Hostels have proven skills in housing and resident management</li> <li>▪ Conditions are usually good and provide a stable base from which users can sort out their immigration problems.</li> </ul>
<b>Resources needed</b>	<ul style="list-style-type: none"> <li>▪ Hostel places are usually quite expensive, with high rents and service charges. If the hostel has a regular void rate, migrants can be accommodated within that, but there is an opportunity cost if paying users have to be refused because the place is full.</li> <li>▪ Some places are funded as part of projects, or hostels may fundraise for e.g. a welfare fund to pay weekly allowances.</li> </ul>
<b>Good practice</b>	<ul style="list-style-type: none"> <li>▪ Integration of migrants into all hostel programmes aids self development and integration</li> <li>▪ Working with established providers of homeless accommodation improves relationships between migrant and homelessness agencies</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>▪ The expense makes such provision difficult. Places are thus funding dependant.</li> <li>▪ Migrants may not feel comfortable in this accommodation.</li> </ul>



## 7. Paying rent for a migrant to live in a house or hostel

Organisations helping destitute migrants may pay the rent for a home or a hostel place for users. The National Zakat Foundation does this if it is needed, for as long as necessary, and the Red Cross pays for bed and breakfast places in an emergency.

### *How projects differ around the country*

- ◆ **We only found two forms of this provision** but it is quite possible that it happens as a one off in other areas, especially where there are particularly vulnerable clients<sup>20</sup>
- ◆ **We have been told that some faith leaders sometimes do this**

<b>Why do this?</b>	<ul style="list-style-type: none"> <li>Organisations pay for accommodation as part of the work they are doing to meet need.</li> </ul>
<b>Who is it for?</b>	<ul style="list-style-type: none"> <li>The NZF helps Muslims in need. The Red Cross generally focuses on destitute former asylum seekers</li> </ul>
<b>What is involved</b>	<ul style="list-style-type: none"> <li>Assessment of the need, and of why other provision is unsuitable</li> <li>Arrangements with the relevant landlords. NZF has co funded four hostels for Muslims where people usually fund their stay via housing benefit but the Foundation will pay for places for people who need their assistance. They also pay rent on private flats if the user can find one. BRC uses bed and breakfast occasionally.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>Simplicity is the main benefit: this simply uses existing provision.</li> </ul>
<b>Resources needed</b>	<ul style="list-style-type: none"> <li>Money to pay rent, assessment skills for need and also for the suitability of the accommodation (especially if using bed and breakfast)</li> </ul>
<b>Good practice</b>	<ul style="list-style-type: none"> <li>Because this provision has to be so limited (for financial reasons) there need to be firm criteria for who gets it</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>This provision is expensive</li> <li>Vulnerable users may be exploited by some landlords.</li> </ul>

<sup>20</sup> In fact, after we had conducted our research, we were told that some visitor groups offer this service for a limited period to ex detainees



### 3. Property Ownership & Management

Projects providing accommodation, whether exclusively for NRPF migrants or as part of mixed schemes, need to acquire and manage it. This section looks at the ways in which this is done and some of the challenges and solutions.

Many of the issues explored here are common to all providers of supported and shared housing. Projects exploring the development of new schemes may find it useful not only to ask for properties from other providers, but also for their expertise and professional help.

#### 1. Acquiring property

Some projects own property, some lease it and some have arrangements to use buildings at a nil or peppercorn rent. Projects can become 'accidental landlords' through legacy, for example. Other projects are given property acquired by people as an investment (as opposed to 'buy to let') and are allowed to rent this out while the houses increase in value. A Christian organisation, Hope into Action<sup>21</sup>, encourages people to do this as a form of ethical investment.

Green Pastures<sup>22</sup> is a social investment vehicle set up to encourage local partners to house the homeless, and includes Arimathea, Abigail and Boaz among its partners. Since this model of ownership has to offer a viable rate of return to investors, it does depend on a particular moment in the housing market, and to some extent on the area, as well as on realistic options for funding or cross subsidy (see below). Much depends on the level of rent charge, the package of support and the availability or desirability of exemption status for housing benefit. They may thus be more viable in some areas than others, and be less attractive if the housing market settles or declines.

Projects with mixed schemes based on cross subsidising may be able to convince social or other investors of the longer term viability of their model. This is the basis of the Praxis plan: although it does rely on some funding from outside sources for the pilot the aim is to put together the right package to enable expansion or replication without further subsidy.

Other projects identify owners with a social purpose who are prepared to allow use of available buildings. Fresh Start in Leicester has use of an empty diocesan property which it has brought into use with the help of a large donation. Hope in Birmingham, Praxis in London and Arimathea in Nottingham have been offered properties by housing associations, most only one or two, although Hope has nine. These options may reduce now since associations are under increasing pressure to 'sweat their assets' to provide more housing.

In areas of lower rents it may be possible, especially in an area of low housing demand (such as Middlesbrough), simply to negotiate with local landlords for a reduced rent to make the scheme viable. In all cases where properties are to be acquired by sale, leasing or loan, professional advice (which may be available pro bono<sup>23</sup>) from surveyors can help assess costs, risks (especially of major disrepair) and options.

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<sup>21</sup> <http://hopeintoaction.org.uk>

<sup>22</sup> <http://greenpastures.net>

<sup>23</sup> Via the RICS Charity Property Help scheme <http://www.rics.org/us/about-rics/what-we-do/corporate-responsibility/charity-property-help/> or from direct sympathetic contacts

## 2. Managing properties

Some projects have staff or volunteers with specific housing management responsibilities but this is only possible in larger or cross subsidised schemes. Providers, residents and supporters have expressed concern that standards of housing management may need improving. Where properties have been leased from housing associations or churches it has sometimes been possible to include housing management and/or repairs as part of the deal. In all cases it is vital that there is a written agreement about who is responsible for different levels of repairs and maintenance: again involving surveyors at the outset will point this up. For housing associations this may represent a small subsidy to the project. Given the economies of scale involved (maintaining and repairing one more property is not a large cost) this may make sense and it also offsets the risk of the property declining in value due to disrepair (a major concern at the moment because of action by the housing regulator) and causing any problems for the head landlord because of failure to do essential checks on gas and electricity.

Many projects find property management a burden. Few have staff or volunteers with any background in housing management and struggle to keep up with it. Maintenance and disrepair is more of a problem in shared housing, and projects working on tight budgets with a lot of volunteer input may be unaware of or unable to carry out their obligations as landlords. This is, after all, provision for people who otherwise would be street homeless, and most users are very grateful for what they are offered. However, while repairing obligations for non-tenants are less rigorous, there is a fundamental duty of care and some specific obligations in addition. Getting advice and support on these is sometimes difficult, and because the arrangements are unusual, 'normal' landlord/tenant law (about which it is relatively easy to get information) does not apply in every instance. Projects therefore need to develop relationships<sup>24</sup> that can advise them honestly and well.

Most houses are shared and this presents additional problems of having to both develop effective resident engagement processes and policies and manage resident conflicts and behaviour. This is a difficult line to walk: too many rules and the project not only becomes 'part of the system' but also has to put a lot of energy into enforcing rules and working out what to do when they are broken. Too few rules and residents may feel unsafe or worry about where the boundaries are. Many projects report challenges in this regard in their own organisation or in others.

Some projects seem confused about what was 'legal' within houses. Several projects said they could only place four people or less in a house whatever the size, which was clearly a reference to the HMO regulations which are explained briefly below. However, other projects are concerned about the problems of managing houses with 12 people. At least one new project reported negotiating a labyrinth of HMO and hostel rules to find out where their project would fit.

## 3. HMO regulations

Houses in Multiple Occupation (HMO) present particular risks to occupants because of increased risks of fire and injury. National regulations thus lay down registration/licensing for some larger HMOs, and minimum standards relating to means of escape from fire, fire precautions and alarms, housing management, numbers of WCs, baths, wash hand basins,

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<sup>24</sup> i.e. with sympathetic surveyors and solicitors

food storage where relevant etc. are enforced via regular inspections by the local authority. This is paid for from the fee charged for all licences. Local authorities can also set up additional licensing schemes for specific areas, which cover smaller HMOs and some are now running selective licensing schemes that cover all other privately rented properties within the area. Newham, for example, runs a selective licensing scheme for the whole borough<sup>25</sup>. Landlords who fail to register and pay the relevant fee can be prosecuted and also have the proceeds of all rents confiscated.

The national HMO regulations apply to any house of three or more storeys with five or more people living in two or more households. Households are strictly defined effectively as families (i.e. people related to each other living together). Hence the problem with putting more than four people into a taller house: if this is done then the house becomes subject to the HMO regulations and attracts an expensive regime of fees, inspections and licences, as well as requirements to install more facilities.

The additional licensing schemes declared by local authorities for particular areas cover properties where there are three or more tenants in two or more households. And selective licensing covers all privately rented homes.

These regulations cover any occupancy, including homes that are exclusively occupied by people who pay no rent (who are effectively bare licensees i.e. paying no rent in order to occupy and so having very few rights). They also cover mixed houses where some people pay rent, and if those people are tenants there will be additional repairing obligations. This is also an issue that will need reviewing if the landlord immigration checks proposals are rolled out more widely as if anyone is paying rent to occupy the premises all occupants will be covered.

#### **4. Taxes and council tax in particular**

Most occupied residential properties are liable for council tax, and either the owner or a resident (or the residents jointly) are liable. Owners are liable for council tax for HMOs, hostels, hotels, refuges, temporary homes etc. Otherwise, residents, including those not paying rent or not even legally occupying the property are liable in the absence of any owner occupier or tenants. Councils have discretion to waive tax or to write it off if appropriate.

Some projects mentioned problems with council tax especially in mixed houses. Others, more worryingly, did not, although it may be that they simply included the tax among the expenses they expected to meet. Some had negotiated discounts or more complicated arrangements with local councils.

#### **5. Mixed schemes, cross subsidy, housing benefit and exemption**

Several projects had developed or were considering setting up mixed schemes where other residents paid rents which subsidised the provision of free accommodation for people with NRPF. Some had naturally parlayed their skills into providing homes to refugees. Most such schemes relied on paying tenants being able to pay rent, for which, in many cases, they needed to claim housing benefit (HB).

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<sup>25</sup> From 1<sup>st</sup> April 2015 schemes which cover more than 20% of the local authority area or privately rented properties within it will need government approval.

HB however, has been substantially reduced for private sector tenants. People under 35 can claim only a Local Housing Allowance equivalent to a presumed 'single room rent'. Those over 35 are paid a maximum equivalent to a rent assessed as less than the average private rent in the area<sup>26</sup>. This does not allow for much cross subsidy. However, some rental arrangements can get HB to cover their rents at more than this if they are 'exempted' from the current regime. This is only open to local authorities, housing associations, voluntary organisations or charities providing accommodation along with 'care, support or supervision to the tenant,' in other words more intense housing management that falls short of care that might be provided in residential care homes (which can charge a lot more but are subject to much more regulation) and is also the sort of housing management, as opposed to service charges, which HB covers.

The problem is that the exemption exists to enable projects to house people with extra needs who thus require extra management. It is not intended to provide any money above this level<sup>27</sup>, and certainly not to use housing benefit to cover the costs of people ineligible for it. Providers of exempt accommodation are expected to fund support costs (as distinct from management costs) from sources other than HB (and some charge the tenants for it, expecting them to pay this from their benefits). For those tenants living in exempt accommodation and eligible for HB, charging higher rents (and paying support costs if applicable) leaves them more dependent on benefits. For schemes looking to house newly recognised refugees (who are more likely to need extra support, and may even be former project users) the higher rents charged may thus prove a disincentive to work. IN all cases, exempt schemes need to provide a clearly defined package of support, have criteria for who needs to access it, and, where appropriate, how and when people exit the support package.

NACCOM members have access to a very useful step by step guide on housing refugees, prepared for them by Mark Goldup of HGO consultants, which addresses the problems noted above in some detail.

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<sup>26</sup> In fact they are paid at the 30<sup>th</sup> percentile point of the median rents

<sup>27</sup> Indeed there is currently a review of supported housing costs

## 4. Potential new developments

This section includes models or ideas mentioned to us during the research which may hold some potential for future work in the UK.

Various schemes or projects were mentioned which seemed to hold some potential for housing migrants with NRPF. Some of these schemes already exist for non-migrants in the UK, others are ‘germs of ideas’ and others are examples of what people believe may exist elsewhere, especially in Europe.

It was notable that though we asked European networks<sup>28</sup> for suggestion of innovative or unusual approaches to this work, most were not on further investigation for migrants with NRPF but rather for other groups, principally refugees or people entitled to some form of support. For example, a project in Gothenburg<sup>29</sup> does outreach and provides night shelter accommodation specifically for destitute EU migrants with no recourse, but the rules are strict (two nights in, two nights out and strictly applied criteria which exclude undocumented, Swedish citizens, asylum seekers and tourists), partly because this has been funded by the city authority as a response to the growing problems of EU migrants, mainly Romanian, living in forests around the city and begging on the streets.

### ‘The Grand Hotel’: harnessing artistic and political commitment

The Grand Hotel Cosmopolis is a project set up by a group of artists who took over a dilapidated hotel in Augsburg and persuaded the city’s (right wing) administration to allow them to house asylum seekers in it alongside the hotel guests and the artists using the studios they created. It is now billed as ‘Germany’s most unusual hotel’. However, it is targeted at asylum seekers still engaged in the process of applying and thus entitled to some support. The driving force behind Cosmopolis’ creation appears to have been the determination of the artists to make the space work artistically coupled with a strong anti-racist conviction. Similarly, a UK project to crowdfund buying a castle in Scotland<sup>30</sup> to provide asylum accommodation owed a lot to a playful insistence on doing something unusual as well as political.

### Cross-subsidising projects

The Grand Hotel Cosmopolis illustrates that cross-subsidy does not have to be between projects for the poor and disadvantaged. In theory it would be possible for an enthusiast with the right skills to set up a project that houses those with money and used the profits to house the destitute. As long as the project delivers on the service offered, there is no reason in theory why it would not work. The problem, of course, is that people with the skills to obtain and market high value flats are in short supply among organisations working with destitute migrants.

The main form of ‘cross-subsidy’ currently being actively discussed and explored is through developing parallel projects for destitute migrants with NRPF as well as accommodation for

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<sup>28</sup> FEANTSA identified projects but there were few for this target group

<sup>29</sup> <http://www.stadsmissionen.org/detta-gor-vi/eu-migranter/>

<sup>30</sup> <http://www.independent.co.uk/news/weird-news/students-aim-to-raise-6m-to-buy-a-castle-for-asylum-seekers-9832094.html>  
This scheme has unfortunately failed.

recognised refugees. NACCOM has commissioned work on this area<sup>31</sup> to help those thinking of starting or developing such schemes and there are already several projects around the country exploring this, some with a few years' experience.

### Occupying empty buildings

There are housing projects on the edge of the law across Europe which may be housing destitute migrants along with others. The *tomas* and *okupas*<sup>32</sup> in Spain have taken over unoccupied or unfinished housing developments and have set up 'social centres' as well as provide accommodation as a protest against evictions and homelessness. Similar movements exist in the UK (in spite of the criminalisation of squatting in residential building) at much lower levels and may house people with NRPF. In Sweden, the 'No One Is Illegal' networks offer help to undocumented migrants, raise money for 'food and rent' and may well house them informally<sup>33</sup>. How much these develop and grow will be a function of increasing political polarisation, and whether they become a more frequent option for people with NRPF depends on how successful migrant organisations and movements are at developing links with those involved. From conversations with those currently running NRPF projects it is probable that some might find themselves in sympathy with these movements and some would not.

### Property Guardians

Property guardian schemes were set up originally in the Netherlands as anti-squatting projects. In the UK the 'property guardian' business is now well established and offers short term relatively cheap accommodation to people who can provide the necessary rent guarantees and promise to move on request. One such scheme prioritises housing people who volunteer<sup>34</sup>.

In theory there is nothing to stop organisations trying to set up similar projects for destitute migrants. In practice, the use of vacant church buildings for some projects we interviewed is much like an ethical property guardian arrangement. Moving into competing with the commercial arrangements now popular in London may be difficult, however, since they are marketed to property owners in terms of both the desirability and the disposability of the occupants. It could be investigated, however.

### Hospital referrals as potential source of revenue

Street Legal East takes referrals from at least one hospital, and NHS staff welcome the way the project can stop 'bed blocking' by migrants with NRPF. Other projects we spoke with such as Boaz Trust report that they receive enquiries from hospitals to accommodate migrants with NRPF who are currently occupying a hospital bed. The NHS is also funding pilot housing schemes to facilitate hospital discharge, although these rely on housing benefit to pay rent. If it were possible to quantify how many NRPF migrants have delayed discharge because of their problems accessing services, and how much that costs, it may be possible to

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<sup>31</sup> Mark Goldup (HGO Consultancy) is currently taking forward this work with NACCOM and producing a 'Decision Tree' and costing spreadsheet tool which will be useful to groups exploring this model.

<sup>32</sup> A photograph of one has become an iconic image of Barcelona [http://commons.wikimedia.org/wiki/File:Barc\\_okupa.jpg](http://commons.wikimedia.org/wiki/File:Barc_okupa.jpg). A list of social centres, in Spain and elsewhere, including many that are "tomas" and some that offer accommodation is at [http://wiki.15m.cc/wiki/Lista\\_de\\_centros\\_sociales](http://wiki.15m.cc/wiki/Lista_de_centros_sociales)

<sup>33</sup> <http://www.ingenillegal.org/no-one-illegal-world-without-borders>

<sup>34</sup> <http://www.dotdotdotproperty.com>

put together a project that seeks to house them at lower cost. Risks include the fact that numbers may not be great and the demand may be quite erratic.

### Respite hosting

Virtually all current hosting schemes are for destitute asylum seekers and projects are therefore trying to find hosts located near where 'guests' need to report and access legal provision. It was noted that this rules out tracts of the country (rural areas and smaller towns) where there may be a willingness to host combined, in some instances with lower property prices, larger houses, or both. An example of a 'holiday hosting' scheme was given (one in rural Essex, one in Yorkshire) where the asylum seeker can stay for a rest and recharge when they need a break from the accommodation they have been provided through, for instance, Section 4.

Such hosting potentially has two uses: a back up respite for long-term hosts who may, for instance, want to go away for a while and lock up their house, and the potential of offering a break to destitute migrants in different surroundings which they may find restful. The removal of choice when caught in the cycles of destitution and poverty is one of the biggest deprivations: this could be one way to bring it back, however briefly.

## 5. Practical recommendations for current work

This section summarises general suggestions made during the research which could help develop accommodation and support models for migrants with NRPF in the UK now.

### Recommendations for funders and investors

1. **Assess how destitute migrants fit your priorities.** Migrants with NRPF are part of many local communities, they are homeless and they are often in great need.
2. **Ensure projects are properly networked.** Successful projects are actively involved in relevant national networks, and will also have a good local network to provide relevant expertise
3. **Consider value holistically** and assess the benefits for both individuals and projects on non-financial as well as financial criteria
4. **Consider funding new ideas or new combinations of ideas.** This is still an emerging field and there is room for more innovation

### Recommendations for those thinking of setting up projects

1. **Start by mapping what is needed** and considering what types of migrant you may need to work with. To make a business case you will need an idea of numbers to be helped, an awareness of their needs, length of time they need help, what other problems they may have and what external factors may change this (changes in asylum processes, for example).
2. **Map what is already available** and the options from statutory and other services. The gap may be in advice or other services to ensure that people exercise their rights rather than in accommodation
3. **Set up your networks.** Join the relevant national networks and use the resources they have. Locally, ensure that you have proper referral arrangements to get good quality legal and immigration advice and for those who need to move on from the project
4. **Talk to local housing providers** and ask them for help. They may also be able to find you pro bono expertise in housing related areas

### Recommendations for those running projects

1. **Learn from housing providers.** There is a need to learn from other housing providers, especially those with long experience of providing supported and shared housing. At present many projects providing accommodation to migrants with NRPF are learning on the job, often in relative isolation, and best practice could be nurtured by making links with such providers.
2. **Business modelling.** It would be helpful for current and future projects to focus on business modelling in order to better gauge the skills, resources and commitment involved in setting up schemes. There are a range of potential sources of support, including recent costing models developed for NACCOM by Mark Goldup (HGO consultancy)



3. **Accurate assessment of housing stock.** Managing housing stock requires a good assessment of the state of properties to assess not only how habitable potential properties are, but also how much they will need to maintain them (particularly heating and repairs). Finding people who have skills in this area to contribute to a project is very useful, and some projects are beginning to recruit people with such experience.
  4. **Partnerships with others who can support the project.** There are a number of areas of skill and competency needed to accommodate and support migrants with NRPF and it makes sense to take some time working out the best partnerships and networks which can help with this. For example, ensuring that there are good links to referral agencies is key, as is developing good relationships with local law centres and lawyers. In particular, all projects need to have an effective partnership in place to ensure referrals to good quality immigration advice given by people aware of the specific issues likely to arise. This may need funding independent of legal aid for some cases.
  5. **National partnerships.** NACCOM is the key network for people to get connected with if they are considering starting a project in their area. Housing Justice provides a network for all night shelters. In London, the London Hosting network may also be helpful, and the new Strategic Alliance of national migrant and homelessness agencies has been formed and will be leading on a series of national and local events during 2015.
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## Appendix 1: Who we consulted

We would like to thank the following people who helped us by sharing information about their projects, research and experience.

Name	Organisation	Where located
Alastair Murray	Housing Justice	London-based national body
Asif Bhayat	National Zakat Foundation	London-based national body
Caron Boulghassoul	Arimathea Trust	Nottingham
Cath McGee	Refugee Survival Trust (DASS project)	Glasgow
Chris Gwyntopher	Spare Room	London
Daniel Glover	Abigail Housing	West Yorkshire (Bradford and Leeds)
Dave Smith	Boaz Trust	Manchester
Eleanor Fethney	Refugee Action and Street Legal West	National organisation with offices around the country (Refugee Action).
Emma Renshaw	Red Cross	National organisation with offices round the country. (Emma is based in London)
Fabrizio Vittoria	Crossroads	Gothenburg
Hazel Williams	ASAP (Asylum Support Appeals Project)	Based in London but with a national helpline.
Heather Petch	Adviser JRF	National
Jean Demars	Praxis	London (East)
Jochen Kortlaender	Assist	Sheffield
Jonny Mallam Clark	Giuseppe Conlon House (Catholic Workers)	London (Haringey)
Julian Prior	Action Foundation	Newcastle upon Tyne
Katrina Burton	Grace Hosting and LASSN	Leeds
Kellie Higgins	Refugee Council	London-based national charity
Louise Zandre	Jesuit Refugee Service	London
Mark Goldup	Housing Consultant	
Mauro Striano	FEANTSA	Brussels (European network of national organisations working with the homeless)
Paul Birtill	Metropolitan Housing	London
Paul Catterell	Open Door North East	Tees Valley
Rachael Bee	Bristol Hospitality Network	Bristol
Safia Munn	St. Mungo's and Praxis	London
Samantha Rennie	Homeless Link	London
Santok Odedra	Refugee Action/Fresh Start	Leicester
Sarah Taal	Hope Housing	Birmingham
Will Sutcliffe	Host Beacon	Bradford
Wyon Stansfeld	Emmaus	Oxford

In addition we talked to twelve migrants with NRPF, at Giuseppe Conlon House (four interviewed), via Hackney Migrants' Centre (two interviewed) and at ASHA Drop in centre in Manchester (six interviewed)

## Appendix 2: Sources of further information

This appendix pulls together information on up-to-date and forthcoming sources of more detailed information and support on issues raised in the report.

### Strategic Alliance on Migrant Destitution

Destitution among migrants with no recourse to public funds (NRPF) is of increasing concern to funders, homelessness and housing organisations, advice and migrant support organisations. Groups are starting to come together to look at ways to tackle it through increasing bedspaces and integrated pathways out of destitution. This is demonstrated by the initiation of a strategic alliance of national organisations, and by a number of simultaneous research reports.

The Strategic Alliance on Migrant Destitution aims to increase the number of bedspaces available to destitute migrants as well as routes out of destitution, including immigration advice and representation. Members of the alliance are national bodies including the British Red Cross, Housing Justice, Migrant Rights Network, NACCOM, Refugee Action, Refugee Council and Homeless Link which is hosting the Alliance. It has received initial funding from the Migration Foundation and JRF to develop joint work across the relevant sectors and is holding a series of local events across England in summer/autumn 2015.

### Petch, H. Perry, J, Lukes. S (in press) Report on Homelessness and Destitution among non-EU migrants. London: Joseph Rowntree Foundation

Drawing on JRF's scoping and development work to support housing and routes out of destitution for non-EU migrants this report is designed to inform and equip funders, investors and other supporters to act confidently and lawfully. Targeted at charitable trusts and foundations, housing associations, social investors, individual philanthropists and faith and community groups, it provides an understanding of:

- who we are talking about; how migrants become “undocumented” and how this might lead to destitution and homelessness, including 14 case histories;
- what experiencing destitution means to those affected, where help is available and constraints on that help;
- interventions needed to tackle destitution and some of the existing services and initiatives which are addressing these and need support;
- the legal framework for bodies interested in providing or supporting services.

JRF and the Joseph Rowntree Housing Trust joined with the Association of Charitable Foundations (ACF) to secure Counsel's opinion on the legal issues. Adrian Berry of Garden Court Chambers with input from Rosamund McCarthy, senior partner and Keith Jenkins, senior associate of BWB LLP and Devonshires Solicitors respectively provided legal opinion. Overall, they concluded that there is no impediment to funding and supporting projects that are helping non-EU migrants as long as this is in good faith, for humanitarian purposes, in line with charitable objects and compliant with the latest legislation which has not yet rolled out (nationwide) beyond the West Midlands.

**Clayton.G (in press) Models of immigration advice, advocacy and representation for destitute migrants, focusing on refused asylum seekers. London: Future Advice Fund**

Outlining examples of provision of immigration advice for destitute refused asylum seekers, this report examines differing approaches to supporting routes out of destitution, identifies contrasting models and assesses strengths and limitations. It considers the kinds of support that help destitute people to regularise their status and how they can gain access to this in a context of cuts in legal aid. It explores opportunities and limitations associated with making fresh claims for asylum and human rights protection, including where destitute asylum seekers may not previously have received adequate, or any, advice.

The report draws attention to models of provision to make good use of limited resources through partnership working. It identifies key factors in initiatives aiming to meet the legal needs of refused asylum seekers.

**Murray, A. Accommodation in London for Rough Sleepers with No Recourse to Public Funds. London: Housing Justice for the Greater London Authority**

A study of services for destitute non-EU nationals in London. It maps current accommodation provision for people with no recourse to public funds and investigates the possibility of creating a framework for matching accommodation offers with referrals of street homeless clients with NRPF from outreach providers. It:

- Maps and describes the range of accommodation options and support offered to people with NRPF by faith and community groups in London.
- Tests the willingness of groups providing this type of accommodation to cooperate with GLA/outreach/Home Office partnership initiatives and detailing any barriers to cooperation. Should some willingness be indicated it develops an appropriate and robust framework for matching accommodation offers with referrals and making recommendations about how this might be implemented.

Available at: [www.housingjustice.org.uk/data/\\_resources/620/GLA-report-draft-2.pdf](http://www.housingjustice.org.uk/data/_resources/620/GLA-report-draft-2.pdf)

**Housing rights website**

This web resource, developed originally by HACT and CIH and now run by CIH with BME National, is a detailed guide to the eligibility of different classes of migrant for housing allocations, homelessness help and housing benefit. It has special sections on assisting destitute migrants and on the private rented sector. It covers England and Wales with a separate set of pages for Scotland. It is regularly revised and updated.

[www.housing-rights.info](http://www.housing-rights.info)