

# The use of institutional accommodation during the pandemic – asylum accommodation

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[Asylum Matters](#) works locally, regionally, and nationally to improve the lives of people seeking asylum. Our five regional representatives are based in North East England, North West England, Wales, the West Midlands and Yorkshire and Humber.

Asylum Matters [submitted evidence](#) on behalf of several organisations to the Home Affairs Select Committee's inquiry into Home Office preparedness for COVID-19 in May 2020. Many of our concerns about the suitability of the asylum accommodation estate – particularly contingency accommodation – remain live.

In July 2020 we also published alongside 41 partner organisations '[Wake Up Call](#)': a report which outlined many of the ongoing dysfunctions in the asylum accommodation and support system experienced through the transition to the new Asylum Accommodation and Support Contracts (AASC). Throughout the pandemic, these systemic problems have persisted, and have been exacerbated.

There have been further developments within the Home Office's approach to the management of asylum accommodation in the second half of 2020 that warrant particular attention. Consequently, this evidence submission first focuses on the relatively recent introduction of large-scale accommodation centres in Penally, Pembrokeshire and Napier, Folkestone, before considering some of recurrent themes across the institutional accommodation estate.

## Summary

The issues seen with asylum accommodation during the pandemic have been exacerbated by long-term, systemic problems within the asylum accommodation system and the way that it is managed. The current use of clearly unsuitable sites in Napier and Penally is a very harmful manifestation of this.

During the pandemic, public health is paramount. The Home Office has a duty of care to people in asylum accommodation, and as such, must ensure, monitor, and enforce that harmful practices within asylum accommodation – such as conditions that put people at heightened risk of COVID-19, or hinder their ability to self-isolate – are designed out of the system.

Beyond the immediacy of COVID-19, it is critical that people seeking asylum are provided with safe, dignified, and appropriate housing in communities for the full duration of their asylum claim. The barracks and other large-scale sites must be immediately closed, hotel and other contingency accommodation use rapidly decreased, with a return to community-based dispersal as default. This requires immediate action, but also long-term investment in improving asylum accommodation and the dispersal system, in line with many previous recommendations from various stakeholders, including the Home Affairs Select Committee.

### 1. Use of disused military barracks as asylum accommodation

***The Home Office must immediately and completely close the sites at Penally, Napier, and Yarl's Wood, and residents must be moved to appropriate dispersal accommodation in community settings at the earliest possible opportunity.***

In September 2020, the Home Office and contracted provider Clearsprings started to accommodate people seeking asylum in unused military barracks in **Penally**, Pembrokeshire and **Napier**, Folkestone. Since the opening of these sites, residents, NGOs, members of Parliament, medical bodies, local and devolved governments, and many others have raised serious concerns about the suitability of barracks for the purposes of accommodating people seeking asylum.

The Home Office claims that its sites are “[safe, fit for purpose and equipped in line with existing contractual requirements](#)”. We have not been able to find any evidence to support this claim. Rather the increasing use of the camps directly contradicts public health guidance<sup>1</sup> and is in direct contradiction to previous recommendations of the Committee.<sup>2</sup> Testimony from residents<sup>3</sup> and [advocates](#) presents a compelling case that they are in fact utterly unsafe, particularly in the current context.

Whilst the Home Office has repeatedly stated it will ‘only’ accommodate single, male adults with no known vulnerabilities in these facilities, there have been repeated instances of [individuals being moved out of camps](#) pre judicial hearings when an individual’s presence in them has been challenged.

There are factors which are common to some or all the Crown land sites envisaged or in use:

- The sites are characterised by **persistent and consistent reports of unsafe and degrading conditions**. This has in turn resulted in residents expressing their discontent and anguish, through protests or, more recently through hunger strike. Most recently, Napier has seen a serious coronavirus outbreak.
- They are either in very **isolated locations** or in places where there is very limited third sector infrastructure to support the needs of people seeking asylum: the camp at Penally for example is in the middle of a rural community used to tourism.<sup>4</sup>
- The use of the sites has been characterised by an almost total **lack of consultation** with local communities, especially before the fact of them being brought into use. Local authorities and – in the case of Penally, the [Welsh Government](#) - have raised serious concerns about the Home Office’s lack of consultation with relevant local and devolved government in the decision to use these sites, and the Department’s ongoing lack of engagement with requests for improvements or changes to the sites;
- There has been a marked **lack of transparency** about the Home Office’s plans to use these sites as asylum accommodation. The Home Office’s intention to use these sites was not shared with key NGO stakeholder forums until after the sites had been established. To date, the Equality Impact Assessment for the use of the sites has not been publicly published.
- The sites have become a focus of community tensions – becoming a focal point for **far-right activity** both on social media and ‘in real life’. The sites at Penally and Napier have both become increasingly and violently contested, with resulting detriment to residents.

Whilst the Home Office states [that the use of the facilities is a temporary measure](#)<sup>5</sup>, it is our understanding that there are already people who have been in both Napier and Penally for over four months.

We maintain that military barracks are completely unsafe and inappropriate accommodation for people seeking refugee protection. The Home Office must urgently close these sites and provide people seeking asylum with adequate accommodation in communities.

## 1.2 COVID-19 security in asylum accommodation

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<sup>1</sup> [Public Health England guidance published on 15 December 2020](#).

<sup>2</sup> See [Fourth Report of Committee on preparedness for COVID-19](#) para 48: ‘The Home Office must take appropriate action, including contract variation if necessary, to ensure room sharing across the whole estate is phased out. The Department must also ensure that additional accommodation obtained to meet this requirement is of a high quality and fit for purpose.’

<sup>3</sup> See, in particular testimony from residents at [Penally](#) (26.11.20) and [Napier](#) (22.1.21)

<sup>4</sup> In October 2020, the Home Office was quoted as saying that people seeking asylum ‘*should be placed in major conurbations wherever possible so that appropriate support and services can be more readily provided.*’. This was in the context of a hotel housing people seeking asylum in the Home Secretary’s constituency being [taken out of service](#).

<sup>5</sup> See, most recently, [UIN 141565](#) answered on 26 January 2021

## Barracks

In parts of the asylum accommodation estate – notably the two barrack-style facilities in Penally and Napier – unrelated adults are expected to share sleeping spaces and bathrooms. In the case of these new facilities, we understand that upwards of 20 people are expected to share large dormitory-style bedrooms.

We maintain that the practice of enforced bedroom sharing in the asylum accommodation estate is always unacceptable, and even more so in the current context. Large scale shared accommodation risks putting residents at increased risk of COVID-19, and actively hinders their ability to keep themselves safe from the virus.

Public Health England guidance to accommodation providers on how to manage the pandemic was [published on 15 December 2020](#). A key recommendation within this guidance was for providers to “identify single rooms with ensuite bathroom facilities for all residents, which should be suitable for self-isolation.” We cannot see how the shared sleeping spaces and bathrooms in Napier and Penally are compliant with this [public health guidance](#).

[Annex C to the Statement of Requirements](#) to the Asylum Support and Accommodation Contract (AASC) also sets out detailed specifications on room sharing. Annex C Paragraph C.1.6.4 states “The Provider shall not accommodate ‘individuals or groups of individuals within the same Accommodation if Local Authority services or primary or secondary care bodies advise otherwise, unless explicitly authorised by the Authority.’” It is difficult to see how the advice of healthcare bodies at this time would be that the practice of forced bedroom sharing – particularly on the large scale seen in the barracks in Penally and Napier – would remain acceptable.

In October 2020, the Home Office commissioned a ‘rapid review’ of asylum accommodation carried out by a risk management consultancy, [intended to ‘provide assurance of compliance with public health guidelines to prevent the transmission of COVID-19’](#) and ‘provide advice and guidance to the Home Office, providers and individual accommodation units on best practice on prevent transmission of COVID-19’. This involved visits to several contingency sites, chosen by the Home Office.

On 12 November 2020 Minister for Immigration Compliance Chris Philp MP stated that a [report was due by the end of November and that the Home Office would seek to publish a summary of the recommendations](#). It has further been stated that the Home Office [will hold roundtables with stakeholders on its findings](#). We have not yet seen the outcome of this review, so we are unable to make any judgement in relation to the review’s findings and are unaware of what, if any lessons may have been learned.

### Initial and other contingency accommodation

In respect of the management of COVID-19 generally, the issues documented in institutional accommodation by the Committee in its July report persist - as one example a coronavirus outbreak in Stone Road Initial Accommodation Centre in Birmingham in August 2020 resulted in people being moved to London at short notice and [without adequate consultation](#)<sup>6</sup> and resulted in six local authorities in the Midlands and Hammersmith and Fulham Council [protesting to the Home Office](#). Subsequently concerns about the accommodation provider’s handling of COVID-19 management and lack of information to residents in a Birmingham hotel led to the local authority stating it had ‘[no option](#)’ other than to submit a formal report into the national pandemic emergency response structure.

In some cases, providers have made efforts to ensure that initial accommodation is COVID-secure. For example, when one initial accommodation site reopened in October following a COVID-19 outbreak in September, the provider agreed to [end all bedroom sharing between unrelated adults in the centre](#).

The Public Health England guidance published in December includes recommendations that accommodation providers should ensure that all residents in **all** accommodation settings should: have access to hand sanitiser and

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<sup>6</sup> This outbreak was covered by the Public Accounts Committee in its [Twenty-Fifth Report of session](#), 9 November 2020, para 19

face coverings; be aware of and adhere to national and local restrictions, and gave advice on testing arrangements, including that providers should make arrangements to immediately test any resident who becomes symptomatic.<sup>7</sup>

Notably, there has still been no information openly published by the Home Office on whether there has been any variation in contractual obligations for either AASC or AIRE.

## 2. Ongoing concerns around extended use of hotel type-accommodation.

***It is essential that use of contingency accommodation across the entire accommodation estate is reduced. Length of stays in initial or contingency accommodation must be minimised, and people seeking asylum must be moved to appropriate dispersal accommodation in community settings at the earliest possible opportunity.***

The Home Office does not provide publicly available detailed information on the number of people in contingency accommodation, or how this contingency accommodation is distributed across the UK. Recent Home Office figures cite over 10,000 people on Section 98 support; this number also includes people who have applied for, or are even receiving, Section 95 support but are accommodated in contingency accommodation.<sup>8</sup> This is the highest number on record and amounts for roughly 17.5% of the total number of people seeking asylum in receipt of asylum support.

Reports of people seeking asylum experiencing problems with facilities, food, and physical space; being unable to meet their essential living needs; social isolation; lack of access to support and legal advice and security risks persist nationally at worryingly high levels.<sup>9</sup> The Committee has previously heard substantial evidence of the real harms inflicted on people seeking asylum who have been accommodated for long periods of time in contingency accommodation. Now, many people in contingency accommodation continue to be housed in hotels, and some have been in this situation since the first lockdown in March 2020.

In September 2019, during the contract transition between previous COMPASS providers and the current AASC providers, there was a marked increase in the use of contingency accommodation to house people seeking asylum, including the use of hotels. Many of the issues with this type of accommodation in 2019 – outlined in our joint report [Wake Up Call](#) – were seen again in the Home Office's approach to rapid procurement of hotels and contingency accommodation in 2020. Lessons that could have been learnt by the Home Office and accommodation providers following transition have not materialised and opportunities to improve the experiences of people seeking asylum have been missed.

The reduction of contingency accommodation is the Home Office's declared position at this time.<sup>10</sup> In November 2020 the Public Accounts Committee recommended that the Home Office set out, within three months, a clear plan on how it will quickly and safely reduce the use of hotels and ensure that asylum seekers' accommodation meets their individual needs.<sup>11</sup> As far as we are aware, this has not yet happened.

It is critical that any plan to reduce the use of contingency accommodation not only addresses the immediate issues of finding suitable dispersal accommodation, but also addresses the structural issues within the Home Office's approach to asylum accommodation that has resulted in repeated tensions between local authorities and the Department, and an overreliance on contingency accommodation. These themes – better communication and consultation; the importance of direct funding to local areas; and equity in asylum dispersal across the UK – have been discussed in depth by the Home Affairs Select Committee and must be foundational to the Home Office's approach to rebuilding post-pandemic.

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<sup>7</sup> See also paragraph 32 report of the committee. [The Government's response](#) stated that Public Health Guidance was to test people 'if they are symptomatic or if they are in any accommodation where cases are confirmed as part of an outbreak management strategy'.

<sup>8</sup> Section 98 is support provided to people seeking asylum who would otherwise be destitute, whilst they make an application for Section 95 support. Data sourced from [Q3 Asylum Data Tables](#).

<sup>9</sup> See [Refugee Action, COVID-19 Information and Data Hub, Bulletin 7, 12 November 2020](#)

<sup>10</sup> See, inter alia, para 18 of the [Government's response to the Committee](#), (also answer to PQs [7 10 2020](#))

<sup>11</sup> [Twenty-Fifth Report of session](#), Public Accounts Committee, 9 November 2020, para 2

### 3. Inadequate asylum support rates in both contingency accommodation and beyond.

The Home Office has made some limited provision to support people living in contingency accommodation. In October 2020, the Minister for Immigration Compliance announced a weekly cash payment of £8 to people in contingency on Section 95 or Section 4(2) asylum support, reflecting the Home Office assessment of costs for buying items to meet needs related to clothes, non-prescription medicines, and travel, which are not met through the provision of full-board accommodation. There was also an announcement of some backdated payments (£3 a week backdated from March to reflect clothing needs and £4.70 a week backdated from July to reflect travel needs). These payments are contingent on people in hotels being issued with ASPEN cards - a process which has just got underway (January 2021).

It is worth noting that people in contingency accommodation who are yet to make an application for S95 support are not eligible for this limited provision of financial support. As the Home Office does not disaggregate the data of those living in contingency accommodation by type of support received, it is not possible to state how many people are living without any form of financial support within asylum accommodation. It is critical that everyone in contingency accommodation can access an adequate level of cash support to help them meet their essential living needs.

Whilst the provision of some very limited level of autonomy for people in contingency accommodation is welcome, we strongly maintain that asylum support payments are **insufficient to meet even the most basic living needs**. This applies both to people in full-board accommodation receiving £8 a week, and those in self-contained accommodation receiving £39.63 a week.

In July and August 2020, [a survey we carried out of 184 people seeking asylum on mainstream asylum support](#) (in self-contained accommodation) showed that £39.63 a week of support meant that **84%** of people did not always have enough money to buy food, **63%** of people could not always afford the medicines they needed, and only **one in four** people stated they could afford essential cleaning products.<sup>12</sup>

### 4. Communications to people in asylum accommodation in relation to COVID-19 and support available if they need to self-isolate or practice shielding.

During COVID, accommodation providers continue to provide a limited service, especially outside contingency settings to people seeking asylum. Reports persist of [increased substandard conditions](#) in the dispersal accommodation estate. Written communication by accommodation providers to people seeking asylum in the dispersal estate on what to expect from them during the pandemic and changes in restrictions has been inconsistent and, in some cases, absent.

We are aware of written communications by the provider Mears (Yorkshire and Humber / North East) in June, September and November 2020 informing people in dispersal accommodation of changes in restrictions, advice on what to do if symptomatic and telling people what to expect from their provider, including how to access food parcels and welfare calls. Conversely, we have no evidence that in Serco contract areas, there has been any similar written update for people in dispersed accommodation since a letter was sent at the beginning of the pandemic in March 2020.

### 5. Measures put in place to protect people seeking asylum from evictions into homelessness

In August 2020, the Home Office recommenced move on from the asylum accommodation estate for people with positive decisions. To do this, there was a process of data sharing with local authorities, which facilitated the ability of local authorities to help new refugees to allow them to successfully access mainstream benefits and housing. Such 'positive cessations' have continued through the national lockdown of January 2021. There has been no commitment to extend the move on period for those with a positive decision until the first benefit payment is received, as recommended by the Committee.

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<sup>12</sup> [Locked into Poverty, Life on Asylum Support, Asylum Matters, November 2020](#)

Whilst the Home Office attempted to recommence evicting people into homelessness from asylum accommodation in September 2020, there is at the time of writing an ongoing pause on the eviction of people who have had negative asylum decisions, following the national lockdown in winter 2020/21.

This protection from evictions is a central tenet of keeping people seeking asylum safe during the COVID-19 pandemic and beyond. Over the course of the pandemic, [local and combined authorities](#) have reiterated the importance of keeping everyone safe from homelessness, including people seeking asylum, and have recommended long term structural changes to prevent asylum-related destitution.

It is crucial that progressive measures introduced to keep people safe are maintained following lockdown.

## **6. The challenge of vaccinations for people in asylum accommodation**

The roll out of vaccinations against coronavirus is one of the greatest logistical challenges faced by Government and health services in living memory. It is critical that people seeking refugee protection are, like the rest of the UK population, given fair and equitable access to the vaccine.

We know that people seeking asylum face multiple barriers in GP registration, particularly people living in initial or contingency accommodation, and as a result are not registered. Since the AASC contracts came into force, the accommodation providers have an obligation only to signpost people to GPs in dispersal accommodation (or temporary dispersed accommodation), unless in specific circumstances.<sup>13</sup> We are concerned to hear reports of people in initial accommodation or contingency accommodation being unable to access GP services.<sup>14</sup>

It is critical that the Home Office works with national and local stakeholders to ensure that people seeking asylum are not hindered from accessing the vaccine due to structural problems in the asylum accommodation estate.

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<sup>13</sup> See para 4.4.5 [AASC Statement of Requirements](#)

<sup>14</sup> See [evidence submitted by Doctors of the World](#) to the Home Affairs Select Committee (2021)