

Written evidence submitted by NACCOM [IOC 222]

1. Background to NACCOM

NACCOM is the No Accommodation Network. We have 112 member organisations and individuals across the UK working collectively to end destitution amongst people seeking asylum, refugees and migrants with no recourse to public funds (NRPF). Of our 112 members, 62 are providing direct accommodation to destitute people through hosting, housing, and night shelter provision. We were set up in 2006 and became a registered charity in 2015. Our staff team of 6 supports our members to increase the number of bed spaces they offer and become more sustainable through providing networking opportunities, advice, guidance, training and events. We gather evidence from our members to publish research reports and campaign for policy changes to reduce destitution.

2. Network members are predominantly grass roots charitable organisations providing essential services including accommodation to people who would otherwise be street homeless. [Last year](#), over 3200 people were accommodated by members, whilst at least 1200 further people who needed accommodation were turned away due to lack of capacity.

3. *NB: This submission refers to No Recourse to Public Funds throughout. We use this term to refer to both people with existing visas that are subject to No Recourse to Public Funds conditions and others without Leave to Remain who are unable to access public funds. This includes; people who have been refused asylum, people who have had their Leave to Remain revoked and others who are undocumented migrants.*

4. Introduction

In the midst of an acute public health crisis, the people NACCOM members support are currently unable to protect themselves or their communities. They are unable to access accommodation because of restrictions on accessing public funds and a wider hostile environment regime that prioritises immigration enforcement over public health measures. NACCOM welcomes measures set out by Ministry for Housing, Communities and Local Government to support and accommodate people with an insecure immigration status during the pandemic period. However, there is a need for further guidance and funding to ensure that everyone who is rough sleeping or at risk of rough sleeping is able to access accommodation and follow the instructions from Public Health England.

5. The Coronavirus pandemic has highlighted the impact of a dysfunctional system that prevents some people from accessing their basic rights to housing and health. It is clear that this system is unable to respond effectively to the huge challenges that COVID-19 brings and that people are therefore placed in grave danger. It is essential that the Government sets out smart policies to protect all people that are commensurate with the wider risk to public health. There are immediate and achievable steps to reduce destitution and homelessness amongst people with insecure migration status that can be taken by the MHCLG to save lives and protect wellbeing.

6. Recommendations:

- MHCLG must provide clarity to Local Authorities, specifying that the additional funding of £3.2 billion can be lawfully used by councils to either directly provide or commission local charities to accommodate, and support NRPF individuals.

- We are calling on MHCLG to ring-fence further funding for Local Authorities to ensure that everyone, regardless of immigration status, can access self-contained accommodation, financial support and are able to self-isolate safely whether they are symptomatic or not.
- A taskforce should be set up between Local Authorities, the Home Office, MHCLG and third sector partners to plan transitional routes for everyone from emergency and asylum accommodation into secure housing. This will need to include necessary and achievable policy and legislative changes to the Hostile Environment and the NRPF regime.

7. **How effective has the support provided by MHCLG and other Government departments been in addressing the impact of COVID-19 on those in the private rented sector, rough sleepers, and the homeless?**

People who are experiencing street homelessness need immediate support in order to be able to follow government guidance on social distancing and in some cases shielding protection. The [Minister for Homelessness recognised this in a letter to all Local Authority leaders](#) dated 26th March 2020. In an unprecedented move, he stated that there would be a national strategy to ‘protect as many homeless people as we can from COVID-19’ through Local Authority provision. The Minister detailed basic principles which included to ‘focus on people who are, or are at risk of, sleeping rough and those who are in accommodation where it is difficult to self-isolate’. This explicitly included people who cannot usually access public funds (NRPF), stating that Local Authorities should ‘utilise alternative funding and powers’.

8. Following this letter, the Home Office then announced on the 28th March 2020 that all evictions from asylum accommodation would be suspended until June 2020. Both of these announcements were sensible measures that have prevented street homelessness and brought people inside to safe accommodation during a public health emergency. Despite this, at present there is no clear steer from National Government as to which alternative funds can be utilised for people who are not allowed to access public funds. The existing legislation does not make it clear that Local Authorities can provide for people with NRPF in these circumstances and No Recourse to Public Funds legislation has not been lifted. As such there has been a very mixed response from Local Authorities across the UK to people with NRPF. Some are turning people who have NRPF away, whereas others are providing some accommodation without financial support.

9. ***Individual Case Study - Fuad:***

Fuad was given a Local Authority funded hotel room at the beginning of April 2020. He now has a self-contained room with a toilet and a meal delivered by a charity partner in the evening. He does not receive any subsistence funding from the Local Authority and cannot access mainstream benefits. He feels safe in his new room and can use the WIFI to access support services, but there is no breakfast or lunch provided. He is being given £40 per month by a local charity, which he must use to pay for these meals, phone credit and all other expenses.

10. *“I was homeless, moving between different places. Sometimes I sleep outside and sometimes at my friend’s house. It’s a very small house, the problem is, the wife of my friend. She didn’t want me there. She follows me into the toilet, she demanded to know who speak with me, she embarrassed me a lot. She wants me to clean [the house] every day and tells me I can only go to the house at certain times. I have no freedom when I stay there. It’s like abuse, I don’t refuse, but I try to go out to local charities to get space. When Corona started they said I couldn’t stay anymore. Luckily, a charity helped me contact the Council. The homelessness worker was kind, he asked me some questions about immigration status, but he said “Don’t worry, we will help everyone regardless this time, but in future you will need to have*

status to get help". I'm worried about contacting the Home Office, maybe it is a trap? But I have started an application for Section 4 because I want to try and use this quiet time to try and ask for help. Now, though, everything happened so quickly and my worry is that all my things are scattered. My tent is in one place. I left my bag with all my important documents in a shop. Now the shop has closed and the man has disappeared. I don't know where he lives. I can't proceed with my applications to the Home Office. Why is it that it takes until Coronavirus for people like me are remembered and to be given a place to stay? Why should we wait for corona? Now, it's almost like we are praying for corona to continue, because at least now I have a safe place to stay"

11. Fuad was given accommodation promptly and whilst he does not receive subsistence or food from statutory bodies, there is clear communication between charity partners and the Local Authority that has ensured that he has not been left starving. The Local Authority also recognised that the accommodation he was previously moving between was unsafe and that this posed a risk to his own and wider public health. This accommodation has enabled him to begin to engage with his immigration case again.
12. However, we are aware of at least 13 Local Authorities who have 'gatekept' people like Fuad stipulating that someone with NRPF must be a verified rough sleeper before they can access any sort of accommodation assistance or that they must have a local connection to gain support. This means that people without NRPF can only access accommodation through placing themselves in danger and visibly rough sleeping in the hope of being met by Outreach Workers. This is a particularly concerning for women, survivors of trafficking or modern day slavery and care leavers without recourse to public funds, as it forces them onto the street and into extremely vulnerable situations. Worryingly, we have seen some local councils rescinding offers of accommodation as they believe that a lack of further guidance on NRPF from the Home Office or MHCLG is a sign that pre COVID-19 rules have not changed and should still be applied in full.
13. Case study: Middlesbrough Council – using the Severe Weather Emergency Protocol (SWEP)
In Middlesbrough when the COVID -19 crisis started local members Open Doors North East (ODNE) approached the homelessness team at Middlesbrough Council to see what support they could offer for people who had no recourse to public funds and had nowhere to stay. The Council acted quickly using a type of Severe Weather Emergency Protocol (SWEP) to immediately accommodate people who are refused asylum and evicted from Home Office accommodation and any others who present as homeless even if they have no recourse to public funds. At least 6 people were accommodated in bed and breakfast type accommodation. The Council does not provide people with subsistence support and destitution payments are being made by ODNE. More recently, the Local Homelessness team then received verbal guidance from MHCLG that NRPF still stood and that there was no way to fund people with NRPF in accommodation. Middlesbrough Council initially issued eviction notices to everyone with NRPF between the 15th-17th April. However, following advocacy from ODNE they rescinded these notices until further guidance from central government is issued and have ceased taking new referrals for people with NRPF. These leaves people without access to accommodation and has created a huge amount of personal anxiety for the 6 people currently accommodated.
14. Case study: Glasgow Council – Using Hotel rooms organised and supported by Glasgow Night shelter
Glasgow Night Shelter for Destitute Asylum Seekers (GNS) provides emergency overnight accommodation to destitute people who have previously claimed asylum. The guests of GNS share a room and do not have access to showers, so in its current set-up GNS had no way to follow social distancing guidance to safeguard everyone's health and wellbeing. Recognising the risk posed to both

guests, staff and volunteers, GNS liaised with local hotels and eventually secured hotel rooms at a reduced fixed price per week, room only. Glasgow City Health and Social Care Partnership (GCHSCP) agreed to cover the costs of accommodation only for 24 men for an initial 7 days, and to review every 7 days. They did not agree to fund beds for those on GNS's waiting list. 30 men have now moved into individual hotel rooms and GNS who were previously open from 8pm - 9am are now offering a 24-hour service. The extra costs incurred in staffing this service, the rooms not funded by the GCHSCP, and providing 3 individually packaged meals a day to the guests is not being covered by local authorities but by GNS's own funds and additional donations. GNS continue to receive referrals for people seeking accommodation during this crisis, especially those who have been living in precarious situations. They are working hard to find the funds to accommodate them and are liaising daily with the Scottish Government.

15. Case study: Nottingham City Council

NACCOM member Host Nottingham recognised the public health danger of people with NRPF who are street homeless. They have consistently approached Nottingham City Council evidencing the need for accommodation and support to prevent people contracting and transmitting COVID-19. Following the lead of other NACCOM partners, Host Nottingham successfully brokered a partnership with the local University for use of their student halls to accommodate people who are destitute with NRPF. Initially, NCC agreed to fund a limited amount of bed spaces. However, following verbal communication between NCC and MHCLG, they rescinded this offer and unfortunately NCC have not accommodated anyone, stating that NRPF rules still stand.

16. [A letter drafted by Project 17 and Public Interest law Centre](#) which we signed went to all Local Authorities and laid out the urgent steps that needed to be taken to protect people with NRPF who are street homeless. As the case studies above illustrate, provision is greatly varied across the UK. In order for all Local Authorities to fully support people with NRPF, further guidance is needed from central Government and policy change to NRPF rules is required. Without this, people will continue to experience street homelessness and to be placed in unnecessary risk.

17. **What problems remain a current and immediate concern for those groups?**

People who are destitute because they are not able to access public funds or the right to work often experience street homelessness and this is a continuing concern during the pandemic. In 2018-19, 56% of the people whose situation was known before accessing NACCOM member's accommodation were street homeless. The remaining people were at immediate risk of street homelessness, whilst 5% of people had just been discharged from NHS care. For people supported by NACCOM members, experiences of street homelessness are shaped by restrictions on accessing mainstream support and funds, an inability to access healthcare and experiences of racial harassment. These factors result in varied and hidden experiences of street homelessness and rough sleeping.

18. As of 1st May 2020, within the NACCOM membership, all but two of the 27 hosting projects have stopped taking new referrals, all Night Shelters have ceased operations and most housing projects are at capacity. It is clear that the voluntary sector cannot support the needs of this population alone and that people will be left street homeless and at risk during the ongoing pandemic without practical support from Local Authorities, guidance and funding from MHCLG and policy change from the Home Office.

19. **New people presenting as destitute and street homeless**

MHCLG have stated that 90% of all people rough sleeping have now been accommodated but this does not acknowledge the constant flow of people becoming newly street homeless. We are concerned that Local Authorities are starting to see a 'second wave' of people presenting as destitute due to their situations changing as a result of COVID-19. Last year, 39% of people self-reported as 'sofa surfing' before being accommodated by NACCOM members organisations. People without recourse to public funds are left reliant on last minute offers of friends (typically different people each night), mixed with sleeping outside when they are unable to find a place to stay for the night. Despite regularly sleeping outside, very few clients will be found sleeping in the same spots on the street and due to restrictions on public funds are unlikely to have previously engaged with rough sleeping outreach services. Prior to the pandemic some people previously stayed with acquaintances in Home Office asylum support accommodation, but this violates the terms of their friends housing and is now in direct contravention of government regulations and guidance on COVID-19.

20. People with NRPF who sleep outside will often use abandoned buildings and will move regularly. People report that they often face racial harassment from other rough sleepers or the public and so do not use spaces visited by outreach teams. Many clients stay awake during the night, [walking or using night buses](#) and then use charity day centres as spaces to sleep during the day. These centres are now closed due to COVID-19. Moving between multiple sites is a clear risk to wider public health and makes it impossible for individuals to follow COVID-19 health guidelines. These patterns of sofa surfing and rough sleeping place people both at risk of contracting and of transmitting the Coronavirus.
21. The only way to prevent this public health risk is by enabling everyone to access support and accommodation during the pandemic period. We are at a juncture, the MHCLG could work together with other Government departments, Local Authorities and third sector partners to prevent harm and recognize the types of street homelessness experienced by people with NRPF. The alternative of delayed or uncoordinated action could have grave consequences.
22. *Case study – LM*
LM grew up in the UK. In his early thirties committed a non-violent crime for which he was sentenced to 3 years in prison. He has an underlying health condition which requires regular medication that he cannot afford. Following his release from prison in 2017, KB had his Leave to Remain revoked and was unable to work or access public funds. For the past 3 years, LM has relied on support from friends and family for accommodation. He has been homeless and has had to move between other peoples' houses. When he was unable to find somewhere to stay for the night he would stay in Heathrow Airport. Once the COVID-19 crisis began, LM could no longer stay with friends who had previously supported him as they needed to self-isolate and follow government guidance.
23. *LM self-referred to StreetLink, but was not picked up by the outreach workers. He had no phone credit and struggled to find places to charge his phone as libraries, public buildings and cafes were closed. From the start of the lockdown period, LM positively and proactively engaged with 2 different Council housing teams, the Police, local councilors, 2 separate outreach teams and 3 advocacy organisations. He spent 2 weeks sleeping on night buses and walking around West London, but was not verified by outreach teams as he was not 'bedding down' as a rough sleeper. LM was eventually accommodated following the threat of legal action from the Public Interest Law Centre. He was left without any food from Friday to Wednesday, when following further correspondence from PILC, the council provided LM with a food parcel.*
24. **What might be the immediate post-lockdown impacts for these groups, and what action is needed to help with these?**

Although, there is evidence that people with NRPF are still finding systemic difficulties in accessing statutory homelessness support, the announcement from MHCLG at the end of March has resulted in some people with NRPF being 'brought inside' during lockdown. This is undeniably a good thing and has protected individual and public health. It has also demonstrated the risks of NRPF and the dangers of a system that currently prioritises immigration enforcement over public health.

25. However, whilst these actions are welcomed, immediate work is needed to plan for the end of this initial lockdown period to prevent street homelessness and protect people who would be vulnerable to a second wave of COVID-19. We are deeply concerned that as it stands currently, at the end of June 2020, there could be mass evictions of people from both asylum accommodation and emergency rough sleeper provision. This would place an insurmountable burden on local authorities and local charities and would create a new street homelessness population.
26. The events of the past 5 weeks have shown that with political will, it is possible to end rough sleeping and street homelessness. However, without clear steps taken to enable everyone to access public funds, there are no routes that people can access to take them to stability. Without clear guidance and funding, people will continue to experience cycles of street homelessness and will not only be unable to protect themselves from Coronavirus, but will also be unable to contribute fully to society.

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