



Report of the Director of Environments and Neighbourhoods

Executive Board

Date: July 2009

Subject: Scrutiny Board (Environment and Neighbourhoods) Inquiry into Asylum Seeker Case Resolution Programme.

<p>Electoral Wards Affected: ALL</p> <input type="checkbox"/> Ward Members consulted (referred to in report)	<p>Specific Implications For:</p> <p>Equality and Diversity <input checked="" type="checkbox"/></p> <p>Community Cohesion <input checked="" type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
Eligible for Call In <input checked="" type="checkbox"/>	Not Eligible for Call In (Details contained in the report) <input type="checkbox"/>

1. Purpose of the Report

1.1 In May 2009 Scrutiny Board (Environment and Neighbourhoods) published a report on Asylum Seekers Case Resolution. In accordance with the requirements of the constitution, the response to the Scrutiny Board's recommendations needs to be agreed by the Executive Board. The purpose of this report is therefore to outline for Executive Board the recommendations made by Scrutiny Board and to note the comments of the Environment and Neighbourhoods directorate.

2. Background information

2.1 In July 2006 the Home Secretary announced a plan to clear a backlog of 450,000 legacy records relating to pre April 2007 unresolved asylum cases by July 2011. The priority for the case resolution programme was to focus on those who pose a risk to the public, those who could more easily be removed, those in receipt of UK Border Agency (UKBA) support and those who may be granted leave to remain.

2.2 The programme was initially to be undertaken over several tranches. The first tranche began in October 2007 and focused on family cases over 4 years old. This was due to be completed by March 2008. There were approximately 1,060 families in the first tranche in Yorkshire & Humberside, of which 279 were in Leeds. This made up a total of 981 individuals, with approximately 95% being resolved through the granting of status.

- 2.3 The UKBA have now taken a decision not to proceed through tranches that focus on specific groups, and will instead resolve records on an ongoing basis across all family structures and support mechanisms.
- 2.4 Concerns about the overall management and potential impact of the case resolution programme on Council services, and on the city as a whole, were brought to the attention of the Scrutiny Board by the Executive Member for Neighbourhoods and Housing at the beginning of the municipal year.

3. Main Issues

- 3.1 Attached is the report of the Scrutiny Board (Environment and Neighbourhoods).

The Directorate's comments to each of the recommendations are as follows:-

- 3.2 *Recommendation 1 - That the Regional Director of the UK Border Agency ensures that accurate baseline data on cases to be resolved as part of the case resolution programme is provided directly to the Council as a matter of urgency.*

The Director agrees with and fully supports Recommendation 1. UKBA have agreed to provide the requested information week commencing 22nd June 2009.

- 3.3 *Recommendation 2 - That the Regional Director of the UK Border Agency ensures that details around projections of likely resolutions and timeframes are shared with the Council regularly to allow officers to assess potential impacts and plan the management of these cases more effectively.*

The Director agrees with and fully supports Recommendation 2. UKBA have given a commitment to developing project plans in partnership with the authority for the future of case resolution.

- 3.4 *Recommendation 3 - That the Director of Environment and Neighbourhoods proactively pursues any delays in receiving the baseline data and projection details with the UK Border Agency on behalf of the Council in future.*

The Director agrees with this recommendation. The Leeds Refugee and Asylum Service manager will escalate further delays to the Director to pursue with UKBA.

- 3.5 *Recommendation 4 - That Scrutiny is kept informed of any data quality issues relating to the case resolution programme in future and receives annual update reports on this matter.*

The Director agrees with this recommendation and will report to scrutiny annually, and as required, to advise of any anomalies with the information received.

- 3.6 *Recommendation 5 - That the Council be given sufficient time and, where necessary, additional resources from the UK Border Agency to effectively manage any referred asylum seeker cases.*

The Director agrees with this recommendation. UKBA have issued new guidance on financial assistance available to support with the transition and management of case resolution cases. Processes are currently being established to ensure the Directorate is able to be fully reimbursed for additional costs incurred.

- 3.7 *Recommendation 6 - That a deadline of August 2009 be given to UKBA by the Council to resolve those case resolution asylum seeker cases which fall under the provisions within the National Assistance Act and Children Act. Where this deadline is not achieved, we recommend that the Chief Executive of the Council writes to the Immigration Minister setting out the Council's concerns about the lack of progress made by UKBA in resolving such cases.*

The Director recommends that the timescale for this action should be amended to September to allow time for the authority to collate the necessary information on those cases for which resolution is requested.

- 3.8 *Recommendation 7 - That the UK Border Agency acknowledges the effective role of the Yorkshire and Humber Regional Migration Partnership and strengthens its communication links with the Partnership in future.*

The Director agrees with this recommendation and will write to the UK Border Agency urging that the communication links are strengthened.

- 3.9 *Recommendation 8 - That the Yorkshire and Humber Regional Migration Partnership takes a lead role on producing a joint action plan with the UK Border Agency, aimed at strengthening the communication links between all key partners across the region and that the Regional Director of the UK Border Agency plays a proactive role in overseeing the delivery of this action plan and reports back to the Strategic Migration Group on its delivery.*

The Director will recommend this proposal to both the Yorkshire and Humber Regional Migration Partnership and the UK Border Agency.

- 3.10 *Recommendation 9 - That the UK Border Agency works with the Yorkshire and Humber Strategic Migration Group to explore alternative options for dealing with those individuals no longer eligible for Section 4 support will the aim of promoting a more cooperative approach.*

The Director agrees with this recommendation and will request that the necessary action is undertaken by the UK Border Agency

- 3.11 *Recommendation 10 - That the Council works closely with the Regional Asylum Impacts Group to ensure that the regional cluster guidance does not conflict with the Council's policies around community cohesion and equality.*

The Director agrees with this recommendation. The Regional Asylum Impact Group meets quarterly and Leeds is represented by the Refugee and Asylum Service Manager.

- 3.12 *Recommendation 11 - That the Council continues to work closely with the UK Border Agency to ensure that systems are in place to target 'cluster areas' and provide for a greater choice of housing accommodation throughout the city.*

The Director agrees with this recommendation. This work is ongoing and, through the agreed private provider procurement framework process, the authority is now better able to refuse the use of accommodation for asylum seekers if this impacts on community cohesion.

4. Implications For Council Policy And Governance

- 4.1 In accordance with the requirements of the constitution, the response to the Scrutiny Board's recommendations needs to be agreed by the Executive Board.

5. Legal And Resource Implications

- 5.1 This report does not have any specific legal or resource implications.

6. Recommendation

- 6.1 It is recommended that Executive Board approves the proposed recommendations outlined in this report.

Background Papers

May 2009: Scrutiny Board (Environment and Neighbourhoods) Inquiry Report: Asylum Seeker Case Resolution