

Response to the Scrutiny Board (Environment and Neighbourhoods) recommendations following the inquiry into Asylum Seeker Case Resolution

Recommendation	Response
<p>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.</p>	<p><u>Response of UK Border Agency Regional Director</u> The Case Resolution Directorate (CRD) Case Owner for Leeds held a meeting with the Leeds Asylum Team on the 19th June. It was agreed at that meeting that the latest CRD data would be supplied to the asylum team. CRD also agreed to provide details of cases which are being processed and those whose decisions are due each week. This recommendation has, therefore, been implemented.</p> <p><u>Response of Environment and Neighbourhoods Directorate</u> The Director agrees with and fully supports Recommendation 1. UKBA agreed to provide the requested information week commencing 22nd June 2009.</p>
<p>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.</p>	<p><u>Response of UK Border Agency Regional Director</u> This recommendation has also been implemented. At their meeting with the Leeds Asylum Team on the 19th June, the Case Resolution Directorate agreed to provide details of cases which are being processed and those whose decisions are due each week. The CRD case owner agreed that the Leeds Asylum Team would be able to negotiate the numbers being dealt with. It is hoped that this will minimise the impact of CRD decisions on the staff and resources of the local authority.</p> <p><u>Response of Environment and Neighbourhoods Directorate</u> 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.</p>

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<p>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.</p>	<p><u>Response of Environment and Neighbourhoods Directorate</u> The Director agrees with this recommendation. The Leeds Refugee and Asylum Service manager will escalate further delays to the Director to pursue with UKBA.</p>
<p>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.</p>	<p><u>Response of Environment and Neighbourhoods Directorate</u> The Director agrees with this recommendation and will report to scrutiny annually, and as required, to advise of any anomalies with the information received.</p>
<p>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.</p>	<p><u>Response of UK Border Agency Regional Director</u> Details of the Case Resolution Directorate remittance package have been circulated to Leeds City Council's Chief Executive, Finance Officer, Housing Officer and the Asylum Team. UKBA has received positive feedback from the local authority on the package which is available, so it is my understanding that this recommendation has now been met to the Council's satisfaction.</p> <p><u>Response of Environment and Neighbourhoods Directorate</u> 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.</p>

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<p>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.</p>	<p><u>Response of UK Border Agency Regional Director</u> The Case Resolution Directorate has agreed to review the Council's National Assistance Act and Children's Act cases, however it may not be possible to conclude all of these by August 2009. I understand that CRD is still waiting for a list of these cases to be provided by Leeds Asylum Team, as there have been some problems collating the list. I cannot, therefore, accept the deadline given within this recommendation.</p> <p><u>Response of Environment and Neighbourhoods Directorate</u> 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.</p>
<p>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.</p>	<p><u>Response of UK Border Agency Regional Director</u> We can always communicate more effectively, but you should note that I regularly meet with the Regional Migration Partnership manager and enjoy frequent and open communication. The Regional Migration Partnership manager also meets regularly with Senior UKBA Managers in the region and with the Regional Representation Manager for asylum. The Regional Representation Manager also works closely with the Y&H Strategic Migration Partnership on issues related to asylum support and accommodation, ensuring issues are resolved quickly. Members of the staff from the RMP are involved in the organisation for the UKBA open day in September and meet regularly with members of the asylum support team to discuss any issues.</p>

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	<p data-bbox="1081 236 2078 379"><u>Response of Yorkshire and Humber Regional Migration Partnership</u> The Partnership welcomes the Panel's request to UKBA to continue to use the Partnership structure to communicate and work with Leeds and other Local Authority partners in the region.</p> <p data-bbox="1081 421 2078 528"><u>Response of Environment and Neighbourhoods Directorate</u> The Director agrees with this recommendation and will write to the UK Border Agency urging that the communication links are strengthened.</p>
<p data-bbox="188 568 1048 895">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.</p>	<p data-bbox="1081 568 2040 675"><u>Response of UK Border Agency Regional Director</u> UKBA is happy to work with our partners to improve communication across the region. I accept this recommendation.</p> <p data-bbox="1081 716 2078 970"><u>Response of Yorkshire and Humber Regional Migration Partnership</u> The Partnership will work with UKBA to develop a regional joint action plan to set out how we will work together to deliver Case Resolution in the region. We have already started discussions with CRD about the format and content of this, and a paper setting out how such an approach would work was agreed at the June meeting of our Strategic Migration Group.</p> <p data-bbox="1081 1011 2040 1118"><u>Response of Environment and Neighbourhoods Directorate</u> The Director will recommend this proposal to both the Yorkshire and Humber Regional Migration Partnership and the UK Border Agency.</p>

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<p>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.</p>	<p><u>Response of Regional Director UK Border Agency</u> UKBA is happy to discuss with the SMG ways in which we can cooperate with them. However it should be noted that in order to qualify for section 4 support applicants must be destitute and meeting one of the following conditions they must have a Medical Condition, be Pregnant, have applied for AVR or there is no valid route of return, have an outstanding judicial review or out of time appeal. Under the Asylum Support Regulations, all Section 4 applicants' cases must be reviewed regularly. Should the applicant be considered to no longer meet the criteria for Section 4 support will be terminated. The position of the UK Border Agency remains that failed asylum seekers should return to their own country voluntarily.</p> <p><u>Response of Yorkshire and Humber Regional Migration Partnership</u> We will continue to work with UKBA, both in the region and nationally through LGA channels, to ensure that individuals coming off Section 4 are dealt with in a way that does not impact too negatively on individual local authorities such as Leeds – either financially or in terms of cohesion.</p> <p>The Panel will be interested to hear that since the report was drafted, there has been the announcement of further changes to Section 4, including some pilots on accommodation and payment cards. We are currently working through regional and national structures to understand the potential impact of these changes on Leeds City Council and other local authorities in the region.</p> <p><u>Response of Environment and Neighbourhoods Directorate</u> The Director agrees with this recommendation and will request that the necessary action is undertaken by the UK Border Agency.</p>

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<p>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.</p>	<p><u>Response of Regional Director UK Border Agency</u> The Regional Cluster policy is regularly reviewed by the AIG and UKBA provides updated cluster numbers to each local authority monthly. The processes for suspension of areas are to be reviewed by the AIG during the next year and this review will take into account the requirements to maintain community cohesion and equality.</p> <p><u>Response of Yorkshire and Humber Regional Migration Partnership</u> The Asylum Impacts Group (which is a sub-group of the Strategic Migration Group) will continue to involve Local Authorities in the development and implementation of cluster guidance.</p> <p><u>Response of Environment and Neighbourhoods Directorate</u> The Director agrees with this recommendation. The Regional Asylum Impact Group meets quarterly and Leeds is represented by the Refugee and Asylum Service Manager.</p>
<p>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.</p>	<p><u>Response of Regional Director UK Border Agency</u> The contracts for housing are awarded to accommodation providers (including the Local Authority). The Local Authority is able to provide guidance to providers on community cohesion issues which would adversely affect service users if accommodation procured in areas where tensions were rising. The framework that currently exists provides for this advice and we hope that providers and the local authority continue to work proactively together to ensure that accommodation is the greatest choice is available. UKBA would not wish to constrain providers or control distribution of accommodation.</p>

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	<u>Response of Environment and Neighbourhoods Directorate</u> 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.