

Item: 22

General Meeting of the Council: 5 October 2021.

Afghan Locally Employed Staff Relocation Scheme.

Report by Executive Director of Education, Leisure and Housing.

1. Purpose of Report

To consider participation in the Afghan Locally Employed Staff Relocation Scheme.

2. Recommendations

The Council is invited to note:

2.1.

That, in May 2021, the first of two UK Government schemes was announced, namely the Afghan Locally Employed Staff Relocation Scheme, which seeks to relocate Afghan nationals who have endured dangerous and challenging situations in supporting UK forces since 2013.

2.2.

That numbers to be resettled through the Afghan Locally Employed Staff Relocation Scheme are understood to be approximately 8,000, however a second scheme will require to resettle a further 20,000 Afghan nationals throughout the UK, with the potential for this number to grow due to the current situation in Afghanistan.

2.3.

That the Council participated in the Syrian Resettlement Scheme between 2017 and 2021, which was extremely resource intensive.

2.4.

That all prospective Syrian families were briefed that, while Orkney could offer a safe resettlement, it did have various limitations, including a lack of cultural diversity and access to cultural amenities which may be desired.

2.5.

That, although four Syrian families were resettled on that understanding, all have since left Orkney citing a lack of a cultural network, lack of a mosque, issues with accessing halal food and some conflict between Syrian families as the reasons they felt unable to settle in Orkney.

2.6.

That there is currently extremely high pressure on housing in Orkney and challenges for the Council in meeting its statutory duties in relation to homelessness.

2.7.

The options for participating in the Afghan Locally Employed Staff Relocation Scheme, as detailed in section 8 of this report, with the preferred option being Option 3, namely that the Council should seek to identify two private sector properties which can be leased directly to Afghan households, under a private residential tenancy, as this would not impact on those who are homeless or otherwise on the waiting list.

It is recommended:

2.8.

That the Council participates in the UK Government's Afghan Locally Employed Staff Relocation Scheme but emphasises the challenges and therefore engages in the resettlement process as follows:

- Two properties be sought from the private rented sector to house Afghan households.
- In the event that no suitable properties are obtained from the private rented sector, the Council, working where possible in partnership with Orkney Housing Association Ltd, should seek to re-house two Afghan households.
- A multi-agency, operational group be established to undertake the relevant preparatory work to support the Afghan Locally Employed Staff Relocation Scheme.

2.9.

The Executive Director of Education, Leisure and Housing should investigate requirements for temporary additional staffing to support the Afghan Locally Employed Staff Relocation Scheme.

3. Introduction

3.1.

In May 2021, the UK Government contacted all local authorities to announce, and seek assistance, in implementing a new scheme aimed at relocating Afghan nationals who have endured dangerous and challenging situations in supporting UK forces since 2013. The initial tranche of approximately 8,000 Afghan nationals are to be accommodated under the Afghan Locally Employed Staff Relocation Scheme, also known as the Afghan Relocation and Assistance Policy.

3.2.

Those relocating under the scheme are supported for a four month period by a local authority who will meet the family at the arrival airport and take responsibility for them from arrival.

3.3.

The local authority is responsible for providing a four month integration package which includes:

- Reception arrangements upon arrival at the airport including handover from flight escorts and welcome briefing (where relevant).
- Accommodation.
- A package of advice and assistance covering employment, welfare benefits, housing, health, education and utility supply.
- Registration with GPs, and local Job Centre Plus including receipt of a National Insurance number.
- Assistance in securing school places for any school aged children.
- Financial support.

3.4.

It should be noted that Locally Employed Staff are not eligible for benefits until they can satisfy the Habitual Residence Test set by the Department for Work and Pensions (DWP) which can take up to three months, so the local authority provides financial support to those who arrive under the relocation schemes for up to four months.

3.5.

Those Locally Employed Staff who qualify for, and choose, relocation to the UK are not expected to return to Afghanistan. After completion of an initial five years limited leave to remain, they will be entitled to apply, free of charge, for permanent residence in the UK.

3.6.

The majority of households who are arriving through the Locally Employed Staff scheme are understood to have arrived in the UK and have been accommodated temporarily in hotels prior to resettlement.

3.7.

The current position in Afghanistan has led to the UK Government's announcement that a further scheme will resettle a greater number of Afghans shortly and therefore, updates to the scheme may be anticipated.

4. Similarities to the Syrian Resettlement Scheme

4.1.

The Council participated in the Syrian Resettlement Scheme, resettling four families between 2017 and 2021.

4.2.

Prior to Orkney taking part in the Syrian Resettlement Programme, significant preparatory planning was undertaken involving various Council services, a broad range of agencies across the statutory and third sectors and two separate multi-agency groups, one strategic and one operational. The strategic group included elected members and the local MSP.

4.3.

Significant development and planning was undertaken to ensure that everything the Syrian households may require to assist with their resettlement was considered and plans were set in place to provide services as far as was reasonably practicable.

4.4.

The Council worked jointly with COSLA and the Home Office to ensure that information was given to any families considering resettlement in Orkney to ensure, as far as possible, that they understood there were limitations in relation to a relative lack of cultural diversity, lack of a mosque and limited access to halal food etc. All families who were ultimately resettled in Orkney accepted this situation prior to arrival.

4.5.

The programme was significantly resource intensive both in relation to existing staff, specifically employed staff and financial cost, although funding was made available by the Home Office in excess of the standard provision. Recruitment to specialist posts was challenging and staff retention also proved problematic.

4.6.

Ultimately all Syrian families left Orkney citing lack of a cultural network, lack of a mosque, issues with accessing halal food and some conflict between families as the reasons they felt unable to settle in Orkney.

5. Differences from the Syrian Resettlement Scheme

5.1.

Given that those being resettled through the Locally Employed Scheme are already within the UK, in temporary accommodation, there is not a period of time available to allow planning and to ensure all the structures and processes required in order to ensure successful resettlement is in place.

5.2.

The households concerned are likely to speak either Dari or Pashto as opposed to Arabic. Therefore, written translations will be required for all documentation.

5.3.

While it is likely that one member of the household has worked as an interpreter, it may well be the case that the women and children within the household cannot speak English. In such circumstances it is not appropriate to allow one member of a household to interpret for other household members as this may place them in a potentially vulnerable position. From a professional perspective, interpretation services must be used to ensure that the information conveyed is translated literally and independently from internal family matters. Therefore, interpretation services will require to be in place. It is not ideal to do this through telephone interpretation when they first arrive and so there may require to be a contract entered into for a period of time.

5.4.

The level of Housing Support requirements is significant when households first arrive and this includes providing assistance with financial support as benefits cannot be claimed on arrival, setting up bank accounts, assistance with processes such as registering with the Job Centre Plus and obtaining a National Insurance number, registering for medical provision and enrolling with schools etc.

5.5.

Equally it is understood that the households concerned are less vulnerable than was the case for the Syrian nationals and one member of each household would be accustomed to working with British forces and therefore have some familiarity with UK working methods.

5.6.

Given the lower level of vulnerability, it may well be the case that resettlement may be offered for a period of time until that household becomes established within the UK. It may or may not be the case that they choose to settle permanently within this area.

6. The Route Forward

6.1.

While the Council may wish to participate in the Afghan Relocation Scheme from a humanitarian perspective, Orkney's experiences of the Syrian Resettlement Programme may raise questions as to whether Orkney can offer a suitable resettlement option in the longer term.

6.2.

Currently there is significant pressure on housing. The level of homeless households in temporary accommodation is approximately double the level prior to the COVID-19 pandemic at around 90 households and the Council's waiting list has risen to around 900 households, 300 of which can evidence a priority entitlement at this point in time.

6.3.

Any properties which are normally available to the Council but used for purposes unrelated to addressing its waiting list, such as those used for student accommodation or to house probationary teachers, have already been taken to assist in temporarily housing homeless households throughout the COVID-19 pandemic, unless otherwise occupied. Therefore, there is not any available resource of vacant accommodation from within the Council's stock.

6.4.

The Housing Service would not currently have the staffing resource to be able to progress the Afghan Relocation Scheme without significant additional staffing enhancement. Accordingly, requirements for temporary additional staffing to support the Afghan Locally Employed Staff Relocation Scheme will be investigated.

6.5.

A second scheme will be established to resettle a further 20,000 Afghan Nationals.

6.6.

An options appraisal has been outlined at section 8 of this report.

7. Funding Package

7.1.

On 1 July 2021, COSLA wrote to all local authorities to acknowledge that the funding package set out in May was not conducive to the successful uptake and delivery of the scheme by authorities. The funding package was subsequently extended by the UK Government from four to twelve months, introduced an additional payment for English for Speakers of Other Languages (ESOL) for adults, and simplified the payment structure as highlighted in the table below.

Accommodation	
Rent (up to 4 months or when in receipt of benefit)	£15 per person, per day
Integration	
To provide integration support (includes element for void and set up costs for accommodation)	Per person rate – £10,500

Cash Support	
Weekly cash support rates (up to 4 months or when in receipt of benefits)	Single (under 25) – £59.20. Single (25 or over) – £74.70. Couples – £117.40. Child (under 18) – £37.75.
ESOL Provision	£850 per adult (who requires it).

7.2.

This funding package was reached with the expectation that families in this cohort will integrate more quickly than families who arrive under the UK Resettlement Scheme and that the most intensive support is provided in the first few months and not for the full 12 months.

8. Options Appraisal

8.1.

Four options in respect of housing households through the Afghan Locally Employed Scheme have been considered, as detailed in the following sections.

8.2.

Option 1: The Council should seek to identify two family sized properties, from within the Council portfolio, on mainland Orkney, ideally Kirkwall or Stromness, to house two Afghan families. This would require a process of matching to ensure an appropriately sized family house was saved in each case.

8.3.

Option 2: The Council working in partnership with Orkney Housing Association Ltd with the aim of sharing the responsibility for housing two Afghan households.

8.3.1.

Options 1 and 2 would allow access to appropriate services and jobs readily.

8.3.2.

Kirkwall, however, has high demand for housing as does Stromness and Mainland Orkney and these options would result in two families, in housing need in Orkney, having to wait longer for a house while two families from out with Orkney would be housed more swiftly.

8.4.

Option 3: The Council should seek to identify two private sector properties which can be leased directly to Afghan households, under a private residential tenancy, through the Locally Employed Scheme.

8.4.1.

This has the advantage of bringing additional housing stock into the equation and consequently does not impact on families who are either homeless or otherwise on the housing waiting list.

8.4.2.

Current legislation surrounding private sector lets allows a household to obtain what is effectively a secure tenancy in the private sector – a private residential tenancy.

8.4.3.

Properties used would be expected to meet appropriate letting standards and documentation would require to be provided in the relevant language/format required. However, the Council could provide some assistance with this.

8.4.4.

Given that there is high demand for housing in Orkney, it may be difficult to source properties at all, therefore there may be a need for an alternative option should this situation arise.

8.5.

The preferred option, in the first instance, is Option 3, namely that the Council should seek to identify two private sector properties which can be leased directly to Afghan households, under a private residential tenancy, through the Locally Employed Scheme as this would not impact on those who are homeless or otherwise on the waiting list.

8.6.

Should there be no success in delivering Option 3, Option 2 should be used instead with the Council ideally working in partnership with Orkney Housing Association Ltd with the aim of sharing the responsibility for housing two Afghan households through the Locally Employed Scheme.

9. Human Resource Implications

9.1.

It is proposed that assistance would be required with project management and delivery. Also, significant specialist housing support and the provision of translation/interpretation services would be required in order to support the two families.

9.2.

There are potential challenges in respect of determining the required skills base and recruiting. In addition, the posts would require to exist specifically for the planning and delivery of the project and support of Afghan households through the Locally Employed Scheme and would no longer be required if there was a situation where no Afghans were housed in Orkney.

9.3.

The Chief Executive has delegated authority to approve additional staffing for up to 2 years in duration. Thereafter, if necessary, the committee process could be used to formalise the process and establish any relevant post on a longer-term basis.

9.4.

Due to the specialist nature of this employment, it may be an alternative option to seek to contract this provision in from an external provider, perhaps using the local voluntary sector.

10. Equalities Impact

An Equality Impact Assessment has been undertaken and is attached as Appendix 1 to this report.

11. Links to Council Plan

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Council Plan strategic priority theme of Quality of Life.

12. Links to Local Outcomes Improvement Plan

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Local Outcomes Improvement Plan priority of Strong Communities.

13. Financial Implications

13.1.

Funding available to the Council is outlined in section 7 above. The funding accessible to the Council is short term and presumes that the resettled Afghan families will apply for and receive benefits before the end of a four-month period.

13.2.

Initial participation in the Syrian Resettlement Programme required Home Office funding significantly above the levels of the standard award which was agreed as an exception prior to arrival. It is highly likely that the Council would again incur costs above the level of funding that is available through the Home Office scheme for the Afghan Locally Employed Staff Relocation Scheme.

13.3.

The Council reaffirmed a policy of presumption against new commitments when it set the 2021/22 General Fund budget with the following conditions:

- Exceptions might be considered for new commitments which are 100% funded by external bodies – proposals involving the Council in partnership funding shall require compensatory savings to be identified.

- The Council should consider undertaking new statutory duties or any case where it was considered that statutory duties were not being fulfilled, however, such duties having financial implications should first be reported to the relevant Committee(s) for approval.
- The Council should consider new commitments where compensatory savings could be identified – any Committee considering such recommendations should, in the first instance, seek to identify savings from within its revenue budget.

14. Legal Aspects

Section 20(1) of the Housing (Scotland) Act 1987, as amended, requires that, in selecting tenants for their houses, all local authorities and Registered Social Landlords must give reasonable preference to the following groups:

- Persons who are homeless or threatened with homelessness.
- Persons who are living under unsatisfactory housing conditions.
- Tenants of houses which are held by a social landlord and which the social landlord considers to be under-occupied.

15. Contact Officers

James Wylie, Executive Director of Education, Leisure and Housing, extension 2436,
Email james.wylie@orkney.gov.uk

Frances Troup, Head of Community Learning, Leisure and Housing, extension 2177,
Email frances.troup@orkney.gov.uk

16. Appendix

Appendix 1: Equality Impact Assessment.



Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. Identification of Function, Policy or Plan	
Name of function / policy / plan to be assessed.	Afghan Locally Employed Staff (LES) Scheme also known as Afghan Relocation and Assistance Policy.
Service / service area responsible.	Housing Services
Name of person carrying out the assessment and contact details.	Frances Troup, Head of Community Learning, Leisure and Housing Ext 2177 E-mail frances.troup@orkney.gov.uk
Date of assessment.	10 September 2021
Is the function / policy / plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly).	New
2. Initial Screening	
What are the intended outcomes of the function / policy / plan?	To consider resettling two families under the Afghan Locally Employed Staff Scheme in Orkney to allow a humanitarian approach and improved demographic profile for Orkney.
Is the function / policy / plan strategically important?	Those who require assistance through the Afghan Locally Employed Staff Scheme.
State who is, or may be affected by this function / policy / plan, and how.	Anyone who is at risk of homelessness or who may become at risk of homelessness in the future.

<p>How have stakeholders been involved in the development of this function / policy / plan?</p>	<p>An initial meeting has been held with a small group of key Council Services to raise awareness of a report going to committee and the potential for the Council to participate in the scheme.</p> <p>An initial discussion has been held with COSLA.</p>
<p>Is there any existing data and / or research relating to equalities issues in this policy area? Please summarise. E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking (see equalities resources on OIC information portal).</p>	<p>Various reports have been produced around the area of other resettlement schemes which have some similarities.</p> <p>Currently research is underway nationally around housing and homelessness equality and specifically around the area of housing as a human right.</p>
<p>Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome in this policy area? Please summarise. E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Interim Guidance for Public Bodies for further information.</p>	<p>Many of the reports outlined above have at least some focus on the area of socio-economic disadvantage and inequalities.</p> <p>There is significant research around homeless households suffering socio-economic disadvantage. The provision of housing or lack of it is recognised as being intrinsically linked to a range of indicators related to health, wealth and educational achievement.</p> <p>The Joseph Rowntree Foundation has produced a range of research focussing on poverty and disadvantage and the links between this and housing and homelessness. Research such as this relates directly to the introduction of the Fairer Scotland Duty.</p>
<p>Could the function / policy have a differential impact on any of the following equality strands?</p>	<p>(Please provide any evidence – positive impacts / benefits, negative impacts and reasons).</p>
<p>1. Race: this includes ethnic or national groups, colour and nationality.</p>	<p>Yes. Any families being resettled would come from Afghanistan and therefore there will be a slight impact as a consequence. There may be some, limited, related impact on those from other ethnic groups who are applying for housing if Council provision is to be used.</p>
<p>2. Sex: a man or a woman.</p>	<p>No specific impact identified. They may come from any group within society.</p>

3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.	No specific impact identified. They may come from any group within society.
4. Gender Reassignment: the process of transitioning from one gender to another.	No specific impact identified. They may come from any group within society.
5. Pregnancy and maternity.	No specific impact identified. They may come from any group within society.
6. Age: people of different ages.	No specific impact identified. They may come from any group within society.
7. Religion or beliefs or none (atheists).	No specific impact identified. They may come from any group within society.
8. Caring responsibilities.	No specific impact identified. They may come from any group within society.
9. Care experienced.	No specific impact identified. They may come from any group within society.
10. Marriage and Civil Partnerships.	No specific impact identified. They may come from any group within society.
11. Disability: people with disabilities (whether registered or not).	No specific impact identified. They may come from any group within society.
12. Socio-economic disadvantage.	Socio-economic disadvantage may well be a factor at least for the initial period of resettlement while households become establish and seek employment.
13. Isles-proofing.	No specific impact identified. They may come from any group within society.

3. Impact Assessment

Does the analysis above identify any differential impacts which need to be addressed?	Not specifically. The intention in resettling people through the Afghan Locally Employed Staff Scheme is to introduce Afghan nationals.
How could you minimise or remove any potential negative impacts?	N/A
Do you have enough information to make a judgement? If no, what information do you require?	Yes

4. Conclusions and Planned Action

Is further work required?	No.
What action is to be taken?	N/A
Who will undertake it?	N/A
When will it be done?	N/A
How will it be monitored? (e.g. through service plans).	N/A

Signature:



Date 10 September 2021

Name: Frances Troup

(BLOCK CAPITALS).

Please sign and date this form, keep one copy and send a copy to HR and Performance. A Word version should also be emailed to HR and Performance at hrsupport@orkney.gov.uk