

# Refugee Scheme Policy

October 2022

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## **I. Introduction**

1. Spelthorne Borough Council (the Council) is proud to be assisting people in need. The Council has approved participation in the Afghan Relocations and Assistance Policy (ARAP) and welcomed Afghan Families into the community.
2. The resettlement schemes play a key role in the global response to humanitarian crises: saving lives and offering stability to refugees most in need of protection.
3. This policy supports, at local authority level, the UK's government policies on refugee programmes, subject to careful assessments of the cost and the resources available to support the scheme.

## **II. Purpose of the Policy**

1. This document gives an overview of the Council's approach to resettlement policies and resettlement schemes as introduced by the Home Office.
2. It focuses on building refugees' self-sufficiency and enabling them to contribute to Spelthorne's economic development. Many refugees have skills and experience that are in short supply in Spelthorne. However, the Council is not selective based on employability or integration potential.
3. The Council's approach is to resettle refugees as recommended and supported by the Home Office, and in line with the global need, providing refugees with a safe and legal route into the UK.

### **III. Legal definition**

1. The 1951 UN Convention Relating to the Status of Refugees is the framework which underpins international refugee protection. It, along with the 1967 Protocol, sets out the definition of a refugee.
2. The Convention defines a refugee as someone who, 'owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.' This is the definition used by both the United Nations High Commissioner for Refugees (UNHCR), and the UK when determining whether someone qualifies as a refugee.
3. The UK will only resettle those determined by UNHCR to be refugees in accordance with the definition in the Convention<sup>1</sup>. All resettlement in Spelthorne is at the Council's discretion.

### **IV. Review and Selection Process**

1. The Council will assess and examine the details of Refugee Schemes as offered by the Home Office, for its impact on the local community, the Council's resources to participate and support the scheme, and the deliverability within the funding offered for the scheme.
2. Details of the scheme will be prepared and presented to the Community Wellbeing and Housing Committee for their review and approval before agreeing to participate in any given Refugee scheme.

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<sup>1</sup> UK Refugee Resentment, Home Office, August 2021

3. The Refugee Schemes in the UK are delivered in close partnership with local authorities. The Home Office receives offers of accommodations either directly from a local authority, or on a regional basis through a regional Strategic Migration Partnership (SMP). Refugees are matched to a local authority that can provide suitable accommodation and the appropriate support for those being resettled.

## **V. Leave granted to resettled individuals**

1. The Council will be guided by rules set by the Home Office in relation to leave to remain granted to refugees. The Home Office issues six months' Leave Outside of the Rules visas to resettled refugees prior to departure from the region of origin. These are handed to the International Organization for Migration (IOM), for use in obtaining exit permits from host countries and making departure arrangements. Resettled refugees are then granted Indefinite Leave to Remain and refugee status on arrival in the UK<sup>2</sup>.
2. Resettled individuals have an immediate right to work and to access welfare benefits, dependant on their circumstances and whether they meet the relevant Department for Work and Pensions criteria to receive the specific benefit for which they are applying.

## **VI. Funding**

1. The Home Office provides tariff funding for local authorities for the first year, including education and health funding, using the Official Development Assistance budget. For years 2-5, tapered tariff funding is provided to local

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<sup>2</sup> The granting of Indefinite Leave to Remain on arrival in the UK for those resettled through the UKRS and Community Sponsorship commences in October 2021. Those already resettled since March 2021 have the option to apply for Indefinite Leave to Remain free of charge.

authorities, while education and health funding flows through the normal per capita funding routes<sup>3</sup>.

2. There is also an Exceptional Cases Fund, which local authorities can use to assist the most vulnerable refugees, for example to fund accessibility adjustments to homes for individuals with mobility issues.
3. Tariff funding for years 2 to 5 is not normally paid to local authorities unless there are exceptional circumstances, following an assessment of the needs of the resettled person, couple, or family.
4. The Council will assess the funding for refugee schemes prior to a commitment to participate in the scheme.

## **VII. Processing Personal Data**

1. The Council will agree a data sharing protocol (DSP) with the Home Office, which provides a set of principles for the secure processing of resettled individuals' personal data.

## **VIII. Policy review**

1. The responsibility for monitoring the implementation of this strategy is delegated to the Council's Strategic Housing Group (SHG), with periodic updates provided to the Community Wellbeing and Housing Committee. SHG exists to ensure that the Council has a focussed strategic approach on housing matters, to ensure Spelthorne's housing need is identified and met.
2. This policy will be reviewed regularly and not less than every five years.

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<sup>3</sup> UK Refugee Resentment, Home Office, August 2021