A photograph of a person in a plaid jacket and cap, seen from behind, looking up at a tall, multi-story apartment building. The building has many windows, some of which appear to be boarded up or broken. A banner with the word 'SAFE' is visible on the building's facade. The entire image is overlaid with a semi-transparent magenta color.

The Extent and Impact of Asylum Accommodation Problems in Scotland

Executive Summary

scottish
refugee
council

Scottish Refugee Council Context of asylum and housing

Scottish Refugee Council has worked since 1985 to ensure that all refugees in Scotland are treated fairly, with dignity and that their human rights are respected. Our vision is for a Scotland in which all people seeking refugee protection are welcome. As an independent charity, we are here to provide essential information and advice to people seeking asylum and refugees in Scotland. But that is just part of the story: we also campaign for political change, raise awareness about issues that affect refugees, and we work closely with local communities and organisations.

The right to claim asylum is enshrined in Article 14(1) of the Universal Declaration of Human Rights which states that:

“Everyone has the right to seek and to enjoy in other countries asylum from persecution”.

Member states of the European Union must ensure the basic needs of people seeking asylum are met upon arrival. The need for accommodation is one such requirement and, as such, the UK Government is legally bound to house and support people seeking asylum in the UK who are destitute or in need of support during this process. Furthermore, such provision by the UK to prevent the destitution of asylum seekers is a public function under section 6 Human Rights Act 1998.

In the UK, once an individual has been accepted into the asylum process and it is deemed that they would otherwise be destitute, they are provided with limited cash and housing support. They are taken to “initial accommodation” in a designated dispersal area and then dispersed on a no-choice basis to housing intended to last until their asylum claim is decided. Since 2012, the policy framework to accommodate asylum seekers in the UK has been COMPASS².

The UK Government implemented COMPASS by contracting three private sector organisations to manage the provision of asylum accommodation in different COMPASS regions of the UK. One such region is Scotland and Northern Ireland. In March 2012, the multi-national services company, Serco was awarded the contract to run until March 2017.

Serco, in turn, then sub-contracted the property management company, Orchard and Shipman, with front-line, operational responsibility to secure and manage properties in Scotland (principally in Glasgow) for the purpose of housing asylum claimants.

Prior to COMPASS, from 2000 to 2011, responsibility for accommodating asylum seekers has at different times rested with a range of providers, including Glasgow City Council, YPeople, and the Angel Group. This reflects a persistent change and instability in the arrangements for housing asylum seekers in Scotland and throughout the UK.

The Scottish Government is presently unable to intervene in matters relating to asylum but it does have jurisdiction over matters relating to housing. Therefore, while Scottish Ministers may have no power to intervene in the management of the COMPASS contract, Scottish housing legislation and standards can and should be brought more consciously and precisely to bear to ensure that accommodation and housing-related services for asylum seekers in Scotland are of the requisite quality.

This report

This report arose from Scottish Refugee Council’s ongoing work in Scotland to uphold the rights of people in the asylum process and refugees. In particular, it stemmed from our advice and advocacy with asylum claimants; engagement with organisations that work with people seeking asylum; and our ongoing dialogue with refugees and refugee community organisations. The report privileges the experiences of those asylum seekers accommodated through COMPASS.

The objectives of the report were to:

- Identify the experiences of asylum seekers in Scotland accommodated through the Home Office’s COMPASS framework.
- Better understand how the Home Office are monitoring and Serco and Orchard and Shipman are implementing, COMPASS in Scotland.
- Identify how the COMPASS framework may be improved in Scotland, especially through application of Scottish housing legislation and standards.

‘Everyone has the right to seek and to enjoy in other countries asylum from persecution.’

1 - Universal Declaration of Human Rights, Article 14, United Nations, 1948 at <http://www.un.org/en/documents/udhr/>, as accessed 08/04/14

2 - Commercial and Operational Managers Procuring Asylum Support Services



Findings

The key findings of this report are that:

- People have sometimes been put in unsuitable housing indicating insufficient consideration has been given to their needs and histories of persecution.
- People seeking asylum who are housed in Scotland are experiencing problems with the physical condition and amenities in their accommodation.
- These problems are having an adverse impact on asylum seekers in terms of their mental and physical health and ability to maintain social connections.
- Front-line staff in external agencies report having to intervene to advocate with housing providers on behalf of asylum seekers to resolve these issues.
- People seeking asylum have low awareness of their rights and entitlements and compounding this some were reluctant to complain for fear that it may affect their asylum claim.

These findings raise wider questions about the general functioning of COMPASS in Scotland as well as about the adequacy of monitoring and contract compliance practice by the Home Office, Serco, and Orchard and Shipman, to ensure appropriate standards and services for asylum seekers in housing.

Many of the report's findings and underlying evidence resonate with those set out by the Home Affairs Select Committee¹, the National Audit Office², and Public Accounts Committee³ in their recent scrutiny of asylum accommodation and COMPASS. For example, across these reports were found issues of sub-standard, dirty and overcrowded accommodation, lacking basic amenities such as cookers or hot water, and a significant lack of privacy through inappropriate shared accommodation.

In terms of COMPASS in Scotland, this report has unearthed widespread problems, related to one or more of the following issues:

- Physical condition of the accommodation.
- Fixtures and fittings within the accommodation.
- Services and communications with Orchard and Shipman staff.
- Size of accommodation.
- Anti-social behaviour and harassment in the accommodation or local area.
- Problems relating to the transition from previous providers to COMPASS.

The seriousness and breadth of these issues may speak to a deeper inappropriateness in the UK Government's arrangements through COMPASS that the provision of vital shelter, support, and services to often traumatised people with histories of persecution and complex needs, is best done by awarding commercial contracts to organisations that are neither set up to deal with people with complex needs and vulnerabilities nor have specialist expertise of asylum and refugee issues.

1- "Asylum" (October 2013) Home Affairs Select Committee, 7th Report, Session 2013-2014, available at <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/71/7102.htm>.

2 - "COMPASS contracts for the provision of accommodation for asylum seekers", (January 2014), HC 880, Session 2013-2014, available at <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/71/7102.htm>.

3 - "COMPASS: provision of asylum accommodation", (April 2014), Public Accounts Committee, 54th Report, Session 2013-2014, available at <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmpubacc/1000/100002.htm>.

Methodology and evidence

The report's findings are based on statistical analysis, focus groups, and case studies.

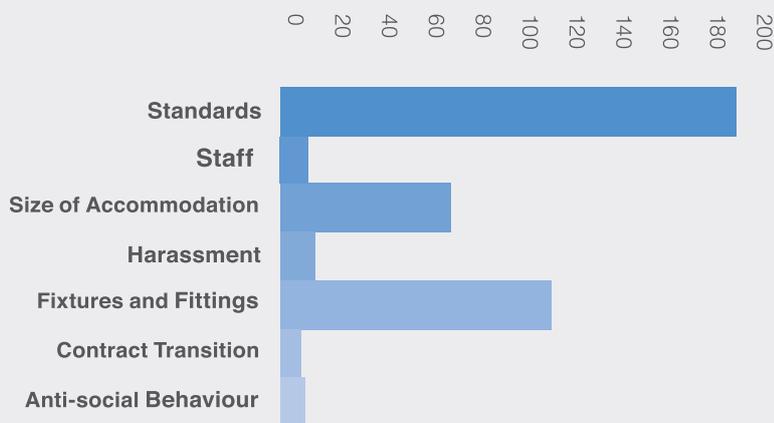
Statistical analysis

Analysis of statistics from Scottish Refugee Council's One Stop Shop advice service between February 2013 and February 2014. These were extracted from the organisation's Joint Client Database and provided the numbers and type of accommodation problems reported.

Key figures for this period include:

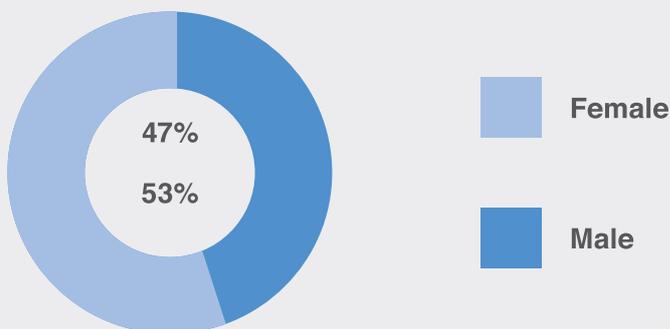
- 458 clients presented to the Scottish Refugee Council's One Stop Shop¹ (392) or its Scottish Induction Service (66) with accommodation issues.
- Most problems reported related to dispersed accommodation commonly on physical condition, fixtures and fittings, and the size of housing.

Number of clients experiencing provider problems with dispersal accommodation (February 2013 - February 2014)



- Despite being a minority in the UK asylum process, the report found that women were more likely than men to report problems in dispersal accommodation, which raises questions about whether the particular needs and experiences of asylum seeking women are being considered in the provision of housing. This included women with children, which also raises concerns about the duty on asylum housing providers to safeguard and promote the best interests of children², as is required in legislation.

Gender of clients living in dispersal accommodation with provider problems



- The majority of sessions throughout this period were spent resolving issues relating to the quality of accommodation. The number of sessions should be far lower, given the contractual obligation in COMPASS for the housing provider to resolve any such problems with their accommodation.

Focus groups

Three focus groups were held to explore the experiences of asylum seekers and those who provide support services for them. Distinct groups of people were gathered for each, namely:

- Professionals who work to support asylum seekers including in health, legal advice, support services, community integration, and advice case work.
- Asylum seekers who had reported issues with their accommodation; and
- Asylum seekers who had been in contact with Scottish Refugee Council but not specifically reported accommodation issues.
- Across the two focus groups with asylum seekers, there were nine women and three men, drawn from African, Chinese, and Pakistani backgrounds.

The key issues and problems identified across the focus groups are:

- Lack of provision for external “close” (apartment block) keys to gain entry to accommodation;
- Cleanliness of housing on arrival, such as filthy fridges and appliances, dirty cupboards and walls, food debris, greasy walls, and lack of working cleaning equipment.
- Lack of respect by Orchard and Shipman staff to asylum seekers, with reports including unannounced and even unbidden entry or not giving their names to asylum claimants.
- Little accessible information on the rights of asylum seekers in their housing, reported as due to routine lack of translation and interpretation of papers, including critical documents such as Occupancy Agreements.
- Reported widespread failure to provide Welcome Packs at all or, if provided, in accessible formats, which are a contractual requirement and are intended to facilitate orientation of the asylum seeker and dependents to their area.

¹ - From 2000 to 2014 Scottish Refugee Council, under contract with the Home Office, provided advice to asylum seekers. It did so through the Scottish Induction Service (SIS) and the One Stop Shop (OSS). SIS was a first port of call for newly arrived asylum seekers. OSS was as an all-round advice service. Most issues relating to dispersal accommodation, as opposed to initial accommodation, would ordinarily be dealt with by OSS.

² - Section 55 Borders, Immigration, and Citizenship Act 2009, as well as through the Home Office COMPASS Project, Schedule 2, Accommodation and Transport – Statement of Requirements, 2011, 1.2.3.2., p6.

Focus groups

- Orchard and Shipman moving people from established formal and informal support networks, at very short notice, such as when a family with two children with special needs were moved from the West End of Glasgow to the East End of the city despite having a complex support package in place in the West End.
- The location of some properties was unsuitable, such as a number of reports of allocations to flats on third floors with no lift and steep stairs including a young mum with three year-old twins and a baby, as well as distances from amenities and services not being considered when allocating housing.
- Difficulties in reporting problems, with phone lines alleged to be constantly busy, making it impossible to report repairs, check the progress of a repair already reported, or delays taking inordinate time. Agencies conveyed frustrations at not being able to lodge repairs on behalf of asylum seekers.
- Widespread concerns that there was no systematic complaint handling process in place at Orchard and Shipman. Participants in all focus groups reported having made repeated requests for complaints forms to be sent out and not receiving them.
- Some accommodation being simply too small for the needs of the occupants. Examples included a family of four where the husband had to sleep on the couch while his wife and two daughters shared the only bedroom for a period of nine months.
- Inappropriate sharing of accommodation. In exceptional cases, shared accommodation may be needed to ensure that asylum seekers had accommodation but it should be temporary and avoided completely for families.
- Widespread concerns of poorly functioning heating and a lack of adequate hot water were reported, leading in some cases to families having to boil the kettle and fill a bowl to wash their children on a regular basis, as well as reports of housing not being wind and watertight due to faulty windows.
- Despite being a contractual requirement in COMPASS there were reports of equipment provided being low quality, not fit for purpose, and not clean. This included cookers not working, unusable cooking utensils, and broken furniture and in one case, a man having no bedding until three weeks after moving in.

Case studies

Preparation of case studies drawn from the Scottish Refugee Council’s “Accommodation Caseworker Inbox”. Minor details were changed to protect the identity of those in each study. These illustrate particularly severe instances of wider problems.

- A single woman with a toddler daughter with special needs had to share a very small room in initial accommodation, unsuitable for the young girl. This was followed by them having to share dispersal accommodation with another family, from a different cultural background. There was no communication to either family on who they would be sharing with and this gap led to misunderstanding as to the young girl’s developmental needs and tensions between the families. Furthermore, the dispersal accommodation was distant from the young girl’s doctor and nursery, causing the family additional stresses and isolation.
- A young mother with her toddler son were placed in shared accommodation with kitchen facilities that were too small for shared living. These cramped living conditions had negative effects on the mother’s mental health. After two and a half months the mother and her young son were moved but not to their own housing as they had been promised but to shared accommodation again. This move had also been postponed on three separate occasions, causing additional distress. Shortly after arriving at their new accommodation the mother was subjected to frequent racist abuse, reported to Police Scotland and to Orchard and Shipman, and requesting to move, which at the time of gathering this study in March 2014, had not happened.
- A mother with a baby living in dispersal accommodation contacted Scottish Refugee Council to report that despite Orchard and Shipman being aware she was pregnant and that high-chairs for babies are a contractual requirement, none had been provided. Furthermore, the mother had a leak in her ceiling for several months and despite reporting the problems on many occasions, nothing had been done. Orchard and Shipman were allegedly reluctant to give a precise timescale as to when this repair would be carried out. The repair had still not been carried out at the time of gathering this study, in March 2014.
- A single man with limited English and no formal schooling reported being visited frequently by housing officers and, on one occasion, was told to leave his housing as he was a “criminal”. He reported that none of the written information he received was translated. After being called a “criminal” by this housing officer, he returned to his property and found the locks had been changed and his belongings removed. The man felt his privacy had been invaded and there was no explanation given beyond this accusation that he was a “criminal”. As at March 2014, no explanation had been provided as to whether this action was justified and, if so, in what way beyond the charge that this man was a “criminal”, nor whether the man’s personal belongings had been returned.



Conclusions

The recent external scrutiny by the Home Affairs Select Committee, the National Audit Office, and the Public Affairs Committee relating to the contractual weaknesses and sometimes failures in COMPASS across the UK is given further impetus by this report. However, our findings show that these problems in Scotland are not purely related to the contractual changeover, which took place 2½ years ago.

Scotland's asylum seekers seem too often to be placed in accommodation of inappropriate physical quality, with insufficient consideration being given to critical needs, including health, gender, children and vulnerability stemming often from their histories of persecution and trauma.

Some have reported to us that interactions with Orchard and Shipman staff are not always facilitated through interpreters; sometimes there has even been perceived hostility; and services for repairs are reported as often difficult to obtain due to limited practical access to assistance, which results in other service providers having to step in to advocate for housing issues to be resolved.

It is unlikely that issues raised in this report are isolated to Scotland. Therefore, we recommend later in this report that the Home Affairs Select Committee and the Public Accounts Committee revisit their recent inquiries into accommodation issues under COMPASS across the UK.

We think that now is the time for a radical step change in the Home Office's approach to housing and supporting a distinct group of people with complex needs who are fleeing persecution.

In addition, the Scottish Government has a role to play as do key housing sector bodies. We hope they will feel more empowered to consider how they can increase their work in this sphere to help restore, maintain, and enhance housing provision for asylum applicants in Scotland.

Recommendations

The breadth, severity, and persistence of the issues and problems highlighted in this report as experienced by asylum seekers housed in Scotland have led us to make recommendations on both the overarching system around asylum accommodation in Scotland as well as to improve existing practice within COMPASS itself.

Overarching recommendations

- **The Home Office** should initiate and lead a comprehensive review of COMPASS in Scotland, in order to radically enhance the housing standards and experience of asylum applicants dispersed to Scotland. This review should be multi-agency and involve, at the very least, The Scottish Government, key housing bodies, refugee representatives and refugee support organisations.
- This recommended Home Office-led review should have clear objectives to:
- Improve monitoring and contract compliance practice within COMPASS.
- Underscore the existing COMPASS Statement of Requirements with a new person-centred framework and guidelines to ensure high quality planning, policy, and practice within COMPASS for all asylum applicants housed in Scotland.
- The recommended new framework and guidelines should be developed through a rigorous equality and human rights impact assessment, in accordance with the Home Office's legal duties under the Public Sector Equality Duty¹, utilising best impact assessment practice from the Equality and Human Rights Commission and the Scottish Human Rights Commission².
- The recommended framework and guidelines should ensure person-centred, gendered and equality sensitive practice especially in terms of (a) planning, selection, and relocation of accommodation; (b) maintaining housing standards; (c) practicable complaints redress; (d) ensuring regular open and trusting communication between those with an interest in asylum housing, and (e) embedding key Scottish housing standards in asylum accommodation.

- **The Scottish Government** should consider initiating proactive monitoring of housing arrangements, standards, and experiences for asylum seekers in Scotland.
- **The Scottish Government** should consider the feasibility of arranging for periodic joint thematic assessments of housing arrangements, standards, and practices for asylum applicants dispersed to Scotland.
- **Home Affairs Select Committee** and the Public Accounts Committee in the UK Parliament should, in the near future, revisit their recent Inquiries that related to asylum accommodation and COMPASS; and
- **Infrastructure and Capital Investment Committee** in the Scottish Parliament undertakes scrutiny of how Scottish housing legislation, institutions, and standards can and should apply to asylum housing.

Specific recommendations on COMPASS in Scotland

The following recommendations are more operational and fall under three themes:

Planning and maintaining appropriate housing for asylum applicants

- **The Home Office** should lead on enhancing present arrangements so there is a comprehensive, person-centred planning for housing provision for asylum claimants and their dependents in Scotland, through: (a) rigorous needs assessments that are gendered, (b) ensuring housing is accessible in equality terms, (c) that is of adequate size, (d) well-functioning amenities, is secure against any unbidden entry, (e) is safe and secure against any unbidden entry with shared accommodation strictly the temporary exception and not the norm, (f) relocations are conducted respectfully, upon needs assessments and in a timely manner.

Appropriate interpersonal relations with asylum applicants

- **The Home Office** should lead on improving arrangements and practices to ensure that housing provider staff are trained and deliver a service that meets the needs of this particular group, including a recognition of their experiences of persecution and unfamiliarity with their new surroundings. To do this standards must reflect: (a) sensitivity to persecution histories and complex needs, (b) staff having the requisite skillsets, (c) effective management of expectations, (d) liaison with agencies advocating for asylum seekers, and (e) professional complaint recording, handling, and resolution.

Information on rights and entitlements for asylum applicants in housing

- **The Home Office** should lead on improving and ensuring the maintenance of high standards in the provision of information on the rights and entitlements of asylum claimants. This should include information about how to report problems and make complaints about accommodation or staff. Organisations working with asylum applicants must be recognised as having a vital role as advocates and be able to report the need for repairs or make complaints on behalf of asylum claimants.

1- S.149 Equality Act 2010

2 - Equality and Human Rights Impact Assessment resources are available at <http://www.scottishhumanrights.com/eqhria/eqhria/home>.



Scottish Refugee Council is an independent charity dedicated to providing advice and information for people who have fled horrific situations around the world.

We have been advocating and campaigning for the rights of refugees since 1985.

To find out more, sign up to our e-newsletter by going to our website:

www.scottishrefugeecouncil.org.uk

**Scottish Refugee Council
5 Cadogan Square
(170 Blythswood Court)
Glasgow G2 7PH**

**T 0141 248 9799
F 0141 243 2499
E info@scottishrefugeecouncil.org.uk**

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 **@scottishrefugeecouncil**

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