

The background image is a photograph of a tall, multi-story apartment building with many windows. A person wearing a plaid jacket and a beanie is seen from behind, looking up at the building. The entire image has a magenta/pink color overlay.

# The Extent and Impact of Asylum Accommodation Problems in Scotland

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scottish  
refugee  
council

Scottish Refugee Council

Key findings

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.

Acknowledgements

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This report finds that:

- People have been placed in unsuitable housing, which indicates insufficient consideration has been given to their histories of persecution and needs.
- 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.

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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





# Introduction



## 1.1 COMPASS

Scottish Refugee Council proactively monitors the situation in Scotland for those claiming asylum, particularly in terms of respect for their human rights. This monitoring role includes considering the adequacy of asylum support. Providing accommodation to asylum applicants that otherwise would be destitute is an integral part of asylum support.<sup>1</sup>

In March 2012, the Home Office introduced a new delivery model for the provision of accommodation and related transport services to asylum applicants: the Commercial and Operational Managers Procuring Asylum Support Services (COMPASS).

Under COMPASS, the provision and management of transport to and the provision of asylum accommodation was organised into six regions, with three private sector organisations - G4S, Clearel, and Serco - each awarded a contract to provide such services in two of these six regions.

Serco has contractual responsibility for the Scotland and Northern Ireland region within COMPASS. Serco's responsibilities are to deliver initial accommodation to people claiming asylum allocated to this region; provide dispersal accommodation within the wider community; provide transport into and within regions; and to administer financial support on behalf of the Home Office.

## 1.2 This report

This report sought to better understand the extent and nature of issues and experiences for applicants in Scotland accommodated under the COMPASS framework.

In particular, the report seeks to convey these grassroots experiences from asylum applicants and those that work with them and locate these within not only the terms of COMPASS but wider housing and human rights standards.

This report arose from advice and advocacy with asylum applicants; organisations that work with and advocate for them; as well as our ongoing dialogue with refugee community organisations. It was also informed by the reports on or relating in some way to COMPASS from, respectively, the Home Affairs Select Committee<sup>2</sup>, the National Audit Office<sup>3</sup>, and the Public Accounts Committee.<sup>4</sup>

The contents of our report are:

- Section 1 outlines the legal framework setting out the most relevant human rights and refugee legal instruments and legislation in asylum and housing.
- Section 2 is a narrative on the policy context of housing for asylum applicants concluding on the relevance of Scottish housing standards for this group.
- Section 3 provides detail of the methodology used to produce this report.
- Sections 4, 5 and 6, respectively, set out:
  - Key statistics and analysis from our Joint Client Database;
  - Anonymised case studies drawn from our Accommodation Casework Inbox; and
  - Evidence from three focus groups including asylum applicants and front-line workers that advocate and work with asylum seekers.
- Section 7 concludes the report and outlines its recommendations to overcome the issues and problems identified in this report.

1. Immigration and Asylum Act 1999, S.95 and S.98.

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

3. COMPASS contacts for the provision of accommodation for asylum seekers, (January 2014), National Audit Office, HC 880, Session 2013-2014, available at <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmha/71/7102.htm>. (NAO report)

4. 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>. (PAC report)







# Legislative framework and policy context



## 2.1 United Nations Legal Instruments

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

*“Everyone has the right to seek and to enjoy in other countries asylum from persecution”.*<sup>1</sup>

The UN's Convention (1951) and Protocol (1967) both Relating to the Status of Refugees define a refugee as:

*“A person who owing to a 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.”*

The universal right to shelter is enshrined in two major pieces of international human rights legislation. The first of these is the UDHR<sup>2</sup>, which states that:

“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, **housing**, and medical care” (our emphasis).

This illustrates that the right to shelter is considered vital in ensuring suitable living standards.

Furthermore, the International Covenant on Economic, Social and Cultural Rights (the ICESCR) not only recognises the link between housing and an adequate standard of living but requires states to take appropriate steps to ensure the realisation of this right.<sup>3</sup> Intrinsic to this right is the universal right of non-discrimination which guarantees access to satisfactory housing across all states, for all citizens.<sup>4</sup>

In 2010, the UN Special Rapporteur on adequate housing<sup>5</sup> examined housing provision for migrants across a selection of states. This work noted that not only are reasonable resources required to ensure adequate housing for all<sup>6</sup>, but special measures and positive discrimination are required to safeguard the particular needs of migrants (including asylum seekers).<sup>7</sup>

The Rapporteur's report recommended that regardless of status, all migrants must be afforded equal access to satisfactory accommodation and basic services as all other citizens<sup>8</sup> and highlighted the need for migrants to be suitably informed in a language known to them of their rights to adequate housing.<sup>9</sup>

In addition, it was emphasised that states must ensure that migrants can integrate into their new communities with ease, and that any discriminatory acts prohibiting ease of integration or access to accommodation are suitably penalised and victims provided with appropriate redress.<sup>10</sup>

These recommendations were made to both public and private housing providers.<sup>11</sup>

‘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 - UN Declaration of Human Rights, Article 25 (1).

3 - International Covenant on Economic, Social and Political Rights, Article 11(1), United Nations 1976, at <http://www.refworld.org/docid/3ae6b36c0.html>, as accessed via Refworld.org 08/04/2014.

4 - Universal Declaration of Human Rights, Article 1 and ibid, Article 2.

5 - Raquel Rolnik, Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context.

6 - Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Annual report (main focus: migration and the right to adequate housing), A/65/261 2010, p9, para 24.

7 - Ibid, para 28, referencing E/C.12/GC/20, paras 9, 12 and 13.

8 - Ibid, paras 81 – 82.

9 - Ibid, para 85.

10 - Ibid, paras 85 – 92.

11 - Ibid, para 25.

## 2.2 European legal instruments

The European Convention on Human Rights (the ECHR), which was largely incorporated into UK and Scottish statute through the Human Rights Act 1998 (the HRA), applies to asylum and housing legislation.

Indeed, Section 6 of the HRA requires that in so far as is possible other legislation - including asylum and housing - must be read and given effect to in a way that is compatible with the incorporated ECHR rights.<sup>1</sup> Furthermore, public authorities must not contravene the rights guaranteed under this Convention<sup>2</sup>, unless limited exceptions apply.

On asylum, the European Union has been developing a Common European Asylum System since 1999.<sup>3</sup> The Council Directive 2003/9/EC of 27 January 2003 (the Reception Conditions Directive) is the most relevant EU legislation in this area and was introduced into UK legislation via the Asylum Seekers (Reception Conditions) Regulations 2005.<sup>4</sup>

The Reception Conditions Directive specifies that accommodation must be provided upon reception<sup>5</sup> and that member states must provide medical and psychological care to asylum seekers upon arrival, guaranteeing an acceptable standard of health.<sup>6</sup> Such provisions are particularly important for pregnant women, minors, people with mental health problems and victims of violence and exploitation, including sexual violence.<sup>7</sup>

The Reception Conditions Directive requires that accommodation be in the form of 'a house, accommodation centre or hotel', so as to ensure respect for family life and privacy.<sup>8</sup>

This Directive also places a duty upon member states to ensure that asylum seekers are able to live harmoniously with their local community while residing in asylum accommodation.<sup>9</sup> Workers who regularly engage with asylum seekers must be well-resourced in order to fully meet the needs of those living in reception conditions and must have awareness of individual needs, including gender-specific needs.<sup>10</sup>

1 - Human Rights Act 1998, S.3(1).

2 - Ibid, S.6(1).

3 - European Commission, The EU as an area of protection, [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/index_en.htm), as accessed 14/04/2014.

4 - It should be noted that the UK (along with Ireland and Denmark) have opted out of an updated Reception Conditions Directive intended to grant greater adherence with the European Convention of Human Rights in the treatment of asylum seekers.

## 2.3 Policy framework for housing asylum applicants in Scotland since 2000

In 1999, the UK Government introduced the Immigration and Asylum Act 1999 (the IAA). This legislation prohibited asylum seekers and their dependents from accessing mainstream benefits while their asylum claim was being processed.<sup>11</sup> It also provided an alternative system of support, detailed within its Sections 4, 95 and 98.

Section 4 allowed for the provision of support and accommodation for persons whose asylum claim was refused<sup>12</sup> and for those released from detention<sup>13</sup>; and Sections 95 and 98 outlined the Secretary of State's power to provide support and accommodation to asylum seekers, including temporary support, respectively.<sup>14</sup>

The IAA enabled the dispersal of asylum seekers from 2000 throughout different parts of the UK, in an attempt to ease pressure on housing for asylum seekers in London and the South East of England.

5 - Council Directive 2003/9/EC of 27 January 2003, Article 2(b)(j).

6 - Ibid, Article 15.

7 - Ibid, Article 17.

8 - Ibid, Article 14.

9 - Ibid, Article 7.

10 - Council Directive 2003/9/EC of 27 January 2003, Article 24.

11 - Immigration and Asylum Act 1999, S.115(1).

12 - Ibid, S.4(2)(b).

13 - Ibid, S.4(1)(b).

14 - Ibid, S.95(1) and (3).



## 2.4 From IAA dispersal to COMPASS

Glasgow City Council was the first UK local authority to subscribe to the dispersal programme. Dispersal in Scotland has not been without difficulty, which may have stemmed from insufficient attention being paid to the importance of integration of asylum seekers into some of the most deprived communities in the UK.

The most extreme consequence of this was the tragic murder of Firsat Yildiz in August 2001<sup>1</sup> and the subsequent demonstrations that occurred in the Sighthill area of Glasgow.<sup>2</sup> Since then, the Scottish Government has made a positive effort to ensure that the integration of refugee communities is possible “from day one”.<sup>3</sup>

Since 2000, Glasgow has been home at any one time to between 2000 and 6500 asylum seekers, around 10% of the UK’s asylum seeking population.<sup>4</sup> In August 2013, around 2,400 asylum seekers were living in Scotland.<sup>5</sup>

Upon claiming asylum, destitute asylum seekers on temporary support through Section 98 of the IAA, are dispersed to initial accommodation in Glasgow.

The length of stay in this accommodation is intended to be less than a month before people are then dispersed again; often to a different area of Glasgow. Asylum seekers are then placed in post-initial accommodation provided under Section 95 of the IAA until a decision is made on their asylum claim. It is this post-initial accommodation that is the main focus for this report.

COMPASS is the latest framework for providing housing and related support to asylum applicants’ accommodation in Scotland. It has been preceded by Home Office contracts with Glasgow City Council, followed by the Angel Group, and before COMPASS, with YPeople (formerly YMCA).

The Home Office contracted with Glasgow City Council only from 2000 to 2006 to provide accommodation to asylum applicants dispersed on a no-choice basis to the city. From 2006 to 2011 accommodation was provided through a mix of GCC, YPeople, and the Angel Group stock, before Serco and its sub-contractor took over operational responsibilities for housing dispersed asylum applicants in 2012.

## 2.5 COMPASS

Prior to the ending of TARGET<sup>®</sup> contracts, the then UK Border Agency - now the Home Office UK Visas and Immigration Directorate - initiated COMPASS, which, as noted above, aspired to create more efficient arrangements for the provision of asylum support and accommodation while decreasing the annual cost of housing asylum seekers<sup>7</sup>, estimated at £150 million for 2011 - 2012.<sup>8</sup>

In March 2012, Secro secured the COMPASS contract for the Scotland and Northern Ireland region. In September 2012, Serco then sub-contracted the management of properties in these regions to a property management company, Orchard and Shipman, thereby passing to them contractual and operational responsibilities to secure properties in Scotland (principally in Glasgow), to house asylum applicants.

The early stages of the contracts across the UK were turbulent with difficulties and challenges encountered in managing the transfer of housing providers and existing clients at the same time as providing an adequate service for newly arrived asylum seekers.<sup>9</sup>

Just over 20,000 people were living in asylum accommodation throughout the UK in September 2012 when the first of the COMPASS contracts became fully operational.<sup>10</sup> For Serco, this amounted to 8000 asylum seekers in 3000 properties across its regions of responsibility of the North West of England and Scotland and Northern Ireland.<sup>11</sup>

Since the implementation of the COMPASS contract, there has been a slight increase in the demand for accommodation, with research indicating that around 23,500 people seeking asylum were living in the UK in September 2013.<sup>12</sup>

The COMPASS contract featured a Statement of Requirements for dispersal accommodation and transport providers. The key duties under this contract are to:

- 1) Provide safe, habitable, fit for purpose and correctly equipped accommodation to asylum seekers, ensuring that properties adhere to the standards established in the Decent Homes Standard<sup>13</sup> (guidance for social housing in England).
- 2) To provide adequate transport to and from initial and dispersal accommodation and medical appointments.<sup>14</sup>
- 3) To abide by contractual management regulations at all levels, ensuring that there is a complaints procedure for those living in dispersed accommodation and that organisations report on their performance against the specified standards.<sup>15</sup>

All three of the above duties must fulfil the broader contractual duties to promote and safeguard the welfare of children<sup>16</sup>, to ensure the safety and security of those living within dispersed accommodation<sup>17</sup> and to ensure that staff have an overview of the asylum process and the needs particular to those seeking asylum.<sup>18</sup>

## 2.6 Reserved and devolved responsibilities for standards in dispersal housing

Under the Scotland Act 1998, powers in immigration and nationality - including asylum - are reserved to the UK Government and Parliament.<sup>1</sup> The Concordat between the Home Office and then Scottish Executive details matters reserved to Westminster and those devolved to Scotland. Matters relevant to this research are:

- 1) Devolved matters: housing, criminal justice, civil justice, family policy, equal opportunities and various licensing issues<sup>2</sup>;
- 2) Reserved matters: border protection and defence<sup>3</sup>;
- 3) Areas of joint working: dispersal of asylum seekers<sup>4</sup>.

1 - Scottish Refugee Council, Responding to the Challenges of Dispersal, <http://www.scottishrefugeecouncil.org.uk/about/history/dispersal>, para 4, as accessed 01/04/2014.

2 - BBC News, Asylum Dispersal to Continue, August 2001, <http://news.bbc.co.uk/1/hi/uk/1477163.stm>, para 17, as accessed 01/04/2014.

3 - Scottish Government, New Scots: Integrating Refugees in Scotland’s Communities, Needs of Dispersed Asylum Seekers, December 2013, <http://www.scotland.gov.uk/Publications/2013/12/4581/5>, as accessed 04/04/2014, para 5.

4 - Ibid, para 1.

5 - Home Office, August 2013.

6 - The predecessor to the new COMPASS contracts which started in March 2012 was the Target and Transport Plus contracts. There were approximately 30 such contracts across the UK between the Home Office and a range of accommodation and transport providers, often organised through local authority-led consortiums.

7 - NAO report, p12.

8 - Ibid, p4.

9 - Ibid, p17.

10 - NAO report, p35.

11 - Public Accounts Committee, Oral evidence: Asylum accommodation, HC 1000, Wednesday 5 February 2014, at Q8.

12 - NAO report, p35.

13 - UK Border Agency, COMPASS PROJECT, Schedule 2, Accommodation and Transport – Statement of Requirements, 2011, p14.

14 - Ibid, p22.

15 - Ibid, p28.

16 - Ibid, p6.

17 - Ibid, p9.

18 - Ibid, pp 4 – 5.

1 - Scotland Act 1998, Part II: Specific Reservations, B6.

2 - Summarised from Scottish Government, Concordat between the Scottish Executive and the Home Office, 1999, <http://scotland.gov.uk/Resource/Doc/175748/0049500.pdf>, as accessed 15/04/2014, Annex A.

3 - Ibid, at Annex B.

4 - Ibid.



## 2.7 Relevance of Scottish housing legislation and standards to asylum housing

Scottish Ministers do not have powers to intervene in the COMPASS framework in terms of the management of the Home Office's contract with Serco nor Serco's with Orchard & Shipman. The Scottish Government has legislative competence over housing and, therefore, has relevant jurisdiction over standards of social, housing association, and private rented housing in Scotland.

The COMPASS framework explicitly mentions the Decent Homes Standard that applies in England to social and housing association property. However, accommodation in Scotland for asylum applicants - private, housing association, or local authority - as a consequence of the devolution of responsibilities in the Scotland Act 1998 is subject to relevant Scottish housing legislation and policy.

For example, local authority and housing association landlords must work towards fulfilling the Scottish Social Housing Charter 2012-2017 (the Charter). This requires such landlords to, in respect of their housing activities, take a holistic approach not only to the physical condition of their properties but, importantly, also to those that are living in them.

The Charter sets out standards and outcomes including but not limited to the customer and landlord relationship; housing quality and maintenance; and access to housing and support. Councils and registered social landlords are expected in legislation to achieve these. They are approved by the Scottish Parliament with oversight from Scottish Ministers in consultation with tenants and housing bodies.

Furthermore, properties owned by councils and housing associations are also subject to the Scottish Housing Quality Standard (the SHQS). The SHQS is a Scottish Government standard on the physical quality of social and registered social landlord housing, with all relevant properties in Scotland required by Scottish Ministers to meet the SHQS by April 2015. The SHQS would apply to the physical quality of social housing used to accommodate in Scotland those claiming asylum in the UK.

The Scottish Housing Regulator has statutory oversight of social landlords' performance of their housing activities. It fulfils this responsibility by monitoring, assessing, and reporting regularly on such performance. The SHR must consider, in its regulatory activities, performance against both the Charter and relevant statutory guidance. There is potential for the SHR to monitor the quality and standards of housing in Scotland used to accommodate asylum applicants.

In addition, all privately rented tenancies must meet the statutory repairing standard set out in the Housing Act 2006. This standard requires private tenancy landlords to ensure that the homes they let fulfil the standard at the start and at all times during a tenancy. Private tenants can apply to the Private Rented Housing Panel if landlords have not carried out necessary repairs.

Therefore, there is a comprehensive regime in Scotland for maintaining and enhancing standards of properties owned by local authorities and registered social landlords, as well as for privately let accommodation. It would follow that this regime applies to the housing used in Scotland to accommodate people claiming asylum in the UK and, therefore, to the responsibilities of Home Office, Serco, and Orchard and Shipman in terms of COMPASS and meeting Scottish housing standards.

One duty imposed upon Scottish landlords is to ensure that properties with three or more unrelated people who share a kitchen, bathroom and toilet have a 'House in Multiple Occupation' licence (known as an HMO licence). These licences were introduced on an optional basis in 1991 under the Civic Government (Scotland) Act 1982 and made mandatory under the Housing (Scotland) Act 2006 to ensure that all such properties were maintained to an acceptable standard.

In contrast, the COMPASS statement of requirements defines accommodation in multiple occupation as being where two or more unrelated people - or indeed couples - are sharing accommodation<sup>1</sup>, and requires as such that all bathrooms, shower rooms, toilets and bedrooms have locks which can be locked from the inside.<sup>2</sup>

This means that landlords housing dispersed asylum seekers must ensure that where two unrelated people are living in the same property, the property has an HMO licence and follows the obligations imposed by such licences and governing legislation. Therefore, the Home Office through its COMPASS framework, must comply with HMO standards in Scottish legislation.

1 - Per correspondence from Home Office Contract Compliance dated 24/04/2014.  
2 - COMPASS Statement of Requirements, B.4.1.14, p77.





## 2.8 Comparison between COMPASS Statement of Requirements and Decent Homes Standards and the Scottish Housing Quality Standard

As the standards within the COMPASS Statement of Requirements (the SoR) were designed to be in line with the Decent Homes Standard, the guidance for council and social rented housing in England, consideration must be borne to the differences between the SoR and the SHQS, an equivalent document for local authority and registered social landlord housing in Scotland.<sup>1</sup>

In the SoR, obligations upon accommodation providers fall into one of four categories of overall duties: (a) to ensure that accommodation is safe; (b) to ensure that accommodation is habitable; (c) to ensure that accommodation is fit for purpose; and (d) to ensure that accommodation is correctly equipped.

The SoR briefly details scenarios wherein each of these overall duties would not be satisfied, before specifying general standards rendering a property fit for purpose and tasks to ensure this. It is noted that there is a duty upon housing providers to ensure that the needs - medical, age-related, physical problems and vulnerability - of service users are accounted for when accommodation is being allocated.

The SHQS, however, specifies the maximum standards for Scottish local authority and registered social housing. Each Annex of the SHQS lists standards, namely (a) housing must be compliant with current tolerable standards; (b) properties must be free from serious disrepair; (c) accommodation must be energy efficient; (d) properties must come equipped with modern facilities and services; and (e) properties should be healthy, safe and secure.

Although the SHQS features various factors mirroring those included in the Statement of Requirements, the former appear more specific in terms of how assessments of quality should be made. For example, further guidance is given on every element listed in Annex A of the SHQS<sup>2</sup> whereas such detailed guidance is not provided in the Statement of Requirements.<sup>3</sup>

An important feature in both the Statement of Requirements and the SHQS is the rating of standards of defects. In the former document, defects are listed by severity in terms of need for repair, which is listed as 'immediate', 'emergency', 'urgent' and 'routine'<sup>4</sup>, with 'immediate' defects being the most severe and 'routine' the least.

Within the SHQS, however, failings are defined on a 'pass' or 'fail' basis, with the possibility of certain elements also being listed as 'not applicable', 'exempt' or 'in abeyance'.<sup>5</sup> In terms of standards of measuring failure, Annex D of the SHQS includes 'technical notes on measuring failure'.<sup>6</sup> Annex E mirrors this requirement. In contrast, as well as rating the severity of defects, the Statement of Requirements features Key Performance Indicators (KPI), which is part of the wider performance regime designed to monitor the performance of the COMPASS contract.

There are differences in how the two standards rate failure. For example, doors that do not lock are marked as a severe breach in the Statement of Requirements<sup>7</sup>, but in the SHQS this would be regarded as 'outright failure'.<sup>8</sup> It should be further noted that while the SHQS differentiates between individual dwelling doors and external doors; no such differentiation is made in the COMPASS document.

Certain duties within the Statement of Requirements do not exist within the SHQS due to the forms that dispersal accommodation can take. For example, hostels can be used as a form of dispersal accommodation.<sup>9</sup> As a result of this, there are requirements surrounding full-board accommodation, with regard to be paid to certain dietary and religious requirements.

It should be noted that consideration for such requirements and the need to safeguard the welfare of children, ensure the safety and security of service users and to account for needs particular to asylum seekers is stated explicitly within the Statement of Requirements.

The SHQS, however, features no statement of consideration for the needs of Scottish council or registered social landlord tenants, as it focuses purely on the physical features of the property and the ability of these features to offset the behaviour of those in the accommodation.<sup>10</sup>

Therefore, although the SHQS imposes far more technical obligations upon landlords, the Statement of Requirements takes a more holistic approach in terms of the need to protect service users. These differences can be attributed to the fact that the SHQS is the definitive guidance for social rented properties in Scotland.

The SoR is to be read in light of the Decent Homes Standard for England. However, in terms of Scotland, they should also be considered against the SHQS, in so far as registered social landlords housing asylum applicants in Scotland should fulfil the SHQS. Private landlords that have entered into leasing agreements with Orchard and Shipman to house asylum applicants are required to meet statutory repairing standards.

1 - The requirements within which must be satisfied by all Scottish local authorities and registered social landlords by April 2015.

2 - Scottish Housing Quality Standards, Annex A: Must be Compliant with the Current Tolerable Standard (12 Elements), D: Further interpretation and information for Social Landlords, p.1 <http://www.scotland.gov.uk/Resource/Doc/1125/0116865.pdf> as accessed 07/03/2014.

3 - One illustration of this would be where it is listed that there should be a sink with hot and cold water within the accommodation, reference to further guidance is made, including the definition of a sink and the basic standards that sinks in Scottish social housing should meet (see <http://www.scotland.gov.uk/Publications/2009/03/25154751/10>).

4 - Compass Statement of Requirements, B.11.1, p90.

5 - Annex I: Guidance for Social Landlords on Exemptions and Abeyances in Connection with the Scottish Housing Quality Standards, p2, <http://www.scotland.gov.uk/Topics/Built-Environment/Housing/16342/shqs/annexi>, as accessed 07/03/2014.

6 - Scottish Housing Quality Standards, Annex D: Must Have Modern Facilities and Services, as accessed at <http://www.scotland.gov.uk/Resource/0041/00418715.doc> on 07/03/2014, p1.

7 - UKBA, Annex B 3.1.14 p76.

8 - Scottish Housing Quality Standard, Annex E, Secure Elements 53-5.

9 - COMPASS Statement of Requirements, 2.7, p19.

10 - Scottish Government, Annex G: A Short Guide to the Technical Guidance for Social Landlords on the Scottish Housing Quality Standard Contained in Annexes A-F, 2011, <http://www.scotland.gov.uk/Resource/Doc/1125/0114873.pdf>, as accessed 07/03/2014, p6.



## 2.9 Synopsis of external scrutiny of transition to COMPASS

Following the contractual handover to Serco, G4S and Clearel, the subsequent transitional process has come under substantial external scrutiny. Concerns were raised in October 2013 by the Home Affairs Select Committee (the HASC), by the National Audit Office (the NAO) in January 2014, and by the Public Accounts Committee (the PAC) in April 2014. The remainder of this section details these concerns.

Individual examples of complaints were highlighted through this external scrutiny, including infestations, a lack of heating or hot water<sup>1</sup> and homes without functioning basic amenities such as cookers<sup>2</sup>, resulting from a failure to inspect properties taken on as part of this contract.

Weaknesses in the frequency and quality of inspection of properties has also resulted in 'vulnerable' asylum seekers being housed in 'filthy' conditions, with witnesses citing experiences of bed bugs and sores from living in such accommodation<sup>3</sup>, raising concerns around compliance with the Reception Conditions Directive.

Evidence presented to the HASC included concern over the housing of dispersed asylum seekers (some of whom have experienced torture and degrading treatment in their countries of origin) in shared accommodation, with housemates often from a different cultural background to their own, and the profoundly negative effect that this can have on mental well-being.<sup>4</sup>

Fears were raised during the HASC process about the lack of locks on bedroom doors in shared accommodation; with some witnesses reporting having their belongings stolen by housemates.<sup>5</sup> This lack of privacy may raise issues in terms of Article 8 of the ECHR to private and family life, home and correspondence.<sup>6</sup>

There has also been notable criticism of housing provider staff. The entering of properties by housing staff unbidden was highlighted by the HASC as a particular cause for concern<sup>7</sup>, and again highlights the lack of privacy in dispersed accommodation.

In February of this year, oral evidence was given to the PAC from key stakeholders to the COMPASS contract; this evidence was then utilised in the PAC's final report.

The PAC's concerns fell into two categories: (a) contract and relationship management, and (b) performance and cost. One major concern surrounded the contractual downsizing from 22 individual contracts with 13 accommodation suppliers - including local authorities and voluntary sector and private agencies to six contracts with three major private companies.

The PAC was concerned that this change, in decreasing the diversity and speciality of suppliers provided by the former contract, carried a risk of no alternative providers being available in the event the new commercial providers were unable to fulfil their obligations.

There were further concerns that the Home Office's apparently detached approach to the transitional process - which included not providing accurate data to the incoming contractors – may well have been 'short-sighted' and have contributed to the identified weaknesses amongst the new incoming contractors in inspecting their inherited properties.

Concerns were also raised around the failure to properly calculate the demand for asylum housing stock<sup>8</sup>, resulting in overcrowding throughout the UK, which raises additional concerns surrounding compliance with the duties imposed by HMO licences - or whether properties even have such licences.

Mention was made throughout this external scrutiny of negative impacts arising from the contractual changeover, with examples given of children missing school because of having to move to new accommodation during term time and a failure to inform those affected by the contractual change about what this process would entail.<sup>9</sup>

The PAC was also dismayed by the Home Office's apparent failure to make the intended savings because of the additional costs incurred as a result of the failure to fulfil the contractual deadline.<sup>10</sup> It was found that the Home Office had failed to act properly and in line with contractual performance requirements and recommended not only that this be done but that the KPIs against which suppliers were monitored were improved.<sup>11</sup>

Many of these issues were iterated recently by the Refugee Women's Strategy Group - an independent refugee and asylum seeking women's group in Scotland - which prioritised housing as one of the topics for discussion during their Speak for Yourself Engagement Initiative. Speak for Yourself surveyed 87 individual women and seven refugee community organisations. Particular concerns included overcrowding, dirty and unsuitable accommodation and furniture, lack of repairs, poor customer service and poor heating<sup>12</sup>, echoing the findings of the National Audit Office and Home Affairs Select Committee.

Despite the concerns, it should be noted that the situation may be improving: the National Audit Office in January did state that reported overall performance is improving although still has some way to go to meet the desired standard. Data indicated that for Scotland and Northern Ireland, all dispersal targets were being met or almost met and that the number of asylum seekers living in accommodation assessed as non-compliant and having severe defects, and the number of asylum seekers living in accommodation assessed as unfit for purpose, had decreased significantly from January - August 2013.<sup>13</sup>

1 - House of Commons Home Affairs Committee, Asylum, Seventh Report of Session 2013-14, Volume I: Report, together with formal minutes, oral and written evidence, 8th October 2013, referencing Ev 103, para 7.14 (Freedom from Torture); Ev w245, para 4.2 (Barnado's), p39.

2 - Ibid, referencing Ev w209, para 6.7 [Joseph Rowntree Foundation and the Housing and Migration Network]; Ev w303, para 3.6 [Dover Detainee Visitor Group's Ex-Detainee Project].

3 - House of Commons Home Affairs Committee, Ev 117-8.

4 - Ibid.

5 - Ibid.

6 - Article 8, European Convention on Human Rights.

7 - National Audit Office, Figure 13: Service User Concerns, p38.

8 - House of Commons Committee of Public Accounts, Oral evidence: Asylum accommodation, HC 1000, Wednesday 5 February 2014 [http://data.parliament.uk/writtenevidence/](http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/5823) WrittenEvidence.svc/EvidenceHtml/5823, Qs 24-27.

9 - NAO report, p23.

10 - House of Commons Committee of Public Accounts, COMPASS: Provision of Asylum Accommodation, London, April 2014, <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmpubacc/1000/1000.pdf>, as accessed 24/04/2014, pp4-5 .

11 - Ibid, p6.

12 - Refugee Women's Strategy Group, Speak for Yourself, April 2014.

13 - NAO report, Figure 8, pp28-9.



# Research Methodology





### 3.1 Criteria for inclusion and search strategy

Before designing a research question, it was necessary to assess the extent of the information available to Scottish Refugee Council on its Joint Client Database. Introduced to Scottish Refugee Council in August 2011, the Joint Client Database was used for the purposes of case management. This database was used to log:

- the personal details of clients - including information on their claim and details of any dependants;
- information on any issues that Scottish Refugee Council or any other member of the Asylum Support Partnership had worked on for each client;
- records of what was discussed during each session;
- details of the actions taken to resolve the issues discussed;
- any external or internal communication concerning a particular client's case; and
- details of any concerns held by staff for individual clients.

It became clear at an early stage of this project that the information available on this system focused on the level and range of accommodation problems brought to Scottish Refugee Council and the characteristics of clients with whom accommodation sessions were held.

A further source of information was the Accommodation Caseworker email inbox. The address for this inbox was copied into each external email concerning accommodation complaints of asylum seeking clients, and so featured detailed logs of many accommodation issues and illustrated the lengths to which caseworkers would have to go to resolve these issues. Meetings with caseworkers at this stage provided a holistic view of the types of asylum accommodation issues brought to Scottish Refugee Council.

It was agreed that an efficient way of utilising this data would be to identify the extent of continuing problems with dispersal accommodation, as previous research had already illustrated issues and problems in Serco's and Orchard and Shipman's performance in meeting their asylum accommodation contractual obligations. Therefore, to limit our work purely to this would simply reiterate their findings. To add to existing research, it was agreed that this work should demonstrate the impact of any problems and failings identified on both asylum seekers and asylum services, and to recommend improvements in current practice.

In order to explore our research question (particularly in terms of the impact on both asylum seekers and service providers), it was agreed that the available information needed to be supplemented. To do this, we held three focus groups, one with key service providers and two with clients of Scottish Refugee Council.

The focus group with key service providers was attended by frontline staff with significant experience of working with those housed under the COMPASS contract. The selection of respondents was assisted by recommendations from Scottish Refugee Council's Head of Asylum Services, Housing Development Officer, Accommodation Caseworker, Head of Integration Services and Head of Policy and Communication.

The first focus group with asylum applicants included those who had raised asylum accommodation-related problems with Scottish Refugee Council (based on the search criteria used for researching the Joint Client Database). The second such group was attended by clients who had not brought accommodation-related issues to Scottish Refugee Council. However, all clients were asked the same questions to test the theory that most clients, whether reported to Scottish Refugee Council or not, had experienced some sort of problem with their dispersal accommodation. There was a mix of ethnicities across these two focus groups with two-thirds women and the remainder, men.

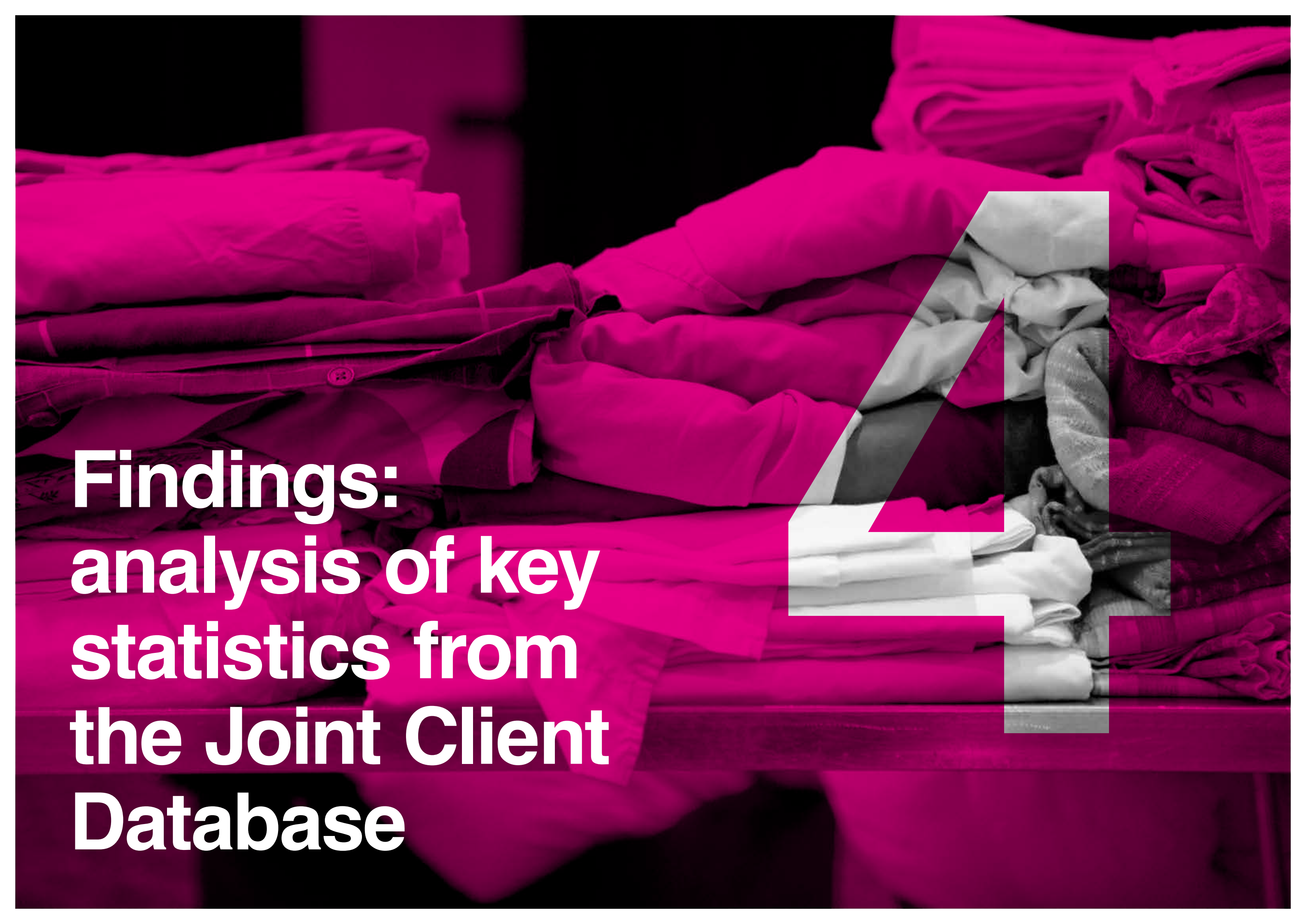
Our process for selecting client respondents was intended to be as randomised as possible. It was initially decided that an ideal focus group on these issues would require around 12 participants. However, due to timescale constraints and a low acceptance of invitations, the number of contacted participants was increased to 15.

The results from this search were not as useful as anticipated, due to many clients facing language barriers and our agreement that too many interpreters would disrupt the flow and recording of the focus group. By widening this search to 20, an increased list of clients produced more helpful results. This was added to by a randomised interaction third party report (detailing interactions from February 2013 - 2014 with outside agencies on accommodation issues), and completed by a random selection of one client from within the Accommodation Inbox.

Finding participants for the second focus group with service users proved even more difficult given the sheer volume of clients. Initial searches were for 15 clients but this was increased to 20 and then 40. Contacted clients were a mixture of those produced from the second and third searches. Finally, a topic guide for the focus groups was produced.







# **Findings: analysis of key statistics from the Joint Client Database**

## 4. Findings: data from the Joint Client Database

Scottish Refugee Council is part of the wider Asylum Support Partnership which includes the organisations Refugee Council, Welsh Refugee Council, North of England Refugee Service, Refugee Action and Northern Refugee Centre.

From 2000-2014, Scottish Refugee Council was contracted by the Home Office to provide advice services to asylum seekers in Scotland in order to provide the best advice service possible. A two-part asylum service was created; the Scottish Induction Service and the One Stop Shop.

The Scottish Induction Service was designed to be a first port of call for newly arrived asylum seekers, providing practical advice on the asylum process and assisting with day-to-day life in the UK. While the One Stop Shop was still a port of call for clients, it was designed to be an all-round advice service, rather than purely advising new arrivals.

The Joint Client Database was utilised to examine the prevalence of asylum accommodation problems among Scottish Refugee Council's clients and the impact of these problems on Scottish Refugee Council's asylum advice services from the beginning of February 2013 until the end of February 2014. From the outset of this study, it was known that the statistical evidence from the Scottish Induction Service would be significantly less than that from the One Stop Shop due to the nature of each service.

It is important to note that problems with dispersed accommodation (the focal point for this report) would be more likely to be reported to the One Stop Shop, given the all-inclusive nature of this advice service and the deliberate proximity of the Scottish Induction Service to the Initial Accommodation, meaning that this service would have been more likely to have been attended by clients living in Initial Accommodation and awaiting dispersal to asylum accommodation. While every care has been taken to ensure that the data retrieved from the Joint Client Database is as accurate as possible, consideration must be given to the possibility of errors.

On the Joint Client Database, for each client's 'session' with Scottish Refugee Council (i.e. phone call or face-to-face meeting with a caseworker), the topic/s discussed are listed under the heading 'issue', which refers more generally to the area which the problem is part of.

For example, where a client's Application Registration Card was damaged, this would come under the general issue heading of 'ARC Problem'. The 'sub-issue' refers more specifically to the type of problem experienced, which in this scenario would be 'Damaged'.

Each asylum accommodation sub-issue was recorded on the Joint Client Database under the main issue heading of 'Provider Problem', a heading referring to any sort of problem with both initial and dispersed accommodation. This term will be used from here on in to describe asylum accommodation issues. A range of sub-issue headings were included under this main issue heading:

- Anti-social behaviour (which related to hostility faced by clients either from housemates or within their neighbourhood);
- Issues pertaining to the transition from YPeople to Orchard and Shipman<sup>1</sup>;
- Issues with fixtures and fittings within the accommodation (problems pertaining to the quality and suitability of appliances within the accommodation);
- Harassment experienced in accommodation (including intimidating behaviour and violence within the accommodation or dispersed neighbourhood);
- Problems with the size of accommodation;
- Standards within the accommodation: including the physical quality of the accommodation and suitability of the type of accommodation; and
- Issues with housing provider staff.

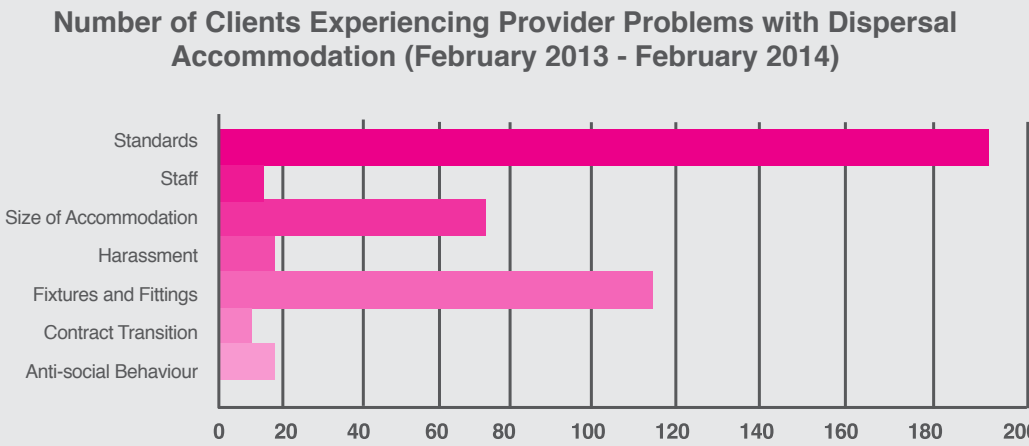
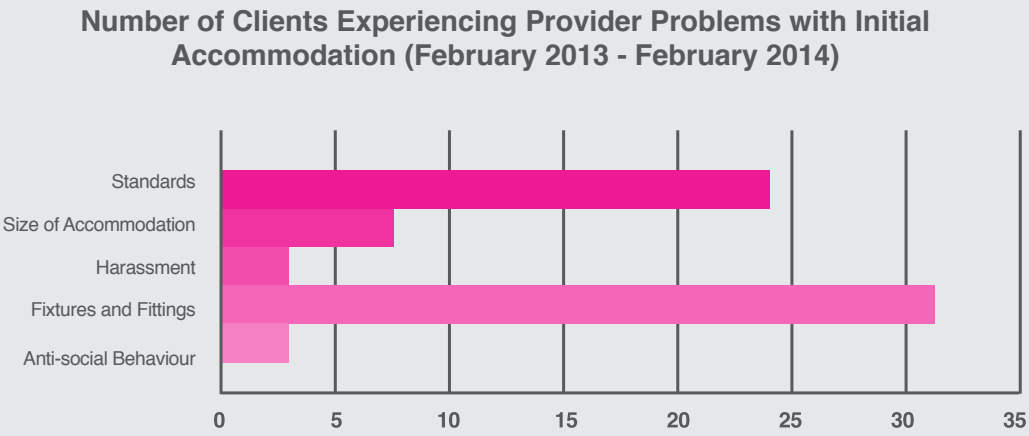
Session types were recorded as 'screenings', 'appointments', 'quick advice' and 'outbound' or 'inbound' phone calls. These sessions, their issues and issue sub-types could then be placed into 'service user summaries', which provided a brief outline on the key aspects of each client's sessions and issues within the Asylum Support Partnership. Category headings within service user summaries included:

1. Accessing UKBA support
2. Advice to other agencies
3. Assistance with UKBA correspondence
4. Change of circumstances
5. Completion of NASS 1s
6. Legal referrals
7. Registering with school/education authority
8. Registering with doctor/health authority
9. Accommodation
10. Section 4
11. General support & advice, and
12. Other statutory & voluntary services.

Most service user summaries would usually consist of a combination of these categories.

### 4.1 From February 2013 – February 2014, 458 clients presented to both the One Stop Shop and Scottish Induction Service with provider problems.

Scottish Refugee Council Advice Service	Number of Clients Experiencing Provider Problem Issues from February 2013 – February 2014
One Stop Shop	392
Scottish Induction Service	66



Standards and fixtures and fittings were undeniably the most commonly experienced Provider Problems during this period (amounting to 42% and 29% of all problems under the Provider Problem heading respectively), followed by clients with complaints concerning the size of accommodation, which amounted to 16% of all experienced Provider Problems.

Complaints relating to other Provider Problems were significantly less. No Scottish Induction Service clients experienced Provider Problems with staff or issues relating to the contract transition. This could be attributed to the fact that the vast majority of clients attending the Scottish Induction Service would be living in initial accommodation and so would have only have met with staff there.

Clients that had been moved from initial accommodation would be likely to have had more interaction with a broader range of housing provider staff. Clients living in initial accommodation would be less likely to have lived there long enough to have been affected by the transitional period.

It is important to recognise the differences between the level of problems in initial accommodation and problems with dispersal asylum accommodation. The problems experienced with standards of dispersal accommodation accounted for 47% of all problems, whereas problems with standards in initial accommodation amounted to 36% of overall problems. On the other hand, problems with fixtures and fittings accounted for 29% of all problems with dispersed accommodation but 47% of problems within initial accommodation.

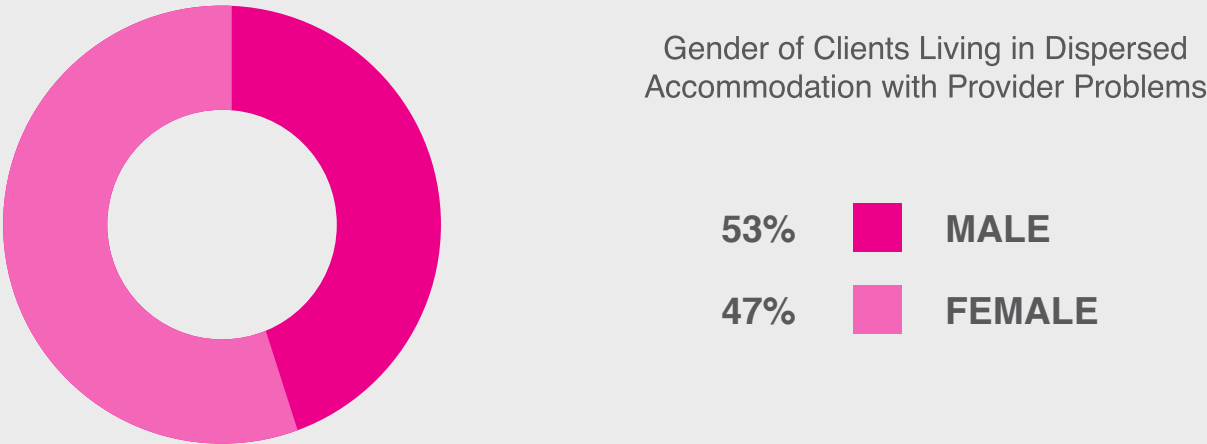
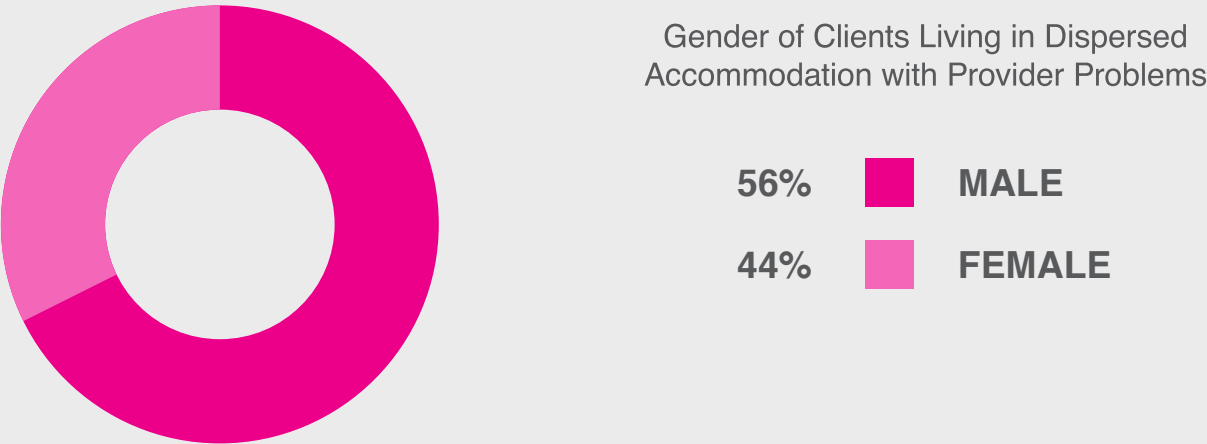
It would appear that the amenities within dispersal accommodation do not present such a pressing problem as the basic quality and nature of dispersal accommodation, which raises concerns surrounding compliance with the COMPASS contract.

1 - As this process was still ongoing at the beginning of the examined period, this subject heading referred to problems experienced by those who had to move accommodation as part of the contractual changeover.



4.2 Problems experienced with asylum accommodation by gender

The gender balance of people seeking asylum in Scotland is hard to establish, as Home Office statistics detail the gender of main applicants only. One fifth of asylum applicants arrive as part of a family<sup>1</sup> and approximately one third of main applicants are female.<sup>2</sup>



As illustrated by the above diagrams, more women than men reported provider problems with dispersed accommodation. This could perhaps be explained by the fact that women are more likely to express dissatisfaction with their accommodation than men, with even higher levels of dissatisfaction among women with children.<sup>3</sup>

Therefore, despite being a minority in the UK asylum process, the report found that women were more likely than men to report problems in dispersed accommodation, which raises questions about whether the particular needs and experiences of asylum seeking women are being considered in the provision of housing.

As noted above, this included women with children, which also raises concerns about the duty on asylum housing providers to safeguard and promote the welfare and best interests of children<sup>4</sup>, as is required through both section 55 of the Borders, Citizenship and Immigration Act 2009 as well as in the COMPASS SoR.<sup>5</sup>

1 - Scottish Induction Service figures.  
2 - [http://www.scottishrefugeecouncil.org.uk/0000/5495/4087\\_SRC\\_Referendum\\_Report\\_V3.pdf](http://www.scottishrefugeecouncil.org.uk/0000/5495/4087_SRC_Referendum_Report_V3.pdf), p10.  
3 - Gareth Mulvey, In Search of Normality: Refugee Integration in Scotland Final Report, March 2013, p43.

4 - Home Office COMPASS Project, Schedule 2, Accommodation and Transport – Statement of Requirements, 2011, 1.2.3.2., p6.  
5 - UK Border Agency, COMPASS Project, Schedule 2, Accommodation and Transport – Statement of Requirements, 2011, 1.2.3.2., p6.

4.3 Gender breakdown of problems reported to One Stop Shop for February 2013, August 2013 and February 2014

It was agreed that one way of examining the prevalence of specific provider problems for each gender was to retrieve the number of clients of each gender reporting provider problems to One Stop Shop. The chosen months were at the beginning, middle and end of the research period. This was done in order to establish the prevalence of problems throughout this period and whether instances of particular issues had increased or decreased within this time.

February 2013

Gender of Clients	Problem Reported	Number of Clients Reporting This Issue
Female	Fixtures and Fittings	4
	Harassment	3
	Standards	3
Male	Fixtures and Fittings	4
	Standards	5

August 2013

Gender of Clients	Problem Reported	Number of Clients Reporting This Issue
Female	Anti - Social Behaviour	1
	Fixtures and Fittings	4
	Size of Accommodation	3
	Standards	5
Male	Fixtures and Fittings	3
	Harassment	1
	Size of Accommodation	2
	Staff	2
	Standards	8

February 2014

Gender of Clients	Problem Reported	Number of Clients Reporting This Issue
Female	Anti - Social Behaviour	3
	Contract Transition	1
	Fixtures and Fittings	5
	Harassment	4
	Size of Accommodation	5
	Staff	1
	Standards	18
Male	Fixtures and Fittings	4
	Harassment	2
	Size of Accommodation	1
	Staff	1
	Standards	12

The data illustrates that marginally more women than men reported Provider Problems to the One Stop Shop from February 2013 - February 2014, and that there was a definite increase in the level of problems reported as the year progressed. From the selected months, it appears that problems with accommodation size were more prevalent among female clients than male. This could possibly be related to the desire for mothers to have more space for their children than perhaps a single adult would want for themselves. Furthermore, there was a significant gender difference in harassment issues with women reporting this on seven occasions and men three times.

4.4 6% of all One Stop Shop advice sessions during this period were spent resolving provider problem issues, in contrast with 2% of sessions within the Scottish Induction Service.

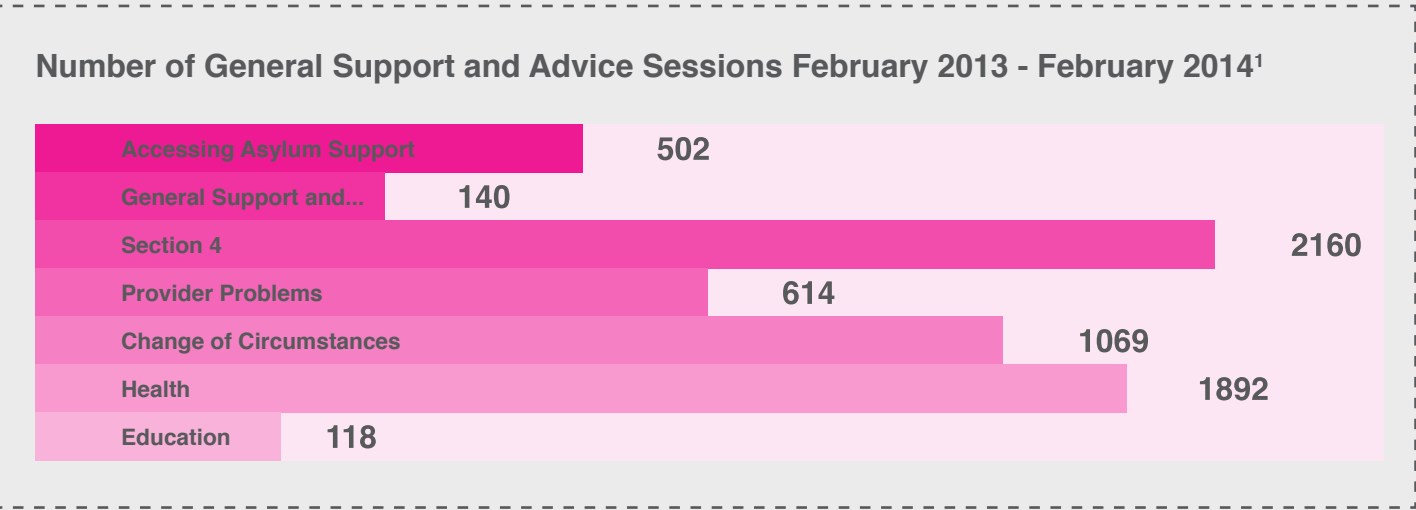
Each client’s Service User Summary on the Joint Client Database often consisted of a combination of ‘categories’, which briefly detailed the types of sessions that the client had attended with not only Scottish Refugee Council but any other member of the Asylum Support Partnership. Displayed below is a selection of categories - some of which have been simplified - and the number of sessions on each issue type that were held in the Scottish Induction Service and One Stop Shop. The displayed data consists of the following categories:

- Accessing asylum support: this issue would include problems with Asylum Registration Cards and problems with Emergency Support Tokens;
- General support and advice: included in this issue would be any other general problem such as completion of forms on behalf of clients, the collection of travel documents, information on the Refugee Survival Trust and the giving of appointments;
- Section 4: this involves explaining the criteria for Section 4 applications, any communication with the UKBA on this issue, any delays and any other problems related to this support;
- Provider problems: the sub-issues within this issue are explained in detail above;
- Change of circumstances: the recording and passing on of details of any relevant changes, including pregnancy and new babies and any other changes that may affect support;
- Health: including physical health, mental health and access to health services; and
- Education: including access to English lessons, schooling and college.

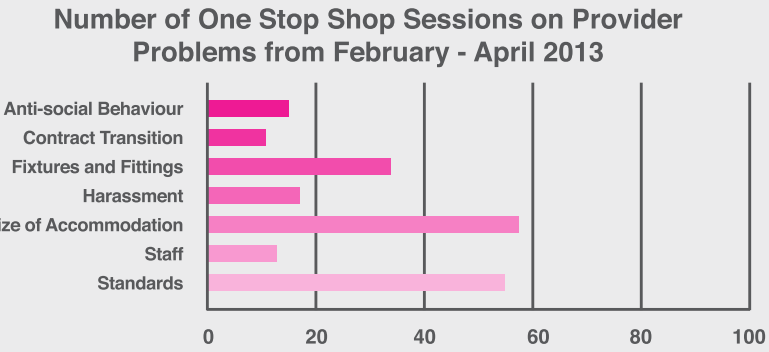
Out of a total of 12,145 advice sessions with asylum seeking clients within both the One Stop Shop and Scottish Induction Service, 614 sessions were spent on Provider Problems.

Although the number of advice sessions on Provider Problems seems slight in comparison with sessions on other issues (accounting for 5% of the total number of sessions during this period), this is significantly more than the number of sessions spent on the all-encompassing category of General Support and Advice and the number of sessions spent on Education (accounting for 1% and 0.9% of overall sessions respectively).

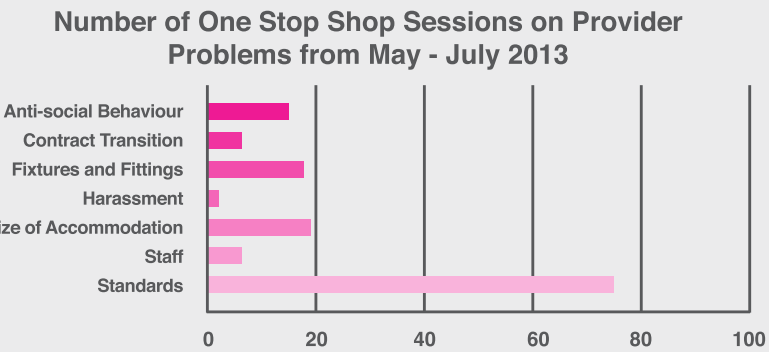
In order to establish the prevalence of sessions on certain issues over the examined period, and the possibility of any trends appearing during this time, the number of sessions was broken down into three month portions.



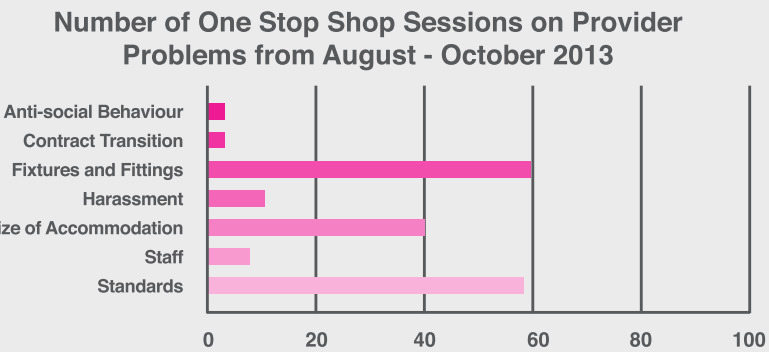
1 - It should be noted that the categories of advice given during this period are significantly broader than displayed; for the sake of simplicity, several categories have been grouped together, with less relevant categories omitted from this illustration.



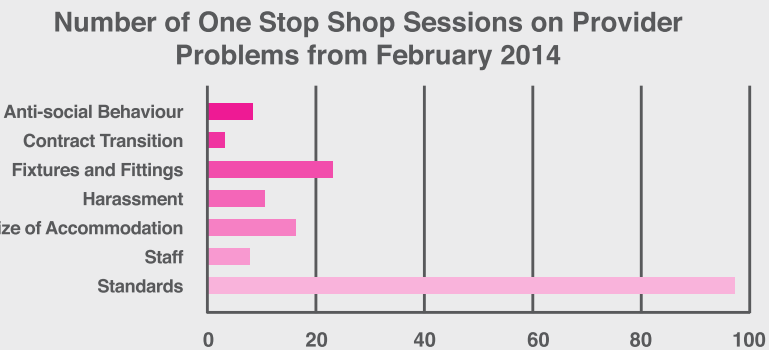
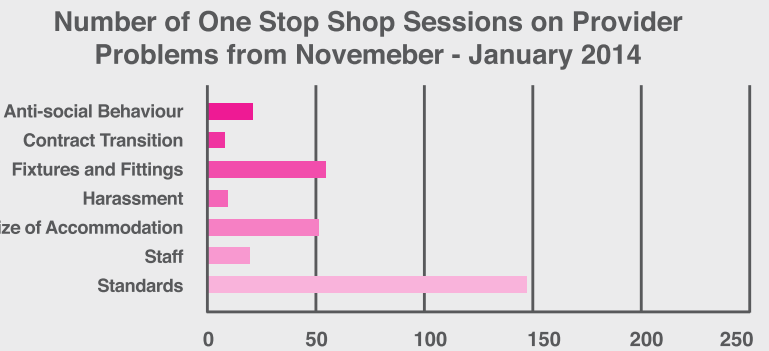
Evidently, the vast majority of sessions on Provider Problems throughout this period were spent resolving the standards of dispersal accommodation, reflected by the fact that ‘standards’ were the most commonly reported problem with dispersal accommodation. Consideration should also be given to the number of sessions on problems with fixture and fittings, again reflecting that this was the second most commonly experienced issue.



Although there is a decrease in all sub-issues bar standards over this period, it must be considered that the data also shows that until as late as the summer of 2013, sessions were still spent on resolving problems related to the contractual changeover, which at times would involve clients being required to move accommodation (sometimes with very short notice).<sup>2</sup> This is of particular importance given that it was intended for the COMPASS contract to be fully enforced by October 2012.



While the number of sessions spent on Provider Problems within the One Stop Shop service may not be as prevalent as the number of sessions on issues such as Section 4 support or health-related problems, the very existence of these sessions cannot be ignored. Under the COMPASS agreement, the obligation to rectify complaints within appropriate timescales and ensure that effective and frequent correspondence is maintained with service users lies with the accommodation provider.<sup>3</sup> The implications of this duty mean that all other organisations, including Scottish Refugee Council, are not responsible for the resolution of these problems. The duty is with the accommodation provider.



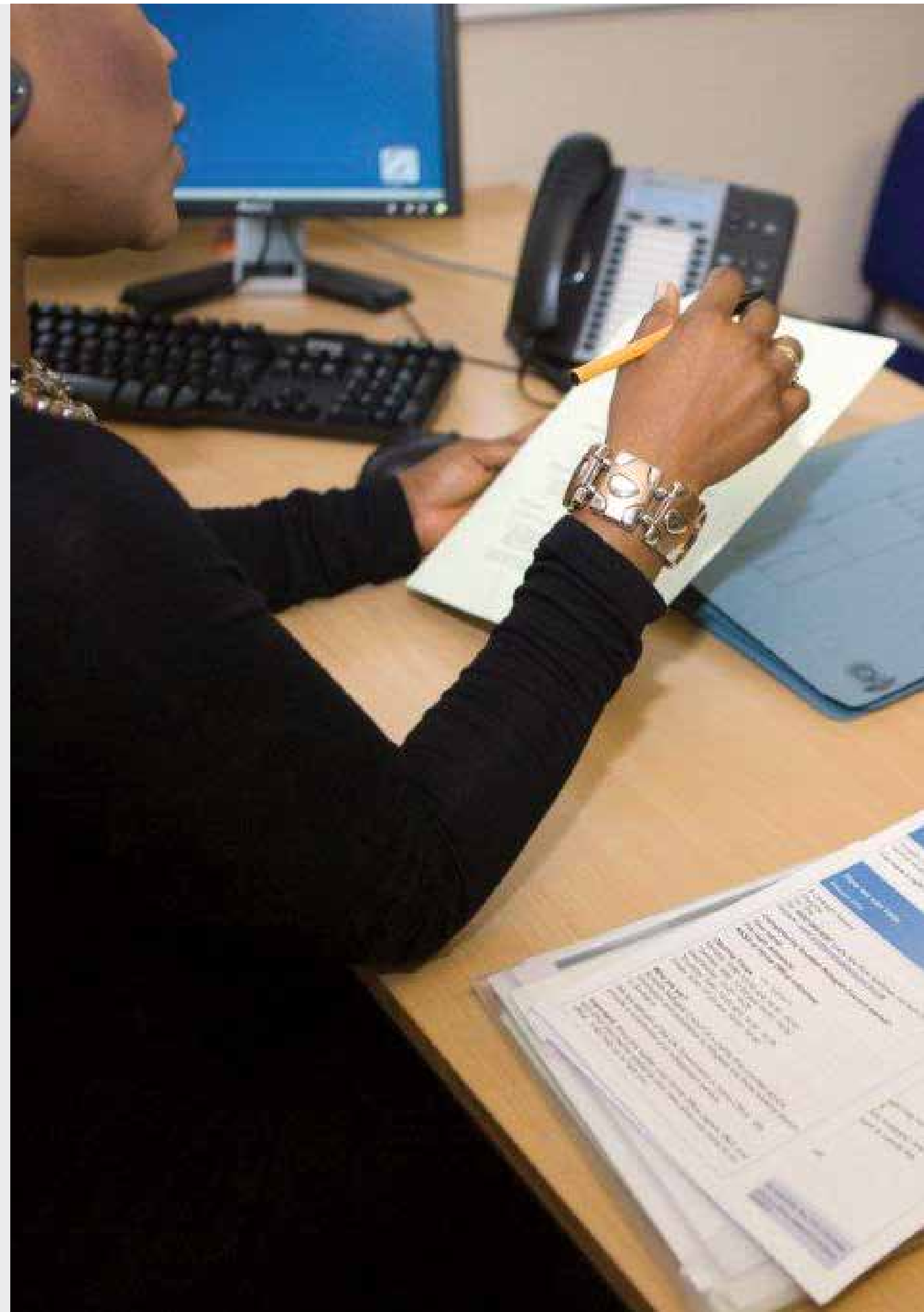
2 - NAO report, p23.

3 - UK Border Agency, COMPASS Project, 1.2.5.1, p8.



## 4.5 Summary of findings from the Joint Client Database

- Issues relating to the quality of accommodation and the equipment within were by far the most commonly reported issues during the examined period. The majority of sessions throughout this period were also spent resolving issues relating to the quality of accommodation;
- Marginally more female than male clients reported Provider Problems during this period, which raises questions about the welfare of women living in dispersal accommodation. In particular this gender difference may raise questions as to the gender sensitivity of housing practices in COMPASS. Moreover, there may be additional concerns on the welfare of the children as some women are mothers but by no means all are.
- Despite the relatively low number of advice sessions given on Provider Problems in comparison with other issues, their existence cannot be denied. The number of sessions should be far lower, given the contractual obligation upon the housing provider to resolve any issues with their accommodation. Also, it should be emphasised that despite women being in the minority of asylum seekers housed in Scotland they are more likely to make complaints than men are, again indicating potential issues relating to lack of gender sensitive practices in COMPASS in Scotland.



# Case Studies





5. Case Studies<sup>1</sup>

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.

1) *A from Iran is a single mother to a toddler daughter*

A and her daughter were placed in initial accommodation with another family. A’s daughter continues to be assessed for developmental issues. In initial accommodation, A and her daughter were forced to share a very small room, which was greatly unsuitable for her daughter’s special needs.

When A and her daughter were dispersed from initial accommodation, they again had to share with another family. The other family were from a culture different to A’s and had children younger than A’s daughter. A, her health visitor and the other family were concerned for the younger children because of her daughter’s boisterous behaviour and the child’s difficulty in understanding the danger that she posed to the other children.

The dispersal property was located a significant distance from both the family doctor and the child’s nursery. Moving the family away from their existing support network was of concern to NHS staff, given not only the need for A’s child to be supported but for A to feel that she did not have to manage the challenging needs of her daughter alone.

Despite significant correspondence from health professionals and Scottish Refugee Council to Orchard and Shipman over the examined period in attempts to ensure that the contractual requirement to meet the particular needs of asylum seekers was fulfilled, the family, at the time of gathering this case study in March 2014, had yet to be relocated.

2) *B from Kenya lives in Glasgow with her toddler son.*

B and her son were initially placed in initial accommodation with another family, consisting of another mother with a young child.

Living in this initial accommodation was very difficult for B and her child; the kitchen was not of an adequate size to allow B and her housemate to cook at the same time, meaning that B’s son often did not have dinner until late

in the evening. B and her son had difficulty sleeping because of the disruptive presence of the other family. This living arrangement had such a negative impact on B’s mood that both her GP and her son’s health visitor provided letters strongly supporting the family’s request for relocation.

After two and a half months, B and her son were moved accommodation, but this was not a straightforward process. The family were not moved until almost four weeks after the date for which their original move had been scheduled, placing them in a constant state of uncertainty. Scottish Refugee Council logged that the family were told of three separate dates where the move would take place within this time period, but the actual move didn’t happen until almost a week after these failures were reported to Orchard and Shipman.

Within hours of arriving in this new property (which was promised to be just B and her son, but in fact another single parent family were living there), B was racially abused by her neighbour. The police were contacted on three separate occasions over the following weeks regarding this and spoke to the neighbour about their behaviour. Scottish Refugee Council contacted Orchard and Shipman about this, requesting that B and her son (and indeed the other family, who had also suffered abuse) were moved as soon as possible, as neither of the women felt safe in this property. Again, her GP provided support for Scottish Refugee Council’s request for relocation because of the emotional impact that this was having on B.

As of March 2014, there was no record of B and her son having been moved from this accommodation

3) *C from China lives with her young baby.*

During the examined period, C experienced several problems with her dispersal accommodation.

When her child was over six months old, C reported to Scottish Refugee Council that she still did not have a high chair, despite Orchard and Shipman being aware of her having a young baby (having even been aware of her pregnancy) and without regard to their duty to ensure that cots and high chairs are provided for babies.<sup>2</sup>

A few months later, C again contacted Scottish Refugee Council, this time to report that the ceiling in the main bedroom had been leaking for several months. Despite C informing her Housing Officer about this on numerous occasions, nothing had been done, in obvious contravention of the repair times stipulated within the COMPASS Statement of Requirements. Scottish Refugee Council emailed Home Office Contract Compliance in the hope their influence over Orchard and Shipman would ensure that the issue was resolved. C returned to Scottish Refugee Council over a month later, stating that the problem was continuing and that no repairs had been carried out. Scottish Refugee Council again contacted Contract Compliance, as well as Orchard and Shipman. Orchard and Shipman could not provide a deadline for when these repairs would be completed. At the time of gathering this study in March 2014, these repairs had not been made.

4) *D from Eritrea is 29 years old.*

D arrived in the UK alone, with very limited English ability and no formal schooling. Throughout the examined period, D received several visits from his housing officer, who on one occasion told D that he had to leave his accommodation because he was ‘a criminal’. D would often arrive at Scottish Refugee Council’s office in tears at his situation. None of the correspondence from Orchard and Shipman was translated to D, making it very difficult for him because of his limited understanding of English.

After a visit from his housing officer, D returned to his accommodation one afternoon to find all of his belongings removed from the property and the locks changed. D was extremely upset by this invasion of his privacy and removal of his only possessions. Scottish Refugee Council contacted Orchard and Shipman, who confirmed that they had D’s belongings.

Subsequent case notes from the examined period detail the extreme distress from which D was suffering as a result of his treatment by Orchard and Shipman and the lack of explanation that was given for their actions. It is not known whether his belongings have been returned to him, despite numerous attempts to contact Orchard and Shipman by Scottish Refugee Council, D himself and volunteers from other organisations. At the time of gathering this study, in March 2014, this remained the case

1 - The case studies presented here are indicative of wider issues and problems that have been identified in this report and are not intended to provide an exhaustive account of each of these particular cases.

2 - COMPASS Statement of Requirements, B.9.3, p86.





A blue-tinted photograph of two people in an office setting. A woman is seated at a desk, gesturing with her hands while speaking. A man is seated in the foreground, facing her. A large, semi-transparent number '6' is overlaid on the right side of the image. The text 'Focus group outcomes' is written in white in the bottom left corner.

# Focus group outcomes



6. Focus group outcomes

6.1 Participant profiles

Focus groups were used to explore the experiences of asylum seekers and those who provide support services for asylum seekers. These were held at the Scottish Refugee Council offices in Glasgow. Distinct groups of people were gathered for each, namely: Professionals who work to support asylum seekers in Scotland;

- Professionals who work to support asylum seekers in Scotland;
- Asylum seekers who had reported issues with their asylum accommodation; and
- Asylum seekers who had been in contact with Scottish Refugee Council but not specifically reported accommodation issues.

A total of ten service providers attended the first focus group. Their job titles were as follows:

- Midwife
- Community Nurse
- Chair of Integration Network
- Associate Solicitor
- Principal Officer
- Support Service Co-ordinator
- Case Worker
- Service Manager
- Senior Project Officer, and
- No title provided.

Five were employed in the public sector; four in the voluntary sector and one in the private sector. Six women and four men participated in the service provider focus groups.

Twelve asylum seekers, nine women and three men, participated in the other two focus groups. They were aged between 18 and 59 years. The table below illustrates the broad ethnicity classifications of participants.

Ethnicity	
African	7
Asian	5
	12

In terms of family composition, there were five single parents; four single adults and three couples with children. Seven of the twelve were accommodated in flats; four were in shared accommodation; and one was living in accommodation provided by a charity.

6.2 Focus group findings

6.3 Accommodation standards

Analysis of the data from the Scottish Refugee Council's Joint Client Database highlighted a number of topics regarded as 'Provider Problems' which service users had approached Scottish Refugee Council for support with. The categories identified as sub issues via the review of the database were used in the analysis and write up of the data gathered through the focus groups, these are:

- Standards of accommodation
- Size of accommodation
- Fixtures and fittings within accommodation
- Harassment experienced in accommodation
- Anti-social behaviour, and
- Issues regarding the transition from YPeople to Orchard & Shipman.

It was clear from the three focus groups that it was not merely physical property standards that were a concern for both service users and service providers. Standards of service provision were obviously a significant matter for both groups. Therefore, the section on standards of accommodation has been broadened to include problems that were experienced by service users and encountered by service providers that were related to the provision of their accommodation but not only regarding physical property standards.

In general, there was a feeling amongst service providers that Orchard and Shipman had little appreciation of the difficulties faced by asylum seekers and their reasons for seeking asylum in the UK. It appeared that there was a greater focus on internal targets and generating profit than on providing a service that protects and supports vulnerable people. This was supported by participants who highlighted that their experience of asylum accommodation made them feel worse and made their trauma come to the surface, rather than providing a place of safety.

(i) General condition/maintenance

Service providers reported that the lack of keys for the external 'close' (apartment block) doors was the most commonly reported problem by people seeking asylum. In one example, health professionals discovered a young age-disputed Vietnamese boy who had been entering and exiting his accommodation through the window. It became apparent to the health professionals that he was not able to speak English and did not know how to contact Orchard and Shipman to obtain a set of keys.

In another case regarding the absence of keys, a woman was informed that her close keys would be delivered the next day. When they did not arrive, she visited Orchard and Shipman's offices where she waited for a few hours before being informed by another housing officer that she only had to go to the next floor and she would be issued with a key. The cost of providing external keys was believed by many to be the main reason why the accommodation provider has often failed to provide them.

(ii) Cleanliness

Accommodation not being clean on allocation was viewed by service providers as the second most common complaint that they hear from asylum seekers. Evidence of this was presented by participants in the asylum seeker focus groups and included:

- two participants reported their fridge being so dirty that they were not able to use it. Both had requested a replacement but had been told that a replacement would not be supplied;
- greasy walls and kitchen cupboards;
- no adequate cleaning equipment i.e. the brush and mop not fit for purpose and no vacuum cleaner<sup>1</sup>;
- the flat being so dirty that it required a deep clean on moving in; and
- food debris left in the flat by previous occupant.

One participant had been bitten by a flea while living in initial accommodation. The wound had become infected and further developed into cellulitis which led to him spending a week in hospital. He was anxious about other diseases and infections that might be present in the flat due to it not being cleaned between occupants.

1 - Note that the SoR does not specify a vacuum cleaner as one of the requisite pieces of equipment within asylum accommodation.

## 6.4 Service delivery standards

As outlined above, there were several concerns from both service providers and service users about the standard of the service being provided to asylum seekers regarding the supply of accommodation. This sub-section reports their concerns surrounding:

- Staff behaviour;
- Provision of information;
- Difficulties with communication; Issues around being moved from one accommodation to another;
- Location of accommodation;
- Attempting to resolve problems and getting repairs carried out;
- Complaints handling.

### (i) Staff behaviour and attitudes

The behaviour of Orchard and Shipman staff was discussed in all three focus groups. While reporting a general lack of respect from staff, participants provided specific examples of Orchard and Shipman staff not giving their name when interacting with service users, making it difficult for service users to complain or follow up on conversations. Unannounced visits, where no notice was given by Orchard and Shipman staff, appeared to be common, both when expecting repairs to be carried out and for routine monthly visits. Furthermore, a few examples of Orchard and Shipman staff having entered accommodation whilst the occupant was out were provided. One woman told of how her accommodation had been entered when she was not in on two separate occasions. When she arrived home following the second incidence, Orchard and Shipman staff had left a note stating that if they visited a third time and she was not there, they would report her to the Home Office (despite not having informed her of their intention to visit).

### (ii) Communication difficulties

It was clear from the discussions with asylum seekers and service providers that there was a general lack of information regarding the rights of asylum seekers in terms of accommodation. This was mainly due to the lack of routine translation of documents and interpretation of information. While most of the asylum seekers participating in the focus groups were able to understand and communicate well in English, there was awareness among participants that not everyone is in the same position. One woman spoke of being asked

by an Orchard and Shipman Housing Officer to interpret for other women whilst living in Petershill Drive. Rather than utilising a professional interpretation service, Orchard and Shipman asked her to interpret as a ‘favour’ which she did in order to help the women and their families.

### (iii) Information provision

According to the COMPASS contract, Orchard and Shipman are required to provide a moving in service to each occupant which includes a Welcome Pack with details of how to access services in the area and outlining how to operate the equipment provided in the flat. However, only one person in the focus groups had been provided with a detailed Welcome Pack. Therefore, with one exception, no one had been provided with orientation to their area or to the accommodation. Service providers stated that the Welcome Packs that they had seen were inadequate and not individualised either to the flat or to the specific occupant.

In most cases service users had been asked to sign their Occupancy Agreement without it being translated or interpreted. However, two cases were of particular significance. In the first the female occupant was told to sign the Occupancy Agreement; when she asked for more explanation on what she was being asked to sign, she was told of her address but the Occupancy Agreement was not explained. She was able to read English and asked for time to read the document before signing.

In the second case, a male occupant refused to sign the Occupancy Agreement because the flat was not in an acceptable condition and he did not want his family to live there. The Housing Officer from Orchard and Shipman told him that as this was Initial Accommodation, he would be there for no longer than three weeks, so he agreed to sign. Despite the assurances of the housing officer, the family remained in the flat for more than six months.

### (iv) Moving accommodation

Various difficulties around asylum seekers being moved from one property to another emerged from the discussions in the focus groups. These are strongly linked to poor communication and inadequate information provision. The main topic of this discussion was around Orchard and Shipman moving people from established formal and informal support networks. One 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. No consideration was given to how disruptive to the children’s education and social care this move was.

Another example involved a young pregnant woman being moved from her flat in the East End of Glasgow where she had strong links, to the north of the city where she had no links or support structure. New mothers being moved home whilst they are in hospital recovering from giving birth also appeared to be a common occurrence with a few examples being presented by service providers. They believed this stemmed from a lack of knowledge of how this affected the care of already vulnerable mothers and babies through making it difficult to coordinate post natal services.

The current Home Office policy is that no woman should be dispersed after 34 weeks gestation, or sooner than 6 weeks postnatally. This means extending the ‘protected period’ from at least 6 weeks before the expected date of delivery to at least 6 weeks after. No woman should be dispersed after delivery until she has been discharged from postnatal care and a full medical report is available on her and her baby.<sup>1</sup>

Some work has been done to improve the situation and an agreement to move pregnant women at least four weeks prior to their due date and for their baby pack to be delivered two weeks before their due date, has been advocated. However, it remains to be seen whether these changes will be implemented.

Service providers also reported incidences where women had been moved to new accommodation with no baby equipment and being left overnight with no bed for their baby, leading to the dangerous practice of bed sharing. In one instance, the move took place after 4.30pm, meaning that it was incredibly difficult for the health professionals supporting the mother to ensure that the issues with the accommodation were resolved that day. In the end it was after 7.30pm before the equipment was delivered and the health professionals were able to leave.

Being moved without notice also affected single people, with one woman telling of being informed that she was to be moved at 10am. She was then locked out of her

accommodation and forced to wait in reception until 4pm with no food and without knowing where she was going.

### (v) Location

The location of some properties was considered to be unsuitable by participants in the focus groups. For example, a number of women reported having young children and being allocated a flat on the third floor of a block of flats with no lift and steep stairs. In each of these cases it was not safe to leave their pram on the ground floor as it was not a secure area. One woman reported having additional health needs and having to sit on each landing to get her breath back before continuing to the next floor. Her medical consultant had written to the Home Office stating that the accommodation was not suitable for her. However, she had not yet been offered a flat on the ground floor. In another case, a young mum with three year old twins and a baby was allocated a third floor flat.

The distance from services that provide support to asylum seekers is not considered when allocating accommodation. Examples outlined in the focus groups included people having to walk for as long as an hour to visit their GP, or to a supermarket where they were able to spend their Interim Support Tokens.

### (vi) Resolving issues

Due to poor communication from Orchard and Shipman, it was very difficult for both asylum seekers and service providers to resolve issues. Participants spoke of the phone lines being constantly busy, making it impossible to report repairs or check the progress of a repair already reported.

Service providers were frustrated by their inability to raise issues regarding repairs on behalf of occupants due to the lack of a mechanism to allow third party reporting of issues included in the SoR. They highlighted that service users are often afraid of making a fuss about their accommodation in case it affects their asylum claim.

Service users spoke of monthly checks being repeatedly carried out by Orchard and Shipman staff where the same requests for repairs were made each month yet no action had been taken. In addition, there appears to be no system where reviews

of the progress of repairs are provided to occupants or service providers.

### (vii) Response to repairs

Without exception, everyone in the service user focus groups talked of reporting repairs required in their accommodation and having little or no response from Orchard and Shipman. Participants discussed being passed around telephone operators and having to outline the problem to each operator. Despite being told that someone would deal with the repair, in most cases no repair took place. One man suspected that Orchard and Shipman did not record the requests for repairs so that they did not have to take action to remedy the problem.

One woman outlined an instance where she was told a man was coming to repair her boiler but he arrived wearing a suit and with no tools. When she challenged him about this, he said he was only there to verify that there was a problem with the boiler. The feeling of being checked up on was echoed by other participants. Participants were told constantly that the repair would be carried out ‘tomorrow’. However the repair was not carried out the next day.

In addition, there were many examples of occupants being told to wait at home for repairs, only for no-one to arrive. In one instance, the repair to the boiler involved lifting the laminate flooring which was then left up and although broken, was re-laid with gaps and broken boards. The occupant, who had a crawling baby, complained to Orchard and Shipman. The gaps and joins in the laminate flooring were covered with

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*‘I didn’t want to come here today because nothing will change’*

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black tape and she was informed that the flooring would not be replaced.

### (viii) Complaints handling

*‘I’ve complained ... I’ve got tired of complaining, they tell me there is nothing I can do, they always say it’s someone else’s job ... I didn’t want to come here today because nothing will change’.*<sup>1</sup>

It was evident from the focus groups 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.

One woman described a situation where she had asked for a number to make a complaint and was given the standard Orchard and Shipman number. When she asked for an alternative number she was told there wasn’t one.

Another spoke of a situation where there was significant change in attitude from a Housing Officer following her complaint about the accommodation she was being moved to. The Housing Officer had been pleasant until she complained, and became abusive once the issue had been raised. None of the participants felt that they had received a satisfactory response to any of the complaints that they had managed to raise.

1 - Healthcare needs and pregnancy dispersal guidance (April 2014) Home Office.available at <https://www.gov.uk/government/publications/healthcare-needs-and-pregnancy-dispersal-instruction>.

1 - Participant from first focus group with asylum seekers who have experienced problems with their accommodation



6.5 Size of accommodation

The properties allocated were, in some cases, considered to be 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. In two cases, two single parents with one child each were sharing a two bedroom flat with rooms so small that there was only space for a single bed and a cot. Another single parent had complained to the Home Office about the size of the room, and although they had agreed that it was too small, she had not been offered alternative accommodation.

(i) Sharing

In terms of sharing there was a view that, whilst not ideal, it was sometimes necessary to ensure that asylum seekers had access to accommodation. However, it was felt that sharing was more suitable for single people than for families including single parent families and for single men rather than single women.

The lack of lockable doors in shared accommodation was highlighted by all who shared accommodation and led to concerns for personal safety and fear of having property stolen. One woman told of sharing with three other women and being very afraid as they were strangers and because they allowed men to enter the property. She asked to be given a room with a lock but Orchard and Shipman staff informed her that no rooms with locks were available. Following intervention by a representative from a support organisation, she was allocated a room with a lock. Whilst she was grateful at being moved, she felt disempowered by the fact that her concerns were not listened to in the first place.

A few of the single parent families in the focus groups were currently sharing accommodation with another single parent. In all cases, two single parents with one child each shared a small two bedroom flat. The main difficulties regarding two families sharing were around the unequal bedroom sizes and the lack of private space when sharing a room with a small child. The differing ages of the children was also a source of tension in these situations. Different eating practices and lack of space in the fridge for separate foodstuffs were also highlighted by the women living in these situations as they felt that Orchard and Shipman did not understand the needs of people from different countries and with differing beliefs.

6.6 Fixtures and fittings within accommodation

Inefficient and poorly functioning heating and a lack of adequate hot water was reported by the majority of participants in the asylum seeker focus groups. Examples of having no heating and hot water over a weekend and for periods of more than three days were provided by most participants. In some cases, the boiler worked but did not supply hot water consistently, leading to families having to boil the kettle and fill a bowl to wash their children on a regular basis.

At least two participants were living in properties where the windows were so poorly maintained that they could not be considered wind and watertight. In both cases they had packed the gaps with paper which blew out when there was a strong wind. In one case, the draught was so bad that the occupant could only use one of the three bedrooms in his accommodation. The situation was made worse by a faulty radiator in one room. Each occupant had been told that the windows would be repaired but to date they had not been repaired or replaced - at March 2014.

(i) Provision of equipment

The COMPASS contract includes the provision of fully equipped accommodation for asylum seekers. However, it was clear that the equipment provided was of poor quality, not fit for purpose, not clean and often insufficient for their needs. Participants were able to provide a range of examples:

- The cooker does not work if more than one ring is used at a time.
- The ignition button on the cooker did not work. The occupant was advised by Orchard and Shipman to go to the Pound Shop and purchase an ignition lighter.
- The cooking utensils and cutlery were of such poor quality that more than one person had purchased their own and kept the ones provided to show to Housing Officers during the monthly checks.
- One small wardrobe and chest of drawers was supplied for a mother and child.
- The furniture supplied was insufficient and what was provided was often broken, forcing two participants to pick up furniture from the street.
- In one case, a participant had been in his shared accommodation for three weeks and had not been supplied with bedding despite his informing Orchard and Shipman of this on a daily basis. In addition, the shower in his accommodation had not been working since he moved in.

6.7 Anti-social behaviour and harassment experienced in accommodation

Personal safety was discussed in terms of location of accommodation. Examples were provided of women being forced to flee their accommodation due to ongoing and escalating racial abuse. Despite police and the Adult Protection Team raising concerns about the location and suitability of that particular accommodation, the flat was re-allocated to a single woman with a visual impairment.

While one man felt that Petershill Drive was safe for his family, a few women who were single parents did not feel safe there, particularly in the lifts. One woman also spoke of being afraid when an unknown man was able to enter the building and knocked on her door asking her to let him in.

6.8 The transition from previous provider

Whilst service users attending support services at Scottish Refugee Council reported problems surrounding the transition from YPeople to Orchard and Shipman, this was not apparent in the focus groups.

It may be that those participating in the focus groups were not affected by the transition from one provider to another, or that they had no knowledge that such a transfer had taken place.

### 6.9 Impacts on asylum seekers and asylum support organisations

It was apparent from the discussions in the focus groups that the poor quality of accommodation provision and the subsequent negative experiences had a significant impact upon the daily lives of asylum seekers and their families. The lack of proper information and guidance provided during the moving in period led to a range of difficulties for service users. These included not being provided with instructions on how to work the heating and hot water systems in the accommodation and not being informed that the utilities required to be topped up.

A common thread running through discussions of the impact upon people seeking asylum was the general feeling of being powerless to change their situation and feeling helpless against Orchard and Shipman and the Home Office who some considered to be working together. Female participants reported feeling helpless; they were tired of complaining only to have nothing change, and many had decided to wait to be moved or for a positive decision on their asylum claim rather than continuing to seek a resolution.

All participants reported feeling conspired against by Orchard and Shipman and the Home Office. It was suggested that the Home Office and Orchard and Shipman should produce guidelines regarding the rights of asylum seekers in initial and dispersal accommodation which they believed would go some way to lessening the feeling that they work hand in hand and constantly pass the blame. A few people had asked for help from other organisations (including Scottish Refugee Council). When nothing could be done, even with the help of other organisations, this contributed to their feelings of helplessness.

The approach taken by Orchard and Shipman when moving people living in asylum accommodation between properties had led to three of the participants' belongings going missing; people who had very little in the first place were left with even less. Although compensation had been offered for some of these lost belongings, it was very limited in value and had not actually been paid to any of the focus group participants.

Two female participants stated that the condition of their accommodation and the stress of dealing with the constant difficulties around having repairs done had served to continue the trauma they had experienced prior to being accommodated there.

The shortage of “close” (apartment block) keys was often a source of conflict between asylum seekers and neighbours in the same block, as they were sometimes forced to buzz other residents to gain access. An example of a family being locked out for six hours on Christmas Day was given by one service provider. However, an example of neighbours getting keys cut for occupants was also provided, highlighting that relations between neighbours can be positive in nature.

*‘Sometimes we have to spend three or four hours with a person after the working day has finished.’<sup>1</sup>*

The ways in which Orchard and Shipman provide accommodation to asylum seekers also had a significant impact upon the workload of other service providers. There was a general frustration at existing standards not being followed or policies being adhered to, particularly with reference to the SoR. The following examples were reported in the focus group with service providers and highlight the impacts on both individual service providers and on their organisations, particularly in voluntary sector organisations where resources were more likely to be limited:

- Spending hours after working day has finished to ensure service users are adequately and safely provided for in terms of accommodation;
- Buying food for people from own pocket;
- Financial strain on small organisations where one organisation reported having to pass referrals to another organisation, as there were no resources left to support people despite their very evident need; and
- Dealing with issues regarding poor quality accommodation and service provision detracts from the work the organisation is contracted to do.

Service providers also reported feeling helpless and sometimes like they were colluding with accommodation providers because, despite their intervention, the situation did not improve for individual service users. This was coupled with the notion that Orchard and Shipman are at odds with other support organisations and tend to present as a profit making organisation with the expectation that other organisations will provide support to asylum seekers.

### 6.10 Recommendations from focus group outcomes

A number of recommendations were generated through the discussions in the focus groups. These fall into three broad categories in terms of who should implement them:

#### Orchard and Shipman

- Identify a single point of contact for resolving issues and ensure that all service users are aware of how to make contact.
- Develop an adequate and robust complaints handling system that tracks the progress of individual complaints.
- Include a welfare check in the monthly property check.
- Provide service users with accurate information on their rights regarding access for repairs and checks.
- Clearly state and adhere to minimum standards of repairs and cleanliness, especially the SHQS.
- Give greater consideration when placing individuals and families in shared accommodation.
- Install locks on rooms in shared accommodation.
- Issue occupants with adequate keys as standard and put key agreements in place that outline the rights of service users regarding the keys to their accommodation.
- Develop a more effective method of ensuring that service users' belongings are transported safely during moves between accommodation.

#### Asylum support organisations

- Develop a template where agencies can record problems encountered in a systematic way which highlights the range of problems encountered by service users and support organisations and provides evidence to campaign for better standards.
- Ensure that third party reporting of the SoR is implemented once legislation allows.

#### Home Office

- Provide service users with information telling them of their rights when living in initial and dispersal accommodation.
- Review the basic goods requirements and extend where necessary.

*‘Sometimes we have to spend three or four hours with a person after the working day has finished’*

1 - Participant from focus group with service providers.



# Conclusions





## 7. 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.

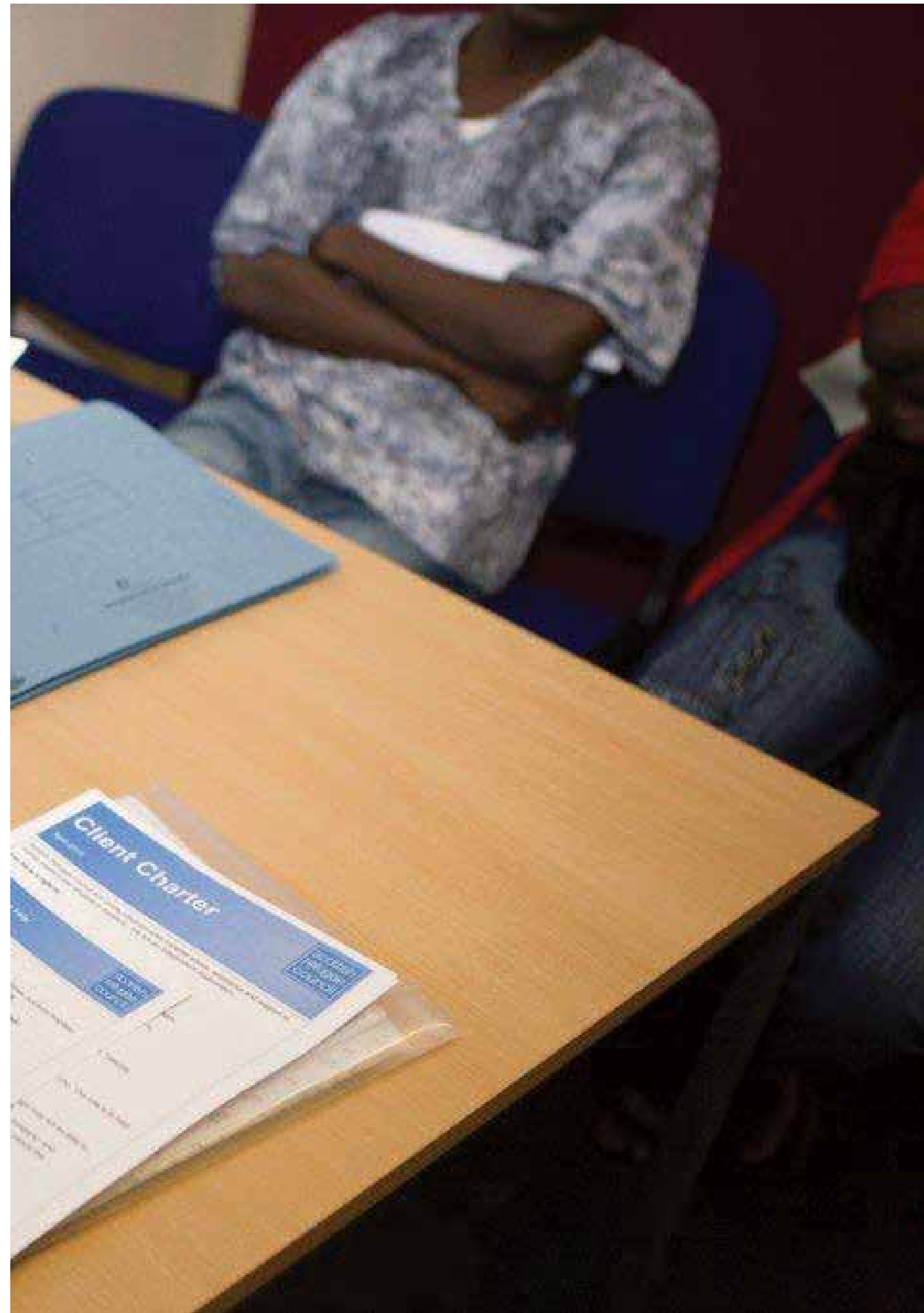
Scotland's asylum seekers seem too often to be placed in accommodation of inappropriate physical quality, with in practice, insufficient consideration being given to critical needs, including health, gender, welfare of children and vulnerability, stemming often from their histories of persecution and 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 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 have often experienced persecution, torture or violence and are dealing with the aftermath.

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.





An aerial photograph of a cityscape featuring two prominent, modern high-rise apartment buildings. The buildings have a light-colored facade with dark horizontal bands. They are situated behind a dense line of green trees. In the background, a residential neighborhood with smaller houses and a distant hill with a tower are visible. A graphic overlay consisting of three overlapping circles is positioned on the right side of the image. The top circle is semi-transparent white, the bottom circle is semi-transparent dark blue, and the middle circle is semi-transparent light blue. The word "Recommendations" is written in a large, white, sans-serif font in the bottom left corner.

# Recommendations



## 8.1 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 Duty<sup>1</sup>, utilising best impact assessment practice from the Equality and Human Rights Commission and the Scottish Human Rights Commission.<sup>2</sup>
- 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
- **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/eqhriahome>.



Appendix 1: Comparison between COMPASS Statement of Requirements and the Scottish Housing Quality Standard

Element	Differences	Similarities
Purpose	<p>The COMPASS SoR exists to inform accommodation providers and their sub-contractors of the necessary standards for dispersal accommodation, in light of the Decent Homes Standard but also makes explicit reference to the requirement to consider the needs of those living in dispersal accommodation.<sup>1</sup></p> <p><i>The SHQS was created by the then Scottish Executive in 2004 to guarantee a minimum standard for all social rented properties in Scotland. These regulations define the standard which such properties should meet and require social rented landlords to meet these standards.</i></p>	<p>Both documents aim to protect those living in the relevant accommodation.</p>
Obligations	<p>The COMPASS SoR details standards which frontline staff must meet and regulates the process of dispersal, the types of accommodation available (and different requirements for different types of accommodation) and the nature of the services provided. Obligations fall into one of four categories:</p> <ol style="list-style-type: none"><li>1) to ensure that accommodation is safe;</li><li>2) to ensure that accommodation is habitable;</li><li>3) to ensure that accommodation is fit for purpose</li><li>4) to ensure that accommodation is correctly equipped.</li></ol> <p>The additional annexes also provide criteria for the sharing of accommodation and when it is necessary to relocate service users, as well as particular requirements for initial accommodation.</p> <p><i>The obligations placed upon social landlords under the SHQS are very detailed. Each Annex specifies different standards. Properties must meet 'a tolerable standard'), must be free from serious disrepair, energy efficient, have modern facilities and services and be healthy, safe and secure. Further annexes summarise the requirements in a tabular format, explaining the technical guidance within the earlier annexes and provide overall guidance on the SHQS.</i></p>	<p>The Decent Homes Standard upon which the accommodation standards within the COMPASS SoR is based provides further guidance on not only the nature of these standards but how they should be implemented<sup>2</sup>, similar to the guidance provided on the Scottish Housing Quality Standards in Annex I.</p>

1 - COMPASS Statement of Requirements, 1.2.1 pp4-5

2 - See Department for Communities and Local Government, A Decent Home: Definition and guidance for implementation, June 2006, London, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7812/138355.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7812/138355.pdf)

Element	Differences	Similarities
Evaluation of Defective Standards	<p>The COMPASS SoR rate failures in terms of their need for repair and against a KPI framework. The need for repair is rated as 'immediate' (which must be repaired within two hours of notification or of the housing provider being aware of the defect); 'emergency' (which must be rectified within 24 hours of notification by or of the housing provider being aware of the defect); 'urgent' (which must be made safe within 1 day of notification and properly repaired within 7 days) or 'routine' (to be repaired within 28 days of notification).<sup>1</sup> KPIs include:</p> <ul style="list-style-type: none"><li>– accommodation must be acceptable and initial accommodation must be offered within five days of the initial accommodation request;</li><li>– asylum seekers must be dispersed within nine days of an accommodation request being made;</li><li>– accommodation providers must provide transport to accommodation and for certain other reasons (including medical appointments);</li><li>– accommodation must be safe, habitable and fit for purpose;</li><li>– accommodation providers must provide ways and means of complaining and resolve all complaints within five working days;</li><li>– accommodation providers must provide medical care to those with urgent or specified medical needs and must provide interim support tokens.</li></ul> <p>These requirements apply equally to all relevant accommodation.</p> <p><i>The SHQS rates failures to meet the specified standards in several ways; aspects of the property are found to either 'pass' or 'fail' certain elements of the standards, unless they are 'exempt' from complying with the standards for technical, financial or legal reasons or the elements are found to be 'in abeyance' (where work cannot be done because of a tenant's behaviour). Scope is given for areas which were once failures to pass if they are repaired (and vice versa if not maintained).</i></p>	<p>Both documents aim to protect those living in the relevant accommodation.</p>
Scope of Document	<p>The COMPASS SoR provides regulations for a range of accommodation types, including not only flats and houses but shared accommodation such as hostels. Regulations are also provided for staff and their consideration of the needs particular to asylum seekers.</p> <p><i>As the SHQS regulates all Scottish social rented housing, there is a significant amount of detail in the standards provided. For example, Annex D of the SHQS specifies the exact facilities that would render a bathroom or kitchen modern, including the presence of hot or cold water and sufficient storage space. Moreover, reference is made within the Annexes to the external and structural quality of the property, whereas no such reference is made in the COMPASS SoR.</i></p>	

1 - UK Border Agency, B.11, pp 89-90

Appendix 1: Comparison between COMPASS Statement of Requirements and the Scottish Housing Quality Standard

Element	Differences	Similarities
Standards	<p>Under the COMPASS contract, obligations upon accommodation providers fall into one of four categories of overall duties:</p> <p>5) to ensure that accommodation is safe;</p> <p>6) to ensure that accommodation is habitable;</p> <p>7) to ensure that accommodation is fit for purpose and</p> <p>8) to ensure that accommodation is correctly equipped.</p> <p>The document briefly details scenarios wherein each of these overall duties would not be satisfied, before specifying general standards rendering a property fit for purpose and tasks which should be undertaken to ensure that a property is so. It is noted that there is a duty upon housing providers to ensure that the needs (medical, age-related, physical problems and vulnerability) of service users must be accounted for when accommodation is being allocated.</p> <p><i>The SHQS, however, specifies the minimal standards for Scottish social housing. Each Annex of the standards lists categories of standards:</i></p> <ul style="list-style-type: none"><li>- Housing must be compliant with current tolerable standards;</li><li>- Properties must be free from serious disrepair;</li><li>- Accommodation must be energy efficient;</li><li>- Properties must come equipped with modern facilities and services;</li><li>- Properties should be healthy, safe and secure.</li></ul>	





Appendix 2: Draft information sheet on rights in asylum accommodation

If you are eligible to receive support from the government while a decision is being made on your asylum claim, you will be required to live in accommodation provided by the UKBA, with basic kitchen equipment, furniture and bedding (note that you must complain if any of these things are not provided).

The accommodation that you are provided with must meet certain conditions.

If you have impaired mobility (arising from a medical condition, disability, pregnancy, age) you cannot be accommodated in a property without a lift that is situated on the third floor.

All of the above conditions must be considered when you are allocated accommodation. If any of these needs are not met, then the property is not appropriate.

The exterior of your accommodation must be in secure condition. Windows must be intact, there should be no flood or fire damage, roofs must be well sealed and external doors must be capable of being locked or an alternative secure door entry system should be in place.

You must be able to live in your accommodation - there must be running water, electricity, gas and a functioning heating system. The windows must be properly sealed.

Your accommodation must not be so unclean that any light cleaning could not remove any dirt.

All equipment, facilities and installed items within the property should be secure, clean and in working order.

You should be provided with a ‘welcome pack’, in a language that you understand, detailing what is in your property, where your property is, where your nearest shops, schools and medical practices are located and the conditions upon which you have been allocated the accommodation.

You should be shown, and be able to understand, how to use any equipment, facilities and installed items.

In flat accommodation, you must be provided with a key to the door of your individual apartment and the external building entrance.

If you are living in shared accommodation, it must be possible for you to live alongside your housemate/s peacefully regardless of any cultural differences.

If you are living in shared accommodation, your housemate/s should be of the same gender as you, and speak the same language.

If you view the property and it is unsafe/ unclean/unsuitable for your needs, you do not have to sign any formal agreement.

You have a right to view your accommodation before you sign any formal agreement.

Appendix 3: Draft monitoring sheet for frontline workers<sup>1</sup>

1) Has the service user reported the issue to their Provider?

<b>Yes</b> (go to question 3)	<b>No</b> (go to question 2)
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2) Treat as a referral. Advise/ assist client to call accommodation provider and note the date of the call. If client unable to call, complete question 4, and general details and send referral form to the accommodation provider (Orchard and Shipman).

3) If yes on Q1, is the issue still within timescale to resolve?

<b>Yes</b> Treat as a referral see question 2, record details, no further action.	<b>No</b> Treat as a complaint. Complete the rest of the form and email complaint to provider, copying in Home Office Contract Compliance.
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4) What does the issue / concern relate to:

Accommodation Standards		Please Specify	
Fixtures & Fittings		Please Specify	
Provider Staff		Please Specify	
Racial Harassment		Please Specify	
Anti-social Behaviour		Please Specify	
Other		Please Specify	

5) How many times has this issue been reported to the Provider?

1st time		2nd time	
3rd time		Other (please specify)	

6) Did the Provider set out within 1 day how the complaint would be addressed?

<b>Yes</b>	<b>No</b>
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7) How did the Provider set out how your complaint would be addressed?

Telephone		Please Specify	
In writing		Please Specify	
In person		Please Specify	
Other		Please Specify	

8) Was this information relayed to the service user in a language that they understood?

<b>Yes</b>	<b>No</b>
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9) Did the provider inform you or the service user of the outcome of the complaint and of any subsequent action to be taken within 5 days of it being reported?

<b>Yes</b>	<b>No</b>
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10) Has the complaint been resolved?

<b>Yes</b>	<b>No</b>
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1 - This template is modelled on the template utilised by One Stop Shop caseworkers for logging accommodation complaints. Although created for complaints arising under the Target contract (the name of the contract in operation prior to COMPASS), this model was used to log complaints under the COMPASS project also.



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