



Scottish Strategic Co-ordination Group

28 November 2007

COSLA Strategic Migration Partnership
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COSLA Strategic Migration Partnership

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The meeting took place on **Tuesday 28 November 2007 at 11.00am in Border and Immigration Agency's premises at Festival Court, Glasgow.**

AGENDA

1. Welcome, introductions and apologies (11.00-11.05)
2. Minutes of previous meeting and matters arising (11.05-11.10) Appended
3. Operations Group Minutes (11.10-11.15) Appended
4. Border and Immigration Agency Update (11.15-11.25) Appended
5. Scottish Government's Equalities Update (11.25-11.30) Update
6. Case Review Process (11.30-11.45) Update
7. Lead Professional Model (11.45-11.55) Update
8. Migration impacts on key services (11.55-12.05) Appended
9. Cosla's housing position including A8 nationals (12.05-12.15) Appended
10. Impact of EU migration on UK business (12.15-12.25) Appended
11. Human trafficking (12.25-12.35) Appended
12. Gateway Protection Programme (12.35-12.40) Update
13. Childcare provision by BIA (12.40-12.45) Update
14. A.O.C.B (12.45-13.00)
15. Next meeting: 28 February 2008

Minute of Meeting

Present:

Cllr Jean Jones	COSLA: Chair (North Lanarkshire Council)
Cllr Ifran Rabbani	COSLA (Glasgow City Council)
Cllr Jaci Douglas	COSLA (Highland Council)
Phil Taylor	Border and Immigration Agency Scotland
Colin Mitchell	Border and Immigration Agency Scotland
Gary Sweeney	Border and Immigration Agency Scotland
Adam Scarcliffe	Border and Immigration Agency Scotland
Jane Black	Association of Chief Police Officers Scotland
Raymond Smith	The Angel Group
Ravinder Jabbal	The Angel Group
James Pinkerton	Association of Directors of Social Work
John Donaldson	Glasgow City Council
Sally Daghljan	Scottish Refugee Council
Susie Parsons	Scottish Refugee Council
Maria Walker	Glasgow City Council

In Attendance:

Derek Mitchell	COSLA
Lindsay McGregor	COSLA
Mhoraig Green	COSLA minute
Lorraine Cook	COSLA
Twimukye Mushaka	COSLA (work placement)

Apologies:

Cllr Iain Linton	COSLA (East Ayrshire)
Cllr Margaret Toner	COSLA (South Ayrshire)
Cllr Allan Noon	COSLA (Renfrewshire)
Cllr Douglas Reid	COSLA (East Ayrshire)
Cllr Jenny Dawe	COSLA (Edinburgh)
Jim Mulholland	JobCentre Plus (Department for Work and Pensions)
Lesley Irving	Scottish Executive
Allan Hogarth	CBI Scotland
Jim Jarvie	YMCA Glasgow

Item 1: Welcome and apologies

Cllr Jones welcomed everyone to the meeting, introduced herself as the new chair, and apologies were noted.

Item 2: Minutes of previous meeting and matters arising

Minutes were agreed as an accurate record. In addition the following action points were addressed:

- Progress is ongoing in terms of exploring further opportunities for developing robust information flows in Scotland and further dialogue with BIA and other agencies/organisations will continue, particularly around EU migrants.
- Contact has been made with the Improvement Service, Equalities Network and Scottish Government's TICSIG (Translation, interpreting, communication services implementation group) around the potential for shared services around interpreting and translation. It is hoped to bring a further paper on this subject to a future meeting.
- Incoming chair was to write to Jeremy Oppenheim, Mathew Coates and Phil Taylor about representation on National Asylum Support Forum. Since then, Mathew Coates has offered further representation to Scotland on the National Asylum Support Forum in the form of the Scottish Refugee Council. This means that they and the Scottish Government are now represented when initially the plan was to have none. SD questioned whether the representation of Scotland was sufficient and pointed out that she would only represent Scottish Refugee Council and not Scotland.
- A number of strategic meetings with Cosla, Job Centre Plus (JCP), Glasgow City Council (GCC), Scottish Government (SG) and Border and Immigration Agency (BIA) about legacy case review have taken place since the last meeting.
- BIA and COSLA officers have been liaising about sharing information to target the use of Houses of Multiple Occupation (HMO's) by illegal migrants.
- The Community Cohesion paper presented at the previous meeting was redrafted in light of discussion at the last meeting and discussed at COSLA's Community Well-being and Safety Executive group. In addition SD/LI/AH made additional comments about citizenship and these comments were explored further in a paper on citizenship within Cosla. This paper has still to be finalised within COSLA.
Action: MG to circulate redrafted cohesion paper to group for information.

Item 3: Operations Group Minutes

Minutes from the Operations Subgroup and the Move-On Working Group were presented for information and approval.

SD noted that the Angel Group had not been represented at all meetings of the Move-On Group. RS responded that while it had not been possible to attend all meetings, Angel had been liaising with BIA and other agencies to resolve issues around legacy. GS confirmed this was the case.

There was some discussion around the minute of the Operations Subgroup held on 9 October 2007. JP asked that it be acknowledged that child protection protocols operate across Scotland. MG clarified that the specific comment came from an individual agency and related to specific incidences to do with asylum-seeking children in Glasgow.

SD asked in light of this whether the UASC reform was still expected. JD said that it was his understanding that the paper would be published shortly. DM said local authorities' participation would largely depend upon financial packages offered, since the costs are significant.

DM asked that any further comments on the minutes of these meetings be addressed to the CSMP team after this meeting.

Item 4: Border and Immigration Agency Update

PT provided a written update from the Border and Immigration Agency. He announced that BIA is due to merge with elements of HMRC, as part of the Prime Minister's vision of creating a single border force. Following the merger, BIA will be known as UK Borders and will be a partnership between the Home Office and the Foreign Office. BIA has also been liaising with the police, the DVLA and the Department of Agriculture about their responsibilities at the border, but he emphasised that BIA did not seek to take on any of the police's responsibilities. This will take the organisation from 19,000 staff to 26,000 in total.

PT said that the Public Enquiry Office was very busy and that service users were positive about their experience there. The team is still working to reduce the number of reporting appointments – this has been reduced by 50% and people are only asked to report when necessary. BIA are also looking at how technology can further reduce the need for reporting.

The compliance team is up and running and talking to employers across Scotland. They are attempting to identify employers that may be at risk of falling foul of law and support them to avoid this, ranging from large financial institutions to small restaurants. BIA hope to avoid exploitation of workers and unfair advantages for employers who avoid national insurance or taxes. All employers must now register if they employ foreign labour.

PT reported that the child-minding pilot in Wales was due to conclude in March 2008 and if it is successful he will consider adopting a similar service in Glasgow.

PT reported that the NAM team are now resolving 60% of cases that are coming to Scotland within 6 months. He said the voluntary return rate had fallen slightly: it is now at one in three, however, this is still higher than under the old model.

PT reported that there was some evidence that Ireland and Italy are successfully removing EU citizens who are not working and who are causing problems in terms of anti social behaviour. BIA are currently looking at how they can take immigration

enforcement against anti-social EU nationals in the UK. There is evidence that it can be cleared with EU and PT will speak to police about this. JP pointed out that it would also be important to speak to the local authority because they may be responsible for paying for the removal. PT said that removal would be the responsibility of BIA, but pointed out that people would be free to return to the UK following removal.

New role

JJ expressed concern about the need for employers to register if they employ foreign labour and said this may be onerous for small businesses. PT said he did not know detail, but his understanding is that the process isn't too difficult. Applications are up and there will be BIA staff in place to help. He asked to be alerted if people became aware of problems.

LM asked about link with HMRC. PT said arrangements are still being agreed and they will consult with other agencies.

JD said that it was useful for BIA and Police to work on enforcement issues, but they also need to consult with local authorities. GCC have a register of landlords and it would be useful to know about where migrants are living so standards of housing can be checked.

Pensions solutions/appeals

SD asked about the pensions solution centre seminar looking at appeals and asked whether this had taken place in Scotland and who had attended. AS confirmed it was currently taking place and that BIA's asylum and legal teams are attending. He said that he was unclear whether lawyers were invited, but that he would find out and inform SD. PT said if the sessions could be widened then BIA would consider that.

Action: AS to inform SD on attendee's.

Asylum statistics

SD asked for clarification on asylum statistics. She asked how many people who were difficult to return because of issues in their home country. PT said he did not have numbers to hand, but there are no more than 100 cases in Scotland that cannot be returned. AS pointed out that difficulties were caused by documentation and a person's refusal to cooperate in re-documentation.

DM raised the issue that BIA are apparently not sharing information about asylum seekers who receive a negative decision and therefore it is difficult for other agencies to make referrals to appropriate services, including IOM.

Action: DM to contact NAM Team Leaders to discuss process issues.

Item 5: Scottish Government's Equalities Update

The Scottish Government's Equalities team had submitted apologies, but did provide a written update:

Item 6: Case Review Process

BIA Update

AS updated on the case resolution process, which started July 2006 when John Reid committed to resolving all pre-NAM cases in five years. In January 2007 BIA Scotland began planning to resolve 2000 cases. They consulted with COSLA, GHA and Glasgow City Council amongst others and this has led to good progress. The case review team has been fully operational since September and they hope to complete work on family cases from before July 2004 by March 2008. AS anticipates that BIA Scotland will begin to review newer family cases after March 2008. He stressed this is not an amnesty, it is a case-by-case review which looks at various parts of immigration laws, human rights legislation etc.

AS reported that BIA had liaised with Job Centre Plus and that a process had been put in place to ensure that benefits applications can be processed quite quickly. National Insurance numbers are currently being processed in 24 hours. AS hopes this will help to ensure people don't fall through cracks in terms of support.

AS reported that BIA are beginning to start the 'Clan Alba' process with refused families, explaining where they stand in the process, and what options are available to them. They want to improve take up of voluntary return and use forced removal only as last resort. They are working with IOM on this.

AS said that he wanted to thank stakeholders for supporting this work. He said this was an example of how working together can resolve problems. PT echoed Adam's thanks. He said that case review had put pressure on systems across the country but people have rallied round to make sure people don't fall between the cracks and do have their cases resolved.

Housing issues

There was some discussion over the issue of where people housed by the private sector would be moved to. RS and GC confirmed that meetings had been held between Angel, BIA, COSLA and GCC to resolve this. JD said that GCC had been looking at social housing in Glasgow: Angel tenants will need to move from their NASS flats into social housing, but John is working to minimise the number of people that have to move and there are incentives for landlords to continue to provide accommodation to refugees. Some people will need to move soon, others may be able to stay for a little longer – this is being discussed by Angel, GCC and BIA. JD said that he hoped that people will be accommodated by GHA but may need to look to other housing associations. GHA has demolition plans and this will impact on the number of properties available.

Joint press statement

SD noted the Move On Group's decision to issue a press release and asked for clarification on the rationale behind this? AS said that they had previously sent a stakeholder bulletin out through CSMP because solicitors and other firms were being swamped for requests for help and they wanted to make a statement about the process. They also felt it was important that services were not swamped with requests for

references. DM said that discussions around a press statement were ongoing and the CSMP staff had had discussions with SRC staff. Someone is likely to run this story eventually and the rationale behind the release was that it would be better to put a positive slant on it. Further discussion took place about the merits or otherwise of issuing a press release.

Item 7: Lead Professional Model

JD reported the recruitment for the lead professional roles was almost complete. The team will take part in a range of induction visits, including to Scottish Refugee Council and BIA.

The role will be extended across Scotland to support families outwith Glasgow as well and the Scottish Government have committed to funding this. The Glasgow team will not work directly with families outwith the city, but will share processes, material and expertise with social work services in relevant local authorities. This will be facilitated by COSLA.

Action: GCC/Cosla to ensure all affected local authorities have recourse to accurate guidance on the role of the Lead Professional.

Item 8: Migration impacts on key services

LC presented a paper on the impact on key service areas due to in-migration from the enlarging European Union. She asked members to consider the recommendations that:

- All partners call for a more reliable data collection systems which will produce accurate migration statistics.
- All partners request government to acknowledge the additional pressures on local authorities.
- All partners call on the government to acknowledge these additional pressures on service provision and ensure delivery is fully funded for the sake not only of our longer-term economic interests but also of wider community cohesion.
- All partners to promote the positive impact of migrant workers in terms of helping to meet the demographic challenges in Scotland.

PT advised the group that he had circulated a paper to the Scottish Government about European Integration money available through the Home Office, which he felt could be used to fund English language training. He is yet to receive a response. There was some discussion about whether these funds could be used to fund services for migrants.

DM pointed out that according to the LGA, migrants bring a £4 billion boost to central government's funds. He emphasised that this needs to be shared with other spheres of government so services can be delivered and problems with community cohesion can be avoided.

Action: It was agreed that a paper should be taken to COSLA's Executive Groups on the issue of impacts on key services and funding streams and further report back to the group on progress made.

Item 9: COSLA's housing position including A8 nationals

DM presented this paper, which is due to be circulated to members of the National Migration Group before the next meeting. This will help ensure that people present are aware of the particular context in Scotland and the issues around housing. The paper emphasises the progressive housing legislation and highlights what this requires local government to deliver. DM pointed out that the majority of migrants live in private housing, rather than local authority stock.

DM updated on progress to close the loophole that currently allows A8 nationals to access social housing. PT conformed that the Minister has signed off the relevant legislation and has written to the First Minister and to Northern Ireland asking if they wish to progress. DM pointed out that this would no longer be an issue after derogation ends in 2009. He said there would continue to be extra pressure on the system and there was a clear need for long term planning by the UK and Scottish governments which factored in the increased demand brought about by in-migration. DM further noted the unease felt by all partners around the table that the rights of migrants were being restricted and we then have different classes of citizens in the UK. The issue for local government was a clear one of resources..

JD said there was an issue around the community care legislation, which is different in Scotland. He suggested the need for a paper on local government responsibilities and the cross-over with UK immigration law. PT said that the Home Office has a team looking at simplifying the legislation and this may resolve some issues. He said that these issues are being dealt with at a high level and some pressure points may be missed.

Action: PT to arrange a seminar through CSMP to discuss.

Action: It was agreed that Scotland Office should be invited to join the group, because of their role in representing Scotland at Westminster.

Item 10: Impact of EU migration on UK business

LC presented a paper on the impact of EU migration on UK business. The paper was based on a report by the House of Commons Trade and Industry Committee, Europe Moves East. The report says that migrants can play a role in filling labour shortages, but warned against relying on migration. A flexible and open approach to migration brings best results. The report states that employers now tend to favour migrant labour over the long term unemployed. They also pointed out that upwards mobility may lead to shortages in less skilled roles. They also warned that migrant workers may lack awareness of their rights.

Item 11: Human trafficking

DM updated the group on Human Trafficking. He reminded everyone that COSLA had endorsed the EU Convention on Human Trafficking at the beginning of the year and that work had progressed in this area since then. DM is participating in a Scotland-wide group on human trafficking hosted by ACPOS. He reported that COSLA are jointly hosting an event for local authority staff this week with the Scottish Government, which will focus on promoting a victim care perspective to trafficking. He said that in some areas there was an underdeveloped understanding of the issue and said that CSMP would work to tackle that. He pointed out that Pentameter 2 was likely to bring new burdens to local authorities, and therefore new funds would be required. He welcomed Scottish Government's decision to extend funding to the TARA project to operate at a Scotland-wide level for victims of sexual exploitation and for providing the resources to reimburse local authorities who provide services to victims of other forms of trafficking.

JP asked if COSLA knew how much money was available through Scottish Government. DM reported that they did not.

Item 12: Gateway Protection Programme

DM reported that CSMP had hosted a meeting for local authorities interested in participating in GPP or the Exceptional Leave for Iraqis scheme. North Lanarkshire Council attended this to give a presentation on their experiences. Their participation has been very positive and they were recently awarded a UK Housing Award for the Partnership under the category 'Creating Integrated Communities', in recognition of their success. The Home Office team responsible for Gateway and representatives of Brighton Council were also present.

DM pointed out that there are differences between the Gateway programme and the ELR programme. The Gateway quote for 2008-09 is 750, 500 of whom will Iraqis from refugee camps in Jordan and Syria. The ELR programme is in addition to this and there will be different funding regimes in place.

JD confirmed that Glasgow City Council were considering participating in Gateway and the ELR scheme as part of a contractual package with the Home Office also including UASCs and asylum dispersal. He said they were considering whether the resources provided by the Home Office were sufficient and were considering community cohesion issues.

JJ said that North Lanarkshire Council would, in principle, like to participate again in future but pointed out there were some hurdles to cross before that could be achieved.

PT said that the Home Office would welcome interest from any local authority. He said that North Lanarkshire Council's participation had been appreciated and that he hoped it had been mutually positive.

SD asked whether UNHCR was involved in the meeting because of the humanitarian

insight they could bring. DM said they had not because the local authorities were convinced of the humanitarian benefits of participating and were at the stage where they needed to discuss logistics and resourcing.

Item 13: Childcare provision by BIA

MG reported that stakeholders at the Operations Subgroup had expressed concern about the lack of childcare provision by BIA for people attending asylum interviews. MG said that consultation with service users had revealed there is a demand for this service in Scotland. MG welcomed BIA's pilot in Wales. PT responded the BIA Scotland would consider introducing childcare in Scotland influenced by the outcome of the pilot.

Action: It was agreed that CSMP should consider bringing a paper to a future meeting following the outcome of the pilot.

Item 14: A.O.C.B

Additional representation

SD suggested inviting a representative of OISC to give a presentation at a future SSCG. OISC had been in touch with SRC to ask to do this. This was agreed.

Action: SD to pass contact details to CSMP.

SD asked if the group could meet earlier in the day. JD from Highland Council pointed out that 11am was a more practical time for members who have to travel from a distance. It was agreed that the next meeting would begin at 11am as normal.

Next meeting: 28 February 2008 at 11am in COSLA, Rosebery House, Edinburgh