

# Birmingham City Council

## Report to Cabinet

27<sup>th</sup> July 2021



**Subject:** AFGHAN INTERPRETERS RELOCATION SCHEME

**Report of:** Professor Graeme Betts  
Director of Adult Social Care

**Relevant Cabinet Member:** Cllr John Cotton, Social Inclusion, Community Safety & Equality

**Relevant O & S Chair(s):** Cllr Carl Rice, Co-ordinating O&S Committee

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009085/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential :		

### 1 Executive Summary

- 1.1 The purpose of this report is to inform Cabinet about the urgency with which decisions were required by the Home Office in response to requests to Local

Authorities to support the Afghan Interpreters Relocation Scheme. The urgency relates to the immediate and ongoing withdrawal of British troops from Afghanistan, which puts the lives of Afghan Interpreters themselves in direct and imminent danger.

- 1.2 The report sets out the details of the response by Birmingham City Council, as a City of Sanctuary, and requests approval to implement the scheme and welcome 80 individuals to Birmingham.
- 1.3 In addition, the report requests authorisation for a formal Single Contractor Negotiation with an existing commissioned provider of Orientation, Accommodation & Support Services on the basis of this requirement being an unforeseen priority.

## **2 Recommendations**

That Cabinet:

- 2.1 Notes the Council's commitment to receiving and welcoming 80 individuals under the Afghan Interpreters Relocation Scheme from mid July 2021.
- 2.2 Approves the continued use of private rented sector housing as an appropriate housing option for accommodating people included in this scheme.
- 2.3 Approves the commencement of single contractor negotiations and the award of contract by the Director of Adult Social Care to Refugee Action for the implementation of the Afghan Interpreters Relocation Scheme. This contract will commence 16<sup>th</sup> August 2021 subject to Cabinet approval and the call-in period for this decision. For the period 1<sup>st</sup> July – 15<sup>th</sup> August 2021, a contract variation has been issued with officer delegation. The total estimated value of the variation and new contract combined is £580,082.40.
- 2.4 Authorises the City Solicitor (or their delegate) to negotiate and agree all legal documents to give effect to the above recommendations.

## **3 Background**

- 3.1 On Monday 24<sup>th</sup> May 2021, local authorities including Birmingham City Council were approached by the West Midlands Strategic Migration Partnership on behalf of the Home Office to request local authorities' urgent support for the Afghan Interpreters Relocation Scheme.
- 3.2 The Afghan Interpreters Relocation Scheme enables interpreters for British troops who served for a year or more continuously on the frontline in Helmand any time between 2006 and 2014 to apply for relocation to the UK. This is in recognition of their commitment to UK interests and of the direct threat to the security situation of individuals who have supported the UK and US governments in Helmand as troops withdraw. The relocation scheme has been in place since 2013 but there is now a pressing need to accelerate the rate of transfers to the UK, in line with the now active withdrawal of UK troops from Afghanistan. The UK

government aims to relocate 5,000 individuals under this scheme by the end of September 2021.

- 3.3 Birmingham has historically supported Government's migration programmes participating in the Syrian Vulnerable Person's Resettlement Scheme (SPVRS), the UK Resettlement Scheme UKRS (formerly Global Resettlement), the National Transfer Scheme for Unaccompanied Asylum-Seeking Children (UASCs) and the Asylum Dispersal Scheme.
- 3.4 As of September 2020, 445 former staff had relocated to the UK under the scheme. Including their families, this was 1,319 people. Only a handful of local authorities in the UK participate in the scheme; one of them being Coventry.
- 3.5 The Relocation Scheme is open to singles, couples and families. At the time of applying to the scheme, all those eligible must be in Afghanistan and themselves Afghan citizens.
- 3.6 On arrival to the UK, those relocated under the scheme will not have refugee status, but will be visa holders with 5 years' limited leave to remain, and will have the opportunity to apply for Indefinite Leave to Remain at the end of those 5 years; for which the fee has been waived. Those relocated will not have access to mainstream benefits and housing assistance until such time as they can meet the habitual residency test, which Home Office guidance states can take 3 months.
- 3.7 For that reason, local authorities participating in the scheme will receive funding to provide 12 months' integration support to those relocating. This includes procurement of accommodation, assisting with arrangements for obtaining school places, health services, National Insurance Numbers, mainstream benefits, employment opportunities and wider integration services. The funding tariff is given in the table below:

Accommodation				
Rent (up to 4 months or when in receipt of benefit)	£15 per person, per day			
Integration				
To provide integration support (includes element for void and set up costs for accommodation)	Per person rate			
	£10,500			
Cash support				
Weekly cash support rates (up to 4 months or when in receipt of benefit)	Single (under 25)	Single (25 or over)	Couples	Child (under 18)
	£59.20	£74.70	£117.40	37.75
ESOL provision				
£850 per adult (who requires it)				

- 3.8 The Home Office and the Ministry of Defence are operating with considerable urgency around this scheme. The first arrivals into the UK took place in late June

2021. Given the urgent decision made and communicated by Birmingham City Council, officers in the relevant Commissioning team are aiming to stand up provision in order for Birmingham to participate in the scheme by late July.

#### **4 Options considered and Recommended Proposal**

4.1 Given that local authorities were asked to respond with an initial commitment by the end of the same week in which the request was received, an Options paper was drawn up for urgent decision by the then Acting Chief Executive with the Leader of the Council and Cabinet Member for Social Inclusion, Community Safety & Equality. This included the following options, of which Option 3 was selected by the above parties and communicated back to the West Midlands Strategic Migration Partnership and Home Office.

<b>Option</b>		<b>Rationale</b>
1	Do not participate	Existing pressures on housing and other services in the City.
2	Overall: 64 people	Cabinet has previously agreed to resettle Syrian Refugees at a rate of 110 people over 12 months. That rate applied to a 7-month period (the remainder of this year) is 64.
3	Overall: 80 people; of which 29 people by end of June. At least the initial 29 would need to be exclusively singles and couples with option of reviewing following end of June.	Based on provider indications of feasibility, considering: <ul style="list-style-type: none"> <li>• Ability to mobilise quickly.</li> <li>• Avoiding impact on other schemes and contracts over an anticipated 7-month arrival period (by end of year).</li> <li>• Availability of housing in the Private Rented Sector right now, including the fact that singles and couples are much easier to accommodate.</li> </ul>
4	Overall: 86 people; of which 26 people by end of June.	Based on proportion of national total per head of Birmingham's local population.
5	Overall: 100 people	In line with other offers in the region. In this scenario it is likely hotel accommodation would be required for a period of time before accommodation can be sourced; a model that may add challenges when combined with a short offer of support.

4.2 Following advice from Corporate Procurement Services and the decision as set out in 4.1, a contract variation was issued with officer delegation to Refugee Action as the Council's existing provider of Orientation, Accommodation and Support services, covering the period 1<sup>st</sup> July – 15<sup>th</sup> August. This variation facilitates the mobilisation of their services in the context of the Afghan Interpreters Relocation Scheme in order for the Council to respond with the urgency required by Government, while authority is sought from Cabinet to enter into Single Contract Negotiations with this provider and make a new contract award accordingly, in order for the Council to fulfil its pledge in its entirety.

- 4.3 To that end, this Cabinet report also seeks approval to enter into Single Contract Negotiations due to unforeseen priority and to award a further contract to Refugee Action for the Council to fully meet its obligations in supporting people to arrive under the Afghan Interpreters Relocation Scheme, as described in 3.7.
- 4.4 The contract management will sit in the Refugees & Migration Commissioning Team, and management of the programme and contract can be absorbed by existing postholders attached to the Refugee Resettlement Schemes. These posts are funded 100% by Home Office funding for the delivery of these schemes. They are overseen by a Commissioning Manager, Refugees & Migration, Adult Social Care, and are:
  - 4.4.1 1 x GR4 Commissioning Officer
  - 4.4.2 1 x GR5 Senior Commissioning Officer

## **5 Consultation**

- 5.1 There has been consultation on the contents of this Cabinet report with the Cabinet Member for Homes & Neighbourhoods and Cabinet Member for Health & Social Care who are supportive of proposals.
- 5.2 This has been accompanied by ongoing engagement with relevant officers across procurement, legal and housing.

## **6 Risk Management**

- 6.1 Housing and accommodation
- 6.2 Delivery of previous and current similar schemes in Birmingham has worked well with accommodation being procured in the Private Rented Sector. Procurement of this accommodation and support for people to maintain their tenancies will form part of the commissioned service delivered by the provider or their subcontracted party(ies). The availability of appropriate and affordable accommodation in Birmingham remains a risk, as does the Home Office's ability to match family configuration to property configuration.
- 6.3 It is important to note that the BCC commitment to welcome 80 people will be dependent on being able to locally supply the properties for this group. This risk will be regularly monitored through the relevant Commissioning Team with any potential shortfalls flagged with the lead Cabinet Member.
- 6.4 Social cohesion and integration
- 6.5 Birmingham is a diverse city with 1 in 5 of the city's residents having been born overseas. In addition, there is an existing Afghan community in the city. For these reasons it is likely that Afghan interpreters and their families moving to Birmingham as part of this scheme will be able to meet their cultural, religious and social needs in the city.

- 6.6 Part of the service specification for the provider of Orientation, Accommodation & Support services will be to prepare new individuals and families to integrate in Birmingham – including English language, employment and social and cultural opportunities. Beyond the short-term support offered, individuals and families will be referred and have access to a range of services in the city that support with these activities, including some of the existing services commissioned by Birmingham City Council.
- 6.7 A unique characteristic of this scheme is that, due to the nature of the cohort, it is expected that at least one member of each household arriving will have a reasonable level of spoken English. This is considered a facilitator of positive outcomes in economic and social integration.
- 6.8 Social care, health and education
- 6.9 Individuals arriving on this scheme are different to those arriving through asylum dispersal routes that may not have recourse to public funds. Since March 2021, the Leader of Birmingham City Council and the other West Midlands dispersal areas have been liaising with the Minister for Immigration regarding achieving a more equitable approach to the Government's current Asylum Dispersal scheme.
- 6.10 With Limited Leave to Remain in the UK and a visa, individuals and families arriving on this scheme have the right to remain in the UK and will have access to public funds once the habitual residency test is met. The Home Office anticipates this will take 3 months; this period is covered by the Home Office funded support to be commissioned by Birmingham City Council.
- 6.11 No information provided by the Home Office to date, nor the experiences of other local authorities suggests that this group will have higher than average rates of uptake of social care or health services. Although the urgency around this scheme comes from the unsafe situation individuals face presently in Afghanistan, the scheme itself and the eligibility criteria are not, unlike Refugee Resettlement schemes, based on vulnerability or medical grounds.
- 6.12 Depending on the precise demographic and the make-up of households arriving in Birmingham under this scheme, there may be an impact on education services. This can be supported through an existing post within the Schools Admissions team, currently funded through Refugee Resettlement Scheme funding (Home Office).
- 6.13 Experience with the Refugee Resettlement Scheme shows that children of non-UK-born parents attending mainstream school in Birmingham tend to learn English quickly and settle well overall.
- 6.14 Covid-19
- 6.15 Afghanistan is currently on the UK Government Red List. For this reason, the Home Office has agreed to fund and arrange hotel quarantine for all individuals

arriving on this scheme following their arrival into the UK. Neither this period, nor the cost of it, is included in the support local authorities are funded to provide.

## **7 Compliance Issues:**

### **7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?**

- 7.1.1 The decision is consistent with the Council's City of Sanctuary policy statement, which was approved by Cabinet on 11<sup>th</sup> November 2018.

### **7.2 Legal Implications**

- 7.2.1 The acceptance and defrayal of funding is within the general power of competence conferred on the Council under Section 1 of the Localism Act 2011. Under Section 111 of the Local Government Act 1972, a local authority has the power to take action which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions and therefore has a general power to enter into contracts for the discharge of any of its functions. Section 93 of the Local Government Act 2000 gives the Secretary of State power to award grants to local authorities for expenditure incurred by them in the provision of welfare services determined by the Secretary of State.
- 7.2.2 The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2014 amend regulations 3 and 5 of the Eligibility Regulations. They make provision for certain Afghan nationals directly employed by the UK Government in Afghanistan who have been granted limited leave to remain in the UK to be eligible for an allocation of social housing and homelessness assistance if they are habitually resident.

### **7.3 Financial Implications**

- 7.3.1 As detailed above, funding is available to local authorities supporting people arriving in their local areas under the Afghan Interpreters Relocation Scheme. The tariff that the Home Office will provide to BCC is shown in 3.7. Based on a pledge of 80, BCC could receive funding of a minimum of £1,024,502.40 and maximum of £1,082,816.00. The final amount will depend on the composition of the families that arrive.
- 7.3.2 Payments to the local authority from the Home Office will be made in three instalments per household, the first of which is paid following the arrival of the household. This is the approach taken by the Home Office to payments made under the existing Refugee Resettlement schemes.
- 7.3.3 Contract values for the provision of Orientation, Accommodation and Support services are given in section 7.4 of this report. The value is drawn up on a per capita basis. The maximum contract value based on 80 arrivals represents between 54% and 57% of funding to be received by Birmingham City Council from the Home Office based on the same number of arrivals. The remainder of

the funding to be received will fund further provision for this group, in ways to be determined subject to emerging need.

#### **7.4 Procurement Implications**

- 7.5 The request to participate in this scheme is an unforeseen and urgent priority, as is the timeframe for mobilisation. This urgency has been consistently expressed by Home Office and Ministry of Defence and relates to the current and immediate withdrawal of British troops from Afghanistan, which directly impacts on the safety and security of the Afghan Interpreters and their family members to be relocated under this scheme. The Ministry of Defence aims to have totally withdrawn troops from Afghanistan in September, meaning that the majority of this group will need to arrive over the Summer months.
- 7.6 As arrivals are expected from July, this has meant that BCC has limited time in which to negotiate contracts. The choice of using an existing provider of the same services is the most appropriate course of action to enable BCC to meet its commitment within the expected timescales.
- 7.7 Given the above, and in order for the Council to meet its obligations in supporting people to arrive under the Afghan Interpreters Relocation Scheme, as described in 3.7 within the timescale required by the UK Government, it is necessary for the Council to enter into Single Contract Negotiations with Refugee Action, the existing provider of Orientation, Accommodation and Support services, and to award a contract accordingly.
- 7.8 It has also be necessary, following the decision made by Birmingham City Council's then Acting Chief Executive in consultation with the Leader and relevant Cabinet Member, and given the Home Office's and Ministry of Defence's urgency around this scheme and timetable for arrivals, to issue a Contract Variation notice to Refugee Action in order for them to start to mobilise services prior to and pending approval of the above approach by Cabinet.
- 7.9 BCC requires Refugee Action to provide the same Orientation, Accommodation and Support services under the Afghan Interpreters Relocation Scheme for twelve months following arrivals, to enable BCC to deliver its intention to welcome 80 individuals. The contract variation covers the period 1<sup>st</sup> July – 15<sup>th</sup> August 2021. The new contract to be awarded via Single Contract Negotiation will then commence 16<sup>th</sup> August 2021 and last for a period of 12 months following the last arrival into Birmingham on this scheme (estimated end date 30<sup>th</sup> September 2022).
- 7.10 The combined total value of the Contract Variation and new contract will be £580,082.40. This is based on £7,251.03 per individual x 80 people. This value is based on costing provided by the existing provider which correlate with the values of the existing Orientation, Accommodation and Support contract under Refugee Resettlement schemes.

#### **7.5 Human Resources Implications (if required)**



7.5.1 There are no direct human resources implications in this proposal. Administration of the commissioned services will be absorbed by existing Adult Social Care commissioning posts as follows, and overseen by the Commissioning Manager for Refugees & Migration:

7.5.2 1x Senior Commissioning Officer

7.5.3 1x Commissioning Officer

7.5.4 1x Business Support Officer

## **7.6 Public Sector Equality Duty**

7.6.1 An equality impact assessment has been completed and is attached to this report as **Appendix 1**.

## **8 Appendices**

8.1 Equality Impact Assessment

## **9 Background Documents**

9.1 [City of Sanctuary Policy Statement 2018-22](#)