



Subject: **ASYLUM SEEKERS, REFUGEES & MIGRANTS:
BIRMINGHAM CITY COUNCIL'S CITY OF SANCTUARY
POLICY STATEMENT**

Report of: **Graeme Betts, Corporate Director Adult Social Care
and Health**
Jonathan Tew, Assistant Chief Executive

**Relevant Cabinet
Member:** **Cllr Tristan Chatfield - Social Inclusion, Community
Safety and Equalities**

Relevant O &S Chair(s): **Cllr Mohammed Aikhlaq - Children's Social Care**
**Cllr Mariam Khan - Learning, Culture and Physical
Activity**
Cllr Penny Holbrook - Housing and Neighbourhoods
Cllr Rob Pocock - Health and Social Care
Cllr Tahir Ali - Economy and Skills
Cllr Sir Albert Bore - Resources

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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: 005463/2018		
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, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 The purpose of the report is two-fold. Firstly, to brief Cabinet on the range of activity the Council is engaged in, which is supporting its commitment to Birmingham being a “City of Sanctuary”.
- 1.2 Secondly, it is to present a new policy statement to Cabinet (see Appendix 1), refreshing the Council’s commitment to enabling Birmingham to be a City of Sanctuary. This is for a further four years in-line with the Council’s priorities, outcomes and plan for 2018-22.

2 Recommendations

- 2.1 That Cabinet:
 - 2.1.1 Approves and adopts the new policy statement (Appendix 1) and commits to enabling Birmingham to be a City of Sanctuary, and in doing so forwards it to Full Council for debate.
 - 2.1.2 Adopts the commitments set out in the policy statement, which will enable Birmingham to be a City of Sanctuary

3 Background

- 3.1 The City of Sanctuary movement started in 2005 with the mission to “work to build a culture of welcome, hospitality and inclusiveness right across every sphere and sector of society, so that wherever people seeking sanctuary go they will feel safe, find people who welcome them and understand why they are here, and have opportunities to be included in all activities”. Sheffield was the first City Council to commit to becoming a City of Sanctuary in 2007 and many more have followed.
- 3.2 The City of Sanctuary movement in the UK should not be confused with the sanctuary city movement in the US, which is concerned with the enforcement of immigration legislation. The clear difference between the US and UK is that the US movement is about limiting cooperation between local and federal/central government, whilst the UK movement can assist better working relationships and joint working between local and central government in order to resettle refugees. This can be seen in the pledges made by local government to resettle 20,000 Syrian refugees across the UK, which in Birmingham was directly linked to adopting City of Sanctuary status.
- 3.3 In 2015 Birmingham City Council pledged its commitment to Birmingham being a City of Sanctuary and a welcoming place of safety for all, proud to offer sanctuary to people fleeing violence and persecution. At the same time the Council pledged to welcome 550 Syrian refugees via the Syrian Vulnerable Persons Resettlement Scheme. This commitment was refreshed in 2017 with the adoption of a City of Sanctuary position statement, outlining a number of actions and initiatives the Council was engaged in to help deliver this commitment. This policy statement is the next iteration of the Council’s commitment to being a City of Sanctuary.

- 3.4 The previous commitments to being a City of Sanctuary referred only to asylum seekers and refugees. However during the next four years the UK will be leaving the European Union, which will start to affect the perceived and actual status of migrants residing and working in, as well as visiting Birmingham. Therefore it is important to ensure that this statement is extended beyond asylum seekers and refugees to also include migrants to ensure that they also can feel that Birmingham is a welcoming place of safety, both during and after Brexit.
- 3.5 In June 2018, a new cross-Council migration meeting was formed to assist officers from across different Directorates and service areas to better share information and coordinate activity concerning asylum seekers, refugees and migrants. This group is chaired by the Assistant Chief Executive. The need and opportunity to refresh the Council's policy and position concerning Birmingham being a City of Sanctuary was identified as an immediate priority from that group. This is in order to provide a common purpose and reference point, which can guide and inform the Council's activity concerning asylum seekers, refugees and migrants.

4 Options considered and Recommended Proposal

- 4.1 The City of Sanctuary Position Statement, which was adopted by Cabinet in February 2017 is no longer fit for purpose and is in need of refreshing. This is to ensure that the Council's commitment to Birmingham being a City of Sanctuary better aligns with and supports the Council's plan for the next four years, better reflects the Council's role in the city and better reflects the range of activity the Council is engaged and invested in. It also needs to reflect the changing status of the UK in Europe and EU citizens who have migrated to Birmingham. A failure to approve this policy statement would mean that the Council's position would no longer be relevant and in keeping with the new circumstances the city and the UK are in.
- 4.2 Additionally the purpose of this policy statement and its broad coverage is to ensure that there is clear direction and leadership from the Council's leadership to its Members, employees and stakeholders across the city concerning engagement with and support of asylum seekers, refugees and migrants. A failure to approve this statement is likely to result in both the Council's and the city's approach on this important issue being disjointed, poorly coordinated and understood. This is likely to continue to maintain and create barriers to successful partnership working, which impact negatively on the outcomes that can be achieved for asylum seekers, refugees, migrants and the city as a whole.

5 Consultation

Internal

- 5.1 Birmingham's City of Sanctuary Position Statement has been developed in consultation with colleagues from across the Council. This is both through a recently formed "Cross-Council Migration Meeting" and through engagement with

individual directorates and service areas. The following service areas have been directly involved in and/or consulted in the development of the policy statement:

- Commissioning
- Public Health
- Adult Social Work
- Children's Trust
- Education
- Employment & Skills
- Cultural Development
- Adult Education
- Community Safety
- Neighbourhood Advice & Information
- Libraries
- Prevent and Counter Extremism
- Housing Options and Homelessness
- Landlord Services
- Private Rented Sector
- Corporate Policy & Strategy
- Procurement

5.2 The following Cabinet Members have been consulted during the production of the policy statement:

- Cllr Jayne Francis – Education, Skills & Culture
- Cllr Kate Booth – Children's Wellbeing
- Cllr Sharon Thompson – Homes & Neighbourhoods
- Cllr Paulette Hamilton – Health & Social Care
- Cllr Tristan Chatfield - Social Inclusion, Community Safety and Equalities
- Cllr Brett O'Reilly - Jobs and Finance and Resources

5.3 All have contributed and confirmed their support for the policy statement, including its representation of what the Council is engaged in and the proposed commitments over the next four years.

5.4 Officers from Finance, Legal & Governance Department and Procurement have been involved in the preparation of this report.

External

- 5.5 The policy statement has been developed in consultation with representatives of organisations from across the statutory, voluntary and community sectors who are actively engaged in work concerning asylum seekers, refugees and migrants. This has been facilitated through the Birmingham Migration Forum. Statutory agency members of the forum include NHS Birmingham and Solihull CCG, NHS Sandwell and West Birmingham CCG, NHS Birmingham and Solihull Mental Health Foundation Trust, West Midlands Police, Department for Work & Pensions (Job Centre Plus), Home Office and G4S (as the Home Office's contracted accommodation and support service for asylum seekers in the city). In addition there are over thirty different voluntary and community sector organisations represented in the Forum and its network. These range from national to locally based groups, organisations and charities.
- 5.6 In addition several organisations and partnerships have made direct contributions to the policy statement. This includes Birmingham's volunteer City of Sanctuary Committee, which is part of the national network sharing experiences and ideas across the UK. It also includes the West Midland Strategic Migration Partnership and Birmingham Safeguarding Adults Board.
- 5.7 Feedback from external stakeholders has been very positive and all who have been in contact with the Council during the development of the statement have been supportive of it.

6 Risk Management

- 6.1 A key risk is the ownership and delivery of the statement's commitments, particularly in an increasingly difficult and changing operating environment. To manage this risk all commitments in the statement have been developed with the input of officers from across the Council and reflect either current activity or plans. Additionally, where possible the statement seeks to integrate asylum seekers, refugees and migrants in existing activity and plans. This means that the commitment to new activity is limited only to where it is essential.
- 6.2 An additional risk is the expectations amongst the Council's partners, many of which would like to see the Council taking tangible and meaningful action to implementing the commitment to Birmingham being a City of Sanctuary. This is one of the complaints concerning the existing City of Sanctuary position statement. To address this there will be both Member and officer leads and contacts aligned to each commitment as well as the requirement for a 12 monthly update on progress in implementing the policy statement's commitments.

7 Compliance Issues:

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

- 7.1.1 The policy statement directly references and supports the Council's plan, priorities and outcomes for 2018-22. Part of the purpose of the policy statement is to ensure that commitments made by the Council to enabling a City of Sanctuary are consistent and integrated with, as well as contribute to those priorities and outcomes.

7.2 Legal Implications

- 7.2.1 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. This includes references to the externally funded activities delivered by the Council on the government's behalf.
- 7.2.2 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.
- 7.2.3 There are also several elements of the Immigration and Asylum Act 1999 and the Immigration Act 2016, which the policy statement will ensure the Council is both engaging and compliant with. This is particularly concerning the legal status of asylum seekers, refugees and migrants in accessing public services and support provided by the Council.

7.3 Financial Implications

- 7.3.1 The Council delivers and commissions several services and projects through mainstream Council funding which are referenced in the policy statement. A key part of the purpose of this report is to ensure that all these services, programmes and activities – whether funded externally or from the Council's mainstream budget - are planned and delivered in a way which can make the best use of the resources available, avoiding duplication and maximising sustainability and legacy wherever possible.
- 7.3.2 This report and the policy statement do not imply any particular level of financial commitment from the Council. Investment in services and projects will need to be determined through the Council's budget and resourcing processes. Commissioning and procurement of these activities will be in line with the constitution and further reports will be brought to decision makers as required.
- 7.3.3 The policy statement also includes reference to several national and European initiatives, programmes and projects which are delivered by the Council through external funding. This is mostly from the Home Office, Ministry for Housing, Communities and Local Government, as well as the European Commission. The Council's involvement in the following activities is intrinsically linked to the Council's continued commitment to Birmingham being a City of Sanctuary:

- Syrian Vulnerable Persons Resettlement Scheme (SVPRS)
- Local Authority Asylum Seeker Liaison Project
- Unaccompanied Asylum Seeker Children (UASC) and National Transfer Scheme

7.3.4 In addition the statement sets out the pressures on public services, including those managed and delivered by the Council, which can result from migration into the city. A key element of the policy statement is to recognise the benefits of investing in prevention and early intervention, which can both reduce the current demands on public services and enable refugees and migrants to actively contribute to the city's economy.

7.3.5 The policy statement will also assist the external investment in the Council and the city which can support asylum seekers, refugees and migrants. This includes ensuring that future bids for government funds are aligned with the priorities, outcomes and commitments set out in the policy statement, as well as complementary of existing activity. It will also assist independent funders identify and understand how and where they might be able to invest in voluntary and community sector activity in the city, which can benefit asylum seekers, refugees, migrants and the city as a whole.

7.4 Procurement Implications (if required)

7.4.1 Not applicable

7.5 Human Resources Implications (if required)

7.5.1 Not applicable.

7.6 Public Sector Equality Duty

7.6.1 The initial assessment of the policy statement has been completed (see Appendix 2). The conclusion from the assessment is that the policy statement will have a positive impact on a disadvantaged group in Birmingham, namely asylum seekers, refugees and migrants with implications for promoting the Council's equality responsibilities concerning race. There will not be any negative impacts on any other groups as a result of implementing the policy.

8 Background Documents

8.1 List of Appendices accompanying this Report (if any):

1. Birmingham City Council City of Sanctuary Policy Statement 2018-22
2. Equality Analysis EQUA141