



Subject: PREVENTING CRISIS; ENABLING INTEGRATION:
BIRMINGHAM CITY COUNCIL BID TO THE
CONTROLLING MIGRATION FUND

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

**Relevant Cabinet
Member:** Cllr Sharon Thompson – Homes & Neighbourhoods
Cllr Tristan Chatfield - Social Inclusion, Community Safety
and Equalities

Relevant O &S Chair(s): Councillor Penny Holbrook - Housing and Neighbourhoods

Report author: Austin Rodriguez, Commissioning Manager (Prevention,
Communities and Migration), Adult Social Care and Health

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference: 005716/2018		
Is the decision eligible for call-in?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input 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 a bid which was submitted to the Ministry for Housing Communities and Local Government's (MHCLG) Controlling Migration Fund for the 1st October deadline. This is a total value of £862,542.

- 1.2 Secondly, if the bid is successful it is to request approval to accept funding and award contracts to named project partners to be able to begin delivery of the project from 1st February 2019.
- 1.3 The accompanying private report contains confidential information related to this proposal.

2 Recommendations

2.1 That Cabinet:

- Notes and retrospectively approves the bid to the Controlling Migration Fund, which was submitted for the 1st October 2018 MHCLG deadline.
- If the bid is successful, delegates the Corporate Director of Adult Social Care and Health, in consultation with the Corporate Director of Finance and Governance and the City Solicitor (or their nominees) to consider whether any grant conditions require further approvals, and, if not, to accept funding from MHCLG, as well as agree to the Council being the accountable body for the bid.
- Agrees the establishment of one new post of Migration Coordinator within the Adults Directorate on a one year fixed term basis, starting on 1st April 2019.
- Authorises the Corporate Director for Adult Social Care & Health, in consultation with the Corporate Director of Finance and Governance and the City Solicitor (or their nominees), to enter into a partnership agreement with the Birmingham and Wolverhampton Refugee and Migrant Centre, Birmingham Community Law Centre, Hope Projects and the Asylum Support and Immigration Resource Team (ASIRT), as set out in this report. This is only if the bid is successful and for a period from 1st February 2019 to 31st March 2020, as set out in the private report.
- Authorises the City Solicitor to negotiate and execute any documents to give effect to the above recommendation.

3 Background

- 3.1 The purpose of the Controlling Migration Fund is to mitigate the impacts of immigration on local communities, including the impact on local services. The £100million fund was established in 2016/17 by MHCLG and there is approximately £27million remaining to be allocated before the fund closes. The fund opens in rounds- the latest round opened on Friday 10th August and closed on Monday 1st October. To date Birmingham has received money from the Controlling Migration Fund for four initiatives to be delivered by March 2020:

3.1.1 Rogue Landlords Project – £916,260

3.1.2 Modern Day Slavery – £175,000

3.1.3 Local Authority Asylum Seeker Liaison - £100,000

3.1.4 West Midlands Unaccompanied Asylum Seeker Children (UASC) Forum – as one of fourteen authorities in a successful bid of £1.975 million

- 3.2 Due to the scale of the impact on Birmingham's public services and communities the funding received so far, whilst helpful, has not covered the pressure points and gaps in the system. By comparison to the volume of funding nationally and the profile of migration to Birmingham it is also a fair assessment that as a city we have not received a full allocation of funding yet. However this is dependent on submitting successful bids to the CMF.
- 3.3 In June 2018 the Council organised its first cross-Council meeting of officers who are working in some capacity or have some interest in the issue of asylum seekers, refugees and migrants. One of the agreements from that meeting was the need to develop and submit one or more bids to the Controlling Migration Fund when it re-opened. This was in response to the pressures being identified across the Council by officers and the need to increase the resource available to prevent or address them.
- 3.4 In addition the Council has committed to updating its commitment to Birmingham being a City of Sanctuary. A separate report on this agenda recommends a revised policy statement which sets out a number of commitments to enable this, one of which is the commitment to working with the voluntary and community sector to increase the resources available in the city which can:
- 3.4.1 Prevent crisis and destitution
 - 3.4.2 Enable meaningful employment and participation in the city's economy
 - 3.4.3 Enable engagement and connections to social and community networks
 - 3.4.4 Enable active citizenship in the city and its neighbourhoods
- 3.5 During 2017 Birmingham's Destitution Steering Group developed a third sector immigration strategy with the input of officers from Birmingham City Council. The group comprises of sixteen voluntary sector organisations which provide specialist immigration, housing and welfare advice and support to asylum seekers, refugees and migrants. The vision for the strategy is for "statutory and charitable agencies working together across Birmingham to provide a clear consistent pathway to support all people subject to immigration control so they can build settled, healthy and fulfilling lives and consequently contribute to the economic and social wellbeing of the city". One of the ambitions of the bid to the Controlling Migration Fund is to provide the resource to help realise this vision and start to deliver elements of the strategy.
- 3.6 In terms of the scope and scale of the issues the proposal is seeking to address, much of these are set out in the bid. However some of the headlines to highlight are:
- 3.6.1 Birmingham is home to a migrant population (non-UK born citizens) of approximately 250,000 people. This consists of approximately 48,000

people from EU countries. In 2016 the city had 15,409 new arrivals and net migration into the city of 9,045 – enough people to populate a small town.

3.6.2 Birmingham's other main challenge is the diversity of new arrivals. Feedback from statutory and voluntary sector services has identified people from 120 countries who require advice and support.

3.6.3 The movement into the city of asylum seekers, refugees and migrants is not evenly dispersed and distributed across the city. Thirty four of the city's sixty nine Wards have accounted for just 11% of new migrant GP registrations since 2013, whilst seven Wards have seen registrations of 7,000 people or more in that time.

3.7 Options considered and Recommended Proposal

3.8 The Controlling Migration Fund guidance is clear that only Local Authorities can submit bids, but these can be partnership bids with voluntary, community and statutory sector agencies. The Council does not have the skills required to deliver these services in house. Due to the timetable, which MHCLG put in place for this round of proposals it was not possible to organise a potential partnership proposal until the middle of September and only closer to the bid deadline did a realistic and valuable project and proposal emerge.

3.9 MHCLG have given no indications whether the Controlling Migration Fund will be extended beyond 2019/20 but there have been indications of high interest nationally in this latest round of bidding. This has increased the likelihood that the remaining unallocated funding of approximately £27million will be fully committed to Local Authorities in this bidding round. It is therefore likely that this will be the last opportunity for Birmingham City Council to be able to access the Controlling Migration Fund. As a result the approach taken has been to submit the best bid possible with the assets, knowledge and delivery partners available for this round.

4 Consultation

4.1 Internal

4.2 The bid has been developed with direct input from the Neighbourhood Advice & Information Service. It has also been developed in consultation with officers involved in the recently formed cross-Council migration meeting and colleagues in Housing Services.

4.3 The following Cabinet Members have been consulted during the development and production of the bid:

- Cllr Sharon Thompson – Homes & Neighbourhoods
- Cllr Tristan Chatfield - Social Inclusion, Community Safety and Equalities

4.4 All have provided their support to the bid.

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

4.6 External

- 4.7 The bid has also been developed in consultation with the Birmingham Migration Forum which consists of representatives of organisations from across the statutory, voluntary and community sectors who are actively engaged in work concerning asylum seekers, refugees and migrants. This initial consultation helped to identify partnership interest and opportunities from which to develop a suitable proposal to the Controlling Migration Fund.
- 4.8 In addition there has been consultation and engagement with the Birmingham Destitution Steering Group, which comprises of sixteen voluntary sector organisations which provide specialist immigration, housing and welfare advice and support to asylum seekers, refugees and migrants. This group and its members are the owners of the Birmingham Third Sector Immigration Advice Strategy. From this consultation and engagement, four delivery partners have been identified who can work with the Council to deliver the proposal submitted to the Controlling Migration Fund.

5 Risk Management

- 5.1 If the bid is successful and MHCLG decide to award Birmingham City Council all or some of the funding the key risks will be in the capacity to mobilise and deliver. There is a requirement from MHCLG to produce an impact record six months after the completion of the project. There are no specific claw-back risks for this grant but shortfalls in delivery are likely to have an adverse effect on future bids for such funding. Delivery of this report will be dependent on the successful delivery of activity across the five delivery partners, including Birmingham City Council. In order to mitigate delivery and performance risks with project partners, the following activity is subsequently proposed:
- 5.1.1 Clear governance set out for how the project will be managed and coordinated;
 - 5.1.2 Issuing of a partnership agreement with delivery partners to formalise the performance measures and expectations which are relevant and appropriate to the bid which has been submitted. This agreement would be managed by Birmingham City Council as the accountable body for the bid;
 - 5.1.3 A clear setting out of roles and responsibilities, in terms of overall project management and coordination, geographical and thematic responsibilities.

6 Compliance Issues:

- 6.1 **How are the recommended decisions consistent with the City Council's priorities, plans and strategies?**
- 6.1.1 The approval of the bid and acceptance of funding from MHCLG for the delivery of the project will be a significant asset to the delivery of the Council's outcomes, priorities and plan for 2018-22. As well as bringing additional funding into the Council and the city, the advice and support

provided to asylum seekers, refugees and migrants will also have a specific impact on the following outcomes and priorities:

- 6.1.1.1. **Birmingham is an aspirational city to grow up in:** We will improve protection of vulnerable children and young people (including those with Special Educational Needs and Disability). This will include both increasing the capacity for providing advice and support to families, but also improving education and engagement amongst new arrivals about local policing and community safety – particularly crime issues such as FGM and domestic abuse.
- 6.1.1.2. **Birmingham is a fulfilling city to age well in:** We will work with our citizens to prevent social isolation, loneliness, and develop active citizenship. This will include better connecting new arrivals to community services, activities and networks to prevent isolation and loneliness.
- 6.1.1.3. **Birmingham is a great city to live in:** We will work with our residents and businesses to improve the cleanliness of our city. This will include better education and engagement with new arrivals, which include about using local services such as refuse and recycling.
- 6.1.1.4. **Birmingham is a great city to live in:** We will work with partners to tackle rough sleeping and homelessness. This is a particularly strong focus for the bid and identifying asylum seekers, refugees and migrants who are sleeping rough or considered homeless who can be provided with immigration, housing and welfare advice and support.
- 6.1.1.5. **Birmingham is a great city to live in:** We will work with partners to ensure everyone feels safe in their daily lives. This includes better connecting new arrivals to local policing and increasing awareness of issues such as anti-social behaviour and hate crime.
- 6.1.1.6. **Birmingham is a great city to live in:** We will work with our partners to build a fair and inclusive city for all. There will be a particularly strong focus on advice and support in areas with the highest populations of refugees and migrants, which are also some of the most deprived neighbourhoods and communities in the city.
- 6.1.2 In addition the proposal is consistent with the City of Sanctuary policy statement, which sets out the Council's position and commitments to enabling the city to be a welcoming place of safety, where asylum seekers, refugees and migrants can successfully settle and integrate in the city. It is also consistent with the Cohesion Strategy and recognising the additional support needed for new arrivals to Birmingham which can help them better integrate with local communities and in neighbourhoods.

6.2 Legal Implications

- 6.2.1 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.
- 6.2.2 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.
- 6.2.3 There are multiple sections of the Immigration and Asylum Act 1999 referring to immigration, immigration advice and services, as well as support for asylum seekers, which the proposal is directly relevant to. In addition Part 5 of the Immigration Act 2016, concerns the support for certain categories of migrant relevant to this proposal. As part of the project's delivery the intention is to focus on individuals who are making their first asylum or other immigration related applications and claims, as well as those individuals who have a recognised legal status to remain in the UK as a refugee, EU or other migrant. Individuals with "No Recourse to Public Funds" will be provided advice about their rights and options, but consistent with legal duties and requirements for the use of public services will not be provided with care and support or services.
- 6.2.4 The project will be implemented through a legally binding partnership agreement between Birmingham City Council and the named project partners. This agreement will formalise the arrangements proposed in the CMF bid, including the roles and responsibilities of partners, project governance arrangements, outputs, outcomes, as well as budgets and expenditure. These details are set out in the project bid, which are included as appendices to this report. As the accountable body for the bid, Birmingham City Council will be responsible for drafting, managing and enforcing the partnership agreement, as and where that might be necessary.

6.3 Financial Implications

- 6.3.1 The proposal to the Controlling Migration Fund is seeking £862,542 to invest in advice and support services for asylum seekers, refugees and migrants. The project will include direct Council provision of £201,000 and services commissioned from the project delivery partners totalling £661,542. There is no requirement for match funding from Council resources.
- 6.3.2 The Council element is proposed to fund three posts. One would be a Migration Coordinator, with the primary responsibility of coordinating and managing the project, as well as connecting it to partners. This post would be established on a fixed term basis for one year from 1st April 2019 with an

estimated cost of £59,000 and the work would cease unless further funding was made available from Government. There would also be two Neighbourhood Advisor posts based in the Neighbourhood Advice & Information Service, which would be a dedicated resource to the project for one year from 1st April 2019 with an estimated cost of £92,000. These existing posts are currently funded from other grants and they would be moved on to this project. Again, the work would cease if no further funding was available at the end of this project. A small grants amount of £50,000 is also included which would be operated using the Council's agreed grant making toolkit.

- 6.3.3 The remaining £661,542 would be used by the the four project delivery partners to increase capacity to deliver advice and support services for asylum seekers, refugees and migrants. The services would also be accessible to statutory and voluntary sector professionals and practitioners working with these groups. The provision of these services would be subject to a partnership agreement between Birmingham City Council and the named project partners between 1st February 2019 and 31st March 2020.
- 6.3.4 A requirement of all bids which are supported and funded by MHCLG is to complete an impact report on project completion. However there are no financial implications or penalties specifically referenced in the Controlling Migration Fund guidance and prospectus from any difficulties or failure to complete this activity.
- 6.3.5 Additional requirements from MHCLG are that project spends must be forecast to be completed by 31st March 2020 and in keeping with the activity which has been agreed in the proposal. There is some recognition in the bid guidance that not all project activities might be completed by that date and it may be necessary for some grant funding to be carried forward in 2020/21. The Council is not yet in possession of a draft funding agreement so the precise funding terms are not yet available. These will be considered as they become available, but based upon previous grant awards there are not specific claw-back risks and the main requirement is the completion of an impact assessment.

6.4 Procurement Implications (if required)

- 6.4.1 If the project partners, require external contractors to enable them to deliver the services which are subject to the award from MHCLG and subsequent partnership agreement with the Council, they will be required to comply with procurement regulations.

6.4.2 Human Resources Implications (if required)

- 6.4.3 One new post would be established – Migration Coordinator – on a one year fixed term basis, starting on 1st April 2019. This will require either internal secondment or external recruitment into the role. Two existing

posts in the Neighbourhood Advice & Information Service would be ring-fenced and funded specifically from the project budget. No recruitment of additional personnel would be needed.

6.5 Public Sector Equality Duty

6.5.1 The initial assessment of the bid has been completed. The conclusion from the assessment is that the bid 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 delivering the advice and support services outlined in the bid.

7 Background Documents

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

1. Controlling Migration Fund prospectus
2. EA 180