

# URGENT BUSINESS AND SUPPLEMENTARY INFORMATION

#### **Executive**

#### 6 September 2021

Agenda Item Number	Page	Title	Officer Responsible	Reason Not Included with Original Agenda
9.	(Pages 3 - 26)	Notification of Urgent Action - Afghan Relocation and Assistance Policy (ARAP) for Afghan Locally Employed Staff (LES)	Chief Executive & Assistant Director Social Care Commissioning and Housing	Report being reviewed and finalised at time of agenda dispatch

If you need any further information about the meeting please contact Natasha Clark, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221589

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# **Cherwell District Council**

# Executive

## 6 September 2021

# Notification of Urgent Action: Afghan Resettlement Programme - Afghan Locally Employed Staff (ALES)

### **Report of the Chief Executive**

This report is public

## **Purpose of report**

To update the Executive on an urgent decision made by Chief Executive in relation to the short-term leasing of homes from the Ministry of Defence to assist the Council's response to the government's request for support in relation to the Afghan resettlement programme.

# 1.0 Recommendations

The meeting is recommended:

- 1.1 To endorse the action taken by the Chief Executive under urgent powers to:
  - i) Enter into 12-month full repairing leases for 10 homes from the Ministry of Defence: and
  - ii) Delegate responsibility for agreeing the terms of those leases to the Corporate Director, Commercial Development, Assets and Investment.

Such action being taken in support of the programme for acquisition of accommodation to facilitate housing need in relation to the Afghan Relocation and Assistance Policy (ARAP) for Afghan Locally Employed Staff (ALES).

# 2.0 Introduction

- 2.1 On the 3rd June councils were advised of the Government's Afghan Relocation and Assistance Policy (ARAP) requesting support to welcome Afghan Locally Employed Staff (ALES) who have worked for the UK and risked their lives alongside British forces in Afghanistan over the past twenty years and are now relocating to the UK with their families. This follows NATO's decision to withdraw military forces from Afghanistan.
- 2.2 The ARAP scheme acknowledges and reflects that the situation in Afghanistan has changed, and with it the potential risk to the local staff who have worked for the UK

Government. As a result, government are working at pace to relocate around 3,000 people (or approximately 600 families) during September 2021.

- 2.3 In July 2021 councils were asked for more offers of support to resettle those who have served the UK in Afghanistan especially offers of support from areas who can provide or source larger homes of four bedrooms or more, to suit the needs of those ALES arriving in large family groups.
- 2.4 On 20 August 2021 councils were advised of a new ALES Housing Costs Fund of £5m to support councils who are finding it difficult in sourcing larger properties for families. The funding package guarantees rental payments until benefits are in place and a new fund will enable LA's to top up rent shortfalls above local housing allowance levels.
- 2.5 On 1 September government issued a news release 'operation warm welcome', supporting Afghan arrivals in the UK under the ARAP scheme by providing immediate indefinite leave to remain, alongside funding for school places and healthcare.

# 3.0 Report Details

- 3.1 The council approached the South East Strategic Migration Partnership and MoD with a proposal to make use of vacant housing stock and lease 10 homes for a period of 12 months for the purposes of housing Afghan families through the Government's Afghan Relocation and Assistance Policy for Locally Employed Staff. They will settle with 'immediate leave to remain' status and have recourse to public funds.
- 3.2 The Home Office is providing a funding package to resource local authorities who come forward with offers to resettle Afghan Locally Employed Staff (ALES) and their families, enabling delivery of integrated support for families with further support on employment, welfare benefits, and access to health, education and other local services. This financial support for all participating local authorities is being enhanced through additional central government integration support.
- 3.3 Integration funding of £10,500 per person is paid to provide 12 months of integration and support assistance. Additional funding (such as a cash fund, travel, or other incurred costs) to cover any potential short-term period before access to benefits and services becomes available to the new arrivals, will also be provided.
- 3.4 The funding package also supports rental payments, for example for a 3-bed house for a couple with 4 children, their ARAP funding will cover accommodation rental at £15 per person, per night for up to 4 months, or until benefits are in place. Therefore, to house a family of 6 people, the LA have a nominal 'budget' of £630 per week / £2,730 per month to secure rental accommodation for up to 4 months. After which, benefits will need to cover the rent and Council Tax costs if the family remain unemployed.
- 3.5 The DWP will support efforts to assist the family into employment, but if the family have not found employment and are affected by their benefit cap of £1666.67 (as a

family living outside of greater London) per month, a new fund will enable LAs with ALES to be awarded a 'top up' grant to cover the rent shortfall.

- 3.6 Extra funding is available to local authorities for the provision of English language training for adults.
- 3.7 The payment structure has been simplified to reduce the administrative burden on local authorities.
- 3.8 Council officers hold frequent conversations with the South East Strategic Migration Partnership and attend Local Authority ALES Network meetings – regular sessions organised by MHCLG for local authorities from across the whole of the UK, attended by partners from across Government, both to generate new welcome and accommodation offers, but to also support and learn from those places who have agreed to host ALES and their families.

#### 3.9 Accommodation

- 3.9.1 A mobilisation of the council's housing and property teams has concluded the MoD properties are suitable for letting and are in good decorative standard. Several properties have planned maintenance works such as redecoration, re-carpeting, and garden clearance.
- 3.9.2 The council does not have a housing revenue account; it is not a stock holding housing authority and has a limited range of tenancies it can offer. The MoD properties would be leased to the council for 12 months for families and those properties will need to be handed back with vacant possession.
- 3.9.3 A council letting would first need to be processed through the provision of an emergency licence under homeless legislation (if the criteria in sections 188 and/or 193 of the Housing Act 1996 are satisfied), which is not favoured as this escalates the family into priority statutory homeless services. Assured shorthold tenancies, however, would provide security of tenure for the families for the 12-month duration of the MoD leases, and this type of tenancy can be provided by registered housing providers. Officers are therefore exploring the possibility of sub-letting the MoD properties to a local registered provider for the purpose of their offering this type of tenancy to the families.
- 3.9.4 At the end of the council's liability the families will require accommodation. It will be essential that during this period the families are supported to find move on accommodation in the private rented sector or through the council's housing register for social housing. Finding housing solutions in advance of when this accommodation ceases to be available will be critical to avoid homelessness. The Cherwell guarantee bond scheme will be used to help secure larger properties in the private rented sector as well as any funding should it be made available by the Home Office. It is unlikely that social housing stock will be available due to existing high levels of demand and the Afghan need for larger accommodation.

#### 3.10 Leases

3.10.1 The council would enter into a 12-month full repairing lease with the MoD. Insurances will be required to be taken out by the council to cover the full reinstatement value of each property leased. The leases are expected to require that any residential letting be granted on a temporary basis to enable their return to the MoD with vacant possession. A formal condition agreement on each property Page 5 will be required prior to acquisition. In the event that the council awards a sub-lease, this will set out any transfer of liabilities.

#### 3.11 Wrap around support

- 3.11.1 The full wraparound support offer is being developed with existing migration specialist partners in Oxfordshire. There will be a managed welcome of families in conjunction with South East Strategic Migration Partnership. Support will include language skills, access to healthcare and education, voluntary sector support and advice, purposeful activities such as ESOL and job market.
- 3.11.2 There is an opportunity to replicate the tried and tested approach adopted in Cherwell to deliver the Syrian and UK Vulnerable Persons Resettlement Scheme. This approach involves commissioning of external support providers to deliver intense wrap-around support to the families in the first two weeks of arrival and then weekly support for a further 50 weeks.
- 3.11.3 A temporary resettlement project coordinator hosted by Cherwell District Council and funded by the Afghan Resettlement Scheme funding would ensure that the project is coordinated making sure funding bids and claims are being made. The officer will be the single point of contact for Afghan families, support providers, County Council, Home Office, and other stakeholders. This approach also enables the families to access support and engage with local Cherwell services and charitable, voluntary and community sector groups, thereby helping the Afghan families to quickly settle and integrate into the Cherwell community.

## 4.0 Conclusion and Reasons for Recommendations

- 4.1 To provide a positive response to the emerging Afghanistan crisis and central Government's call for help by securing suitable family accommodation for affected families within the Afghan Relocation and Assistance Policy (ARAP) for Afghan Locally Employed Staff (ALES).
- 4.2 There is a need to act quickly and get leases in place so that families can begin to settle and receive the necessary wrap around support due to the rapidly changing situation in Afghanistan and to ensure suitable accommodation is provided and affected families are settled as quickly as possible.

## 5.0 Consultation

Cllr Lucinda Wing, Lead Member for Housing Cllr Douglas Webb, Vice Chairman, Overview and Scrutiny Committee, Urgent Decision

# 6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.
  - Option 1: To withdraw from the scheme the Council could decide not to participate in the scheme and decide not to proceed with acquisition of properties.

Option 1 has been rejected due to the urgent need, by the end of September 2021 to provide emergency housing and support to Afghans who have worked for the UK in Afghanistan, and who have been relocated to the UK for safety following the withdrawal of NATO (including UK) forces from Afghanistan.

## 7.0 Implications

#### **Financial and Resource Implications**

7.1 The anticipated home office funding package is set out at appendix 1. A full cost analysis has been undertaken by finance officers and the extent of our financial risk is forecast to be nil based on a typical family of six (i.e. two adults and four children under 18) with accommodation provided by the MoD.

Comments checked by: Michael Furness, Assistant Director of Finance 01295 221 845, <u>michael.furness@cherwell-dc.gov.uk</u>

#### **Legal Implications**

7.2 The legal service is in discussion with MoD lawyers on the terms of the leases, and will keep the Corporate Director, Commercial Development, Assets and Investment (who has been delegated the power to agree such terms) apprised of these negotiations as they progress in conjunction with the parallel discussions on sub-letting to a provider able to grant the type of short-term tenancy best suited to a temporary 12-month leasing arrangement.

Comments checked by: Richard Hawtin, Team Leader Non-contentious 01295 221695, <u>richard.hawtin@cherwell-dc.gov.uk</u>

#### **Risk Implications**

7.3 There are risks associated with the types of tenancy given to the families which are discussed as set out at para 3.9. The option to provide assured shorthold tenancies seeks to minimise the council's risk and provides security of tenure for the families. The ALES scheme is not mandatory, but the council's assistance and offer meets an urgent accommodation need and government request for support.

At the end of the 12-month period it is important that the council has worked with its partners to find suitable accommodation in order to avoid costs related to homelessness provision. The appointment of a temporary project officer within the Council alongside the commissioned support service will ensure a proactive approach is taken to use all opportunities and funding available to minimise the risk.

These risks will be managed by the services operational risk register and escalated to the leadership risk register as and when necessary.

Comments checked by: Louise Tustian, Head of Insight and Corporate Programmes 01295 221786, <u>louise.tustain@cherwell-dc.gov.uk</u>

#### **Equalities and Inclusion Implications**

7.4 An Equality Impact Assessment (Appendix 2 - ECIA) has been completed and is appended. This is a thorough assessment of the current situation with consideration of actions to mitigate and monitor impact.

Comments checked by: Lauren Rushden, Policy Officer. 07990 367 851, <u>lauren.rushen@oxfordshire.gov.uk</u>

#### **Sustainability Implications**

7.5 A Climate Impact Assessment is appended (Appendix 2 - ECIA). This highlights that the properties will have Energy Performance Certificates and how support will be provided to tenants to help reduce energy and carbon use where possible.

Comments checked by: Sandra Fisher-Martins, Climate Action Programme Manager Sandra.Fisher-Martins@Oxfordshire.gov.uk

#### 8.0 Decision Information

Key Decision	No
Financial Threshold Met:	No
Community Impact Threshold Met:	No

#### Wards Affected

All

#### Links to Corporate Plan and Policy Framework

Business Plan Priorities 2021-2022:

Housing that meets your needs Healthy, resilient, and engaged communities

#### Lead Councillor

Cllr Lucinda Wing, Lead Member for Housing

## **Document Information**

#### Appendices

- Appendix 1: Home Office Funding Package
- Appendix 2: Equality and Climate Impact Assessment

#### **Background papers**

Urgent Executive Decision taken by Chief Executive: The acquisition of accommodation to facilitate housing need in relation to the *Afghan Relocation and Assistance Policy (ARAP) for Afghan Locally Employed Staff (LES)* ('the Programme')

#### **Report Author and contact details**

Vicki Jessop, Interim Assistant Director Housing and Social Care Commissioning vicki.jessop@oxfordshire.gov.uk

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# Appendix 1

# Home Office Funding Package

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

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Appendix 2





# Cherwell District Council and Oxfordshire County Council

# **Equality and Climate Impact Assessment**

September 2021

# Appendix 2

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# Section 1: Summary details

Directorate and Service Area	Housing
What is being assessed (e.g. name of policy, procedure, project, service or proposed service change).	Project to secure accommodation and support to aid the resettlement of Afghan Locally Employed Staff (ALES) and their families in response to the government's Afghan Relocations and Assistance Policy.
Is this a new or existing function or policy?	New project
Summary of assessment Briefly summarise the policy or proposed service change. Summarise possible impacts. Does the proposal bias, discriminate or unfairly disadvantage individuals or groups within the community? (following completion of the assessment).	The project positively impacts on Afghan Locally Employed Staff (ALES) and their families who are being resettled in the UK under the Afghan Relocation and Assistance Policy (ARAP). This specific project will support ALES who have worked for the UK and risked their lives alongside British forces in Afghanistan over the past twenty years and who are now relocating to the UK with their families following NATO's decision to withdraw military forces from Afghanistan. Securing accommodation and wrap-around support services will enable ALES and their families to relocate and settle in the Cherwell area and to access local services, education, employment and health care. Whilst there will be increased pressure on the available capacity of education and health care services, there are no other negative impacts identified. The council will continue to operate the existing vulnerable persons resettlement project and housing register applicants will continue to have access to the available social housing, housing and homelessness advice, and support services across the district.
Completed By	Vicki Jessop
Authorised By	
Date of Assessment	31 August 2021

# Section 2: Detail of proposal

Context / Background Briefly summarise the background to the policy or proposed service change, including reasons for any changes from previous versions.	The ARAP scheme acknowledges and reflects that the situation in Afghanistan has changed, and with it the potential risk to the local staff who have worked for the UK Government. As a result, government are working at pace to relocate around 3,000 people (or approximately 600 families) before September 2021. In July 2021 councils were asked for more offers of support to resettle those who have served the UK in Afghanistan especially offers of support from areas who can provide or source larger homes of four bedrooms or more, to suit the needs of those ALES arriving in large family groups. On 20 August 2021 councils were advised of a new ALES Housing Costs Fund of £5m to support councils who are finding it difficult in sourcing larger properties for families. The funding package guarantees rental payments until benefits are in place and a new fund will enable LA's to top up rent shortfalls above local housing allowance levels. In response to the ARAP and the government's call for additional help from local authorities, the Council has identified an opportunity to secure accommodation for 10 families along with wrap-around support services to enable ALES and their families to relocate and settle in the Cherwell area and to access local services, education, employment and health care.
Proposals Explain the detail of the proposals, including why this has been decided as the best course of action.	See above. It is intended that the council leases 10 homes from the MOD for the purposes of housing Afghan personnel through the Government's Afghan Relocation and Assistance Policy for Locally Employed Staff. They will settle with 5 years leave to remain status and have recourse to public funds once their habitual residency test is confirmed. This has been decided as the best course of action to meet the identified need for larger family homes as there is a lack of readily available and affordable supply within the social housing stock in the district and the MoD properties are in good condition and ready for letting.

Evidence / Intelligence List and explain any data, consultation outcomes, research findings, feedback from service users and stakeholders etc, that supports your proposals and can help to inform the judgements you make about potential impact on different individuals, communities or groups and our ability to deliver our climate commitments.	Data to inform the need for this specific project has been provided by the Home Office and South-East Migration Partnership (SEMP). In addition, intelligence and data gathered from the Emergency Planning Team and the Syrian and Vulnerable Persons Resettlement Scheme in the district has been used to analyse and benchmark costs and service requirements for the new project. Financial cost assumptions are based on the Home Office funding package and estimated costs to support typical family of six (i.e., two adults and four children under 18) with accommodation provided by the MoD. Internal stakeholder group: Finance, Legal, Build!, Property, Facilities and Estates, Revenues and Benefits, Housing, Children, Education and Families have provided expertise to develop this project. Council inspections of MOD properties for lettable condition have been undertaken. Legal department consultation with MoD for leases is ongoing. MoD and SEMP, OCC and CDC for joint management of this project. Continued work with the SEMP and Home Office will enable us to establish the specific needs of individuals and family members who are to be relocated to the district, and to tailor support according to needs.
Alternatives considered / rejected Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.	Investigating CDC managing MoD homes – CDC unable to take this forward and offer assured shorthold tenancies to families. CDC can offer temporary excluded licenses under S193 of the homeless act which requires families to become statutory homeless. This option is not favoured as this escalates the family into priority statutory homeless services. The ARAP scheme is intended to enable families to settle in communities which is not always possible through statutory homeless provisions where offers and location of properties are limited. Investigating a registered housing provider to manage homes – this option is the best option as it enables families to have security of tenure for up to 12 months whilst accommodation is found in the private sector where larger properties can be sourced using financial assistance from the council bond scheme and Home Office funding.

Protected Characteristic	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Age				Resettlement of families involves all age groups within that family unit. Responding quickly to the rapidly changing situation in Afghanistan will ensure suitable accommodation and support is provided to the affected families which will enable them to settle as quickly as possible and to access health care, education and employment applicable to age.	Accommodation has been identified and will be secured in September 2021 with families able to move in as soon as they are available. Commissioned support services will recognise the different age-related support and safeguarding needs within the family group.	Assistant Director of Housing & Social Care Commissioning.	Review October 2021.
Disability				As above – homes may need minor adaptations, but major adaptations will not be provided due to temporary nature of accommodation	Accommodation may need to be sourced in the private or social rented sector for major adaptations	As above with support from the Afghan Resettlement Project Officer	As above

Gender Reassignment			No known impact	Once the families and individuals have been identified to be resettled in the Cherwell area, additional information may be available that will enable tailored support services to be provided where needed.	
Marriage & Civil Partnership	X		No known impact	Once the families and individuals have been identified to be resettled in the Cherwell area, additional information may be available that will enable tailored support services to be provided where needed.	
Pregnancy & Maternity			Ability to provide suitable, safe and secure accommodation quickly will ensure that pregnant women and new parents can register with a local GP and hospital and can access local medical care for themselves and their babies as soon as needed.		

# Appendix 2

Race		This project specifically supports Afghan families. Responding quickly to the rapidly changing situation in Afghanistan will ensure suitable accommodation is provided and affected families are settled as quickly as possible. The support provided to the family will also respect the different cultures involved.	The contracts for commissioned support services include a requirement of the support provider to adhere to the Human Rights Act and Equalities Act 2010. Safeguarding procedures will also help to mitigate risk of potential race-related issues.	Afghan Resettlement Project Officer	September 2021 and ongoing monitoring of support service contracts.
Sex		Responding quickly to the rapidly changing situation in Afghanistan will ensure suitable accommodation is provided and affected families are settled as quickly as possible. Acknowledging the cultures involved, the support provided to the family will ensure that the needs of all family members are met.	Commissioned support services will ensure that the needs of all family members are met.	Afghan Resettlement Project Officer	September 2021 provision of accommodation and ongoing monitoring of support service contracts.

Sexual Orientation		No known impact	Once the families and individuals have been identified to be resettled in the Cherwell area, additional information may be available that will enable tailored support services to be provided where needed.		
Religion or Belief		This project specifically supports Afghan families. Responding quickly to the rapidly changing situation in Afghanistan will ensure suitable accommodation is provided and affected families are settled as quickly as possible. The support provided to the family will also respect the different cultures, religions and beliefs involved.	The contracts for commissioned support services include a requirement of the support provider to adhere to the Human Rights Act and Equalities Act 2010. In addition, the work of the support service will enable links to be made to local faith groups and places of worship as needed.	Afghan Resettlement Project Officer	September 2021 and ongoing monitoring of support service contracts.

# Section 3: Impact Assessment - Additional Community Impacts

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Rural communities				As part of the resettlement process, families will be supported to connect with, and make use of, rural community services and facilities, or to take up employment that will also support sustainable rural communities.		Afghan Resettlement Project Officer	Ongoing monitoring of support service contracts.
Armed Forces				Supports Afghan Locally Employed Staff (ALES) – who have worked for the UK and risked their lives alongside British forces in Afghanistan over the past twenty years and are now relocating to the UK with their families.			
Carers							
Areas of deprivation							

#### Section 3: Impact Assessment - Additional Wider Impacts

Additional Wider Impacts	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Other Council Services				The impact on capacity of local education and health care services	The resettlement project requires multi-agency working to ensure appropriate provision of school places, special educational needs and health care are provided and are accessible to the families from the outset.	Afghan Resettlement Project Officer	Monitoring via multi-agency working groups and monitoring of support provider contracts
Providers				The voluntary sector and support agencies are being mobilised to support families from within the Home Office funding envelope			
Social Value <sup>1</sup>				Families are being supported into employment, which may benefit the local and social economy			

# Section 3: Impact Assessment - Climate Change Impacts

<sup>&</sup>lt;sup>1</sup> If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area

Climate change impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Energy use in our buildings or highways							
Our fleet	$\boxtimes$						
Staff travel							
Purchased services and products (including construction)							
Maintained schools							

We are also committed to enable Cherwell to become carbon neutral by 2030 and Oxfordshire by 2050. How will your proposal affect our ability to:

Climate change impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Enable carbon emissions reduction at district/county level?				Energy Performance Certificates will be provided for each property let, along with gas and electrical safety certificates. Homes with better EPCs produce less carbon. EPCs help to identify the energy efficiency of the properties and how energy consumption may be reduced which could result in a decrease in utility costs for the tenant.	The properties will all be let with an EPC and regulatory certificates. Property inspections will be undertaken to ensure they are maintained in good order. The support provider can advise the tenant on suitable measures that could help to reduce energy use whilst living in the properties.	Afghan Resettlement Project Officer	Monitoring of support contracts and liaison with landlord.

#### **Section 4: Review**

Where bias, negative impact or disadvantage is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

Review Date	September 2022
Person Responsible for Review	Afghan Resettlement Project Officer
Authorised By	Assistant Director of Housing and Social Care Commissioning.