



Centre for
Homelessness Impact

December 2021

What Works Evidence Notes

04 Immigration Status

Evidence from across the world on solutions to homelessness

What Works Evidence Notes

This series draws together research evidence from across the world of what we know about how best to relieve and prevent homelessness.

The notes are deliberately short to provide a summary for busy people of findings of research from different fields. They will be updated regularly as our knowledge of what works advances.

About the Centre for Homelessness Impact

The Centre for Homelessness Impact champions the creation and use of better evidence for a world without homelessness. Our mission is to improve the lives of those experiencing homelessness by ensuring that policy, practice and funding decisions are underpinned by reliable evidence.

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Evidence from across the world on solutions to homelessness

Purpose

This paper looks at the evidence around the relationship between homelessness and immigration status, with a focus on street homelessness and other forms of single homelessness, looking in particular at people with no recourse to public funds (NRPF). In addition to looking at statistical and research evidence on the links between homelessness and immigration status, we also look at current practice and at how policy or funding changes might be able to reduce street homelessness for this group.

Overview

People subject to immigration control are likely to have no recourse to public funds (NRPF). This includes some non-EEA nationals on visitor, spouse or student visas, EEA-nationals who do not have settled status, and asylum seekers whose appeal has not been granted.

Estimates suggest that around 1.4 million people have NRPF in the UK, and between 0.8-1.2 million are 'irregular migrants'. While there is no publicly available data on NRPF, the data suggests that people who are more likely to have NRPF due to their nationality are over-represented among those experiencing street homelessness in London, but not necessarily so in other places of the country.

During the Covid-19 pandemic, local authorities were encouraged to accommodate people at risk of street homelessness, including providing assistance to those with NRPF who required shelter and support due to the pandemic.¹ A High Court ruling in March 2021 subsequently clarified that councils had a legal right to provide support to people experiencing street homelessness due to public health risks posed by Covid-19. Since then,

as the public health situation has changed, there has been less clarity about authorities' legal rights to provide accommodation to people with NRPF. There is a risk that the gains made in reducing street homelessness during the pandemic could be lost if accommodation currently provided to individuals with no recourse is withdrawn.

A number of possibilities exist to help mitigate this. These include prioritising immigration cases for people who have experienced street homelessness, working more closely with the voluntary sector to provide support, accommodation and reconnection services, and providing funding to support greater use of existing legal powers under the Care Act to offer accommodation and support to people at risk of harm if they remain on the streets.



What is the No Recourse to Public Funds (NRPF) condition?

Section 115 of the Immigration and Asylum Act 1999 states that a person will have 'no recourse to public funds' if they are 'subject to immigration control'. This means that they are not entitled to most welfare benefits, including Universal Credit, Child Benefit, Housing Benefit, and a range of allowances and tax credits. Some benefits are not classed as 'public funds' for immigration purposes and are therefore available to people with NRPF who have previously worked and/or paid National Insurance Contributions. These include New Style Jobseekers' Allowance, Guardian's Allowance and Incapacity Benefit.¹

A person will be subject to immigration control when they have one of the following types of immigration status:²

- Permission to enter or stay (also known as leave to enter or remain) in the UK which is subject to the 'no recourse to public funds' (NRPF) condition. Examples include leave to enter as a visitor, or leave to remain as a spouse or a student;
- Permission to enter or stay in the UK that is subject to a maintenance undertaking, such as being the adult dependent relative of a person with settled status (five year prohibition on claiming public funds);
- No permission to enter or stay when they are required to have this, such as a visa overstayer, an asylum seeker or an appeal rights exhausted (ARE) asylum seeker.

Those arriving after the UK's withdrawal from the EU (after December 31, 2020) are subject to the same eligibility criteria as those outside of the EEA (i.e. countries in the EU plus Iceland, Liechtenstein, Norway and Switzerland). EEA nationals who arrived prior to the UK's withdrawal from the EU and do not have settled status (see below on EU Settlement Scheme) can often be ineligible for welfare benefits. The rules around this are complex³ but can depend on factors including length of residence, and previous paid employment.⁴



¹ NRPF Network. (2021). Benefits that are not public funds.
² NRPF Network. (2021). Immigration status and entitlements: How immigration status affects eligibility for public funds and other services.

³ NRPF Network. (2021). Benefits Public funds, exceptions, claiming benefits as a mixed household, and eligibility rules for EEA nationals..
⁴ Citizens Advice. (2021). Check if you have the right to reside for benefits.

The Challenge

Research conducted by the Oxford University Migration Observatory in 2020 suggests that nearly 1.4 million people have no recourse to public funds (NRPF) in the UK. This is an increase on previous estimates, based on 2016 data, which put the figure at 1.1 million.⁵

Prior to the Covid-19 pandemic, local authorities would generally have found people with NRPF experiencing homelessness to be ineligible for assistance, meaning that any housing assistance they would receive would have been through voluntary sector organisations willing and able to provide accommodation to people who could not claim welfare benefits to cover their accommodation costs, such as some faith groups.

In parts of the country with large numbers of foreign nationals, such as London, having NRPF or otherwise being unable to claim benefits due to immigration status is likely to have been a contributor to street homelessness. Although it is not possible to tell from the data how many foreign nationals who were street homeless had no recourse to public funds, foreign nationals are certainly over-represented in the street homelessness figures, with the position being particularly stark in the capital.⁶

While the numbers of non-UK nationals are high among those sleeping out, the subset of non-EEA nationals, who are less likely to be eligible for public funds, represent a much smaller proportion.

The Rough Sleeping Snapshot conducted by councils in England collects data on the number of UK, EEA and non-EU nationals who were seen sleeping outdoors

on a single night. In 2020, 5% (128 people) of the total street homeless population in the Snapshot (2,688) had a non-EEA and non-UK nationality, with 18% having an EEA nationality. CHAIN data from London offers a breakdown of the different nationalities of those observed experiencing street homelessness. In the most recent CHAIN data report from 2020-2021, 50% of those experiencing street homelessness with a known nationality were non-UK nationals, with 19% of those from a non-EEA country, who are more likely to have NRPF and 30% from a EEA-country.⁷

The 2020 Rough Sleeping Questionnaire showed only 3% of those surveyed came from a non-EEA country.⁸ In comparison, 9% of the UK population are from a non-EEA country.⁹ This shows that non-EEA, who are more likely to have NRPF, are overrepresented amongst people experiencing street homelessness in London, but not necessarily so in the rest of the country (as measured by the Snapshot and the RSQ).¹⁰

Of those responding to the 2020 Rough Sleeping Questionnaire who were not UK nationals only 31% were in receipt of benefits, compared to 89% of UK nationals.¹¹ This could be either because a proportion of them have NRPF or because take-up of benefits is lower among this group.

⁵ Citizens Advice. (2020). Citizens Advice reveals nearly 1.4m have no access to welfare safety net.
⁶ England Homelessness Statistics. (2021). Rough sleeping snapshot in England: autumn 2020.
⁷ CHAIN Data. (2021). Rough sleeping in London (CHAIN reports).
⁸ Department for Leveling Up, Housing and Communities. (2020). Understanding the Multiple Vulnerabilities, Support Needs and Experiences of People who Sleep Rough in England.
⁹ Office for National Statistics. (2021). Population of the UK by country of birth and nationality.

¹⁰ The Rough Sleeping Questionnaire is conducted among the 83 Local Authorities that are a part of the Rough Sleeping Initiative in England. Department for Leveling Up, Housing and Communities. (2020). Understanding the Multiple Vulnerabilities, Support Needs and Experiences of People who Sleep Rough in England.
¹¹ Department for Leveling Up, Housing and Communities. (2020). Understanding the Multiple Vulnerabilities, Support Needs and Experiences of People who Sleep Rough in England.

Recent trends

There are multiple trends with implications on the number of people who are not eligible for welfare support.

The rate of protection, in the form of asylum, humanitarian protection, alternative forms of leave and resettlement offered by the UK government fell significantly from 2020 to 2021. Out of 26,903 applicants in 2021, 8,640 people (32%) were offered support. In 2020, there were 33,360 applicants and 12,267 were offered support (37%). This shows that both the absolute figure and the proportion of applicants offered support declined in 2021. The figure for 2021 is the lowest level of support seen since 2012.¹²

In addition, a portion of the UK population remains in the country without documentation. Often referred to as 'irregular migration,' public and political attention to this group has increased due to multiple recent stories in the press related to refugees seeking to cross the English Channel in rafts and small boats. While official numbers are not often made public, a 2020 statement to the Home Affairs Committee indicated that 5,000 people made the crossing in that year.¹³

It is difficult to track accurately the number of people subject to an 'irregular immigration' status, but it probably includes people who have illegally crossed borders as well as people who have overstayed on a valid visa.¹⁴ A recent Pew Research Center

estimate put the population of irregular migrants in the UK at somewhere between 800,000 to 1.2 million people, or less than 2% of the UK's total resident population.¹⁵

Modern slavery has also increased in recent years. In the second quarter of 2021, there were 3,140 referrals of potential victims of modern slavery to the Home Office, which is a 42% (2,204) increase from the previous year. Many of those referred to the Home Office were non-UK/non-EU nationals: 25% (780) in the first quarter of 2021. Vietnamese was the third largest referral group after UK nationals and Albanians, with 10% of those referred having Vietnamese nationality.¹⁶

An additional route into homelessness affects asylum seekers who are granted leave to remain (and thus are eligible for LA support). In 2019-2020, about 2% (5,240) of those owed a prevention/relief duty in England had lost their settled home after being required to leave Home Office asylum support accommodation. For asylum seekers who are granted leave to remain, they have 28 days to vacate their government-funded accommodation, a fast turn around that often results in destitution or homelessness.¹⁷ This data is not currently available in Scotland, Wales or Northern Ireland.

¹² Home Office. (2021). How many people do we grant asylum or protection to?
¹³ The Migration Observatory. (2020). Irregular migration in the UK.
¹⁴ Office for National Statistics. (2021). Measuring migration: the story behind the headlines.
¹⁵ The Migration Observatory. (2020). Recent estimates of the UK's irregular migrant population.

¹⁶ Home Office. (2021). Modern Slavery: National Referral Mechanism and Duty to Notify statistics UK, Quarter 2 2021 – April to June.
¹⁷ Smith, Lucy. (2018). Homelessness Amongst Newly Recognised Refugees. NACCOM.

Recent changes in available support for those with NRPF

'Everyone In' and other emergency measures during the Covid-19 pandemic

Under the existing legislation, LAs have limited powers to support people experiencing homelessness who had NRPF. However, the approach to accommodating people experiencing street homelessness or assessed as at risk of sleeping outside changed dramatically in March 2020 with Everyone In. Through its initial communications with local authorities, DLUHC (formerly MHCLG) encouraged local authorities to accommodate people sleeping out irrespective of their immigration status or entitlement to benefits, due to the health risks posed by the pandemic. By mid-May 2020, local authorities reported having taken in 2,500 people who were not eligible for statutory homelessness assistance (that is, because of their immigration status).¹⁸ It is important to note that this was a wider group than people with NRPF, but also included EEA nationals not eligible for welfare benefits to help cover the costs of their accommodation.

In March 2021 the High Court¹⁹ clarified that in order to save lives by alleviating the effect of the Covid-19 pandemic a council can rely upon a number of legal powers to accommodate a person with no recourse to public funds, although it remains the responsibility of the Home Office to accommodate an Appeal Rights Exhausted (ARE) asylum seeker when the criteria are met.^{20 21} The judgement does not however address a council's ongoing responsibilities to accommodate people with no recourse to public funds when the pandemic no longer gives rise to a public health emergency.

This leaves local authorities who wish to continue to accommodate households with NRPF in order to prevent street homelessness with serious dilemmas. If they do provide accommodation and support then this is at their own cost, in the absence of welfare benefit entitlement.



¹⁸ National Audit Office. (2021). Investigation into the housing of rough sleepers during the COVID-19 pandemic.

¹⁹ NRPF Network. (2021). High Court rules councils can accommodate rough sleepers with no recourse to public funds during the Covid-19 pandemic.

²⁰ The Home Office can provide housing and financial support to a person who becomes appeal rights exhausted (ARE)

when their asylum claim is unsuccessful if they do not have accommodation and/ or cannot afford to meet their essential living needs. This support is provided under section 4 of the Immigration and Asylum Act 1999.

²¹ NRPF Network. (2021). Home Office support: Information about who can get Home Office asylum support and immigration bail support..



EU Settlement Scheme following the UK's withdrawal from the EU

Following the UK's departure from the European Union (EU) and the end of free movement to the UK, the deadline for EEA nationals and their family members to apply to the EU Settlement Scheme has passed.

Councils that encounter EEA nationals who fail to satisfy benefits and homelessness eligibility requirements as a result will need to consider whether public health powers or duties under the Care Act 2014 are engaged to accommodate people who are at risk of street homelessness.

Nevertheless, there is a risk of street homelessness in cases where benefits are withdrawn as a result of non-application to the scheme^{22 23} and either an individual does not approach the council for support or where the council decides that support cannot or should not be given. There is also a risk that people experiencing homelessness are particularly likely not to have applied and lose their recourse to public funds as a result.

²² NRPF Network. (2021). End of the grace period gives rise to destitution risks and pressures on local government.

²³ NRPF Network. (2021). New Plan for Immigration creates destitution risks.

New Plan for Immigration

The UK government released its New Plan for Immigration in March 2021 and conducted a consultation on the proposals before publishing a Nationality and Borders Bill.²⁴ Relevant proposals to homelessness and destitution among migrants include:

- Revoking section 4 support and introducing new provisions with amended eligibility criteria for section 95 support and a new category of support ('section 95A');
- Ending refused families' ongoing eligibility for section 95 support;
- Introducing a new statutory basis for local authorities to provide support to destitute families without immigration status ('paragraph 10A support' in England).

While giving local authorities a basis to support destitute families might be beneficial, it will also be important to ensure single people experiencing homelessness can be helped (e.g. if section 4 is revoked).

Another important change is that some asylum seekers (including those subject to the inadmissible procedure) will be housed in very large accommodation centres. This would in many cases replace the current system of asylum seekers being accommodated in the community whilst their claims are processed.²⁵ The Refugee Council estimates that between 5,900 people and 14,200 would potentially be accommodated in accommodation centres.

There are concerns that staying in large accommodation centre blocks could lead to a deterioration in mental health which could make

homelessness more likely following a decision on the asylum application. A 2018 systematic review on the impact of immigration detention on mental health, which included evidence on over 2,000 people, found that adults, adolescents and children experienced high levels of mental health problems while detained. Anxiety, depression and post-traumatic stress disorder were most commonly reported, both during and following detention. Higher symptom scores were found in detained compared to non-detained refugees. In addition, detention duration was positively associated with severity of mental symptoms. Greater trauma exposure prior to detention was also associated with symptom severity.



²⁴ This is currently in committee stage: Nationality and Borders Bill

²⁵ The centres will provide "basic" accommodation and allow for the on-site processing of cases.

²⁶ The centres will provide "basic" accommodation and allow for the on-site processing of cases.

What can be done to prevent and relieve, homelessness for people with NRPF?

1. Resolving Immigration Status

For a significant proportion of people accommodated without access to public funds, it may be possible to assist them to gain eligibility for benefits and other assistance by working to resolve their immigration status.

Several local authorities have engaged the services of local law centres or specialist voluntary sector organisations such as Praxis²⁷ to work on immigration issues. For example asylum seekers may be able to gain refugee status. In some cases people overstaying their visa may be able to make a successful human rights application and be granted leave to remain with recourse to public funds.

Difficulties with these options are that there is no guarantee of success and that the process may well take a considerable time, and during this period the costs of accommodation are likely to have to be paid by a local authority.

However, for local authorities in receipt of RSI funding from DLUHC, the 2021-22 RSI toolkit is explicit that for people with NRPF local authorities may provide basic safety net support if it is established that there is a genuine care need that does not arise solely from destitution. For example, this could arise where there are community care needs, migrants with serious health problems or family cases.

Anyone that is assessed as needing support based on this assessment, is covered by RSI 2021-22 funding, although DLUHC remains clear that any support offered must comply with legal restrictions (for example, the current restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002).

2. Late application to the EU Settlement Scheme

A person who has not applied to the EU Settlement Scheme will be unlawfully present in the UK and will be at risk of losing access to employment and benefits, as well as being subject to other sanctions, such as being unable to rent from a private landlord in England or access free secondary healthcare.

However, if a person can show that they have reasonable grounds for failing to meet the deadline, the Home Office will accept a late application. Examples of 'reasonable grounds' are given in the Home Office caseworker guidance.²⁸ According to the guidance, late applications are likely to be accepted from children, people who lack mental capacity, and adults with care and support needs. If a late application is accepted, a person will continue to be without lawful status in the UK until they are granted settled or pre-settled status.

When an EEA national without leave to remain is encountered by Immigration Enforcement, they will be provided with a written notice giving them an opportunity to make a late application within 28 days if they are identified as someone who could have applied to the EU Settlement Scheme. No enforcement action will be undertaken during the 28

²⁷ Praxis. (2021). Praxis: Our Work.

²⁸ Home Office. (2021). EU Settlement Scheme caseworker guidance

day period. The person will need to demonstrate that they have reasonable grounds for failing to meet the deadline if they make an application and will need to seek legal advice as soon as they are issued with the notice. People experiencing homelessness might have faced greater barriers to apply for settled status which could be considered 'reasonable grounds' for a late application.²⁹

3. Social Services Support

When an adult cannot access benefits and housing assistance due to having NRPF, their local council may have a duty to provide accommodation and financial support if the adult is assessed as having care and support needs by social services.

Social services' support is not classed as a public fund for immigration purposes and can be accessed by a person who is subject to the NRPF condition.

The NRPF Network has produced detailed practice guidance³⁰ to help councils in England determine when an adult with no recourse to public funds will be eligible for accommodation under the Care Act 2014. The guidance has been endorsed by the Local Government Association (LGA).

4. Home Office Support

The Home Office provides support to destitute asylum seekers, and in some cases, appeal rights exhausted (ARE) asylum seekers. Two types of asylum support are available: section 95 and section 4 support. Both of these could be available to people at risk of street homelessness, whom local authorities are not able to accommodate.

Section 95 support: The Home Office can provide housing and financial support to a person who has claimed asylum if they do not have accommodation and/ or cannot afford to meet their essential living needs. This support is provided under section 95

of the Immigration and Asylum Act 1999 and will continue until the person's asylum claim is finally determined by the Home Office or appeal courts.

Section 95 support is also available to a person who has made an Article 3 human rights claim. An asylum seeker can also apply for emergency support under section 98 of the Immigration and Asylum Act 1999, which may be provided whilst the Home Office makes a decision on their eligibility for section 95 asylum support.

Section 4 support: The Home Office can provide housing and financial support to a person whose appeal rights are exhausted (ARE) when their asylum claim is unsuccessful if they do not have accommodation and/ or cannot afford to meet their essential living needs. This support is provided under section 4 of the Immigration and Asylum Act 1999.

As well as demonstrating that they are destitute, the person must show that they meet one of the following requirements:

- They are taking all reasonable steps to leave the UK;
- They are unable to leave the UK due to physical impediment;
- They have no safe route of return;
- They have been granted leave to appeal in an application for judicial review concerning their asylum claim;
- They require support to avoid a breach of their human rights, for example, they have made further submissions to the Home Office for a fresh asylum claim.

Home Office support is also available to people who are subject to immigration bail and who are

²⁹ Settled. (2019). Settled Status for the Homeless/Those with No Fixed Address.

³⁰ NRPF Network. (2021). Adult social care: Practice guidance for social workers and other council officers working with adults with no recourse to public funds who are destitute or at risk of homelessness.

destitute, either on their release from detention or whilst they are living in the community. This is usually referred to as 'Schedule 10' support.

5. Voluntary and Community Sector Support

Voluntary and Community Sector (VCS) organisations and charities can provide advocacy support and practical assistance to people with no recourse to public funds and other migrant groups. This can range from help with applying for Home Office asylum support, providing food parcels, facilitating support groups or peer mentoring, etc. Some organisations may be registered to provide immigration advice and may be able to provide free assistance to people. Increasingly, councils are funding local VCS organisations to provide legal advice to people they are supporting.

Some organisations can provide housing for people who are destitute and seeking asylum, refugees and people with no recourse to public funds, for example, through hosting schemes or accommodation projects, some of which may be set up in partnership with the local council or housing association.

The No Accommodation Network (NACCOM)³¹ accommodated 3,373 people over 2019/2020. Of these 2,794 were people with No Recourse to Public Funds (including those who have claimed or been refused asylum) and those with refugee status.

However, 1,849 were turned away due to a lack of accommodation.³²

6. Voluntary Sector Reconnection Services

A number of voluntary sector organisations have offered reconnection services to people experiencing street homelessness and wish to return to their country of origin, including those with NRPF. This has been difficult during the pandemic but could be considered as an alternative to support some of these individuals. Some local areas have specialist services that lead on reconnection and have support for languages, links to embassies and funding for documents and transport. Homeless Link's Reconnection Toolkit³³ suggests agencies adopt a 'task and targeting'³⁴ approach in their response to instances of high levels of migrant street homelessness, bringing together agencies such as housing, police, outreach and health. This type of multi-agency approach can be crucial due to changes in migration patterns and a range of languages, consulates and reconnection options.

Research³⁵ into reconnections within the UK found that implementation often deviates from this type of best practice quite substantially where 'resource and time pressures dictate that assessments of rough sleepers' connections and support needs are often extremely limited. Furthermore, support is in some cases intensive and tailored; but in the greater majority of cases is minimal'.

In 2019-2020, 23% of reconnections for people experiencing street homelessness were outside the UK. That figure increased dramatically in 2020-2021, when it reached 50%. Those reconnected outside of the UK had the lowest levels of drug, alcohol or mental health support needs, compared to those reconnected to destinations in London or in the UK. The most common service for those reconnected outside the UK was for fare, at 62%.³⁶

³¹ NACCOM (2020). Impact Report 2020.

³² NACCOM have produced an online toolkit intended as a comprehensive resource for hosting schemes that accommodate destitute people seeking asylum, refugees and other migrants NACCOM (2020). Hosting Toolkit

³³ Homeless Link (2014). Assessment and reconnection toolkit.

³⁴ Homeless Link (2012). Task and targeting toolkit

³⁵ Johnsen, S. and Jones, A. (2015). The reconnection of rough sleepers within the UK: an evaluation. Crisis

³⁶ ibid

7. Home Office Voluntary Return

The Home Office can fund and arrange travel for people who wish to return to their country of origin and may be able to provide additional financial assistance in some cases.

Assistance with a voluntary return can be provided to a person who does not have any immigration permission or has been refused permission to enter or stay in the UK, or a person with a pending immigration or asylum application that they want to withdraw.

The Home Office can organise and fund the flight but will usually expect the person to arrange their own documentation if they do not already have this. The Home Office may provide additional support in obtaining documentation when a person has a vulnerability, which means that it would be difficult for them to obtain documents by themselves.

A person may qualify for additional reintegration assistance of up to £2,000 to help them set up a home if they meet certain criteria, including if they have a medical condition, are a victim of trafficking or modern slavery or if they withdraw a current asylum application.³⁷

According to Home Office statistics, voluntary returns have declined since 2016, reaching a low number of 4,646 in 2020.³⁸ Research shows that on average, voluntary returns cost the government £1,000, compared to £15,000 for enforced returns.³⁹ The number of enforced returns fell to 3,327 in 2020, a 54% decrease from the previous year.⁴⁰



³⁷ NRPF Network. (2021). Immigration information to help identify when to signpost a person, who is destitute or at risk of homelessness, to get legal advice.

³⁸ Home Office. (2021). How many people are detained or returned?

³⁹ Walsh, P. (2021). Deportation and Voluntary Departure from the UK. The Migration Observatory.

⁴⁰ Home Office. (2021). How many people are detained or returned?

Implications for policy, practice and research

Local authorities are in a difficult position with regard to people with no recourse to public funds (NRPF) who are street homeless or at risk of becoming street homeless. Yet, it is by no means clear that many people in this position would not be able to achieve access to public funds, given time and the right advice and support. It is also the case that many people with NRPF who were sleeping out or living extremely precariously have been helped through Everyone In and subsequently, and many local authorities are understandably reluctant for them to return to the streets.

The UK Government's target to end street homelessness in England is also very difficult to achieve if people without access to benefits cannot be accommodated, as these make up a relevant proportion of those who are street homeless, especially in some places such as London.

Some ideas for what could be done to help, which are consistent with both the government's policy on immigration and its policy on street homelessness include:

- People with NRPF accommodated under Everyone In, and other emergency measures, who are still accommodated and whose immigration status has not been resolved could be given priority by the Home Office to resolve their case. If the final decision is negative, funds could be made available to support a high-quality reconnection to accommodation in their home country by a specialist VCS agency.
- Where an individual is street homeless and NRPF, funds could be made available outside the benefit system to provide accommodation whilst their immigration case is resolved. Depending on the circumstances, possible legal routes to do this without primary legislation could include through local authority discretionary powers under S19 (1) of the Care Act 2014,⁴¹ which allows care to be provided for people with support needs who do not meet the eligibility threshold for mandatory care, or by delegation of Home Office S95 support funding to local authorities, but other routes could also be explored, including creating a new local authority power to assist if necessary.
- Financial assistance could also be provided in the form of direct cash transfers, such as those being distributed through CHI's Personal Futures Grants. These could be used to obtain the support necessary to regularise their immigration status and compared with other types of support such as international reconnections.
- Local authorities could be encouraged to work more closely with voluntary sector organisations, and NACCOM, to provide accommodation and support to people with NRPF at risk of street homelessness while immigration issues are resolved. Funding could be provided directly e.g. through RSI funding or by encouraging support by other organisations such as the Big Lottery.
- Individuals identified as street homeless and at risk of serious harm, could be given temporary leave to remain with recourse to public funds conditional upon them accepting accommodation and support.

⁴¹ UK Legislation. (2014). Care Act 2014.



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