

Report to: Lead Member for Strategic Management and Economic Development

Date of meeting: 8 October 2019

By: Chief Executive

Title: Notice of Motion – Right to Work for Asylum Seekers

Purpose: To consider a Notice of Motion from Councillor Webb asking the County Council to call on the UK Government to give people seeking asylum the right to work after they have waited six months for a decision on their initial asylum claim.

RECOMMENDATIONS: The Lead Member is recommended to consider the Notice of Motion as set out in paragraph 1.1 and whether to make a recommendation to the County Council.

1 Background Information

1.1. The following Notice of Motion has been submitted by Councillor Webb:

“East Sussex County Council believes that:

- (i) people seeking asylum want to be able to work so that they can use their skills and make the most of their potential, integrate into their communities, and provide for themselves and their families;*
- (ii) restrictions on the right to work can lead to extremely poor mental health outcomes, and a waste of potentially invaluable talents and skills both for the economy of East Sussex and the UK; and*
- (iii) allowing people seeking asylum the right to work would therefore lead to positive outcomes for those seeking asylum in East Sussex and for the local and national economy.*

East Sussex County Council:

- a) resolves to join the “Lift the Ban Coalition”, which is campaigning to restore the right to work for everyone waiting for more than 6 months for a decision on their asylum claim; and*
- b) calls on the UK Government to give people seeking asylum the right to work, unconstrained by the shortage occupation list, after they have waited six months for a decision on their initial asylum claim.”*

1.2. In line with County Council practice, the matter has been referred by the Chairman to the Lead Member for consideration to provide information and inform debate on the Motion. Any recommendation from the Lead Member on this Notice of Motion will be reported to the Council at its meeting on 15 October 2019.

2 Supporting Information

2.1. ‘Asylum’ is protection given by a country to someone fleeing from persecution in their own country. An ‘asylum seeker’ is someone who has applied for asylum and is awaiting a decision on whether they will be granted refugee status.

2.2. Policy in relation to asylum seekers’ right to work is determined by national government and as such is not an area within the council’s control. Current national policy is that people seeking asylum in the UK are able to apply for the right to work after they have been waiting for a decision on their asylum claim

for over a year. Employment is restricted to professions included on the Government's Shortage Occupation List.

2.3 The 'Lift the Ban Coalition' is a coalition of over 100 refugee organisations, trade unions, faith groups, businesses and others who are campaigning to win the right to work for people seeking asylum. The group is calling for the right to work for people seeking asylum, and their adult dependents, unconstrained by the Shortage Occupation List, after six months of having lodged an asylum claim or further submission.

2.4 Locally, there is limited information available about the asylum seeker population in the county. Within East Sussex, Hastings is the only local authority which is a designated asylum dispersal area. Home Office statistics for March 2019 indicate the number of asylum seekers being supported by Government in each district and borough area is as follows:

Eastbourne	3
Hastings	79
Lewes	0
Rother	0
Wealden	0

2.5 Information provided to Hastings Borough Council by South East Strategic Partnership for Migration for the slightly more recent date of June 2019 indicates that 89 asylum seekers awaiting a decision on their claim were being housed at that time, together with a further 11 people whose claim had been refused and who had exhausted their appeal rights, but who were temporarily unable to leave the UK. Of these 100 people being supported, 86 people were in family units, the rest were single asylum seekers.

2.6 There may be further asylum seekers living elsewhere in the county. Some asylum seekers will be self or part-funded and as such are permitted to live anywhere in the UK without the local authority's permission or knowledge. They may be staying with friends, family or members of their linguistic or cultural community.

2.7 In addition there will be a number of unaccompanied asylum seeking children and care leavers being supported by the county council at any one time. Unaccompanied asylum seeking children and young people arriving in the county are looked after by the council and have the same right to support as any other looked after child. This duty of care remains in place until the young person is 21 and can be extended to 25 if the young person is in education. As of August 2019 71 children and young people were being supported by the council's Unaccompanied Asylum Seeking Children Team, 31 of whom were aged 18+. Of the 31 over 18 year olds, 22 had 'leave to remain' and 9 were currently 'without leave'.

2.8 There is no local statistical information about the length of time asylum seekers in East Sussex wait for a decision on their claim. Home Office figures from March 2019 indicate that, nationally, of 30,027 cases pending initial decision, 13,994 (47%) had been pending initial decision for more than six months.

2.9 No local statistical information is available about the skill/qualification levels or health and wellbeing of asylum seekers located within the county. In Hastings, the Links Project provides access to support and advice for asylum seekers, refugees and new migrant communities, including accessing healthcare, immigration advice and welfare benefits. Links also provides personal development projects including gardening, sewing, and English classes.

2.10 The lack of detailed local statistical information about the asylum seeker population in the county means that it is not possible to assess with any accuracy the impact that a change in national policy with regard to the right to work would have on the East Sussex economy or outcomes for asylum seekers themselves.

3 Conclusion and Reasons for Recommendations

3.1. The Notice of Motion asks the County Council to call on the UK Government to give people seeking asylum the right to work after they have waited six months for a decision on their initial asylum claim.

3.2. Policy in relation to asylum seekers' right to work is determined by national government and as such is not an area within the Council's control. There is limited information available about the asylum seeker population in East Sussex resulting in insufficient evidence of what the impact of any change to national policy would be on East Sussex. The Lead Member is recommended to consider the Notice of Motion as set out in paragraph 1.1 and whether to make a recommendation to the County Council.

BECKY SHAW
Chief Executive

Contact Officer: Claire Lee, Member Services Manager
Tel. No. 01273 335517
Email: Claire.lee@eastsussex.gov.uk

BACKGROUND DOCUMENTS

None