



Meeting Title	Children and Young People's Scrutiny Committee
Report Title	Families with 'No Recourse to Public Funds' (NRPF): Costs and other impacts of supporting children with NRPF on the ability to deliver statutory services and responsibilities and what could be done to mitigate this.
Meeting Date	27 th January 2022

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Portfolio Holder(s):	Councillor Cheryl Barnard
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Summary of issues:

Parents with 'No Recourse to Public Funds' (NRPF) cannot access welfare benefits, homelessness assistance, social housing and, in some cases, employment.

Families with NRPF are sometimes owed a duty by the Local Authority following an assessment of need. Support may take the form of accommodation and/or financial support and can only be provided to families under section 17 of the Children Act 1989.

This report provides:

- A background of the Local Authority's current approach to supporting families who have NRPF.
- An overview of the costs of supporting families with NRPF.
- A review of the impact of supporting families with NRPF.
- A consideration of any possible mitigation.

Recommendation(s):

- 1 Children and Young People Scrutiny Committee to consider the report.

1. Background

NRPF applies to people who are subject to immigration control and, as a result of this, have no entitlement to certain welfare benefits, homelessness assistance and an allocation of social housing. The definition of 'subject to immigration control' is set out in section 115 (9) of the Immigration and Asylum Act 1999, and includes people who require leave to enter or remain in the United Kingdom but do not have it, and people who have leave to enter or remain in the United Kingdom, but are subject to a condition that they do not have recourse to public funds.

The Local Authority has a statutory duty to assess children and families who may otherwise face destitution due to their NRPF status.

“Assistance provided by local authorities under section 17 has been recognised by the government and courts as being an essential safety net to protect the most vulnerable people from destitution. It is therefore necessary for thorough assessments to be undertaken so that support is provided to eligible families.”

‘Assessing and supporting children and families who have no recourse to public funds (NRPF)’, NRPF Network, 2018

Families who have NRPF come from range of backgrounds and will all have had differing 'journeys' before they request support from the Local Authority. The point at which a family request support tends to follow some change in either their personal circumstances, or their immigration status. For example, we often have families who request an assessment following the ending of a violent relationship, where the mother may have entered the UK on a visitor visa for example. We also have occasions where families' visas have expired, and they no longer have a right to work in the UK.

For children and young people whose parent/s have NRPF, their experiences are also vastly different depending on their journey and lived experiences. We understand however that for all children and young people, the point at which their family requests support can be a frightening and uncertain time, as it is often preceded by some unforeseen change to their routine and living situation. Therefore, when assessing a family for support, we ensure that both a family's basic needs are met, but also that the child's wider needs are considered and addressed. The Child in Need (CIN) Plan considers and sets appropriate actions to ensure a child's needs are met, and will focus on promoting positive access to education, good health and engagement with their community.

The Local Authority currently supports 13 eligible families (21 children) under the NRPF framework. The support offered to these families varies depending on their level of need; some are offered subsistence support in the form of weekly payments, whilst others may be offered accommodation and subsistence support.

Families supported by the Local Authority are also at varying stages of their 'settled status' journey: some may have active applications for 'Leave to Remain' (LTR) with the Home Office and are awaiting a decision, some may be in the process of appealing a refused LTR decision by the Home Office, and some may be in the transition period – whereby they are applying for welfare support after being granted LTR.

The Local Authority employs a NRPF Specialist Family Support Worker, who oversees the majority of NRPF cases. All new cases, whereby a family requests an assessment of need due to their NRPF status, are held in the Duty Team and assessed by a qualified Social Worker. The case will only transfer to the NRPF Specialist Family Support Worker after the assessment is complete, and eligibility for ongoing support is confirmed. There are some cases which, due to additional safeguarding concerns, are rightly held in Fieldwork Teams by a qualified Social Worker. The NRPF Specialist Family Support Worker supports Social Workers with the NRPF elements of these cases however and offers advice and support where appropriate.

The Local Authority is a member of the 'NRPF Connect' Network. All new cases are added to the 'NRPF Connect' system, which alerts the Home Office directly that a family is asking for support. The Local Authority meets every 3 months with other Local Authorities in the East Midlands region who are also members of the 'NRPF Connect' Network; data is shared, difficult cases discussed and updates are provided on new developments within the Home Office and around immigration issues more broadly. As well as having access to legal advice from our own Children's Legal Services, the Local Authority has access, through the 'NRPF Connect' Network, to a specialist immigration solicitor.

All children supported under the NRPF framework are subject to Child in Need (CIN) Plans under Section 17 of the Children Act 1989. This means that their needs are specifically assessed and addressed. CIN Reviews are held at least every six months, unless there is a need to review the case more regularly and are chaired by a Senior Practitioner from the Duty Team.

All NRPF cases are also heard at the 'NRPF Panel', which is held on a monthly basis and chaired by the Service Manager for Duty, Children & Families Direct, the Brief Intervention Team and the Emergency Duty Team. The purpose of the panel is to review any case management issues or potential barriers to families achieving 'settled status'. Every NRPF case is considered at the NRPF Panel at least quarterly, unless there is a need to consider the case more regularly.

2. Costs

The Local Authority receives no specific funding to support children and families with NRPF.

Expenditures from the NRPF budget includes subsistence payments for families (which are in line with the Section 95 Asylum Support payments), accommodation expenses (including utility bills), and other miscellaneous costs, such as housing move costs for example.

Below is a table outlining the NRPF expenditure over the previous four financial years:

Year	Total NRPF Spend
2017/2018	£498,871.00
2018/2019	£401,081.26
2019/2020	£368,705.77
2020/2021	£358,420.39

The number of families who request support under the NRPF framework in Nottingham is broadly comparable to other east midland regions. Although we do not have access to formal comparative data which evidences demand over time, demand is discussed at 'NRPF Connect' meetings, and there is no significant variation between different regional authorities.

The NRPF spend has been reducing year on year since 2017/2018. This is likely due to a reduction in families requiring support under the NRPF Framework, coupled with improving processes to help progress settled status' for families.

The below table sets out the number of families the Local Authority has started to support each financial year, dating back to 2018:

New NRPF Families Supported	
2018/2019	20
2019/2020	21
2020/2021	14

This demonstrates an overall reduction in families requiring support, with a marked decline in 2020/2021.

An annual data report published in 2020 by the 'NRPF Network' concluded that the number of families being supported nationally is reducing. The reduction is mainly attributed to cases being more expediently resolved with the Home Office. The report also noted that most families are granted 'Leave to Remain', demonstrating that case resolution is usually achieved through making successful immigration claims, rather than other outcomes, such as return to country of origin.

3. Impact on Ability to Meet Statutory Duties

The Local Authority currently manages a robust NRPF process, which is subject to regular management oversight to ensure there is no drift or delay in cases.

As the Local Authority employs a NRPF Specialist Family Support Worker, there is little impact on frontline Social Workers in other areas of the service, who might otherwise be expected to hold NRPF cases. This approach also ensures we have access to specialist in-house knowledge regarding NRPF processes and we therefore benefit from swift and responsive case management. The NRPF Specialist Family Support Worker currently holds 82.7% of all open NRPF cases and supports colleagues in Fieldwork Teams with those families that meet the NRPF criteria for support.

The biggest impact in terms of demand can be seen in the Duty Teams, who are required to assess all families who request assessment and support under the NRPF Framework. Not all families who request an assessment will be eligible for support under the NRPF framework however, as circumstances and need vary from family to family.

It should be noted that NRPF cases account for 0.37% of the total number of cases open to the Duty Teams, which is minimal.

5. Possible Mitigation to Reduce Impact on Statutory Services

There does not currently appear to be any additional measures or interventions that could be made, or need to be made, to the management of NRPF cases. The Local Authority has a statutory duty to assess and support families who may face destitution a result of their NRPF status, and so there will always be some degree of unavoidable impact on service capacity.

Having a dedicated NRPF Specialist Family Support Worker however ensures that cases are progressed swiftly and more importantly, that families receive a consistent, high quality service. Duty Social Workers benefit from specialist advice and there is an agreed pathway to progress NRPF cases to ensure there is a positive outcome for families in a timely manner.

We can be assured of value for money due to the measures outlined above. Having a dedicated NRPF Specialist Family Support Worker, whilst also ensuring that all cases are subject to management oversight at NRPF Panel, provides assurances that cases are proactively managed and progressed.

Strong working links with both the Home Office and the 'NRPF Connect' Network also ensures that the Local Authority are up to date with and legislative and policy changes and that appropriate information is shared to support robust service delivery.