

North Yorkshire County Council

Executive Member for Stronger Communities

10 June 2021

Afghan Locally Employed Staff (LES) Relocation Scheme

Report of the Assistant Director – Policy, Partnerships and Communities

1.0 Purpose of Report

- 1.1 To receive a report on the Afghan Locally Employed Staff (LES) Re-location Scheme in response to an urgent call from the UK Government for local authorities to respond and accept Afghan Locally Employed Staff (LES) due to the deteriorating security situation in Afghanistan.
- 1.2 To approve North Yorkshire County Council's participation in the Afghan LES Re-location Scheme.
- 1.3 To approve North Yorkshire County Council working in partnership – subject to a partnership agreement being put in place and utilising existing governance arrangements in place for the refugee resettlement programme - with Hambleton District Council, Harrogate Borough Council and Selby District Council, and with Richmondshire District Council in the event that Hambleton District Council or Harrogate Borough Council or Selby District Council are not able to find sufficient numbers of property by 31 July 2021 to accommodate a minimum of 30 people under the Afghan LES Relocation Scheme.

2.0 Background

- 2.1 The UK Government has been running a scheme to support locally employed staff (LES) in Afghanistan (mainly interpreters) working in often in dangerous and challenging situations, in recognition of their commitment and bravery shown supporting UK military forces since 2013.
- 2.2 The scheme currently consists of two elements:
- The ex-gratia scheme which will close in November 2022 and;
 - The Afghan Relocations and Assistance Policy, launched in April 2021, reflecting the changing situation in Afghanistan and consequent risk to Afghan LES.
- 2.3 Both elements of the scheme are intended to support current and former Afghan LES who have worked for British Armed Forces and to provide appropriate support that honours their service and properly reflects their work and the risks involved. The scheme provides a range of in-country packages of assistance in Afghanistan and, for those who meet the criteria, relocation to the UK with their dependants.

- 2.4 Those arriving in the UK under the scheme will have been assessed as being ‘under serious threat to life’. Those who qualify and choose to relocate to the UK with their families are not expected to return to Afghanistan. After completing five years limited leave they can apply for permanent residence in the UK, free of charge, ensuring that they can settle here permanently and continue to build their lives and future here.
- 2.5 People coming to the UK under this scheme may arrive either as a family unit or with the lead person arriving first and their dependents joining them at a later point, depending on their individual circumstances.
- 2.6 Following the announcement that NATO military forces would withdraw from Afghanistan, the UK government saw the need a need to accelerate the pace of relocations under the scheme. A more recent factor for the accelerated relocation has been prompted by the US military withdrawal being extended to 11 September 2021, amid escalating violence from a number of armed insurgent groups. Under a deal signed in 2020 between the militants and then-President Donald Trump, foreign forces were to have left by 1 May 2021 while the Taliban held off attacking international troops. US President Joe Biden pushed back the 1 May withdrawal to 11 September 2021. The Taliban have said that this is violation in principle and has opened the way for [Taliban fighters] to take “counter-actions it deems appropriate against the occupying forces”¹.
- 2.7 A Ministerial Letter was sent to Local Authority Leaders and Chief Executives (**Appendix 1**) on 3 June 2021 seeking support the effective integration of all those LES who choose to come to the UK. The Ministerial letter is confusing in one regard in that it states that there is no cut-off date for the relocation of Afghan LES and their families. However, the clear intention from government is that all those qualifying for the scheme are to be relocated to the UK by September 2021. Indeed, the deteriorating security situation in Afghanistan could mean that it is no longer feasible to retain a British Embassy there after September. Consequently, there will be no local means to process visas for those Afghan LES and their families who want to come to the UK.
- 2.8 The Ministerial Letter states that the precise number of people, and the timing of their relocation to the UK, will depend on a number of factors, including the wishes of the families themselves. For planning purposes, the UK government is preparing to relocate at least 600 families over the summer (a minimum of 3,000 people and possibly up to 5,000).
- 2.9 There are similarities to the refugee resettlement schemes, but in many ways due to the pace and immediate risks, the Afghan LES Relocation Scheme is more similar to a humanitarian evacuation programme, such as was carried out for Kosovans in 1999.
- 2.10 The Afghan LES Relocation Scheme is wholly grant funded by the UK government.
- 2.11 The first flight to the UK will be in late June 2021. Those arriving will go into quarantine for 10 days at government-approved hotels, in view of the fact that Afghanistan is on ‘the red list’ of countries in respect of the COVID-19 virus. The first arrivals will come out of quarantine in early July to go to locations across the UK. Charter flights will be at frequent intervals throughout July and August.
- 2.12 The Home Office requires an urgent response from local authorities. Migration Yorkshire (the regional partnership co-ordinating body) has asked for a response from local authorities by Thursday 10 June 2021 regarding participation and numbers to be re-located within their local authority area. This report is therefore being considered under the urgent decision making powers in paragraph 14 of the Executive Members’ Delegation Scheme

¹ ‘US and Nato start to formally withdraw troops from Afghanistan’ - BBC News, 1 May 2021
<https://www.bbc.co.uk/news/world-us-canada-56955702>

(“...to determine any Executive matter which is of such urgency that it is not practicable to refer it to the Executive for determination.”) and under special urgency and call in exemption procedures.

3.0 Issues

- **Local authority support:**

3.1 People who are relocated under the scheme are supported for a four-month period by a local authority.

3.2 The local authority will be responsible for providing a four-month integration package that includes:

- Reception arrangements upon arrival at the airport including handover from flight escorts and welcome briefing
- Accommodation
- A package of advice and assistance covering employment, welfare benefits, housing, health, education and utility supply
- Registration with GPs and local Job Centre Plus including receipt of a National Insurance Number
- Assistance in securing school places for school aged children
- Cash support.

3.3 Afghan LES and their families will not be eligible for benefits until they can satisfy the Habitual Residency Test set by the Department of Work and Pensions (DWP), which can take up to 3 months, so the local authority provides financial support to those who arrive under the relocation schemes for up to 4 months.

- **Local Authority funding:**

3.4 The local authority is provided with funding to support families through a Grant funding arrangement. The local authority claims an initial payment on arrival and a further payment after the four-month period has ended. The current rates of support are outlined below:

Four-month funding package for Beneficiaries arriving either as a single person or with their family members:

Accommodation				
Set-up and void costs (lump-sum)	Per person rate for families	Per person rate for couples	Per person rate for singles	
	£1250	£1425	£2850	
Rent (up to 4 months)	£15 per person, per day			
1 night hotel accommodation (if needed, dependant on time of arrival)	£50 per person			
Baby pack comprising cot, high chair etc	£225 per any child under two years of age			
Integration				
To provide integration support (lump-sum)	Per person rate for families	Per person rate for couples	Per person rate for singles	
	£4500	£6000	£7500	
Cash support				
Weekly cash support rates (up to 4 months)	Single (under 25)	Single (25 or over)	Couples	Child (under 18)
	£58.90	£74.35	£117.10	37.75
Transport				

Transfer from airport to accommodation	£40 per person
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Spouse and dependant cases 8 week funding package

Accommodation		
Set-up and void costs	Spouse	Per child
	£1,500	£1,500
Rent	Only for large families	
Baby Pack	£225 per child under two years of age	
INTEGRATION		
To provide integration support (lump sum)	Spouse	Per child
	£4,500	£4,500
CASH SUPPORT		
Weekly cash support rates (8 weeks)	Spouse	Per child
	£43.00	£37.75
TRANSPORT		
Transfer from airport to accommodation	£40 per person	

- **Profile:**

3.5 From previous experience of this programme elsewhere in the Yorkshire and Humber region, the majority of the cohort are likely to be young couples or families, with average family size of five (majority young children). The individuals are unlikely to have a high level of complex medical issues. Most of the husbands speak good English and are keen to work; most will have Pashto as a first language.

- **Integration Support:**

3.6 The support (for four months) will be very similar to the initial support provided under the refugee resettlement scheme. In the Yorkshire and Humber region, Bradford, Leeds and Calderdale local authorities have experience of participating in the Afghan LES Relocation Scheme.

3.7 The Refugee Council has experience of providing support under this scheme and will be able to do so for those local authorities that are currently using them for resettlement.

3.8 As families will not have immediate access to benefits, cash support will be expected to be given until benefits are arranged and rent paid by the local authority.

- **North Yorkshire (exc. City of York): indicative numbers to be accepted by participating local authorities**

3.9 Under the Syrian Vulnerable Persons (SVP) Resettlement Scheme, the Vulnerable Children's Resettlement Scheme (VCRS) and more recently under the United Kingdom Resettlement Scheme (UKRS), the county council and district councils have adopted a 'fair share' approach of resettling 1% of the UK government's total pledge for each of those schemes. Each district has then accepted refugees on a pro-rata basis based upon its total resident population.

- 3.10 For the Afghan LES Relocation Scheme, Migration Yorkshire is also proposing that participating local authorities in the Yorkshire and Humber region adopt the 'fair share' approach based upon their population levels. For North Yorkshire, this would equate to resettling in the region of 30 to 50 people (6 to 9 families). A mid-way point of 40 people (8 families) makes sense in case the UK government is able to relocate more than its planned minimum of 600 families/3000 people by September 2021 and so allowing North Yorkshire to have still taken its 'fair share' of the national total. In Craven, Richmondshire and Ryedale districts, this would still equate to one family only.
- 3.11 For practical reasons, the Afghan Re-location Scheme should be linked into managing the overall size of the refugee resettlement programme in the county, rather than seeking to resettle one family from Afghanistan in every district in the next three months', which would be very inefficient and likely to result in poorer outcomes for everyone concerned. Whilst some districts only took one family under the VCRS scheme, they were accommodated at broadly the same time as the SVP arrivals in that district.
- 3.12 The low numbers of Afghan LES families to be accommodated and the short time period that we would have to do so, means that it is not possible to do a phased rollout of numbers across the county. Instead, it is more practical for the following factors to be used (either in isolation or in combination) to determine which districts should participate:
- population size
 - recent or pending involvement in the UKRS refugee resettlement scheme
 - ready availability of affordable housing (including private rented sector)
- 3.13 Harrogate, Hambleton and Selby districts, as well as having the first, third and fourth highest resident populations respectively in North Yorkshire, have recently participated in the refugee resettlement programme (Hambleton) or are about to do so imminently (Harrogate and Selby). Consequently, resources - including integration support services provided by the Refugee Council - are focused on those areas to provide the more intensive Year 1 support to the new refugee arrivals. Having more than one scheme running in tandem within a district at the same time, worked well previously with the SVP and VCRS resettlement schemes.
- 3.14 Although Scarborough district has the second highest population area in the county, it is not due to start its resettlement until January 2023 and because the existing refugee families in the district are now in Year 5 and so are relatively independent, Refugee Council staff are not regularly travelling there. There could also be a shortage of private rented property in Scarborough town as we move into the summer season due to landlords choosing to rent out their properties for holiday lets instead of providing assured shorthold tenancies.
- 3.15 Taking into account the factors above, the York, North Yorkshire and East Riding Chief Housing Officers Group agreed at its meeting on 4 June 2021 to recommend that Harrogate, Hambleton and Selby districts take part in the scheme. It was also agreed at the meeting to recommend that Richmondshire district is a back-up area in the event that Harrogate or Hambleton or Selby districts are not able to find sufficient numbers of properties in the time available. Richmondshire has recently resettled refugees and is adjacent to Hambleton and Harrogate districts, reducing travelling time for those supporting the Afghan LES and their families.
- 3.16 On a pro-rata basis Harrogate, Hambleton and Selby districts would be looking at resettling the following maximum numbers:

District	2018 population mid-year estimate by district	Percentage of population as a total of the four districts	Afghan LES allocation across districts if using a pro-rata share
Hambleton	91,134	26.7%	11 people (two families)
Harrogate	160,533	47.1%	19 people (three to four families)
Selby	89,106	26.2%	10 people (two families)
Total	340,773	100	40

4.0 Options

- 4.1 North Yorkshire County Council does not participate in the Afghan LES Relocation Scheme.
- 4.2 North Yorkshire County Council participates in the Afghan LES Relocation Scheme.

5.0 Financial Implications

- 5.1 Funding is in the form of a grant agreement between the UK Government (the 'Authority') and participating local authorities. An upfront/lump sum payment will be made for set-up and integration costs and a second payment for further costs is to be claimed at the end of the four-month period. Monitoring and reporting is expected. The Afghan LES Relocation Scheme is wholly grant funded by the UK government and so it is not anticipated that there will be any call on NYCC resources apart from staff time, which can be covered from existing resource. **Appendix 2** gives some examples of what we can expect to receive under a few scenarios. **Appendix 3** contains the Grant Agreement.
- 5.2 The Grant Agreement states that the Authority is not permitted to pay the grant in 'advance of need'. It also states that nothing in the Grant Agreement shall oblige the Authority to reimburse claims against the grant beyond the stated funding period, which runs up to 31 March 2022. There is a risk that there are costs in the medium-term which are not covered by the grant which may fall to NYCC which are not known at this time.
- 5.3 As is the case for the refugee resettlement scheme, Leeds City Council proposes to act as the accountable body for the local authorities participating in the scheme in the Yorkshire and Humber region. Under that scenario, a Partnership Agreement will be produced between Leeds City Council and North Yorkshire County Council to ensure the obligations of both parties are met. Also as is the case for the refugee resettlement scheme, a separate Partnership Agreement will be produced between North Yorkshire County Council and the participating North Yorkshire District Councils to reimburse the district councils for the housing costs and ensure the obligations of both parties are met. Anticipated grant costs will be in the region of £150,000 to £200,000 (ranging from six families of five persons each to eight families of five persons each).

6.0 Legal Implications

- 6.1 Local authorities participating in the scheme will be required to meet the obligations set out in the Grant Agreement.

7.0 Consultation Undertaken and Responses

- 7.1 North Yorkshire County Council's Leader consulted with North Yorkshire District Council Leaders on 28 May 2021 by email to ascertain the level of interest for participating in the scheme. The District Council Leaders for Craven, Harrogate, Hambleton, Richmondshire, Selby and Scarborough supported participation in the scheme. Ryedale District Council did not respond in view of it not having a Leader at the time.
- 7.2 York, North Yorkshire and East Riding Chief Housing Officers group received a report at its meeting of 4 June 2021 from North Yorkshire County Council about the scheme.
- 7.3 Consultation will take place with the Corporate Director - Strategic Services and the Assistant Chief Executive (Legal and Democratic Services) in respect of the Grant Agreement and the partnership agreement to be developed with Leeds City Council and the partnership agreements to be developed between Hambleton, Harrogate, Selby and Richmondshire district councils.

8.0 Impact on Other Services/Organisations

- 8.1 The existing resources being used for the refugee resettlement programme in the county will be used for the Afghan LES Relocation Scheme. However, the Afghan LES Relocation Scheme is not intended to replace or slow down the pace of refugee resettlement in the county or to reduce the overall commitments made in relation to the refugee resettlement scheme by the county council and district councils.

9.0 Reasons For Recommendations

- 9.1 A collaborative, cross-government approach is in place to support the effective integration of the Afghan LES and their families who choose to come to the UK. As part of this, the UK Government is asking for local authority support and assistance to fulfil a moral obligation to support those who have served the UK in circumstances where they have risked their own lives and where their lives are now at even greater risk of being lost because of reprisal attacks by armed insurgents in Afghanistan.

10.0 Recommendations

That the Executive Member for Stronger Communities approves:

- i) North Yorkshire County Council's participation in the Afghan LES Relocation Scheme.
- ii) North Yorkshire County Council working in partnership - subject to a partnership agreement being put in place and utilising existing governance arrangements in place for the refugee resettlement programme - with Hambleton District Council, Harrogate Borough Council and Selby District Council, and with Richmondshire District Council in the event that Hambleton District Council or Harrogate Borough Council or Selby District Council are not able to find sufficient numbers of property by 31 July 2021 to accommodate a minimum of 30 people under the Afghan LES Relocation Scheme.
- iii) The Corporate Director – Strategic Resources to accept the Grant Agreement on behalf of North Yorkshire County Council after consultation with the Assistant Chief Executive (Legal and Democratic Services).

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Background Documents:

- Fact Sheet for Local Authorities – The Afghan Locally Employed Staff (LES) Relocation Scheme (May 2021 version)

Appendices:

- Appendix 1: Afghan LES Relocation Scheme Acceleration – Ministerial Letter to all local authority chief executives and leaders in England, Scotland and Wales
- Appendix 2: Family scenarios: Funding Package
- Appendix 3: Grant Agreement between the Secretary of State for the Home Department and xx: Afghan Locally Engaged Staff Ex-Gratia Scheme for the period 01 April to 31 March 2022.