

REPLACEMENT PAPER

Displaced Ukrainian Refugee Arrivals into Midlothian

Report by Kevin Anderson, Executive Director Place

Report for Decision

1 Recommendations

Council is recommended to note the content of this report and consider Midlothian Council facilitating the current two routes for Ukrainian people to enter the United Kingdom (UK) as a result of displacement due to the present military conflict from the Russian state.

If agreed, Council is also requested to approve delegated authority for appropriate officers to manage the necessary requirements following this final Council meeting of the current term to;

- a) Advise the UK Government Home Office of the Council's willingness to participate in any subsequent scheme, and
- b) Advise the Scottish Government of the Council's willingness to participate in any subsequent scheme, and
- c) Approve delegated authority for officers to undertake the necessary activities to relocate eligible households into Midlothian in the current routes of entry and any subsequent schemes.

2 Report purpose

Currently there are two routes for displaced Ukrainian people to enter the UK:

- i. Family visas, which provides three years of leave to remain; those on working or student visas can also apply to have those extended;
- ii. Community sponsorship routes.

People coming to the UK may arrive either as a whole family unit or with a lead person arriving first and their dependants joining them at a later point, depending on their individual circumstances.

At this time, it is expected households will predominantly consist of women and children as males aged between 18 - 60 years are being retained in-country to defend Ukraine.

Date: 24 March 2022

Report Contact:

Name: Kevin Anderson, Executive Director Place

Email: kevin.anderson@midlothian.gov.uk

3 Summary

Scotland's offer to provide refuge and sanctuary to displaced Ukrainians, as part of the UK Government's Homes for Ukraine scheme, is now open.

[Scheme opens for displaced Ukrainians - gov.scot \(www.gov.scot\)](https://www.gov.scot)

Accessible through the UK Government's online portal, a distinct route to accommodation, support and care in Scotland, the "Warm Scots Welcome" is now available to people displaced by the invasion of Ukraine.

Acting as a 'super sponsor', the Scottish Government's route removes the need for applicants to be matched to a named individual before they are cleared to travel to the UK through the visa system.

The Scottish programme is available as an option to Ukrainians when applying for a visa under the Ukraine Sponsorship Scheme, by opting for the organisational sponsor route, and selecting "The Scottish Government" from the drop-down box in response to the question "*Which organisation is sponsoring you?*" The full process is listed in Appendix B to this report.

Scots people individually willing to volunteer and provide homes for Ukrainians arriving through the sponsorship scheme are encouraged to sign up at the Homes for Ukraine portal. Their details will be shared with Scottish Government so that appropriate matches can be arranged while immediate support is provided to those arriving.

It is also possible for Ukrainian displaced people to come to Scotland by the other two routes: the family visa route and the individual sponsor route.

The Scottish Government is working with partners - local councils, the Scottish Refugee Council, the NHS, Disclosure Scotland, NGOs, faith groups and others to complete safeguarding checks, put in place wider health, education, practical and befriending support, and arrange longer term accommodation. Further guidance is anticipated on those matters imminently.

4 Background

4.1 An escalation of the situation and military offensive in Ukraine from February 2022 has turned an already volatile situation into a full-scale emergency with 10 million people estimated to date by the UNHCR (the UN Refugee Agency) to have left their homes to try to find safety elsewhere within the country and others are crossing borders into neighbouring countries. The situation remains extremely dangerous for anyone inside Ukraine.

4.2 In light of the humanitarian crisis in Ukraine, UNHCR is working with authorities, other UN agencies, internally displaced community groups and partners to provide humanitarian assistance. Over 3.3 million refugees are estimated to have fled to neighbouring countries and that number is rising.

4.3 The Homes for Ukraine scheme was launched on 14 March 2022 by the UK Government (UKG).

4.4 Under the Family Visa Scheme there is no requirement to provide accommodation although the UKG expected families to accommodate them, but it is not necessarily required. Families do have recourse to public funds so will be able to access homelessness services as well as benefits etc

4.5 Under the UKG Community Sponsorship scheme Ukrainians and Hosts have to match themselves prior to visa applications - the visa application has to name both host and Ukrainians and each have to provide proof of identity and status. There are 'organisations' promoting matches on social media. As we cannot validate the organisations we will not be promoting their Facebook pages etc. on social media.

5 Homes for Ukraine

5.1 For Ukrainians with no ties to the UK, the [Homes for Ukraine](#) scheme allows them to be sponsored by individuals or local authorities so that they can receive accommodation and support. The government promises that those who want to sponsor an individual or family can volunteer and be matched quickly with Ukrainians in need, working closely with the devolved administrations and local authorities across the country.

5.2 There is no limit on numbers providing people have matched sponsors. Those who come will be granted leave for an initial period of 12 months and be able to work and access public services. Ukrainians who want to be sponsored apply for a visa under the scheme with those coming to Scotland should select 'the Scottish Government' as their sponsor, they will then be matched to an individual sponsor.

5.3 UK Government guidance about the scheme indicated the contribution by local authorities. They are expected to receive those arriving and give initial help, including with benefits, and to make the first payment to sponsors. They are expected to make safeguarding and accommodation checks. More detailed guidance is promised on several aspects, including accommodation

checks and action in the event of Ukrainians becoming homeless as there are concerns about possible abuse of the scheme for human trafficking.

5.4 This scheme is open to Ukrainian nationals who were residents in Ukraine prior to 1 January 2022 and also to their immediate family members (for example spouse/partner and children under 18) who may be of other nationalities, to be sponsored to come to the UK. Applicants can apply from Ukraine or from any other third country.

5.5 Phase One of the scheme allows individual sponsors to named Ukrainians. <https://homesforukraine.campaign.gov.uk>

5.6 The number of people who can access this scheme is uncapped and is dependent on the capacity of the sponsors who come forward.

5.7 Guests will be able to live and work in the UK for up to three years and access benefits, healthcare, employment, and other support. Those arriving need to meet standard security checks prior to being issued with a visa. Sponsors and all adults in sponsors' households will also be subject to initial Police National Computer (PNC), criminal records and Warnings Index checks by the Home Office.

5.8 In Scotland, it is expected that Councils will be required to undertake basic Disclosure checks for all adults in the sponsor household; and in cases where the incoming arrivals include children and/or vulnerable adults, an Enhanced Disclosure may be required promptly on all adults in the sponsor household.

5.9 Sponsors in the UK can be of any nationality, with any immigration status, provided they have at least six months' leave to remain within the UK and pass the background checks. They can live in any part of the UK. Sponsors must provide accommodation for a minimum of six months.

5.10 Sponsors can also receive an optional 'thank you' payment of £350 per month for up to the first 12 months of sponsorship. This payment is limited to one monthly payment per residential address, regardless of the number of individuals sponsored. Payments will stop when the sponsorship ends.

5.11 Sponsors should not charge rent. They will not be expected to cover the costs of food and living expenses, although they may wish to offer this, especially in early weeks while guests are settling in the UK.

5.12 The bedroom tax does not apply to local authority, housing association or charity accommodation if it is part of a sanctuary scheme, refuge accommodation, specialist safe accommodation, dispersed accommodation, second stage accommodation, or other accommodation designated as domestic abuse emergency accommodation. However, the benefit cap continues to apply.

5.13 The scheme will be rolled out in phases. In this initial phase individual members of the public can sponsor a guest from Ukraine who meets the eligibility criteria for this scheme. In later phases organisations and community groups will be able to sponsor multiple guests.

6 Role of councils

6.1 Councils have a number of important functions in supporting the Homes for Ukraine scheme. Councils will be expected to offer the categories of support listed below. Further details and guidance on each of these is expected to be issued shortly:

Initial reception. Relevant councils have been asked to establish reception arrangements at particular ports of entry to support any short-term arrival needs. These councils will likely work with Strategic Migration Partnerships and the voluntary sector under standard reception centre arrangements, and (only if a significant multi-agency response is required) they may call on the coordination support of Local Resilience Forums. These arrangements should include basic meet and greet arrangements as well as the ability to provide immediate humanitarian assistance (which could include small amounts of emergency cash support – separate to the pre-Universal Credit support i.e., the interim payment detailed below).

From Sunday 20 March, guests arriving in the country will be eligible for a single onward journey via national rail, bus, light rail, and coach. This will be free of charge to anywhere in England, Scotland and Wales. Further information is available at: <https://www.nationalrail.co.uk/ukraine>.

Councils should also consider the provision of social work staff to respond to any safeguarding concerns that may be flagged by Border Force.

Data sharing. Councils are to receive the necessary data about sponsors/guests who have applied for visas (including the accommodation address). Data will also be passed to the Scottish Government to provide councils with live data on expected arrivals and will work with councils directly on this, with an update being provided in subsequent guidance.

Safeguarding checks. Councils have a statutory duty to promote the welfare of adults and children at risk and reserve the right to check in on guests and inspect accommodation once they have arrived. The sponsor guidance makes clear that prospective sponsors will be subject to accommodation and safeguarding checks. The checks outlined must be conducted as soon as possible after the council has been alerted that a visa application has been made. Best endeavours should be used to conduct the checks before the arrival of the guest(s), recognising that this will not be possible in all circumstances. Councils must make at least one in-person visit either before or shortly after a guest has arrived, to confirm that the accommodation is suitable and the guest is well and that there are no serious safeguarding, or welfare concerns. As no rent is payable for accommodation under the scheme, we do not expect councils to require such accommodation to have to obtain an HMO license. Councils must also undertake basic Disclosure checks on all adults in the sponsor household. In households where there are incoming arrivals who are children and/or vulnerable adults, an Enhanced Disclosure check will be required for all adults in the sponsor household.

Interim payment for guest. The council where the sponsor accommodation is located should provide an interim payment (in line with other resettlement schemes) of £200 per guest for subsistence costs. The £200 payment is

factored into the tariff ('Funding for Councils') and does not need to be repaid by the guest. Councils will also have discretion within the tariff to top-up or further support guests with interim or additional payments. Working age guests will be able to apply to receive Universal Credit and will be able to apply for advance payments where eligible. Pension age guests will have access to State Pension Credit and Housing Benefit provided they meet eligibility criteria.

Provision of education. Councils are required to provide school places for children of school age. Councils will be paid additional funding to support with this.

Service referrals. Where necessary, councils should provide advice and referrals to specialist public health services as appropriate e.g., mental health services, adult social care, and children's services.

Work and Benefits. Councils should support guests to access local Jobcentre Plus appointments for benefit assessments and job-seeking.

Homelessness assistance. There may be some cases where the sponsor/guest relationship breaks down and the guest is homeless or at risk of homelessness. Councils' statutory homelessness duties will apply in this instance.

Community integration. Councils will play a key role in supporting the integration of Ukrainian families into their local communities. This will be particularly important in areas of the country that might not have strong links with the Ukrainian diaspora. Integration support might include the organisation of community events, the use of community champions and interfaith networks, increasing local authority contact/interaction with Ukrainians, access to translation services and working with local voluntary sector organisations and faith groups to help signpost advice and support.

Administering payments to sponsors. Sponsors will be eligible for an optional 'thank you payment' of £350 per month, as long as the sponsorship arrangement exists, for up to 12 months in total. There will be a maximum of one monthly payment per address paid in arrears, regardless of the number of guests being hosted, and regardless of size or location of the property. Councils will administer these 'thank you' payments to sponsors. Payments must not be released to sponsors until property checks have been completed. This payment will be tax free and should not affect the sponsor's entitlement to benefits or council tax status.

7 Accommodation

7.1. Where necessary the re-housing of refugees can be established within existing housing allocation arrangements, and within the Council's responsibilities under the homelessness legislation.

7.2 In terms of re-housing, bringing people to safety is the main focus and no decision has yet been made on any numbers or specific areas of Midlothian but it is anticipated that in any relocation the Council provides the opportunity for some element of mutual support in locating refugees.

7.3 Landlord consent is required by existing council tenants for them temporarily accommodating within their homes, although this will not be unreasonably withheld by the council.

7.4 In relation to the expectation on numbers of families to relocate, COSLA's Migration Scotland team and the relevant officers in Councils will be dealing with the local implications of accommodating part of the expected contingent of the UK's Ukrainian refugee scheme.

8. Support and the Care for People Group

8.1 The Care for People Group was established to comply with the Council's responsibilities under the Civil Contingencies Act 2004. The group specifically support Scottish Government guidance, "Preparing Scotland, Care of People Affected by Emergencies". This multi-agency group includes representatives from NHS Lothian, Police Scotland, utilities, voluntary sector and faith groups..

8.2 Clearly, the traumatic experiences in the loss of homes, livelihoods, communities and families will have an impact on individuals and result in considerable anxiety, concern and emotional distress. Having recognised the continued uncertainty that refugees are experiencing and the inevitable disruption that has occurred in their lives, the Care for People Group is focusing on the physical and mental wellbeing of those potential resettlement refugees as residents of Midlothian.

8.3 Support requirements will include access to cultural, dietary, religious facilities as well as translation and interpretation services. Some households will be particularly vulnerable and require particular additional support through the relocation process.

8.4 Integration into Midlothian communities will involve school provision requests, registering with doctors, obtaining National Insurance numbers and biometrics to be eligible to access services and benefits.

Ukraine Family Scheme

British nationals and people of any nationality settled in the UK are being supported to bring parents, grandparents, adult children and siblings to the UK through the [Ukraine Family Scheme](#). Eligible applicants must be Ukrainian or the immediate family member of a Ukrainian national who is applying to the scheme, and have been residing in Ukraine before 1 January 2022. Everyone assisted requires a visa and these can now be obtained online.

People who are eligible under this route are encouraged to call a free helpline +44 808 164 8810 (0808 164 8810 in the UK). Those given a visa have three years' leave and will have access to benefits and housing (once regulations have been changed).

Ukrainians already in the UK

Ukrainians already in the UK with a visa can [extend their visa or switch to another immigration](#) route even if their visa does not normally allow them to do

so. They are unlikely to have access to public funds and so will be ineligible for benefits and housing. However, anyone who is granted limited leave (with or without a no public funds condition) living in the UK have the right to rent in the private sector.

Some Ukrainians already in the UK are being given an 'exceptional assurance' that they can remain, but this may cause problems later as they technically overstay their visas.

Ukrainians who claim asylum

Ukrainians already in the UK can also claim asylum, which would give them access to asylum support accommodation while their claim is dealt with. However, this may not be the best course of action and they should get legal advice before making a claim. When someone with existing leave applies for asylum, their leave is typically automatically extended and subject to the same conditions as before, including, where relevant, the right to work and rent. The gov.uk page on asylum for Ukrainians has been withdrawn, however, while policy is updated.

9. Report Implications (Resource, Digital and Risk)

9.1 Resource

The government is providing funding at a rate of £10,500 per person to councils to enable them to provide support to families to rebuild their lives and fully integrate into communities. The £10,500 for Ukrainian nationals is for the first year. Funding for future years will be reviewed in due course.

This funding will be un-ringfenced, with a number of conditions attached, and will match the tariff offered under the first year of the Afghan Citizens Resettlement Scheme (ACRS) and Afghan Relocations and Assistance Policy (ARAP), although the role of councils will be different. For example, councils will not be asked to source initial accommodation under this scheme as this will be provided by the sponsor.

Councils will administer 'thank you' payments at the £350 per sponsoring household per month rate. Additional funding will be allocated for these payments, but it is expected that councils cover administration costs within the tariff.

The government is also providing additional funding to councils to provide education services for children from families arriving from Ukraine under this scheme. Scottish Government guidance is anticipated but as an indicative value, the Department for Education in England will allocate funding on a per pupil basis for the three phases of education at the following annual rates:

- Early years (ages 2 to 4) - £3,000
- Primary (ages 5 -11) - £6,580
- Secondary (ages 11-18) - £8,755

These tariffs include support for children with special educational needs and disabilities.

9.2 Digital

There are no issues arising from this report

9.3 Risk

There is a reputational risk if Midlothian Council does not participate in any refugee relocation programme as this is considered to be humanitarian aid. Some households will be particularly vulnerable and require particular additional support through the relocation process.

There is a potential risk in capacity of the current workforce to meet the additional demands across a range of supporting administrative, welfare, safeguarding, health, housing and education services particularly with a lack of guidance for compliance and resource to deploy.

Also a risk of insufficient available educational place preferences at schools.

Midlothian Council has confirmed that it holds no links with, or assets or investments in either Russia or Belarus, as its supporting state in the war.

9.4 Ensuring Equalities (if required a separate IIA must be completed)

The relocation scheme is a UK Government Home Office initiative subject to an IIA process implementation.

The initial guidance set out above will be updated and expanded with further detail in the next week as Government agrees with councils the detail of their role in the Homes for Ukraine scheme. Future guidance will likely cover outstanding detail on the role of councils in most aspects of this phase:

Checks

- Pre-arrival and post-arrival checks
- Accommodation checks
- Address validation checks
- Disclosure and Barring Service (DBS) checks

Wraparound support

- Safeguarding
- Process for accessing public services
- Providing local council tax support
- Post 16 education, employment and training

Administration of funds

- Initial cash allowance for guest
- Operation of 'thank you' payment system
- The £10,500 funding.

Fallback accommodation

- Re-matching role
- Move-on accommodation

Data

- Process for receiving data about new arrivals
- Management information submission requirements

6.5 Additional Report Implications**Background Papers**

None

Appendices

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

There are no issues arising from this report

A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable**
- Transformational**
- Preventative**
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable**
- Efficient and Modern
- Innovative and Ambitious
- None of the above

A.4 Delivering Best Value

There are no issues arising from this report

A.5 Involving Communities and Other Stakeholders

Community engagement to ascertain and address key issues will be a core part of this work, which will be addressed through the work of the Care for People Group supported by members of the Joint Health Improvement Partnership.

Continuing effective communication and transparency is vital in providing reassurance and countering perceptions of any unfairness through consistency in the advice, information and services offered to refugees:

Several organisations have set up appeals for help for those caught up in this conflict. These organisations are providing humanitarian support for people in the Ukraine.

- The main appeal being run by the UK's Disaster Emergency Committee (DEC) is the one the Government is encouraging people to

donate to so the funds can be shared across a range of charities. [Donate and find out more about the appeal](#)

- [The British Red Cross](#) supports people by supplying shelter, medicines, water, food and clothes
- [Unicef](#) deliver life-saving programmes to children along with water to areas heavily affected by war
- [The UN Refugee Agency \(UNHCR\)](#) is working with local authorities in Ukraine to help with refugees
- [Oxfam](#) is taking donations through the website or in their shops

A.6 Impact on Performance and Outcomes

There are no issues arising from this report

A.7 Adopting a Preventative Approach

Addressing the needs of refugees will assist in moving the balance of services and resources into preventing the need for longer term or crisis support. Early intervention and tackling inequalities are key priorities for Midlothian Council and the Community Planning Partnership.

There has been an outpouring of solidarity with the Ukraine in Scotland. A lot of that has been channelled with the existing Ukrainian-Scottish community. Logistically it is a challenge -due to Brexit border controls- to process this vast in-kind contribution.

Some Councils have also announced donations in cash to help the Ukraine. Both monetary and in-kind aid may be processed via existing international aid processes at UK level and in Scotland as well as recognised international charities, humanitarian organisations and UN agencies.

In Scotland, [Ukraine Advice Scotland](#) is sponsored by the Scottish Government to provide free legal advice. It has an advice line, 0800 995 6045, open on Tuesdays and on Thursday mornings, or can be contacted by email: ukraine@justrightscotland.org.uk (initial contact is in English, but interpreter services are available).

A.8 Supporting Sustainable Development

There are no issues arising from this report

APPENDIX B

Scheme Open for Displaced Ukrainians:

Scotland's offer to provide refuge and sanctuary to displaced Ukrainians, as part of the UK Government's [Homes for Ukraine \(link is external\)](#) scheme, is now open.

Accessible through the UK Government's online portal, a distinct route to accommodation, support and care in Scotland - the Warm Scots Welcome - is now available to people displaced by the invasion of Ukraine.

Acting as a 'super sponsor', the Scottish Government's route removes the need for applicants to be matched to a named individual before they are cleared to travel to the UK through the visa system.

The Scottish programme is available as an option to Ukrainians when applying for a visa under the Ukraine Sponsorship Scheme, by opting for the organisational sponsor route, and selecting "The Scottish Government" from the drop-down box in response to the question "Which organisation is sponsoring you?"

Scottish people willing to volunteer and provide homes for Ukrainians arriving through the sponsorship scheme are [encouraged to sign up at the Homes for Ukraine portal\(link is external\)](#).

Their details will be shared with Scottish Government so that appropriate matches can be arranged while immediate support is provided to those arriving.

The process for Ukrainian applicants to apply is this:

- Go to <https://www.gov.uk/guidance/apply-for-a-visa-under-the-ukraine-sponsorship-scheme#apply>(link is external)
- Read the guidance there, then click "apply online"
- After answering questions about whether you have a Ukrainian international passport, you will reach a page headed "Apply for the Ukraine Scheme"
- Read the guidance there, then click "Apply now"
- On the next screen, choose "Ukraine sponsorship scheme", then "I am being sponsored by an organisation"
- Click "Save and continue"
- On the next page, headed "Sponsoring Organisation", choose "The Scottish Government" from the dropdown box
- Continue with your application.

1 Application process and Phases

Potential sponsors (individuals and organisations) can register their interest in sponsoring a guest.

Phase One – Individuals sponsoring named guests

On Friday 18 March, a Home Office form opened for visa applications. Sponsors at this stage must be specific individuals.

In this phase, either a guest or a sponsor will be able to complete a single application for a visa. The form will ask the person completing it to name both parties.

Sponsors and guests will find each other and match themselves externally. There is no single route to matching, and both the sponsor and guest could use a number of channels to find a match. They could for example already have a relationship in place with a friend in the UK/Ukraine, they could be friends of friends, or could find a sponsor or guest through an NGO, charity, or other channel.

The process is as follows:

1. Sponsor and guest find each other and agree to a match.
2. Either the sponsor or the guest fills out the single visa application form online using both parties' details.
3. Passport numbers (alongside completion of eligibility questions and other personal details) for both guests and sponsors will be required to complete the application online. The guest will also need to upload a scan of their passport. If the guest does not possess a passport, they will be required to travel to a visa application centre to process their biometrics.
4. After the application is submitted, security checks are done on both the sponsor, all other adults in the sponsor's household, and the guest.
5. Once both sponsor and guest have passed the checks, the Home Office will issue the guest with a permit to travel.
6. The guest can then travel to the UK and coordinate their arrival with the sponsor.
7. Specific councils will provide welcome arrangements for guests, with additional immediate support provided to guests where it is required (see initial reception role of councils below).

A lead sponsor will be needed for each household. For example, where a couple has applied to sponsor, one of them should be designated as “lead sponsor”.

We are undertaking further work on the safeguarding process around individual sponsors and the adults in their households and this will be shared in the next version of the guidance. More detail is given in the section on the role of councils below.

2 Future expansion of the scheme

The scheme will subsequently be expanded to enable organisations and community groups to sponsor multiple guests. Further work is being undertaken on the safeguarding process around group sponsors.

3 Role of sponsors

Sponsors are required to:

- Provide suitable accommodation for a minimum of 6 months.
- Stay in regular contact with their guest prior to their arrival to help organise and coordinate their arrival in the UK, meet them on arrival, and facilitate transfer to their accommodation. Note: councils will still be required to provide general reception arrangements and immediate support on arrival if guests require it (see section below).
- Signpost the guest to public services and assist them with tasks such as registering with a local GP surgery.

Further information on the role of sponsors is available online.