



Rt Hon Priti Patel MP
Home Secretary
Home Office
2 Marsham Street
London
SW1P 4DF

8 April 2020

Dear Home Secretary,

Coronavirus and NRPF

We are writing as the political leaders of three of the four Local Government representative bodies in the UK regarding concerns among local authorities in relation to the support that they are providing to migrants in their communities.

Firstly, though, we want to thank the UK Government, and our devolved governments, for the actions currently being taken to protect public health in the face of the Covid-19 pandemic. We face an unprecedented crisis, and we fully support all efforts to get a grip of this pandemic. The organisations we represent are committed to playing our part to bring the virus under control and protect our communities.

We believe that central and local government can work together on sustainable solutions on a range of issues that minimise the pressures on local authorities, communities, and individuals, including supporting families, children and vulnerable adults who are seeking asylum, being resettled as refugees or those who have uncertain immigration status.

In this regard, we currently have specific concerns relating to people resident in our communities who have no recourse to public funds (NRPF). While Government advice is, rightly, that anyone with the symptoms of Coronavirus should self-isolate, many people subject to NRPF restrictions simply cannot do this. A temporary lifting of the NRPF restriction would improve our capacity to support our communities – and, crucially, slow the spread of the disease.

Many of those with NRPF restrictions are playing a crucial role in the current crisis, including as delivery drivers, as cleaners, and as NHS staff. We also know that one in five social care workers in the UK is a migrant worker, and many of them will be subject to NRPF conditions. As is the case for so many throughout Britain, the unexpected shock caused by Covid-19 means they now need urgent access to the support that the rest of the population receives.

People with NRPF are more likely to be in casual, zero-hours or temporary work, so they have neither the safety net of statutory sick pay nor Universal Credit. Many of those with Leave to Remain with NRPF will be concerned about the impact of accessing public support on their future immigration applications (and indeed current status). This may push them to keep

working when they should be self-isolating, whereas removing the condition takes away that uncertainty and provides clarity to officers in councils who assist them.

They also have no way to access Universal Credit support when they lose their income, and they are unable to access the welfare safety net they so badly need. People with infection need to have their basic needs met as we seek to do all that we can to minimise transmission of the virus.

Though recent measures to increase financial stability are welcomed, they do not address our fundamental concerns around the impact of the condition on maintaining all of our public's health. In addition, clearer guidance for local authorities, families and individuals is needed to make it much clearer that the current emergency support is available for those with NRPF, including rough sleeping support through local authorities, the job retention scheme for workers, and support measures for self-employed workers.

Furthermore, we are also seeing high numbers of the population with NRPF facing homelessness and destitution. Local areas are struggling to respond to this need, particularly given surging demand for destitution services among the UK-born population and council staff numbers restricted by staff being off sick with Coronavirus. In cases of homelessness where a statutory duty is engaged, local authorities must offer support, but the NRPF restriction makes this process highly burdensome in times of intense pressure. Lifting the NRPF restriction for the period of the crisis would free up critical capacity in our councils, and ensure the sick are able to self-isolate. Without this, there must be **additional funding** to meet unfunded statutory responsibilities to ensure support can be provided to all of our communities, ensure consistency, reduce public health risks, potential community cohesion issues and pressures on individual services.

We hope you agree that this problem urgently requires resolution. We are therefore writing to you today to specifically ask you to take the following steps:

- **The 'NRPF' condition should be temporarily suspended so that all migrants living in the UK can access benefits and public services.** The process of applying to remove an NRPF condition can take up to six months. This has not been adapted to the emergency needs that have arisen during this pandemic. We must free up critical local authority capacity and mitigate the risks to migrants without access to any state support. We must also reassure people that seeking help during the pandemic will not affect immigration applications.
- **The Habitual Residence Test should be suspended so that EU migrants do not need to prove their 'right to reside' in order to access benefits such as Universal Credit.** The conditions that apply in normal times are both too bureaucratic and too lengthy, and hamper our ability to respond to need in our communities.
- **NHS charges should be lifted** to ensure that those with NRPF feel able to access all the health services that will keep people safe and healthy.
- **Any additional measures designed to support the UK population should equally apply to everyone regardless of their immigration status.** Covid-19 affects people regardless of their immigration status and we cannot afford to exclude people in our response. If some parts of the population are not able to access the government's emergency response, they will have no option but to seek unregulated work or take more extreme actions to survive, undermining our response to the disease.

In addition, Scottish Local Government is calling for the **removal of the Scottish Welfare Fund from the list of 'public funds'** as part of our long-standing call for the removal of NRPF

conditions for the most vulnerable people in our communities. The Scottish Welfare Fund is increasingly being used as a key mechanism by which the Scottish Government channels emergency resources to local communities at this time. Removing it would assist us in dealing with the Covid-19 crisis across Scotland's communities.

Similarly, as the Welsh Government has stated that ensuring access to good sanitation is a public health matter, local authorities in Wales are also being asked to provide support for those who require shelter and other support due to the Covid-19 pandemic.

NILGA, as the fourth Local Government representative body, is supportive of the intent of this letter, but given differing devolution settlements and Local Government responsibilities, they will be addressing these issues directly with the Northern Ireland Executive.

We firmly support the vital steps the Government has taken to deal with the spread of Covid-19 that have gone a large way to supporting families across the UK. The virus is having a devastating impact on our economy and our communities and our response must be swift and effective. That is why we are calling on you to take these necessary measures to help individuals and families through this unprecedented crisis.

To reiterate once again, we stand foursquare behind the efforts the Government is making and will continue to do all we can to support your efforts.

We look forward to your response.

Yours sincerely,



Councillor Andrew Morgan
WPGA Leader



Councillor Alison Evison
COSLA President



Cllr Simon Blackburn
Chairman of LGA Asylum, Refugee and Migration Task Group

Cc: Immigration Minister, Devolved Government Ministers