

# New Scots Refugee Integration Strategy

2018 - 2022



Scottish Government  
Riaghaltas na h-Alba  
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“Scots have really opened their hearts to refugees. That warm welcome is greatly appreciated and, with global displacement at record levels, it’s more important than ever.

This second New Scots refugee integration strategy is an extremely valuable initiative, and UNHCR commends the fact that refugees and asylum seekers are active in shaping its concept and delivery.

We very much endorse Scotland’s vision of refugee integration as a two-way process, bringing positive change in refugees and host communities, and helping to build a more compassionate and diverse society.”

Gonzalo Vargas Llosa,  
UNHCR Representative to the UK

Credit: Alana Nabulsi



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# Contents

Forewords	Page 6
Vision	Page 10
New Scots Approach	Page 11
Contributing to the New Scots strategy	Page 19
Context	Page 21
Theme Chapters:	
Needs of Asylum Seekers	Page 28
Employability and Welfare Rights	Page 33
Housing	Page 40
Education	Page 45
Language	Page 51
Health and Wellbeing	Page 57
Communities, Culture and Social Connections	Page 64
Annex A: Engagement Process and Findings	Page 71
Annex B: New Scots Implementation	Page 74
Annex C: Resourcing	Page 77
Annex D: Glossary of Useful Terms	Page 79

## Angela Constance MSP, Cabinet Secretary for Communities, Social Security and Equalities

We often take for granted the many good things about living in Scotland. We know we have further progress to make, but thankfully we do not face the widespread persecution, often state sanctioned, which exists in some parts of the world.

Some people are forced to escape war and other forms of indiscriminate violence. Others are persecuted because of things we take for granted, such as: having a political opinion; attending a place of worship; or belonging to a social group. People can also be at risk because of their identity: as a woman; part of the LGBTI community; or because of their ethnicity. For all refugees, leaving home is not a choice but a necessity.

I am proud that Scotland has become home to people from all over the world seeking safety. Scottish Ministers have always been clear that people who seek asylum in Scotland should be welcomed and supported to integrate into our communities from day one. When refugees and asylum seekers arrive, they need understanding, support and hope for their future; and children should be able to be children, whether they arrive with their family or on their own.

This is Scotland's second New Scots refugee integration strategy. New Scots recognises that refugees and asylum seekers face challenges which can limit their inclusion in our society, but it also recognises that refugees bring strength, knowledge and skills. They are assets to our communities and, as they rebuild their lives here, they help to make Scotland stronger, more compassionate and more successful as a nation.

I would like to thank everyone who has contributed to this strategy, through engagement or participation in New Scots groups, as well as all the people across Scotland who work to support refugees and achieve the New Scots vision.

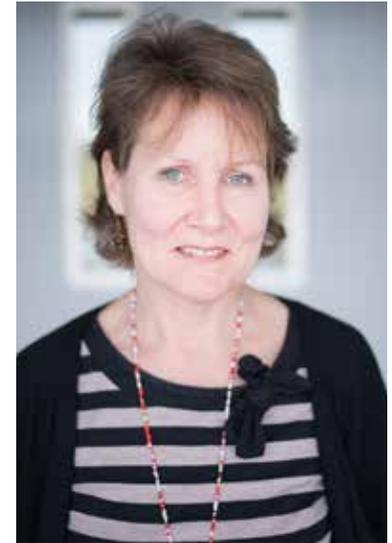


**Dr Alison Strang,  
Senior Research Fellow, Institute for Global Health and  
Development, Queen Margaret University  
Chair of the New Scots Core Group**

It is a pleasure and a privilege to be welcoming the launch of the second New Scots refugee integration strategy 2018 - 2022. The new strategy builds on strong commitment to growing diverse and integrated communities in Scotland. It continues to take a holistic approach to addressing the needs of refugees and asylum seekers, recognising that integration begins from the first day someone arrives in our country.

Implementation of the first New Scots strategy 2014 - 2017 has been instrumental in forging relationships across different sectors around the needs of refugees and asylum seekers and the Scottish communities in which they live. The wide mix of statutory and third sector stakeholders and representatives from refugee community organisations, involved in the implementation groups, shared knowledge and expertise, informed by research and practice in Scotland. The strategy crossed divides between different sectors and helped break down barriers by taking a holistic approach; based on the distinct aspects of integration identified in the 'Indicators of Integration' framework: Employment, Housing, Health, Education, Social connections ('bonds', 'bridges' and 'links'), Language and cultural knowledge, Safety and stability and Rights.<sup>1</sup>

This new strategy builds on these shared understandings, achievements and relationships of trust. I am delighted that it has been even more ambitious, both in the reach of the engagement process and in the core outcomes set. With on-going commitment from communities, practitioners and policy makers, it offers the way forward to an increasingly diverse, thriving and cohesive Scotland.



<sup>1</sup> Ager & Strang (2008) Understanding Integration: A Conceptual Framework; Journal of Refugee Studies (2008) 21 (2): 166-191: <https://academic.oup.com/jrs/article/21/2/166/1621262/Understanding-Integration-A-Conceptual-Framework> and Ager, A & Strang A (2004) 'Indicators of Integration. Final Report' Home Office Development and Practice Report 28: <http://webarchive.nationalarchives.gov.uk/20110218135832/http://rds.homeoffice.gov.uk/rds/pdfs04/dpr28.pdf>

## Councillor Kelly Parry, Spokesperson for COSLA Community and Wellbeing Board

Over the past few years COSLA has been delighted to work with the Scottish Government, Scottish Refugee Council and other partners to deliver the first New Scots refugee integration strategy, which has been rightly recognised as supporting Scotland's positive and proactive investment in refugee integration. It has brought about a new way of working for many, and has also provided a framework for many Scottish local authorities as they have welcomed refugees into their communities for the first time.

Since the first strategy was published, the global context has changed in ways we could not have expected. During this time, Scottish local authorities have been playing a central role in resettling refugees through both the Syrian Resettlement Programme and the Vulnerable Children's Resettlement Scheme. We have seen 31 local authorities in Scotland welcoming refugees to Scotland and their local areas, while all councils have committed to continue supporting resettlement, despite our initial resettlement target having been reached.

Though there are many positive outcomes and initiatives from the initial strategy, there is still progress to be made. I am pleased that COSLA has been able to work with a wide range of partners to develop a second strategy, which builds on the work done to date. I am also delighted that so many asylum seekers and refugees have engaged with this process, and it is vital that we ensure that their voices continue to play a central role in developing and informing the work that we do going forward.

Local authorities across Scotland are committed to supporting refugees and asylum seekers to build a new life. I'm pleased to say COSLA and local government will continue to be at the heart of taking this important work forward.



## Sabir Zazai, Chief Executive, Scottish Refugee Council

As Scotland's national refugee charity, we are delighted to have worked with the Scottish Government, COSLA and the many public, voluntary and community organisations to co-produce Scotland's national refugee integration strategy.

This new strategy provides an important platform for all of us in Scotland to work together to welcome and unlock the assets that refugees bring with them to their new homes across Scotland.

Refugee empowerment and engagement with communities are at the heart of all our work, so we were delighted to support the wide-scale consultation with communities and refugees across Scotland. Their views are central to the direction and content of this strategy.

It is essential that all refugees arriving here, whether through the asylum process or resettled to Scotland, are treated with the same positive welcome, are able to understand and access their rights, and can thrive in their new homes. Statutory, third sector and community organisations all have a crucial role to play in making this happen.

Scottish Refugee Council is strongly committed to implementation of New Scots and to share our expertise of the last three decades with communities, as they provide a warm welcome and a new life to those who are seeking our protection.



# Vision

**For a welcoming Scotland where refugees and asylum seekers are able to rebuild their lives from the day they arrive.**

To achieve this vision, we will work to ensure that Scotland:

- Is a place of safety for everyone, where people are able to live free from persecution as valued members of communities.
- Enables everyone to pursue their ambitions through education, employment, culture and leisure activities.
- Has strong, inclusive and resilient communities, where everyone is able to access the support and services they need and is able to exercise their rights.
- Is a country that values diversity, where people are able to use and share their culture, skills and experiences, as they build strong relationships and connections.

**The New Scots strategy sees integration as a long-term, two-way process, involving positive change in both individuals and host communities, which leads to cohesive, diverse communities.**

The purpose of the New Scots strategy is to coordinate the efforts of organisations and community groups across Scotland involved in supporting refugees and asylum seekers. It provides a clear framework for all those working towards refugee integration and assists the work of all partners to make the best use of resources and expertise that are available across Scotland, by promoting partnership approaches, joined-up working and early intervention. This supports the vision of a welcoming Scotland, where people seeking protection from persecution and human rights abuses are able to settle and rebuild their lives in our communities.

# New Scots Approach

The New Scots strategy aims to support refugees and asylum seekers in Scotland's communities. This includes people who have been granted refugee status or another form of humanitarian protection; people seeking asylum; and those whose application for asylum has been refused, but who remain in Scotland. While international law does not distinguish between refugees and asylum seekers, there is a distinction in UK immigration legislation, which means they have different rights and entitlements.

The outcomes and actions that the strategy seeks to deliver are grounded in an approach that places refugees and asylum seekers at the heart of the communities in which they reside. As such, it recognises that, for approaches to integration to succeed, they must be about working in and with local communities, as well as with refugees and asylum seekers.

The strategy recognises that refugees and asylum seekers are not a homogenous group. Although they are all seeking, or have been granted, sanctuary in the UK, they each have their own needs and aspirations. Their backgrounds, cultures, ambitions, experience and skills should be celebrated and viewed as assets, which can support their integration.

There are five principles which form the New Scots approach:

## ***Integration From Day One***

The key principle of the New Scots strategy is that refugees and asylum seekers should be supported to integrate into communities from day one of arrival, and not just once leave to remain has been granted.

Integration is the long-term, two way process, which enables people to be included in society. Evidence shows that if people are able to integrate early, particularly into education and work, they make positive contributions in communities and economically.<sup>2</sup> As with the first New Scots strategy, the Indicators of Integration framework<sup>3</sup> underpin the holistic approach being taken. This framework recognises the whole person and the impact which interdependent factors can have on how a person feels, their health and wellbeing and their opportunity to participate in society and pursue their ambitions.

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2 [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/communication\\_action\\_plan\\_integration\\_third-country\\_nationals\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/communication_action_plan_integration_third-country_nationals_en.pdf)

3 Ager & Strang (2008) Understanding Integration: A Conceptual Framework; Journal of Refugee Studies (2008) 21 (2): 166-191: <https://academic.oup.com/jrs/article/21/2/166/1621262/Understanding-Integration-A-Conceptual-Framework> and Ager, A & Strang A (2004) 'Indicators of Integration. Final Report' Home Office Development and Practice Report 28: <http://webarchive.nationalarchives.gov.uk/20110218135832/http://rds.homeoffice.gov.uk/rds/pdfs04/dpr28.pdf>

## ***A Rights Based Approach***

The New Scots strategy aims to empower people to know about their rights and to understand how to exercise them.

We support refugees and asylum seekers because it is the right thing to do; people should be able to live safely and realise their human rights.

The strategy takes a holistic, human rights approach to integration that reflects both the formal international obligations the UK has and the long-standing commitment of successive Scottish Governments, and of local government in Scotland, to address the needs of refugees and asylum seekers on the basis of principles of decency, humanity and fairness.

## ***Refugee Involvement***

The New Scots strategy actively encourages refugees and asylum seekers to be involved in helping to shape the strategy and its delivery.

Over 700 refugees and asylum seekers participated in the engagement process to inform the development of this strategy in 2017. Their lived experience has been invaluable in identifying issues and actions which could support integration. Refugees and asylum seekers already engage directly with a range of services and activities run by New Scots partners, helping to build the knowledge and experience that partners bring to the strategy. The strategy will ensure that further opportunities are created for refugees, asylum seekers and communities to engage during implementation. The British Red Cross will establish an advisory group of people with lived experience. This will complement existing refugee forums, supported by the Scottish Refugee Council.<sup>4</sup>

## ***Inclusive Communities***

The New Scots strategy supports refugees, asylum seekers and our communities to be involved in building stronger, resilient communities, which enable everyone to be active citizens.

Integration is the process of people settling and being welcomed into a community, being able to access the services they need and to participate in society. The Indicators of Integration<sup>5</sup> framework recognises that integration involves positive change in both individual refugees and asylum seekers and the host communities to lead to cohesive, multi-cultural communities. The New Scots approach recognises that it is important that existing communities are supported and enabled to participate in refugee integration. Across Scotland there has been a substantial increase in the number of community groups working to welcome and support refugees in communities since 2015.

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<sup>4</sup> See Annex B for more detail on involving refugee and asylum seeker voices in New Scots implementation.

<sup>5</sup> Ager & Strang (2008) Understanding Integration: A Conceptual Framework; Journal of Refugee Studies (2008) 21 (2): 166-191, see: <https://academic.oup.com/jrs/article/21/2/166/1621262/Understanding-Integration-A-Conceptual-Framework> and <http://webarchive.nationalarchives.gov.uk/20110218135832/http://rds.homeoffice.gov.uk/rds/pdfs04/dpr28.pdf>

## **Partnership and Collaboration**

The New Scots strategy has been developed collaboratively to coordinate the efforts of organisations and community groups across Scotland involved in supporting refugees and asylum seekers.

The strategy has been built on a model of partnership working, led by the Scottish Government, COSLA and the Scottish Refugee Council. The strategy also draws on the support and expertise of many partners across public services, local authorities, the third sector, the private sector and community groups, who are all working together to achieve collective goals. This approach will continue throughout the implementation of the strategy.

## **Refugees and Asylum Seekers in Scotland**

Scotland has a long history of welcoming refugees and asylum seekers from all over the world. Refugees settled in Scotland from Europe during the first and second world wars and later from Vietnam, Bosnia, Kosovo and the Democratic Republic of Congo, among other places.

The Immigration and Asylum Act 1999<sup>6</sup> began a programme of dispersing people, who had made an application for asylum, across the UK. Glasgow has been the only asylum dispersal area in Scotland. The large majority of refugees living in Scotland have arrived through the asylum system rather than resettlement programmes.

In recent years, Scotland has welcomed refugees to communities across the country through the UK Government's Syrian Resettlement Programme and Vulnerable Children's Relocation Scheme. These programmes are led by local authorities, working together with local statutory and third sector partners. Local authorities have also resettled unaccompanied children brought to the UK from Europe under section 67 of the Immigration Act 2016. They also support other Unaccompanied Asylum Seeking Children (UASC), who have arrived in Scotland.

Some refugees arrive under Family Reunion rules to join family members who have refugee status and are already living in Scotland. Under EU law, asylum seekers in Europe, including unaccompanied children, also have rights to join family in the UK under the Dublin III regulation.<sup>7</sup>

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6 <https://www.legislation.gov.uk/ukpga/1999/33/contents>

7 <http://researchbriefings.files.parliament.uk/documents/CBP-7511/CBP-7511.pdf>

## Scotland's First New Scots Strategy

Scotland's first New Scots refugee integration strategy ran from 2014 – 2017. It recognised the value of partnership and established collaborative networks to make the best use of the resources and expertise available to support refugees and asylum seekers. Real progress was made in sharing good practice, identifying barriers to accessing services and raising awareness and understanding of refugees' and asylum seekers' experiences. The networks and partnerships, which the first strategy established, enabled the New Scots approach to be implemented through the direct work of organisations, as well as through collective effort. A final report of the progress made under the first New Scots strategy was published in March 2017.<sup>8</sup>

In 2015, the international humanitarian crisis saw the number of people forcibly displaced worldwide reach 65.3 million, including 4.9 million people newly displaced from Syria.<sup>9</sup> The first New Scots strategy placed Scotland in a strong position to respond. In October 2015, the UK Government made a commitment to resettle 20,000 Syrian refugees living in countries bordering Syria by 2020.<sup>10</sup> Scotland was quick to act, and the first Syrian refugees to arrive under the Syrian Resettlement Programme were welcomed in late 2015. All of Scotland's local authorities have volunteered to support resettlement of refugees from the Syrian conflict.

## New Scots 2018 – 2022

This second New Scots strategy builds on the first strategy and is also informed by engagement which took place across Scotland over the summer of 2017.<sup>11</sup> The development of the strategy has also benefited greatly from the knowledge and expertise of New Scots partner organisations and wider research. It is built on a foundation of collaboration, partnership and engagement, which will be crucial to successful implementation.<sup>12</sup> The strategy aims to be dynamic, so that it can adapt to changing political, policy or international contexts, which have an impact on refugees and asylum seekers living in Scotland.

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8 [www.gov.scot/newscotsfinalreport](http://www.gov.scot/newscotsfinalreport)

9 <https://s3.amazonaws.com/unhcrsharedmedia/2016/2016-06-20-global-trends/2016-06-14-Global-Trends-2015.pdf>

10 The programme was expanded in 2017 to include people of other nationalities, who had been displaced by the conflict in Syria.

11 See Annex A for more detail of the engagement process.

12 See Annex B for more detail on the New Scots implementation process.

New Scots partners have established four overarching outcomes, which this strategy will work to achieve.

- 1. Refugees and asylum seekers live in safe, welcoming and cohesive communities and are able to build diverse relationships and connections.**
- 2. Refugees and asylum seekers understand their rights, responsibilities and entitlements and are able to exercise them to pursue full and independent lives.**
- 3. Refugees and asylum seekers are able to access well-coordinated services, which recognise and meet their rights and needs.**
- 4. Policy, strategic planning and legislation, which have an impact on refugees and asylum seekers, are informed by their rights, needs and aspirations.**

The New Scots outcomes will be progressed through actions across seven themes. Engagement for the strategy found that the six themes established for the first strategy remain relevant. However, feedback also highlighted the crucial role of language for many elements of integration, from understanding information from public services to gaining employment and participating in community activities. A new language theme has, therefore, been added for this strategy, having previously been part of the education theme.

Actions for each theme are set out in the relevant chapter.

*For a welcoming Scotland where refugees and asylum seekers are able to rebuild their lives from the day they arrive.*



## Ensuring Equal Access

The New Scots refugee integration strategy recognises that people's personal characteristics and circumstances can have a significant impact on their journey and experience of settling in Scotland. The strategy takes a person-centred approach, grounded in equality legislation and policy,<sup>13</sup> which aims to benefit all refugees and asylum seekers, and their host communities.

The engagement feedback, as well as the experience of implementing the first strategy, has highlighted the needs of some refugees and asylum seekers in particular. **This does not diminish recognition of the needs of all those who have protected characteristics or specific vulnerabilities.**

### *Children and Young People*

Children and young people can arrive with their families through the asylum dispersal process and through refugee resettlement programmes, or they may arrive unaccompanied. Some of these children will have had traumatic experiences in their formative years. They may also have missed significant amounts of education, which can be challenging, particularly if they are having to learn a new language. The strategy recognises that children and young people may require additional support to access the services they need and opportunities to participate in society.

### *Women*

Refugee and asylum seeking women can face particular challenges, which limit or prevent their integration.<sup>14</sup> Women's experiences in their country of origin and during their asylum journey, such as gender based violence, can create fear of how they will be treated and can impact on their mental health. Women can also be particularly isolated for a number of reasons, including: lack of confidence; disrupted or no previous access to education; less time available, due to other caring responsibilities or lack of childcare; and family opposition to socialising, learning or working. The strategy will seek to ensure that the particular needs of women refugees and asylum seekers are better understood, and that appropriate action is taken to enable their participation in the work of New Scots.

### *LGBTI*

People seeking safety on the basis of their Lesbian, Gay, Bi-sexual, Transgender or Intersex (LGBTI) identity can face particular

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13 See Context chapter for more information about equality in Scotland.

14 [http://www.europarl.europa.eu/RegData/etudes/STUD/2016/556929/IPOL\\_STU\(2016\)556929\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/556929/IPOL_STU(2016)556929_EN.pdf)

challenges within the asylum process and as refugees.<sup>15,16</sup> Experiences in their country of origin and during the asylum journey can have a significant impact on wellbeing. They may also find it difficult to be open about their LGBTI identity with other people, authorities or services.<sup>17</sup> Unfamiliarity with language commonly used in Scotland to describe LGBTI identity can also prevent people articulating their identity or accessing support services and specialist advice. The strategy will seek to ensure that the issues faced by refugees and people claiming asylum on the basis of their sexual orientation or gender identity are understood, and that they are able to participate in society.

### **Location**

Engagement work undertaken to develop the strategy has highlighted the impact that geographical location can have on integration. The majority of refugees and asylum seekers in Scotland live in Glasgow. Public services across the city have developed specialist approaches through years of experience, and a range of community organisations and legal specialists is also based in the city.

Resettlement has brought refugees to communities across Scotland. Providing access to a wide range of services and support across the whole of Scotland can be challenging, particularly in more remote and rural areas. However, living in smaller communities can also be a benefit, with access to more personalised support and services within local communities. The strategy will place an emphasis on ensuring that essential services and support are accessible wherever refugees and asylum seekers live in Scotland.

### **Measuring Success**

It is important that work to implement the New Scots refugee integration strategy brings real change for refugees, asylum seekers and the communities that they live in, and that this change can be demonstrated. Progress will be assessed in relation to the New Scots vision and overarching outcomes and will be reported on annually.

The strategy aspires to use quantitative, as well as qualitative, data to measure improvements. However, there are many gaps in the data available, which makes it difficult to accurately report on improvements specifically for refugees and asylum seekers. Most general data sets do not identify refugees and asylum seekers, often for valid reason, and there is little data for areas such as community cohesion. A New Scots Evidence Group<sup>18</sup> has been established to advise on the best means of accessing or developing data sets to support measurement of the impact of the strategy.

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15 <https://www.equality-network.org/wp-content/uploads/2013/05/Sanctuary-Safety-and-Solidarity.pdf>

16 <https://www.stonewall.org.uk/resources/no-safe-refuge-2016>

17 [http://www.scottishrefugeecouncil.org.uk/assets/0000/8499/LGBTI\\_info\\_LoRes.pdf](http://www.scottishrefugeecouncil.org.uk/assets/0000/8499/LGBTI_info_LoRes.pdf)

18 See Annex B for more information about New Scots implementation structures, including the Evidence Group.

# Contributing to the New Scots strategy

There is a role for everyone in supporting integration. Many organisations and people across Scotland may not be directly involved in the implementation of the strategy, but can still contribute by welcoming and supporting people in communities. Organisations and community groups can use the information contained in the strategy to plan activity and service provision in a way which enables asylum seekers and refugees to participate.

Everyone can contribute to New Scots by showing support for refugees and asylum seekers. Simple ways to show support include:

- Being welcoming to refugees, asylum seekers and indeed anyone, who is new in the local community.
- Finding out more about refugees and asylum seekers, for example, by attending events like Refugee Festival Scotland, which is held in June each year.
- Volunteering. There are a number of organisations across Scotland, which welcome volunteers. Even if local opportunities do not directly engage with refugees and asylum seekers, it is still possible to contribute to the wider community. Opportunities can be found through Volunteer Scotland.<sup>19</sup>



Credit: North Lanarkshire Council

# Context

## International Human Rights Instruments

The human rights of refugees and asylum seekers are protected by various international human rights instruments. The Universal Declaration of Human Rights (UDHR),<sup>20</sup> adopted by the United Nations in 1948, proclaims the fundamental human rights to which all people are entitled. The rights were translated into binding obligations in international law through subsequent human rights treaties, including the International Covenant on Civil and Political Rights<sup>21</sup> and the International Covenant on Economic, Social and Cultural Rights.<sup>22</sup> These three instruments constitute what is known as the International Bill of Human Rights. The United Nations has subsequently adopted further human rights treaties, which address specific human rights challenges, including torture, racial and gender discrimination and the rights of children and disabled people.

The UN Convention on the Rights of the Child includes particular focus on child refugees. Article 22 (1) states:

“State Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by another person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.”

The UK was one of the first states to ratify the European Convention on Human Rights (ECHR)<sup>23</sup> in 1951, the Convention was given direct effect in domestic law through the Scotland Act 1998 and the Human Rights Act 1998. The Human Rights Act requires every public authority to act compatibly with the Convention rights and enables human rights cases to be taken in domestic courts. Individuals can bring complaints of human rights violations to the European Court of Human Rights, once all domestic possibilities of appeal have been exhausted.

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20 <http://www.un.org/en/universal-declaration-human-rights/>

21 <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

22 <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

23 [http://www.echr.coe.int/Documents/Convention\\_ENG.pdf](http://www.echr.coe.int/Documents/Convention_ENG.pdf)

Further legal protections for human rights and fundamental freedoms, including in relation to wider equality matters, exist in European Union law. These are set out in the Charter of Fundamental Rights<sup>24</sup> and in subject-specific Directives and other instruments.

Some of these protections will continue to be reflected in domestic law after the UK leaves the European Union, although the detailed impact remains difficult to predict.

## The Refugee Convention

The UK is a signatory to the 1951 UN Convention relating to the Status of Refugees (Refugee Convention)<sup>25</sup> and the supporting 1967 Protocol. The 1951 Convention is the key legal document defining who a refugee is, establishing the rights of refugees and setting out the responsibilities of signatory states.

Article 1(A) of the 1951 Convention defines a refugee as a person who:

**“Owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”**

According to international law, everyone who satisfies this definition is a refugee.

The 1951 Convention does not prescribe a specific mechanism through which states should determine refugee status. The recognition of refugee status is declaratory, not constitutive. This means that a person does not become a refugee because they are recognised; rather, they are recognised because they are a refugee.

Article 14 of the Universal Declaration on Human Rights states that everybody is entitled to seek and enjoy asylum. International law does not distinguish between refugees and asylum seekers, although states often do. A person who has not yet received a decision on their application is referred to as an asylum seeker or person seeking asylum.

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24 [http://ec.europa.eu/justice/fundamental-rights/charter/index\\_en.htm](http://ec.europa.eu/justice/fundamental-rights/charter/index_en.htm)

25 <http://www.unhcr.org/uk/3b66c2aa10>

The criteria for protection under the 1951 Convention are strict. States have recognised that a number of people who do not fall within the scope of the 1951 Convention may nevertheless be in need of protection. This kind of protection is known as ‘complementary protection’. People seeking protection in the UK may also be granted protection under Article 3 and Article 8 of the European Convention on Human Rights and afforded immigration leave.

## **Devolved and Reserved Matters – Scotland Act 1998**

Under current constitutional arrangements in the UK, certain matters are reserved and are the responsibility of the UK Government. The Scottish Government cannot make laws or decisions which affect these matters, and the New Scots strategy cannot directly address issues which are outside the scope of the Scottish Government, Scottish local authorities and other Scottish organisations.

Asylum is a matter reserved to the UK Government under Schedule 5 of the Scotland Act 1998.<sup>26</sup> This includes policy on asylum; the process of considering applications for asylum; the provision of asylum support and accommodation; and the operation of refugee resettlement programmes. The Home Office considers applications for recognition as a refugee and determines whether the 1951 Refugee Convention definition is satisfied.

Many of the services, which are essential to supporting refugees and asylum seekers to settle into communities, are devolved and are the responsibility of the Scottish Government and Scottish local authorities. This includes health, education, legal services (including legal aid) and housing (excluding asylum accommodation). However, there can be restrictions placed on accessing some of these services, where a person has no recourse to public funds.

## **Scottish Context**

A number of strategies and policies support different aspects of integration and day to day life for refugees and asylum seekers and complement the work of the New Scots strategy. While this context is not designed to be exhaustive, it highlights some of the key legislation, provisions and approaches, which will support the strategy during implementation.

**The National Performance Framework**<sup>27</sup> was introduced by the Scottish Government in 2007, and refreshed in 2011 and 2016. In the Purpose and National Outcomes, it sets out a clear, unified vision for Scotland and how actions will improve the quality of life for the people of Scotland.

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26 <https://www.legislation.gov.uk/ukpga/1998/46/schedule/5>

27 <http://www.gov.scot/About/Performance/scotPerforms>

**The Equality Act 2010**<sup>28</sup> prohibits direct and indirect discrimination, harassment and victimisation. It protects people from discrimination on the basis of the protected characteristics of: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. Everyone will have one or more of the protected characteristics, including refugees and asylum seekers. Therefore, while status as a refugee or an asylum seeker is not in itself a protected characteristic, they will benefit from the protection afforded.

**The Public Sector Equality Duty**<sup>29</sup> requires the Scottish Government and other public authorities to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people with different protected characteristics. Public authorities across Scotland must publish and report on Equality Outcomes. The Scottish Government's Equality and Mainstreaming Report 2017<sup>30</sup> outlines how the Scottish Government is working to progress equality as a policy maker.

**The Fairer Scotland Action Plan**<sup>31</sup> was launched in 2016. Based on five ambitions for 2030, the plan set out 50 concrete actions to reduce poverty and tackle inequality. Fairer Scotland work aims to benefit everyone, including refugees and asylum seekers, by reducing inequality. A progress report was published in November 2017.<sup>32</sup>

**The Race Equality Framework for Scotland**<sup>33</sup> was published in 2016, setting out a long-term ambition and approach to promoting race equality and tackling racism and inequality between 2016 and 2030. An independent Race Equality Framework Adviser was appointed to help implement the Framework, and an Action Plan published in December 2017 sets out the key actions that will drive positive change for Scotland's minority ethnic communities.<sup>34</sup>

**A Fairer Scotland for Disabled People**<sup>35</sup> sets out five long-term ambitions and over 90 cross-government commitments ranging from education and health to transport, with the aim of making life for disabled people in Scotland fairer. The delivery plan for these commitments has been shaped by the experiences of disabled people and the insights of disabled people's organisations. 20% of people living in Scotland have a long term limiting health problem or disability. This will include some refugees and asylum seekers. Refugees, who have come to Scotland through the UK Government's resettlement programmes, are selected based on UNHCR criteria for vulnerable groups. This includes refugees with medical needs or disabilities.

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28 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

29 Established under Chapter 1 of the Equality Act 2010: <http://www.legislation.gov.uk/ukpga/2010/15/part/11/chapter/1>

30 <http://www.gov.scot/Resource/0051/00517333.pdf>

31 <http://www.gov.scot/Publications/2016/10/9964>

32 <http://www.gov.scot/Resource/0052/00527488.pdf>

33 <http://www.gov.scot/Resource/0049/00497601.pdf>

34 <http://www.gov.scot/Resource/0052/00528746.pdf>

35 <http://www.gov.scot/Resource/0051/00510948.pdf>

**Equally Safe**<sup>36</sup> is Scotland's strategy for preventing and eradicating violence against women and girls. It aims to ensure women and girls live free from violence, abuse and the attitudes that help perpetuate it and covers domestic abuse, rape, sexual assault, forced marriage, female genital mutilation and prostitution. Many refugee and asylum seeking women and girls have faced these issues and may require specific support as they settle in Scotland.

**Scotland's National Action Plan to Prevent and Eradicate Female Genital Mutilation (FGM)**<sup>37</sup> recognises that FGM is a complex and often hidden form of abuse. It builds on work taking place across Scotland to bring best practice together and take all necessary steps to protect women and girls from harm. Under the Female Genital Mutilation (Scotland) Act 2005,<sup>38</sup> it is a criminal offence to have FGM carried out in Scotland or abroad. FGM does not solely impact refugee communities, but it can be a reason that women and families need to seek protection outside their country of origin.

**The Trafficking and Exploitation Strategy**<sup>39</sup> was published in 2017. It was a requirement of the Human Trafficking and Exploitation (Scotland) Act 2015,<sup>40</sup> which introduced a single offence for all kinds of trafficking for the first time and strengthened the existing law. It aims to make Scotland a hostile place for human trafficking, with the ambition to ultimately eliminate human trafficking and exploitation. The approach involves supporting and protecting victims, disrupting the activities of perpetrators and addressing the conditions which foster trafficking, both in Scotland and elsewhere. Refugees and asylum seekers may have been trafficked on their journey to the UK and can be vulnerable to exploitation by traffickers and others as they seek safety.

**Hidden Lives - New Beginnings**<sup>41</sup> was published by the Scottish Parliament's Equalities and Human Rights Committee in May 2017, following its Inquiry into Destitution, Asylum and Insecure Immigration Status in Scotland. The Scottish Government responded formally to the Committee in July 2017<sup>42</sup> and committed to ensuring that issues in relating to refugees and asylum seekers, that are within scope, will be taken forward by the New Scots strategy.

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36 <http://www.gov.scot/Resource/0045/00454152.pdf>

37 <http://www.gov.scot/Resource/0049/00493752.pdf>

38 <https://www.legislation.gov.uk/asp/2005/8/contents>

39 <http://www.gov.scot/Resource/0051/00518587.pdf>

40 <http://www.legislation.gov.uk/asp/2015/12/contents/enacted>

41 <https://digitalpublications.parliament.scot/Committees/Report/EHRIC/2017/5/22/Hidden-Lives---New-Beginnings--Destitution--asylum-and-insecure-immigration-status-in-Scotland>

42 [http://www.parliament.scot/S5\\_Equal\\_Opps/Inquiries/Scottish\\_Government\\_Response\\_to\\_Hidden\\_Lives\\_New\\_Beginnings\\_20170721.pdf](http://www.parliament.scot/S5_Equal_Opps/Inquiries/Scottish_Government_Response_to_Hidden_Lives_New_Beginnings_20170721.pdf)

**Tackling Prejudice and Building Connected Communities**<sup>43</sup> set out a programme of work to tackle hate crime and build community cohesion in response to the recommendations made by the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion.<sup>44</sup> Some refugees and asylum seekers experience hate crime. Work to tackle all hate crime across Scotland should benefit refugees and asylum seekers, helping them to feel safer and less isolated within their communities.

**The Children and Young People (Scotland) Act 2014**<sup>45</sup> placed in statute key elements of **Getting It Right For Every Child (GIRFEC)**.<sup>46</sup> GIRFEC is Scotland's national approach to improving the wellbeing of children and supports children, young people and their parents to work in partnership with the services that can help them. This includes refugee and asylum seeking children and their families and ensures that they are able to access the services they require to settle in Scotland. The Act also provides access to services for Unaccompanied Asylum Seeking Children (UASC) as care leavers. Local authorities provide accommodation and support through and beyond their asylum application, including access to education, ESOL (English for Speakers of Other Languages) and other services, which supports integration into their local communities.

**The Children (Scotland) Act 1995**<sup>47</sup> requires local authorities and other public bodies to become corporate parents for unaccompanied children and young people, with statutory duties to safeguard them and support them towards positive destinations and independence under section 25 of the Act. This includes UASC, who are cared for by the local authority where they first arrive.

**The Scottish Guardianship Service (SGS)** was set up in 2010 to support UASC. It is funded by the Scottish Government and provided by Aberlour Child Care Trust and the Scottish Refugee Council. Its main aim is to provide advice and support to the unaccompanied child and the local authority, as the child navigates the asylum and trafficking processes. The SGS also assists with the integration of the child into their community, school and new friendship networks. The Human Trafficking and Exploitation (Scotland) Act 2015<sup>48</sup> set out a statutory service to provide for the role of the Independent Child Trafficking Guardian (ICTG). The ICTG will be introduced in 2018 and will supersede the current SGS service model.

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43 <http://www.gov.scot/Publications/2017/06/1336>

44 <http://www.gov.scot/Resource/0050/00506074.pdf>

45 <http://www.legislation.gov.uk/asp/2014/8/contents/enacted>

46 <http://www.gov.scot/Topics/People/Young-People/gettingitright>

47 <https://www.legislation.gov.uk/ukpga/1995/36/contents>

48 <http://www.legislation.gov.uk/asp/2015/12/contents/enacted>



# Needs of Asylum Seekers

**“Everyone has the right to seek and enjoy in other countries asylum from persecution.”**

Article 14 (1) Universal Declaration of Human Rights

The majority of people who reach the UK seeking safety from violence, war and persecution need to apply to be recognised as refugees when they arrive. This is called an asylum application. Many of the people seeking asylum in the UK arrive with few or no possessions and are destitute. They have no access to welfare benefits. However, the UK Government has a statutory duty under the Immigration and Asylum Act 1999<sup>49</sup> to provide destitute asylum seekers with financial support and housing, if they do not have the means to support themselves and have nowhere else to stay. The 1999 Act established a ‘dispersal’ system, whereby destitute asylum seekers are housed in different parts of the UK on a no-choice basis, while their claims for protection are being assessed. Asylum seekers, who have the means to do so, must fund themselves and source their own accommodation during this process.

Asylum policy is reserved to the UK Government, and it has control over arrangements for the accommodation and financial support of asylum seekers, and the assessment of their claims for asylum. However, the Scottish Government has control over a range of matters that relate directly to the asylum process. Since the dispersal of asylum seekers to Scotland began, successive administrations at Holyrood have taken the position that integration should begin from the day an asylum seeker arrives in Scotland, and devolved services should, therefore, be organised to deliver this. This approach also reflects the wider commitment of the Scottish Government and all public bodies in Scotland to promoting equality of opportunity and social justice for everyone living here.

Glasgow is currently the only local authority area in Scotland where ‘dispersed’ asylum seekers are housed. Approximately 10% of the UK’s dispersed asylum population is accommodated in Glasgow. A small number of people, who do not require asylum accommodation, live in different local authority areas across Scotland. Between 2000 and 2011, Glasgow City Council had a contractual agreement with the Home Office to accommodate and support asylum seekers, who had been dispersed to Scotland. Following a new tendering process, the contract for delivery of this service was awarded to Serco in 2012. This contract, known as COMPASS, ends in 2019. A tendering process is currently underway for the provision of accommodation and associated services from 2019.

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49 <http://www.legislation.gov.uk/ukpga/1999/33/part/VI>

The COMPASS contract allows for accommodation to be provided in other local authority areas in Scotland, and not just in Glasgow. However, Serco is required to consult with COSLA Strategic Migration Partnership and relevant local authorities about the opening up of any new dispersal areas. At the end of 2017, no new local authorities have agreed to become involved.

Services in Glasgow have adapted well to the needs of refugees and asylum seekers. The city has also benefited from increased cultural diversity and a younger demographic profile – Glasgow now has a growing and relatively young population, and the arrival of migrants in general, and asylum seekers specifically, has played a significant role in this regard. However, asylum seekers face many challenges. Most asylum seekers have been separated from loved ones abroad and continue to have significant concerns for their safety and wellbeing. The New Scots strategy recognises the need for a specific focus on supporting people through the asylum process to enable them to begin to rebuild their lives in a place of safety. They should be able to access support and services, feel safe and establish friendships and connections in their local communities. They should also have a positive experience of living in Scotland, which better equips them for the next stage of their lives, regardless of the outcome of their application.

## **Key issues identified through New Scots engagement**

A great deal of feedback was received during the New Scots engagement that took place during Summer 2017 and a more detailed analysis of this will be published in 2018. However, some of the broad themes raised, which are relevant to the needs of asylum seekers, include:

1. The challenges that asylum seekers have in navigating the complexities and restrictions associated with the asylum process and asylum support system, and the impact that this can have on their integration.
2. The need for asylum seekers to be supported through the various stages of the asylum process, including through advocacy support, and for services to be tailored to support them. This should include consideration of how to mitigate particular vulnerabilities that can be faced throughout the asylum journey, including the pre-claim and post-decision periods.
3. The need for careful consideration of questions around the quality and location of asylum accommodation, in order that asylum seekers are safe and secure and are able to access the support and services that they require.

## Objectives and Actions

Objectives and actions for each theme contribute to the overarching New Scots outcomes. New Scots is designed to be a dynamic strategy, which is able to adapt to new and emerging issues. New actions will be developed during implementation. The following initial actions set out the work related to the needs of asylum seekers which will be progressed in the first instance:

New Scots Outcome	Objective: what we want to achieve	Action: what we will do
<p><b>2. Refugees and asylum seekers understand their rights, responsibilities and entitlements, and are able to exercise them to pursue full and independent lives.</b></p>	<p>Asylum seekers are supported to understand the asylum system and their rights and entitlements throughout the process, and are able to engage with services and systems accordingly.</p>	<p>Review and assess the effectiveness of information and support, including advocacy support, provided to or needed by asylum seekers.</p>
		<p>Identify how interpretation and translation services can be improved to better meet the needs of asylum seekers.</p>
		<p>Ensure that asylum seekers better understand and exercise their rights around access to travel support, where that is provided, and identify and seek to address any particular challenges for asylum seekers in this regard.</p>
<p><b>3. Refugees and asylum seekers are able to access well-coordinated services, which recognise and meet their rights and needs.</b></p>	<p>Services supporting asylum seekers are accessible, well-coordinated and responsive to the needs of asylum seekers, and support their integration into Scotland's communities.</p>	<p>Produce an up to date picture of the services and processes that support asylum seekers by building on previous work on mapping the asylum journey.</p>
		<p>Build a better understanding of the needs of asylum seekers and the particular challenges that they face by identifying, gathering and sharing relevant data in relation to asylum in Scotland.</p>
		<p>Work to address gaps that are identified in service provision and referral processes.</p>
<p>Share and roll out, as appropriate, best practice in service provision from elsewhere in the UK and beyond.</p>		

<b>New Scots Outcome</b>	<b>Objective:</b> what we want to achieve	<b>Action:</b> what we will do
<p><b>4. Policy, strategic planning and legislation, which have an impact on refugees and asylum seekers, are informed by their rights, needs and aspirations.</b></p>	<p>Policy, strategic planning and legislation in relation to asylum are informed by the needs and aspirations of asylum seekers and local communities.</p>	<p>Inform and influence the Home Office consultation and tendering process, in relation to the new asylum accommodation and advice contracts.</p>
		<p>Work collaboratively with the successful bidder(s) after the awarding of the new asylum accommodation and advice contracts.</p>
		<p>Inform and influence strategic planning around the widening of dispersal, and share expertise and learning with local authorities that agree to, or are considering, involvement.</p>
		<p>Examine the implications of the Immigration Act 2016 and other UK and Scottish legislation that impacts asylum seekers and respond accordingly.</p>
		<p>Support the response to the Scottish Parliament’s Equalities and Human Rights Committee Inquiry and report into destitution, that are relevant to asylum seekers.</p>
		<p>Support the engagement of asylum seekers in policy formulation and in the strategic planning and development of services for them.</p>



# ORIENT SALON

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# Employability and Welfare Rights

“**Everyone has a right to work**, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.”

Article 23 (1) Universal Declaration of Human Rights

“**Everyone, as a member of society, has the right to social security** and is entitled to realisation, through national effort and international cooperation and in accordance with the organisation and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.”

Article 22 Universal Declaration of Human Rights

People who are recognised as refugees, or have been granted other forms of humanitarian protection status, have the right to work in the UK.

Asylum seekers do not have an automatic right to work, while their asylum case is being considered. If an application has not received an initial decision after twelve months, the applicant can request permission to work from the Home Office. If permission to work is granted, any job taken up must be included on the list of shortage occupations published by UK Visas and Immigration.<sup>50</sup> Some asylum seekers may be granted discretionary leave status, which gives them the right to work.

Access to work is a key marker of integration for refugees.<sup>51</sup> However, there can be significant barriers, which prevent refugees gaining employment or which lead to them being underemployed. For instance, refugees can face a particular barrier in accessing meaningful employment and careers, which match their skills, due to lack of recognition of overseas qualifications, skills and learning. This is particularly challenging for refugees, who may not have the necessary documentary evidence of their previous learning and qualifications or whose education has been interrupted.<sup>52</sup> Additional barriers can include issues relating to: understanding of the UK job market, including how to look for work and job application skills; accreditation or technical requirements for particular professions;

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50 <https://www.gov.uk/government/publications/working-whilst-an-asylum-claim-is-considered/working-in-the-uk-whilst-an-asylum-case-is-considered>

51 [https://ec.europa.eu/info/sites/info/files/file\\_import/ip033\\_en\\_2.pdf](https://ec.europa.eu/info/sites/info/files/file_import/ip033_en_2.pdf)

52 [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/communication\\_action\\_plan\\_integration\\_third-country\\_nationals\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/communication_action_plan_integration_third-country_nationals_en.pdf)

English language skills; and confidence to return to work following forced absence. The perception of employers in relation to these issues can also create a barrier, which limits opportunities for refugees to enter the workforce and start to rebuild their skills and confidence.

Refugees often bring a range of skills and experience, which can be a real asset to employers, some of which may be scarce in Scotland. For example, the British Council's *Languages for the Future* report,<sup>53</sup> identified the languages, which will be most vital to the UK over the next few decades, based on economic and educational factors, including the needs of UK businesses and overseas trade targets. Of the top ten languages, four were languages commonly spoken by refugee communities in Scotland (Arabic, French, Mandarin Chinese and Turkish).

The final report<sup>54</sup> of the Holistic Integration Service identified that refugees were strongly motivated to develop their independence as quickly as possible. A key component of this was to gain paid employment, which gives them freedom from financial dependence. Many of the integration service beneficiaries showed strong ambition and drive to achieve in their careers. Many people were willing to start in unskilled work, but retained focus on improving their position, often with well-developed plans to achieve their aspirations, including a number of people who were interested in owning their own business.

The Scottish Government and local government have a long-term focus on supporting people, who need help to access the labour market. Employability is a key priority, which recognises the role of other services, such as education, community learning and development, social care, planning and economic development functions. A range of interventions to support efforts to reduce unemployment and grow the economy are funded by the Scottish Government and local government. The Scottish Government is also responsible for skills development and the alignment of skills and employability. Post-16 educational reforms place strong weight on meeting employers' needs and improving employability of individual learners. Partners, such as Skills Development Scotland (SDS), deliver a wide range of guidance and employability support to people of all ages entering the workforce, including access to Modern Apprenticeships. People with refugee or humanitarian protection status can participate in Modern Apprenticeships.<sup>55</sup> SDS have developed an Equalities Action Plan for Modern Apprenticeships in Scotland<sup>56</sup> to address issues of access and broaden participation and also have a legal responsibility to offer enhanced Career Management Skills support to all young people who are care experienced up to the age of 26.

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53 <https://www.britishcouncil.org/sites/default/files/languages-for-the-future-report.pdf>

54 [http://www.scottishrefugeecouncil.org.uk/assets/0001/1142/Full\\_Integration\\_Report\\_June\\_2016.pdf](http://www.scottishrefugeecouncil.org.uk/assets/0001/1142/Full_Integration_Report_June_2016.pdf)

55 <https://www.apprenticeships.scot/become-an-apprentice/modern-apprenticeships/>

56 [https://www.skillsdevelopmentscotland.co.uk/media/40691/2869\\_sds\\_equalities\\_action\\_plan\\_digital\\_v7.pdf](https://www.skillsdevelopmentscotland.co.uk/media/40691/2869_sds_equalities_action_plan_digital_v7.pdf)

Refugees living in Scotland are entitled to access entrepreneurial support initiatives. Realising entrepreneurial ambition can be more complicated than some newly recognised refugees expect, not least because of the need for initial capital and to understand business regulations in Scotland. However, with the right levels of support, refugees have demonstrated that business ownership can be a viable option. Business Gateway offices across Scotland provide business support services and impartial advice to people starting or running a business, and can help find funding, explain regulations, and signpost access to other local authority and Enterprise Agency services.<sup>57</sup> Scotland CAN DO<sup>58</sup> sets out an ambition for Scotland to become a world-leading entrepreneurial and innovative nation: a CAN DO place for business. The Social Enterprise Action Plan<sup>59</sup> is committed to providing support to budding social entrepreneurs. The Scottish Government's Social Entrepreneurs Fund has provided seed funding to help social enterprises get started since 2009.<sup>60</sup>

Refugees and asylum seekers have the right to volunteer. Volunteering can offer some of the same benefits that working provides including: opportunities to use and develop skills; a sense of purpose; and links to other people in the community. Volunteering can also be beneficial as a way of increasing employability, by gaining experience which could ultimately support a job application. The Volunteer Support Fund, distributed by the Voluntary Action Fund, helps local community grassroots organisations to support and promote volunteering among a variety of groups, with a focus on engaging volunteers from disadvantaged groups.

Refugees have the right to access welfare benefits. Support for people seeking employment, in terms of support into work and access to benefits, remains reserved to the UK Government. This includes welfare benefits, including Jobseeker's Allowance (JSA), Employment Support Allowance (ESA) and Universal Credit, which will replace JSA and ESA as well as other benefits. While some social security powers are being devolved to the Scottish Government, all employment related and income replacement benefits remain reserved to the UK Government.

Some contracted employment support powers were devolved to the Scottish Government in April 2017. The service will offer person-centred, tailored support to those participating, based on an in-depth assessment of their skills and support needs. Participation in devolved employment support programmes is wholly voluntary and does not use conditionality or benefit sanctions. From April 2018, Fair Start Scotland (FSS), the Scottish Government's devolved employment service, will commence across Scotland. FSS providers are required to recognise the specific support needs of people from minority ethnic communities and be sensitive to cultural issues which affect them, particularly women and refugees. As good practice emerges from the delivery of the service, this will be shared across contract areas.

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57 <http://www.bgateway.com/>

58 <http://www.cando.scot/>

59 <http://www.gov.scot/Resource/0051/00516611.pdf>

60 <http://www.firstport.org.uk/funding>

It can be challenging for refugees to navigate the complexities of the benefits system, and it will be critical to ensure that their needs are taken into account within systems and processes. The Scottish Government is committed to a rights based approach as the cornerstone of the new social security system, guided by principles of fairness, dignity and respect.

## **Key issues identified through New Scots engagement**

A great deal of feedback was received during the New Scots engagement that took place during Summer 2017, and a more detailed analysis of this will be published in 2018. However, some of the broad themes raised, which are relevant to employability and welfare rights, include:

1. Recognition and accreditation of overseas qualifications, skills and learning. Refugees, who have achieved qualifications in their country of origin, or have experience and skills from work in a particular profession, have indicated that these are not always recognised by employers here.
2. Concerns were raised that employers' perceptions of refugees can limit opportunities and success for refugees in gaining employment. There is a lack of opportunities to gain experience in the UK, particularly through work placements and work shadowing, which could lead to paid employment or provide references for job applications.
3. Refugees' lack of understanding of the labour market, pathways to employment and their options, including vocational training and apprenticeships, can limit their opportunities to gain meaningful employment, which makes best use of their skills.

## Objectives and Actions

Objectives and actions for each theme contribute to the overarching New Scots outcomes. New Scots is designed to be a dynamic strategy, which is able to adapt to new and emerging issues. New actions will be developed during implementation. The following initial actions set out the work related to employability and welfare rights, which will be progressed in the first instance:

New Scots Outcome	Objective: what we want to achieve	Action: what we will do
<p><b>2. Refugees and asylum seekers understand their rights, responsibilities and entitlements, and are able to exercise them to pursue full and independent lives.</b></p>	<p>Refugees are supported to move on from asylum support within the 28-day move-on period, by ensuring that benefits are in place when asylum support ends.</p>	<p>Support the Home Office and Department for Work and Pensions (DWP) in the evaluation and development of the '28 Day Move On' pilot to facilitate speedier access to welfare benefits.</p>
		<p>Work with appropriate agencies to review the processes in place to access welfare benefits for all those granted 'leave to remain', aged 16 and over, and to help refugees obtain the support they are entitled to.</p>
		<p>Provide information on post decision processes to successful asylum applicants in their own language.</p>
	<p>Refugees are better able to understand and articulate their skills and competencies to support them to secure employment.</p>	<p>Offer all new refugees access to information and advice on their rights, choices and options available, in relation to employability, welfare and benefits.</p>
		<p>Develop opportunities for refugees to build and develop their skills, through volunteering, work placements or work shadowing.</p>
		<p>Develop guidance and good practice on the development of Personal Integration Plans for refugees, to outline goals and aspirations.</p>

<b>New Scots Outcome</b>	<b>Objective:</b> what we want to achieve	<b>Action:</b> what we will do
<p><b>3. Refugees and asylum seekers are able to access well-coordinated services, which recognise and meet their rights and needs.</b></p>	<p>Refugees can build their skills, secure employment and gain financial independence.</p>	<p>Support development of a model for a recognition and accreditation process to identify prior qualifications, skills and learning, and develop sector specific employment pathways.</p>
		<p>Improve availability and access to appropriate ESOL provision. Support ESOL providers to improve links with vocational training providers.</p>
		<p>Work with employability and welfare service providers to improve understanding of refugees' skills, and support better use of the claimant commitment.<sup>61</sup></p>
	<p>Refugees can access services designed to support entrepreneurialism and establish businesses.</p>	<p>Develop pathways for refugees to realise entrepreneurial skills and talents, and make best use of business development services.</p>
<p><b>4. Policy, strategic planning and legislation, which have an impact on refugees and asylum seekers, are informed by their rights, needs and aspirations.</b></p>	<p>Policy, strategic planning and legislation in relation to welfare are informed by the needs and aspirations of refugees and asylum seekers.</p>	<p>Influence future devolved welfare powers to address the needs of refugees and asylum seekers.</p>

<sup>61</sup> A Claimant Commitment sets out what claimants have agreed to do to prepare for and look for work, or to increase earnings if already working. It will be based on personal circumstances and will be reviewed and updated on an on-going basis. <https://www.gov.uk/government/publications/universal-credit-and-your-claimant-commitment-quick-guide/universal-credit-and-your-claimant-commitment>



Credit: Erin and Sean at Your Voice

# Housing

**“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”**

Article 25 (1) Universal Declaration of Human Rights

Under the Immigration and Asylum Act 1999, the Home Office has a duty to provide asylum seekers with accommodation, if they have nowhere else to stay while their claim is assessed. This is provided through regional accommodation contracts in asylum dispersal areas throughout the UK. Glasgow has been the only dispersal area in Scotland since this approach was established in 1999.

Asylum seekers can put their name on a social housing list, while their application for asylum is being considered, but they cannot be allocated accommodation until they have been granted refugee status. However, once a person has received refugee status, they have the same rights to access housing as anyone legally resident in Scotland.

The Scottish Government’s vision for housing is that all people in Scotland live in high quality sustainable homes that they can afford and that meet their needs. Homes Fit for the 21<sup>st</sup> Century<sup>62</sup> sets out the Scottish Government’s strategy and action plan for housing to 2020. This includes an ambition to increase the number of homes in Scotland; offer different and flexible tenures for economic growth, social mobility and strengthened communities; and improve housing standards.

There is a range of tenure options in Scotland: owner-occupied properties; the private rented sector; council housing; and housing association properties. Scotland has a housing options approach. This means that when a person approaches a local authority with a housing problem, they will be advised about their housing options in the widest sense, to make them aware of the choices available to them. There are five regional housing options hubs working across Scotland to develop housing options, through a combination of sharing practice, commissioning joint training and research.

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62 <http://www.gov.scot/resource/doc/340696/0112970.pdf>

Social landlords<sup>63</sup> have a duty under the Equality Act 2010 and the Housing (Scotland) Act 2001 to promote equal opportunities and to ensure that all people, including refugees, receive fair access to their housing and housing services.

Scotland has among the strongest rights in Europe for people facing homelessness. In Scotland, a refugee is not considered to have formed a local connection with the local authority area where they lived in dispersal accommodation. This makes it easier for newly recognised refugees in Scotland to seek homelessness assistance from any Scottish local authority. Priority need was abolished in 2012, meaning that a new refugee, if homeless, can access assistance without having to demonstrate that they are particularly vulnerable. Housing benefit, administered by the local authority, provides the means for most new refugees to cover the cost of their new home.

Local authorities and housing associations have a duty to provide assistance to disabled tenants to help them to live safely at home. The assistance may be in the form of equipment and/or adaptations. The Scottish Social Housing Charter<sup>64</sup> describes what tenants can expect from social landlords. The Charter contains outcomes covering, among other things, equalities and access to housing and support.

Some refugees and asylum seekers find themselves homeless and face many barriers in accessing services. A short life Homelessness and Rough Sleeping Action Group<sup>65</sup> has been established to eradicate rough sleeping and transform temporary accommodation. The needs of refugees and asylum seekers will be considered as part of this. It is supported by a five year £50 million Ending Homelessness Together fund and will make recommendations to the Scottish Government early in 2018.

## Key issues identified through New Scots engagement

A great deal of feedback was received during the New Scots engagement that took place during Summer 2017, and a more detailed analysis of this will be published in 2018. However, some of the broad themes raised, which are relevant to housing, include:

1. Availability of appropriate housing. This included the location of housing, where this is in already deprived areas, and far from services which refugees and asylum seekers need to access. The poor quality of some housing and its suitability was a key concern.
2. Refugees and asylum seekers feeling safe in their own home was raised as a key concern. Engagement feedback included accounts of racial harassment, threats of violence and intimidation from neighbours and people in their local area. Some refugees and asylum seekers indicated a fear to report issues or concerns to their housing provider, in case they lose their housing. Asylum seekers raised concerns about risks when allocated accommodation with strangers, who may be prejudiced against them. The LGBTI community in particular highlighted incidents of being accommodated with people, who are homophobic.

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63 Local authorities, housing associations and housing cooperatives.

64 <http://www.gov.scot/Resource/0051/00515058.pdf>

65 <https://beta.gov.scot/groups/homelessness-and-rough-sleeping-action-group/>

- Support and advocacy to help people to access their housing options and in setting up home. This included issues around rights and responsibilities; information about how to set up utilities and services; and support to move and to furnish new homes.

## Objectives and Actions

Objectives and actions for each theme contribute to the overarching New Scots outcomes. New Scots is designed to be a dynamic strategy, which is able to adapt to new and emerging issues. New actions will be developed during implementation. The following initial actions set out the work related to housing, which will be progressed in the first instance:

New Scots Outcome	Objective: what we want to achieve	Action: what we will do
<p><b>1. Refugees and asylum seekers live in safe, welcoming and cohesive communities and are able to build diverse relationships and connections.</b></p>	<p>Refugees are able to fully access support to settle in their new home, and as a result are able to settle and integrate successfully.</p>	<p>Improve refugee and asylum seeker access to support, advice and advocacy from the third sector and community to help with settling and orientation in their new homes and communities.</p>
		<p>Ensure that housing services that work with refugees and asylum seekers are aware of safe reporting methods, and are using third party hate crime reporting to increase the numbers of people reporting hate crime.</p>
		<p>Start dialogue with LGBTI organisations in regard to particular issues faced by LGBTI refugees and asylum seekers, and raised through the New Scots engagement process in relation to accommodation and issues of safety.</p>

New Scots Outcome	Objective: what we want to achieve	Action: what we will do
<p><b>2. Refugees and asylum seekers understand their rights, responsibilities and entitlements, and are able to exercise them to pursue full and independent lives.</b></p>	<p>A range of suitable housing options is available to refugees in Scotland.</p>	<p>Ensure that Housing Hubs make housing options information easily accessible to refugees and asylum seekers within all local authority areas, to enable refugees to better understand and exercise their housing rights and options.</p>
	<p>New refugees are supported to move from asylum accommodation to a more permanent home, during the 28-day period, by agencies working together to ensure they are aware of their long-term options and are not left without somewhere to live.</p>	<p>Continue to build on partnerships with Registered Social Landlords (RSLs)<sup>66</sup> in Glasgow, including the possibility of transferring tenancy agreements to allow new refugees to remain in their asylum accommodation.</p>
		<p>Build partnerships with local authorities and RSLs outside Glasgow to open up alternative routes into settled housing.</p>
		<p>Develop an ‘Exit Pack’ for new refugees, to ensure they know how to access services to set up their new home.</p>
<p><b>3. Refugees and asylum seekers are able to access well-coordinated services which recognise and meet their rights and needs.</b></p>	<p>Refugees are supported to understand the full range of housing options available to them and as a result are able to make the best possible choice for them.</p>	<p>Include information on best practice working with refugees and asylum seekers within the housing options training toolkit.</p>
		<p>Promote the Scottish Refugee Council’s Housing Practitioners’ Guide to Integrating Asylum Seekers and Refugees throughout Scotland’s housing providers.</p>
		<p>Start dialogue with LGBTI organisations in regard to particular issues faced by LGBTI refugees and asylum seekers, and raised through the New Scots engagement process in relation to accessing suitable accommodation and support.</p>
<p>Refugees are able to fully access support to settle in their new home, and as a result are able to settle and integrate successfully.</p>	<p>Share best practice and develop approaches to service delivery to improve refugee and asylum seeker access to support from the third sector and community, to help with settling and orientation in their new home and area.</p>	

66 Housing associations or housing cooperatives that are registered with the Scottish Housing Regulator.



# Education

**“Everyone has the right to education.** Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.”

Article 26 (1) Universal Declaration of Human Rights

## *Children and young people*

Education is devolved to the Scottish Government, and Scotland has its own curriculum framework and distinctive school qualifications. It is the right of every child of school age to be provided with a school education,<sup>67</sup> and local authorities must make available a mandatory amount of early learning and childcare for pre-school children in their area.<sup>68</sup> These rights belong to all children and young people, including those who are refugees and asylum seekers.

Diversity and equality are at the heart of policies that underpin school education such as: Curriculum for Excellence;<sup>69</sup> Additional Support for Learning;<sup>70</sup> the Scottish Attainment Challenge;<sup>71</sup> Getting it Right for Every Child;<sup>72</sup> and Developing the Young Workforce.<sup>73</sup> These policies enable children and young people to get the support they need to achieve their full potential. For example, the Additional Support for Learning framework entitles children and young people, who do not speak English, to support to help them overcome barriers to learning in school. Curriculum for Excellence provides a framework for teachers to provide learning in the ways which best meet the needs of individual children, ensuring there remains a focus on development and wellbeing of children, as well as academic achievement.

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67 <https://www.legislation.gov.uk/asp/2000/6>

68 <http://www.legislation.gov.uk/asp/2014/8>

69 <http://www.gov.scot/Topics/Education/Schools/curriculum>

70 <http://www.gov.scot/Topics/Education/Schools/welfare/ASL>

71 <http://www.gov.scot/Topics/Education/Schools/Raisingeducationalattainment>

72 <http://www.gov.scot/Topics/People/Young-People/gettingitright>

73 [https://education.gov.scot/scottish-education-system/policy-for-scottish-education/policy-drivers/Developing%20the%20Young%20Workforce%20\(DYW\)](https://education.gov.scot/scottish-education-system/policy-for-scottish-education/policy-drivers/Developing%20the%20Young%20Workforce%20(DYW))

The Scottish Government and local authorities are committed to delivering excellence and equity in Scottish education through a focus on raising attainment for all children and young people, and closing the gap in attainment between Scotland's least and most disadvantaged young people. The 2017 National Improvement Framework and Improvement Plan<sup>74</sup> is designed to ensure children and young people develop a broad range of skills and capacities, while supporting them to thrive, regardless of their social circumstances or additional needs. The Attainment Scotland Fund<sup>75</sup> provides targeted funding of £750 million over the lifetime of the current Scottish Parliament to children and young people living in poverty. It is intended to have a significant impact on the lives of children and young people affected by poverty, including refugee and asylum seeking children.

### **Post-school education**

The Scottish Government's vision for all adults is that:

“By 2020, Scotland's society and economy will be stronger because more of its adults are able to read, write and use numbers effectively, in order to handle information, communicate with others, express ideas and opinions, make decisions and solve problems, as family members, workers, citizens and lifelong learners.”<sup>76</sup>

Refugees are entitled to access further and higher education on the same basis as anyone legally resident in Scotland. Unlike the rest of the UK, refugees and people with humanitarian protection status, who meet the residency criteria laid out in legislation,<sup>77</sup> can apply to have tuition fees paid by the Student Awards Agency for Scotland, if they are studying full time for a first degree or equivalent.

The Scottish Funding Council (SFC) waives fees for asylum seekers attending college to study part-time or non-advanced courses.<sup>78</sup> This also applies to full or part-time English for Speakers of Other Languages (ESOL) courses. There is no legal restriction on asylum seekers accessing higher education. If they meet the academic requirements, they can be offered places to study. However, they will need to support themselves financially or secure a scholarship or bursary, as they are not eligible to apply for student support.

Refugees and asylum seekers can study at postgraduate level. Refugees and students with humanitarian protection status, who meet the residency criteria, can apply for student support. However, asylum seekers will need to be able to support themselves financially or secure a scholarship or bursary to cover the costs of tuition and living expenses.

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74 <http://www.gov.scot/Resource/0051/00511513.pdf>

75 <http://www.gov.scot/Resource/Doc/339854/0112382.pdf>

76 <http://www.gov.scot/Resource/Doc/339854/0112382.pdf>

77 The Students' Allowances (Scotland) Regulations 2007: <http://www.legislation.gov.uk/ssi/2007/153/schedule/1/made>, The Education (Student Loans) (Scotland) Regulations 2007: <http://www.legislation.gov.uk/ssi/2007/154/schedule/1/made>, and The Education (Fees) (Scotland) Regulations 2011: <http://www.legislation.gov.uk/ssi/2011/389/contents/made>

78 [http://www.sfc.ac.uk/web/FILES/GUI\\_SFCD082015\\_Feewaivergrantpolicy201516/SFCGD082015\\_Fee\\_Waiver\\_Grant\\_policy\\_2015-16\\_Flowchart\\_annex.pdf](http://www.sfc.ac.uk/web/FILES/GUI_SFCD082015_Feewaivergrantpolicy201516/SFCGD082015_Fee_Waiver_Grant_policy_2015-16_Flowchart_annex.pdf)

A number of universities across Scotland have offered scholarships and worked with refugee and asylum seeking students to enable them to take up places. Guidance for universities on providing asylum seekers and refugees with access to higher education was published in 2016.<sup>79</sup>

Community Learning and Development (CLD) is an important part of the education sector in Scotland. CLD supports primarily disadvantaged or vulnerable groups and individuals of all ages to engage in learning, with a focus on bringing about change in their lives and communities. It is a distinctive process of engagement and support, with a learning content that is negotiated with learners. CLD activities are delivered by a wide range of organisations in the public and third sectors, across a range of activities such as youth work, community development, family and adult learning, adult literacy and ESOL. The Requirements for Community Learning and Development (Scotland) Regulations 2013<sup>80</sup> place a duty on local authorities to secure the delivery of CLD in their area, working with other CLD providers and communities.

## Key issues identified through New Scots engagement

A great deal of feedback was received during the New Scots engagement that took place during Summer 2017, and a more detailed analysis of this will be published in 2018. However, some of the broad themes raised, which are relevant to education, include:

1. Access to information on entitlement and support for education needs to be continually promoted and shared to ensure that learners and parents or guardians understand their rights and responsibilities.
2. Suitable support for young people, particularly those between 16 and 18 years of age, but more broadly for 15 to 20 year olds, is required, so that they can access the education opportunities, and support they need to reach their potential and go on to future success. Issues raised included support for pupils with no literacy or English language skills to enable access to the full curriculum, as soon as possible after starting in a school.
3. Recognition of prior qualifications is needed to enable people to make use of their skills or progress into the next stage of their education.

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79 <http://www.universities-scotland.ac.uk/wp-content/uploads/2016/11/Guidance-on-Providing-Asylum-Seekers-and-Refugees-with-Access-to-Higher-Education-Nov-2016.pdf>

80 <http://www.legislation.gov.uk/ssi/2013/175/introduction/made>

## Objectives and Actions

Objectives and actions for each theme contribute to the overarching New Scots outcomes. New Scots is designed to be a dynamic strategy, which is able to adapt to new and emerging issues. New actions will be developed during implementation. The following initial actions set out the work related to education which will be progressed in the first instance:

New Scots Outcome	Objective: what we want to achieve	Action: what we will do
<p><b>2. Refugees and asylum seekers understand their rights, responsibilities and entitlements, and are able to exercise them to pursue full and independent lives.</b></p>	<p>Young refugees and asylum seekers (and their parents, carers and guardians) are aware of, and understand the options available to them, in terms of learning, education opportunities and funding support.</p>	<p>Continue to promote existing information on education entitlement and support to refugees and asylum seekers.</p>
		<p>Identify funding support to access further and higher education, and promote those sources to young refugees and asylum seekers, and those working with them.</p>
		<p>Explore and promote wider achievement and alternative pathways with the CLD, further and higher education sectors and other partners.</p>
<p><b>3. Refugees and asylum seekers are able to access well-coordinated services, which recognise and meet their rights and needs.</b></p>	<p>All staff within education and learning settings are able to effectively communicate with refugees and asylum seekers.</p>	<p>Share examples of adapting or changing service communication to better meet the needs of refugees and asylum seekers, by identifying and promoting informal activity that helps to raise awareness of best practice when working with refugees and asylum seekers.</p>
		<p>Identify and promote formal activity and training programmes that support frontline staff in public services to communicate with people, whose first language is not English.</p>
		<p>Embed a range of activity into existing training programmes or professional development activity to ensure accurate information on education is shared.</p>

<b>New Scots Outcome</b>	<b>Objective:</b> what we want to achieve	<b>Action:</b> what we will do
<p><b>4. Policy, strategic planning and legislation, which have an impact on refugees and asylum seekers, are informed by their rights, needs and aspirations.</b></p>	<p>The recognition of qualifications enables refugees to progress on to further learning or into employment.</p>	<p>Support development of a model for a recognition and accreditation process to identify prior qualifications, skills and learning, and develop sector specific employment pathways.</p>

Credit: Roddy Scott



# Language

Engagement to develop this strategy identified language as crucial to all elements of integration. There were consistent appeals from refugees and asylum seekers for help to improve their English language skills. For many, this is to enable them to find employment or pursue further education. It also enables people to understand essential information about housing, healthcare and other services. Being able to communicate confidently with people, including neighbours, shop workers or members of a local community group, helps people to feel settled, build social connections and be involved in their local area.

Welcoming Our Learners: Scotland's English for Speakers of Other Languages (ESOL) Strategy 2015 – 2020<sup>81</sup> places ESOL learning in the broad context of learning in Scotland and sets the context for the provision of publicly funded ESOL in Scotland. It aims to coordinate the delivery and improve the quality of ESOL provision for all residents in Scotland, for whom English is not a first language. It was developed through discussions with learners, including members of the refugee community. Their views reinforced the need for delivery to be learner-centred and to have an effectively supported learner journey.

The Scottish Qualifications Authority (SQA) provides a comprehensive range of ESOL qualifications to meet the needs of ESOL learners, from complete beginner to university entrance level. There are three ESOL literacies units specifically designed for candidates, who are not literate in English, or have little or no literacy in their first language. ESOL learners are also able to gain accreditation for their learning at all levels. This supports transition to other education courses or employment.

The development of ESOL Partnerships within each community planning area has meant that a range of formal learning opportunities and activities is delivered across each local authority area in a manner that utilises the funding available to meet learners' needs more effectively.

Community Learning and Development has a key role in supporting refugees to settle into communities, to develop social relationships and promote opportunities for intercultural links. Language learning is one of the areas, where there are real opportunities for local learning and community involvement. Opportunities to practise with native speakers outside formal classes can boost confidence and skills development. Informal language sharing within communities is recognised as a way to not only help develop language skills through immersion, but also to build social connections between refugees (and other people whose first language is not English) and

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81 <https://www.education.gov.scot/Documents/ESOLStrategy2015to2020.pdf>

host communities. The *Sharing Lives, Sharing Languages*<sup>82</sup> project used a peer education model to complement existing ESOL provision, by providing group-based activities to aid language acquisition. The project also highlighted how language learning, like integration, can be a two way process. While refugees were supported in their language learning, they also had an opportunity to share their language with peers from the host communities. With the arrival of refugees through the Syrian Resettlement Programme, many local authorities have utilised offers of volunteering from the local community and developed informal models of English language learning to complement formal ESOL provision.

In 2017, COSLA commissioned work to deliver learning and support for those delivering and planning ESOL for adults, who have been resettled in Scotland through refugee resettlement schemes. The project delivered a series of learning events that brought together those involved in the planning or delivery of ESOL within the resettlement schemes to explore and share their experiences and practice. It culminated in the production of a good practice guide<sup>83</sup> which brings together learning from these events and from focused discussions with individual practitioners, experts, and learners.

The principle of sharing languages is promoted for effective practice in supporting English as an Additional Language (EAL) pupils in schools. The national resource, *Learning in 2+ Languages*,<sup>84</sup> highlights the importance of ensuring that the pupil's first language continues to be developed, because it is recognised that this helps with the acquisition of a second language, such as English.

Language skills are, therefore, not limited to improving English. The Scottish Government's 1+2 language policy<sup>85</sup> in schools promotes the benefits of language learning for all young people. The policy promotes a model of learning the student's mother tongue plus two additional languages. This approach also recognises the benefits of bilingualism and increased linguistic diversity for academic and cognitive skills, but also for Scotland's wider economy and international reputation. There is a growing diversity of modern languages being spoken,<sup>86</sup> reflecting Scotland's growing confidence in, and recognition of, community and heritage languages. For refugee families, bilingualism can be important for maintaining links with their family, culture and heritage, as well as enabling them to communicate effectively with English speakers.

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82 [http://www.scottishrefugeecouncil.org.uk/assets/0001/4110/Sharing\\_Lives\\_Sharing\\_Languages\\_REPORT.pdf](http://www.scottishrefugeecouncil.org.uk/assets/0001/4110/Sharing_Lives_Sharing_Languages_REPORT.pdf)

83 <http://www.migrationscotland.org.uk/uploads/17-12-12%20FINAL%20ESOL%20GUIDANCE.pdf>

84 <https://www.education.gov.scot/improvement/Documents/modlang5-learning-in-two-plus-languages.pdf>

85 <https://beta.gov.scot/policies/languages/language-learning/>

86 <https://education.gov.scot/improvement/modlang12-one-plus-two-approach>

## Key issues identified through New Scots engagement

A great deal of feedback was received during the New Scots engagement that took place during Summer 2017, and a more detailed analysis of this will be published in 2018. However, some of the broad themes raised, which are relevant to language, include:

1. The availability of formal ESOL classes. Some refugees and asylum seekers highlighted barriers to attending classes, including access to childcare and transport to get to classes.
2. The time it takes to develop English language skills to desired levels and opportunities to help accelerate learning. Some participants highlighted a lack of opportunities or awareness of informal language learning beyond the classroom, such as conversational practise, or through work experience, volunteering and community groups. Language learning tailored to support employment or personal goals, like learning to drive, was also highlighted.
3. Maintaining mother tongue language skills was also highlighted, particularly for children.

## Objectives and Actions

Objectives and actions for each theme contribute to the overarching New Scots outcomes. New Scots is designed to be a dynamic strategy, which is able to adapt to new and emerging issues. New actions will be developed during implementation. The following initial actions set out the work related to language, which will be progressed in the first instance:

<b>New Scots Outcome</b>	<b>Objective:</b> what we want to achieve	<b>Action:</b> what we will do
<b>1. Refugees and asylum seekers live in safe, welcoming and cohesive communities and are able to build diverse relationships and connections.</b>	Refugees have the opportunity to share their language and culture with their local communities.	Promote good practice, in which the home language of refugees is used in positive ways.

<b>New Scots Outcome</b>	<b>Objective:</b> what we want to achieve	<b>Action:</b> what we will do
<p><b>2. Refugees and asylum seekers understand their rights, responsibilities and entitlements, and are able to exercise them to pursue full and independent lives.</b></p>	<p>Refugees and asylum seekers have the opportunity to achieve the language and the language qualifications they need to progress to further learning or employment.</p>	<p>Continue to monitor the uptake of ESOL qualifications from Scottish Credit and Qualifications Framework (SCQF) level 2 to SCQF level 6, across sectors (school, college and community providers) in Scotland.</p>
		<p>Identify possible gaps in relation to preparation and orientation for academic study, to enable students to access further and higher education.</p>
		<p>Gather evidence of any barriers to offering ESOL qualifications, and identify ways to overcome these barriers.</p>
		<p>Explore how digital technology could be used to increase access to ESOL provision for learners in areas where provision is limited.</p>
	<p>Newly arrived adults and young people with language and literacy needs know about their options for language acquisition, and effective practice is promoted and shared.</p>	<p>Consider initial assessment practice with ESOL practitioners, with a view to developing guidance on good practice on different approaches and outcomes for pre-literate learners.</p>
		<p>Continue to promote the SQA ESOL qualifications to practitioners across the sectors (school, college and community providers), to raise awareness of the value of qualifications for learners.</p>

<b>New Scots Outcome</b>	<b>Objective:</b> what we want to achieve	<b>Action:</b> what we will do
<p><b>3. Refugees and asylum seekers are able to access well-coordinated services, which recognise and meet their rights and needs.</b></p>	<p>Those working with refugees and asylum seekers improve their understanding of the language barriers and how to overcome them.</p>	<p>Develop, trial and evaluate an online learning module on supporting bilingual learners in the school sector.</p> <p>Agree and explore approaches to ESOL delivery that take account of the needs of refugees and asylum seekers, by working through local ESOL partnerships to create effective models of practice.</p> <p>Consider use of an online learning facility for learning or training opportunities related to language.</p>

Credit: Iman Tajik



# Health and Wellbeing

**“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and **medical care and necessary social services**, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”**

Article 25 (1) Universal Declaration of Human Rights

The right to health is a human rights issue, encompassing not only the right to healthcare, but also to other determining factors of health such as education, employment, income and housing. Good health is critical to social participation and engagement in activities like volunteering, employment and education.<sup>87</sup>

The Scottish Government has been clear that everyone, who is resident in Scotland, is entitled to access health care on the same basis. This includes all refugees, asylum seekers and people whose claim for asylum has been refused. Refugees and asylum seekers living in Scotland are entitled to register with a GP, to access emergency health services, to register with a dentist and to have eye tests. They can access specialist healthcare, as any other patient can, often through a GP referral. This includes maternity care, mental health services and any other services for specific conditions. All public health services have a Public Sector Equality Duty that requires them to ensure that the services provided are fit for purpose and meet the needs of all members of society. However, some refugees and asylum seekers continue to face barriers to accessing services for a range of reasons.

Many refugees and asylum seekers arrive in Scotland with physical and mental health problems associated with the reason they have had to seek asylum. This includes gender based violence, sexual violence, torture, experience of war and other degrading treatment. The experience of seeking asylum, incidents of racism or prejudice and the challenge of understanding and exercising rights can exacerbate existing health problems or create new ones.

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87 <http://www.healthscotland.scot/publications/human-rights-and-the-right-to-health>

National Health and Wellbeing Outcomes set out high-level statements of the ambition for health and social care in Scotland.<sup>88</sup> The outcomes are intended to improve the quality and consistency of care provision across Scotland, so that service users and carers have a similar experience, regardless of the Health Board or local authority area they live in, while allowing for local approaches to service delivery. The outcomes are grounded in a human rights approach, which recognises that we should all be free to live with dignity and to participate equally in our communities.

A human rights approach to health emphasises the importance of empowering people to know and claim their rights, to participate in decisions that affect them, and to maintain and improve their wellbeing independently. This includes equipping people with the knowledge and skills to understand their wellbeing, to use the health service and other public services effectively and to look after themselves in a way which works for them. The health literacy action plan, *Making it Easy*,<sup>89</sup> supported everyone in Scotland, including refugees and asylum seekers, to have the confidence, knowledge, understanding and skills to live well with any health condition. The refreshed health literacy action plan, *Making it Easier*,<sup>90</sup> will support improved navigation of the health and care system, building on the progress made under *Making it Easy*.

Integration Authorities<sup>91</sup> across Scotland are planning, innovating and working with health and social care staff, communities and the third and independent sectors to ensure person-centred and responsive approaches in the design of care and support locally. By sharing knowledge and experience, they are finding out what works best for people, what delivers best value to communities and sharing the routes and pathways to those outcomes.

Mental ill health is one of the major public health challenges in Scotland. Around one in four people is estimated to be affected by mental illness in any one year.<sup>92</sup> Improving mental health for everyone is a priority for the Scottish Government. Scotland's Mental Health Strategy 2017 – 2027<sup>93</sup> recognises the impact that trauma and discrimination can have on mental wellbeing. This includes specific traumatic events, as well as experiences of social isolation, uncertainty and inequality. There may also be specific issues around access to services and support for those living in remote and rural communities. The mental health strategy sets out an ambition to “*prevent and treat mental health problems with the same commitment, passion and drive as we do with physical health problems.*”

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88 <http://www.gov.scot/Resource/0047/00470219.pdf>

89 <http://www.gov.scot/Resource/0045/00451263.pdf>

90 <http://www.gov.scot/Resource/0052/00528139.pdf>

91 An Integration Authority is the body that is responsible for planning integrated care, i.e. health and social care. It will decide which integrated services will be provided, how they will be funded and what they should look like. They will direct the NHS Board and local authority to deliver those services. <http://www.gov.scot/Topics/Health/Policy/Health-Social-Care-Integration>

92 <https://www.nhsresearchscotland.org.uk/research-areas/mental-health> and <http://www.gov.scot/Resource/0046/00469088.pdf> – in any one year between 18% and 26% of Scotland's population are affected by mental illness.

93 <http://www.gov.scot/Resource/0051/00516047.pdf>

The mental health strategy presents opportunities for the New Scots strategy, in relation to specific needs around trauma and the development of early intervention approaches that better support the needs of refugees and asylum seekers.

The National Trauma Training Framework<sup>94</sup> has been developed by NHS Education for Scotland to support the strategic planning and delivery of training for people working across Scotland who have contact with survivors of trauma.

Although refugees may have vulnerabilities, they are also resilient and often provide significant support to one another, including through informal caring. The Carers (Scotland) Act 2016<sup>95</sup> recognises the significant role of carers and requires services to have processes in place to identify carers and their needs. There are also examples of peer support projects, which can promote positive health messages.<sup>96</sup>

## Key issues identified through New Scots engagement

A great deal of feedback was received during the New Scots engagement that took place during Summer 2017, and a more detailed analysis of this will be published in 2018. However, some of the broad themes raised, which are relevant to health and wellbeing, include:

1. Health literacy and understanding of rights and entitlements. This includes access to specialist services, but also broader health and wellbeing support available through public services and the third sector.
2. Understanding of health and wellbeing needs and experiences by service providers to enable them to meet the needs of refugees and asylum seekers. This includes increased awareness and training on trauma informed practice, as well as broader issues such as the impact of social isolation and racism.
3. Communication when accessing health and social care services. Language and access to interpretation services was a recurring theme, as was the need for empathetic responses from staff. Staff training in communication between services and joint working was also highlighted.

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94 <http://www.nes.scot.nhs.uk/education-and-training/by-discipline/psychology/multiprofessional-psychology/national-trauma-training-framework.aspx>

95 <http://www.legislation.gov.uk/asp/2016/9/contents/enacted>

96 For example, [http://www.scottishrefugeecouncil.org.uk/assets/0000/9691/Peer\\_Education\\_Evaluation\\_Report\\_FINAL.pdf](http://www.scottishrefugeecouncil.org.uk/assets/0000/9691/Peer_Education_Evaluation_Report_FINAL.pdf)

## Objectives and Actions

Objectives and actions for each theme contribute to the overarching New Scots outcomes. New Scots is designed to be a dynamic strategy, which is able to adapt to new and emerging issues. New actions will be developed during implementation. The following initial actions set out the work related to health and wellbeing, which will be progressed in the first instance:

New Scots Outcome	Objective: what we want to achieve	Action: what we will do
<p><b>2. Refugees and asylum seekers understand their rights, responsibilities and entitlements, and are able to exercise them to pursue full and independent lives.</b></p>	<p>Refugees and asylum seekers are able to look after and improve their own health and wellbeing.</p>	<p>Work with NHS 24 and health and social care partnerships to improve the availability of information about people's rights and entitlements and how to access services. Ensure this work is linked into <i>Making it Easier</i> – the refreshed health literacy action plan.</p>
		<p>Increase participation of refugees and asylum seekers in local and national health forums and strategy groups.</p>
		<p>Extend opportunities for refugees and asylum seekers to benefit from peer support to improve their knowledge of health care systems and health improvement strategies, including those that have a positive impact on mental health and wellbeing.</p>

New Scots Outcome	Objective: what we want to achieve	Action: what we will do
<p><b>3. Refugees and asylum seekers are able to access well-coordinated services, which recognise and meet their rights and needs.</b></p>	<p>Refugees and asylum seekers, who use health and social care services, have positive experiences of those services, and have their dignity respected.</p>	<p>Continue to identify and disseminate evidence about the health needs of refugees and asylum seekers, to support services in carrying out Health Inequalities Impact Assessments, and to meet their public sector equality duty.</p>
	<p>Services are more responsive to the needs of refugees and asylum seekers.</p>	<p>Ensure complaints procedures are accessible to all refugees and asylum seekers.</p>
		<p>Ensure sufficient guidance and training for health and social care staff on the issues faced by asylum seekers, in line with the recommendation of the Equalities and Human Rights Committee's report, <i>Hidden Lives – New Beginnings</i>.</p>
		<p>Ensure trauma informed practice is embedded into health services and other service provision.</p>
<p>Share best practice and quality guidance for interpreting services used within health and social care to improve practice by health and social care staff.</p>		

New Scots Outcome	Objective: what we want to achieve	Action: what we will do
<p><b>4. Policy, strategic planning and legislation, which have an impact on refugees and asylum seekers, are informed by their rights, needs and aspirations.</b></p>	<p>Relevant policy, strategic planning and legislation are informed by the underlying social factors, which impact refugee and asylum seeker health and wellbeing.</p>	<p>Work to identify data that monitors the mental health and wellbeing of refugees and asylum seekers, and its impact on integration, to improve data usage and inform relevant strategies.</p>
		<p>Identify research priorities to provide further evidence of the impact of social factors on health and wellbeing of refugees and asylum seekers.</p>
		<p>Continue to identify and disseminate evidence about the health needs of refugees and asylum seekers to inform planning of health and social care services.</p>
		<p>Respond to consultation and engagement opportunities to ensure policy and practice associated with wider social factors is informed by refugee and asylum seeker health needs and rights.</p>



# Communities, Culture and Social Connections

**“Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.”**

Article 27 (1) Universal Declaration of Human Rights

A community is a group of people with a common connection. They are often defined geographically to refer to a specific neighbourhood or location. However, many people feel part of a community because of a shared identity, interest or experience. This can include disabled people, minority ethnic groups, young people or people with experience of the asylum system. These communities can cross geographic and demographic boundaries. Communities create the potential for collective action to respond to challenges and opportunities, as well as support structures, which can facilitate integration and a sense of belonging. These can, in turn, improve community safety and cohesion.

Refugees and asylum seekers have been forced to leave communities in their home country. Some will feel the loss of those communities more strongly than others. For some, the reason they had to leave and seek safety elsewhere has been due to persecution associated with their membership of a particular community. Others may have been persecuted by a local community, because they did not hold particular views or belong to a particular community. It is important that those working to support refugees and asylum seekers in Scotland recognise this and support people to develop social connections and their own communities, which meet their needs and aspirations.

Scotland's long history of welcoming refugees and asylum seekers has seen people settle, rebuild their lives and become part of communities. Established refugee communities and individuals are helping to support newly arrived refugees and asylum seekers, by sharing their knowledge and experience. Scottish Refugee Council and other community development organisations continue to support refugees to form their own community groups and forums. Refugees and asylum seekers also have much to contribute to existing community organisations and wider society.

Glasgow has the longest experience of successful integration, as refugees and asylum seekers have become part of communities across the city, with community and faith organisations welcoming them. Glasgow's Integration Networks have brought together local agencies, community groups and volunteers to plan and deliver services to refugees and asylum seekers in their areas. These networks are able to design services and activities, which suit the people living locally. The networks also share experience and good practice.

The humanitarian crisis arising from the Syrian conflict has been a catalyst for individuals and organisations throughout Scotland to welcome refugees and asylum seekers and offer support through donations, volunteering, raising awareness and humanitarian assistance abroad. Local networks have been established in many areas across Scotland to welcome new arrivals and provide initial support. This has involved local authorities working with established third sector organisations and new welcome groups to plan and deliver reception support for refugees.

Refugees Welcome Scotland has highlighted the benefits of community organisations developing strong working relationships with local authorities and relevant organisations to plan and deliver support for refugees, in its report, *Best practice for community involvement in the Syrian Vulnerable Persons Resettlement Programme*.<sup>97</sup> This has particular relevance to developing social connections, but it has also been evident that local community-led organisations can support access to services and English language skill development. The Scottish Community Development Centre is currently carrying out a survey to map and better understand community development activity across Scotland, which supports refugee integration.<sup>98</sup>

Establishing social connections and bonds is key to integration for refugees. Volunteering<sup>99</sup> and befriending<sup>100</sup> can benefit both the person who offers their time and skill, and the wider community they are helping. It is not only people who want to show support for refugees who are interested in volunteering. Refugees and asylum seekers have contributed their skills and experience to many different volunteer roles.

Feeling safe and secure is fundamental to people being confident to participate in communities and a key factor for refugees and asylum seekers being able to integrate. Partners have a key role to play in improving the safety and wellbeing of people, localities and communities in Scotland. For example, Police Scotland aims to increase confidence across communities, including amongst refugees and asylum seekers, by engaging proactively to prevent crime and promote safety.

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97 <http://safepassage.org.uk/wp-content/uploads/2017/12/Scotland-Refugees-Welcome-Report-27.11.17.pdf>

98 *Widening The Welcome*, Scottish Community Development Centre (forthcoming)

99 <http://www.volunteerscotland.org.uk/>

100 <https://www.befriending.co.uk/>

Scotland's diverse cultures are important to Scotland's future, enriching all of our lives. Everyone should have the opportunity to take part in or contribute to cultural life in Scotland. Engagement in cultural activities provides benefits in a broad range of other areas including, by improving health and wellbeing, enhancing learning and skills, and strengthening social connections and community resilience.<sup>101, 102</sup>

The Scottish Government is currently developing a Culture Strategy for Scotland, which will take a broad view of culture in Scotland – not just that which is formal, established or indigenous, but also that which is new and emerging – and seek to ensure that anyone who wants to take part in, or contribute to cultural life in Scotland is empowered to do so. The Strategy will position culture as a human right, where the right to creative expression, the right to participate and the right to earn a living from artistic and cultural pursuits is widely recognised and supported across society.

Refugee Festival Scotland provides an annual opportunity to celebrate the contribution refugees and asylum seekers make to Scotland and the welcome offered by local people. Initially a way to mark World Refugee Day (20 June), Refugee Festival Scotland events have expanded into what is now a Scotland-wide festival, coordinated by Scottish Refugee Council and working with a vibrant network of arts, community, voluntary and educational organisations, volunteers and supporters.

Access to sports and physical recreation can not only help to improve people's health and wellbeing, but also builds social connections. Sportscotland<sup>103</sup> is the national agency for sport in Scotland. Its work includes a commitment that sport should be open to everyone and conducted in a way which promotes equality and respect for others. A range of policies and activities is coordinated by sportscotland, with the aim of enabling sport to have a positive impact on individuals and communities.

Communities should be supported to do things for themselves and empowered to have their voices heard in the planning and delivery of services. This helps people to engage, participate and be assets to their community. The Community Empowerment (Scotland) Act 2015<sup>104</sup> strengthened the statutory base for community planning, improving the process of involving local people in decisions and services which matter to them.

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101 <http://www.gov.scot/Resource/Doc/17002/0023718.pdf>

102 <http://www.gov.scot/Topics/Statistics/16002>

103 <https://sportscotland.org.uk/>

104 <http://www.legislation.gov.uk/asp/2015/6/contents/enacted>

## Key issues identified through New Scots engagement

A great deal of feedback was received during the New Scots engagement that took place during Summer 2017, and a more detailed analysis of this will be published in 2018. However, some of the broad themes raised, which are relevant to communities, culture and social connections, include:

1. Social isolation and the desire of refugees and asylum seekers to connect to people in the communities they are settling in. This included the challenge of building friendships and social networks, particularly for people in the asylum process, people living in rural areas, women, disabled people and people in the LGBTI community.
2. The impact of the media on people's understanding and perception of refugees and asylum seekers. There were concerns raised that negative media reporting made host communities fearful of refugees and asylum seekers, which in turn impacted on their opportunities to participate, their morale and how safe they feel.
3. Sport, culture, arts, leisure and community activities were all identified as positive ways for refugees and asylum seekers to make social connections, contribute and feel part of the community. Awareness of available opportunities and understanding of how to access them can be a key issue, including entitlements to access local services and events.

## Objectives and Actions

Objectives and actions for each theme contribute to the overarching New Scots outcomes. New Scots is designed to be a dynamic strategy, which is able to adapt to new and emerging issues. New actions will be developed during implementation. The following initial actions set out the work related to communities, culture and social connections, which will be progressed in the first instance:

New Scots Outcome	Objective: what we want to achieve	Action: what we will do
<p><b>1. Refugees and asylum seekers live in safe, welcoming and cohesive communities and are able to build diverse relationships and connections.</b></p>	<p>Communities are aware of the needs of refugee and asylum seeker communities and actively seek to involve them in community life.</p>	<p>Map and assess existing local and national initiatives that prepare local communities where refugees and asylum seekers arrive, including those which promote solidarity; positive community and interfaith relationships; foster understanding of refugees and asylum seekers in schools; and tackle racism.</p>
		<p>Develop new initiatives and share good practice and research across Scotland with statutory, voluntary and community organisations working with refugees and asylum seekers.</p>
	<p>Social isolation experienced by refugees and asylum seekers is reduced, as they become active in their local communities.</p>	<p>Map and assess existing individual mentoring and orientation schemes that help refugees and asylum seekers to build social connections and develop cultural knowledge, and consider the viability of expanding to all refugees and asylum seekers in Scotland.</p>
		<p>Promote accurate reporting of refugees and asylum seekers in the Scottish media through the Refugee Festival Scotland Media Awards, with the National Union of Journalists.</p>

<b>New Scots Outcome</b>	<b>Objective:</b> what we want to achieve	<b>Action:</b> what we will do
<p><b>2. Refugees and asylum seekers understand their rights, responsibilities and entitlements, and are able to exercise them to pursue full and independent lives.</b></p>	<p>Refugees and asylum seekers engage in cultural, heritage and sport activities and celebrate their own culture, talents and contributions.</p>	<p>Promote understanding of cultural rights to refugees and asylum seekers.</p>
		<p>Provide opportunities for refugees and asylum seekers to programme, produce work for and participate in Refugee Festival Scotland, as well as other national and local festivals.</p>
		<p>Identify and promote existing support to refugee professional artists and cultural leaders.</p>
<p><b>3. Refugees and asylum seekers are able to access well-coordinated services, which recognise and meet their rights and needs.</b></p>	<p>Local community groups and refugee and asylum seeker-led organisations play an active role in supporting refugee integration.</p>	<p>Identify and share good practice in relation to partnership approaches across statutory, voluntary and community organisations, to the planning and delivery of all refugee programmes in Scotland, including asylum, resettlement and community sponsorship.</p>
		<p>Deliver a national conference for community, faith-based and refugee-led organisations to share expertise, practice and support capacity building, with a view to developing a national network.</p>
		<p>Clarify rights, reduce barriers and promote good practice and participation in cultural, leisure, heritage and sports opportunities.</p>
<p><b>4. Policy, strategic planning and legislation, which have an impact on refugees and asylum seekers, are informed by their rights, needs and aspirations.</b></p>	<p>The development and implementation of national legislation and strategies related to communities, culture and social connections are informed by the experiences of refugees and asylum seekers.</p>	<p>Ensure the voices and experiences of refugees and asylum seekers are considered within Scotland's Cultural Strategy and other national strategies related to culture, sport and heritage.</p>
		<p>Support the inclusion of refugee integration within the implementation of existing legislation and policy related to communities, such as the requirements under the Community Empowerment (Scotland) Act 2015.</p>

Credit: Alana Nabulsi



# Annex A: Engagement Process and Findings

## Initial Engagement

The first engagement event for developing a new refugee integration strategy took place in November 2016 at the Scotland Welcomes Refugees Conference. The conference was attended by over 170 delegates, who took the opportunity to consider what the aims of the new strategy should be. Five key messages emerged from that engagement:

- Scotland should be a safe, inclusive country, where there are opportunities for all.
- All the themes of the first New Scots strategy remain relevant and should continue to be a focus.
- New Scots should remain flexible to respond to changing global events.
- New Scots should aim to prevent a two-tier or multi-tier system – to provide equal support across Scotland regardless of how refugees and asylum seekers arrived in the country.
- The new strategy should be truly national in scope.

A summary report<sup>105</sup> of the conference also highlights the main issues delegates discussed, including English language learning, employment, education, health, housing, welfare benefits, support and childcare.

## Engagement Design

It was agreed that development of the strategy needed to involve dialogue with people across Scotland, ensuring that refugees, asylum seekers, the wider community and key agencies were able to contribute. It was decided that events, which encouraged discussion and enabled people to contribute their views and then provide collective feedback, would be the most effective method of achieving this. It would enable gathering of information and allow event discussions to focus on matters best suited to the participants. Most importantly, it would provide opportunities for people who may not normally participate in more formal consultation exercises to inform the strategy. Engagement to inform the strategy was designed collaboratively with New Scots partners.

A facilitation guide<sup>106</sup> was developed by the Scottish Government, COSLA, the Scottish Refugee Council and other New Scots partners. During development, the Integration Forum<sup>107</sup> was also asked for its views on this approach and to advise on what would help third sector and community organisations to participate. Key suggestions from this group included providing the option for people to feed back via an online survey or form and ensuring that the guide would be accessible for both experienced organisations and groups which may not have run engagement events or considered issues affecting refugees or asylum seekers previously.

105 <https://beta.gov.scot/publications/scotland-welcomes-refugees-conference-summary/New%20Scots%20Conference%20summary%20report.pdf?inline=true>

106 [https://consult.gov.scot/equality-unit/new-scots/supporting\\_documents/New%20Scots%20Engagement%20Facilitation%20Guide.pdf](https://consult.gov.scot/equality-unit/new-scots/supporting_documents/New%20Scots%20Engagement%20Facilitation%20Guide.pdf)

107 The Integration Forum was established in 2015 as part of Scotland's response to the humanitarian crisis and involves a wide range of partners, primarily from the third sector.

In parallel to developing the facilitation guide, New Scots partners considered potential barriers to participation. It was agreed that enabling refugees, asylum seekers and community organisations to participate was especially important, to ensure that the strategy would be informed by people with lived experience and those working directly in communities. A key measure to enable participation was the provision of a small grants fund to support events run by community groups and small charities. This was managed by the Scottish Refugee Council on behalf of the Scottish Government and provided small grants to assist with the costs of venues, refreshments, travel, childcare, interpretation and translation.

### **The Questions**

As part of an accessible approach, it was decided that the engagement questions should be simple and open. The Scottish Government's Fairer Scotland conversation was used as a model to inform the drafting of the questions. The three questions asked were:

- Thinking about refugee integration in Scotland, what issues are important to you now?
- What changes do you want to see by 2020 and why?
- What can you, your community or your organisation do to contribute to that change?

### **Piloting**

Prior to the formal launch, the engagement was piloted through two events to test the questions and gather feedback to refine the facilitation guide. The pilot events indicated that the approach enabled a diverse range of participants to actively contribute and raise the issues which were important to them. The feedback from these pilot events was considered alongside the feedback from all other events.

### **Engagement Participation**

The engagement was launched on World Refugee Day, 20 June, and ran until 15 September 2017. Over 90 events were held across Scotland by a wide range of public sector service providers, local authorities, community groups, charities and national organisations. This enabled over 2,000 people to participate, including over 700 refugees and asylum seekers, who contributed their lived experience.

Events took place in 16 local authority areas: Aberdeenshire, Angus, Dundee, East Renfrewshire, Edinburgh, Fife, Glasgow, Highland, Inverclyde, Midlothian, North Ayrshire, North Lanarkshire, Perth & Kinross, South Lanarkshire, Stirling and West Lothian. Wider geographic engagement was secured, as some events attracted people from neighbouring areas, including representatives of local authorities and national organisations.

22 small charities or community groups were supported to run events, with around £6,750 being distributed in small grants.

## Summary of Engagement Feedback

The broad themes identified in the engagement feedback are set out in the relevant theme chapters of the strategy. The feedback strongly indicated that language is fundamental to all areas of integration, enabling people to communicate and understand information. This has been reflected in the establishment of language as a new theme for this strategy.

Key messages from the engagement included:

- A recognition of the essential role communities play in helping people to feel safe, settled and able to access services.
- The desire of refugees and asylum seekers to gain language skills and meaningful employment.
- The articulation of various issues related to the asylum system.
- The need for refugees and asylum seekers to understand rights, entitlements and responsibilities and to be able to access services.
- The enthusiasm for work to support refugees and asylum seekers, with individuals and communities highlighting their desire to welcome, engage, volunteer and participate in local activities.
- The need for all partners across the public sector and support organisations to be responsive to the needs of refugees and asylum seekers.

Alongside the feedback, it was clear that people felt able to be involved and that their views and experiences were valued. New Scots partners recognise that it is essential that this engagement with refugees, asylum seekers, communities and partners continues throughout the implementation of the strategy.<sup>108</sup>

The engagement that took place in 2017 has played a crucial role in informing the development of outcomes and actions for the strategy. However, to ensure that the breadth of the data that was collected is not lost, and in order to make it more accessible, an in-depth analysis is being commissioned. This will be published in 2018 and will be used to inform the implementation of the strategy.

# Annex B: New Scots Implementation

The first New Scots strategy established a group structure consisting of a Core Group and six theme groups. This model will continue, boosted by the establishment of a Leadership Board, an Evidence Group, an additional theme group and new structures to ensure that refugees and asylum seekers are supported to play a central role in the implementation and monitoring of the strategy.

## Leadership Board

The New Scots strategy is led in partnership by the Scottish Government, COSLA and the Scottish Refugee Council. The Leadership Board will bring together the Cabinet Secretary for Communities, Social Security and Equalities, the COSLA Spokesperson for Community Wellbeing and the Chief Executive of the Scottish Refugee Council, with the Chair of the New Scots Core Group. It will meet at least annually during the strategy implementation and may choose to meet more frequently. The purpose of the Board will be to oversee the direction of the strategy and to ensure that a collaborative approach is taken to tackle issues, which may impact on refugees and asylum seekers living in Scotland. Part of the role of the Board will be to secure key partners' commitment to New Scots at the highest level and to involve them in the work of the Board as appropriate.

## Core Group

The Core Group will monitor and review progress against the overarching outcomes of New Scots and ensure reports are published during the strategy implementation period.

The Group will coordinate the work of theme groups, identifying areas for collaboration; preventing duplication of effort; and ensuring that work is not neglected when it could be a focus for multiple groups. As progress is made and some actions are completed, the Core Group will ensure that theme groups refresh their actions.

New Scots will keep refugees and asylum seekers at the heart of the strategy. The Core Group will ensure that steps are taken to enable refugees, asylum seekers and members of communities to engage with New Scots, so that their lived experience is central to delivery.

## Theme Groups

Engagement has indicated that all six themes established for the first strategy remain relevant and, that through them, priorities for refugees, asylum seekers and communities can be progressed. The addition of language as a distinct theme will ensure that there is appropriate focus on this crucial aspect of integration.

The seven theme groups bring together statutory and non-statutory organisations, including service providers and third sector and community based organisations with an interest in supporting refugees and asylum seekers. Each group is responsible for determining how it operates, and co-chairs have been appointed to coordinate the work of the groups. The model of co-chairs, which sees representatives of different organisations share this responsibility, proved effective during the first strategy and is the recommended approach for theme groups.

Each theme group is responsible for identifying actions to contribute to the New Scots outcomes. New Scots is intended to be a dynamic strategy, which is able to adapt to the changing needs of refugees and asylum seekers living in Scotland. To do this, theme groups will be expected to review and refresh actions during implementation.

### **Evidence Group**

An Evidence Group has been established to support the Core Group and work across the theme groups. It is intended that this group will help to identify and interpret relevant data, which can evidence outcomes; inform the implementation of the strategy; and evaluate the success of Scotland's approach to supporting refugees and asylum seekers.

The Evidence Group includes representatives of each theme group and will also seek to engage analysts, researchers and policy specialists working in New Scots partner organisations.

### **Voices of Refugees and Asylum Seekers**

The development of this strategy has been underpinned by engagement with over 700 refugees and asylum seekers, through multiple engagement events across Scotland. In addition to ensuring that those voices are reflected within the work of the strategy, a cornerstone of the strategy will be ensuring continual dialogue with, and influence from, people with lived experience. There will be a variety of ways refugee and asylum seeker voices will be engaged.

The British Red Cross will establish an advisory group of people with lived experience, creating a safe space for discussions on integration. This will complement existing refugee forums, supported by the Scottish Refugee Council, such as the Refugee Women's Strategy Group and the Refugee Policy Forum, as well as the Scottish Refugee Council's engagement with refugee-led community organisations across Scotland. Many community-led welcome groups already include and involve refugees. Continued engagement with these organisations will be an integral part of the strategy.

The British Red Cross will also expand its 'Voices Network' within Scotland. This programme provides training and support to enable people with lived experience to safely share their perspectives.

## **Wider Stakeholder Engagement**

The strategy will seek to ensure that it engages with partners and stakeholders, who are not directly involved in other New Scots groups, but who can provide new perspectives and contribute views on approaches that are being taken through the strategy. One of the ways this will be taken forward will be through the Integration Forum, which was originally established in 2015 as part of Scotland's response to the humanitarian crisis. The Forum enabled knowledge exchange between its members and communicated action being taken to support Syrian refugee resettlement in Scotland.

The Forum will continue to meet as a means of keeping interested organisations informed about work to support all refugees and asylum seekers in Scotland. This will help to support a wider understanding of work taking place under New Scots; allow signposting of ways organisations might want to become involved; and provide an opportunity for networking, sharing of good practice and provision of feedback to help inform future work.

# Annex C: Resourcing

The Home Office is responsible for providing accommodation and financial support to asylum seekers, who would otherwise be destitute. The Home Office also funds an independent advice service to assist people in the asylum process, including help to access asylum support, health and education services and information and assistance in accessing legal representation. Upon recognition of their asylum claim, a refugee may apply for an integration loan from the Home Office.

The UK Government is also responsible for allocating financial support to local authorities for refugee resettlement, most notably in Scotland through the Syrian Resettlement Programme (SRP) and the Vulnerable Children's Relocation Scheme (VCRS). In both of these programmes, local authorities are allocated funding for the first five years after refugees arrive in the UK, in order to address the most pressing needs of the people who have been resettled. Additional one-off payments are provided for adult ESOL provision, while Health Boards receive funding to cover primary care registration and secondary care costs during the first year. They can also claim additional exceptional secondary health care costs on a case by case basis.

There is no programme of funding specifically allocated to the implementation of the New Scots strategy. However, the Scottish Government provides funding to support the integration of refugees and people seeking asylum in Scotland through its equality budget. Over £2.7 million is supporting a range of

projects run by third sector organisations from 2017 – 2020, including opportunities such as employability support, English language classes, mental health support and cultural activities aimed at integrating refugees and asylum seekers in their local communities. A number of public, voluntary, community and faith organisations also play a significant role in supporting refugees and asylum seekers to integrate in their new communities in Scotland.

In September 2015, following the increasing movement of refugees as a result of the Syrian conflict, the First Minister announced that £1 million would be made available to ensure that services across Scotland were prepared to deal with the arrival of refugees. The Refugee Taskforce<sup>109</sup> identified key priorities for funding as English language learning, employability and mental health. Funding has subsequently been allocated to projects in these priority areas, as well as supporting the operation of the Syrian Resettlement Programme in Scotland.

The Scottish Government also funds the Scottish Guardianship Service with £300,000 in 2017 – 2018. Its primary aim is to improve the lives of separated children, including those who may have been the victims of child trafficking, who arrive unaccompanied in Scotland.

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<sup>109</sup> The Refugee Taskforce was established to lead Scotland's response to the humanitarian crisis in 2015 and concluded its work in 2016.

The Big Lottery Fund Scotland is providing £1.2 million over two years to support the Refugee Integration Service. The service provides information, advice and advocacy to refugees and asylum seekers. It is led by the Scottish Refugee Council, working in partnership with the British Red Cross, Bridges Programmes, Freedom From Torture and four Local Integration Networks in Glasgow.

In the current economic context, it is unlikely that the New Scots strategy will lead to significant new resources being allocated to refugee integration. The focus of all partners will be to make best use of the resources and expertise that are available.

# Annex D: Glossary of Useful Terms

## **Asylum seeker**

An asylum seeker (or person seeking asylum) is someone who has lodged an application for international protection under the United Nations 1951 Refugee Convention or Article 3 of the European Convention on Human Rights, and is awaiting a decision from the (UK) Government.

## **Asylum support**

Asylum seekers, who would otherwise be destitute, can apply for accommodation and/or subsistence support from the Home Office. Home Office accommodation is provided on a no-choice basis in a number of dispersal areas around the UK. Glasgow is currently the only dispersal area in Scotland. If an asylum seeker has additional care needs, due to chronic illness or disability, they may also be eligible for support from their local authority.

## **COMPASS**

COMPASS is the name for a series of Home Office contracts for the provision of housing, support and transport to asylum seekers across the UK. These contracts come to an end in 2019.

## **Destitution**

Destitution is extreme poverty. Section 95 of the Immigration and Asylum Act 1999 defines a person as destitute, if they do not have adequate accommodation or the means to obtain it; or, they have adequate accommodation or the means to obtain it, but cannot meet other essential living needs.

## **Dispersal**

Dispersal is the process by which the Home Office moves an asylum seeker to accommodation while they wait for a decision on their asylum claim. They are first moved to initial accommodation, while their application for asylum support is processed (usually 2 - 3 weeks). Once the application has been processed and approved, they are moved to dispersal accommodation, usually within the same dispersal area.

## **Family reunion**

Family reunion is the process enabling people granted refugee status or humanitarian protection to bring their spouse and dependent children to join them in the UK. Current UK immigration rules do not allow children to bring their parents to reunite with them in the UK. Family reunion processes are reserved and operated by the Home Office.

## **Humanitarian Protection (HP)**

Humanitarian Protection is a form of immigration status. It is granted by the Home Office to a person who it decides has a need for international protection, but who does not meet the criteria to be recognised as a refugee under the 1951 UN Refugee Convention. Status is awarded for five years. People with Humanitarian Protection are eligible to apply for Indefinite Leave to Remain at the end of their five year grant of leave.

## **Indefinite Leave to Remain (ILR)**

ILR is a form of immigration status granted by the Home Office. ILR is also called 'permanent residence' or 'settled status,' as it gives permission to stay in the UK on a permanent basis.

## **Legal Aid**

Legal Aid is the provision of assistance to people otherwise unable to afford legal representation and access to the court system.

In Scotland, anyone requiring representation for a case at the Immigration and Asylum Tribunal can access legal aid support in the form of 'Assistance by Way of Representation' (ABWOR). In most cases, only a means test is applied, and applications from asylum seekers will be passed on their merits.

## **Move-on period**

When a person seeking asylum is granted leave to remain in the UK (refugee status, discretionary leave to remain or humanitarian protection), they are given 28 days' notice by the Home Office, after which their asylum accommodation and financial support will come to an end. This is referred to as the 'move-on period'.

## **Refugee**

A refugee is a person who 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country'.

(1951 United Nations Refugee Convention)

## **Refugee status**

Refugee status is awarded to someone the Home Office recognises as a refugee, as defined by the 1951 UN Refugee Convention. A person given refugee status is normally granted leave to remain in the UK for five years, and at the end of that period can apply for Indefinite Leave to Remain (ILR).

## **Resettlement**

Resettlement is the process whereby refugees living outside their country of origin are moved to another country where they can live safely. In the UK, refugees arriving under resettlement programmes have their status granted prior to arrival. Housing is arranged and basic support is funded by the Home Office. Current examples include the Syrian Resettlement Programme and the Vulnerable Children's Relocation Scheme.

## **Torture**

The most widely accepted definition of torture internationally is set out by Article 1 of the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).<sup>110</sup>

## **Trafficking (human trafficking)**

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Article 3 (a) defines Trafficking in Persons for the purpose of exploitation.<sup>111</sup> The Human Trafficking and Exploitation (Scotland) Act 2015 sets out the definitions of human trafficking and exploitation in Scots Law.

110 <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx>

111 <http://www.osce.org/odihr/19223?download=true>

## **Trauma**

This term is widely used to refer to a range of incidents or circumstances. It generally describes stressful events, incidents or situations (which may be short or long lasting), which are exceptionally threatening or of such a catastrophic nature that they are likely to cause pervasive distress in almost everyone.

## **Unaccompanied Asylum Seeking Child (UASC)**

A child who has applied for asylum in their own right and is separated from both parents or previous/legal customary primary caregivers. Such children should be provided with services for looked after children by receiving local authorities and can be referred to the Scottish Guardianship Service.

## **UNHCR**

The office of the United Nations High Commissioner for Refugees (UNHCR), also referred to as the UN Refugee Agency. UNHCR works internationally to support refugees and works with the Home Office as part of UK refugee resettlement programmes.





Credit: Alana Nabulsi



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