

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 13 May 2021	<b>Meeting Name:</b> Cabinet Member for Finance, Business and Jobs
<b>Report title:</b>		EU Settlement Scheme funding	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATION

1. That that Cabinet member for finance, business and jobs approve the following funding recommendations for European Union Settlement Scheme (EUSS) support from the council's Brexit fund of £73,917 to:
  - i. Citizens Advice Southwark: £12,900
  - ii. Latin American Disabled People's Project: £3,063
  - iii. Latin American Women's Rights Service: £15,004
  - iv. Southwark Law Centre: £42,950.

## BACKGROUND INFORMATION

2. The funding proposals were considered and accepted at a meeting of the council's Brexit panel on 27 April 2021. EU citizens have until 30 June 2021 to apply to the EUSS to continue lawfully living and working in the UK.
3. Government data published on 25 February 2021 showed that 54,110 Southwark residents had applied to the EUSS so far. Because of large differences between figures on applications and grants of status and official estimates of the number of EU citizens living in Southwark, it is not possible to know how many of our EU citizens are eligible for the EUSS and have not yet applied.
4. The Policy and Resources Strategy 2019-20, approved by Cabinet in February 2019, included a recommendation that a further £300,000 commitment be added to the base budget in the form of a Brexit fund, to support work in the community.
5. Acting on learning from discussions with Community Southwark and from a subsequent survey they conducted it was decided that the council should explore using some of the fund to meet additional need. A number of voluntary and community sector (VCS) advice providers operating in Southwark have been

providing support to EU citizens with settlement. This funding will support the most vulnerable EU citizens who may experience difficulties applying to the EUSS.

6. Organisations supporting EU citizens with settlement include a number of Latin American organisations. This is because many Latin Americans have EU Citizenship as they went to Spain or other European countries first before travelling to the UK. More information can be found here: [Latin-Americans-migrating-from-Europe-to-the-UK.pdf \(lawrs.org.uk\)](#)

## KEY ISSUES FOR CONSIDERATION

7. The council has approached a number of VCS organisations who currently provide EUSS support to EU clients, to ascertain the level of demand they were seeing and whether they believed current demand in the borough was being met. This was followed up by invitations to 4 such organisations to submit expressions in EU funding. They were asked to determine the level of funding requested, including a breakdown of how they would spend the funds. All these organisations are currently in receipt of other funding from Southwark Council. They are also either currently in receipt of Home Office EU settlement funding or working in partnership with organisations in receipt of Home Office EU settlement funding: [List of organisations - GOV.UK \(www.gov.uk\)](#). The Home Office funding has recently been extended to the end of September 2021. The intention of the council's Brexit funding is to supplement this so additional numbers of the most vulnerable clients can be supported during the same time period.
8. The following proposals have been received:
  - **Citizens Advice Southwark** requested £12,900 to support an additional 100 of the most vulnerable clients via an additional part-time immigration adviser within its EUSS service. These include elderly people or those with disabilities or long term health conditions, people in receipt of benefits and / or living in the social rented sector and those with language barriers.
  - **Latin American Women's Rights Service (LAWRS) jointly with Indoamerican Refugee and Migrant Organisation (IRMO)** requested £15,004 to support an additional 100-150 clients who would include vulnerable Latin American women and their families, supporting those with straightforward and more complex cases such as victims of domestic abuse, trafficking and modern slavery. They would also use the funding to run number of information webinars / workshops on applying to the EUSS.

- **Latin American Disabled People’s Project (LADPP)** requested £3,060.50 to extend their current EUSS support project by one day per week up to the end of the week and support and additional 250 clients, including those with disabilities and long term health conditions. They would also expand their awareness raising and outreach activities.
  - **Southwark Law Centre (SLC)** requested £42,950 to provide specialist legal advice to an additional 30 at-risk or vulnerable clients with complex cases up to the end of September 2021. This will include assisting residents who miss the 30 June 2021 deadline to show good cause (to the Home Office) for the late application. SLC will take referrals from partner agencies.
9. All 4 of the above organisations are currently registered with the Office of the Immigration Services Commissioner (OISC) at the appropriate level to provide immigration advice.
  10. All 4 organisations are currently in receipt of funding from Southwark Council. Citizens Advice Southwark and Southwark Law Centre are funded via the Southwark community legal advice contracts from 2020-25 to provide generalist and specialist legal advice respectively, on social welfare matters. LADPP and LAWRS are currently funded via the Common Purpose grants programme 2021-23.
  11. On this occasion a full grants process was not run. The reasons for this were time constraints and the limited number of organisations who provide these services due to the requirement to be OISC-registered. As stated above all 4 organisations are currently in receipt of other council funding and due diligence checks have been carried out on them in 2020-21 as part of these other funding processes.

### **Policy implications**

12. This recommendation is in line with the council’s policy commitments to:
  - Preserve the rights of EU citizens living and working in Southwark.
  - Make the best use of Brexit funding to mitigate its impact on our communities and residents.
13. In 2021 the [Southwark Stands Together programme](#) is working to tackle ingrained racism in the borough and make the council an effective anti-racist organisation. The intended beneficiaries of the Brexit funding include those who fall into the protected characteristic of ‘race’ and who may face discrimination, isolation or language barriers.
14. Applications for EU settlement must usually be made online. The funding will support older people and others who may be unable to

apply online without help due to digital exclusion.

### **Community impact statement**

15. The public sector equality duty in section 149 Equality Act 2010 is relevant to this decision. This requires the Council, in the exercise of all its functions, to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conducts prohibited by or under the Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. . This funding aims to support some of the most vulnerable residents of Southwark, including those who may be experiencing discrimination or poverty, to easily apply for EU settled status and continue to lawfully live and work in the UK. It is therefore considered to advance the purposes of the public sector equality duty.
16. As part of the expressions of interest submitted, organisations were asked to identify the 'categories of vulnerability' of the additional clients they were seeking to support. These categories identified by organisations include:
  - Elderly people
  - People in receipt of benefits  
People the social rented sector
  - People with language barriers
  - People with disabilities or a long term illness
  - Victims of domestic abuse, trafficking or modern slavery

These may include people with expired documents who are unable to renew them before the deadline; or people who are unable to provide evidence or account for their time in the UK.

### **Resource implications**

17. The total amount of funding requested is £73,917. This will be met from the council's Brexit fund which is a commitment in the council's Policy and Resources strategy 2019-20.

### **Legal Implications**

18. See supplementary advice from the Director of Law and Governance below.

### **Financial Implications**

19. See 'resource implications' above.

## **Consultation**

20. The Cabinet member for Communities, Equalities and Neighbourhoods has been consulted on this recommendation as part of the Brexit panel.
21. The council has a long standing funding relationship with all 4 of the organisations it is proposed to fund and liaises with them regularly on issues of need and demand.
22. Consultation in 2019 on the community legal advice services contracts 2020-25, has identified need and demand for immigration advice and also identified needs of different communities in accessing advice services.
23. Officers from the council regularly attend meetings of Southwark Legal Advice Network at which advice strategy, needs and demand are regularly discussed.
24. Officers from the Communities Division will monitor the 4 grants. This will include requesting regular updates from the 4 organisations around levels of need, demand and whether there is capacity to meet the demand.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Governance**

25. The Southwark Brexit Panel was established on 9<sup>th</sup> July 2018 by the Cabinet Member for Finance, Performance and Brexit, with the purpose of *inter alia* making recommendations to Cabinet about actions the Council should consider taking to mitigate any possible impacts of Brexit on its services and residents.
26. The Southwark Policy and Resources Strategy 2019-20, approved by Cabinet in February 2019, recommended that a £2m risk reserve be set aside to ensure council services are protected from the impact of Brexit. It also recommended that a further £300,000 commitment be added to the base budget in the form of a Brexit Fund, to support work in the community. It is from this Fund that the proposals above are to be funded.
27. The Leader of the Council decided at the Cabinet Meeting on 19<sup>th</sup> January 2021 that future decisions on the £300,000 Brexit fund be delegated to the Cabinet Member for Jobs, Culture and Skills in consultation with the strategic director of finance and governance. The Cabinet Member for Finance, Business and Jobs is the successor title of this Cabinet Member and therefore this delegation is applicable. This decision is therefore within the Cabinet Member's powers.

28. Equality Act 2010 obligations on the Council are considered in paragraphs 14 and 15 above. This proposal on its face appears to comply with and advance s.149 Equality Act 2010 obligations.
29. Local authorities in England have a “general power of competence” in accordance with section 1 Localism Act 2011 meaning that they have power to do any thing that individuals generally may do. Councils also have the power under section 111 Local Government Act 1972 to do anything calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions. The recommendations here therefore relate to actions that the Council is empowered to take.

**Strategic Director of Finance and Governance (EL21/005)**

30. This report is requesting the Cabinet Member for Finance, Business and Jobs approves the funding recommendations £73,917for European Union Settlement Scheme (EUSS) support from the council’s Brexit fund for the organisations as reflected in paragraph 1.
31. The Strategic Director of Finance and Governance notes that the costs will be funded from the council’s Brexit Fund of £300k approved as part of the council’s budget setting process for 2019/20.
32. Staffing and any other costs connected with this report to be contained within departmental revenue budgets.

**BACKGROUND DOCUMENTS**

Background Papers	Held At	Contact
Southwark Brexit Panel documents <a href="#">Browse meetings - Southwark Brexit Panel - Southwark Council</a>	Chief Executive’s Department Fifth Floor, Hub 1, Local Economy Team, 160 Tooley Street, London, SE1 2QH	Matthew Rolfe MSTeams <a href="mailto:Matthew.rolfe@southwark.gov.uk">Matthew.rolfe@southwark.gov.uk</a>

**APPENDICES**

No.	Title
None	

## AUDIT TRAIL

<b>Lead Officer</b>	Caroline Bruce, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Katherine Pitt, Commissioning Officer	
<b>Version</b>	Final	
<b>Dated</b>	12 May 2021	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		12 May 2021