

WELFARE REFORM COMMITTEE

WOMEN AND WELFARE INQUIRY

WRITTEN SUBMISSION RECEIVED FROM SCOTTISH REFUGEE COUNCIL

About Scottish Refugee Council

1. Scottish Refugee Council is Scotland's leading refugee charity working to ensure that refugees seeking protection in Scotland are welcomed, treated with dignity and respect, and achieve their full potential.
2. Our women's project works in partnership with the Refugee Women's Strategy Group (RWSG), a group of refugee and asylum seeking women whose aim is to represent the views of refugee women to decision makers on the issues that affect their lives in Scotland. We include reference to evidence produced by the RWSG in our response.
3. Our Holistic Integration Service supports refugees in Scotland and their family members to access welfare, housing, health, education, employment and social support upon being granted leave to remain. We draw on evidence from our direct services to illustrate the impact of welfare reform on refugee women in Scotland.

Our response

What is the impact of welfare reform on women?

4. Scottish Refugee Council is a member of the Scottish Campaign on Welfare Reform¹ and of a coalition of organisations working with diverse women across Scotland (Engender, Close the Gap, Scottish Women's Aid, and the Scottish Council of Voluntary Organisations) to raise awareness of the impact of welfare reform on women in Scotland. We fully endorse the evidence submitted by these organisations to this inquiry and would direct the Committee to the joint position paper we published in April for our position on the impact of welfare reform on women in Scotland more generally.²

What is your clients' experience of being on benefits or employment support?

5. We focus this response on the impact of welfare reform on refugee women specifically. Like women, refugees in Scotland have multiple and intersecting identities, which shape their experiences of welfare reform. There are, however, particular issues faced by refugees relating to the contexts they come from, their experiences of persecution, their journeys prior to seeking protection, and the systems and processes of seeking asylum in the UK, which impact significantly on their experiences of welfare reform. Many of these are recognised in

¹ <http://www.cpag.org.uk/sites/default/files/SCoWR%20manifesto%202013.pdf>

² Engender, Scottish Refugee Council, Scottish Women's Aid, Close the Gap, and Scottish Council for Voluntary Organisations (2015) [A widening gap: women and welfare reform](#)

Scotland's refugee integration strategy, *New Scots: Integrating Refugees in Scotland's Communities 2014-17*, published by the Scottish Government, Scottish Refugee Council and COSLA.³

6. Refugee women in particular experience many gendered barriers to seeking international protection, experience high levels of gender based violence⁴, and often face challenges to accessing protection in an asylum system that presents many barriers for women, for example, a lack of childcare for asylum interviews, and a lack of recognition by decision makers of the difficulties in disclosing gender based violence and of the contexts from which women may be fleeing.⁵ Refugee women therefore begin the journey to rebuild their lives in Scotland facing significant disadvantage and are at severe risk of being impacted on negatively by welfare reform both as women and as *refugee women* specifically.
7. A specific and particularly worrying issue for refugees is the significant risk of destitution they face at several points in the UK asylum process⁶, including, and most relevant to this inquiry, upon being granted leave to remain. The main driver of this destitution is administrative delay and specifically the 28-day 'move-on' period following a grant of international protection after which, asylum support and accommodation provided by the Home Office is withdrawn. Securing a National Insurance Number (NINO) and bank account, applying for and receiving benefits payments, and finding a new home within a 28-day timeframe is extremely challenging, even without consideration of the language barriers, physical and mental health needs, childcare responsibilities, lack of knowledge of the system, and lack of means or support networks that many refugees must contend with.
8. The challenges of accessing benefits and support into employment are particularly acute for women, and have been explored by the Refugee Women's Strategy Group in its report, *The Struggle to Contribute*.⁷
9. Evidence from our Refugee Integration Services shows that refugees accessing our service last year waited on average 39 days for their first benefit payment following a grant of leave to remain.⁸ Bearing in mind that asylum support and accommodation is withdrawn after 28 days, the longest waiting time for receipt of mainstream benefits was two months, leaving a clear a gap in support in which men and women are left relying on emergency social work support if they have children, food banks, charities and other discretionary sources of food and shelter. It is important to note that the main reason why new refugees experience delays in benefits payment is the delay in being issued a NINO. In the case of

³ Scottish Government, COSLA and Scottish Refugee Council (2013) [New Scots: Integrating Refugees in Scotland's Communities](#)

⁴ Zimmerman, C et al (2009) [Asylum seeking women: violence and health](#), Scottish Refugee Council & London School of Hygiene & Tropical Medicine

⁵ Querton, C (2012) [I feel like as a woman I'm not welcome: a gendered analysis of UK asylum law, policy and practice](#), Asylum Aid

⁶ Gillespie, M (2012) [Trapped: destitution and asylum in Scotland](#), Scottish Poverty Information Unit, Glasgow Caledonian University

⁷ Refugee Women's Strategy Group (2011) [The Struggle to Contribute: A report identifying the barriers encountered by refugee women on their journey to employment in Scotland](#)

⁸ Scottish Refugee Council (2014) [Holistic Integration Service - Year 1 Evaluation Report](#)

couples who make a joint claim, women can experience longer waiting times for a NINO, which means that the household will live with a single person's allowance. This creates a higher level of poverty, but also increases the dependency of refugee women on their partner. Of the three main benefits, Income Support and Employability Support Allowance take the longest to process and are mostly applied for by women. This delay is mostly due to the fact that these benefits require additional evidence and cannot be claimed online.⁹ Our service users also experience significant delays in receiving Child Tax Credits and Child Benefit. Our figures show that women wait on average 50 days for Child Benefit and 69 days for Child Tax Credits to be put in place.

10. We also work with family members joining refugees in Scotland through Refugee Family Reunion. Delays in the payment of benefits are also experienced by these families, which put significant pressure on families who have been through trauma, many of whom have been separated for some time. The process of obtaining a NINO and applying for benefits cannot begin until family members arrive in the UK. When receiving Job Seekers Allowance, Child Tax Credit and Child Benefit, although the applications are processed as a joint claim the funds are transferred through the – usually male - sponsor's bank account. The refugee family reunion visa thus creates a worrying dependency on refugee sponsors and benefit payments further compound this. Women on refugee family reunion visas are reliant on their partner as sponsor for access to social security or other public funds, placing them in an extremely vulnerable position, particularly if they experience relationship breakdown or domestic abuse.

How has your clients' experience with the benefit system changed in recent years since the introduction of the welfare reforms?

11. Our experience of delivering services to refugees and working with the Refugee Women's Strategy Group has highlighted four particular areas of impact since the introduction of welfare reforms: an increased reliance on the Scottish Welfare Fund (SWF); negative impacts of sanctions; difficulties with digital access; and inflexibility in the implementation of the English Language Requirement.
12. Refugees in Scotland are increasingly reliant on payments by the SWF to plug the gaps in support resulting from administrative delays in benefits payments being put in place. Between July 2014 and March 2015 we secured 55 payments from the SWF for clients: 27 of these were made to female heads of household and 28 to men. Less than one third of our clients overall are female heads of household, indicating a worrying gendered dimension to refugees' reliance on the SWF. Additionally, the average payment made to women was £216.73, compared to £108.00 to men, demonstrating a higher level of need and reliance on this discretionary payment for women than men. It is not acceptable that women with a recognised entitlement to benefits have to resort to discretionary 'safety net' payments to plug gaps in a broken system.
13. Another worrying trend is our clients' experience of sanctions. We have data on a small sample of our clients who have been sanctioned; however, we believe this to be an underreported issue, as clients do not necessarily present to us for

⁹ DWP encourages online claims for JSA as it is the fastest and most efficient way to process the claim.

help when sanctioned, and when they do, in most cases they do not realise that the reason for their payments being stopped is that they had been sanctioned. Our data suggests that a higher proportion of women refugees may be sanctioned (29%) than the proportion of women among our clients claiming JSA (25%). The size of the sample does not allow us to draw conclusions, but the indication is that there may be a gendered dimension to sanctions among refugee JSA claimants. Where our clients are sanctioned, this most often occurs within the first six months of being granted leave to remain. This would suggest that people who are grappling with an unfamiliar and complex system are being penalised for their lack of awareness of the system rather than supported effectively to engage with it and start to rebuild their lives. The introduction of strict claimant commitments with the lack of flexibility and room for individual need in the system is contributing to this failure to support people effectively into employment.

14. Refugees bring with them a wealth of language skills, experience and qualifications; however, a majority of our service users have limited English language skills at the point of being granted leave to remain, and many women in particular have limited, if any, formal work experience of the kind that is valued by employers in Scotland. 62% of our service users are ESOL Access Level 2 or below when they are granted leave to remain. 50% of adult women service users have never been formally employed before. Given this demographic, reduced access to Job Centres and reliance on digital access is particularly challenging for women refugees. Interpreters are rarely available for welfare-related appointments at Job Centre Plus, and are only provided where there is a recognised additional vulnerability. This also impacts significantly on our service, on which people increasingly rely for advocacy and support to complete benefits applications among other support.
15. The introduction of the English Language Requirement (ELR) has again highlighted a lack of flexibility in the welfare reform agenda, and a number of causes for concern. Although it is too soon to measure the real impact of the ELR, challenges have already been identified. For example, the DWP has contracted a single private provider (Ingeus) to deliver the mandatory provision under the ELR across the UK. In practice, this means that JSA recipients in Scotland already accessing ESOL or other college course provision have to withdraw from their courses to attend the mandatory DWP provision. The DWP provision is restricted to basic speaking and listening skills, incompatible with mainstream provision in Scotland and Scotland's newly refreshed holistic ESOL Strategy.¹⁰ We know that women in particular tend to prefer and get more out of community-based and flexible approaches to English language learning.¹¹

What would be your priorities for change when certain benefits/elements of employment support are devolved to Scotland?

16. Our priority for change upon devolution of further powers to Scotland would be for the action points on asylum agreed by the Smith Commission to be implemented.

¹⁰ Education Scotland (2015) [Welcoming our learners: Scotland's ESOL Strategy 2015-20](#)

¹¹ Refugee Women's Strategy Group (2011) [The Struggle to Contribute: A report identifying the barriers encountered by refugee women on their journey to employment in Scotland](#)

In particular, we believe that the executive devolution of asylum support, housing and advice to the Scottish Parliament would enable a system to be implemented that better meets the needs of refugee women, men and children at a local level, enabling us to work towards a gendered approach to the provision of end-to-end support which ends the unacceptable administrative delays and the 28-day 'move-on' period currently leaving refugees destitute at the point of being granted international protection.

Do you have any suggestions of practical improvements that you would like to see when certain benefits/elements of employment support are under Scottish control?

17. One example of a practical improvement we would like to see is a more flexible and tailored approach to supporting refugees - and refugee women in particular - into employment. We would recommend that Scottish employment support should incorporate English language provision into a more tailored work programme package that is guided by Scotland's ESOL Strategy, takes a holistic approach, and is informed by the needs and experiences of the people it is designed to support into employment. One example of how to do this is the Refugee Women's Strategy Group and Glasgow ESOL Forum's pilot programme, *One Step Closer*, which worked with refugee women to design and deliver a course that aimed to meet women's learning needs and build their confidence, supporting them to develop the skills they identified as needing to be able to take steps towards employment.¹²

18. We would be happy to provide further information in relation to any of the points made above. For further information, please contact:

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¹² Refugee Women's Strategy Group & Glasgow ESOL Forum (2014) [One Step closer: Confidence building and employability skills for refugee & asylum seeking women](#)