

**“What am I supposed to do?”
Living with No Recourse
to Public Funds in the
Nation of Sanctuary**

SEFYDLIAD
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FOUNDATION

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So now for us with a family of five, they give my husband five years visa, each of us are going to pay almost £5,000, making it about [£20,000]. For the health surcharge alone. ...There are jobs emerging, that are £25,000 each. [The cost of the health surcharge is] about your annual income. They are expecting us to raise that money and give it [all at] once. [This is] just for the health surcharge and [without] adding the visa fees.

...So if that's your annual income and you're going to deduct tax, you're going to deduct bills... what is left with you as a family to survive? There's a cost-of-living crisis right now... What am I supposed to do?

Research participant (dependant, graduate visa)

Summary

The number of people in Wales whose immigration status bars them from receiving public funds is growing. The No Recourse to Public Funds (NRPF) condition takes away access to most of the welfare benefits that other people can rely on in times of need. NRPF affects most migrants without settled status and places them and their families in a precarious position.

There is a real risk that where people affected by NRPF meet an unexpected circumstance or a point of crisis (e.g. a death in the family, a job loss, or a steep rise in household expenses) they will be left without support to help them get through it.

For many, the result is a long-term struggle with daily living expenses, increasing the risks of child poverty, ill-health, and exploitation. For some, being unable overcome a financial challenge leads to debt, inability to afford food, or homelessness, with severe consequences for health and welfare. With restricted entitlements and no visible route out, the road to destitution and homelessness can become a one-way street.

Well-timed assistance can help to avoid destitution and the social and economic costs which come with it. While a broad multi-agency approach is needed, local authorities play a key role in helping to support people onto pathways out of destitution. They also have specific legal duties to support people in need. For that reason, local authorities, and their relationships with other agencies, are the focus of this report.

Our research found that most local authorities in Wales do not have a coherent or effective response to NRPF. There is an urgent need to improve support and services, to increase training and develop resources for staff, and to improve and broaden the understanding of people's rights. Assistance schemes that are not public funds are sometimes administered in ways that exclude people with NRPF from applying. We found very little strategic engagement aimed at the prevention of destitution or the broader issue of NRPF.

There are also concerning gaps in information and data. Most local authorities are unable to demonstrate how much or what kinds of support they are providing to meet their statutory duties to adults and children with care and support needs who are affected by NRPF. In the absence of internal policies and practice guidance, we could not identify whether assessments for such support are informed and appropriate. We were unable to confirm how many people with NRPF were being refused support and in what circumstances, and whether alternative sources of support are being consistently identified and signposted.

The numbers of people with NRPF has risen sharply since 2020. The Illegal Migration Act will again increase the numbers of people without access to public funds or the ability to work, drastically changing circumstances for people seeking sanctuary in Wales. It is vital that Wales develops a strategic and proactive response to NRPF that is built on the needs and experiences of people affected by the restriction. This extends beyond local authorities, but they play a key role and should be leading the way in preventing poverty and destitution and in helping people to move on to sustainable and independent lives.

Key findings

- Only 32 per cent of local authorities in Wales provide or commission NRPF training for staff.
- No local authority in Wales has implemented a local NRPF Pathway.
- Local authority staff in Wales need and want more information, training, guidance, and understanding about NRPF.
- Local authority approaches to NRPF are inconsistent and there is a lack of policy, strategy, and practice guidance.
- Most local authorities in Wales exclude children from free school meals and the School Essentials Grant because of their immigration status.
- Some local authorities which offer free school meals to children affected by NRPF have application forms and assessment processes which make it impossible for parents to apply.
- People with NRPF are in urgent need of advice, support, and protection to exercise their rights and entitlements.
- The crisis in immigration legal advice and representation is proving to be a barrier to navigating pathways out of destitution.

During our project, we spoke to international students using local foodbanks. These conversations revealed specific issues of concern for this group. We found that:

- International students are facing large and unexpected costs that risk driving some into destitution.
- Lack of suitable accommodation can affect the ability of international students to financially support themselves.
- Barriers to employment prevent many international students from using their qualifications and contributing to the workforce in Wales.

Key recommendations

- All local authorities should develop a local NRPF pathway in line with Welsh Government guidance and in conjunction with specialist organisations, local services, and people with lived experience of NRPF. Pathways should include all relevant departments and services, focus on clear, practical solutions, provide guidance to staff, highlight local resources, and set out the local authority's policies and approach to supporting people with NRPF.
- Local authorities should provide a planned and comprehensive programme of training for staff in all relevant roles.

- Local authorities should employ specialist NRPf leads and larger authorities should consider developing NRPf teams to develop expertise and provide advice and guidance to other staff.
- Local authorities should develop strong working relationships with legal providers and third sector support agencies within their local area.
- Local authorities should fund and commission specialist immigration advice and legal services to assist people with NRPf and provide advice to council staff.
- Local authorities should develop regional forums to share expertise and information about NRPf.
- The Welsh Strategic Migration Partnership (WSMP) should establish and facilitate an NRPf forum involving all 22 local authorities, key statutory agencies, and relevant third sector organisations.
- The Welsh Government and Welsh Local Government Association should work with specialist organisations to prepare regular updates and circulars for local authorities, sharing guidance and advice on NRPf entitlements, local authority duties, legal updates, and good practice.
- The Welsh Government should increase funding to immigration legal services and other advice services offering assistance and support to people with NRPf.
- Local authorities should work with specialist agencies to produce clear and practical information and resource guides for people affected by NRPf.
- The Welsh Government should introduce automatic eligibility for free school meals for all children from low-income households regardless of their immigration status.
- Local authorities should develop accessible and NRPf-friendly application processes for free school meals and the SEG.

Key recommendations relating to international students:

- Universities should carefully and strategically plan recruitment of international students, involving Welsh Government, local authorities, landlords, employers, third sector organisations, and communities.
- Universities should provide clear, transparent, and practical information to international students considering studying in Wales.
- Universities should provide more family accommodation for students, work with local landlords, and support international students to find accommodation.
- Universities should develop forums with local employers to improve employment opportunities for students and to develop employment pathways for graduates.
- The Welsh Government should promote the employment of international students who have studied in Wales, encouraging and advising employers to become visa sponsors, promoting visa sponsorship within local authorities and statutory agencies, working with universities to develop pathways for students into employment, and exploring how overseas qualifications can be transferred to UK job roles.

1. Introduction

This report examines local authority responses to the No Recourse to Public Funds (NRPF) condition in Wales. NRPF places the people and families that it affects in a precarious position. The condition is placed on most migrants in the UK who do not have settled status. It prevents access to many of the mainstream benefits that others are able to rely on in times of need. There is a real risk that where people affected by NRPF meet an unexpected circumstance or a point of crisis – a death in the family, a job loss, or a steep rise in household expenses – they will be unable to find, or to access, support to help them through.

For many, the result is a long-term struggle in a sea of daily living expenses, working hard to make ends meet. For some, the lack of assistance to overcome a financial challenge leads to debt, inability to afford basics, or loss of housing, with severe consequences for health and welfare. With restricted entitlements and no visible route out, the road to destitution and homelessness can become a one-way street.

Well-timed assistance can help to avoid destitution and the social and economic costs which come with it. While a broad multi-agency approach is needed, local authorities play a key role in helping to support people onto pathways out of destitution. They also have specific legal duties to support people in need. For that reason, local authorities, and their relationships with other agencies, are the focus of this report.

1.1 The no recourse to public funds restriction

NRPF is a condition that restricts access to benefits that are classed as “public funds”, preventing people from accessing most essential welfare benefits. The condition can be attached to a person’s visa or is automatically applied when someone is ‘subject to immigration control’.

The NRPF condition restricts access to most mainstream benefits, such as Universal Credit, disability allowance, child benefit and housing benefit¹. This includes benefits designed to top up low incomes for people in work. People subject to immigration control are not eligible for an allocation of housing accommodation by a local housing authority². The restriction also stops people from accessing crucial payments designed to provide temporary and cost-of-living relief, such as the Warm Home Discount, Winter Fuel Payment, and Cold Weather Payments.

The complex rules around NRPF and the design of the welfare system mean that an individual’s status can have impacts on the entire household, even where another person is entitled to benefits. For example, where someone is claiming a benefit such as Universal Credit which contains an amount for a partner or other dependant, they will not be entitled to receive this amount if it relates to a member of the household who has an NRPF restriction. Children, regardless of their immigration status and including those with British nationality, are excluded from Child Benefit if they live with a sole parent who has NRPF.

Most people living under an NRPF restriction are in secure financial situations and will not need to access public funds. Like anyone, people with NRPF are also at risk of job loss, low wages, emergency costs, and mental and physical illnesses which stop them from working. People affected by NRPF are also affected by the cost-of-living crisis, but do not have access to what is generally considered to be a universal safety net.

The number of people with NRPF has risen sharply since 2020. It is estimated that around 2.6 million people in the UK held visas that typically have NRPF at the end of 2022³. This does not include people with irregular immigration statuses, who are also unable to access public funds. The number of people falling into this last group is likely to grow significantly if provisions within the Illegal Migration Act to exclude people arriving by irregular routes from claiming asylum are implemented.

The Welsh context

The NRPF restriction is a visa condition applied under UK immigration law. Powers to make and change such law are reserved to the UK Government. Whilst the Welsh Government cannot legislate on immigration and asylum matters, there is scope within devolved powers to mitigate harm to communities, families, and individuals in Wales. This requires accurate and up-to-date information, engagement with third sector agencies and statutory services, and the willingness to take bold and decisive action.

One of the key principles of Wales as a Nation of Sanctuary is to recognise people as “people first and foremost”⁴, rather than identifying people by their immigration status. Our research demonstrates that sustained efforts are needed before this principle can be realised.

Who has no recourse to public funds?

Identifying who does and who does not have an NRPF restriction is enormously complicated. Similarly, identifying what is and what is not a “public fund” often leads to confusion and denial of entitlements. As an illustration of this complexity, the Home Office has produced a booklet for its staff that outlines entitlements and restrictions to public funds and who they apply to⁵. This document runs to 52 pages.

The NRPF condition does not apply to people who have indefinite leave to remain or settled status in the UK, unless they are granted leave to remain as an adult dependant relative. It does not apply to certain groups of migrants, such as those with refugee status, Unaccompanied Asylum-Seeking Children (UASC), those who have been granted leave to remain on the basis that they are a victim of trafficking, and people who have been granted the Victims of Domestic Abuse Concession (formerly the Destitution Domestic Violence Concession)⁶.

No Recourse to Public Funds is applied to those who:

- Have leave to enter or remain in the UK that has an NRPF condition attached.
- Have leave to enter or remain in the UK that is subject to a maintenance undertaking.

- Have leave to enter or remain in the UK due to a pending immigration appeal.
- Are required to have leave to remain in the UK, but do not have it⁷.

The NRPF condition is imposed as a matter of routine on people who are visiting, studying and working in the UK so have been given leave to remain for a temporary period. It can also be applied where people are on a route to settlement, such as a family route (such as the partner or spouse of a British citizen or someone with settled status, or the parent of a British child or a child who has lived in the UK for seven years). In these circumstances, the effects of the NRPF condition extend to people who are settled or have a route to settlement in the UK, and on British adults and children.

The restriction is applied to people on other settlement routes, such as the Hong Kong British National (Overseas) route, and those applying on the grounds of Private Life. It applies automatically to asylum seekers who are appeal rights exhausted after an unsuccessful asylum claim and those who are undocumented. People on asylum support are also unable to access mainstream benefits. European Economic Area (EEA) Citizens who have not yet applied for EU Settlement Scheme (EUSS) status are barred from accessing public funds, while those with pre-settled status may be able to access public funds but need to demonstrate a qualifying right to reside.

Benefits that can be accessed by people with NRPF

There are some benefits which an eligible person with NRPF can access. If a benefit is not listed in Section 115 of the Immigration and Asylum Act 1999 or paragraph 6 of the Immigration Rules, then it is not a public fund for immigration purposes. These include benefits which are based on National Insurance contributions. Other examples include:

- Statutory Maternity Pay
- Bereavement Benefit
- Single Person Council Tax Discount
- Child Maintenance Allowance
- Guardian's Allowance

There are a range of devolved benefits and services in Wales which complement the UK Social Security System⁸. Some benefits or assistance schemes devolved to Wales are not public funds for immigration purposes and can be a crucial source of supplementary support. The following are available to all or some groups of people with NRPF in Wales (provided they meet other eligibility criteria):

- Free school meals
- Free breakfasts in primary schools
- Schools Essentials Grant
- Discretionary assistance fund (emergency element only)
- Childcare for three- and four-year-olds
- Education Maintenance Allowance (EMA)

- Disabled Facilities Grant

1.2 The cost-of-living crisis and its impact on people with NRPF

The cost-of-living crisis has affected people across the country, but the increases in energy bills and food prices have had a greater impact on low-income households. Previous Bevan Foundation research has found that 46 per cent of social housing tenants reported that they had to cut back on food for themselves or skip meals in the three months leading up to January 2023⁹. 44 per cent of people on Universal Credit and 36 per cent of people on legacy benefits cut down the size of meals or skipped meals, whilst 17 per cent and 11 per cent respectively have visited a food bank¹⁰.

Low-income households which would be eligible for social housing and universal credit but for the NRPF condition, are more susceptible to the effects of the cost-of-living crisis and excluded from much of the financial support that can help with increased costs. It is even more vital, therefore, that access to devolved schemes of assistance that are not classed as public funds is facilitated for people subject to NRPF.

1.3 Our research

The primary aim of our research was to explore local authority support for people with NRPF in Wales. We set out to identify practical ways to offer support and improve access to vital services. We looked at how different local authorities support people with NRPF, how closely they follow Welsh Government guidance¹¹, and the challenges faced by local authorities when delivering support. We also talked to people with lived experience of being barred from public funds, to inform our solutions. The research took place over six months between May and October 2023.

We aimed to identify what support local authorities were providing to people with NRPF, both within and outside of their statutory duties to provide care and support. While recognising the limitations of operating within UK immigration law, we explored support and solutions that can be provided within the context of devolved powers.

We distributed surveys to over 100 members of staff within all 22 local authorities in Wales. These included councillors, managers, social workers and other frontline staff in teams across education, children and adult social services, housing, and information services. We received 21 responses from 9 different local authorities. We submitted Freedom of Information (FOI) requests to 21 local authorities (having been given the relevant information directly from one local authority prior to issuing FOI requests). In addition, we carried out interviews with service leads and managers, checked public-facing information, and contacted local authorities where clarification was needed.

To get a broader understanding of the impacts of NRPF and the cost-of-living crisis, we talked to people with NRPF who were not receiving support from local authorities but who were accessing other forms of support such as foodbanks. We also talked to organisations providing this support. The timescale of this project did not allow for meaningful engagement with people living in destitution or with very complex needs. UK national research being completed by COMPAS¹² into local authority support for

migrants living in, or at risk of, destitution may provide further information about the experiences of this cohort of people in Wales and give useful UK-wide context.

We faced challenges reaching people in North and West Wales, where there are fewer specialist support agencies and smaller migrant populations.

The research identified several areas in which work is needed in Wales to improve the support and services available to people with NRPF, to improve access, and to improve understanding of people's rights. We found a lack of strategy and resources, with too often little evident engagement around the prevention of destitution or the broader issue of NRPF. We also identified significant gaps in data. Not least, we did not receive any data from local authorities to enable us to identify how much or what type of support they are providing to meet their statutory duties to people with care and support needs who are affected by NRPF. In the absence of internal policies and practice guidance, we could not confirm whether assessments for such support are informed and appropriate. We were unable to identify how many people with NRPF are being refused support and in what circumstances, or whether alternative sources of support are being consistently identified and signposted.

This report presents the key findings of our research and attempts to navigate a path to better services within a hostile and challenging legal framework. A central aim of our project was to find solutions to help people struggling with basic living costs or at risk of destitution because of their immigration status. With this aim in mind, we have arrived at recommendations for local authorities, Welsh Government, strategic bodies, and other key institutions within Wales, which address our key findings. These were formulated and refined in consultation with our project advisory group.

This project is a step in continuing work on NRPF in Wales. We will continue to influence for improved provision in coalition with other organisations and working with statutory and strategic bodies. Our focus, in line with our broader Access to Justice project, is on the protection and promotion of rights, and access to legal advice and representation.

Project advisory group

- Natalie Evans, Campaign Co-ordinator at Rhondda Cynon Taf Foodbanks
- James Watts-Rees, People and Work
- Jennifer Morgan, Cardiff University
- Esther Sunday
- Omolola Akagbosu

2. Local authority support and duties

Local authorities are a vital source of support for people with NRPF who are at risk of, or living in, destitution. They are greatly restricted by the law in their ability to provide services to people with an NRPF condition, but local authority duties to meet the care and support needs of adults where these do not arise solely from destitution as a result of their immigration status, and to provide services to children in need, are not affected by a lack of entitlement to public funds.

Our research raised serious questions about the level of knowledge and expertise within local authorities in relation to NRPF. Crucially, we were unable to determine whether all local authorities in Wales are consistently meeting their duties under the Social Services and Well-being (Wales) Act 2014, where people presenting with needs are subject to an NRPF restriction.

2.1 Local authority duties under the law

Adults

Local authorities in Wales have a duty to assess the needs of an adult, including those who have NRPF, when it appears that an adult may have care and support needs¹³. The assessment should be carried out in the usual way, with due regard to the wellbeing of the person and involving carers and other people they wish to be involved in the assessment. The assessment should take account of the impact of a person's inability to access public funds, and any lack of accommodation, on their care and support needs. The presence of NRPF does not relieve the local authority of its duty to carry out an assessment.

Whilst a person with NRPF is not normally eligible for an allocation of social housing, where care and support needs are identified, local authorities can sometimes provide accommodation on a discretionary basis¹⁴.

The duty upon local authorities to meet the care and support needs of an adult with NRPF will not apply when the need has arisen solely due to destitution¹⁵. However, needs that do fall within local authority duties may arise in situations where an adult has support needs in relation to, for example, physical or mental ill-health, age, disability, or drug or alcohol dependency.

Some adults (for example, someone who has sought asylum but is no longer considered an asylum-seeker and who has failed to co-operate with removal directions; and people who are considered "in breach of immigration laws") are excluded from the duty to provide care and support. However, where a person in one of these categories presents with care and support needs, the local authority must carry out a human rights assessment to determine whether the person is able to return to their "home" country to avoid destitution. If they are prevented from doing so, a refusal to provide care and support services may be in breach of human rights. The assessment should consider a range of potential barriers to return, including "whether the adult needs to obtain legal advice about their immigration options before return can be considered"¹⁶.

Children

The duty to assess the need for care and support still applies to a child whose family is subject to NRPF¹⁷. The assessment should include consideration of whether the need is unmet or is likely to have an adverse effect on the child's development. This includes the physical, intellectual, emotional, social and behavioural development of that child¹⁸. It may be necessary to give support to the whole family in order to meet a child's needs and to keep the family together.

General considerations

Whether for a child or an adult, the outcome of an assessment, and the reasons for the local authority's decision, should be provided in writing, and the local authority should ensure that the assessment and decisions are understood by the person concerned or their parents or carers. It is good practice to provide assessments in the primary language of the adult, child, or their carer.

A local authority has the power to meet needs whether or not a needs or financial assessment has taken place¹⁹. Support and accommodation can be provided directly, via financial support, or through a third party. Support can therefore be provided on an interim basis while waiting for the outcome of an assessment.

Local authorities also have a duty to ensure the provision of a service that offers information, advice and assistance about care and support services that are available²⁰. While housing allocation is a public fund, information and signposting by homelessness advice services and housing options are not public funds²¹.

Section 15 of the Social Services and Well-Being (Wales) Act 2014 requires local authorities to adopt a range of preventative measures. These may include services to prevent or delay the development of care and support needs and actions to reduce those needs²².

2.2 Welsh Government NRPF Guidance

"Seeing the person and their needs before their immigration status is a fundamental aspect of the Nation of Sanctuary approach."

No Recourse to Public Funds (NRPF) Guidance - Welsh Government

In 2022, the Welsh Government published Guidance to assist public sector bodies and third sector organisations in supporting people with NRPF. The purpose of the Guidance is to help local authorities to meet the expectation to "adopt an approach of providing as much support as they can, rather than concentrating on what they cannot offer"²³.

The guidance recommends to local authorities a series of measures to best support people with NRPF. Our research assessed whether local authority were following these key recommendations in the guidance:

- Each local authority should develop a local NRPF pathway.
- Local authorities should support the continuing professional development of officers (we focused specifically on NRPF training).
- Local authorities should review their policies for providing financial support to ensure that no-one receiving social services support in the form of payments to cover essential living needs receives less than the current asylum support rate.
- Local authorities should systematically collect anonymised data relating to support sought by people with NRPF (with the aim of evidencing the financial and human costs of immigration and asylum decisions).
- Local authorities should share the above data with the Welsh Government.

Findings show that compliance with the guidance is inconsistent across Wales. This has implications for the provision of support and services, as well as the promotion of people's rights and entitlements, and their access to services and support.

Familiarity with and understanding of the Welsh Government guidance varied. Some authorities stated that they relied on the guidance as an operational tool, while one Community Cohesion Officer working across several local authorities in Wales and reporting a rise in the need to support people and families with NRPF, stated that they were unaware of its existence.

We asked local authorities about interim support provided prior to completion of an assessment, and about rates of payment made to meet a person's essential living needs where the local authority has assessed that there is an ongoing need for support. We did not receive enough data to reach any findings on either of these matters.

2.3 Identifying the scale and scope of local authority support

Information about the provision of support for people with NRPF across Wales is extremely limited. Lack of local authority data makes it extremely difficult to quantify the support given by local authorities or to evidence the range or demography of need. What is evident is that there is rising concern about the impacts of NRPF on people in Wales and the scale of poverty, homelessness, and destitution that arises from exclusion from benefits and support.

People with experience of living under an NRPF restriction reported severe hardship, mistrust of local authorities, and a lack of support, information and guidance. In addition, they reported barriers to identifying and accessing provision that they may be entitled to and that would make a significant difference to families struggling to make ends meet.

Our research identifies that not enough is being done by local authorities to prevent destitution and to identify and provide pathways out of destitution.

2.4 Costs to local authorities of NRPF support

Other studies have found that the withdrawal of benefit entitlements to people without settled status has had a significant effect on local authority budgets²⁴. Without benefits to meet temporary support needs or to help fill gaps in income, people are more likely to enter deep poverty and to face exploitation and abuse. This can result in care and support needs that fall within the scope of local authority duties. The withdrawal of benefits from people subject to immigration control and the corresponding rise in support needs being met by local authorities represents a shift in cost drawn from the central UK budget to the budgets of local authorities.

Without adequate data, local authorities in Wales are unable to identify or evidence the costs of NRPF support.

3. Findings: local authorities

In the end, they sympathise, they heard. Any action that has changed the circumstance? No.

Individual research participant

Our findings in relation to local authorities are drawn from a number of sources, primarily:

- FOI requests sent to 21 local authorities (20 responses received). We formally interviewed senior managers in one local authority who provided the information required ahead of sending out FOI requests.
- 26 responses to surveys sent out to all 22 local authorities and including social services, housing, advice and information, and education departments.
- Engagement, including semi-structured interviews and group sessions with a total of 41 individuals living under NRPF.

Findings are characterised by the lack of a coherent response to the needs of people affected by NRPF, a lack of training and awareness, and a lack of support and infrastructure. We also found within some local authorities an encouraging willingness to improve services and training, and strong concerns about the effects of excluding people from the welfare system. In several cases, we received direct requests for help and guidance.

Findings 1 to 4 relate to local authority compliance with Welsh Government guidance.

3.1 No local authority in Wales has implemented a Local NRPF Pathway

We desperately need a cohesive pathway identifying third sector support options, visa options, local specialist solicitors who may offer pro bono or funded advice/support, emergency housing, what support LAs can legally provide to adults and children.

Social Worker, Older People

Welsh Government guidance on NRPF recommends that all local authorities implement a local No Recourse to Public Funds pathway. The purpose of such a pathway is to provide a document that outlines the local authority's approach to supporting people with NRPF and sets out how the local authority will implement aspects of the Welsh Government guidance. It is a document which can be referred to by all members of staff within the local authority as well as providing a framework for working with external agencies, legal advisors, and organisations in the third sector.

A locally-developed NRPF pathway can be a valuable resource to local authority staff, providing information and guidance in relation to supporting people with NRPF who are in vulnerable and often complex situations. If developed in conjunction with local organisations and communities, the process of developing a pathway can assist in identifying valuable resources and building effective working relationships.

The guidance states that a local NRPF pathway should set out the local authority's approach to implementing the other recommendations of the Welsh Government guidance on NRPF²⁵. These relate to:

- providing interim support while exploring a person's eligibility;
- reviewing policies for financial support offered in line with a local authority's statutory duty, and setting rates that meet or exceed the current amount of the Home Office asylum support rate;
- collecting anonymised data relating to individuals affected by NRPF who are seeking support (see [3.4](#) for details of data that should be collected);
- data sharing protocols and the publication of privacy notices;
- sharing data with the Welsh Government;
- navigating routes out of destitution, including referring people to appropriate legal advice, timely submission of full asylum claims for Unaccompanied Children approaching adulthood, engaging with domestic abuse refuges where relevant, seeking and advising on other routes;
- maintaining families together;
- agreeing local mechanisms to resolve conflicts of opinion and to develop and maintain effective professional relationships;
- building effective partnerships with the third sector; and
- continuing professional development.

At the time of our research no local authority in Wales had implemented an NRPF pathway. Three local authorities responded to our Freedom of Information request saying that they were in the process of developing a pathway but none had been completed at the time of the research.

Four local authorities stated that they were using the Welsh Government guidance itself as a form of NRPF pathway. This is not the purpose of the guidance. The guidance provides an explanation of duties and powers under legislation and gives general guidance on the approaches to NRPF that are encouraged within the Nation of Sanctuary. It does not relate to specific local authorities, provide information about local services and resources, or respond to local circumstances and local need. It does not provide practical steps to assist staff with navigating pathways out of destitution that relate to a particular local authority area. Nor can the guidance act as a basis or framework for developing professional relationships and managing conflicts of opinion.

It is vital that local authorities properly examine the situation in relation to NRPF within their own area and take responsibility for identifying local needs and solutions, and developing local partnerships. Only by developing pathways that relate to needs in the

locality, by identifying and building resources and relationships to address those needs, and by making their own commitments to action, will local authorities be able to effectively tackle the most severe consequences of NRPF and assist people to avoid, or to navigate their way out of, destitution.

The Guidance states that a local authority NRPF pathway should include:

- “an explanation to new and existing staff about how the organisation expects them to welcome and engage with migrants accessing their services
- a presumption in favour of providing interim support to prevent destitution
- an explanation for how local authority staff should set financial support rates
- a guide to collecting and sharing data
- information about the various types of routes out of destitution which could be considered by officers
- a commitment to upholding children’s rights and maintaining families
- information and contact details for the various third sector agencies operating in the area
- opportunities for continual professional development for officers working on this area”²⁶

The absence of NRPF pathways within local authorities in Wales underpins many of the findings in this report. It is our view that local NRPF pathways are critical in promoting a consistent and positive response to the needs of people with NRPF. They can lay the foundations for cohesive and effective actions to avoid and tackle destitution. If developed effectively and collaboratively, a pathway can lay the ground for improved joint working, effective interagency referrals, faster and improved responses to need, and better local provision.

3.2 Only 32 per cent of local authorities in Wales provide or commission NRPF training for staff

In its NRPF guidance, the Welsh Government highlights the need for local authorities to ensure that staff are equipped to identify the support that can be provided to someone with NRPF. The guidance recommends training to staff during induction and continuing professional development within this area²⁷.

Our research found that training provided to staff within local authorities is inconsistent across Wales, with varying degrees of clarity as to the extent, scope, and quality of training provided.

Freedom of Information responses indicate that nine local authorities (41 per cent) do not commission training on NRPF or provide this in-house. Of these, one stated that when the local authority had commissioned training on domestic abuse, it had contained “an element of NRPF”.

Seven local authorities (32 per cent) provide or commission training to staff that specially relates to NRPF. Not all of this training, however, covers all relevant departments. Of the seven, one local authority reported that it provided training in-house for all new starters in homelessness services and was in the process of working with a partner to develop resources which would in future be provided annually to all staff in adult services. No training for staff in other departments, including children's services, was referred to. Another focused NRPF training on education and children's services. Only one local authority took a broad approach, reporting that training had been provided to staff in its housing, law, and social services departments, Pathway Immigration Team, and "relevant" Connected Communities teams.

In response to our survey, a social worker from a local authority which did not respond to the FOI request stated that NRPF training for an external provider was provided for the team receiving all adult referrals.

Two of the local authorities who did provide training had arranged this as a one-off. One of these also raised NRPF "as a theme within our adult safeguarding course". It is important that robust training is provided to staff on induction and that regular refreshers are provided to ensure that staff remain up to date with changes in law, policy, and practice.

The remaining local authorities either did not respond or provided answers from which we were unable to draw firm conclusions about their training arrangements. Of these, one referred to having arranged training to children's teams about age assessment and asylum law, but no specific training on NRPF was mentioned.

We note that individual teams or members of staff may source and attend their own training on NRPF.

Local authorities who do provide training obtain it from various sources. Two local authorities developed and delivered training in-house, one of these in conjunction with a partner organisation. Others commissioned training from organisations such as NRPF Connect (which some stated was commissioned by the Welsh Government), Talking Life (which focuses on children and family social care), Citizens Advice, and Settled.

As well as formal training, local authorities reported using Welsh Government guidance, Housing Benefit regulations, circulars from the Department of Work and Pensions, the Home Office website, and legal bulletins, to inform and advise staff about NRPF. In several cases the local authority relied totally on such sources for staff knowledge about NRPF, in the absence of any programme of training.

Training on NRPF is a key element of effective local authority support. Training improves knowledge about the effects of NRPF, provides clarity around duties and powers, develops understanding of effective and appropriate responses, and builds expertise. It can also illustrate the complexity of immigration law and help to prevent actions which may later have a serious negative effect on a person's immigration application or status.

3.3 Local authority staff are asking for more guidance and training

This is the first time I have heard of NRPF so staff awareness/training would be beneficial.

Social worker, adults services

I would like to know the circumstances in which I need to provide support... A practical support guide.

Senior manager, children's services

Although we would give advice on a whole swathe of subjects, we often give general advice and it is usually based on Google research we do ourselves. I have been with the authority for a year and I can't remember hearing NRPF mentioned, offered training, or anything else.

Social worker, children's services

60 per cent of respondents to our survey stated that they did not know whether the local authority they work for provided training on supporting people with NRPF.

When asked "is there anything that you think would help the local authority to improve support to people presenting with needs arising from NRPF?", training was the most common response, with eight out of 21 respondents identifying a need for more training themselves, and others pointing to potential training needs in other local authority departments. Other responses requested advice, guidance or template policies. One respondent stated that more support from the Welsh Government would be helpful, while three stated that they did not know what NRPF was or had never heard of it before.

One Director of Children's Services acknowledged the need for training for frontline staff:

We understand that as practitioners may come across the issue infrequently, they may not be confident. We are seeking to put together practitioner-friendly guidance.

Comments from a Safeguarding Manager within the same local authority indicate the need to equip local authority staff to "to adopt an approach of providing as much support as they can, rather than concentrating on what they cannot offer"²⁸, adding:

I'm clearer about our duties in Adult Social Care but less clear about our powers and how we should make decisions.

In addition to the responses to our survey, we received five separate requests for help from local authority staff while conducting our research. These included requests for advice about specific cases, including one enquiry about providing accommodation. In addition, we received a request for assistance from an individual who had been given the Bevan Foundation's telephone number by a local authority. This illustrates the level of need within local authorities for training and development, and the lack of available options for advice, guidance, and support.

More resources and guidance for social workers, social care workers, and other staff working with people with NRPF are needed in Wales. The Children's Legal Centre based at Swansea University has produced the excellent *Child first*, a best practice guide for social workers in Wales supporting unaccompanied asylum seeking children²⁹, but since looked-after children are not much impacted by NRPF, the topic does not feature.

Staff comments identified needs for increased and improved training, relevant practice guidance, the development of internal policies and pathways, and specialist advice and referral networks that can support with specific cases.

3.4 Only two local authorities in Wales collect data on support given to people with NRPF

"The lack of reliable data makes it difficult to monitor the impact on the UK Government asylum and migration decisions on Welsh Communities and prevents local authorities from identifying and advocating for policy changes which may reduce destitution"

Welsh Government Guidance on Supporting People with No Recourse to Public Funds

Welsh Government guidance recommends that local authorities systematically collect anonymised data relating to people with NRPF who seek support, including details of:

- the date the support was sought
- the type of support requested
- the date the support commenced
- the type of support received
- the date of the person's arrival in the UK
- the type of immigration status the person currently has
- previous UK immigration status which the person may have had (examples given are "working visa, student visa, asylum seeker etc")
- the reason for destitution (examples given are "refused asylum, overstayed visa, lost job on working visa etc")

- pathways out of destitution identified (examples given are “asylum appeal, fresh claim, NRPF condition lifted, domestic abuse concession, National Referral Mechanism”)
- estimated monthly cost of support per case
- estimated monthly cost of support for all supported cases in the local authority

The guidance emphasises that data collection should be anonymised, and that advance consideration of sharing protocols is crucial to mitigating the fear that information about those with NRPF will be shared with the Home Office³⁰.

According to FOI responses, only two local authorities (Cardiff and Newport) routinely collect anonymised data relating to support provided to people with NRPF. The South-East is the most densely populated area of Wales and these two authorities have the greatest proportion of migrant residents. Both local authorities acknowledged a significant cohort of need in relation to NRPF. Both declined to provide data to the Bevan Foundation on the grounds that the cost of complying with this request would exceed £450.

One local authority stated that their processes on data collection were under review. Another stated that they were reviewing the collection of data relating to NRPF within Child and Family Services but had identified a training need in relation to this. Their FOI response stated:

Our referrals into the service are able to identify those families who are NRPF however what support they receive is not currently tracked also there is a training need in regards to staff identifying NRPF families and ensuring they are making this clear on the referrals.

This comment illustrates that adequate training on NRPF is necessary not only to provide appropriate services, but also to ensure that need and provision can be identified, recorded, and reported.

Even in the two authorities where data is collected, we were not able to confirm that it is consistently collected across all relevant departments. One authority stated:

Data is only collected if the person is open to social services or if the person has been referred to the Hardship Group via the Connected Communities/Migration team, or if the person has presented to Homelessness Services and was willing and able to share their migration status and conditions.

Data collection in this authority appears to be confined to adults with NRPF presenting with support needs. It is not clear whether data from children’s services is also gathered. We were unable to identify any data collection relating to individuals who request but are refused support.

No local authorities in Wales currently use NRPF Connect, a bespoke case management solution for local authorities supporting people with no recourse to public funds. The system communicates with the Home Office’s NRPF Team and assists local authorities to access accurate and up to date information about a person’s

immigration status and their entitlement to benefits and homelessness assistance. 82 local authorities use the database across the UK.

Different and changing populations

Welsh Government recognises in its NRPF guidance that most local authorities will not systemically collect data on support given to those with NRPF. Local authorities in Wales have widely varying sizes of migrant populations, and there will be significant differences in the level of need for support and services from people with NRPF. Our research found that both data collection and training is lacking in areas where there is an identified need for support.

In many local authorities, populations and needs are changing, either as a result of natural migration or due to more widespread asylum dispersal. In some, there are concerns that services and awareness have not developed to reflect recent demographic changes. A lack of data makes it difficult to measure where people with NRPF have presenting needs and what those needs are. Accurate and up to date data is essential to ensure that service-delivery is responsive and adequate.

The benefits of data collection

Welsh Government encourages data collection for several reasons. In its guidance, Welsh Government states that robust data can enable local authorities to “evidence the ongoing financial and human costs of asylum and migration decisions in their area”. Data collection “may also enable the identification of patterns in how individuals become destitute and in need of local authority support”³¹. The guidance references the value of data in advocating with the UK Government for policy changes and planning “proactive engagement” with people with NRPF who are at risk of becoming destitute.

It may be difficult for local authorities to appreciate these long-term benefits when faced with the costs of implementing changes to data collection and training staff. A clear lead from Welsh Government would promote the collection of NRPF data, actively seeking collected data, collating and using it effectively, and demonstrating to local authorities and others the impacts of the work that their evidence has supported. Guidance, support, and resources for local authorities implementing data collection around NRPF support would also be of benefit.

3.5 Contrasting perceptions of need were evident at different levels within the same local authority

“[NRPF is] not a burning topic within the Council”

Director, Social Services

On more than one occasion, we identified differing perceptions of need amongst practitioners and senior managers within the same local authority. The Director of

Social Services quoted above stated that they had not heard NRPF mentioned in years. Staff in the same local authority reported an increase in requests for support for children and families, as a result of the “high cost-of-living” and “eligibility requirements” relating to benefits for EU migrants. We heard of an overwhelming need for support from people with NRPF, foodbanks, an advice agency, and grassroots organisations within another area where senior managers were “not aware of [NRPF] being a frequent issue”.

Sometimes, councils appeared to focus on one narrow area of support which remaining unaware of wider needs. Local authorities need to accurately identify need to plan and deliver services, to ensure the availability of appropriate resources, and to implement measures for preventing destitution.

Good quality and comprehensive data would help to evidence the need to support people with NRPF. However, local authorities should also engage with third sector agencies and organisations supporting people with NRPF to increase their knowledge and understanding of local needs. Without sources of quantitative and qualitative data, there is a risk that those designing and managing services will assume that needs they do not see, do not exist:

“Generally, if people don’t know what to do, they will seek advice from the hierarchy. Generally, people want to resolve it for the person and it would end up here.”

Senior manager, social services

3.6 There is a lack of understanding of NRPF within local authorities in Wales

“We have very little experience of NRPF and no internal policies or guidance”

Head of service, local authority

Many local authority respondents did not demonstrate an understanding of the extent to which NRPF is applied, its full impacts, or a clear grasp of local authority duties in relation to people with NRPF.

Respondents often referred exclusively to asylum seekers when responding to general questions about NRPF. While staff were more likely to understand that people seeking sanctuary would have no recourse to public funds where their appeal rights were exhausted, they were sometimes not aware that the restriction applied to other groups of migrants. We found that non-forced migrants, who, as well as refugees, are key contributors to our society, our economy and our culture, risk going unseen by statutory agencies.

The emphasis on asylum seekers may partly stem from the focus on people seeking sanctuary in Welsh Government policy, which is acknowledged in the NRPF guidance:

The [Nation of Sanctuary] plan³² sets out our commitment to improve outcomes for all people seeking sanctuary, including those with No Recourse to Public Funds, commonly referred to as NRPF. Since the plan was published other migrant cohorts have faced problems with securing or proving their immigration status, experiencing a range of negative impacts as a result.

The guidance goes on to explain that:

“NRPF restrictions apply to a diverse range of people including sponsored skilled workers, family members of British citizens, investors, asylum seekers, and undocumented migrants. From January 2021, EU nationals are subject to immigration control as part of *the UK’s new points*-based immigration system and will also become subject to NRPF restrictions.”³³

Despite this inclusion in the more recent version of the guidance, some local authorities did not see beyond asylum when considering NRPF. One FOI stated:

This is not an issue we have faced to date in the context of asylum seekers and refugees, which is the context of the Welsh Government guidance you refer to.

Lack of experience, lack of training, and lack of practice guidance undermined staff expertise in this area. Staff attitudes were generally positive and those responding to our survey largely expressed a desire to know more and to do more to support people affected by NRPF. When contacting local authorities through other routes, however, we experienced a few responses that demonstrated a greater level of ignorance. On calling one local authority public helpline to enquire about the availability of free school meals for people with NRPF, the operative asked:

Where are they from? ...Is it Iraq or something? ...Are they an illegal immigrant?

A lack of awareness of NRPF in local authorities can reinforce fears of the hostile environment and distrust in official bodies. Experiences of negative or offensive responses when seeking support, apart from being unacceptable, are additional barriers to accessing support. Unnecessary enquiries about immigration status, country of origin, or suggestions of being “illegal” can undermine trust and prevent people from exploring avenues of support further. They can also have serious impacts on people’s wellbeing and emotional health.

3.7 There is a lack of consistency between and within local authorities in their approaches to NRPF

We found a lack of consistency between different departments within local authorities with regard to training and the provision of support. Much of the focus in local authority responses was on support from adult services, with less reference to children’s services, and almost no consideration of the need for training and building awareness within information and advice, and education services.

There was also a lack of consistency between local authorities, in terms of support provided, training offered, awareness of and concern about the issue of NRPF, and work to improve local authority responses.

There are limited opportunities for local authorities to share practice and knowledge. Wales currently has no national NRPF forum involving statutory agencies. We were told of a regional forum involving local authorities in the Cwm Taf area, which is a positive step towards information-sharing and mutual support.

3.8 Some local authorities and departments are making concerted efforts to improve support to people with NRPF

In our interactions with local authorities, we found a general willingness amongst local authority staff to help and support asylum seekers, migrants, and people financially impacted by NRPF. The regional forum described above is one example of ways in which local authorities are making efforts to improve provision and practice. Others expressed a keenness to develop better internal guidance and improve training. One Director of Children's Services stressed the local authority's willingness to work with others and their wish to build experience so that staff could respond positively to people affected by NRPF:

What I'm saying is that we understand our responsibilities in this area. We understand that as practitioners may come across the issue infrequently, they may not be confident. We are seeking to put together practitioner-friendly guidance.

One authority outlined in its FOI response the changes it was making in respect of training:

The training has been delivered to the Pathway Immigration team. As the team is new it has not been decided how often refreshers will be given yet. We will ensure that all team members receive this training and updates when there are changes to the regulatory or practice framework. Practitioners also receive updates on case law through the year via legal bulletins. In the last few years, Social Services, Housing, Law and relevant Connected Communities staff have received Welsh Government contracted NRPF training from the NRPF network, Citizens Advice and 'Settled'. *In addition, wider teams have been provided with migrant awareness training, which includes basic information about NRPF.*

3.9 Local authorities need better working relationships with specialist organisations and immigration advice providers

We are currently developing our policies in regards to NRPF cases to ensure we are meeting the needs of the families who are referred into the service. Understanding the support from Welsh Government and third sector services available would also help us in relation to meeting this need.

Team Manager, Child and Family Services

We were unable to identify a strong infrastructure of support, particularly extensive joint working between local authorities, third sector organisations, and solicitors and third sector agencies offering legal advice.

We asked in our survey whether respondents or their teams had working relationships with third sector organisations and who these were. Out of 21 responses, five (24 per cent) answered 'yes'. 73 per cent said 'no'. Of those who gave a positive answer, three were only able to name one external organisation with whom they were working. Only two indicated a network of agencies with whom they worked or to whom they made referrals. Responses to the survey cannot be taken as a representative sample, but they do raise questions about the extent to which local authorities are connected with organisations in their area when supporting people with NRPF.

Some local authorities became aware of issues affecting people with NRPF because they had been raised by third sector organisations:

We've spoken to some foodbanks and found that they are seeing a rise in the numbers of international students coming to them, so we're trying to get a sense of whether this is being replicated in Council services, or whether people are not approaching the Council, or whether they are maybe not presenting with issues that fall within Council duties.

Services such as foodbanks can be the first to spot trends where needs arise within particular communities, or where there is a rise in need amongst people affected by NRPF. Trussell Trust Foodbanks in one area reported a significant rise in use from people "seeking financial support due to their immigration status" between September 2022 and September 2023. During the period, they had provided food parcels to 644 adults and 529 children in this category. One foodbank reported that word of mouth and development of trust were instrumental in encouraging people to use their services.

As a result of engagement between this foodbank and the nearby university, the university has since become a distributor of foodbank vouchers. The foodbank has also worked to bring the issues to the attention of the local authority.

The queries we received about specific cases indicate that some local authorities are struggling to find specialist advice and referral agencies (see [Section 4](#) for more on this issue).

The small size of many local authorities in Wales and the migrant populations within them makes it difficult to build up expertise and experience. More collaboration between authorities on a regional and national basis, and closer working between local authorities and external specialist organisations, would support practice and policy development.

The following case study from a citizens advice bureau demonstrates the importance of the third sector and how intensive and time-consuming the work to support individuals and families with NRPF can be, particularly in the absence of local authority support. It also demonstrates how effective partnership working can lead to positive outcomes for people facing destitution, and the enormous difference that positive local authority intervention can make.

Case study one

The client self-referred to us in January this year. They were struggling to access homelessness support from the council and had no means of income. The client, their married partner, and their parent-in-law are all on a British National (Overseas) visa. They were living in a campervan and had all of their savings in cash. Due to a fire, they lost their home and all of their savings, along with most of their items.

The council were initially refusing to support the family due to a lack of evidence of the situation, concerns around fraud and trafficking, and a lack of understanding of the BN(O) visa and the council's duties, and abilities, to support the family.

We spent every day for around 2 weeks on this case (something we don't have the capacity for any more due to funding losses). This involved constant appointments with the family to gather information and provide advice. It involved a lot of contacting local organisations to try and provide temporary housing for the family, liaising with our local MP and the Hong Kong Welcome Hub and constant meetings with the council to help them understand their role and what support was out there to help them support the family with housing whilst we worked on other areas of support.

Following our research, and with help from our expert advice team, we were able to identify that we could apply for the variation of conditions of leave for the family. We supported the family in applying for this and supplying all the relevant information. With the help of our local MP, this was granted. Whilst this was ongoing the family were provided temporary accommodation from the council, and they accessed a grant of £5000 to pay for this from the Welsh Government. This was following the MP setting up a meeting with the council and the Welsh Government contact for this grant. Once the NRPF was lifted the council then housed the family with a local housing association, and we supported the family in accessing Universal Credit, Council Tax Reduction, Pension Credit, and Attendance Allowance.

Our support also involved food bank referrals, referrals to local housing support and employment teams, accessing English classes, applying for national insurance numbers, accessing health services, setting up their tenancy, getting furniture, sorting out their campervan insurance, and trying to help them integrate into the community via accessing community organisations and referring to specific Hong Kong support groups. Following our advice, the family were able to settle into life in our local authority and are on their way to living a dignified and safe life.

...Due to the lack of funding for this type of work, we wouldn't be able to do this alone again in the future.

4. Findings: legal representation, advice, and information

Give them confidence, information, a centre to where they can go to ask freely.

Research participant

We did not carry out specific research into available advice and information services for people with NRPF but the issue arose repeatedly in our conversations with people affected by NRPF and with organisations offering support. This section is supplemented with findings drawn from our recent research into immigration legal aid in Wales³⁴.

4.1 There is not enough advice and information about the rights and entitlements of people with NRPF in Wales

NRPF is a complex area and identifying duties, rights, and entitlements can require specialist and/or legal knowledge. Outside of local authority duties for care and support, specialist knowledge can be needed to avoid providing support that may negatively impact on a person's future immigration status. Accessing public funds where there is no entitlement to do so can put someone in breach of visa conditions, and applying to lift a no recourse to public funds condition can impact on current and future status (see 4.4). Advice on rights and entitlements is important for all people affected by NRPF, not only those at risk of or living in destitution. The threat of destitution brings with it a need for urgent, accurate, and sometimes highly specialist advice and/or representation.

There are not enough organisations in Wales who can provide specialist and accurate advice and information to people with NRPF and to other organisations offering support and services. Above, we set out the need for better training and understanding of NRPF within local authorities and the need for better working relationships with third sector and specialist support, advice, and legal agencies. A skilled third sector and available, appropriate, and free legal services, are essential both to provide direct provision to people facing destitution and to support local authorities working to avoid destitution or navigate pathways out of it.

Developing expertise around NRPF, skills sharing, and joint working to gather evidence, improve infrastructure, and provide better support, are essential in the third sector as well as within statutory agencies.

Anecdotal evidence suggests that individuals and organisations are seeking advice on a range of matters, from understanding which types of support are classed as public funds for immigration purposes, to navigating the often complex interaction between immigration matters, social justice, and support. People also seek advice about available sources of support from local authorities, mainstream and specialist third

sector agencies, about employment matters, and, in the case of international students, from universities. In all these areas, respondents reported difficulty in identifying sources of advice and guidance. There were challenges with finding advice and legal services with capacity, with making referrals, and with sustaining the prolonged and intensive casework that is often necessary to navigate routes out of destitution.

Many specialist advice services for migrants are limited to certain groups of people, primarily asylum seekers and refugees, or survivors of domestic violence. There is a lack of advice services for other people affected by NRPF in Wales. This results in people going without support, and limits the ability of support organisations and local authorities to take proactive steps to help people out of destitution.

4.2 Trusted and community-based support is urgently needed to facilitate access to services

"Not many migrants will access help from those offering it, many of my friends don't know what is and is not a public fund."

Research participant

People we spoke to often mentioned fear of asking for help or accessing services. The primary reason for failing to seek support or advice was the (often legitimate) fear that doing so would affect immigration status. There were two ways in which people feared this would happen.

Firstly, many mistrusted agencies who may be able to provide support, or who had a responsibility to do so. Some international students, for example, expressed fears that seeking help from their university would result in the university reporting them to the Home Office for breach of visa conditions. Intrusive assessment processes and requests for details of income, bank accounts, and personal circumstances, reinforced mistrust and fears of being investigated by authorities.

Secondly, a lot of the people we spoke to did not trust that the advice on public funds that they received from mainstream organisations would be accurate. As one participant stated:

Even when all the confirmation has come back, they [people seeking support] still doubt it. They need a written email that they can rely on in case it comes up in the Home Office they can say they asked and this was the response.

Another reason for not seeking help was the belief that none would be provided. Some felt that local authorities were "just politicians" and were not really willing to help or listen. Racism and anti-migrant sentiment were also issues, cultivating the perception that mainstream organisations "only care about their own community" and do not consider migrants to be a part of that community. When asked whether they would consider approaching the local authority for help, one participant stated:

I don't because if they wanted to help... We have our doubts [about] everything. So, what have they done so far? Nothing, even with the free school meals. You cannot even access.

People were more likely to seek help from within their own community, especially from people who had been through similar experiences. Some of the people we spoke to had offered emergency support or accommodation to other people with NRPF despite having very little income themselves. We spoke to one woman who had found herself effectively providing an informal support network for international students after sharing knowledge and experiences from her own journey. She was now feeling overwhelmed with requests for help and advice.

We identified a need for more advisors and support workers with lived experience of NRPF and from the communities affected by it, and a need to build trust with people affected by NRPF. Outreach support and support services embedded in communities are also needed to overcome barriers to access.

One woman spoke of a time that she signposted a man with three children to the local foodbank:

He got to the foodbank, he saw only white people, his first fear was "has [name of participant] just sent me to go and be deported?"

This man subsequently refused to be referred to any other agencies for help, out of concern that it would affect his visa.

4.3 People with NRPF need support and protection to exercise rights and entitlements

People we spoke to expressed a reluctance to exercise rights even where they knew that those rights were being breached. They related incidents involving themselves or people they had contact with. These included a fear of enforcing housing rights despite living in dire conditions or being unlawfully evicted, and a reluctance to challenge discrimination, unfair dismissal, and breaches of employment rights.

One woman we spoke to reported having slept in one canteen where she had worked so that she could start work at six o'clock in the morning for a 12-hour shift. We were given another example of a man who was sacked from his factory job after having an allergic reaction to peanuts, an allergy that he was previously unaware of. When advised to appeal the decision, he refused to do so out of fear that he would be deported. Another reported story was of a woman who suffered medical trauma but was too afraid to seek redress against the hospital concerned.

People also spoke of being afraid to access services for fear of being charged due to their status. We heard anecdotal evidence of women giving birth at home without an attendant midwife, to avoid being charged for hospital care.

4.4 The crisis in immigration legal advice and representation is a barrier to navigating pathways out of destitution

Due to the complexity of immigration law, access to legal advice is an integral and essential part of finding pathways out of destitution. It is possible in some circumstances to apply for a change of conditions that will lift an NRPF restriction, but

this can have a negative impact on a person's route to settlement and often specialist advice is needed. (Welsh Government guidance provides a link to the online Home Office change of conditions form without warning of this potential impact³⁵.)

Legal provision and advice can also support applications for concessions such as the Migrant Victims of Domestic Abuse Concession (formerly known as the Destitution Domestic Violence Concession). This concession allows people on spouse or partner visas who have escaped domestic abuse to apply for indefinite leave to remain and subsequently, to access benefits. Legal support can also assist people to make applications to regularise their immigration status, putting them on paths to settlement and providing rights that can allow them to work, rent homes, and move to a more stable, sustainable life. All of these routes provide a passport to rights and ultimately help to lessen or eradicate people's need for support. As well as being beneficial for the people concerned, this reduces costs to local authorities and the charitable sector.

There is a desperate lack of legal services in Wales. Previous research by the Bevan Foundation³⁶ identified that Wales has lost nearly half of its premises offering immigration legal aid in the past five years. In any case, legal aid is not available for non-asylum cases except in exceptional circumstances, and evidence from our legal aid research shows that cases that fall under this Exceptional Case Funding (ECF) are very unlikely to be taken on. Most legal services remaining in Wales are at full capacity and are not currently accepting referrals.

The number of agencies offering legal advice in relation to migrants with NRPF is very limited. Agencies offering generic advice or basic immigration advice expressed concern that they were unable to refer more complex cases for higher-level specialist advice or casework.

The citizens advice bureau involved in case study one above, emphasised the importance of access to higher level legal advice for more complex cases:

We were thankful that the advice needed for the family was level 1 because if not there were very few agencies that were able to support this type of visa, nor were they able to provide the level of ongoing support we were at the time.

The same organisation told us that the lack of legal advice provision had at times prevented them from submitting change of conditions applications. These applications to lift the no recourse to public funds condition can be made where someone who is destitute or at imminent risk of destitution, or with other compelling reasons, is unable to return to their home country¹. There are risks that making such an application for someone on a private, family life, or Hong Kong BN(O) route, may impact negatively on their route to settlement. While the agency was able to provide support with these applications, for more complex cases, they were not able to source the necessary legal advice in relation to these risks. This left them unable to provide this otherwise simple

¹At the time of our research, change of conditions applications were only available to people on private/family life and BN(O) routes to settlement. However, in October 2023 a High Court case (PA and NA (by her litigation friend and mother PA) v SSHD) found that the Home Office was unlawfully operating its discretion and an interim policy has been issued relating to applicants on other visas.

and effective form of help. At the time of the research, the same organisation had been working with the local council to support one family, but had been forced to withdraw their support having been unable to find appropriate legal advice:

Case study two

In July, we were contacted by our local housing and social services teams to request support for a family that they are supporting together. The client has a graduate visa, their married partner a dependent partner visa, and they have a newborn baby with cerebral palsy. All family members have the NRPF condition imposed.

The council have been supporting the family with paying their rent and providing food via the social services provisions due to there being destitution along with care and support needs for the baby. However, due to the NRPF condition, the council were struggling with longer-term support as they couldn't help the family access benefits, access secure housing that allowed space for their specialist health equipment, or further local authority support.

Due to this, the council referred the family to us in the hopes of getting help in lifting the NRPF condition. The council were struggling to find relevant organisations that could offer support and did not know the options the family had available regarding their immigration status and the NRPF condition. When we spoke with the family, we confirmed that at the time of their presentation, they were not eligible to request a variation in their conditions due to the visas they have. Therefore, from the advice from our internal expert advice team, we were only able to offer two potential avenues for the family. We advised on the potential of the client moving to a skilled worker visa and to try for a right to remain on human rights grounds due to the child's health conditions.

As the human rights grounds are higher tier advice, we were only able to signpost the client to further specialist immigration advice. However, there is a very limited pool of specialist advisors we were able to refer to. None of the charities out there seem to deal with this type of visa, nor do they operate in Wales. We would have referred the client to Coram, but they only deal with England. Therefore, the only thing we could offer was for the client and the council to contact the Bristol Law Centre.

In October, social services then came back to us to state that they are still struggling with finding support for the family. However, Bristol Law Centre informed them that the client can now apply to vary the conditions of leave (based on the recent court case PA & Anor, R (on the application of) v SS Home Department [2023] EWHC 2476 (Admin)). Social services requested our support to do this, and we are willing to, as it is level 1 support. However, we had to signpost the family back to Bristol Law Centre to get level 2 advice on how applying for, and potentially succeeding, in lifting the NRPF condition will impact their visa overall. We are unable to support the family further with this until we have confirmation this advice has been given. There are also no other free advice agencies the client can access for this advice.

As of today, the family are still waiting for further advice and support in the hopes of finding a solution to their current situation.

5. Free school meals in Wales

Article 27 of the United Nations Convention on the Rights of the Child states that every young person has the right *“to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development... No young person in the UK should go hungry, and FSM [free school meals] play a small part in helping to realise the right.”*³⁷

Child Poverty Action Group

The Welsh Government is committed to a ‘child first, migrant second’ approach in Wales. This means that children’s needs, welfare and rights should be prioritised above their immigration status. The Rights of Children and Young Persons (Wales) Measure 2011 embeds the UN Convention on the Rights of the Child into Welsh law³⁸. It places a duty on Ministers to have due regard to the Convention when exercising their functions, and decisions must be informed by a robust Children’s Rights Impact Assessment. The Convention prioritises commitment to the best interests of the child and sets out key fundamental rights.

Article 2 of the UNCRC³⁹ clarifies that Convention rights apply to all children. State signatories are required to respect and protect these rights:

...irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

It is an anomaly, then, that in Wales, many children in low-income households affected by NRPF are denied free school meals solely on the basis of their parents’ immigration status, while their peers are entitled to a hot meal at lunchtime.

5.1 The importance of free school meals

There is a wealth of robust evidence to show that the provision of free school meals has significant and varied beneficial effects on children who receive them. Aside from guaranteeing a child at least one good meal a day, studies show that free school meals improve attendance and educational attainment⁴⁰.

Universal free school meals are a way in which children can have an equal opportunity to participate in education. An evaluation of the UK Government Free School Meal Pilot in 2010 found that universal free school meals improve the attainment of children from less affluent families more than the attainment of children from affluent families⁴¹. This has the effect of mitigating the effect of poverty on attainment levels, and reducing the stigma associated with receiving free school meals based on income assessment⁴².

5.2 Eligibility for free school meals in Wales

Free school meals are not a public fund for immigration purposes. Wales is partway through implementing an entitlement to free school meals for all children in primary schools and for nursery-aged children attending a maintained school. The plan to ensure this provision by 2024 was agreed as part of the co-operation agreement between the Welsh Government and Plaid Cymru in December 2021⁴³.

Provision is being rolled out in stages across the country and is often referred to as the 'universal roll out' of free school meals. Whilst the roll-out across Wales is generally being done by year group according to a fixed time frame, the pace of the roll-out per area is dictated by conditions in individual schools⁴⁴. This allows schools and local authorities to measure demand and where necessary increase school catering capacity.

Pupils in Reception, Year One, Year Two and Year Three already benefit from the roll-out, and the second phase of the roll-out to pupils in Years Three, Four, Five and Six is underway⁴⁵. All children in primary school in Wales will get a free school meal by 2024. The roll-out covers all children, including those from families affected by NRPF.

Children in primary years and in schools not yet covered by the roll-out, and those attending secondary schools, do not benefit from universal free school meals. Eligibility assessments for these children rely on receipt of benefits, which parents subject to the NRPF condition cannot access. This means that children from low-income households affected by NRPF can only access free school meals where their local authority extends eligibility by using its discretion not to charge them for meals. This does not apply to the children of people seeking asylum who are in receipt of financial support from the Home Office, who are entitled to free school meals.

Welsh Government guidance encourages local authorities to exercise their discretion where children are affected by NRPF.

The Welsh Government encourages local authorities to exercise their discretion to *provide Free School Meals to any child whose parents' immigration status means* that there is no automatic entitlement. Local authorities can decide not to use their power under Section 512ZA of the Education Act 1996 to charge for school meals for children from families where there is NRPF.⁴⁶

Our research found that even where local authorities are exercising this discretion, because of the way in which it is promoted and assessed, many children from low-income households affected by NRPF are not receiving free school meals.

Free breakfasts

The Free Breakfast Initiative was first introduced in Wales in September 2004 and rolled out in subsequent years. It is protected through legislation, with Section 88 of the Schools Standards and Organisation (Wales) Act 2013 placing a duty on local authorities to provide a free breakfast to all children in primary school. This duty is dependent on the following conditions:

- The governing body of the school must make a written request to the local authority.
- The duty does not apply until 90 days after the request is made.

Breakfasts provided by the local authority must be:

- free of charge
- available on school premises, and
- available before the start of the school day.

Welsh Government guidance states that:

Local authorities have the flexibility to decide the form of the breakfast content subject to compliance with the *Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 20135 ('Healthy Eating Regulations')* which regulate food and drink provided in maintained schools.⁴⁷

Local authorities do not have to provide a free breakfast if a school's governing body does not make a written request, and there is no obligation on a governing body to do so. The local authority can also refuse to provide breakfasts or stop providing breakfasts, if the authority considers that to provide them would be "unreasonable". The Act does provide a definition of "unreasonable", but the guidance refers to several factors that could be taken into consideration, including demand, availability of a suitable venue or facilities, and the availability of supervising staff.

5.3 Eligibility for free school meals across the UK

England

During the pandemic we campaigned so that low-income migrant families without access to the usual welfare support would also get free school meals.

We won and now migrant families on low incomes have one less thing to worry about. *Children shouldn't go hungry because of their parent's immigration status*⁴⁸.

The Children's Society website

In 2022, after a long and popular campaign to improve free school meals provision, the Department for Education announced the permanent extension in England of free school meal eligibility to children affected by NRPF. Eligibility for such children is subject to annual income thresholds and differs according to location and the number of children in the household. Income thresholds range from £22,700 per year for families outside London with one child, to £34,800 per year for families within London who have two or more children⁴⁹. The right to claim free school meals in England extends to people without documented immigration status.

Primary pupils in Reception, Year 1, and Year 2 benefit from universal free school meals. Some local authorities in England provide universal free school meals to all primary school pupils⁵⁰.

Scotland

Scotland provides universal free school meals to all children in primary years 1 to 5. After this age, eligibility depends on receipt of certain benefits. Children in early years and childcare in Scotland also receive one free meal a day, which can be either breakfast, lunch, or dinner⁵¹.

Northern Ireland

In Northern Ireland, eligibility for free school meals is dependent on receipt of certain benefits that are classed as public funds. Children with a statement of Special Educational Needs and in need of a special diet or boarding at a special school, and children of parents receiving support under the Immigration and Asylum Act are also eligible.⁵²

5.4 The relationship between the School Essentials Grant and free school meals

Eligibility for free school meals has implications for other benefits which provide valuable support to children living in poverty.

The School Essentials Grant (formerly known as the Pupil Development Grant), is a Welsh Government grant designed to help low-income households with the essential costs of sending a child to school. It is not a public fund for immigration purposes. Applications are open for most of the school year and ahead of school reopening after the summer holidays. The Grant can be put towards the cost of school uniforms (the biggest school-related expense⁵³), sports kit, coats, shoes, stationary, IT equipment, school trips, or activities such as learning an instrument. The School Essentials Grant, along with free school meals, can significantly help to reduce the household budget or it can provide a child with access to culture, learning, and social activities from which they would be otherwise excluded.

For the last academic year only, the Welsh Government increased the School Essentials Grant (SEG) to £225 per child and £300 for children starting secondary school to ease cost-of-living pressures⁵⁴. Currently, those eligible can apply for a grant of £125 per child, or £200 respectively⁵⁵. Often, but not always, receipt of the SEG depends on receipt of free school meals. Welsh Government guidance on NRPF states:

School uniform grants do not count as Public Funds for immigration purposes. Funding is given to school as part of the Pupil Development Grant. Eligibility depends on the local authority. In some areas eligibility for school uniform grants is linked to eligibility for free school meals, therefore the same exclusions apply. In other local authority areas school uniform grants have been made available to all pupils whose parents are subject to NRPF conditions⁵⁶.

6. Findings: free school meals

*“Providing free school meals to all children irrespective of nationality and immigration status, promotes equality and fairness. It ensures that every child, regardless of their background has access to education-related benefits which help to foster a more inclusive and just society and help the child not to feel left out or inferior. It is important to note that sharing a meal together enhances *children’s* social life, it fosters understanding, acceptance, and cultural exchange among students of different nationalities. It also promotes a sense of belonging, empathy, and respect for diversity.”*

Project participant (international student with children)

The above quote describes the value of the universal roll out of free school meals to children in primary schools in Wales. Where children are covered by the roll-out, they are able to eat with their peers without the stigma associated with receiving an income-based benefit, and without being singled out as different.

We found that encouragement from the Welsh Government to provide free school meals to children who would otherwise be eligible but for their parent’s immigration status, is not having the desired effect. Children affected by the NRPF condition are being excluded from meals that they would receive if they were not affected by NRPF, and their parents are missing out on valuable help with household budgets.

The universal roll-out means that children from within the same household and with the same limited access to food have very different lunchtime experiences. One participant told us that two of her daughters are of primary age and receive free school meals, but her eldest in secondary school does not. The eldest daughter could not understand the no recourse to public funds condition, and why she did not receive a free school meal.

6.1 Local authority websites do not provide clear information about free school meals to people affected by NRPF

“There needs to be information about services on the council website.”

Project participant

We initially reviewed local authority websites to see whether they offered free school meals to children from low-income households affected by NRPF. Websites are an easily accessible way for parents to find out information about free school meals. Following this, we contacted local authorities to clarify and check the information that was shown on their websites. We found discrepancies between websites and what local authorities told us that they provided.

None of the local authority web pages about free school meals stated that free school meals are available to children affected by NRPF. One authority’s website contained a

page dedicated to support available to people with NRPF. This page stated that children affected by NRPF can get free school meals, but the information was not replicated on the free school meal page itself.

All local authorities, with the exception of Cardiff², state on their websites that children of households in receipt of support under Part VI of the Immigration and Asylum Act 1999 (Home Office asylum support) are eligible to apply for free school meals. This is an entitlement in Wales and covers only one group of children affected by NRPF⁵⁷.

It was not within the scope of this project to explore assistance given to parents by individual schools, though we heard of a small number of individual cases being referred through schools or via local councillors approached by support services within the community.

Some councils, either via their free school meals helpline or responses to our research, told us that they use discretion to provide free school meals to children affected by NRPF. However, this appears to be very limited provision, given on a case-by-case basis.

In some cases where local authorities told us that they provided free school meals to children affected by NRPF, further exploration revealed that they were referring to children of people seeking sanctuary, including some on asylum support. Receipt of Home Office asylum support⁵⁸ already forms one of the eligibility criteria for free school meals in Wales⁵⁹. These responses indicate that some council staff may believe that the authority is using its discretion in cases where children are in fact entitled to access free school meals. They may also be taking a 'blinkered' approach, unaware that they are failing to consider the needs of all groups of children affected by NRPF.

Where local authorities exercise their discretion not to charge for meals provided to children from low-income households affected by NRPF, they should apply this across all groups affected by NRPF. For reasons outlined in [4.2](#) above and [6.4](#) below, it is important that this availability is announced in a statement on the council's main free school meals website, and that it is accompanied by clear guidance and a link to an accessible and fair application process. Councils also need to work closely with schools, advice agencies, and organisations offering support to migrants, to ensure that parents are aware of free school meal availability and supported to apply.

6.2 Most local authorities in Wales exclude children from free school meals on the basis of their immigration status

As the evidence in [6.1](#) shows, most local authorities do not provide free school meals to children affected by NRPF. In addition, some local authorities who believe they are providing free school meals to children affected by NRPF are in reality not doing so, or are only providing meals to one or two children who have been supported to overcome the barriers described above and in [6.3](#) below.

² Checked February 2024

Not all local authorities appear to be aware of the barriers to access. Some local authorities stated that they did provide free school meals to people with NRPF, despite evidence to show that people affected were unable to access them. Others could not give a clear response about their policy on free school meals and NRPF.

6.3 Systems for applying for free school meals exclude people with NRPF even where they may be available

Children shouldn't have to pay for our mistakes.

Project participant, talking about free school meals.

People we spoke to explained that they were unable to access free school meals through council websites. Some local authorities stated that they offered free school meals to children from households affected by NRPF but had application forms which asked for evidence of receipt of benefits, with no option to provide information about migration status or NRPF.

One organisation told us that families have had to 'jump through hoops' when trying to apply for free school meals. They referred to online application forms which did not accommodate applications from parents with NRPF, resulting in them having to contact the local authority for a paper form. This forms an additional barrier to access for an already excluded group. Where parents are doubtful about their eligibility, such application processes only serve to underline those doubts.

A participant explained how she approached her local authority to apply for free school meals for her children because the online form was not allowing her to progress beyond the stage which checked eligibility by asking for evidence of receipt of benefits. She contacted a local councillor who supplied a form and asked for evidence of payslips, bank statements, capital and investments, and any paperwork to justify her children's need for free school meals. She provided everything asked, but never received any feedback about her application.

6.4 Lack of information and concerns about immigration status prevent many people with NRPF from applying for free school meals

Free school meals can make a significant difference to a household budget. They therefore represent a vital source of help people with the increased cost of living and to help prevent destitution. Not all people we spoke to recognised the value of free school meals and were often put off by frustrating application processes. One mother told us:

I remember when [foodbank worker] used to say free school meals for me, I didn't really know the importance because then I used to pop a lunch [in] for my kids. I

didn't know the effects... But then I sat down one day and I begin to calculate when they give us a bill that will win £115. And again, I was like, so if I'm having three daughters and by the time they get to school. I'll be forced to be paying this amount probably every week or every month or something for three children just to access a meal. Now I know why [the foodbank worker] is doing what she's doing.

The concerns outlined in [4.2](#) above also affected people's willingness to ask for free school meals. Without clear information that free school meals are not a public fund, people can be nervous of accessing them. This, and the principle of self-help and hard work, can prevent people from voicing their needs. One participant stated that she had not applied for free school meals even though she was reliant on support from a foodbank, because it would make her children look different from their peers.

6.5 Children affected by NRPF are being excluded from access to the School Essentials Grant

Our research found that in every local authority, public-facing information about council criteria for accessing the SEG depended on either receipt of free school meals (with the exception of those receiving free school meals only because they were included within the universal roll-out) or receipt of benefits which were public funds. Many councils required parents to complete a successful free school meals application before applying for the SEG.

Most local authorities exclude children with NRPF from the eligibility list on their website, though most include receipt of Home Office asylum support and being a looked-after child (which would include Unaccompanied Children) as qualifying criteria for the SEG.

Eight local authorities state on their SEG web page that the grant is or "may be" available to children affected by NRPF, although they do not publicly offer the same access in relation to free school meals. The different approaches to free school meals and SEG coupled with the close relationship between the application processes, often result in confusing or contradictory information for applicants. The SEG pages on both Newport and Cardiff Council websites, for example, state that children affected by NRPF can receive the SEG, but then list the qualifying benefits that parents from low-income households must be in receipt of – all of which are public funds. Ceredigion Council offers the SEG to pupils affected by NRPF and invites applicants to complete a free school meals application, stating that the SEG grant will be considered at the same time. Meanwhile, the free school meals web page does not include NRPF as a qualifying criterium.

Given the restrictive application processes for free school meals, those councils that rely on the same application for both free school meals and the SEG are likely to exclude people with NRPF via the application process, even where they do not intend to do so. Only three councils (Neath Port Talbot, Rhondda Cynon Taf, and Torfaen) note on their SEG web page that the grant is or may be available to children affected by NRPF, do not limit this by subsequently listing benefit criteria that exclude this group,

and also provide an application link separate to that for free school meals. (We were not able to follow the full application process or to test assessment criteria).

Listed criteria and application processes for the Schools Essential Grant vary from council to council. Applicant information lacks clarity and most local authorities do not provide details of how people with NRPF will be assessed when applying for the SEG. None state clearly that the SEG is not classed as a public fund and that receipt will not affect immigration status. Information is often contradictory or confusing and is likely in most authorities to result in the exclusion of children affected by NRPF.

7. International Students

While undertaking our research, we spoke to international students who were accessing local foodbanks. This is a group which is often not considered when planning destitution avoidance or support for people with NRPF, yet for whom financial challenges are enormous. We have included this short section to highlight some of the findings that arose in our conversations with them.

Some of the findings below are specific to international students, and some are more widely applicable to other groups of people with no recourse to public funds³. It is important to note that not all international students in Wales find themselves in financial difficulties. However, the issues mentioned by the students we spoke to highlight some simple steps which could be taken to reduce the unnecessary expenses, and in some cases financial exploitation, that drives some students to access emergency support and risks preventing them from completing their education. Ensuring that less wealthy students are able to participate in education, and preventing exploitation of existing students, should be core aims for universities and Welsh Government alike.

7.1 International students in Wales

There is great value to Wales in ensuring that international students and their families are supported during their studies. Wales is home to just 3.9 per cent of the 381,365 first-year international students in England and Wales, but they contribute significantly to the economy. The 2021/22 cohort of international students in Wales made an estimated net economic contribution of £1.26 billion to the UK economy⁶⁰.

Most of the students and families who talked to us arrived in Wales with insufficient information and to a lack of support and housing. They found inflated prices and limited job opportunities. Low incomes were compounded by a no recourse to public funds condition, while the costs they faced on arrival, throughout the duration of their courses, and on finishing their studies, were substantial, often running into the tens of thousands and far outstripping earning capability.

Our research pre-dated recent changes to the immigration rules. International students starting courses from 1st January 2024 are only allowed to bring family members to the UK if they are studying on postgraduate courses or courses with government-funded scholarships. This change does not affect students who started courses prior to its implementation and who already have families in the UK. Students are now also unable to switch to work route visas until they have completed their course.

³ The international students we spoke to were predominantly from the Nigerian community. We do not claim that this is a representative sample of international students in Wales and there may be other issues which affect other groups of students coming to study in Wales from outside of the UK. (For example, most of the students we spoke to did not have difficulty communicating in the English language.)

8. Findings: International students

8.1 International students are facing large and unexpected costs that risk driving some into destitution

We spend money on things that they didn't forecast in the budget.

Project participant

The costs of studying in the UK stood out as the primary cause of poverty and destitution amongst international students. As noted in 7.1 above, the financial contribution of international students to the UK economy is sizeable. Included in this calculation are tuition fees, living costs, and money spent by relatives and friends visiting the UK. Many of these costs were expected and planned for by the students we spoke to, but some, such as demands for advance rent (see [8.2](#) and [8.3](#) below) came as unavoidable shocks. These additional costs come on top of the huge financial outlay that is required to enter the UK and enrol on a course.

The amount of money that students are expected to pay at one time, in advance of receiving the item or service they were paying for can be extreme, and is sometimes responsible for pushing families beyond their financial limit.

Planned costs reported by students include:

- tuition fees – as much as £25,000 per year for postgraduate courses
- visa fees - £490 for the student and for each family member joining them in the UK
- healthcare surcharge (the fee for all years must be paid in a lump sum during the visa application process) - £776 per year for the student and for each family member joining them in the UK, including children.

Some of these costs can be repeated, for example on completion of a degree and moving to another course of study or changing to a different category of visa.

In addition to fees and charges, students arriving in the UK need to pay the costs of travel and relocation, plus any equipment or resources that they need for their course. They may need to purchase essential items that they cannot bring with them, such as kitchen equipment, furniture, extra clothing, and school expenses for children.

The above costs are loaded into the first few months of arrival, before arrival, or on renewal or change of visa, and are therefore exacerbated by having to be paid within a short space of time. Childcare, rent, and living expenses are ongoing costs. They require students to have or earn enough money to meet them for the duration of their stay in the UK.

The primary unexpected costs reported by students include:

- high levels of rent – some were forced to take temporary accommodation or holiday accommodation at higher than average rents and some rents appear to be escalating due to competition for scarce accommodation (see [8.3](#))
- lump sums demanded for rent upfront – some students reported being asked to pay six months' or more rent in advance (see [8.3](#))
- having to pay for a rent guarantor

One participant who was a dependant of a student who had graduated, described the mounting costs that she and her husband had recently faced:

... the visa charges were... even more difficult... My husband... they're willing to give him five years' leave... He's going to pay his visa fee, which is £7700⁴. Dollars...

...So now for us with a family of five, they give my husband five years visa, each of us are going to pay almost £5,000⁵ pounds, making it about 20 something *[thousand pounds]*... *For the health surcharge alone.* ...Just for the health surcharge and never adding the visa fees. Respect one household to give all that money...

...So if that's your annual income and you're going to deduct tax, you're going to deduct bills, are going to the doctor, what is left with you as a family to survive? There's a cost living crisis right now. We just did the postgraduates. We paid over £10,800 pounds. At once. How long is it going to take us to raise that? £10,800?...

...Right now, my husband's salary takes care of the rent, the bills... we had to cut down...

... Solely at the end of the month, I think his salary is about £1000... Rent is £600, by the time we add the utilities... *it's* about £350 to 600. You know how much that is already?

Students we spoke to were often in employment, although limited by visa restrictions to 20 hours per week of employment in term time. Maintaining the cost of remaining in the UK left them with little to nothing to spend on daily expenses. One participant explained that she spent only on "necessary things". She spoke of being unable to send her daughter on school trips, to buy school uniforms and shoes, and having to keep her eyes on the meter whenever she used gas. Many of her friends were using foodbanks.

Participants also talked of the difficulty of finding employment to help support themselves and their families. We explore this issue further in [8.8](#).

We emphasise that the students we spoke to had complied with the financial requirements of their visa. They had arrived in the UK with the funds needed to

⁴ We did not identify which visa this related to.

⁵ The cost of the healthcare surcharge for students is £776 per year, for each student and each of their dependents. This would make a total of £19,400 for a family of five on a five-year visa. The healthcare surcharge for a Skilled Worker Visa is usually £1,035 per year (see <https://www.gov.uk/skilled-worker-visa/how-much-it-costs>).

complete their course and with the expectation that they would be able to maintain themselves and their families financially. However, the high costs they met on arrival and when renewing their visas, and a lack of forewarning about hidden costs and unfamiliar practices, had pushed them into an extremely precarious financial position. There is an apparent contradiction between the expectation that international students should not rely on public funds and the failure to protect them from additional and unnecessary financial burdens that risk pushing them to a point where they cannot financially support themselves.

8.2 International students are facing major challenges in finding accommodation, particularly for families

Requirements for accommodation do not favour migrants and migrant students.

Project participant

Participants reported disappointment that their university did not provide accommodation for themselves and their families or assist them with finding it. Although some universities stressed to prospective students the need to come to the UK and find accommodation before sending for their families, many felt unable to do this. One participant stated that the university “should understand that I could not leave my family behind”.

Some participants had arrived in the UK to find that they were unable to find accommodation. The length of time that it took to find a place to live made the instruction to leave families behind in the meantime feel even more unrealistic. One participant stated that she had “come here with a huge expectation of the UK” and had expected to find accommodation in the first two weeks. In reality, she had attended approximately eight to ten house viewings before she could secure a house and then was unable to provide a payslip to secure the tenancy.

Participants reported the following difficulties with finding and securing accommodation:

- university focus on single occupant accommodation, although many international students are living with families
- inability to find suitable accommodation
- landlords reluctant to rent property to families with children
- landlords asking for payslips as evidence of ability to pay rent, but students do not have payslips when they first arrive in the UK
- high rents, rent ‘bidding’, some reported that some landlords had a policy of asking for 6 months’ rent in advance
- finding a rent guarantor and the cost of paying for one
- the difficulty of viewing accommodation before being enrolled in university – participants had to arrive in the UK with nowhere to stay

- students using Airbnb accommodation when unable to find houses to rent, costing them up to triple the cost.

Having to provide a guarantor in the absence of payslip evidence was cited as a major hurdle for students, both as a barrier to finding accommodation and as a financial cost. In the absence of a guarantor, some reported landlords asking for large amounts of rent up front. All stressed the importance of having a guarantor:

Our friend had to pay £250 before getting a guarantor.

They ask for a UK guarantor.

It is difficult to find a guarantor.

There should be a union of guarantors to stand for international students.

So, I think the luck that I had was, we had a guarantor. So, if you don't have this, you should have a guarantor who has a house in the UK already, a homeowner in the UK and my sister and the husband, they were homeowners so they had to stand in for us when it came to Wales to get this current house where we're living in. So that made things a lot easier for us.

Providing a low-cost guarantor scheme was a solution proposed several participants. Students were not always aware of affordable guarantor schemes or whether they were offered by their university.

When people did secure accommodation, it was sometimes of low quality. Some found landlords unresponsive or reported conditions that affected the emotional wellbeing or the physical health of their children:

I moved to my current home from another property because of too much mould, it caused asthma in my baby and one of my other children. *The landlord didn't fix it.*

Imagine coming in and you don't have a roof over your head the first thing, you think about your kids. Are they going to be coping? How would they cope with this situation? We had that first hand... because my kids were not happy. They knew this was not the appearance of home, so they were not happy. We just moved in. We were sleeping on the bare floor.

The urgency to find somewhere to live and the lack of suitable and affordable family accommodation puts international students and their families at risk of exploitation from unscrupulous or unregulated landlords.

8.3 Lack of suitable accommodation severely affects the ability of international students to financially support themselves

That's our principle, my mother-in-law would say. When shelter is settled. Even if you don't have food, you can just get bread and water and you'll be comfortable. You can live on that, but if you don't have shelter, your roof over your head, you can never have peace, yeah. That's our principle. Shelter comes first. Shelter comes first.

A lot of families are having issues, financial issues.

Project participants

Some students we spoke to told us that the lack of suitable accommodation upon arrival was "the biggest issue" for them because of the affect it had on them and their families. They reported that the search for accommodation in the first few months of arrival had a significant effect on their ability to continue to support themselves, using up funds that they had set aside for ongoing maintenance. This had a particular impact on families with children, as family accommodation is more difficult to obtain. Several felt that family accommodation should be provided by universities for students to rent.

One participant who volunteered at a foodbank stated that students would often use the foodbank for the first three months after arriving in Wales because they have been forced to spend so much money to secure accommodation. This same participant stressed the need for universities to provide family accommodation, even for a temporary period, to help students to get settled and protect them from financial exploitation. For universities, investing resources and capital into the international student accommodation in this way makes sound financial sense.

Some explained that due to the lack of rental accommodation, they had been forced to stay in hotels or to take up holiday lets at very high cost:

When I first arrived, I had to spend £900 a month on Airbnb before finding accommodation.

...I had already paid two weeks of £800 a week for an Airbnb.

One participant reported paying £1,200 per month for a shared flat. Another described the stress, competition, and escalating costs involved in trying to find accommodation:

...And then we faced with the housing costs. In our minds we thought that when we get into the UK, we're just going to get a house, pay the rent and we're settled. But when we came in, it took us three months plus to get a house. I think that was the worst moment of our lives because for three months the kids couldn't go to school because we're not settled. We're living with my sister in Bristol. Looking for accommodation here and there, we couldn't get any. ...you get a house and it was like a bidding with other applicants. It got to a point that, you are forced to like, OK, if the house is £1000 in payments, you say, OK, I can give you £1200 and there's another applicant saying I can give you £1500. So the best offer gets the house. ...what's happening? And then, we needed a reference. We needed three months' pay slips. And we just got into the country.

8.4 Financial requirements for international students can exclude them from essential support

Some participants highlighted that a lack of understanding of the financial requirements for international student visas lead to essential support being refused at times of need. Under the visa rules, before applying for a visa to enter the UK as a student, applicants must demonstrate that they have the following in their bank accounts for 28 consecutive days, with the expectation that they retain this money for use after they arrive in the UK:

- enough money (tuition fees) to pay for their course for one academic year
- enough money to support themselves for the nine months of the academic year (£1,023 per month for courses in Wales)
- £680 per month for the nine months of the academic year for each dependent (partner or child)

These requirements mean that students are expected to have tens of thousands of pounds in their bank account on arrival to take up their studies. For example, an international student with a partner and two children arriving in 2024 to study a Business Management MSc at Cardiff University, would have to have a total of £52,267 in their bank account (£27,567 in maintenance fees and £27,200 in tuition fees – minus a £2,500 deposit paid up front to secure the course).

Our conversations with international students indicate that high and unexpected costs lead to many spending much further into their maintenance funds than anticipated within the first few months of their arrival in Wales. This can leave them in an extremely precarious financial position and unable to afford basic necessities, but with money in their accounts that they cannot touch as it is designated for course fees. Spending this money would leave them unable to pay for tuition and in breach of visa conditions, leading to the loss of their university place and the likelihood of deportation.

Students and supporting organisations reported that due to having to retain tuition fees in their account, students were often unable to access help that they were otherwise eligible for even with an NRPF restriction. Financial assessments are usually geared towards the expectation that people should receive regular income rather than live on lump sums used over a long period of time. Many students seeking help had arrived with what they believed to be sufficient funds, having met the financial requirements of their visa. However, they had spent large amounts on finding and securing accommodation.

Even when helped to apply for support such as free school meals or help from foodbanks, some reported that they were unable to pass the financial assessment. Some students are reluctant to fully explain their situation, for fear that they will be accused of breaching visa conditions by seeking support and be reported to the Home Office. The following experience was related by an international student who had advised a fellow student to go to his local foodbank:

[You have to] keep the tuition fee savings and the money you have saved for your rent but [you have] none left for food. At this point, landlords were asking for 6 months of rent up front. He has three children and is a student... The foodbank *asked him if he had money and he said 'yes, yes', because when you come here you have to show proof of funds, if you don't have those funds you will be deported. If you don't have food or money then you have deceived the Home Office and you will be deported.*

When the above participant found out that this man had been refused help, she spoke to him again:

He said "sister, the fear when I saw the white people alone, and the first question they were asking me: '*do you have money?*' I did not know where they were coming from, I had to tell them that yes, I have plenty money."

Assessments for emergency and supplementary support need to take account of the financial requirements for international students. There is a need to understand funds that may be in student's bank accounts in their true context, as designated funds, and not as disposable income. Without vital interim support, there is a higher risk that students will not be able to complete their studies or will fall into more intractable financial situations.

8.5 In recent years, the international student population in Wales has changed

A greater proportion of international students in Wales now come from non-EU countries.

UK Immigration policy has had a significant impact on the recruitment of international students. Universities have seen significant declines in European Union (EU) student enrolments since 2018/19. Figures from Higher Education Statistics Agency (HESA) show a 35 per cent decrease in enrolments of EU students to universities in Wales between the academic years 2018/19 and 2021/22⁶¹.

The decrease in enrolments of EU nationals corresponds with a steep increase in tuition fees. Since August 2021, EU and EEA students are not eligible for home fee status, which means they no longer pay tuition fees at the same rate as UK domestic students (capped at £9,000 for an undergraduate degree in Wales)⁶². Fees for non-EU international students vary according to the course and university, but can be as much as £25,000 per year for postgraduate courses.

Within the same period (2018/19 to 2021/22), enrolments of non-EU international students in Wales rose from 14,750 to 20,920, a rise of 43 per cent. The percentage of non-EU nationals in the 2021/22 international student intake was 83 per cent (69 per cent in 2018/19).⁶³ 67 per cent of these were studying on postgraduate courses.

Overall, international student numbers in Wales rose by just under 13 per cent in the same three-year period.

The increase in international student recruitment is positive financial news for Wales, and excellent news for universities. Specific research into university student recruitment was beyond the scope of this study. However, we heard anecdotal evidence of universities in Wales actively recruiting students from non-EU countries in an attempt to increase income. As we have seen, non-EU students pay much higher tuition fees, which are a vital source of finance for universities. More research is needed to identify how universities are assessing and responding to the needs of this changed cohort, on whom they rely for a significant portion of their income.

8.6 Recruitment of international students needs to be well planned and promote welcome, integration, and support

Our research raised questions about the extent to which international student recruitment by universities was strategically planned and managed. In one area, the local university had increased its intake of international students by 140 per cent over three years. Little work appeared to have been done with the local authority, local third sector organisations, strategic bodies, legal advice agencies, or the local community, to ensure that appropriate resources were in place and that students were supported and welcomed into the area. In this same area, the local foodbank reported a significant increase in foodbank use by international students.

Where limited resources exist within communities, unplanned increases in student recruitment from overseas can result in community tensions and risk the safety of people coming to Wales to study. Universities bear responsibility to support the transition to study in the UK and to promote the safety and integration of their international students.

8.7 Some international students do not feel supported by their universities

...I'm tired. I'm just, I'm tired. You keep giving and you don't even get any support.
I'm tired. Seriously.

Project participant

Students and graduates we spoke to described their experience of feeling unsupported by their university. This fell into two areas:

- insufficient or incomplete information from their university before coming to the UK.
- a lack of support offered by universities after arrival Wales, coupled with a belief that seeking support from their university would put them at risk of deportation.

Participants said that they had not been advised by their university of the true cost of living in Wales. They had been guided by the financial requirements of their visa and found that the additional costs of securing accommodation, the cost of living, and their resulting standard of living, had come as an unpleasant surprise. Also unexpected was the difficulty of finding employment while studying, and the difficulty of moving to a

work visa after graduating and obtaining employment to match their skills and experience (see [8.8](#) below).

Many of those we spoke to felt that universities should offer much more support and information to international students and take a more proactive approach to engaging with them. Some referred to an absence of staff within student support services who reflected their own community.

One participant described the effect on students of the reality of studying in the UK:

Many people go into a deep depression because this is not what they expected of coming to complete a degree or live in the UK whilst their partner completed their degree.

Fear of approaching universities largely stems from the fact that the university acts as visa sponsor for international students. Sponsors are required to disclose relevant information to the Home Office. Destitution and inability to pay tuition costs are both breaches of visa conditions. In addition, inability to pay tuition fees is a ground for terminating enrolment, and universities are required to disclose to the Home Office when the students they sponsor are no longer enrolled. It is understandable, then, that many international students are reluctant to approach their university for help if their financial situation becomes unstable.

A few students we spoke to referred to financial problems as a result of difficulties accessing funds during the Nigerian banking crisis in February 2023. The removal of students from courses at Swansea University in August 2023 underlines how university responses to financial problems can have a devastating effect on the lives of international students. Three students who provided tuition fees only “hours” after the deadline due to the banking crisis in Nigeria were allegedly “thrown off their courses, threatened with security, and told to return home.”⁶⁴ In February 2024, the university apologised to one of the students and offered compensation⁶⁵.

University responses to international events affect students’ perceptions of how universities will view requests for help. Unsympathetic or draconian responses can undermine trust. It is vital that universities understand the issues faced by international students and adopt a supportive and proactive approach to overcoming difficulties. As one graduate explained:

[Universities] have to build the trust and show that you genuinely care and that you *genuinely want to help.*”

Engagement with students, their communities, third sector agencies, legal providers, and local authorities, can significantly improve outcomes for international students, as seen in [3.9](#) above.

8.8 Barriers to employment prevent international students from using their qualifications and contributing to the workforce in Wales

During term-time, international students studying full time can work a maximum of between 10 hours per week for undergraduates and 20 hours per week for postgraduates. Most can work full time during holiday periods, although for Masters students the summer holidays are not considered to be a formal university holiday as this is usually when dissertations are completed⁶⁶.

Students we spoke to described considerable difficulty in finding employment while studying, which many found essential to support themselves and their families. Despite having gained qualifications and experience overseas, they found that these were not recognised in Wales.

Students who wished to remain in Wales and take up employment after finishing their studies also reported considerable problems in finding jobs that suited their skills and experience. We spoke to a pharmacist, a project manager holding two postgraduate degrees, former business owners, and heard reports of lawyers and doctors, all of whom struggled to find relevant work because of a refusal to recognise qualifications, a lack of employment experience within the UK, or employers' unwillingness to act as visa sponsors. One participant reported having received over 30 rejections to job applications.

Students, graduates, and their partners reported taking up care and factory work to make ends meet, unable to utilise their skillset and career choices. Some even struggled to get unskilled work:

My husband is a civil engineer but isn't able to get a job in this field, so is working in a factory.

I'm prepared to do any work, carer, cleaner, I love to clean, but I can't get the jobs.

My husband was a dietician, he went to a factory but was refused, he now works for an agency on a zero-hour contract.

I did several applications. And I will tell you. ... *it boils down to 'we have our spaces full'.*

At this point we cannot do any Tier 2 sponsorships⁶. Some will tell you "we don't even want Tier 4 applicants⁷"... But yet we are being told that there's a shortage in care work. I don't know, I don't know.

⁶ A Tier 2 visa sponsorship is now called a Skilled Worker visa sponsorship.

⁷ A Tier 4 sponsorship is a sponsorship for educational establishments to sponsor international students. The participant is referring to companies refusing to give jobs to people who are in the UK on an international student visa.

Poor transportation networks and lack of access to a car were also described as barriers to work. Some participants reported poor work conditions, abuse of employment rights, or being given unreliable zero-hours contracts.

Students are also barred from self-employment, which some participants resented:

A lot of families are having issues, financial issues. Financial issues. Let him open businesses for people... give them the opportunity to do business. So, whoever wants to do care [work], you do care [work]. If you want to do in business, you do your business. That's it's to be honest, the reason why a lot of Nigerians, they prefer to go to the US or to Canada is because they know that in those societies they are able to do businesses.

Wales is facing a severe skills shortage⁶⁷. In December 2023, a report by Cardiff University called for the Welsh Government to incentivise skilled migrant workers and their families to remain in Wales. In the light of this, it is counterproductive to leave skilled and educated students who wish to remain in Wales without pathways to secure and suitable employment. Students who spoke to us stressed again and again their desire to work, the importance that they placed on supporting themselves and their families financially, and their aversion to accepting what they saw as handouts:

We are not begging for food, we are not begging for financial support, we are asking you – we want to work to earn the money and pay our bills.

9. Conclusion

The numbers of people with NRPF has risen sharply since 2020. The Illegal Migration Act will again increase the numbers of people without access to public funds or the ability to work, drastically changing circumstances for people seeking sanctuary in Wales.

It is urgent that Wales develops a strategic and proactive response to NRPF that is built on the needs and experiences of people affected by the restriction and in line with the Nation of Sanctuary vision. Local authorities play a key role in the prevention of destitution and in helping people to move on to sustainable and independent lives. Investing to improve skills, knowledge, and practical resources for staff in relevant roles will help to realise Nation of Sanctuary Principles, reduce adult and child poverty, homelessness, and destitution, and enable people to move to a more sustainable financial footing, ultimately reducing costs to local authorities.

The responsibility to develop services extends beyond local authorities. Wales needs a stronger infrastructure to facilitate joint working and the joint development of resources and services. Providing skills, resources, and up to date information and advice for the statutory and third sectors in this complex area of law should be a priority, along with supporting migrants to exercise their rights and entitlements. Involving landlords, businesses, and employers can help to tackle discrimination and develop valuable routes that allow migrants at risk of destitution to cross from the margins and move towards settlement and full participation in the economy and mainstream society.

Our communications with local authorities largely revealed a positive approach amongst local authority staff to providing support to people with NRPF. Staff expressed a strong desire for training and guidance and expressed willingness to explore what could be done within local authority powers to find solutions to avoiding and ending destitution, offering financial support to assist with household budgets, and improving lives. We have taken this feedback into account when developing our recommendations below.

10. Recommendations – local authority support

We have focused our recommendations on interim actions that can be achieved using devolved powers in Wales. Overall, we urge the UK government to end visa restrictions on accessing public funds. This is the fairest way to support people without settled status and their children and safeguard them from deep poverty and destitution.

10.1 Recommendations for local authorities

All local authorities should implement a local NRPF pathway that is specific and relevant to their area. In line with Welsh Government guidance pathways should be drafted in consultation with local organisations. These should include specialist third sector agencies, other organisations offering support relevant to a broad range of migrant groups affected by NRPF, people with lived experience of NRPF, and utilising specialist legal advice. **Pathways should include** guidance about routes out of destitution; a commitment to upholding rights, providing interim support, and collecting and sharing data. They should set out the local authority's expectations and approach to supporting people with NRPF.

Local authority pathways should include and involve all relevant departments to support a more consistent approach. They should be regularly reviewed and updated.

Local authorities should develop strong working relationships with legal providers and third sector agencies within the local authority area.

Local authorities should provide a planned programme of induction training and annual and refresher training on NRPF to new and existing members of staff in all relevant departments, including Housing, Social Services (adults and children), Education, Communities, and Information and Advice Services.

Advice and information staff and others in key public-facing roles should be included in training and development about NRPF and specifically in relation to people's rights and entitlements.

Local authorities should employ specialist NRPF leads. Larger authorities should consider developing specialist NRPF teams who can build expertise and provide advice and guidance across the authority. Care is needed to ensure that such teams do not become gatekeepers to keep people with NRPF from accessing support or to provide parallel services. They should be repositories of specialist information and expertise, and hubs to explore and share creative and proactive solutions to supporting people with NRPF and minimising destitution.

Local authorities should implement systems for the collection of detailed anonymous data about people with NRPF who are supported and those who are refused support by the local authority, as outlined in Welsh Government guidance.

Senior managers and directors within local authorities should support effective strategic leadership on NRPF.

Local authorities should consider developing regional forums to share good practice and learning about responses to NRPF, identify key issues and practical solutions, develop joint resources, and explore joint commissioning of services (eg. legal advice).

10.2 Recommendations for Welsh Government:

Advocate with the UK government for the permanent removal of all visa-related restrictions on accessing public funds. Welfare benefits should be a safety net for all, regardless of immigration status.

Proactively work with local authorities to support the implementation of Welsh Government NRPF guidance, and review the guidance to highlight all devolved benefits and assistance schemes that are accessible to people with NRPF, provide stronger and clearer guidance on providing local authority support, and to warn of the risks of submitting a change of conditions application without appropriate legal advice.

Monitor, support and resource local authority development of local NRPF pathways, providing training, advice and guidance and facilitating the sharing of good practice.

Fund and/or commission regular NRPF training for local authority staff. This should include induction and annual refresher training tailored to the needs of all relevant departments. Work with departments and managers to improve awareness and take-up of training.

Provide, commission, and fund the hosting of online resources and toolkits for local authorities and frontline staff working with people affected by NRPF.

Facilitate and fund an NRPF casework or advice team as a shared resource for local authorities.

Work with the Welsh Local Government Association (WLGA) to develop and resource a standardised framework for local authority collection of anonymised data on NRPF and support and advise on appropriate systems and tools for data collection.

Explore the suitability and feasibility of local authority use of a specialist database such as NRPF Connect⁶⁸ which allows local authorities to identify a person's immigration status and prioritise cases. An annual report is published on data collected by all 82 UK local authorities currently using NRPF Connect.

Promote data collection by actively seeking, collating and analysing anonymised data on NRPF support from local authorities, use data collected to advocate for UK government policy changes, and provide feedback to local authorities and other relevant agencies on how this data has been used.

Share anonymised data on NRPF from local authorities with researchers and policy developers to maximise its use.

10.3 Recommendations for the Welsh Local Government Association (WLGA)

Advocate with the UK government for the permanent removal of visa-related restrictions on accessing public funds.

Work with Welsh Government and specialist organisations to provide training, advice, and resources to local authorities on NRPF-related data collection, training, and information-sharing.

Provide regular updates and circulars for local authorities, sharing guidance and advice on NRPF entitlements, local authority duties, and good practice.

Work with specialist organisations, regulators, and industry bodies to develop practice guidance and toolkits for local authority social workers and social care staff in Wales, in relation to NRPF, duties, assessments, and the provision of support. These could be developed afresh or based on existing practice guidance, such as that offered by the NRPF Network. Care should be taken to accurately reflect Welsh law and policy, and to present the full options for support available in Wales.

Work with Welsh Government to develop and resource a standardised framework for local authority collection of anonymised data on NRPF and support and advise on appropriate systems and tools for data collection.

The Wales Strategic Migration Partnership (WSMP) should:

Establish and facilitate an NRPF forum involving all 22 local authorities, key statutory agencies, and relevant third sector organisations, to facilitate the sharing of good practice and updates, identify key issues as they arise, promote communication between the Home Office and key agencies, and to facilitate joint working and policy development.

11. Recommendations: legal representation, information, and advice

11.1 Recommendations for Welsh Government

Increase funding to immigration legal services and other advice services that offer support to relevant to people with NRPF, ensuring that services are available and accessible to people affected by NRPF, in the interests of ending destitution and improving social justice.

Promote the benefits to local authorities of funding and commissioning immigration legal services and advice and support services for people with NRPF.

Provide infrastructure funding to improve joint working between local authorities, third sector support organisations, and legal advice services.

Invest in training and support for the development of immigration and NRPF - related legal expertise in Wales.

Promote migrant rights and strengthen guidance and enforcement in relation to employment rights, tenants' rights, and rights to access to healthcare.

Facilitate training on NRPF to third sector organisations who provide relevant services.

11.2 Recommendations for local authorities

Invest in funding or commissioning legal and advice provision (solely or jointly between local authorities). Increasing available legal services can greatly improve people's chances of avoiding and moving out of destitution. Legal advice and representation can provide pathways to financial independence, give people awareness of and the ability to exercise their rights, and help to reduce demand for local authority support and help.

Local authorities should work with specialist agencies to produce clear and practical advice guides for people affected by NRPF, giving information about entitlements, outlining accessible benefits and assistance schemes, setting out local authority duties and practice, linking to useful local resources and services, and giving relevant contacts within the council. Information should be produced in relevant languages, widely circulated within the community, and available prominently on council websites.

12. Recommendations: free school meals

12.1 Recommendations for Welsh Government

Introduce automatic eligibility for free school meals for all children from low-income households regardless of their immigration status. In the longer term, implement a universal roll-out of free school meals for all secondary school children.

Meanwhile, provide guidance to local authorities and proactively work with authorities to promote the provision of free school meals to all children from low-income households affected by NRPF. Ensure that local authorities understand the full extent of NRPF and the range of children to whom it applies. Provide clear guidance on clear and accessible application processes, developing fair assessments, and practical steps to facilitate applications and increase take-up.

12.2 Recommendations for local authorities

Adopt a 'child first, migrant second' approach, and provide free school meals and the Schools Essential Grant (SEG) to children affected by NRPF.

Revise and amend websites to give clear information, promote access, and ensure consistency between web pages about free school meals and those providing information about the SEG. Ensure all relevant web pages contain accurate information about entitlement and provide a direct link to an application that works for people with NRPF.

Develop accessible and NRPF-friendly application processes for free school meals and the SEG. Ensure that these do not rely on the receipt of benefits.

Local authorities that provide free school meals and/or the SEG to children affected by NRPF should inform local schools of this eligibility and work closely with them to support and facilitate applications from parents.

Include entitlement to free school meals in local authority NRPF training.

Work with other local authorities to develop consistent, and consistently fair, eligibility criteria and application processes for people with NRPF wishing to access free school meals and the SEG.

13. Recommendations: international students

13.1 Recommendations for universities

Carefully and strategically plan recruitment of international students, informing and involving Welsh Government, local authorities, landlords, employers, third sector organisations, and communities.

Provide clear and transparent information to international students considering studying in Wales. This information should include information about rights and entitlements relating to NRPF, accurate costs and information about renting houses in the area, links to vetted and affordable guarantor schemes, advice about gaining employment, and practical resources and contacts for accommodation providers, and sources of advice and support within and outside the university.

Provide more family accommodation for students, create partnerships with trusted landlords, and support students to find accommodation before arriving in the UK.

Ensure that student support services have staff and volunteers with relevant lived experience and understanding of NRPF and life as an international student.

Provide ongoing, accessible support that is practical, sympathetic, and confidential, and that is distinct and separate from enrolment services or mechanisms for Home Office reporting.

Proactively engage with the international student community, to foster trust in the university, to understand the challenges faced by their international students and to develop supportive and trusting relationships well before financial problems emerge.

Establish working relationships with local third sector services.

Develop links with local employers to facilitate access to employment for students while studying, and to develop appropriate employment pathways for graduates.

13.2 Recommendations for Welsh Government

Promote the employment of international students who have studied in Wales, working with universities and employers to develop pathways for students into employment and explore how overseas qualifications can be transferred to UK roles.

Actively encourage visa sponsorship amongst employers and provide clear guidance and resources, updated regularly in line with UK immigration policy. Promote visa sponsorship within local authorities and statutory agencies,

Ensure the rights of international students, as temporary visa holders in Wales and potential long-term members of Welsh communities and workforces, are included in discussions on migrant support needs.

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