

Roundtable discussion: Solutions to homelessness for EU citizens (or EEA migrants)

London, 9th December 2019

Within the framework of the second phase of the [PRODEC](#) (Protecting the Rights of Destitute mobile EU Citizens) project, one of the objectives is to develop structural exchange with public authorities and discuss possible solutions to support homeless mobile EU citizens. Together with [Crisis](#) and the [Public Interest Law Centre](#), a roundtable discussion on solutions to homelessness among mobile EU citizens was organised to get to know better the challenges public authorities and services face in London and to have an exchange among professionals from different countries. The main objectives of this roundtable discussion were to clarify homeless mobile EU citizens' rights, agree on the main factors of their exclusion, better understand their individual needs and establish a common ground for developing durable long-term solutions.

EU Homelessness in the context of Brexit – Ruth Jacob, Crisis

In England, in 2018-2019 around 15,500 households from EEA countries were accepted as being either homeless or at risk of homelessness when they approached their local authority for assistance. The 2018 England rough sleeping count found that 22% of people sleeping rough were EU nationals. These numbers are based on a single night snapshot of rough sleeping for autumn 2018, which uses street counts and evidence-based estimates. Within London's population of rough sleepers, more than half of those from outside the UK are from Central and Eastern Europe (CEE) countries. However, there is a huge amount of hidden homelessness and some people are not represented in official statistics because they might not be eligible for services.

The EU Settlement Scheme processes the applications of European Union citizens currently living in the UK to allow them to remain in the UK after Brexit. Anyone currently living in the UK who is an EU, EEA or Swiss citizen will have to apply to the EU Settlement Scheme by 30 June 2021 in order to be allowed to stay in the country.

The Scheme can grant individuals two different types of status, depending on how long they have been living in the UK. Rights will be different depending on the status they get. Usually, people can get settled status if they've lived in the UK for a continuous 5-year period. If they get settled status, they will be entitled to full access to benefits, they can stay as long as they like, and they will also be able to apply for British citizenship if they're eligible. If they don't have 5 years' continuous residence when they apply, they will usually get pre-settled status. They can stay in the UK for a further 5 years from the date they get pre-settled status and will need to re-apply for settled status if they want to remain in the UK after this.

PRODEC and the notion of ‘worker’ – Mauro Striano, FEANTSA

The PRODEC project started in 2017 with funding from the European Programme for Integration and Migration (EPIM). Its main objective is to create a sense of urgency at the European political level around the issue of homelessness among mobile EU citizens, to ensure legal certainty with regard to their rights, and to empower those who have become destitute to claim their rights. One of the documents produced within the framework of PRODEC is a [legal fitness check](#) on the transposition of EU free movement rules into Belgian, British and German law. According to this report, many obstacles exist with regards to registration formalities, retention of the status of worker, residence beyond three months for jobseekers and self-sufficient persons, strict rules governing access to social benefits, and unlawful expulsions. One of the main problems FEANTSA observed is a trend towards a narrow interpretation of the notion of “worker”, to exclude from residence rights mobile EU citizens engaged in low-wage jobs or working only a few hours a week. FEANTSA published a [case-by-case analysis](#) that shows the use of thresholds to create a presumption of marginal and ancillary work, the reversal of the burden of proof to demonstrate that the activity is “genuine and effective,” the refusal to recognise worker status by public authorities granting welfare benefits, and the refusal to recognise worker status during the registration procedure.

A rights-based approach – Jean Demars, Public Interest Law Centre (PILC)

Homelessness amongst EU nationals in the UK is not a new issue. Local and central government have been engaged with the problem since at least 2009. Until 2017 there was a consensus among state agencies and mainstream NGOs that ‘reconnection’ and, failing that, enforcement were the solution. This meant that few support projects were set up to deal with the specific needs of homeless migrants from the European Union. Demographically speaking, this group are predominantly Central and Eastern Europeans as well as third-country nationals who hold European passports. Most are at the low-paid and precarious end of the labour market. In December 2017, after 18 months of research, advocacy, campaigning and legal action by PILC and others, the High Court put an end to the mass arrest and removal of homeless EU citizens.

The Public Interest Law Centre's EEA (European Economic Area) homeless rights project was then set up to monitor and defend the rights of homeless EEA nationals around Brexit. Public law is concerned with holding to account the state and its apparatus of governance, of which NGOs form an integral part. Strategic litigation is a form of legal action through which we build on individual cases to challenge the lawfulness of wider policies and practices.

PILC promotes a rights-based approach, asking: ‘What is the role of the voluntary sector in civil society if not to stand up to power and defend the human and social rights of beneficiaries?’ We work to challenge a culture in which the effects of neoliberal austerity are passed onto the most vulnerable at the point of need. We see the law as a means rather than an end, recognizing that the provision of legal solutions risks legitimizing existing structures when there is a pressing need to change them.

Tackling rough sleeping in Camden, The Routes off The Street approach - Emily Rainbow, Camden Council

For several years, rough sleeping in London has been increasing. Of the people sleeping rough in London between 2018-2019, 4,023 are from the UK and 2,518 are from CEE countries. In recent years, most of those from CEE are from Romania (1,279) and Poland (665). In Camden during the same period, 51% of people sleeping rough were from the UK and 36% were from CEE countries.

With regards to the time gap between entering the UK and being seen rough sleeping in London, 10% of the people that were found to be sleeping rough within one week of arriving in the UK were from CEE countries, while only 3%, were from outside Europe. 27.3% of Europeans rough sleeping in Camden during 2018-2019 were found to be from Romania.

One of the main guiding principles of Routes off the Street (RTS) is that all people sleeping rough in Camden receive a service offer, tailored to their needs, which means they no longer have to sleep rough and are able to rebuild their lives away from the street. The organisation also delivers an outreach presence and works with partners to ensure that vulnerable rough sleepers are diverted from harm and access services. Individuals who consistently refuse the services offered to them and continue to cause harm to others are subject to proportionate enforcement. Between April and September 2019, RTS supported 144 people sleeping rough into accommodation, up from 115 over the same period the previous year.

A new RTS hub was opened in April 2019 offering several services such support to access education, training and employment, access to mental health and physical healthcare services and access to legal and advice services.

One of the most significant challenges is tackling rough sleeping for EEA citizens, who usually have different profiles, are challenged by language barriers and mistrust of authorities, and for whom exist a lack of appropriate services. Therefore, EEA nationals are extremely vulnerable to labour exploitation.

Camden Council works together with the Association of Labour Providers (ALP) offering housing and jobs to EEA migrant rough sleepers who collaborate with RTS in Camden. They can get a job in the food industry or agricultural sector, a personal budget, housing, free transport from Camden to the workplace and support obtaining the National Insurance Card. However, gaps remain in provision such as specialist outreach, drug and alcohol support, year-round shelter and funded employment support.

Needs of Roma people sleeping rough – Chris Price, Roma Support Group

Since its founding, the Roma Support Group (RSG) has worked with thousands of Roma families, offering them a variety of services and engaging the Roma community in all aspects of running and managing the organisation and promoting an understanding of Roma culture in the UK.

Public debate about Roma people's needs is often based on anecdotal evidence and stereotyped myths rather than research-based and empirical data. In June 2016, RSG published a report about [Rough sleeping Roma in the City of Westminster](#). 100% of

respondents stated that they came to the UK in order to find employment. They also mentioned the poor housing conditions from their countries, low levels of education and qualifications, and poor access to health services. Their intention in coming to the UK was to find employment and send money back home. Most of them claimed that they weren't receiving support finding employment and, as a result, their way for obtaining money was by begging. While interviewees were coming to the UK for the purpose of employment, in the absence of the right support and advice, it had become difficult for them to move on from rough sleeping.

Communication is one of the main challenges when working with Roma people who are sleeping rough. None of the interviewees had any knowledge of the UK welfare system and 87% reported that they had had limited interaction with homelessness services and struggled to communicate with front-line staff. 86% of the homelessness professionals interviewed had very limited experience of working with Roma and had little understanding of the culture or community.

Among the proposed solutions are specific pilot projects for Roma rough sleepers focused on employment and English language courses and for an increased understanding about Roma amongst front-line homelessness sector.

Migrant Employment & Accommodation Service – Leo Fenn, Croydon Council and Michelle Edwards, Crisis

The Migrant Employment & Accommodation Service (MEAS) project was set up by Crisis in October 2018 in partnership with Croydon Council. It is aimed at EU nationals who have the right to work and reside in the UK but are rough sleeping or at risk of rough sleeping because they are unable to access benefits without employment.

Starting from the first day, users have access to temporary accommodation. During the first week, they are asked to be engaged 20 hours a week in coaching, volunteering and job search/employability skills. People normally get into work between the 3rd and 8th week. The next step is finding somewhere to live in the private rented sector. People are supported to search for properties and attend viewings. The majority of clients move into a home in the private rented sector after around 15-16 weeks of working with the MEAS project. Up to three months support is provided after someone has moved into their own property to help them sustain their accommodation and their employment.

There are different types of support offered, such as employment support (providing information and guidance to find employment or supporting individuals to take part in training courses), in-work support within the first few months of employment, housing support (working with clients to identify suitable private rented sector accommodation, accompanying them to view properties, negotiating with landlords), and life skills and general support such as budgeting and money management or support to understand bills, letters and contracts.

During the first year, MEAS has contributed to successfully challenging employers' and landlords' perceptions of homeless individuals, including those from the EU; building strong relationships with employers so that they agree to pay rent directly from wages with individual's consent; and, successfully housing and finding employment for entrenched rough sleepers who have not been engaging with other services.

One of the most relevant learning outcomes is that providing 3-months intensive accommodation/in-work support after someone has moved into their own accommodation is essential to help them sustain both their employment and their tenancy. In addition, maintaining strong employer relationships and having alternative recruitment methods in place has been critical to the success of this project. Without these elements, the individuals' journey into long-term housing would be much longer.

Breakout session: Employment support – opportunities and risks

The lack of accurate data is a big barrier to effectively supporting people into employment. To achieve more accurate data, cultural awareness must be raised to understand people's responses or why they may be reluctant to disclose some information and systems must be updated regularly and consistently. Early intervention is paramount – often homelessness or other support services are only reaching people too late, at a stage when these people are already homeless and may be subject to other factors that make it harder for them to access employment. Participants emphasised that there are not enough multi-agency meetings or forums to link employment services together.

Some of the main barriers people face when trying to access employment relate to childcare, a lack of paper qualifications or qualifications from their home countries not being recognised, a lack of services for people with no recourse to public funds, and a lack of confidence. The bureaucracy of employment and the time it can take to register with an agency or employer can negatively impact people's chances of completing this process and getting a job. Thus, while job vacancies exist, the aforementioned factors mean people often can't access them and will instead turn to informal or casual work. Exploitative/informal work is attractive because it is usually available immediately and many people cannot afford to wait for work. Lack of housing is another of the main barriers people face when trying to access employment, it can be very difficult for someone to find and keep a job when they don't have anywhere to live. But EEA nationals may need a job to be able to pay rent because they often don't have access to housing benefit. Also, jobs are usually advertised online, thus are not accessible for people with limited literacy or IT skills/access to technology.

Regarding substance misuse, the only support available is usually group sessions, which are often not suitable or inclusive. For example, language barriers can make it difficult or impossible to engage effectively in a group setting. Furthermore, EEA nationals would not normally be eligible for residential rehabilitation services.

Concerning the solutions, more education and awareness raising is needed in the countries from which people primarily move to the UK (e.g. Poland and Romania) about the types of jobs available in the UK and the realistic chances people have of being able to access employment. There is a clear need to find ways to communicate this effectively to people with low literacy levels. Finding ways of reaching people before they become homeless is critical. This might include thinking about where people go for support and making sure they can access useful information at this point, for example at consulates and embassies.

It's also important to understand the reasons why people accept exploitative and poorly paid work and feel unable to go through the process of trying to get formal employment. Participants emphasised the significance of 'push' factors, such as extreme poverty, which

means people need to find work and get paid immediately. Current services aren't set up well to meet this need. Tailored ESOL (English for Speakers of Other Languages) that helps people to access employment could be a solution. For example, Crisis Skylight Croydon provides tailored ESOL classes to support people to meet the requirements of particular employers.

Breakout session: Partnership working between local authorities and voluntary sector

The fact that local authorities (LAs) have statutory responsibilities to support people experiencing homelessness and resolve issues around cohesion and integration presents an opportunity. Local authorities have an important position in a broader framework because they are democratically elected and have funding. Working in partnership rather than just on advocacy allows for more chance for change.

Participants pointed out the importance of identifying needs. This comes from data and analysis of what does and doesn't work. Analysis exists, data is in databases, so being realistic and self-reflexive about practice is important – this could frame the partnership between local authorities and NGO's.

One of the specific challenges of working with EU destitute citizens is that sometimes it can be difficult to know what you can do when someone is not eligible for assistance. The NGO sector could be supportive here. There have been issues in charities working with local authorities referring migrants to the UK Home Office who used these referrals for deportation purposes, creating an environment of extreme suspicion.

The UK government has put lot of money into tackling rough sleeping, but most local authorities are not directing that funding towards EU migrants. However, it is not all negative, some local authorities have been pushing for this funding to go to migrants. A good example is the suspension of derogation (meaning EU migrants with no recourse to public funds will be able to access housing support – in the form of three month stays in shelters rather than housing benefit) but that funding not been linked to funding from the Home Office for the EU Settlement Scheme. Stakeholders need to come together to compile evidence and deliver where there is need.

There is a vacuum of services to provide people with something concrete, such as a practical package of support which LA and NGOs have known people want but have failed to provide through partnership.

Participants emphasised that we can't simply talk about "local authorities" and "charities" because there are many different types of both. The trick is to find where the priorities/interests coincide. One real opportunity is to recognise the good work that is happening. For instance, it is refreshing to see local authorities celebrated for good work by the Guardian Public Services Awards. It is also an opportunity for charities to identify areas where they can work together.

Another point raised is that LAs don't want to deal with complex cases which challenge their own policies and the policies of those above. Furthermore, charities want to be commissioned as they need funding to survive. They can think around these limits because they are not a commissioned service, but often they have built a strong relationship with the council which

they wish to maintain.

If anything is going to change, the aim needs to be to end homelessness, not to sustain the current system. The recognition that local authorities and people experiencing homelessness are on the same team – neither want people to be sleeping on the street – provides an opportunity. Pledges can be useful. Once signed, the LA is politically aligned to that pledge. It helps because if you encounter poor practice you can always refer back to the pledge, with the caveat of “preaching to the converted” (LAs who are more willing to sign the pledge will be better at implementing good practice for people who are homeless anyway).

Breakout session: Accommodating EU homeless people

Access to publicly funded homelessness services, including emergency accommodation, is conditional on having a right to reside. This is the case in the UK as well as in other EU Member States, such as Belgium, for instance. EU citizens with no right to reside only have access to emergency accommodation during the winter programme of night shelters. This often leads to a cycle between sleeping rough and using the winter programme. The problem is that while accommodated in shelters, EU nationals struggle to find the adequate support that would help them to avoid going back to the streets when the winter programme comes to an end.

Provision of services is particularly complicated because there are many different profiles and vulnerability factors among destitute mobile EU citizens, including: people who are working poor or experience precarious working conditions, people who had a job without a contract and had an accident, elderly people, people with disabilities or chronic illnesses, single parents, pregnant women, children, victims of domestic violence. It is important to bear in mind, that the longer people are forced to live on the streets and cannot access adequate services, the more vulnerable and excluded they become and consequently need further support services.

Professionals working for homelessness services are on the front-line when it comes to providing support to homeless mobile EU citizens. The main problem is that homeless services do not often have the expertise to provide adequate solutions. EU free movement law is complicated and how Member States transpose it into national law requires in-depth analysis. Services do not always know to what extent their beneficiaries are entitled to social benefits. Over the last few years some homelessness services, in several EU Member States, have taken the initiative to develop targeted services to respond to the needs of mobile EU citizens. Some have decided to focus on advice and counselling services to foster social inclusion. Counselling services particularly help those individuals who are more likely to find a job or who can at least rely on a right to reside and therefore have access to social benefits. In terms of human resources, the need for legal expertise has been highlighted, a competence that homelessness services currently often lack.

A structural partnership is needed: homelessness services cannot solve the issue alone. A coordinated approach, supported by public administrations - that would involve employment, health, housing services and the private rented sector - would address the issue effectively. A huge reform is the key: France, for instance, recently started financing local authorities to put in place Housing First projects specifically addressed to mobile EU citizens. This entails a shift from emergency accommodation to durable solutions that need more

investment in the beginning but that are sustainable – and financially advantageous – in the long term.

This work is supported by the European Programme for Integration and Migration (EPIM). Sole responsibility for the contents lies with the author and the contents may not necessarily reflect the positions of EPIM or its partner foundations.

Document drafted by Georgiana Mozer. For further information about the event or the project, please contact mauro.striano@feantsa.org