
**Manchester City Council
Report for Information**

Report to: Communities and Equalities Scrutiny Committee – 1 February 2017

Subject: Support Available to Asylum Seekers and Refugees in Manchester

Report of: Strategic Director, Adult Social Services

Summary

The purpose of this report is to:

- Provide a report on the support available to asylum seekers and refugees and explain how to access the support
- To include information on support for asylum seekers and refugees who are victims of domestic abuse.
- To include an update on how the requirements of the Council Motion 'Mutual Respect and Community Cohesion' passed on 20 January 2016 are being addressed.

Recommendations

Members of the Committee are requested to note and comment on this report.

Wards Affected:

All wards are potentially affected although asylum seekers are not placed in the M8, M9 and M40 postcode areas.

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Background documents (available for public inspection):

Support available to asylum seekers and refugees in Manchester. Communities Overview and Scrutiny Committee – 28th October 2015

1.0 Background

- 1.1 From its inception in 2000 up until December 2012, local authorities across the North West, Manchester City Council included, were able to exert a significant degree of influence over the strategic management of asylum dispersal by virtue of being direct deliverers of National Asylum Support Service (NASS)¹ Target Contracts, the precursor to the current contractual arrangement, COMPASS.
- 1.2 COMPASS, the acronym for Commercial and Operational Managers Procuring Asylum Support Services, sought to consolidate the delivery of asylum support services under one provider regionally. Serco have been the sole provider of dispersed accommodation for asylum seekers since January 2013.
- 1.3 It is therefore important to note that the Council are a third party to the COMPASS contracts in so much that they have neither commissioned services or provide services related to them, nor have they any formal role to play with regard to the direct management of them.
- 1.4 However, local authorities have a significant role to play in ensuring that the delivery of the COMPASS contracts does not adversely impact on statutory service providers or the communities they serve. As a result of this the Council, alongside its local authority partners across Greater Manchester and the wider North West, has sought to maintain a strategic oversight of asylum dispersal into both the city and the region.

2.0 Asylum dispersal within Manchester

- 2.1 Asylum intake to the UK remains driven by world events, as such the number of people claiming asylum and the countries from which they originate are prone to vary over time.
- 2.2 As can be seen in the table below, applications for asylum in the UK have increased from 2010 to 2016, with a significant increase in numbers in the past year:

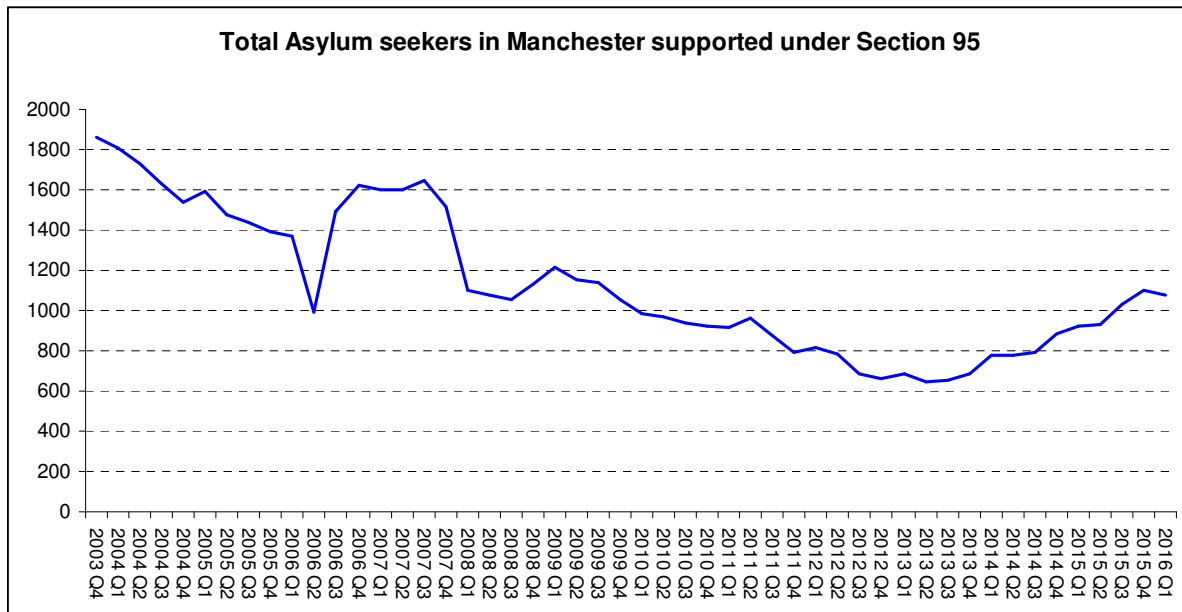
Year	Total applications	Total Initial decisions	Grants		Refusals	
			No	%	No	%
2011/12	19,826	16,970	5,778	34%	11,192	66%
2012/13	22,635	17,561	6,592	38%	10,969	62%
2013/14	23,812	15,141	5,487	36%	9,654	64%
2014/15	25,130	25,922	10,348	40%	15,574	60%
2015/16	34,687	26,618	10,549	40%	16,069	60%

Source: Home Office

¹ National Asylum Support Service (NASS) was replaced firstly by UK Border Agency in c2008 and then more latterly by the Home Office in 2013.

2.3 National Intake has continued to rise steadily in 2016/17, but the North West's share has plateaued over the previous 6 months.

2.4 Although it has risen slightly, the number of asylum seekers within the city of Manchester remains at a relatively low level compared to previous periods. The chart below shows the number of asylum seekers supported under s95 each quarter from the end of 2003 up to 31st March 2016.



Source: Home Office

2.5 Between July 2015 and July 2016 hotel accommodation was used by Serco in Manchester to house asylum seekers. This was due to difficulties in being able to manage the demand caused by world wide events. Hotel use ceased in Manchester on the 15th July 2016. The Home Office and Serco have worked together to disperse asylum seekers from the north west to other areas of the country to reduce demand in the north west region.

3. Strategic Management of Asylum Dispersal

3.1 The Council continues to maintain a strategic oversight of asylum dispersal both within the city and across the wider region. To ensure that asylum dispersal within Manchester remains well managed and does not impact adversely on existing communities and services the Council has put in place a number of policies that provide an overarching framework for the management of asylum dispersal:

- Maintaining a Ministerial moratorium preventing asylum dispersal into the M8, M9, and M40 postcode areas;
- Ensuring that both Serco and the Home Office are fully sighted and aware of the implications of the article 4 direction relating to the

General Permitted Development Order (1995) that was made effective from 8th October 2011²;

- Ensuring that the asylum population of any ward within the city does not significantly exceed a ratio of 1:200 of the general population;
- Prohibiting the procurement of residential accommodation above retail and licensed premises;
- Applying restrictions governing the use of Houses in Multiple Occupation (HMO) for the accommodation of asylum seekers, and considering each request to utilise the same on its individual merits;
- Take into consideration the demographic of the local population and the availability and existing demand placed upon local services;
- Take into consideration the wider private rented sector and demands made upon it.

3.2 Officers of the City Council continue to work with colleagues across Greater Manchester and the wider North West to ensure that asylum dispersal remains sustainable, is well managed, and is coordinated across the wider conurbation. In order to aid the development of effective strategic relationships, robust governance structures are in place to bring together local government (and its key partners), the Home Office and its providers.

3.3 The Regional Strategic Migration Partnership (RSMP), which is hosted by the Council, has over the past year completed a programme of work to widen out the geography of asylum dispersal across the North West region to ensure that there was a fairer and more equitable distribution of asylum seekers in the region than has previously occurred. The result of this work is that an additional 19 local authorities across the region are now accepting asylum dispersal; bringing the total number of participating local authorities in the North West to 31. This is the biggest change in the asylum dispersal programme in the North West since its inception in 1999.

3.4 This work has also expanded to these Local Authorities being part of the Syrian Refugee (Vulnerable Persons Resettlement) and the Unaccompanied Asylum Seeking Children (UASC) programmes.

3.5.1 The RSMP and local authorities across Greater Manchester are working closely with these new dispersal areas to help them develop policies and procedures and support them in this process.

4. Support available for Asylum Seekers and Refugees

4.1 The Committee is reminded that the Council has neither the statutory duty nor the power to provide financial support or accommodation to asylum seekers. This support is provided by the Home Office under the Asylum and

² Manchester City Council made an Article 4 Direction on the 7 October 2010 and confirmed this on 17 January 2011. The Direction came into force on 8 October 2011 and permitted development rights for change of use from a Class C3 dwellinghouse to a Class C4 house in multiple occupation have been removed from this date. This means that planning permission is required for this type of development.

Immigration Act 1999, the sole exception being a small number of asylum seekers with social care needs such as help with household tasks or help with personal care such as feeding, washing and toileting. Asylum seekers have access to a range of public services including health and education, and can also access local authority services as identified above under section 21 of the 1948 National Assistance Act.

- 4.2 If an asylum seeker is granted one of the following statuses, they are allowed to access mainstream benefits on the same basis as a British national:
- Refugee Status
 - Humanitarian Protection
 - Discretionary Leave, (unless a “No Recourse to Public Funds” condition is attached)
 - Indefinite Leave to Remain
- 4.3 Where an asylum seeker is granted one of the statuses identified above the Council may have a statutory obligation to prevent homelessness. This is generally only applicable when the service user can identify that they have a local connection, are at risk of becoming unintentionally homeless, and satisfy criteria identifying them as in priority need. The new Homeless Reduction Bill will help more refugees who are not in priority need as homeless services change to focus upon providing advice and helping people access accommodation, rather than the homeless assessment.
- 4.4 In order to ensure that asylum seekers granted leave to remain receive the assistance that they both require and to which they are statutorily entitled the Council continues to work closely with both the Home Office and Serco.
- 4.5 Persons whose asylum claims have been refused, and whose appeal rights are exhausted, and who have not lodged fresh claims on the basis of new information, currently have the following three options:
1. They may return to their country of origin of their own volition, using their own resources without public assistance.
 2. If they are unable to travel on health grounds, because they are unable to obtain travel documents or cannot be safely returned to their country of origin, or if they agree to co-operate with the Home Office's attempts to repatriate them, they may apply for subsistence and/or accommodation under section 4 of the Asylum and Immigration Act 1999.
 3. They may remain in the UK with no recourse to public funds until they are served with removal directions by the Home Office. If they have an entitlement under either section 21 of the National Assistance Act 1948 or section 17 of the Children Act 1989 they may receive support in the form of subsistence and accommodation from a local authority. However, if they fail to comply with removal directions they will be in breach of immigration law, any duty the Council may have had under either of these statutes will come to an end (subject to the outcome of any human rights assessment).

5.0 NRPF (No Recourse to Public Funds)

- 5.1 Section 115 of the Immigration and Asylum Act 1999 (IAA) states that a person will have 'no recourse to public funds' if they are subject to immigration control; public funds include welfare benefits and public housing. However, since local authority support provided under community care and children's legislation is not a public fund, a destitute person with NRPF can turn to their local authority for assistance.
- 5.2 People with no recourse to public funds applying to the Council for support typically request accommodation, financial support and social care to facilitate their daily living. Manchester City Council has a dedicated NRPF team that assesses applications for financial support in light of the Care Act 2014 and Children's Act 1989 alongside Immigration Rules and subsequent case laws. The NRPF team use private rented accommodation to discharge any duty that the Council may have to provide accommodation. Council officers work to ensure that accommodation provided is compliant with relevant legislation, and that it meets the requirements of the Housing Health and Safety Rating System (HHSRS).
- 5.3 The majority of people provided with support are families, although adults with significant care needs are eligible for local authority support under the National Assistance Act 1948.
- 5.4 The Immigration Act 2016 is now in place, Part 5 of this Bill seeks to reform the support available to appeal rights exhausted (ARE) asylum seeking households, by terminating the financial support for families who have received a negative decision on their asylum application. This is likely to place a substantial impact on the Council, both in humanitarian terms and in terms of financial impact if approached by families for support under Children Act 1989.
- 5.5 It was anticipated that part 5 of the Bill would be implemented as of the 1st April 2017; however as yet the formal regulations and guidance have not been published by Government, and as such it is anticipated that the commencement date is now likely to be later in 2017.
- 5.6 Upon implementation any newly determined appeals rights exhausted (ARE) asylum cases will cease to have funding provided by the Home Office after 90 days. As such it is likely that following that period such cases will present to the local authority for accommodation and financial support as having NRPF.
- 5.7 Within the legislation the Home Office has taken steps to remove the requirement on local authorities to conduct a human rights assessment for such failed asylum seeking cases, stating that this will remove the legal burden on local authorities to support families with children under the Children Act 1989. The legalities of this remain to be tested through the Courts, and coupled with the moral position local authorities are likely to take in refusing to

leave children destitute; the impact of this legislative change is likely to be minimal.

- 5.8 The Home Office intention is to request that local authorities work with such ARE cases to engage in a voluntary returns scheme to enable their return to country of origin with a small financial package funded by the Home Office. Historically take up of this has been limited, and rates of enforced removal by the Home Office of failed asylum seeking cases have been extremely poor. Owing to the expense this is unlikely to change, and in the case of families with children there are legal barriers in being able to progress enforced removal. As such local authorities are exposed to significant risk in terms of both service demand and financial impact as a result of this change.
- 5.9 The RSMP has established a Children's social care leads for vulnerable asylum seeking and refugee children group. This group has a core membership of a lead children's service Assistant Director for each of the North West sub regions. The purpose of this group is to establish the strategic approach to managing both UASC and NRPF within the region, with consistent policies and procedures to be established at regional and sub regional level. Amanda Amesbury (Strategic Lead, Children's Social Care) is the GM representative. The group is also chaired by Sharon Hubber (Assistant Director, Salford City Council).

6.0 The Voluntary and Community Sector

- 6.1 There are numerous third sector and community organisations (including faith groups) that provide valuable support to asylum seekers and refugees in Manchester. This includes helping people to integrate into local communities, prepare for employment and to realise their potential when granted leave to remain in the UK. Such agencies provide an additional safety net for potentially vulnerable individuals, play an active role in fostering and maintaining good community relations and provide a service that the Council may not be able to directly provide. These organisations are funded through both charitable means, and some through the Councils funding streams, for example Wai Yin Society, Manchester Refugee Support Network (MRSN), Somali Adult Social Care Agency, Black Health Agency (BHA) for Equality. We also fund a number of organisations that work with BME communities which will also include refugees, for example Awaaz, Manchester Bangladeshi Women's Organisation, Himmat and Saheli.
- 6.2 In addition to those organisations that provide support to refugees and asylum seekers, there are a number of organisations that provide support to failed asylum seekers. These include organisations such as Boaz, who provide support, advice and accommodation via house shares, staying at peoples houses and winter shelters. Work is ongoing to understand if this model can be replicated in other boroughs in the north west.
- 6.3 In March 2014 the Council passed a motion voicing concerns that the current asylum system and its application allowed too many newly granted refugees to fall destitute, and re-stated its commitment in support of the fair treatment of

LGBT people fleeing persecution. The Council is applying for funding to change the system for newly granted refugees, so that they are accommodated in the private sector without going through the homeless system. This should reduce pressure on homeless services, whilst also providing a better service to refugees.

6.4 The Council holds a contract with Greater Manchester Immigration Aid Unit (GMIAU) to provide immigration advice to asylum seekers, migrants and those with no recourse to public funds. In the first 6 months of 2015/16, GMIAU received 7001 enquiries, helped 1654 people self help, represented 175 families or vulnerable adults in the Home Office or Courts, including 54 of the families currently being supported by the Council. GMIAU also run a 'All 4 One' group to make sure that children can meet others who are in a similar situation for peer support and social contact. An average of 30-35 children and young people attend the group and the majority live in Manchester. GMIAU runs a successful volunteering project with a number of key Manchester advice agencies. In the same 6 months it created 26 volunteering opportunities. GMIAU also took over the running of ASHA (asylum support housing advice) in June 2015. The service continues to advise 160 people per month and has secured accommodation and support for many who would otherwise be destitute.

6.5 The Council provides a number of ESOL classes to help refugees improve their English and integrate better into society. They have also recently requested for more volunteers to train for the 'Talk English' classes in community settings.

7.0 Resettlement Programmes

Gateway Protection Programme:

7.1 Within the Regional Strategic Migration Partnership; Manchester City Council co-ordinate delivery of the Gateway Protection Programme on behalf of a small number of Greater Manchester authorities. The programme has been underway for six years, and currently resettles over 400 refugees across the conurbation each year. Although the Council do not directly resettle refugees into the city, it is key partner in the co-ordination and delivery of the programme.

Syrian Resettlement (VPR) Programme:

7.2 On 7th September 2015, David Cameron announced that the UK has committed to resettling 20,000 Syrian refugees via the expansion of the Voluntary Person's Relocation (VPR) scheme. Those resettled will be provided leave to stay for 5 years, which will allow them to access employment and public funds. At the end of which time they will be entitled to apply to settle in the UK permanently.

7.3 At a regional level the RSMP are co-ordinating the delivery of the programme and have gained a commitment from every local authority (29) within the North

West region (excluding Greater Manchester authorities) to participate in the resettlement of Syrian Refugees, with a regional commitment to resettle over 1500 refugees. This has required the RSMP providing a significant amount of support and guidance to those local authorities, all of which have never previously delivered resettlement programmes. The rural setting and lack of infrastructure within counties such as Cumbria and Lancashire have further compounded these challenges; however the region is currently successfully resettling 150 refugees per quarter under the programme.

- 7.4 It has been agreed by the Greater Manchester Mayor and the 10 GM Council Leaders, that any commitment from Greater Manchester authorities to the Syrian scheme must be carefully balanced against the significant commitment to existing asylum and resettlement programmes across the conurbation; the impact of which are currently placing increasingly unmanageable pressure on community cohesion and statutory service provision, including housing, health and education.
- 7.5 Manchester City Council, along with the other GM authorities, has therefore not taken part in the Syrian Resettlement programme to date. The Council remains ready and willing to play its part in supporting any Syrian refugees as part of any wider Greater Manchester commitment that may be agreed in the future.
- 7.6 On a local level, the Council has agreed that any offers by community groups to directly support Syrian families within Manchester under the government's Community Sponsorship Scheme, will be considered on a case by case basis. Where it is felt that an organisation has the ability to effectively meet the needs of refugees under this programme, they will receive the Council's full support. The Council will also continue to support faith and voluntary sector groups who provide advice and support to these vulnerable people.

Unaccompanied Asylum Seeking & Refugee Children

- 7.7 Regional Director of Children's Service (DCS) leads are currently working with the Regional Strategic Migration Partnership (RSMP) to agree the strategic approach in delivering a collective North West response to the unaccompanied children programme. It has been agreed that the RSMP will co-ordinate the response and delivery on behalf of the region, and that any response developed will be inclusive of a commitment from all 23 local authority children's services across the region. It has also been agreed that any position must be cognisant of other pressures that are currently being managed within the region in relation to child migration; namely asylum dispersal and refugee resettlement – and that in this vein; capacity and capability within services must be recognised in order to ensure the health and wellbeing of children act as the central driver, and the best possible outcome is provided.
- 7.8 Manchester City Council and the other 22 children's services within the North West have each agreed to accept 4 unaccompanied children before the end of the financial year as an initial contribution to the national transfer scheme;

totalling 92 cases for the North West region. These children may be unaccompanied asylum seeking children (UASC) transferred from areas such as Kent or Croydon, children resettled from Europe under the Lord Dubs commitment, or children resettled from North Africa and the Middle East under the Vulnerable Children at Risk Scheme.

- 7.9 Between mid November and the end of December 2016, the North West region took 42 unaccompanied asylum seeking children (UASC) into its care through national transfer scheme, with a further 2 pending currently. There were significant delays in the Home Office facilitating movement of Lord Dubs children from France owing to the French authorities choosing to disperse the children to 65 reception centres across the country following the closure of the Calais jungle camp. However nearly all cases agreed under the Lord Dubs agreement in France have now been resolved. The closure of the Calais camp has also drastically reduced the number of spontaneous UASC cases presenting to South East authorities such as Kent. As a result, North West authorities and RSMP continue to await further referrals from the Home Office to accommodate unaccompanied asylum seeking children. The Home Office also intend to commence work in Greece and Italy in the coming months to identify any further cases that may fall under the Lord Dubs agreement; it is anticipated that numbers will be limited owing to the strict eligibility criteria of this agreement.
- 7.10 The closure of the camp in Calais has also led to a significant increase in the number of young people accessing the UK under the Dublin 3 regulation (Dublin amendment). The Dublin 3 regulation provides an individual the right to have their asylum application heard in the country where established family members currently reside. For UASC cases, this has required the relevant local authority children's service to conduct viability assessments of family members to determine whether reunification is possible. If reunification is not possible, it is the responsibility of the local authority to place the UASC as a looked after child within the borough in order to maintain the familial support network.
- 7.11 Since October, Manchester Council has received 31 Dublin 3 referrals from the Home Office, of which 8 have resulted in the young person being placed under the local authority's care.
- 7.12 Within the last 3 years Manchester City Council has already taken into its care a total of 112 spontaneous unaccompanied asylum seeking children from around the world; this being encompassed of 30 in 2016, 26 in 2015, 17 in 2014 and 14 in 2013.

8.0 Support for asylum seekers and refugees who are victims of domestic abuse

- 8.1 The Councils No Recourse to Public Funds (NRPF) service responds to women who are referred following domestic violence who have no other means of support in the country. If they are in the UK on a spousal visa, the Home Office has an agreed process that enables the victim to access public

funds relatively quickly. The funds are available for a period of 3 months to enable the victim to submit a request to remain in the UK.

- 8.2 For asylum seekers who are suffering from domestic abuse, Serco would relocate the victim to an alternative asylum seeker property, refer them to the appropriate support agencies and inform the police and the Home Office. This would all be paid for through the Serco contract with the Home Office.
- 8.3 For refugees suffering from domestic abuse, they are able to access the same services as any person suffering domestic abuse within England. These include access to refuges, outreach workers, mental health workers and advice, information and support.
- 8.4 Women's Aid provide interpreters and have a number of documents translated into first language. They also have staff who speak Hindi, Punjabi and Urdu. Within Manchester there are five refuges run by Women's Aid, catering for 30 households, although refuges work on a national basis as many women do not want to be accommodated near the perpetrator. Women therefore may be referred anywhere across GM or the country. Women's Aid also have a number of spaces available within refuges for women with NRPF who are funded by Local Authorities.
- 8.5 The Council also commissions Saheli to provide advice, support and accommodation to Asian women fleeing domestic abuse. There are 6 places within the refuge accommodation.
- 8.6 Saheli also works in partnership with a number of other agencies to provide one to one support to those affected by female genital mutilation (FGM), and to raise awareness of FGM. It also works to raise awareness of forced marriages, training professionals to identify people who may be at risk.
- 8.7 People who become homeless as a result of experiencing domestic violence can also apply to the Council for support. In this instance the Council will accommodate them whilst undertaking their homeless application, and if they owe a duty, will continue to accommodate them until they find alternative accommodation.

9.0 How the requirements of the Council Motion 'Mutual Respect and Community Cohesion' are being addressed

- 9.1 The Council's Motion on Mutual Respect and Community Cohesion, passed in January 2016, states that, "Manchester is a city with a great past, a proud present and a dynamic future. Manchester's greatest strength is its people who come from many different backgrounds and who make a positive contribution to the city's economic and social life. Manchester celebrates its multi-cultural diversity in which people live as neighbours in a pluralist and democratic society with freedom of religion and the rule of law."
- 9.2 The Council executes its core functions in accordance with the Motion, with some specific activities that have taken place in the last 12 months clearly

demonstrating the proactive approach that the Council takes to promoting community cohesion and nurturing mutual respect. A selection of these activities is outlined below.

- 9.3 The Our Manchester Strategy has been launched and extensively promoted to Manchester communities in 2016. Equitability, respect and valuing the City's diversity are core facets of the strategy, which seeks to empower and highlight the value of all Manchester's communities, both of geography and of identity. Delivery of the Our Manchester aims is complex and long-term, but will be a critical aspect of realising the Motion on Mutual Respect and Community Cohesion.
- 9.4 The Council has refreshed its strategic equality objectives to resonate with the principles of the Motion on Mutual Respect and Community Cohesion. The objectives have been developed to ensure that across the priority areas of Knowing Manchester Better, Improving Life Chances and Celebrating Diversity opportunities are identified and acted upon to build cohesive and respectful communities, with the Council and the City's communities benefitting from a greater understanding of people's needs and identities. Work to promote the objectives with citizens is ongoing.
- 9.5 The Council continues to support a variety of local initiatives and national campaigns that focus on cohesion and integration. There are numerous examples of the Council acting as a key stakeholder in the City's collaborative equality and cohesion activities. For example, regular representation at the Manchester Challenging Hate Forum, partnering Greater Manchester Police to promote the annual Hate Crime Awareness Week, working with the University of Manchester's MigRom Project Team to promote integration and mutual respect for Roma communities and coordinating the All Age Disability Strategy to achieve inclusion and respect for disabled citizens.
- 9.6 The RADEQUAL campaign, launched in Manchester in September 2016, continues to engage with and promote community cohesion across our diverse and changing communities in the City. It aims to build community resilience on some of the challenging and difficult issues faced within and between our communities, along with providing a platform for newly arrived communities, those who are not part of organised networks and groups and those who may have been living in Manchester for many years to come together. RADEQUAL is about Manchester being radical in its approach to cohesion, encouraging new and bold interactions between communities and local services, problem solving and importantly working together to make a difference.
- 9.7 A community grant programme has been launched to support activities around the RADEQUAL campaign and the first round of applications have been approved. Europa is one of the organisations that has been approved grant funding to deliver community workshops aimed at building integration, focussing on East and Central European communities and promoting dialogue and interaction on key integration and cohesion topics. Further work will take place over the coming months to promote the RADEQUAL grant to key groups

and networks where there are currently identified gaps ahead of the second round on grant funding. This will prospectively be approved in the summer.

- 9.8 Throughout a difficult financial period of reducing Council budgets, the Equality Team has not only maintained its support for equality and cohesion themed events in the City such as Pride, various history months events and International Women's Day, but it has extended its support to new inclusive initiatives focusing on, for example, men's mental health and researching Manchester's Trans community.
- 9.9 In addition to continuing with the Council's current good practice, further work to promote inclusion, respect and cohesion is planned for 2017. Examples of this include commissioning a research study into religion and belief in Manchester and hosting a 'Living Library' event at central library to bring people with different backgrounds together and build understanding and nurture mutual respect.

10.0 Conclusion

- 10.1 It remains important to ensure sure that asylum seekers, refugees and other newly arrived international migrants receive the appropriate help and support to which they are entitled whilst they are in Manchester. This helps to maintain good community relations and also helps people to realise their potential and contribute to the social and economic fabric of the city.
- 10.2 It remains important that the Council and its partners recognise the role that the voluntary and community sector plays in ensuring that newly arrived international migrants, including refugees and asylum seekers, are supported to adjust to life in the city.
- 10.3 The Council will continue to exercise a leadership role for Greater Manchester councils, and other agencies across the North West in respect of asylum and immigration.