

INSIGHTS

A SERIES OF EVIDENCE SUMMARIES

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Migrant integration in Scotland: challenges and opportunities

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JUNE 2020

Acknowledgements

This *Insight* was reviewed by Helen Allbutt (NHS Education for Scotland), Gary Christie (Scottish Refugee Council), Neil Quinn (University of Strathclyde), Anne Ramsay (Glasgow City Council), Paulina Trevena (University of Glasgow), Colin Turbett (social work author) and colleagues from Scottish Government. Comments represent the views of reviewers and do not necessarily represent those of their organisations. Iriss would like to thank the reviewers for taking the time to reflect and comment on this publication.



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Key points

- Scotland has adopted a ‘multicultural’ approach to the integration of migrants, which contrasts with the ‘community cohesion’ approach in England.
- Local authorities are largely responsible for the reception and integration of migrants, including ESOL and access to housing and other public services.
- The UK Government’s post-Brexit immigration proposals will potentially lead to fewer migrants coming to Scotland, while the Scottish Government has sought to retain EU migrants by offering additional services.
- Social workers can play a key role in integrating migrants they work with on a statutory basis, including informing them of their rights, promoting access to services, and supporting wellbeing and social inclusion. This requires an awareness of migrant’s needs and the challenges they face in a ‘hostile’ immigration environment.

Introduction

This *Insight* explores the development of migrant integration strategies and services in Scotland. While immigration is a reserved matter in the UK, the 'retainer model' of devolution means that Scotland has assumed responsibility for integrating newcomers – including refugees. This publication examines how the Scottish Government has developed a distinct approach to migrant integration, what the impact of Brexit may be on migration in Scotland, and what Scotland's social workers can do to support the integration of migrants.

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Immigrants in Scotland

Immigrants are an important part of Scotland's social fabric, economic development and demographic growth. Immigrants tend to move in search of a better life for themselves and their

families. Work is the main reason for migration to Scotland (Boswell and colleagues, 2019). Scotland also has a long history of welcoming refugees and asylum seekers, who may be fleeing war and human rights violations (Scottish Government, 2019a).

In 2017, the National Records of Scotland (NRS) estimated that 7% of the resident population of

Scotland was born outside the UK (378,000) (NRS, 2017). The majority of non-UK migrants to Scotland are EU nationals (62%), who make up 4% of the population. The most common EU countries of birth are Poland, Ireland, Spain and Italy. Non-EU nationals account for 3% of Scotland's population,

with the most common countries of birth being India, Pakistan, China and the USA (NRS, 2017).

Historically, Scotland has been a country of out-migration, with more people leaving Scotland than coming to stay. Its population is also ageing, with

low levels of fertility (NRS, 2017). With devolution in 1998, Scotland's new leaders sought to address the country's risk of demographic decline (Cavanagh and Eirich, 2008). This resulted in the creation of a 'Fresh Talent' scheme to enable recent graduates to stay in Scotland for an additional two years to find a job. Scotland's demography was also affected by EU enlargement in 2004, which increased the number of EU migrants coming to Scotland. From the early 2000s, Scotland experienced positive net migration for the first time in over fifty years (NRS, 2017).

The NRS (2015) has estimated that immigration is projected to account for 90% of Scotland's population growth over the next decade. However, figures will be adversely affected by the UK's decision to leave the EU. The Scottish Government's Expert Advisory Group on immigration has forecast that the UK Government's post-Brexit immigration plans could lead to a 50-80% reduction in EU net migration to Scotland (Boswell and colleagues, 2019), resulting in skills shortages in certain sectors, including health and social care.

Since the 2016 referendum, there has also been a rise in racism and xenophobia against migrants, especially EU nationals, and minority ethnic communities in

England and Wales, with this rise less evident in Scotland (Nuffield College Oxford, 2019; Scottish Government, 2019c). Nonetheless, data shows that more EU nationals are leaving the UK (including Scotland) than ever before (ONS, 2019).

In March 2019, the UK Government launched an EU Settlement Scheme to enable EU nationals to verify their status (Hepburn, 2019). However, the Scheme has been beset by technological problems and concerns that vulnerable people may be unable to apply. Furthermore, UK Ministers signalled that EU nationals who had not obtained status by the end of 2020 may be deported, and it is uncertain whether those who left during COVID-19, will be able to return if they had not secured settled or pre-settled status.

What is migrant integration?

While 'migrant integration' is a relatively new policy term (Collett and Petrovic, 2014), policies to integrate migrants have been pursued by national governments for many decades, albeit under different names, such as race relations and ethnic minorities policy. While most migrant integration policies in Europe were once stand-alone and

focused on a targeted population, there has been a move towards mainstreaming integration policies to include more people (Scholten and colleagues, 2017).

Migrant integration refers to the process of mutual adaptation between migrants and their host societies (Joppke, 2007). Migrants are people who are born in another country, and include labour migrants, family reunion migrants, overseas students, refugees and asylum seekers, and undocumented migrants.

Adam and Hepburn (2019) identify two types of integration policies:

- 1 Policies that are targeted at newly arrived migrants and their families and focus on language and orientation needs – ‘reception policies’
- 2 Policies that are intended towards the long-term social and economic inclusion of people from a migrant background

Migrant integration encompasses economic, political and social dimensions:

- **Economic integration** involves access to, and accommodation within, the labour market.

Policies cover provision of specialist training programmes about entering the labour market, migrant-oriented jobs websites, and mutual recognition of qualifications.

- **Political integration** involves exercising political power, through voting and standing in elections, and the right to political organisation. Policies include extending migrant rights to vote in elections, encouraging migrant representation and funding migrant groups.
- **Social integration** involves access to social rights, such as health, education and housing, and the development of a feeling of belonging (Trevena, 2018). Policies include extending access to public services and programmes to foster community relations.

Legislative and policy context

Under Section 5 of the Scotland Act (1998), nationality, citizenship, immigration and asylum are powers that are reserved to the UK Government. Decisions about levels of migration and nationality status are managed by the Home Office.

However, the ‘retainer model’ of devolution – whereby any policy area not specifically reserved to the UK

level is devolved – means that Scotland is responsible for integrating newcomers into its society, economy and communities. Migrant integration was not specified as a policy area in the legislation that created devolution (Hepburn, 2015). However, because the majority of policy areas that affect a migrant’s incorporation into their host society – such as health, education, housing, children’s services and legal aid – are devolved to Scotland, migrant integration is a *de facto* devolved competence (Hepburn, 2015).

The Scottish approach to migrant integration

In the UK, there is no specific policy that addresses the inclusion of all migrants (European Commission, 2019). Instead, the focus has been on ‘race relations’ while the integration of migrants ‘has depended on the design and implementation of broad social policies’ (Saggar and Somerville, 2012, p2). The UK race relations model was built on a commitment to multiculturalism (Modood, 2013).

However, in the early 2000s this approach underwent a radical change in England when multiculturalism was replaced by the concept of ‘community cohesion’.

This term was coined following a number of civil disturbances in Northern England in 2001 that involved Pakistani-Muslim and white communities, radical-right organisations and the police (McGhee, 2005). A government review of the incidents criticised multiculturalism for creating segregated, parallel societies in the UK (Cantle, 2001, p9). Multiculturalism was seen to separate ‘minority ethnic groups from mainstream society’ (Lewis and Craig, 2014, p21). Instead, the Cantle report (2001) suggested that tensions between cultural communities could be overcome through an emphasis on British citizenship and core British values.

The UK Government’s Department for Communities and Local Government subsequently adopted ‘community cohesion’ as its approach to migrant integration in England. Prime Minister Tony Blair argued that multiculturalism had failed, and spoke of migrants’ ‘duty to integrate’ into common British values (Blair, 2006). His successor, David Cameron, similarly argued that immigrants unable to speak English or unwilling to integrate had created a ‘kind of discomfort and disjointedness’ across British communities, and instead advocated a ‘clear sense of shared aspirations and values, which focuses on what we have in common

rather than our differences’ (DCLG, 2012, p5; Cameron, 2011). The UK approach included removing initiatives such as single group funding for ethnic minority groups.

In contrast, the Scottish Government adopted a very different approach to migrant integration. This was noticeable from the early days of devolution, when concerns about Scotland’s demographic decline led Scottish parties to develop a broadly consensual position that migration and migrants were an important economic and cultural resource for Scotland (Hepburn and Rosie, 2014).

This view led the Scottish Executive to launch a ‘One Scotland, Many Cultures’ campaign in 2002; one year after the publication of the Cattle report. Multiculturalism lay at the heart of this campaign, which sought to address complacency about racism within Scotland and build upon recent UK equalities and anti-discrimination legislation (Penrose and Howard, 2008). ‘One Scotland’ focused on recognising Scotland as a ‘place of many cultures’ that celebrates diversity.

In 2014, a new phase of the ‘One Scotland’ campaign was launched by the Scottish Government (Scottish Government, 2014a). The campaign promoted

equality more generally, including LGBTI people, disabled people and women. At the same time, it continued the core multicultural message of ‘celebrating the contribution people from minority ethnic communities make to Scotland’ and emphasising its vision of Scotland as ‘a diverse, multi-faith and multicultural society, committed to promoting one Scotland where many cultures can thrive side by side’.¹ The language of community cohesion was absent from these campaigns.

More generally, and further to this, First Minister Nicola Sturgeon sent an open letter to EU nationals after the 2016 referendum, telling them how welcome and valued they were and launched the ‘Stay in Scotland’ campaign in 2019 (Scottish Government, 2019b).

Refugee integration in Scotland

While Scotland has not developed a national strategy for the integration of all migrants, it has, like the UK Home Office, developed an integration strategy specifically for refugees. Scotland hosts approximately 10% of the UK’s asylum seekers, who

¹ <https://onescotland.org/campaigns>

have been dispersed by the UK Home Office to Glasgow since 1999 (Mulvey, 2015)

This strategy, *New Scots: integrating refugees in Scotland's communities 2014-2017* (Scottish Government, 2013), marked a further departure from the approach taken in England/the UK. It was developed by the Scottish Government in partnership with COSLA, the Scottish Refugee Council, and other organisations to 'identify and promote the adoption of practical solutions to address the integration needs of refugees and asylum seekers' (Scottish Government, 2013, p12). This strategy aimed to meet the needs of dispersed asylum seekers and help refugees access employment, welfare, housing, education, healthcare, and support community integration. Importantly, integration is expressed as 'being a two-way process...which leads to cohesive, multicultural communities' and recognises 'the contribution that refugees can make by enriching our cultural diversity' (Scottish Government, 2013, p9).

In 2018, a second refugee integration strategy was launched in Scotland (Scottish Government, 2018a) expanding on the earlier themes of inclusion, equalities and multiculturalism. It 'recognises that

refugees bring strength, knowledge and skills. They are assets to our communities' (Scottish Government, 2018a, p6). In particular, the Scottish Government has taken the position that integration does not begin on the day on which an asylum seeker becomes a refugee (the Home Office position); instead, asylum seekers are granted support from their first day of entry into Scotland, including access to public services (Scottish Government, 2018a). The Scottish Government is also seeking to change the law so that asylum seekers can obtain a work permit; currently forbidden under UK law (Scottish Government, 2018a).

The Scottish approach contrasts with the UK/English refugee integration strategy, whose end goal is integration into Britain's society and culture (Home Office, 2010, p50), rather than celebrating refugees' different cultures and languages.

Scotland's services for migrants

What services do Scottish public authorities provide to migrants? It is important to stress that migrants are not a homogenous category, and the type of services they are entitled to often depends on their immigration status.

For instance, refugees have extensive access to public services, asylum seekers are excluded from mainstream benefits. Migrants with indefinite leave to remain may access public services and benefits (but not be entitled to vote), and migrants designated as ‘no recourse to public funds’ (NRPF) may not access benefits, but are entitled to emergency social services support (Kyambi, 2012; COSLA, 2019).

It is also true that the legal rights of migrants are not always upheld. The Scottish Parliament’s Equalities and Human Rights Committee found local authorities were not implementing NRPF guidance (Scottish Parliament, 2017), and research by Farmer (2017, 2019) revealed that destitute NRPF families and children in Glasgow have been wrongly refused social services support. NRPF status denies them access to public funds, but not social services, which are not a public fund. For example, they should be able to receive housing and financial assistance from social services, in cases where there is a child in need or a vulnerable adult that requires care (NRPF Network, 2018).

Additionally, EU migrants have the right to equal treatment, including access to social security on

the same basis as UK nationals after they have resided in the UK for three months and passed a habitual residence test – based on Articles 48 and 352 of the Treaty of the Functioning of the European Union (European Parliament, 2019). However, there is evidence that after the 2016 Brexit referendum, some EU nationals were wrongly refused Universal Credit, which they appealed (House of Commons Library, 2019). Furthermore, some EU nationals may be prevented from claiming welfare benefits, homelessness and housing assistance if they do not fulfil eligibility criteria (ie three-month residence, minimum earnings threshold) or are unable to ‘exercise’ their Treaty rights. (This has been an issue for Roma migrants who may be working in unregulated employment and unable to provide evidence of employment status). After Brexit, the situation will become more complex, as the rights of EU nationals to access services will be dependent on their migration status (settled, pre-settled, holding a visa or NRPF).

Below, the broad range of services that Scotland provides to assist migrant integration are identified.

ESOL AND ENGLISH LANGUAGE SUPPORT

Language acquisition is key to integration, especially entering employment, making social connections and exercising equal opportunities. Scotland funds provision of ESOL (English for Speakers of Other Languages) classes to migrants.² The Adult ESOL Strategy for Scotland recognises ‘the vital contribution which New Scots and settled minority ethnic communities make to our society and in the Scottish labour market’ (Scottish Government, 2007, p4).

While the Home Office sets the rules for ESOL courses, the Scottish Government has scope to tailor its levels of support for ESOL learning and the extent to which it provides courses free of charge.

EMPLOYABILITY AND SOCIAL SECURITY

Access to work is a key aspect of migrant integration, which supports health and wellbeing, social connections and financial autonomy. In Scotland, certain parts of employment policy are devolved, such as employability, training and skills, and some benefits including social care, disability and housing benefit. Other parts of employment policy are reserved to the UK Government.

In Scotland, migrants are provided support to access the labour market through mainstreamed employability services. The Scottish Government also provides tailored support for refugees (Scottish Government, 2018). Access to benefits, as previously discussed, depends on the immigration status of migrants.

HEALTHCARE

Migrant access to healthcare is a key determinant in achieving positive life outcomes and fulfilling potential. In Scotland, health is devolved to the Scottish Parliament and the ‘Scottish Government has been clear that everyone, who is resident in Scotland, is entitled to access health care on the same basis’ (Scottish Government, 2018). Migrants are entitled to register with a GP and dentist, and access emergency and specialist services, including maternity and mental health.

Most NHS services are provided free of charge to migrants, regardless of their immigration status. However, a person may be charged for certain services if they are an overseas visitor, on a short-term visa, or a person without leave who has not claimed asylum (COSLA, 2019).

² <https://s.iriss.org.uk/3gRjnTY>

HOUSING SUPPORT

Access to housing is a central aspect of migrant integration, with implications for a person's standard of living, health and wellbeing. In Scotland, housing is devolved and the Scottish Government has set out an action plan with the intent that everyone in Scotland can live in high-quality sustainable homes (Scottish Government, 2011). However, access to social housing is determined by a person's immigration status and is a complex, sometimes contested, area. See the COSLA 2019 guide on migrants' rights for more detailed information.

EDUCATION SUPPORT

Education is a key aspect of integration, supporting pupils and students to have a much higher chance of reaching their potential. Education is devolved in Scotland, and all children – regardless of their immigration status – are entitled to receive state school education (unless their visa explicitly does not permit study at a state school). For higher education, access on the basis of 'home fee' rates depends on a person's immigration status and length of UK residence (COSLA, 2019; Universities Scotland, 2016). One exception is refugees, who are entitled to access further and higher education on the same

basis as anyone legally resident in Scotland (Scottish Government, 2018, p46). EU nationals have also been entitled to equal access to higher and further education in Scotland under their EU Treaty rights, however, this will change after Brexit and will depend on the individual immigration status of EU nationals.

Social work's role

Social workers can play a key role in integrating migrants into Scotland's society. They have an important role in supporting migrants to access public services, and helping advance their human rights, wellbeing, and fostering their inclusion into communities. Unlike other local authority services, social work is not a universal service but targeted at safeguarding and promoting the welfare of vulnerable children and adults. Social workers may, therefore, be responsible for supporting an EU child in care, an unaccompanied asylum-seeking or refugee child, or supporting a migrant family with no recourse to public funds (UNISON, 2019).

Social workers also have a history of campaigning for social justice (Wroe and colleagues, 2019). 'Social work grew out of humanitarian and democratic ideals, and its values are based on respect for the equality,

worth, and dignity of all people' (BASW, 2018). It has a core mandate of 'promoting social change, social development, social cohesion, and the empowerment and liberation of people' (International Association of Schools of Social Work, 2014). Promoting social justice and human rights is emphasised in the codes of ethics and practice of the BASW, the International Federation of Social Workers, and the Scottish Social Services Council.³

However, the policy narratives and frameworks that have accompanied the UK Government's 'hostile environment' towards immigration have created challenges for social workers to pursue

these values – there are restrictions on rights and entitlements, and narratives around 'us' and migrant 'other'. Research by Farmer (2017, 2019) and Wroe and colleagues (2019) reveals an inherent tension between tightening immigration controls and statutory social

work duties to safeguard and promote the welfare of vulnerable families and children. Research has shown how immigration concerns have 'overshadowed' child welfare legislation and policy since the introduction of the UK Immigration and Asylum Act 1999, which removed state support from asylum seekers while increasing destitution (Hayes and Humphries, 2004).

Since the Immigration Act 2016, Farmer argues that welfare exclusion has become a tool for controlling immigration as part of the 'hostile environment' policy. She maintains that social workers have been required to assume the role of 'border guard', sometimes denying support to NRPF

families and children, despite their obligation to protect all children (Farmer, 2017, 2019) as enshrined in the Children (Scotland) Act 1995 and UN Convention on the Rights of the Child. Sadly, this has increased the risks of poverty, destitution and abuse, especially for women or mothers with experience of domestic abuse and trafficking (Scottish Parliament, 2019).

[Social workers] have an important role in supporting migrants to access public services, and helping advance their human rights, wellbeing, and fostering their inclusion into communities

³ <https://s.iriss.org.uk/2XNjTON>, <https://s.iriss.org.uk/2XIQTyv> and <https://s.iriss.org.uk/3eBqlz8>

Wroe and colleagues (2019) argue that overcoming the tension between immigration control and social work duties requires knowledge, compassion and awareness of the needs and circumstances of migrants, to avoid the situation in which 'social workers are complicit in the use of care and welfare as instruments of immigration control' (Wroe and colleagues, 2019). Social workers need support to feel more confident in these areas.

Guidance and support

Several pieces of guidance exist. COSLA as mentioned, has produced a comprehensive guide on migrant rights and entitlements to local services, benefits and support, with detailed sections on social services (COSLA, 2019; Kyambi, 2012). Furthermore, the Scottish Association of Social Work and UNISON have developed a good practice guide for working with asylum seekers and refugees (UNISON and SASW, 2017). UNISON also developed a guide, much of it relevant to Scotland, for social workers supporting refugee and migrant children in England (UNISON, 2019).

Key principles of the guidance are:

- Migrant, refugee and asylum-seeking children in Scotland have the same rights as any child under Scottish law; local authorities have the same duties to migrant children as any other child.
- Social workers have a statutory duty to safeguard the welfare of all children, including migrant children, regardless of their immigration status.
- While migrant children have the same rights under Scottish law, accessing these rights can sometimes be difficult.

Migrant children and families face additional obstacles to accessing their rights. Per UNISON (2019), these include:

- Poor, or no access to accommodation
- Emotional or mental health problems
- High risk of exploitation
- Social isolation
- Little or no English
- Discrimination and racism
- Difficulties in accessing mainstream services
- Difficulties in accessing high-quality legal advice
- Confusing asylum, immigration and appeals procedures

There are a number of steps that social workers can take when supporting migrant children and families. These include:

- Ensuring that a child's immigration status is considered at all stages
- Assisting the family or child to get legal advice and representation – ie on nationality, immigration, asylum or EU settlement issues
- Assisting the family or child to access the public services that they are entitled to, while being aware of specific vulnerabilities, ie health or trauma
- Assisting in obtaining documentation needed for any nationality, immigration or EU settled status applications
- Importantly, social workers should *not* engage in providing immigration advice, as this is regulated in the UK and should only be provided by those qualified to do so

Social workers also provide support to unaccompanied asylum seeking children (UASC) or separated migrant children under the age of 18 (or appearing to be if no proof), who are looked after by the local authority (UNISON and SASW, 2017).

These children are entitled to the full range of support available to all children under the Children (Scotland) Act. They should be allocated a social worker and are subject to Looked After Children processes. Social workers are required to conduct an age assessment, which has been controversial as this type of assessment requires specialist training to determine a person's mental and cognitive development (Scottish Government, 2018b); guidance from COSLA is forthcoming. BASW has argued against social workers conducting age assessments 'due to the limits of their practice'.

As previously mentioned, social workers need to be clear that while public service entitlements depend on immigration and nationality status, migrants are entitled to the support of social services regardless. 'Assistance provided by social services to a child, family or adult is *not a public fund* for immigration purposes, and should not be refused to a person with NRPF' (COSLA, 2019, p34). Duties to safeguard the welfare of children and young people, for example, also override issues of immigration status when seeking to alleviate destitution for a person or family.

Key implications for social work practice

This is a complex area, and needs to be recognised as such. It will become increasingly so post-Brexit, with differentiated EU rights and extensive changes in status, rights and community relations. Brexit has also led to a rise in racism and discrimination affecting migrants generally.

IMPLICATIONS

- Untangling immigration status and its intersection with social work duties and migrant rights, will require social workers to be well informed and exercise judgement and critical thinking
- Social workers will be challenged to stand up for individuals and families, to courageously critique current practices, and reflect and draw upon their social work values
- Social workers in their professional commitment to 'challenging injustice, promoting equality and securing the protection and well-being of all citizens' (SASW, 2018) must receive the training, support and leadership they need

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