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## NORTH AYRSHIRE COUNCIL

28 September 2021

### Cabinet

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<b>Title:</b>	Hong Kong British Nationals (Overseas) Visa route
<b>Purpose:</b>	To advise Cabinet on the Hong Kong British Nationals (Overseas) programme and the support that the Council could offer to visa applicants following this route
<b>Recommendation(s):</b>	That Cabinet (i) notes the background to the Hong Kong British Nationals (Overseas) programme; (ii) notes the support that could be available to visa applicants who arrive in North Ayrshire and (iii) agrees to receive a further update in 12 months.

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### 1. Executive Summary

- 1.1. This report provides an update on the Hong Kong British Nationals (Overseas) programme and outlines the support that could be offered to visa applicants who arrive in North Ayrshire.
- 1.2. The UK Government has announced a new programme of funding to support the integration of holders of the new Hong Kong British National (Overseas) (BNO) Visa. The initial £43.1million funding package includes a specific allocation to Strategic Migration Partnerships (SMPs), including COSLA SMP, to set up what are being described as 12 'welcome hubs' across the UK.

### 2. Background

- 2.1 The Hong Kong British National (Overseas) visa launched on 31 January 2021. It is a new visa route available to people from Hong Kong who have British National (Overseas) – 'BN(O)' – status and their close family members. It has been created in response to the passing of a new national security law for Hong Kong, which the UK Government believes is in contradiction of agreements made between the UK and China at the time of the Hong Kong handover. The new visa route will entitle Hong Kong residents who hold BNO status to come to the UK, initially for up to five years, but with an option to apply for indefinite leave to remain, and then citizenship, thereafter. There are an estimated 5.4 million Hong Kong residents (2.9m BNOs and their dependant family members) who are potentially eligible to apply for this visa.
- 2.2 It is difficult to predict how many people and their dependents will take up the offer, however by mid-March 27,000 applications had been received. While broader estimates of anticipated arrivals are difficult to make, particularly in the context of the pandemic and global travel restrictions, the latest projections are suggesting that up to 153,000 visa holders and their dependents could take up the route in the first year, and 322,000 over five years. However, there is the potential for numbers to be much higher, particularly if the political situation

worsens in Hong Kong. Serious concerns continue to be raised by the UK and other countries regarding human rights abuses and political repression within Hong Kong, suggesting take-up of the new visa route could be high.

- 2.3 It is expected that many of the visa applicants will arrive with a variety of skills and attributes which will enrich our communities, and in a local context, this may help to address some of the demographic challenges within North Ayrshire.
- 2.4 There are also a range of potential impacts for the Council. Some new arrivals may require integration support, such as access to language classes and assistance to access services. They may also require assistance if they fall into destitution, although it should be noted that they will be coming to the UK with a No Recourse to Public Funds restriction applied to their visas, which means they will not be able to claim welfare benefits, apply for council housing or access other mainstream public funds such as council housing benefits.

### **Local Authority Support and Funding**

- 2.5 On 8 April 2021, the Secretary of State for Housing, Communities and Local Government announced new funding to support the immigration impacts and integration needs generated by the introduction of the BNO Visa. An initial £43.1million is being allocated for what is being described as a UK-wide welcome programme to support status holders during 2021-22.
- 2.6 Scotland's share of the funding will come in two parcels. Firstly, to recognise the spending uplift in areas of devolved competency, COSLA advise that the Barnett consequential in the block grant to the Scottish Government will increase by approximately £2.9 million. Secondly, the Ministry of Housing, Communities and Local Government (MHCLG) will grant funds to each of the 12 SMPs across the UK, weighted by share of population. As Scotland's SMP, we understand that COSLA will receive around £254,000, although we await formal confirmation of this.
- 2.7 COSLA officers are currently in discussions with MHCLG about their exact expectations relating to how this money is to be spent.

### **Support for Local Authorities**

- 2.8 Staff from Housing Services have met informally with officers from the Migration, Population and Diversity section at COSLA. COSLA will work closely with the Scottish Government to develop an approach to supporting councils' roles within the scheme.
- 2.9 COSLA are developing advice that they will make available to local authorities. They will also set up and invite Council representatives to future officer group meetings to share information and good practice.
- 2.10 Councils are waiting to find out more from COSLA about the funding available to manage and cover costs where BN(O) status holders are at risk of destitution. This will include support with housing costs and translation and support to access English language classes. COSLA will work with the UK and

Scottish Governments to develop clear eligibility criteria for these funds and put in place a process for accessing the funding.

### **Support for Hong Kong BN(O) status holders who settle in North Ayrshire**

- 2.11 It is reasonable to assume that many of the visa applicants will arrive in the UK and settle in larger cities where there may already be an established Hong Kong community, however there is the possibility that applicants may choose to settle in North Ayrshire.
- 2.12 Hong Kong BN(O) status holders will be expected to be self-sufficient and contribute to UK society. To be eligible for the Hong Kong BN(O) route, applicants must prove they are able to maintain themselves and their families in the UK for six months, and in every case, an initial grant of leave will have no recourse to public funds.
- 2.13 Visa fees are £180 to apply to stay for 30 months or £250 to apply to stay for 5 years. Additional costs include the Immigration Health Surcharge, which is currently £1,560 for a 30-month visa, and maintenance requirements evidencing the applicant's ability to support themselves financially. The visa contains a route to Settlement or Indefinite Leave to Remain (ILR) as applicants are eligible to apply for ILR after 5 years. After 1 year of possessing ILR, visa holders can register as British Citizens. All of these costs must be met by the applicant.
- 2.14 The majority of Hong Kong nationals are known to speak English, and it is possible that they could move to North Ayrshire, find their own housing and employment and have no need for additional assistance.
- 2.15 COSLA have requested that any information regarding Hong Kong nationals settling in North Ayrshire is shared with them to ensure that accurate records on numbers are recorded.
- 2.16 The Council may become aware of Hong Kong BN(O) status holders settling in North Ayrshire through the Council Tax registration process. The Council could also find out about Hong Kong nationals settling in North Ayrshire if they have school age children and enquire about school placement. Connected Communities staff may become aware of new Hong Kong BN(O) status holders through their links within our communities. Other service representatives within the Refugee Task Force may also find out about new residents from Hong Kong who approach their respective services. The Refugee Support Team will capture this information and feed back to COSLA as required.
- 2.17 The casework requirements will be very different to both the Syrian and Afghan programmes and there should be no requirement to source accommodation or provide intensive support. There may be the need to provide information and advice on local services such as English language classes, Education, Employability support, GPs and dentists.
- 2.18 The UK Government have provided an online welcome pack, available in both English and Cantonese. It includes information on key public services and

practical advice such as how to register with a GP, or set up a business, as well as general advice on life in the UK.

### **3. Proposals**

#### **3.1 That Cabinet:**

- (i) notes the background to the Hong Kong British Nationals (Overseas) programme;
- (ii) notes the support that could be available to Hong Kong BN(O) status holders who arrive in North Ayrshire
- (iii) agrees to receive a further report in 12 months to update on numbers of Hong Kong BN(O) status holders who arrive in North Ayrshire and the support provided to them.

### **4. Implications/Socio-economic Duty**

#### **Financial**

- 4.1 Funding will be available to support local authorities to manage and cover costs where BN(O) status holders are at risk of destitution. This will include support with housing costs and translation and support to access English language classes. COSLA will work with the UK and Scottish Governments to develop clear eligibility criteria for these funds and put in place a process for accessing the funding.

#### **Human Resources**

- 4.2 Support for the families will be provided by the Services who make up the existing North Ayrshire Refugee Task Force.

#### **Legal**

- 4.3 None.

#### **Equality/Socio-economic**

- 4.4 It is expected that many of the visa applicants will arrive with a variety of skills and attributes which will enrich our communities, and, in a local context, this may help to address some of the demographic challenges within North Ayrshire.

#### **Environmental and Sustainability**

- 4.5 None

#### **Key Priorities**

- 4.6 Supporting Ayrshire will contribute to achieving the Council Plan priorities of 'Active and strong communities' and 'People and communities are safe'.

### **Community Wealth Building**

- 4.7 It is expected that many of those wishing to come to the UK under the visa process will be well educated, financially independent and be able to positively contribute to their new communities.

## **5. Consultation**

- 5.1 The members of the Syrian Refugee Task Force have been consulted regarding the contents of this report. Members represent a wide number of internal and external services including Physical Environment, Finance and Corporate Support, Education, Health & Social Care Partnership, Connected Communities, Economic Development & Regeneration, Police Scotland, Department for Work & Pensions, Primary Care NHS Ayrshire & Arran, The Ayrshire Community Trust, Ayrshire College.

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### **Background Papers**

None