



EVALUATION OF THE REFUGEE AND MIGRANT ADVICE SERVICE'S ALTERNATIVE TO DETENTION PILOT

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Executive Summary

Background and methods

The UK maintains one of the largest immigration detention estates in comparison with EU countries and at the time of writing, government policy indicated an intention to expand the immigration estate. In 2019, the Home Office and UNHCR launched the Community Engagement Pilot (CEP) series to test approaches to supporting people to resolve their immigration case in the community.

UNHCR commissioned NatCen to undertake an independent evaluation of the Refugee and Migrant Advice Service (RMAS), run by King's Arms Project (KAP), the second pilot in the Community Engagement Pilot (CEP) series. This final evaluation report brings together findings from all elements of the evaluation to identify lessons learned from the RMAS pilot that can inform decision-making around further development and implementation of alternatives to detention in the UK and beyond. It should be read in conjunction with the evaluation report of the *Action Access* pilot, the first pilot in the CEP series. Our evaluation included desk research, interviews with pilot participants and interviews with delivery and strategic stakeholders and key informants from civil society. The main findings and recommendations are summarised below.

The pilot model

Eligibility and recruitment to RMAS differed from *Action Access*. *Action Access* provided an accommodation-based model whereas RMAS provided support within the community to up to 50 pilot participants at any one time. Pilot participants were provided with a legal advisor (three meetings) for support with immigration casework; more holistic support was offered by a KAP caseworker.

The pilot's main aim was to test different approaches to immigration management and to provide lessons for future policy and practice, such as how users' needs could be better met. KAP's tailored approach to support work, based on a comprehensive needs assessment, was a key factor in enabling the successful delivery of the pilot.

RMAS implemented the same three-meeting model of legal support as developed during the *Action Access* pilot.

Costs

The costs analysis include an exercise to compare the cost per night on the pilot with costs in detention for those with a similar demographic profile in terms of ethnicity and gender. Taking into account the average length of stay in detention and length of support on the pilot, the cost of detention for the same time period and for a similar demographic profile of participants would have been approximately two-thirds more expensive than the support offered on the pilot.

Legal counselling and other outcomes

The evaluation found the three-meeting legal model to work well. Six participants were given leave to remain whilst on the pilot. However, the complexity of immigration cases for many participants meant that achieving case resolution whilst on the pilot was not feasible or achievable. The pilot increased participants' understanding of their immigration cases and

their possible future options. The support offered on the pilot helped participants to gain increased knowledge of and confidence in accessing their entitlements. Participants were treated fairly and with dignity. Participants were supported to access support within their local community. The pilot was seen to have benefits in terms of self-esteem and wellbeing, above and beyond providing the opportunity for participants to engage with legal counselling to reach case resolution. This second pilot in the series built on the collaborative working relationship between the voluntary sector and the Home Office, established during the *Action Access* pilot.

Recommendations

For organisations designing and/or delivering pilots

Recommendation 1: To incorporate clear communication about potential options (and implication of each) at every stage of the support work process.

Recommendation 2: Expect that participants may take time to fully understand the independence of the support provider of Home Office processes and the limitations around what the support provider can achieve in terms of casework support.

Recommendation 3: Where possible, to agree with a solicitor as early as possible that legal support can continue after the three-meeting legal model. This may take time to negotiate depending on the participant's financial status and availability of legal aid.

Recommendation 4: Consider the tailoring of support via a tiered needs assessment and support planning process (such as that on offer by KAP). This will help ensure that all participants, irrespective of immigration case status, will be able to access appropriate support adapted as their circumstances change.

For consideration by the Home Office in increasing effectiveness and efficiency of any future ATD Programmes or roll out of aspects that are proven to be effective

Recommendation 5: Ensure that future ATD programmes are informed by the outcomes from earlier ATD programmes. Longer-term outcomes of participants in ATD programmes would be better captured through more longitudinal tracking of participants, including follow-up post programme exit. However, that kind of longer-term data capture should not delay the implementation of any other recommendations.

Recommendation 6: Delays in providing participant documentation would be alleviated through the digitalisation of immigration casework documentation.

Recommendation 7: Consider the wider use of partnership-working between the Home Office and civil society in supporting those with insecure immigration status. The input of caseworkers can act as a conduit between the Home Office, legal advisors and participants by bringing a degree of independence from government and helping to demystify the legal process for participants.

Recommendation 8: Consider the expansion of future eligibility to include participants with dependent children and flexibility around the requirement for stable accommodation arrangements. This would be in recognition of the possibility of existing living arrangements changing when people are reliant on the support of family/friends for significant periods of time.

Recommendation 9: Consider the potential impact of Home Office involvement in recruitment for future ATDs and where possible (for example when not affected by COVID-19) to outsource recruitment as much as possible to the independent support provider.

Recommendation 10: Consider implementing the three-meeting model of legal counselling for others with unresolved immigration cases as early as possible in their journey through the immigration case management process to avoid the need for more complex legal counselling at a later stage.

The Home Office and King's Arms Project have both provided management responses to the findings of this report, specifically addressing these recommendations. We welcome these management responses, which are included below as an appendix to the report.

1 Introduction

UNHCR has commissioned NatCen to undertake an independent evaluation of the Refugee and Migrant Advice Service (RMAS), the second pilot in the Community Engagement Pilot (CEP) series. This final evaluation report brings together findings from all elements of the evaluation to identify lessons learned from the RMAS pilot that can inform decision-making around further development and implementation of alternatives to detention in the UK and beyond.

This report, outlining the findings from the RMAS pilot, follows a similar structure to the evaluation report for the first pilot in the CEP series: the evaluation of *Action Access*.¹ This report therefore should be read as the second volume (of two) of evaluation findings in the CEP series and follows on from the evaluation findings of the first pilot.

In Chapter 1, we give an overview of the evaluation questions and methods. Chapter 2 outlines the context for the pilot (updated from the context of the *Action Access* evaluation report) and Chapter 3 outlines the design of the pilot. In Chapter 4, we give a description of the pilot delivery, in terms of recruitment, provision of basic needs, case management approach and legal counselling and in Chapter 5 we discuss the extent to which the pilot met its aims and intended outcomes. Chapter 6 outlines the cost of the pilot with reference to the cost of immigration detention. Chapter 7 discusses key similarities and differences between the *Action Access* (pilot 1) and RMAS (pilot 2) pilots. Chapter 8 summarises the key learning points from the RMAS evaluation and their relevance to the wider context of migration management. In Chapter 9, we bring together conclusions of the evaluation and recommendations are set out in Chapter 10.

In this introductory chapter, we briefly outline the context for the pilot and the evaluation, introduce the key evaluation questions and give an overview of the research activities undertaken.

1.1 Context for the pilot

Until recently, the number of people being detained in the UK has gradually declined² and several Immigration Removal Centres have closed³. However, the UK maintains one of the largest immigration detention estates in comparison with EU countries and, unlike EU countries, has no time limit on immigration detention.⁴ Recent (at the time of writing) government announcements and new policies indicate an intention to expand the immigration estate.

On 14 April, 2022, the then Prime Minister delivered a speech in which he confirmed [...] ‘we are expanding our immigration detention facilities, to assist with the removal of those with no right to remain in the UK. We are investing over half a billion pounds in these efforts.’⁵ Further to this announcement on 28 June 2022, the Home Office confirmed that a new IRC

¹ NatCen (2022) “Evaluation of ‘Action Access’, an Alternatives to Detention Pilot: report on an independent evaluation March 2019 – October 2021”, January 2022. Accessed October 18, 2022:

<https://www.unhcr.org/61e1709b4>

² Home Office (2020) “[Immigration statistics: Year ending December 2019](https://www.gov.uk/government/publications/immigration-statistics-year-ending-december-2019/how-many-people-are-detained-or-returned)” London: Home Office. Accessed August 24, 2020. <https://www.gov.uk/government/publications/immigration-statistics-year-ending-december-2019/how-many-people-are-detained-or-returned>

³ Silverman, S.J. Griffiths, M.E.B. and Walsh, P.W. (2020) “[Immigration detention in the UK. Migration Observatory briefing](https://migrationobservatory.ox.ac.uk/resources/briefings/immigration-detention-in-the-uk/)” Oxford: COMPAS. Accessed August 24, 2020.

<https://migrationobservatory.ox.ac.uk/resources/briefings/immigration-detention-in-the-uk/>

⁴ Global Detention Project (2019) “[Mapping immigration detention around the world](https://www.globaldetentionproject.org/organisations-alliances/european-union-eu)” Geneva: GDP. Accessed August 24, 2020. <https://www.globaldetentionproject.org/organisations-alliances/european-union-eu>

⁵ <https://www.gov.uk/government/speeches/pm-speech-on-action-to-tackle-illegal-migration-14-april-2022>

would be opened in Oxfordshire⁶ and in September 2022, the then Home Secretary was expected to detain all new arrivals to the UK.⁷

The Shaw Review, published in 2016, and the subsequent Shaw Progress Report, published in 2018, recommended exploring the potential for ATD in the UK as a means of improving the welfare of vulnerable persons in immigration removal centres.^{8,9} One of the recommendations of the Shaw Progress Report was that the Home Office establish an ATD project which included intensive case management for vulnerable people who might otherwise be detained. The Detention Reform Program, started in 2018, set out a strategic direction for use of immigration detention in the UK and a wide range of reforms to underpin that including developing ATD pilots.¹⁰

In response, and after working closely with UNHCR to establish a Home Office/UNHCR working group on ATD, the UK government announced the CEP Series. The overall principle of the CEP series is to test approaches to supporting people to resolve their immigration case in the community.

The CEP series is framed around five pillars of appropriate personal decision making:

1. Personal stability: achieving a position of stability (in relation to, for example, housing, subsistence and safety) from which people are able to make difficult, life-changing decisions;
2. Reliable information: providing and ensuring access to accurate, comprehensive, personally relevant information on UK immigration and asylum law;
3. Community support: providing and ensuring access to consistent pastoral and community support, addressing the need to be heard and the need to discuss their situation with independent and familiar people;
4. Active engagement: giving people an opportunity to engage with immigration services and ensuring that they feel able to connect and engage at the right level, enabling greater awareness of their immigration status, upcoming events and deadlines with routine personal contact fostering compliance; and
5. Prepared futures: being able to plan for the future, finding positive ways forward, developing skills in line with their immigration objectives, identifying opportunities to advance ambitions.

RMAS delivered by King's Arms Project over two years from 2020 to 2022, was the second pilot in the CEP series. The first pilot, *Action Access*, was delivered by Action Foundation from 2019 to 2021. Each pilot was co-delivered with the Home Office. The RMAS pilot aimed to support adults without leave to remain in a community-based, engagement-focused ATD through the provision of one-to-one support from a caseworker and legal counselling from a

⁶ Factsheet: blueprint for Campsfield House immigration removal centre:

<https://homeofficemedia.blog.gov.uk/2022/06/28/factsheet-blueprint-for-campsfield-house-immigration-removal-centre/>

⁷ Dathan, M, (2022) 'Suella Braverman ready to detain more Channel migrants'

<https://www.thetimes.co.uk/article/suella-braverman-ready-to-detain-more-channel-migrants-3jqn93pb>

⁸ Shaw, S. (2016) "[Review into the welfare in detention of vulnerable persons](#)" London: Home Office. Accessed August 24, 2020.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/490782/52532_Shaw_Review_Accessible.pdf

⁹ Shaw, S. (2018) "[Assessment of government progress in implementing the report on the welfare in detention of vulnerable persons: A follow-up report to the Home Office](#)" London: Home Office. Accessed August 24, 2020.

<https://www.gov.uk/government/publications/welfare-in-detention-of-vulnerable-persons-review-progress-report>

¹⁰ Sturge, G, Wilkins, H, Gower, M, and McGuinness, T. (September 2018) 'Immigration detention in the UK: an overview', House of Commons Library Research Briefing. Accessed October 12, 2021.

<https://commonslibrary.parliament.uk/research-briefings/cbp-7294/>

qualified legal professional. A table outlining the delivery comparisons between the two pilots is included in Chapter 7.

1.2 Research aims and objectives

RMAS supported people without immigration status in the UK to understand their options and make decisions about their next steps. Our evaluation assessed the pilot's effectiveness in supporting people who do not have immigration status in the UK to reach case resolution through appropriate decision-making while living in the community.

The evaluation considered five **Key Evaluation Questions (KEQ)**:

1. How effectively does the ATD pilot deliver basic needs, case management and legal support?
2. To what extent does the ATD pilot contribute to desired outcomes across the five pillars of support (personal stability, reliable information, community support, active engagement and prepared futures)?
3. Considering the long-term aims of the pilot programme, to what extent does the ATD pilot represent value for money?
4. What are the key differences between RMAS and *Action Access* in terms of design, delivery and perceived outcomes?
5. What lessons learnt and examples of promising practice are emerging from the ATD pilot that could be applied across the UK government's approach to asylum and migration management?

1.3 Research methodology¹¹

The evaluation comprised the following elements:

- **Desk research:** A review of pilot documentation and relevant literature; analysis of management information (MI) data and costs data provided by the Home Office and King's Arms Project.
- **Research with pilot participants:** In-depth narrative interviews with 20 pilot participants (10 men and 10 women). These were carried out at three stages: cohort one in April-May 2021; cohort two in October 2021 and cohort three in June-July 2022. No participants were interviewed more than once.
- **Research with delivery and strategic stakeholders:** Ongoing delivery interviews with six members of staff (managers and caseworkers) from KAP in June-July 2021; final reflection interviews with five strategic and delivery stakeholders from KAP and five strategic stakeholders from the Home Office; one final reflection interview with UNHCR (on the CEP series as a whole); a final reflection interview with a legal representative who provided legal services to pilot participants. These 12 final reflection interviews were all carried out in June-July 2022 and took place after the publication of the evaluation report from pilot 1. The final reflection interviews may therefore have been influenced by the interviewee's reading of that report, for example in terms of the framing of the interviewee's responses within the context of findings from that report.

¹¹ A more detailed discussion on methods and ethical considerations is included at Appendix A.

- **Research with key informants:** The evaluation of pilot 1 included an online workshop with key informants, which took place in March 2021. The purpose of this workshop was to disseminate key findings from the evaluation, gather key informants' feedback on these findings, provide a steer on priorities for analysis and gather qualitative data on contextual factors that may have shaped the delivery and achievements of pilot 1. To minimise the research burden on key informants, we also used this workshop as part of the RMAS evaluation. At that workshop we invited key informants to reflect on the challenges and opportunities presented by RMAS in light of the findings from pilot 1.¹²

As with the evaluation of the first pilot, we have drawn on the evaluation criteria proposed by the Organisation for Economic Co-operation and Development's (OECD) Development Assistance Committee (DAC) and adapted by the Active Learning Network for Accountability and Performance (ALNAP) for use in humanitarian evaluations¹³ as a framework for this evaluation. **Error! Reference source not found.** 1 sets out how the KEQs and our proposed research activities map on to this framework.¹⁴

Table 1: Evaluation framework

	KEQs	Desk-based research	Research with pilot stakeholders	Research with pilot participants	Research with key informants
Relevance/appropriateness	1,2,4		*	*	*
Connectedness	1,2,4		*	*	
Coherence	1,2,4	*			*
Coverage	1,2,4	*	*	*	
Efficiency (value for money)	3	*	*		
Effectiveness	1,2,4	*	*	*	
Impact	N/A				

1.4 Reporting conventions

We present the main analytical findings from the qualitative data, with particular focus on consensus and disagreement within and across participant groups. Quotes and examples are used to illustrate findings. Monitoring data is summarised in tables and we discuss the cost of the pilot in terms of cost per participant per day.

¹² Interviewees are not named in the report as the consent process included an assurance of anonymity.

¹³ Beck, T. (2006) *Evaluating Humanitarian Action using the OECD-DAC Criteria* London: ALNAP. Accessed August 24, 2020. <https://www.alnap.org/system/files/content/resource/files/main/eha-2006.pdf>

¹⁴ As discussed by Beck (ibid.), not all criteria will be relevant to all evaluations. We expect that it will not be feasible to assess wider, systemic 'impacts' in this pilot evaluation due to its small scale and since the research will be conducted during the intervention.

1.5 Glossary of terms

Terms which are frequently used in this report are set out in Table 2 **Error! Reference source not found.**

Table 2: Glossary of terms

Term	Definition
ATD (Alternatives To Detention)	UNHCR defines “ <i>alternatives to detention as any legislation, policy or practice that allows asylum-seekers to reside in the community subject to a number of conditions or restrictions on their freedom of movement. As some alternatives to detention also involve various restrictions on movement or liberty (and some can be classified as forms of detention), they are also subject to human rights standards</i> ”. ¹⁵
CEP series	Community Engagement Pilot series: a series of Alternatives To Detention pilots run by the Home Office
KAP	King’s Arms Project
NRM	The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support.
RMAS	Refugee and Migrant Advice Service
SAR	Subject Access Request: a written request to a company or organisation asking for access to the personal information it holds on an individual
‘Three-meeting model’ of legal counselling	A model developed through the <i>Action Access</i> pilot, which continued into the RMAS pilot, comprising three meetings between a legal representative and a pilot participant
UNHCR	The UN Refugee Agency

¹⁵ UNHCR (2016) The 10 Point Plan in Action, available at: <http://www.refworld.org/10pointplaninaction2016update.html>

2 Context of the RMAS Pilot

In this chapter, we summarize the findings of our review of the wider research and evidence base on ATD and draw on the findings from interviews to place RMAS in the context of the UK's approach to asylum and migration management.

2.1 The case for alternatives to immigration detention

The challenges and harms associated with immigration detention are well evidenced. The use of immigration detention can be costly, harmful to mental health, and often ineffective in both reducing irregular migration and achieving other migration management outcomes such as case resolution.

Developing and promoting ATD, enshrining them in law and embedding them in practice has been a focus for UNHCR through their Global Strategy - Beyond Detention 2014-2019 ('Global Strategy'). UNHCR defines "alternatives to detention as any legislation, policy or practice that allows asylum-seekers to reside in the community subject to a number of conditions or restrictions on their freedom of movement. As some alternatives to detention also involve various restrictions on movement or liberty (and some can be classified as forms of detention), they are also subject to human rights standards".

ATD have the potential to be at least as effective, more cost efficient and less harmful than detention in managing migration. Recent ATD which involve case management-based programmes in the community, such as those in Cyprus, Bulgaria and Poland, have proven to be highly effective in terms of cost and compliance, and in helping people to reach case resolution without the need for coercion. The evaluation findings from pilot 1 also demonstrated the cost-effectiveness of that as an ATD.

2.2 The current set-up of immigration detention in the UK

Despite a reduction in the use of immigration detention in recent years, the UK Home Office continues to rely heavily on immigration detention as a means of immigration management,¹⁶ with 2,038 individuals detained under immigration powers on 30 June 2022¹⁷ and plans for further expansion of the immigration detention estate announced in April 2022.¹⁸

The UK still has one of the largest immigration detention estates in Europe¹⁹ and, unlike EU countries, has no time limit on immigration detention. Limitations that do exist include the Hardial Singh principles which state that individuals can only be detained with the intention of removal and for a "reasonable" time period.²⁰ A proposed amendment to the Immigration and Social Security Co-ordination (EU Withdrawal) Bill to impose a 28-day time limit on immigration detention was rejected by the House of Lords in October 2020.²¹

Pre-COVID-19, the UK immigration detention estate consisted of seven Immigration Removal Centres (IRCs), two residential Short-Term Holding Facilities, one Pre-Departure

¹⁶ Silverman, S.J. Griffiths, M.E.B. and Walsh, P.W. (2020) "[Immigration detention in the UK. Migration Observatory briefing](#)" Oxford: COMPAS. Accessed August 24, 2020.

¹⁷ Home Office (2022) Immigration statistics, year ending June 2022. Available at:

<https://www.gov.uk/government/statistical-data-sets/immigration-statistics-data-tables-year-ending-june-2022>

¹⁸ Prime Minister's Office & The Rt Hon Boris Johnson MP (14 April 2022) PM speech on action to tackle illegal migration: 14 April 2022. Available at: <https://www.gov.uk/government/speeches/pm-speech-on-action-to-tackle-illegal-migration-14-april-2022>

¹⁹ Global Detention Project (2019) "[Mapping immigration detention around the world](#)" Geneva: GDP.

²⁰ Singh, R (on the application of) v Governor of Durham Prison [1983] EWHC 1 (QB) (13 December 1983). Available at: <https://www.bailii.org/ew/cases/EWHC/QB/1983/1.html>

²¹ HL Deb (19 October 2020) Vol. 682, Col. 867 – 870. Available at:

[https://hansard.parliament.uk/commons/2020-10-19/debates/97E83258-6E39-432F-8AE0-C2D7E0B1966F/ImmigrationAndSocialSecurityCo-Ordination\(EUWithdrawal\)Bill](https://hansard.parliament.uk/commons/2020-10-19/debates/97E83258-6E39-432F-8AE0-C2D7E0B1966F/ImmigrationAndSocialSecurityCo-Ordination(EUWithdrawal)Bill).

Accessed March 19, 2021.

Accommodation facility, and additional spaces in a number of prisons.²² During COVID-19, several IRCs were redesignated, but have since returned to their pre-COVID-19 operation status. With the exception of Morton Hall IRC, all the centres are run by private firms contracted by the Home Office.²³ Morton Hall IRC ceased to operate in July 2020 and returned to its former use as a prison,²⁴ however a new IRC in County Durham opened in September 2021.²⁵ The Home Office has announced its intention to open new IRCs on the sites of the former Campsfield House IRC in Oxfordshire and the former Haslar IRC in Hampshire which, between them, will accommodate up to 1000 men. Neither IRC will open before late 2023.²⁶

In the year ending June 2022, 24,004 individuals entered immigration detention. This represents a small decrease of 2% on pre-COVID-19 levels.²⁷

IRCs are meant to provide “secure but humane” accommodation in a relaxed regime for those who have no right to remain in the UK and who the Home Office believes can be deported or removed within a reasonable timeframe.²⁸ They provide a number of services for detained individuals including legal advice, healthcare, welfare support, and internet and mobile phone access.²⁹ The estimated average daily cost of holding an individual in immigration detention was £115.32 as of September 2022.³⁰ This includes the cost per bed night for pre-departure accommodation.

Numerous organisations have raised concerns in recent years about the conditions of immigration detention and the treatment of detained individuals. In 2015, the then Home Secretary Theresa May commissioned Stephen Shaw to conduct an independent review of Home Office policies and procedures that affected the welfare of immigration detained individuals. Published in 2016, the Shaw Review criticised a number of aspects of the immigration detention estate, including that there is no correlation between the number of individuals detained and the number lawfully deported, and that the number of individuals in

²² Silverman, S.J. Griffiths, M.E.B. and Walsh, P.W. (2020) “[Immigration detention in the UK. Migration Observatory briefing](#)” Oxford: COMPAS. Accessed August 24, 2020.

<https://migrationobservatory.ox.ac.uk/resources/briefings/immigration-detention-in-the-uk/>

²³ Silverman, S.J. Griffiths, M.E.B. and Walsh, P.W. (2020) “[Immigration detention in the UK. Migration Observatory briefing](#)” Oxford: COMPAS. Accessed August 24, 2020.

<https://migrationobservatory.ox.ac.uk/resources/briefings/immigration-detention-in-the-uk/>

²⁴ BBC News (4 September 2021) Morton Hall to reopen as prison for foreign nationals. Available at: <https://www.bbc.co.uk/news/uk-england-lincolnshire-58447958>

²⁵ Home Office News Team (23 November 2021) Factsheet: Derwentside Immigration Removal Centre. Available at: <https://homeofficemedia.blog.gov.uk/2021/11/23/factsheet-derwentside-immigration-removal-centre/>

²⁶ Home Office News Team (28 June 2022) Factsheet: Blueprint for Campsfield House immigration removal centre. Available at: <https://homeofficemedia.blog.gov.uk/2022/06/28/factsheet-blueprint-for-campsfield-house-immigration-removal-centre/>

²⁷ Home Office (2022) Immigration statistics, year ending June 2022. Available at:

<https://www.gov.uk/government/statistical-data-sets/immigration-statistics-data-tables-year-ending-june-2022>

²⁸ Shaw, S. (2016) “[Review into the welfare in detention of vulnerable persons](#)” London: Home Office. Accessed August 24, 2020.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/490782/52532_Shaw_Review_Accessible.pdf

²⁹ Shaw, S. (2016) “[Review into the welfare in detention of vulnerable persons](#)” London: Home Office. Accessed August 24, 2020.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/490782/52532_Shaw_Review_Accessible.pdf

³⁰ Home Office & Immigration Enforcement (2022) Immigration Enforcement data: Q3 2022. Available at: <https://www.gov.uk/government/publications/immigration-enforcement-data-q3-2022>

detention should be reduced “both for reasons of welfare and to deliver better use of public money”.³¹

Additionally, the Shaw Review noted a number of shortcomings regarding the services provided in IRCs including inadequate healthcare provision, lack of access to regular medication, lack of interpretation services and reliance on other detained individuals translating, lack of access to quality and timely legal representation, and restricted internet access preventing detained individuals from accessing legal information or social media to keep in touch with family and friends.³² A report from the All Party Parliamentary Group on Refugees and the All Party Parliamentary Group on Migration also found that individuals are frequently unable to access adequate legal advice due to restrictive contracts for firms providing advice. They note that this is particularly significant due to the lack of automatic judicial oversight regarding the decision to detain or continue to detain, meaning challenges to detention must be brought forward by the detained individual.³³

The Shaw Review also reported significant issues with wellbeing and mental health, with one study finding that four out of every five detained individual respondents met the criteria for depression, and longer periods in immigration detention were associated with higher levels of distress.³⁴ The Review also notes that asylum seekers, victims of torture, children, and women have often been identified by research as particularly vulnerable to deteriorating mental health in immigration detention.³⁵

The Shaw Review included a list of recommendations to improve the welfare of vulnerable persons in immigration removal centres, including that the Home Office investigate the development of ATD.³⁶ In July 2018, the Shaw Progress Report was published, building on the previous review and exploring the potential for ATD in the UK more detail.³⁷

In 2022, the UK government outlined plans to expand the immigration detention estate. In a speech in April 2022, the Prime Minister announced a £500million investment in the immigration detention estate to expand detention facilities.³⁸

³¹ Shaw, S. (2016) “[Review into the welfare in detention of vulnerable persons](#)” London: Home Office. Accessed August 24, 2020. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/490782/52532_Shaw_Review_Accessible.pdf

³² Shaw, S. (2016) “[Review into the welfare in detention of vulnerable persons](#)” London: Home Office. Accessed August 24, 2020. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/490782/52532_Shaw_Review_Accessible.pdf

³³ All Party Parliamentary Group on Refugees & All Party Parliamentary Group on Migration (2015) The Report of the Inquiry into the Use of Immigration Detention in the United Kingdom. Available at: <https://detentioninquiry.files.wordpress.com/2015/03/immigration-detention-inquiry-report.pdf>

³⁴ Bosworth, M. & Kellezi, B. (2015) Quality of Life in Detention: Results from MQLD questionnaire data collected in IRC Campsfield House, IRC Yarl’s Wood, IRC Colnbrook, and IRC Dover, September 2013 – August 2014. Available at: <https://www.law.ox.ac.uk/sites/files/oxlaw/mqld.pdf>

³⁵ Shaw, S. (2016) “[Review into the welfare in detention of vulnerable persons](#)” London: Home Office. Accessed August 24, 2020.

³⁶ Shaw, S. (2016) “[Review into the welfare in detention of vulnerable persons](#)” London: Home Office. Accessed August 24, 2020. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/490782/52532_Shaw_Review_Accessible.pdf

³⁷ Shaw, S. (2018) “[Assessment of government progress in implementing the report on the welfare in detention of vulnerable persons: A follow-up report to the Home Office](#)” London: Home Office. Accessed August 24, 2020. <https://www.gov.uk/government/publications/welfare-in-detention-of-vulnerable-persons-review-progress-report>

³⁸ Prime Minister’s Office & The Rt Hon Boris Johnson MP (14 April 2022) PM speech on action to tackle illegal migration: 14 April 2022. Available at: <https://www.gov.uk/government/speeches/pm-speech-on-action-to-tackle-illegal-migration-14-april-2022>

In response to the reliance on the use of immigration detention in the UK and the lack of community-based ATD, UNHCR deemed the provision of support to and advocacy with the UK government to develop ATD as a priority.

Immigration bail was enshrined in law in 2016 as per Schedule 10 of the Immigration Act 2016,³⁹ and came into force on 15 January 2018. Immigration bail is available to those in detention, or at risk of being detained and the statutory conditions of immigration bail include living at a particular address and meeting Home Office reporting requirements. Immigration bail does not specify the provision of case management.

In a submission to the Shaw Progress Report, UNHCR argued that while bail and reporting requirements provide a framework through which people can remain in the community or be released from detention, they do not offer substantial case management and support to individuals to resolve their immigration status. One of the report's recommendations was that the Home Office establish an ATD project which included intensive case management, whilst also progressing the case, for vulnerable people who might otherwise be detained.⁴⁰

2.3 RMAS in the context of alternatives to immigration detention

The first pilot in the CEP series, *Action Access*, represented a unique partnership between the state and civil society. While initiated and funded by the UK Government, *Action Access* used a voluntary community-based case management approach and was run by a non-governmental organisation. Civil society retained a wider involvement throughout the pilot, from early engagement and involvement in the initial design and development stages, to their ongoing role throughout the length of the pilot in decision-making through a reference group comprised of key civil society stakeholders.

As the second pilot in the CEP series, RMAS presented an opportunity for the UK Government and civil society to build on the trusting and cooperative relationship established between the Home Office and the voluntary sector on pilot 1 in jointly adopting an efficient, fair and humane approach to immigration management. The pilot also benefitted from civil society involvement through an advisory group made up of representatives from the immigration and detention sector.

³⁹ UK Government (2016) Schedule 10 of the Immigration Act 2016. Available at:

<https://www.legislation.gov.uk/ukpga/2016/19/schedule/10>

⁴⁰ Shaw, S. (2018) "[Assessment of government progress in implementing the report on the welfare in detention of vulnerable persons: A follow-up report to the Home Office](#)" London: Home Office. Accessed August 24, 2020.

3 Design of the RMAS pilot

This chapter outlines the approach to the design and set up of the RMAS pilot, describes its aims and introduces the logic model and the key activities of the pilot. It draws on key project documentation and findings from interviews with strategic stakeholders.

3.1 Design and set-up of the pilot

The RMAS pilot followed on from the first pilot in the CEP series, *Action Access*, which was delivered by Action Foundation. The RMAS pilot was conceived initially by the Home Office and UNHCR working group developed as part of the CEP series. Discussions around the pilot then also developed during the months following the set-up of that initial working group, including a sector roundtable held in March 2018. Following a competitive tender process, the contract for delivery of this second pilot in the series was awarded to King's Arms Project (KAP), a charity tackling homelessness, displacement and isolation in Bedfordshire, in the East of England region.

Home Office and KAP stakeholders held three initial co-design workshops once KAP had been awarded the contract to deliver the RMAS pilot. Access to legal advice had been a core aspect of the pilot at the commissioning and tender stage. However, learning from pilot 1 meant that the three-meeting legal model was introduced to the planning of the RMAS pilot as described by a KAP stakeholder 'slightly retrospectively', i.e. after the original bidding stage for the pilot but before the delivery of the pilot had begun. KAP stakeholders described the co-design workshops as a helpful mechanism through which to 'talk through the nuts and bolts of what [the pilot] would look like.'

"I think it was just really trying to drill down into exactly what was going to happen. It was helpful, but I think there's only so much talking you can do before you start having to start it and see what happens and then iterate as you go along, keep changing and developing and improving things."
(KAP stakeholder)

The first pilot participant was brought on to the pilot in August 2020 (just as some lockdown restrictions around meeting indoors were easing) with the last remaining participants leaving the pilot in June 2022. The main difference therefore between the pilot design at the original bid stage and the delivery was the impact of COVID-19 on the ability to deliver face-to-face support during the initial stages of the pilot. The plan in the bid to deliver in-person drop-in sessions at various locations in the local area was changed to virtual 1-1 support in response to the pandemic-related restrictions.

The conception behind the RMAS pilot (pilot 2) was the same as that for *Action Access* (pilot 1).

- To help people to make informed decisions about their immigration options and move towards resolving their cases, without the need for detention;
- To provide personal stability for individuals while they make those decisions;
- To promote voluntary returns and support individuals to take up this option.

3.2 Overview of the pilot

Aims of the pilot

To address the needs described above, the RMAS pilot set out to support up to 50 pilot participants at any one time who would otherwise have been at risk of being detained due to there being lawful grounds to detain.⁴¹ Home Office stakeholders indicated that ‘ideally’, they were aiming to support a total of 100 participants through the pilot but accepted that this total would necessarily be flexible. As with pilot 1, the RMAS pilot aimed to test whether support in the community can lead to efficient case resolution⁴² for migrants and asylum-seekers. Recruitment of participants for pilot 1 was mainly from within the detention estate, whereas recruitment for pilot 2 participants was from within the community.⁴³ As with pilot 1, the RMAS pilot aimed to deliver humane and cost-effective case management by supporting participants to resolve their immigration cases in the community. The Home Office carried out an internal exercise to compare outcomes of participants on pilot 2 with individuals in detention during the same time period as the pilot. More details are included in Chapter 5.

Strategic stakeholders’ understandings of the pilot aims were largely consistent with the pilot design. In their view, the pilot’s main aim was to test different approaches to immigration management and to provide lessons for future policy and practice, such as how users’ needs could be better met. They also described how the pilot aimed to help participants understand their immigration options through the provision of legal counselling.

“I think one of the really important things that I’ve seen in this pilot is that we’re trying to improve accessibility for people, trying to improve people’s understanding of our migration system and what rights they have, what’s actually available to them.” (KAP stakeholder)

Logic model

Figure 1 provides a logic model for RMAS, setting out the planned inputs and activities and intended outputs, outcomes and impacts for the pilot. The logic model was developed in collaboration with UNHCR, Home Office staff and KAP managers at a workshop in January 2021. The Kellogg Foundation approach⁴⁴ was used to encourage workshop attendees to articulate each aspect of the logic model.

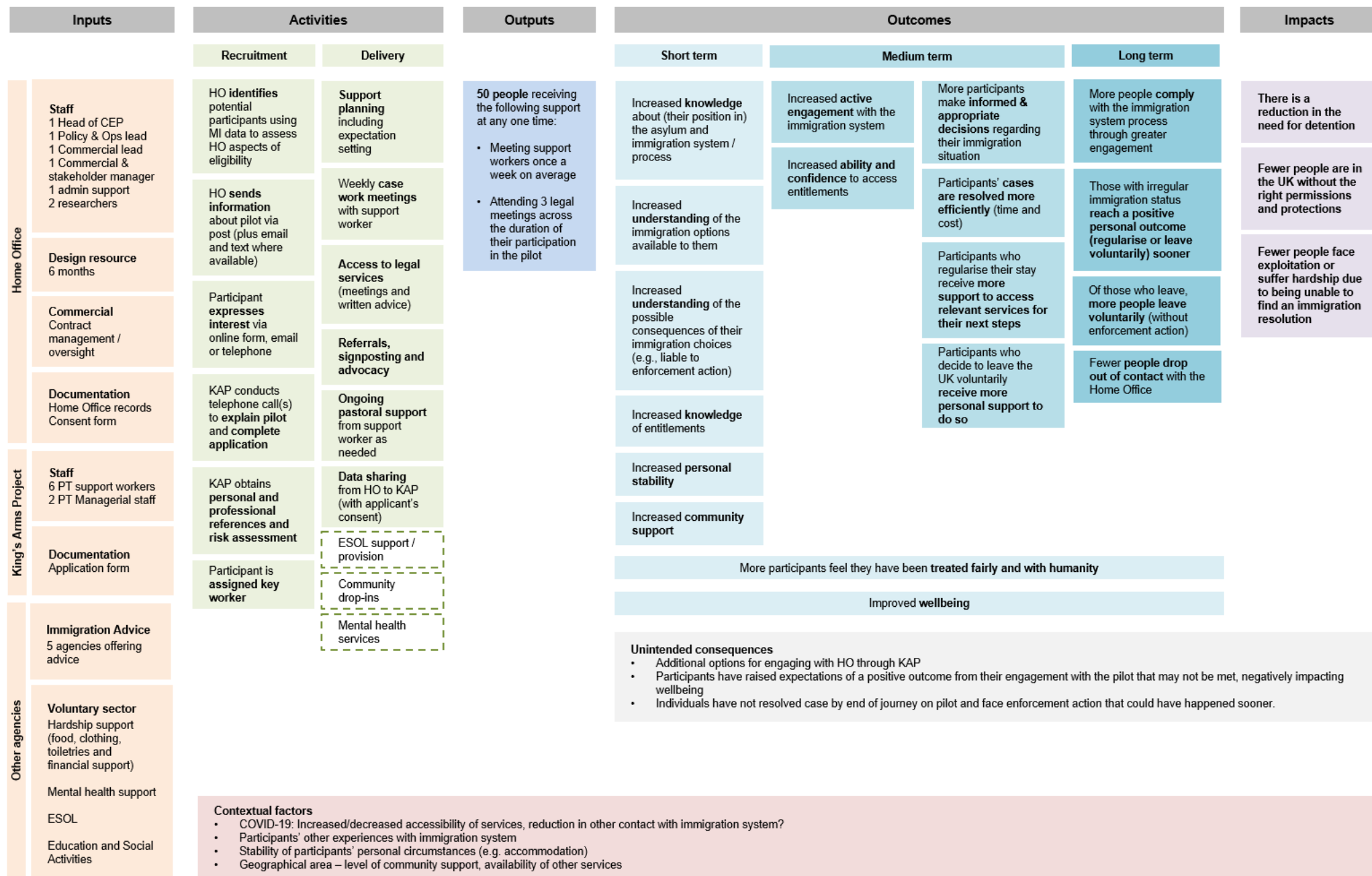
⁴¹ We discuss later in the report how different understandings of the pilot as an ‘alternative to detention’ impacted upon the profile of those accepted on to the pilot.

⁴² ‘Case resolution’ refers to gaining the right to remain in the UK or voluntarily returning to the country of origin.

⁴³ We discuss later in the report how the differences in recruitment approaches have had an impact on different understandings of the pilot as an ‘alternative to detention’.

⁴⁴ W.K. Kellogg Foundation (2004) “[Logic Model Development Guide](https://www.betterevaluation.org/sites/default/files/LogicModelGuidepdf1.pdf)” Michigan: W.K. Kellogg Foundation. Accessed April 30, 2021. <https://www.betterevaluation.org/sites/default/files/LogicModelGuidepdf1.pdf>

Figure 1: RMAS Logic Model



Key pilot activities

As shown in the logic model above, the pilot was designed to provide the following activities (described in further detail below under 'case management'):

- Support planning, including expectation setting
- Weekly case work meetings with caseworker
- Access to legal services (meetings and written advice)
- Referrals, signposting and advocacy
- Ongoing pastoral support from caseworker as needed
- Data-sharing between HO and KAP (with participant's consent)

While not a formal component of the pilot, participants could also benefit from other KAP services, including access to English classes, Pathways service and social activities.

4 Delivery of the RMAS Pilot

Key evaluation questions
1. How effectively does the RMAS pilot deliver basic needs, case management and legal support?
2. To what extent does the RMAS pilot contribute to desired outcomes across the five pillars of support (personal stability, reliable information, community support, active engagement and prepared futures)?
3. Considering the long-term aims of the pilot programme, to what extent does the RMAS pilot represent value for money?
4. What are the key differences between RMAS and <i>Action Access</i> in terms of design, delivery and perceived outcomes?
5. What lessons learnt and examples of promising practice are emerging from the RMAS pilot that could be applied across the UK government's approach to asylum and migration management?

In this chapter, we draw together perspectives from pilot participants and stakeholders to explore the delivery of the pilot through recruitment, provision of basic needs, the case management approach and legal support. The key successes and challenges of each element of delivery are also described.

4.1 Implementation & Conduct

The Home Office provided MI data on the delivery of the pilot. The Home Office sent out initial invitation letters with information about the pilot to a total of **383 individuals**. A total of **84 participants** joined and were supported by the pilot. There was an expectation that **50 participants** would be supported at any one time. In reality, the total number of participants on the pilot at any one time was **48**, slightly short of the 50 as intended. The Home Office described the figure of 50 as an ambition rather than a target. And despite contacting almost 300 people with information about joining the pilot, the Home Office attributed the fact that the ambition fell slightly short to insufficient interest to join the pilot.

The first participant joined the pilot on 18 August 2020. The last participants left the pilot on 15 June 2022. Participants remained on the pilot for an average of **318 days**. June to August 2020 was a mobilisation period for the pilot which included starting the recruitment process of participants.

Throughout the course of the pilot, participants received a total of **196 legal counselling sessions**, from five different solicitors working in four different law firms. Of the 84 participants supported on the pilot, **65 individuals** received all three legal counselling sessions. There were a number of different reasons why not all 84 participants received all three legal counselling sessions, including: challenges with physical and mental health; two individuals died before completing the 3-part legal model; and two individuals received positive decisions on outstanding claims before completing the 3-part legal model.

To be eligible for the pilot, potential participants had to: be migrants without immigration status in the UK; be aged 18 or above; be known to the Home Office or agree to be in contact with the Home Office; be with stable housing and support for living costs; be living in Bedfordshire, Luton, Milton Keynes or Northampton. Participants could have adult (18+) dependents in the UK, for example, a spouse. Foreign National Offenders

and those with a criminal conviction for violent or sexual offences (even if below the FNO threshold) were excluded.

Recruitment steps

Pilot participants were invited to join the RMAS via a letter, email or text message from the Home Office. In that initial communication from the Home Office, invitees were asked to contact KAP to express their interest. Potential participants then received a phone call from a KAP representative who explained more about the aims of the pilot and what the participant might expect from taking part.

Invitations were sent by the Home Office to potential participants identified via Home Office records as meeting the eligibility criteria for the pilot.⁴⁵ Invitations were sent to those living in postcodes with the geographical reach expanding during the course of the pilot. The wording of the invitation made clear that participation was by invitation only for the named individual invitee and was not to be forwarded on to any friends or family members who may also have an unresolved immigration case.

KAP stakeholders highlighted that they were keen that only people who were already reporting to the Home Office would be contacted about the pilot as they did not want to 'widen the enforcement net'. KAP stakeholders emphasised that they viewed their role in the recruitment method as a 'hands-off, light-touch' approach which prioritised trust and the person-centred aspect of their overall approach to the pilot.

At the point of KAP explaining the pilot to those invitees who had contacted them to express an interest, for those invitees who had confirmed they were happy to complete and application form, a risk assessment was carried out and KAP asked participants to provide details of two individuals who KAP could contact to request a reference.

During the course of the pilot, the Home Office introduced a system of putting a flag on their database next to participants on the pilot. This was as a result of one participant being subject to a raid by immigration enforcement officers (which was not meant to happen to participants on the pilot).

Participant motivations for joining the pilot

Participants referred to their decisions to join the pilot as something they did not have to think too much about. For most participants, the support offered on the pilot gave them the opportunity to have their immigration case supported by a legal advisor. As participants were already reporting to the Home Office on a regular basis, they referred to having 'nothing to lose' by joining the pilot. One participant shared that prior to joining the pilot, she was 'at her wits end' regarding her immigration case.

"... It wasn't even in the discussion to not join [...] I think the situation that we're in, really made a no-brainer for me to want to join the service." (Pilot participant)

"my heart just said: "let me try and see if these people can help me"
(Pilot participant)

⁴⁵ Please see the sample invitation letter included at Appendix B.

Living 'in limbo' was another reason given for joining the pilot. The legal support offered as part of the pilot meant there was a chance of achieving resolution on complex immigration histories or on cases where simple solutions had perhaps been missed. Participants referred to their cases as previously 'stagnant' and saw the pilot as an opportunity to get fresh legal advice. For those participants whose immigration cases had stalled, the pilot offered hope that their cases could be progressed.

One participant expressed that she was nervous about joining the pilot as she felt as though KAP would judge her once they knew the details of her immigration case but that she 'needn't have worried as that was not the case'.

Participants reported approaching the pilot with an open mind, with few preconceived ideas about what to expect from their engagement.

“was just open to hear what support they could offer me. Yes, it was only after I joined that, yes, I've seen what they can offer, but no expectations beforehand.” (Pilot participant)

As a secure immigration status is the gateway to many other aspects of day-to-day life, participants viewed joining the pilot as opening doors to other avenues, for example, being able to work and support family members.

The fact that the legal advice was free, as an integral part of the pilot, provided further motivation for joining the pilot. One participant described how she had recently tried to engage a solicitor but that the requirement to pay fees upfront was a barrier.

“All the firms that we were going to, they wanted some money up front, before even meeting with the solicitor, so it was difficult. I was just stuck, I was just staying at home, I was depressed with that, so when they said that they were going to help me with that, yes, that kind of lifted off a burden, really.” (Pilot participant)

One participant, who was working with another 'non-pilot' solicitor at the time of receiving the invitation letter shared that his solicitor had advised him to ignore the letter but that he had opted to go ahead and contact KAP regardless.

Legal support with an immigration case was not the only motivation for joining the pilot. Participants were drawn by the offer of wider support offered by KAP. Participants' insecure immigration status had meant, for many, corresponding restrictions in other areas of daily life, for example access to education, training or employment. Activities offered by KAP meant an alleviation of boredom and, in some cases, a sense of meaning and purpose to the day, leading to improvements in participant wellbeing. One participant reported that she was very keen to 'get out of the house' and was hopeful that the pilot would give her opportunities for more social interaction. Some participants had started a course of higher education, which had been interrupted because of their insecure immigration status. They hoped that by participating in the pilot, they would be able to continue their studies.

“It wasn't only solely based on the case or furthering my application and stuff. It was also based on, oh, well, this is a great idea. You can

get to do a numerous amount of things. They offer quite a lot of things, and I like that, that's quite great.” (Pilot participant)

Challenges and successes in recruitment

Method of recruitment

Despite recognising that they had nothing to lose from joining the pilot and being keen to progress their cases, some pilot participants were initially wary of joining a scheme which they saw as being linked with the Home Office. Receiving communication with Home Office branding did generate some apprehension at first. However, once KAP staff had had the opportunity to explain the pilot at the next stage of the recruitment process, these concerns were alleviated in most cases. The independence of KAP from the Home Office was seen by both Home Office and KAP stakeholders as an important factor in encouraging take-up of the pilot. For a small number of participants, this initial wariness continued even after engagement with the pilot had started.

Other participants described anxiety around whether the pilot offer was indeed legitimate and not a scam to elicit personal information. One participant reported that she had received her initial invitation to join the pilot by text but that she had ignored it because she had assumed that it was a scam, especially because she received the text at 11pm. She only realised that it was legitimate after she had received her invitation letter by post some time later. Another participant did not reply straight away because she thought the text message she had received was a joke.

One participant asked KAP for proof that they were a legitimate organisation in response to the multiple personal questions asked by telephone during the recruitment process. Another participant attributed his initial wariness to ‘too many bogus letters out there’. Some participants suggested that there could have been more emphasis placed at the recruitment stage on reassuring potential participants of the legitimacy of KAP, especially as potential participants were asked to provide personal details of two referees as part of the application process. KAP reported that those invitees who did end up on the pilot had told KAP that they had to ‘conjure up a lot of courage’ to make that initial phone call.

Some KAP stakeholders expressed concern that the process of inviting potential participants on to the pilot may not have maximised the acceptance rates. They felt that participants were being relied upon to put their trust into a process when they may have built up a considerable level of apprehension at engaging with the Home Office about their immigration case. The Home Office indicated that they did explore with KAP the possibility of KAP contacting individuals about the pilot but concluded that this would not be possible because of the data protection implications of sharing personal details with a third party without the individual’s consent.

“These people are not the Home Office. It's much more relaxed. It's not scary, because if I hear anything Home Office, I freak out. Having people who have some level of power or so, but not the Home Office, it's really nice to speak to. I think the other hand is, because there is so much distrust and, I don't know, very negative feelings about the Home Office, sometimes I've - not felt wary - but I've just always thought, at the beginning especially, and I've asked my support worker this, is why this support service has started. Why have they

done it? Have they done it to monitor the people, or it's a genuine thing to help people?" (Pilot participant)

Home Office stakeholders reported that the intention had not originally been to recruit directly from Home Office data for the whole two-year period but that this was a pragmatic attempt to manage recruitment within the pandemic restrictions as recruitment from detention or KAP recruitment via their networks was not possible as had been intended. The Home Office's original intention had been to recruit from the community initially before moving to recruitment at the point of detention, whether from an enforcement visit or elsewhere. However, this turned out not to be possible partly because the profile of some people in detention (especially high-harm foreign national offenders) would not have been eligible for the pilot and partly because COVID-19 meant that the numbers of people in detention at the initial recruitment phase were lower than usual.

One KAP stakeholder raised that they felt as though the amount of paperwork necessary at the recruitment stage may have been too complex and therefore potentially off-putting for participants, especially for those who needed the additional support of an interpreter.

Eligibility criteria

One of the eligibility criteria for being accepted on to the pilot was not having dependent children. In a small number of cases, potential participants were invited on to the pilot because Home Office records had indicated that the invitee did not have dependent children. Some pilot stakeholders described their frustration at not being able to offer support to an invitee who was keen to join the pilot when it was discovered that they were ineligible only after they had decided to join and had completed the paperwork. Stakeholders felt that disappointment could have been better managed had the records shown from the beginning that the invitee was not eligible to join.⁴⁶ For those with dependent children who had previously received a refusal of their immigration case, the message that they were not eligible felt like another rejection. In those cases, KAP were sometimes able to offer support through another part of their service (not related to the ATD pilot), but not access to the legal model through the pilot.

Similarly, KAP stakeholders reported the difficulty of having to communicate to someone who had been invited on to the pilot that they were not eligible because they were not in stable accommodation and were rough sleeping.

Some participants who belonged to the same family expressed anxiety that each family member did not receive their invitation to participate in the pilot at the same time. Some pilot participants described an anxious few weeks whilst they waited to see if family members would also receive an invitation as they did not want their family to miss out on the support offered.

Independence of KAP

Participants reported that the engagement with KAP representatives during the recruitment process was friendly, encouraging and helped to alleviate some of the anxieties about joining the pilot. Participants also appreciated the flexibility of KAP staff in rearranging recruitment appointments or phone calls when required. KAP representatives communicated clearly during the recruitment process that they were

⁴⁶ Home Office records showed no dependent children where a potential participant had not previously indicated to the Home Office that they had dependents.

independent of the Home Office. Participants described the information they received from KAP about the pilot as clear, helpful and appreciated the opportunity to ask questions.

One participant described the engagement by KAP staff at this stage as 'making it easier to want to work with them'. KAP stakeholders felt that clear communication from caseworkers and a robust assessment process helped ensure that participants made informed decisions to join the pilot. Caseworkers believed that their expertise in working with vulnerable people helped them to build trust and rapport with potential participants. Pilot participants felt that caseworkers provided useful information and answered participant questions, which supported informed decision-making.

Some participants reported that they appreciated being asked about vulnerabilities and the risk of exploitation as part of the recruitment process. They felt as though that demonstrated that KAP had a good understanding of the situation some migrants could find themselves in and this helped potential participants to trust the process.

4.2 Delivering case management

Case management approach

Caseworkers provided one-to-one support in two ways: regular meetings and ad hoc support. The frequency of support meetings depended on the level of participant need. Some participants, for example, described how they would meet with their caseworker on a weekly basis initially which then moved to monthly; another participant reported that her initial meetings with her caseworker were 2-3 times a week, then reducing to 1-2 times per week. One participant described a time when she was feeling particularly low and not eating that her caseworker would call her twice a day to check on her and to check that she had eaten.

When a participant joined the pilot, the RMAS Team Leader, in collaboration with the assigned caseworker, would conduct a needs assessment for each new client. This involved assessing a number of different needs including: physical health, English language and safeguarding issues. This process created a support score which would inform the allocation of support hours. For example, a support score of 2+ equalled 3.25 hours of support per week. This process was developed during the pilot, in response to varying needs of pilot participants. The Refugee and Migrant Team felt that it was important to provide different levels of support, according to the needs of the clients. For instance, if a client spoke English fluently and did not require an interpreter, they generally would require fewer support hours than a client who could not speak English and therefore required an interpreter.

Once the participant had received the written advice from the solicitor, the RMAS Team Leader would discuss with the allocated caseworker what level of support was still required. Generally, for clients who had been given a viable option to regularise their status, caseworkers would continue to work regularly with their client in order to support the process of finding a solicitor who would take on their case, collecting evidence for the application and applying for exceptional case funding, if necessary. KAP stakeholders received training in making applications for exceptional case funding during the course of the pilot.⁴⁷ For those who had not been presented with a viable option to regularise their status, the caseworker would meet with the client over six further sessions to ensure that they had understood the legal advice provided to them by the solicitor, as well as the option of voluntary return.

When participants initially joined the pilot, they were assigned a caseworker who went through a 'support checklist' with the participant to prioritise support needs. One stakeholder described the checklist as being based on Maslow's hierarchy of needs.⁴⁸ The caseworker and participant would then develop a support plan together, taking into consideration different areas, for example: education; volunteering, friendships, physical health, mental health, accommodation, and any client-led support needs not featuring on the list. Support plans would then get reviewed every three months. Unlike pilot 1, participants on the RMAS pilot needed to be in stable accommodation as one of the criteria for acceptance on to the pilot. KAP stakeholders indicated that that meant there were potential participants who could have benefitted from legal support who were not accepted on to the pilot.

⁴⁷ Applications for exceptional case funding can be made for those applicants who do not qualify for legal aid under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO).

⁴⁸ A theory in psychology comprising a five-tier model of human needs, often depicted as hierarchical levels within a pyramid. From the bottom of the pyramid upwards, the needs are: physiological (food and clothing), safety (job security), love and belonging needs (friendship), esteem, and self-actualization. S. McLeod, 'Maslow's Hierarchy of Needs': <https://www.simplypsychology.org/maslow.html#:~:text=There%20are%20five%20levels%20in,esteem%2C%20and%20self%20actualization> Accessed 21 October 2022.

During COVID-19, contact was primarily through remote provision. Support meetings were initially held via WhatsApp or Zoom, transitioning to face-to-face as the restrictions eased.

KAP stakeholders described the importance of offering tailored, flexible support. For some participants, living with significant instability (for example mental health difficulties), their personal circumstances changed unpredictably whilst on the pilot and their support needs also therefore changed.

There were significant variations in the nature of support needs of participants on the pilot. Some participants for example had stable living situations with family members and strong existing support networks where they might have been the only person in the family with an irregular immigration status. Other support needs presented by participants included: complex histories of gender-based violence, significant mental health difficulties and a history of suicidal ideation. There was variation in the level of English language spoken and understood by participants. Some participants were highly-educated and others had not had the opportunity of receiving any education.

KAP stakeholders and pilot participants described several types of support provided by caseworkers:

- **Pastoral support:** caseworkers ‘kept the door open’ for the offer of mental health and emotional wellbeing support, even for those participants who indicated that they did not need such support at the initial needs assessment stage. Caseworkers ensured the personal wellbeing of participants, for example by visiting them more regularly when they first joined the pilot.
- **Support with financial matters:** caseworkers helped participants who did not already have a bank account to set one up, accompanied participants to appointments with the bank and helped them complete the relevant paperwork. Caseworkers helped participants to complete paperwork to deal with any historic NHS debt and to access free NHS prescriptions.
- **Support with getting ready to work:** caseworkers helped participants put together their CVs and offered help with writing covering letters and general ‘workplace skills’. Some participants were also put in touch with professionals in the areas of work they were interested in. This support was intended to mean that when participants had regularised their status, they would be able to start working, in an area of their choice, more easily.
- **Support with accessing volunteering opportunities:** participants were encouraged and supported with submitting applications for volunteering opportunities in areas they would ultimately like to seek work in. One participant, for example, was volunteering on a film project with a local charity.
- **Practical support:** caseworkers asked participants to let them know of anything they needed in terms of material provisions, for example, clothes/toiletries, and coordinated donations of relevant items. Those participants who needed it were provided with information about and a referral to the local food banks. Some participants were also helped to obtain a mobile phone.
- **Support with social inclusion:** caseworkers helped participants to get involved in social groups and activities for example, cooking, art therapy class, fitness, gardening groups, IT classes, creative writing sessions, social sessions. These were offered online during the different periods of lockdown.⁴⁹
- **Peer-led support groups:** social groups involving people with lived experience of a particular issue, for example experience of homelessness. Activities at such groups included chatting and participating in mindfulness exercises.

⁴⁹ In the online cookery class, participants were sent a weekly menu and the necessary ingredients and would then post photos of the finished product.

- **Medical support:** caseworkers helped participants to register with a GP, with a dentist and with an optician. Caseworkers also accompanied participants to hospital appointments. Caseworkers helped several participants gain proof that their medication was not available in their country of origin, as part of an immigration application (as instructed by the immigration advisor).
- **Support with the legal process:** caseworkers were not legal advisors. However, their OISC-training and previous experience working with migrants meant that they understood enough about the legal process to help participants understand elements of their cases and the work that the solicitors were carrying out.
- **Support with legal counselling and engaging with Home Office:** caseworkers helped some participants communicate with the Home Office about their cases.
- **Support with accessing training and education opportunities:** for those participants who were eligible, support was provided to access training opportunities at a local college.
- **Support to move on from the pilot:** caseworkers encouraged participants to think about their future plans and to think about how they would manage a particular issue independently once their time on the pilot had concluded.

Links with other support

Caseworkers facilitated links to other support through signposting (where there was no obvious referral pathway), referrals and supporting participants to self-refer. They facilitated links with other support offered by KAP and with wider provision from other organisations. When safeguarding concerns arose related to modern slavery or human trafficking, KAP caseworkers were able to contact The Salvation Army (NRM first responder organisation) and support their client through the referral process.

KAP also ran a supported accommodation service. This service was aimed at their clients not on the pilot but could be used for anyone exiting the pilot with no recourse to public funds. Participants were mainly living with family or friends. However, for those participants who experienced a problem with their accommodation during the course of the pilot, KAP could explore Section 4 accommodation, Section 95 or a hosting scheme.

Some participants were able to take part in Pathways, the umbrella term for KAP's employability work. Activities on Pathway include 'softer skills' ranging from re-engaging with the community, health and wellbeing and friendship clubs to volunteering and jobs clubs.

KAP also run a helpline service providing casework support, advice and guidance for vulnerable migrants. Invitees to the pilot who did not meet the eligibility criteria and those leaving the pilot not having regularised their immigration status could usually be offered assistance via the helpline.

For those who needed it, support work was offered with the assistance of an interpreter and participants were given the option of changing their interpreter if they felt it necessary.

KAP had in-house ESOL clubs, which participants could take part in.

Some participants were linked up with a local theatre company which encouraged migrants to share their stories through public events.

Other ad-hoc, 'smaller' elements of assistance were also provided. Examples included: arranging for a participant to have a free haircut, supporting a participant with their social anxiety so that they can access their local athletics team; helping with access to a hardship fund so that the participant could buy warm slippers and jumpers in winter.

Other provision offered by local organisations included:

- referrals for counselling with specialist mental health providers
- financial assistance via the Red Cross (£120 a month for three months) and another local organisation which helps with financial support for migrants facing destitution. Not all participants took up this offer of financial assistance for 3-months, depending on level of financial needs. Ad-hoc financial support at Christmas.
- community groups and projects
- faith groups

Many of the participants had already been living in the community for several years. Some already had well-established links with the local communities and some through their churches, so did not always require support in terms of becoming better networked with local communities.

Some volunteering opportunities were not taken up because of COVID-19, for example, in one situation where the pilot participant lived with someone vulnerable and they did not want to the risk of potentially increasing that person's exposure to COVID-19.

Successes and challenges of case management approach

Flexibility of support work

Both stakeholders and participants viewed the tailored approach to support work, based on a comprehensive needs assessment, as a key factor in enabling the successful delivery of the pilot. KAP's needs assessment meant that participants were offered the appropriate level of support targeted at different needs. For some participants, with stable accommodation and an existing support network of family and friends, their dominant support need from the pilot offer was immigration case work. Other participants with more complex mental health histories, for example, or who expressed an interest in being more involved with the community, benefitted from referrals to more specialist organisations or from being linked in with local community organisations.

A KAP stakeholder reported that adaptations to all their services (not just those specific to the pilot) because of the COVID-19 restrictions worked better than expected and that elements of support delivery were improved by offering the service digitally, in particular, arranging support via other service providers and supporting participants with administration.

Because of previous trauma experienced by some of the pilot participants, KAP stakeholders stressed how important it was to disseminate information to participants 'in small chunks'. Legal advice, especially, needed to be repeated and communicated in stages with some participants.

KAP stakeholders reported that participants tended to need more intensive holistic support at the pre-legal advice stage rather than once they had started to engage with the solicitor. Whilst waiting for participant files to be shared by the Home Office, caseworkers were able to use that time to work with the participant on helping them to stabilise other support needs not directly related to their immigration case.

Caseworker and role as advocate

The case management approach was seen by both stakeholders and participants as a facilitator to the delivery of the legal support model. KAP staff described the role of the caseworkers in coming alongside the participant as they worked their way through the

details of their case with their legal advisor. Five KAP caseworkers underwent OISC-Level 2 Asylum and Protection training whilst on the pilot.⁵⁰ Stakeholders saw this level of training and accreditation as an important factor in enabling caseworkers to have a good level of understanding of a) the complexity of some of the migration histories they were working with and b) the realistic options available to participants.

Stakeholders described their advocacy role on behalf of the participants with other organisations and support providers as playing a role in helping develop relationships and trust with participants as well as facilitating holistic support. Stakeholders highlighted the situation of some participants who had spent years not knowing they could access primary healthcare. Caseworkers were able to advocate on behalf of participants at local surgeries to enable access to a GP. Registration with a GP was a typical first step in the support planning process.

There were instances where participants had not received the appropriate paperwork relevant to their case and KAP caseworkers were able to flag this to the Home Office and have the issue resolved. One example was a woman who had been given a positive reasonable grounds decision under the NRM as a potential victim of trafficking before joining the pilot but had not received the letter informing her of that decision. Another was a participant who needed her passport to complete the English language test to progress her case but the passport had been surrendered to the Home Office months previously. In both cases KAP were able to liaise with the Home Office to resolve the situation.

Managing expectations and encouraging independence

KAP stakeholders highlighted the benefits of explaining to participants the time-limited nature of the support on offer in advance, i.e. a three-month period after the legal advice. This helped to establish boundaries around the length of support and encouraged participants to think about how they would manage independently once the pilot had ended. Post-legal-advice support was initially offered weekly for six weeks and then monthly. KAP stakeholders reported that the six-week transition period was sufficient to encourage participants to think about what they might need on a monthly basis for the remainder of their time on the pilot.

KAP stakeholders emphasised how the approach taken was to empower and encourage participants as much as possible to help themselves with the caseworker coming alongside when needed. As part of the support planning process, participants were encouraged to think about a goal and then how to tackle the barriers or challenges to achieving that goal. Caseworkers would then assess the participant's capability to meet that goal and what role the caseworker could play in helping them to reach it. Caseworkers highlighted that the support planning process was proactive in nature and was not meant to 'just' firefight or address problems. This in itself was seen as empowering for participants as it helped them to see that they could actively plan for the future.

Signposting was seen as an enabler in helping participants to see that they can be part of a wider support network. Stakeholders referred to participants being physically in the country but not part of the system in the country, prior to joining the pilot. Support provided by more than one organisation as part of the pilot helped participants see that there are people and providers who want to help them.

⁵⁰ Training accredited by the Office of the Immigration Services Commissioner. Training is provided at different 'levels': Level 2 training permits the advisor to undertake casework as well as advice and assistance work.

Consistency of support and building trust

Stakeholders report that every effort was made to keep the participant-caseworker relationship as consistent as possible (i.e. minimise any change in caseworker) to help build communication and trust over time. Stakeholders described how much time it took to slowly build up a comprehensive understanding of an individual's complex immigration case history. Caseworkers needed to do this gradually to avoid retriggering past trauma. Such was the level of trust, eventually built over time, that some participants were able to reveal instances of exploitation, which then had an impact on being able to progress their case differently, for example, enabling a referral into the NRM.

“She invests into you if that makes sense. She takes time to know your case and to know you. She listens. She's like, 'Oh, how's things going?' If you tell her you haven't been well, she will check up on your next session how you're feeling and stuff like that. She also manages to give you that backbone support that gives you - takes off a bit of load knowing that there's somebody on the other end that you can call.” (Pilot participant)

Casework challenges

There were also challenges associated with the casework approach. One participant expressed frustration that her caseworker did not have more active engagement with the Home Office and her solicitor regarding her immigration case. She would have liked more intervention from her caseworker when, for example, her solicitor was not responding to messages.

Progress with the pilot participants in some outcome areas was slower than KAP stakeholders would have liked because of some avenues of support being closed to participants with a NRPF status.

Some participants had significant mental health support needs. A referral to a specialist mental health provider was not always possible and some participants did not want such a referral. KAP stakeholders spoke about the pressure the mental health needs of the pilot participants could put on caseworkers who, whilst not trained in mental health, were then essentially providing quasi-counselling support.

One of the key challenges in working with participants was communicating the message that as a pilot, there would be an end to the advice and support. KAP stakeholders reported that their staff were very experienced in managing expectations and communicating about support ending, even with very vulnerable people. But the lack of transition to other support options for some pilot participants meant that encouraging participant independence from early on in the pilot was important.

Provision for basic needs

Accommodation

Participants were only accepted onto the pilot if they were already in stable accommodation. In a small number of cases, participants requested support with moving if there were problems with their existing accommodation. KAP were able to offer accommodation support through links with hosting projects. There was also the availability of KAP's supported accommodation unit for those with no recourse to public

funds. In one instance where the pilot participant's accommodation arrangements had broken down, they were offered accommodation based in a different part of the country (which the participant decided to decline).

Financial subsistence

Pilot participants in need of financial support were supported to contact the Red Cross where they could access £120 a month for a three-month period. This was a temporary COVID19-related support fund which stopped when restrictions eased.

KAP facilitated donations of material goods which participants needed, for example, clothes, toiletries and food. They also referred some participants to local food banks. During COVID-19, caseworkers travelled to some participants' homes to deliver donations at a safe distance outside.

Health

KAP helped participants to gain access to health services and also helped them to secure the appropriate NHS paperwork which meant that they could evidence that they would be entitled to certain health treatment. Participants described previous attempted engagement with the health service as 'like a chorus of, "you are not eligible"'

Caseworkers developed holistic and individualised support plans for pilot participants, which in some cases included support around mental and physical health needs (please see case management approach above).

"I would have been paying for medical views but now, they managed to help me obtain a certificate that I won't be charged every time I go to the hospital." (Pilot participant)

Relationship with caseworker and impact on participant

Stakeholders and participants felt that the relationship between caseworker and participant helped to ensure that participants' holistic support needs were better understood and provided for. Participants described the caseworkers as kind, empathetic, genuinely wanting to help, good listeners, thorough and taking the time to understand what participants might need. One participant described her caseworker as 'like an angel'. Another said that the help provided by her caseworker had changed her life. One participant described how easy it was to open up to her caseworker. For those participants who had been in the UK for several years prior to joining the pilot, they reported that they had never experienced support of the quality and extent as that provided by KAP. More than one participant said that KAP was like family or 'even more than family'.

Caseworkers described their frustration at sometimes not being able to offer appropriate support beyond what is possible within the context of the system, for example, longer-term mental health support for those who needed it or financial assistance beyond what was offered for a three-month period from the Red Cross.

Empowerment was seen as key and enabling participants to see that they can have decisions over their own futures, that they are not only passive actors in their own lives but that good legal advice can encourage agency and choice. Caseworkers therefore encouraged participants to exercise choice in every aspect of the pilot.

“Of course, immigration is a huge part of their life, but we want to look at them, look after them and help them, and help them succeed as a whole person. I think that then empowers them - and giving them the choice as well, like with the solicitors. Also, with other things. 'Which GP do you want to be registered with?' 'Which class do you want to go to?' 'What would you like to do?' 'What day works for you?' All of those kind of things, and giving choice and empowering again. I think that humanises people again where they've been dehumanised previously. Then they feel more allowed or permitted to actively be involved in their immigration case. Whilst I think, previously, that impression may not have been given if that makes sense.” (KAP stakeholder)

The legal counselling model

The RMAS pilot implemented the same ‘three-meeting model’ of legal counselling as developed during pilot 1. In this model, participants choose a legal representative before having three meetings with them:

First meeting: Opportunity for participant to meet and get to know their legal representative. They have the option to change their legal representative at the end of the session. This meeting would usually be short, about 15 minutes.

Between these meetings, and only with the client's consent, their legal file was shared with the solicitor in order to make best use of the next two meetings.

Second meeting: Participant explains their situation and discusses their case with their legal representative. This meeting would usually be about 45 minutes.

Third meeting: legal representative explains to participant their options and answers any questions

Legal counselling was provided by five individuals from four different legal firms.

After the final meeting, the participant has time to consider their options and discuss them with their caseworker, friends and family. Once they decided what they wanted to do, their caseworker helped them to take their decision forward.

The three-meeting legal model was developed during pilot 1. When pilot 1 began, it was planned that caseworkers of Action Foundation (trained to OISC Level 2) would be able to provide the necessary legal advice for participants. When it became clear that OISC Level 3 advice would be required, the three-meeting legal model was developed. This was funded by the Home Office instead of legal aid, allowing participants to receive counselling in respect of all relevant options available to them. Having three meetings would also allow time for participants to ask questions, feel comfortable with the legal representative and provide them with all the relevant information for their case.

A small number of participants on the RMAS pilot opted to change their solicitor after the initial meeting. Reasons given for this included wanting to change to a solicitor recommended by a family member and wanting to change to a solicitor with more experience in complex immigration cases and with experience of working with applicants who had already had a previous claim refused.

KAP made a change to the delivery of the legal model in that participants were encouraged to have their first meeting with the solicitor before all the files were received from the Home Office. This meant that participants could meet their solicitor

first and decide if they wanted to ask for a change in solicitor before the more intense casework review began. KAP reported that this helped to streamline the process once the files arrived from the Home Office and that solicitors could then begin work immediately knowing that at that stage the participant would not request a different solicitor. However, one KAP stakeholder did also flag that holding the initial meeting before receiving all the files necessary could sometimes be problematic if there was then a long delay in between the first and second meetings. During that time, participants could become frustrated and less engaged with their case.

Legal counselling usually took place remotely using phone or video calls as this was how legal advisors had adapted to working during the pandemic.

We spoke with only one solicitor as part of our evaluation. That solicitor described how they arranged for a higher fee mid-way through the pilot as the second meeting, in particular, was taking longer than anticipated. Some of this was because of the complexity of the cases and sometimes meetings took longer because of the need to go through an interpreter.

Support with legal counselling from caseworkers

KAP stakeholders and pilot participants described several ways in which support workers helped participants with their legal counselling. Caseworkers:

- helped participants understand and be prepared for the legal counselling process on the pilot
- attended legal advice sessions and supported participants with any anxiety they may have been having related to the legal sessions
- checked with participants following each meeting that they had understood all the communication from the solicitor
- ensured that the participant had received written advice in their own language
- kept participants informed of any updates related to their case
- helped pass non-confidential information between legal advisors and participants (e.g. about the information a solicitor required for a meeting)
- liaised with the Home Office on behalf of participants, especially when files or information may have been missing
- arranged practical aspects of meetings (e.g. setting up Zoom calls, printing out documents)
- helped participants complete form to apply for a fee waiver⁵¹
- helped with organising and gathering the paperwork required by legal advisors
- checked paperwork for errors in advance of and following meetings with legal advisors
- helped explain documents and communications participants received from legal advisors

Caseworkers encouraged participants to research online the list of available solicitors, to check the background and experience of the different solicitors, along with any available client reviews, to make an informed decision about which solicitor to choose. Participants describe being encouraged in that process, especially when waiting (sometimes several months) for their Home Office files to be sent so that the first meeting with the solicitor could begin.

⁵¹ Those applying for leave to remain under a human rights claim can apply to the Home Office to have the fees associated with their application waived: 'a fee waiver'.

Successes and challenges of legal counselling

Most pilot participants were impressed with the way in which their solicitors built up a good understanding of their case in a short space of time and really engaged with the participant's immigration history.

“From the time I started all this battle before, I had, I have never seen someone take as much time on my case like that, who knows my case, in and out.” (Pilot participant)

Delays to legal counselling

Pilot stakeholders highlighted their frustration at the length of time it took to receive participant files disclosed by the Home Office before the legal advisor could begin work. Sometimes the bundles that were received were incomplete and needed a follow-up request to access the complete set of documentation. At the time of writing, there was a move to digitalisation of immigration case files within the Home Office. However, during the length of the pilot case files were still being made and stored in paper copy in Home Office buildings. The timing of the pilot meant that there were a number of pandemic-related restrictions, including ‘stay-at-home’ orders and ‘work from home if you can’ guidelines. Whilst the impact of the restrictions was highlighted by a number of KAP stakeholders; given that the pilot commenced in August 2020, some six months after the lockdown restrictions were introduced, it is not clear why this had such an impact on the preparedness of the Home Office to respond to requests for disclosure. Regardless, Home Office stakeholders confirmed that this had an impact on staff access to the necessary files and the capability of collating and sending on documentation relevant to participants’ cases. A number of KAP stakeholders described the frustration felt by participants after having been accepted on to the pilot, then having to wait several months for immigration casework to start. The pilot emphasised how important it was for legal advisors to have access to their client’s comprehensive immigration history as without that, or if there are question marks as to whether the legal advisor has that, then the quality of the legal advice is inevitably compromised. One participant described the delays in accessing casefiles as having such a significant impact on her wellbeing that she found it ‘difficult to think about anything else’. Another example was cited of a participant who applied for his own immigration files from the Home Office under a Subject Access Request and received the files more quickly and in more detail than the bundle of files requested under the pilot.

Stakeholders did report, however, that the process of accessing Home Office bundles seemed to accelerate as the pilot developed. This is a repeat of previous delays that were experienced during Pilot 1. It was not clear as to why that learning was not rolled out for RMAS. There was an acknowledgement that some delays should be expected in some individual cases but that these ‘should be the exception rather than the norm’ and that clear communication on anticipated delays is important. Caseworkers also reported that they quickly learned to be proactive in gathering participants’ case details and would often also approach the participant’s previous solicitor if there were any gaps in immigration history.

Participant choice

KAP stakeholders emphasised how key participant choice and agency was in the process of choosing a solicitor. This helped build empowerment and engagement with the immigration process.

“Actually I think a lot of them feel very disempowered when they come to our service and they don't understand. They don't even realise they can ask a solicitor questions. They hand over documents. They don't understand what's happening so I think a lot of the work as well is about empowerment and informing them of what's happening and allowing them to make the decisions. I think that's the most important thing; allow them to make decisions. If they don't like that solicitor, they can move to another one - and that's really empowering.” (KAP stakeholder)

Role of the caseworker

Because caseworkers had been through the process with several clients, sometimes they knew which question to ask even before the participant did. One participant reported that the professional experience of her caseworker was helpful in being able to flag potential questions which the participant may want to ask of her legal advisor.

The solicitor we spoke with as part of the evaluation reported that it was helpful to have KAP caseworkers present in the meetings. They also welcomed KAP's role in arranging for interpreters where needed and in translating the legal advisor's written advice into the appropriate language.

The solicitor also valued the support provided by KAP to the participants around managing any anxiety and arranging practicalities such as making sure the participant had access to a device for the appointment to take place remotely. If any documents were missing from the file, the solicitor could contact KAP and that would be rectified more quickly than if they had had to go back to the participant directly.

Managing (positive and negative) expectations

Some participants had been in receipt of poor-quality (as reported by both participants and KAP stakeholders) legal advice earlier in their case before joining the pilot. Some had paid for an asylum claim which had never actually been submitted. Some therefore described wariness before the first meeting with the legal advisor because of prior disappointing experiences. They also reported that it was 'difficult to trust' the information included about the different solicitors available on the legal firm's websites.

KAP stakeholders reported that some participant misunderstanding about the ability of caseworkers to influence decisions about their immigration case persisted, despite efforts to emphasise that KAP and the Home Office are independent of each other.

“Because it's a Home Office letter people receive, and they know it's a Home Office pilot, people sometimes think that we have access to the Home Office and we can sort of circumvent the system and provide a quick solution” (KAP stakeholder)

Participants with likely unsuccessful claims

For those participants who had been in the UK for a number of years and had tried multiple ways/times have their applications accepted, KAP stakeholders reported that the message that they did not have legal options to remain in the country was not an easy one to deliver.

Participants with more likelihood of successful claims

Some participants expressed disappointment that after receiving excellent (as determined by the participant) advice on their immigration case from their legal advisor that the same solicitor was not going to be the advisor to take their case forward. One participant suggested that this could have been made clearer at the beginning to avoid confusion and disappointment.

Challenges for those who wish to continue engaging with the legal process

One of the challenges reported by all stakeholders related to when a participant had been advised that they would have options to put in a new application on their case, but that legal aid may not support that type of application. Such a participant would then be in a position, if legal aid was not available, of having to raise funds to pay a solicitor privately.

Accessing legal advice (3-meeting pilot and beyond)

Pilot stakeholders emphasised the difficulty of getting enough legal advisors to a) work with pilot participants on the three-meeting model and b) be willing to take on a participant's case further than the three-meetings afforded by the pilot. Stakeholders attributed these difficulties to cuts in legal aid and a lack of availability of solicitors locally.

During the course of the pilot, some participants were advised that they may have a viable option to remain in the UK and solicitors advising those participants were optimistic about the chances of a successful outcome of their case. Stakeholders spoke of their frustration however at being told that some of the pilot participants potentially had strong enough legal cases to achieve positive case resolution and be permitted to remain in the UK but then the difficulty of finding a solicitor willing and able to take on the case proved a significant challenge. For those participants with no recourse to public funds, and without the right to work, raising enough funds to pay solicitor fees themselves was a significant barrier to progressing their case, even with the fee waiver.

“Then what's going to happen to that person? That is challenging, and it just goes to show... If somebody doesn't have a legal option to apply for status, I don't know how you get round that. it just does raise the question for me of: are they going to end up being detained anyway? What's the solution for them? I think that's just one of the challenges we're facing, and the other thing for us as well is, at the moment, because a lot of people are being suggested that they should do a Human Rights application outside of the immigration rules, most people don't have any funds. They just don't have the finances to make those applications.” (KAP stakeholder)

Implementing the three-meeting model

One participant had three different solicitors for each of the three meetings as each solicitor left their position before the next meeting. This meant a delay in between meetings as another solicitor was found and the participant then needed to go over the same ground each time with the new solicitor. At each time, the solicitor's departure was not communicated by the legal firm to the participant who was sending follow-up emails and not receiving a response.

One participant suggested that he would have liked more opportunity to explain his case in the first meeting with the solicitor. He felt as though the first introductory meeting was not specific enough, almost a wasted opportunity, and he would have liked the opportunity to explain the details of his case at an earlier stage.

Despite these issues with individual participants regarding solicitors leaving their positions and the question mark around the purpose of the initial meeting, the evaluation found the design of the legal model to be appropriate, responsive to and meeting the needs of participants, and producing significantly improved outcomes in terms of quality advice than participants' pre-pilot experiences with solicitors.

5 Outcomes of the RMAS Pilot

Key evaluation questions
1. How effectively does the RMAS pilot deliver basic needs, case management and legal support?
2. To what extent does the RMAS pilot contribute to desired outcomes across the five pillars of support (personal stability, reliable information, community support, active engagement and prepared futures)?
3. Considering the long-term aims of the pilot programme, to what extent does the RMAS pilot represent value for money?
4. What are the key differences between RMAS and <i>Action Access</i> in terms of design, delivery and perceived outcomes?
5. What lessons learnt and examples of promising practice are emerging from the RMAS pilot that could be applied across the UK government's approach to asylum and migration management?

In this chapter we explore the extent to which the RMAS contributed to desired outcomes for participants.

We first present the case resolution outcomes reached by pilot participants, according to the MI data provided by the Home Office. We then consider the extent to which pilot participants and stakeholders felt that the immediate, short-term, medium-term and long-term outcomes set out in the logic model were achieved. We conclude the chapter by considering the extent to which the pilot met its overall aims. We focussed on the outcomes in the logic model, recognising that some of the five pillars of support refer to what we would understand as inputs (as opposed to outcomes). It was also apparent during the course of interviews that the five pillars of support, as included in the original conception of the CEP series, featured more as assumptions underlying the support work offered, as opposed to any explicit aims. Stakeholders, when questioned about the five pillars of support, for example, acknowledged that these featured more at the design stage and did not explicitly form part of their day-to-day delivery.

5.1 Pilot participant outcomes

The Home Office provided MI data on the outcomes of the pilot for the pilot participants. The Home Office carried out an internal exercise with the aim of comparing outcomes of pilot participants with a randomly selected group of detained individuals who did not participate in the pilot. This case study was selected by looking at Immigration Removal Centres across the UK during the same period as the pilot was being conducted. Individuals were randomly selected, based on the same selection criteria as for pilot participants (i.e. no dependents, no Foreign National Offenders). The outcome for comparison was: 'resolution of cases, whether that results in a grant of leave in the UK or their departure from the UK'. The outcomes for the pilot participants and detention comparison group were recorded in the same month. The internal data source for both was 'CID.' CID is an internal HO Management Information (MI) tool.

The case outcomes of the 84 case study individuals and the 84 Pilot participants are presented below.

Table 3: Outcomes of pilot participants and detention comparison group

Outcomes	Detention comparison group	Pilot participants
Voluntary return	1(1%)	0
Leave granted	6(7%)	6(7%)
Case resolutions	7(8%)	6(7%)
No case outcome (outstanding app)	60(71%)	15(18%)
No case outcome (other – inc no app submitted)	17(20%)	63(75%)
Total	84	84
Two people sadly died during the pilot		

The comparison presented above can only be indicative. The small sample size and small numbers of outcomes make differences between the two groups subject to random variation. Although the selection process for the detention comparison group replicated the process of selecting pilot participants as far as possible, it cannot replicate other unobservable differences which might influence case resolution probability. For example, if the case study comparison group are systematically more likely to have a case resolution, then they will not approximate for a counterfactual of the participants in the pilot. In addition, it may be possible that the detention cohort (nationwide) may systematically differ from those on the pilot (in and around Bedfordshire).

By the definition of case resolution set out in the CEP series, resolution of immigration status refers to voluntary departure or regularization. A total of **six participants were given leave to remain** whilst on the pilot. **Two participants died** whilst on the pilot. No participants took up the option of voluntary return. **Fifty-two participants**, who had been advised that they would have a legal option to continue their immigration cases, were doing so after leaving the pilot. This included **14 participants** who were making applications for asylum, **36 participants** who were making applications to remain on human rights grounds and two participants making other types of applications.

Ages of participants ranged from **21 to 96 years**. Of the total **84 participants**, **52 were men** and **32 were women**.

5.2 Logic model outcomes

Figure 2 summarises immediate, short, medium and long-term outcomes of the RMAS pilot.

Figure 2: RMAS logic model outcomes

Short-term	Medium-term	Long-term
Increased knowledge (about their position in) the asylum process	Increased active engagement with the immigration system	More people comply with the immigration system process through greater engagement
Increased understanding about the immigration options available to them	Increased ability and confidence to access entitlements	Those with irregular immigration status reach a positive personal outcome (regularise or leave voluntarily sooner)
Increased understanding of the possible consequences of their immigration choices	More participants make informed and appropriate decisions regarding their immigration situation	Of those who leave, more people leave voluntarily (without enforcement action)
Increased knowledge of entitlements	Participants cases are resolved more efficiently (time and cost)	Fewer people drop out of contact with the Home Office
Increased personal stability	Participants who regularise their stay receive more support to access relevant services for their next steps	
Increased community support	Participants who decide to leave the UK voluntarily receive more personal support to do so	
More participants feel they have been treated fairly and with humanity		
Improved wellbeing		

Short term outcomes

Based on the interviews with participants, there was strong evidence that the evaluation met short-term outcomes as outlined in the logic model.

Immigration-related outcomes

Almost all participants indicated that they had a better understanding of their immigration options and a more comprehensive understanding of their case than before joining the pilot. They compared their experiences with legal advisors on the pilot favourably with legal advice accessed before joining the pilot. Participants were particularly impressed with the speed at which their legal advisors were able to understand the nuances and complexities of their immigration histories.

One participant felt as though they had already had a good understanding of their immigration case before joining the pilot and had already engaged with all the available information. But they did report that the distilling of the relevant information on the part of the solicitor helped to make that knowledge 'more streamlined'.

Participants felt that the legal advice offered to them on the pilot was fair, even if it was not always what they wanted to hear. Participants reported that they appreciated the solicitors' honesty if the options on offer did not match up to the participant's expectations.

Participants also expressed that their caseworkers encouraged them to engage with their case by accessing 'up-to-date' documents and relevant documents on immigration law. One participant expressed appreciation at this because the 'rules change all the time'.

Participants indicated that they did understand that their applications for leave to remain in the UK might not be successful and that they may then run out of legal options to stay.

Participants compared the three-meeting model on the pilot very favourably with free (and sometimes paid) legal advice they had previously accessed before the pilot. One participant described the previous free legal advice he had been offered as a 5-minute appointment which was not enough for the solicitor to properly advise him on possible options under such a complex case.

"I think it's been really helpful [...] because over ten years of my life, I've done nothing [...]. It's now helpful because I can say, 'By this time next year,' or something like that. I can actually think my life is going somewhere at this point, because it hasn't felt that way for a very long time. I've just felt in limbo [...] So I think with this, I can have hope that something will come out of it." (Pilot participant)

"Because prior to that, I didn't really understand what the lawyer was doing. No one was really explaining this to me, meaning the lawyer, basically. So my representation before was not great. Now I feel like being part of this and, yes, actually having to communicate with someone where I feel lost, it's great, because sometimes you don't know everything and you need to ask people. That's been a very great help, just knowing that." (Pilot participant)

One participant mentioned that before joining the pilot, she did not know of the option of a fresh claim and she had previously (and mistakenly) understood her case to have reached the end of the road because her claim had been refused.

“I just think I wish a service like this existed when I decided to move here, because a lot of things could have been avoided.” (Pilot participant)

Stakeholders also highlighted how misunderstandings of immigration law were rectified for participants, some of whom had been in the UK for a number of years but who had either previously been given poor immigration advice, had misunderstood the advice they had been given, or had made assumptions about their case based on the experiences of friends or family members.

“Something that we've realised is really important and really empowering for people is to get people engaging again in their immigration history and to build up a really clear picture of, right, this is exactly what's happened, share that with the new immigration advisor to get the best options possible for that person. A lot of people, they're victims of bad immigration solicitors, because there are unregulated solicitors that have given not very good advice in the past, so we're just trying to rectify a lot of issues that have happened in the past.” (KAP stakeholder)

Personal stability and community support

Those participants who had been supported to access volunteering opportunities by their caseworker spoke positively about the impact that had had on their general wellbeing and levels of motivation. They specifically welcomed the feeling that they were contributing something to society and helping others. They also reported that their voluntary work had helped to take their minds off the 'doom and gloom' of their immigration case and it meant that their head was not constantly filled with worry about what might happen next.

“You can see how when you integrate people into a community, how they serve and look after their community, which if you're in detention centres, you're actually fairly outside of the community. You're not becoming part of the community and it's very isolating. Actually, I would say a lot of our clients, they contribute a large part to their local community and the communities are better for it, and are flourishing for having these people being part of their community, this wouldn't happen in a detention centre. I also think the vibrance of culture and lessons that they bring, those kind of things that they bring to our community, which helps the UK. We learn and we flourish through that.” (KAP stakeholder)

Participants welcomed caseworker flexibility around participants' other commitments and how they moved the timings of different social groups around, according to participant availability.

Some participants expressed disappointment that the pilot was not able to support them in specific areas they would have liked to be able to access: the right to work and being able to sit for a driver's licence were two examples mentioned.

For some participants, KAP had to work to counter participants' historic experience of poor-quality support. Some participants described how their previous attempts at requesting support from different charities had not gone well (one participant said she had 'felt ignored'). This previous experience impacted participants trust and engagement with the pilot until the KAP caseworker had spent sufficient time with the participant to build a trusting relationship. KAP caseworkers and managers described the effort that they needed to invest to counter the legacy of previous disappointing engagement with support providers.

Some participants were very enthusiastic about being or becoming active members of the community, but their full involvement was being hampered by their irregular immigration status.

"Looking at our clients, our clients are doing everything they can to follow the system as far as they can. It's just most, not knowing what they can do. A lot of them want to volunteer. They want to give back. They would love to work if they could, even whilst they're not knowing, they would love to work and give back. They have their families here, their siblings, whoever. They're trying to be part of the community and integrate. They've attended English classes. They're doing everything they can to be a good British citizen so to speak, if that makes sense, and giving back." (KAP stakeholder)

Caseworkers highlighted the challenges of supporting participants who had a history of trauma and/or who needed time to build trust in the support and immigration process. The balance of encouraging and supporting participants combined with managing expectations about the outcomes of their cases was sometimes a challenge for caseworkers to juggle.

"I think helping some people to engage with legal advice when there is a background of so much serious trauma is very difficult, and cannot face talking about it because of their immigration history has been so filled with trauma. They have experienced - they have received so much terrible advice and have felt so alone, that trying to get them to engage with the process can be very difficult. You really do have to take it in stages and you do have to build up trust and I think that is a challenge. Helping people to deal with the uncertainty, because just because they're on to an advice service pilot doesn't mean that they're necessarily going to come out with a solution. That's the reality and it's really hard to support people in that space." (KAP stakeholder)

One participant described how she had opened up to her caseworker about the difficulties she had engaging with Home Office interviews and how she felt that she needed to keep her answers short otherwise it would lead to a 'lot more questions'. The

participant reported that she felt as though the caseworker had helped to progress her case by liaising on her behalf with the Home Office.

Medium term outcomes

The extent to which the pilot met the medium-term outcomes was less clear than the evidence demonstrating how the pilot had met short-term outcomes. As with pilot 1, the definition and understanding of what 'engagement with the immigration system' was not clearly understood by all interviewees. The evaluation found clear evidence of increased confidence and ability to access entitlements. Participants were able to make more informed decisions regarding their immigration situation. The extent to which the pilot enabled participants' cases to be resolved more efficiently was less clear.

Active engagement with the immigration system

There was an articulated disconnect between the structure of the pilot and the wider rhetoric on asylum. Some stakeholders speculated that wider government policy on immigration management, particularly policy related to the compliant environment, may have impacted upon some potential pilot participants' appetite for engaging with the pilot. One stakeholder suggested that the government narrative on immigration may have had an impact on participants' trust in the pilot, depending on how aware they were of that wider government policy.

Stakeholders described how the approach on this pilot seemed to, at times, be inconsistent with the wider government policy on immigration management and in particular the compliant environment.

"If you've got hopefully a service like ours which is very caring and person-centred and is finding out good information and empowering people while sitting alongside some quite challenging messages coming out of the Home Office around migration and asylum and refugees then I think that would probably undermine trust a bit for the clients and also for our team and for our charity. It just makes us think well that's the overriding agenda here. I think in our day-to-day interactions with the [Home Office] community engagement team that's very positive and we've found them to be very helpful. I think for the most part we're really able to just get on and do the work which is good." (KAP stakeholder)

Informed decisions around next steps

Pilot participants did understand by the time of their interviews that the advice on offer was the first stage in the process and that for some there would then continue to be an onward journey through the immigration system if they had been advised that there were grounds to progress their case.

However, both KAP stakeholders and pilot participants highlighted that the next stage of the process, engaging a solicitor, for those with legal options, would be highly dependent on available funding to progress their case.

"At the end of the day, it's just advice they give us. You don't automatically become their clients at the end of the service. You

decide that afterwards. It's just advice. So I think that for the purposes, it works well, yes" (Pilot participant)

One participant described the legal state she was in at the time of being interviewed as 'like a car with no fuel' where she was being encouraged to think about future options without knowing if any of them would actually be possible.

Long term outcomes

The timing of the evaluation has meant that evidence of longer-term outcomes is more challenging to gather during the course of the pilot itself. Overall, there is insufficient evidence from the evaluation to ascertain whether participants experienced more timely case resolution than they would otherwise have done. Resolution of immigration status was achieved for six pilot participants during the course of the pilot.

Achieving case resolution

The complexity of immigration cases for many pilot participants meant that achieving case resolution whilst on the pilot, during or at the end of three meetings with a solicitor, was not feasible or achievable. All types of stakeholders saw the purpose of the three-meeting model, for the majority of participants, as offering the opportunity for participants to better understand the options available to them and to receive legal advice on what could be achieved relevant to their own personal histories. KAP and Home Office stakeholders did not, therefore, see case resolution whilst on the pilot as realistic for the majority of participants.

Participants were described by a KAP caseworker as 'prisoners of the immigration system' and for those with viable options, the legal counselling model was seen as a way of opening up that status of limbo.

KAP stakeholders reported that 'more people than expected' left the pilot with viable options to take their cases forward. At the end of the pilot, five participants had applications pending and 42 were in the process of compiling applications. KAP reported that a number of participants were close to submitting applications when the pilot had finished. KAP continued supporting people in this situation after the pilot had ended (through their Helpline Service).

There were a number of reasons for delays in submitting applications. KAP supported participants with the option of submitting a human rights application to apply for exceptional case funding. However, they reported encountering a lack of solicitors who would take on clients with exceptional case funding. Some participants were given the option of submitting a human rights application ('20 year route'⁵²). This application requires a large amount of evidence proving residency in the UK for 20 years which can take a long time to collate.

Informed futures and 'positive personal outcome'

The model of legal advice offered by the pilot was a necessary first step in supporting participants to understand the complexity of their cases and what might be possible within the legal system. This was seen as a key stage before the more intense casework could continue and their cases could be progressed.

Home Office stakeholders reported that they saw less evidence of the 'prepared futures' aim of the pilot as having been met when compared with the other pilot aims.

⁵² A legal route to permanent residency for those who have lived in the UK for 20 years.

They indicated that they would have expected to see higher numbers of participants receiving case resolution (including voluntary return) than were reached on the pilot.

Some Home Office stakeholders expressed surprise that not more pilot participants had taken up the option of voluntary return. KAP stakeholders confirmed that this was an option presented to participants but was not one which any participant had wanted to explore further.

As pilot participants are not followed up beyond the end of the pilot, it is not possible for the evaluation to determine whether participants change their immigration decisions or go on to re-engage with legal services.

5.3 Meeting the overall aims of the RMAS pilot

The evaluation found that the pilot increased participants' understanding of their immigration cases and their possible future options. The support offered on the pilot helped participants to gain increased knowledge of and confidence in accessing their entitlements. Participants were treated fairly and with dignity. Participants were supported to access support within their local community.

KAP stakeholders understood the pilot aim as not necessarily to achieve case resolution for participants whilst they were on the pilot but it was about 'shining a light to achieve clarity on people's immigration options'. One stakeholder described their work as fitting together various pieces of a puzzle until an individual's immigration history becomes clear enough for a solicitor to be in a position to give meaningful advice about future options. And that work needs to be done in a gently reassuring way because of the level of the participant's mental health needs and/or disengagement with the immigration process.

"I think the goal is that there's a significant proportion of vulnerable migrants, irregular migrants in the UK who are just in this horrible limbo at the moment. We want to see that resolved as helpfully, as caringly, as trauma informed and as constructively as possible really in a way that puts people at the centre whilst also being pragmatic and realistic about what options people might have." (KAP stakeholder)

For people with complex case and possibly a history of trauma, understanding and making sense of the complexity of their immigration history may take time. The three-meeting legal model was seen as an inexpensive (relatively speaking) way of establishing whether or not that person may have legal options to progress their immigration case. And the caseworker role was a key facilitator in enabling this progress.

KAP stakeholders reported that they had not met any participant who the pilot had not been able to help in any way, because of the flexible and adaptable way it had been designed. They saw it as being about 'communicating care and value for people'.

"We see people taking great strides in terms of their confidence, their mental health, their well-being, their ability to engage in relationships with others and communicate well. I think just for the individuals that

their self-worth and confidence is improved, that they know their rights and entitlements. I think that's a big one." (KAP stakeholder)

The pilot was seen to have benefits in terms of self-esteem and wellbeing, above and beyond providing the opportunity for participants to engage with legal counselling to reach case resolution.

"I will say in one word. It's like comparing day and night. King's Arms Project is like the day where the sun is out and my life before was like in the night, without stars. It was everything black, so with them in my life, they make everything great, yes. So, you understand what I mean? So, with them, without them I was, I lost myself. I lost every hope. I lost the joy to eat and to sleep. I lost everything, so now I am like I am. I am from them." (Pilot participant)

"I think for the majority of people that we work with, they would just remain in this limbo. Certainly again within that there are a proportion of people who are just very deeply entrenched, either because of questions around mental capacity, mental health and well-being that really just stop engagement from moving forward. So I think a large proportion of people that we're working with where if we weren't here I think they would just continue along in limbo until enforcement action, until life becomes so untenable because they're prevented from accessing this, that and the other service that they need." (KAP stakeholder)

Pilot participants reported that activities and support sessions offered on the pilot helped to encourage an increase in both confidence and wellbeing. One participant described how she could feel her confidence gradually increasing after each meeting with her caseworker. In the case of another participant, a family member had remarked that she had started communicating more and seemed more positive, which the participant directly attributed to the sessions offered by her KAP caseworker and engagement with the activities on offer. One example was an activity where participants were encouraged to write a letter to their future selves. This prompted the participant to think that she did not want her 'future self' to be like her 'past self' so that exercise inspired her to make some positive changes.

One participant referred to how she had previously 'given up' on life but that the pilot had offered her the chance to start afresh, not just by reigniting her immigration case but also through engagement in social activities and meeting new people. Another participant described how the activities offered on the pilot had helped him to 'come out of his shell' and be less isolated. He described how spending too much time on his own had been having a negative impact on his mental health and that he was 'too much in his own head' but that the support on the pilot and meeting others in a similar position had helped alleviate some of those negative feelings. Another participant described how his caseworker 'gives me the confidence not to panic' and encourages him to 'regroup myself' after meetings with his legal advisor. Another participant emphasised that her caseworker helped to make her believe in herself at a time when she was feeling particularly low.

“With this particular client, who had severe mental health issues and suicide attempt and everything that happened with her, and then she applied and one day the solicitor contacted me and said, 'Yes. She had a successful application.' So you can imagine how can this feel for us as a team and for her as a client! It was a life-changing situation. She keeps saying that all of this happened because of the pilot, because of the support that was offered from us. Other than that, you are looking at a person that seriously has no desire to live; this lady would wake up in the morning, she wouldn't sleep well, she wouldn't eat, she wouldn't drink. She would sit at home all the time. It was really, really bad and to help someone to get from this desperate situation into someone now out there, a good member of the community, working, helping people, it's just remarkable.” (KAP stakeholder)

“I feel like I'm more open now at the moment than I was, and I can talk to people now, because I was for years, I've been bottling my emotions and anger. Now, it's a different, I feel like some weights have been lifted off me. I have benefitted a lot. I have benefitted a lot from these people's experiences. Made me see life in a different way than I would have expected or if I had thought of giving up, I'm actually motivated myself to be a better person.” (Pilot participant)

There may not have been grounds to detain all of the participants on the pilot. Some stakeholders therefore questioned the extent to which the pilot could truly be considered an ‘alternative to detention’. However, stakeholders also described how many of the participants had been afraid of accessing services (for example a GP), or of ‘sticking their heads above the parapet’ for years in case it drew attention to their irregular immigration status. The pilot afforded them the safety and legitimacy to seek the help they needed without the fear that they were about to be detained and/or deported.

The costs of the pilot are discussed in Chapter 6.

6 Cost of the RMAS pilot

Key evaluation questions
1. How effectively does the RMAS pilot deliver basic needs, case management and legal support?
2. To what extent does the RMAS pilot contribute to desired outcomes across the five pillars of support (personal stability, reliable information, community support, active engagement and prepared futures)?
3. Considering the long-term aims of the pilot programme, to what extent does the RMAS pilot represent value for money?
4. What are the key differences between RMAS and <i>Action Access</i> in terms of design, delivery and perceived outcomes?
5. What lessons learnt and examples of promising practice are emerging from the RMAS pilot that could be applied across the UK government's approach to asylum and migration management?

In this chapter we explore the costs of the *RMAS* pilot in comparison with the costs of immigration detention. We draw on costs data provided by KAP and published data on the costs of and lengths of stay in immigration detention. As exact numbers are not available in published datasets for detention, in-house analyses were conducted with the information available to produce an estimate total. KAP facilitated access to wider public services, such as primary/GP healthcare, but those cost impacts are not considered in this chapter.

6.1 Calculating pilot costs

We calculated the costs of 84 participants being on the pilot and the costs if these same 84 participants had been in detention. We present our calculation methods for both in turn.

Data regarding the costs of the pilot as delivered and as designed were provided by KAP. The services provided in these costs include general project costs (staff travel, participant travel, ESOL courses and mental health support); translation and interpreter costs; staff costs; office/overheads, and start-up costs. The staff costs covered 50% of the RMAS manager salary, the team leader salary and four caseworker salaries. Staff costs also included staff training, staff mobile phone contracts and client support costs.

Costs as delivered were provided as spend from June 2020 to June 2022. They provided figures on average days spent in the program, total spend and number of participants. We used these figures to calculate an average cost per participant and an average cost per participant per day (Table 4). These calculations showed that on average, it cost £23.70 to support a pilot participant per day. **The cost of the pilot as delivered was roughly the same as designed, albeit supporting fewer participants than originally intended (Table 5).**

Table 4: Pilot costs data provided by KAP and average cost per participant per day

Average days spent in program	Total spend	Number of participants	Average per participant	Average per participant per day
318.53	£634,114.85	84	£7,548.99	£23.70

Table 5: Number of participants as designed and as delivered

	Designed	Delivered
Number of participants	100	84
Total cost (£)	634,182.60	634,114.85

To conduct a cost comparison, we used published detention data sets to estimate what it would have cost if the 84 pilot participants had been in detention as opposed to receiving the RMAS services. We detail our approach below.

We conducted an internal analysis using published statistical datasets on detention and returns.⁵³ This dataset includes information on the number of people in each detention centre, which quarter and year they were detained, the range of time they were detained and demographic details.

We filtered this dataset to show us:

- All those in detention between Quarter 2 2020 – Quarter 1 2022. This was to match the pilot in terms of timing and duration of delivery. At the time of analysis, Quarter 2 2022 data was not available publicly.
- All the ethnic and gender profiles that existed in the pilot sample. This included: Afghan males, Albanian females, Bangladeshi females, Bangladeshi males, Burundian males, Chinese males, Congolese females, Congolese males, Egyptian males, Ghanaian females, Ghanaian males, Indian females, Indian males, Iranian females, Jamaican females, Kenyan females, Kenyan males, Malawian females, Nigerian males, Nigerian females, Pakistani males, Palestinian males, Somali females, Somali males, South African males, Syrian males, Tanzanian males, Trinidadian females, Trinidadian males, Turkish males, Vietnamese males, Zimbabwean females, Zimbabwean males, Rohingya males.

We created a separate tab for each ethnic and gender profile. For example, the 'Afghan males' tab would include every Afghan male that had been in a detention

⁵³ GOV.UK. Returns and detention datasets. (2022). Immigration detention – Det_D02. [Data file]. Retrieved from <https://www.gov.uk/government/statistical-data-sets/returns-and-detention-datasets#immigration-detention>

centre between Quarter 2 2020 – Quarter 1 2022. The purpose of this was able to create a matched sample to the pilot sample.

For each ethnic/gender profile, we aimed to work out a weighted average for the cost of detention. This would represent the figure that it would cost on average for example, an Afghan male to be in a detention centre across Quarter 2 2020 – Quarter 1 2022. Due to missing data from the published dataset, we needed to add some columns of data to be able to work out weighted averages:

- In the original dataset, only a range was available to highlight how long each person had been in detention. For example, someone may be assigned to category C which represented a range of 8-14 days. The categories ranged from category A: 1-3 days all the way to category M: 36 months to less than 48 months.
- Without a true figure for how many days each individual had been held in detention, we could not calculate the costs of detention. Thus, for each category and individual we created a column for medians. This median would be the value we use as their 'total number of days in detention'. For example, for someone in category C with a range of 8-14 days their median, and thus their 'total number of days in detention' would be assigned 11.
- We also added a column for the cost per day. The per day cost for detention changes each quarter as per published Home Office data.⁵⁴ The figure for cost per night in detention as of September 2022 was £115.32. However, we have used per night figures for when the pilot was running. Therefore, for each individual, this figure would change depending on when they were in detention. For example, if someone was in detention in Quarter 3 2020 their per day cost for detention was £99.56 whereas for someone in detention in Quarter 1 2021 it would be £100.70.
- After these columns of data were calculated and added, we were able to work out a weighted average for each ethnicity and gender profile. This was done by multiplying 'total number of days in detention' (the median) by the per day cost for each individual to get individual total costs. All individual costs were added up to provide a total cost in detention for that ethnic and gender group. This total cost was then divided by the ethnic and gender group sample number to provide a weighted average.
- Below we provide table 6 used for Trinidadian males to exemplify our calculations. We did this for each ethnicity and gender profile.
- We then applied these weighted averages to each ethnic and gender profile in the pilot sample and totalled them. This figure is presented in the findings section and represents what it would have cost if the pilot sample had been in detention instead of on the pilot.

⁵⁴ GOV.UK. (2022). Immigration Enforcement Data: Q1 2022 – DT_02 [Data file]. Retrieved from <https://www.gov.uk/government/publications/immigration-enforcement-data-q1-2022>

Table 6: Example of Trinidadian male tab in our in-house analysis of the detention dataset

Year	Quarter	Age	Place of detention	Median (days)	Per day cost	Total (£)
2020	2020 Q2	30-49	H M Prisons	74.5	97.54	7266.73
2020	2020 Q2	18-29	H M Prisons	270	97.54	26335.8
2020	2020 Q3	18-29	Dungavel IRC	21.5	99.56	2140.54
2020	2020 Q3	30-49	H M Prisons	149.5	99.56	14884.22
2020	2020 Q3	18-29	H M Prisons	270	99.56	26881.2
2020	2020 Q4	18-29	H M Prisons	11	96.66	1063.26
2020	2020 Q4	30-49	H M Prisons	270	96.66	26098.2
2020	2020 Q4	18-29	H M Prisons	450	96.66	43497
2021	2021 Q1	30-49	H M Prisons	74.5	101.17	7537.165
2021	2021 Q1	30-49	H M Prisons	270	101.17	27315.9
2021	2021 Q1	30-49	H M Prisons	450	101.17	45526.5
2021	2021 Q2	30-49	H M Prisons	11	98.78	1086.58
2022	2022 Q1	30-49	Brook House IRC	11	107.23	1179.53
2022	2022 Q1	30-49	Harmondsworth IRC	74.5	107.23	7988.635
Total						238801.3
Weighted average						17057.23

Limitations to modelling

Our in-house analyses of detention costs are limited by two factors. Firstly, we used a median number of days each individual was detained, rather than an actual number of days. Whilst medians are likely to be less accurate than actual numbers, it was the most appropriate measure to use when this data was missing from the published datasets. Additionally, the error of under-estimating and over-estimating is likely to balance out due to the large sample sizes in the detention dataset.

Secondly, at the time of analysis, Quarter 2 2022 data was not available. This means the timing comparison is slightly different. The pilot costs are calculated from Quarter 2 2020 – Quarter 2 2022 whereas the detention costs are calculated Quarter 2 2020 – Quarter 1 2022.

6.2 Findings

Our analyses showed that the cost of detention would have been approximately two-thirds more expensive than the pilot. This means had the 84 pilot participants, matched

by ethnicity and gender, been in detention from Quarter 2 2020 – Quarter 2 2022, it would have been approximately two-thirds more expensive than being in the pilot. The reason that there is a bigger difference between the per day cost of detention and the pilot compared to overall costs is because the average days respectively spent in both were different. Whilst pilot participants spent an average of 318 days in the service, the matched ethnicity/gender samples often were detained for a shorter length of time.

The pilot cost £634,114.85 whereas detention would have cost £1,059,767.37. Table 6 shows the weighted averages from our in-house analyses of detention costs being applied to the pilot sample. Table 7 provides the overall comparison.

Table 7: Weighted averages from detention dataset applied to pilot sample to calculate total

	Sample Number	Detention weighted average	Total
Afghan male	1	10250.90891	10250.90891
Albanian female	1	1873.208636	1873.208636
Bangladeshi female	1	10267.925	10267.925
Bangladeshi male	12	16165.73625	193988.835
Burundian male	1	5713.757778	5713.757778
Chinese male	1	14103.99565	14103.99565
Congolese female	1	14271.3769	14271.3769
Congolese male	1	14271.3769	14271.3769
Egyptian male	1	15726.64255	15726.64255
Ghanaian female	2	1055.705714	2111.411429
Ghanaian male	2	10903.0753	21806.15061
Indian female	1	2241.003889	2241.003889
Indian male	3	11509.47059	34528.41176
Iranian female	1	1179.53	1179.53
Jamaican female	2	12197.84938	24395.69875
Kenyan female	1	1086.58	1086.58
Kenyan male	1	12770.6625	12770.6625
Malawian female	1	2123.77	2123.77
Nigerian male	3	10888.41299	32665.23898
Nigerian female	3	2331.61125	6994.83375
Pakistani male	8	10243.4578	81947.66243

Palestian male	2	9377.977	18755.954
Somalian female	1	536.47	536.47
Somalian male	1	19175.17755	19175.17755
South African male	1	22081.12585	22081.12585
Syrian male	1	982.9391209	982.9391209
Tanzanian male	1	5211.295	5211.295
Trinidadian female	1	1179.53	1179.53
Trinidadian male	1	17057.23286	17057.23286
Turkish male	2	26434.02971	52868.05942
Vietnamese male	1	7375.714108	7375.714108
Zimbabwean female	16	18524.95413	296399.2661
Zimbabwean male	6	18524.95413	111149.7248
Rohingya/stateless	2	1337.948571	2675.897143
Total cost of detention			1059767.367
			£1,059,767.37

This provides us with data to answer research question 3 “*Considering the long-term aims of the pilot programme, to what extent does the RMAS pilot represent value for money?*”. It is evident that based on these analyses, the RMAS pilot represented a significant value for money across the pilot time period. Had the 84 participants been detained instead over the same time period, our analyses show it would have cost £425,652.52 more than the pilot. It is important to note that the pilot ran from Quarter 2 2020 – Quarter 2 2022. However, the data for Quarter 2 2022 was not available at the time of analysis. It is therefore likely that the savings would be even higher if detention costs from Quarter 2 2022 could have been included.

The pilot costs included many benefits that participants were able to access as part of holistic support towards case resolution. This included three meetings with a solicitor, a one-to-one case worker, financial support, mental health support, travel support and interpreter/translation costs. These costs also included office, overhead costs and staffing costs for KAP.

Table 8: Overall cost comparison between RMAS pilot as delivered and immigration detention

	RMAS pilot as delivered	Immigration detention Q2 2020 – Q1 2022
Total cost (£)	634,114.85	1,059,767.37
Cost per participant per day (£)	23.70	97.54 – 107.23
Average length of time (days)	318.5	Medians calculated

6.3 Limitations of comparison between costs of RMAS and immigration detention

In comparing costs for the pilot and detention, the lack of published data means the results and figures may lack a degree of accuracy. This includes information missing in detention datasets, lack of data on the outcomes for people in immigration detention and the hidden costs of immigration. We discuss each in turn below.

Firstly, as discussed previously in the methods section, our in-house analyses were limited due to two factors:

- The lack of data on precisely how long each person remained in detention means that we had to extract a median length of days to create weighted averages. This means there may have been some over-estimation and some under-estimation. However, due to the large sample size this was likely to have balanced out. Using the median also allowed us to provide an approximate figure for detention and allow a comparison that otherwise would not have been viable with the information currently available in published detention datasets.
- Comparison was limited due to data for Q2 2022 not being published at the time of writing. Our pilot ran from 2020 Q2 – 2022 Q2 and we could only compare to detention data 2020 Q2 – 2022 Q1. This means the totals for detention are likely to be an underestimate.

Secondly, both in the RMAS pilot and detention, there are hidden costs that are difficult to quantify:

- KAP provide services beyond what is contracted to deliver by the Home Office as part of the RMAS pilot. This includes access to additional services through their network of volunteers, activities, and ability to refer participants to other voluntary organisations. The value of these services and activities is difficult to quantify and means there may be some ‘hidden costs’ of the pilot.
- Similarly, not included in these cost calculations are the hidden costs of immigration detention such as primary healthcare in the community and the cost of support and care provided by civil society organisations. The mental and physical health impacts of an insecure asylum status whereby working and

living rights are highly restricted are likely to incur higher costs for the state both in the short-term and long-term. Moreover, the cost calculations do not include the compensation paid for wrongful detention. In 2020-21, there were 330 cases of wrongful detainment resulting in £9.3 million paid out in compensation⁵⁵. This in turn means that the 'hidden costs' of detention are missing from our cost comparisons, and the true cost is likely to be much higher.

Lastly, the lack of published data on the outcomes for people in immigration detention also makes it difficult to answer the Key Evaluation Question, '*Considering the long-term aims of the pilot programme, to what extent does the RMAS pilot represent value for money?*'. Without this, we are unable to compare the cost-effectiveness of case-resolution of pilot participants with people in detention. Given that the aim of alternatives to detention are to provide more humane and cost-effective case resolutions by encouraging voluntary engagement with the immigration system, this presents a limitation to the extent to which cost-effectiveness for ATD can be assessed.

However, through our in-house analyses we are able to provide an approximate comparison of pilot and detention costs. We matched based on ethnicity, gender and pilot timing and duration to get closer to a more accurate picture of costs. Further research would be able to build on this and our methodology to attempt to provide even more accurate figures.

⁵⁵ Home Office, *Annual Report and Accounts 2020-21*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1000127/HO_Annual_Report_and_Accounts_2020-21_FINAL_AS_CERTIFIED_accessible.pdf

7 Key differences between RMAS and *Action Access*

Key evaluation questions	
1.	How effectively does the RMAS pilot deliver basic needs, case management and legal support?
2.	To what extent does the RMAS pilot contribute to desired outcomes across the five pillars of support (personal stability, reliable information, community support, active engagement and prepared futures)?
3.	Considering the long-term aims of the pilot programme, to what extent does the RMAS pilot represent value for money?
4.	What are the key differences between RMAS and <i>Action Access</i> in terms of design, delivery and perceived outcomes?
5.	What lessons learnt and examples of promising practice are emerging from the RMAS pilot that could be applied across the UK government's approach to asylum and migration management?

In this chapter we discuss points of comparison between the *Action Access* and RMAS pilots. These are drawn from analysis of interview data on both pilots.

7.1 Design comparisons

Eligibility and recruitment methods for the pilots differed. On pilot 1, women were mainly recruited directly from detention whereas RMAS participants were both men and women identified for recruitment and recruited via the use of relevant Home Office data.

Table 9 shows the differences in the two pilot models.

Table 9: Pilots 1 and 2 delivery comparisons

	Pilot 1 (<i>Action Access</i>)	Pilot 2 (RMAS)
Accommodation	Yes - provision of accommodation via Action Foundation	No – one of the eligibility criteria was that participants should already be in stable accommodation
Legal model	The legal counselling model on both pilots was 3 meetings with a solicitor. On pilot 1, this became the model after the pilot had begun. On pilot 2, this was the model from the outset of the pilot.	
Provision of services to pilot participants within the HO contract	Weekly subsistence payment for participants Accommodation whilst on the pilot Three meetings with a solicitor Regular meetings with a support worker to address holistic needs	Three meetings with a solicitor Regular meetings with a caseworker to address holistic needs

Provision of services to pilot participants outside the HO contract	Participants on both pilots were able to benefit from the wider support services offered by Action Foundation and KAP, for example, social activities, ESOL classes, support with gaining access to training and volunteering opportunities, referrals for physical and mental health support, subsistence support, clothing donations.
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7.2 Delivery comparisons

On pilot 1, there were regular (generally on a weekly basis) meetings between the Home Office, Action Foundation and UNHCR to discuss progress on the pilot and any strategic and operational issues. On pilot 2, meetings were held between KAP staff and the Home Office with no involvement from UNHCR. As pilot 1 represented the first time that such a partnership on an ATD between the government and the voluntary sector was taking place on an alternative to detention, the involvement of UNHCR was seen as a helpful presence in discussing any strategic challenges during the development of the pilot and in helping to disseminate updates on the pilot for wider civil society actors with an interest in asylum and/or detention practice and policy. By the time of the delivery of pilot 2, the Home Office had established a model of working with *Action Access* which they took into the delivery of the second pilot. Regular meetings between the Home Office and KAP were more operation-focussed than the process discussions taking place in the regular partner meetings on pilot 1. On pilot 2 for instance, meeting discussions would focus on individual participants, for example, recruitment, ongoing challenges with cases, progress on legal bundles, and so on. On pilot 1, as well as those discussions outlined above, and as this represented a new way of partnership working, discussions also took place around ways of working, agreement of shared aims, and communication with the wider immigration sector.

The reduced involvement of UNHCR in the delivery of the second pilot had a clear impact on the profile of participants accepted on to the pilot. Whilst pilot 2 participants were all subject to Home Office reporting requirements, some stakeholders have questioned whether there were grounds to detain all pilot 2 participants. This led some stakeholders to question the extent to which pilot 2 represented an alternative to detention pilot in the same way as pilot 1 did where participants were recruited directly from detention. This has implications for the conclusions the evaluation is able to draw regarding comparisons with a detention cohort.

COVID-19 had an impact on the delivery of both pilots, particularly on recruitment methods, mode of support delivery, and the delays in accessing immigration case documentation from the Home Office. However, the timing of each pilot meant that RMAS delivery started after the pandemic restrictions had already been introduced whereas pilot 1 needed to respond more reactively as the pilot was 10 months into delivery when the pandemic-related restrictions took hold. This difference in timing meant that the legal advisors and caseworkers already had some experience of remote delivery before the RMAS pilot began.

The three-meeting legal counselling model was introduced part-way through pilot 1 when it was found that OISC-Level 2 training would not be sufficient for the Action Foundation support workers to deliver legal advice themselves. The three-meeting model was in place from the beginning of the RMAS pilot. This difference would have had an impact on the efficiency of being able to get legal advice running smoothly on each pilot.

The delivery of pilot 1 via a supported housing model and shared accommodation meant that there were potential issues of privacy and tension with co-residents that

were not present for participants on pilot 2. However, some pilot 2 participants also experienced the breakdown of their living arrangements mid-pilot because of relationship issues in their households. Both pilots therefore experienced (different) challenging situations regarding participants' living arrangements.

7.3 Outcome comparisons

Civil society stakeholders suggested that outcome comparisons are problematic between the two pilots as they were essentially set up to test different cohorts or participants with different immigration profiles (recruitment directly from detention compared with participants who may have been living in the community for years).

The number of participants on both pilots who took up the option of voluntary return were low (low on *Action Access* and non-existent on RMAS). This is despite caseworkers on both pilots reporting that the option of voluntary return was presented to participants. Some stakeholders suggested that there were greater numbers (albeit still small) of participants on pilot 1 taking up the option of voluntary return as participants felt closer to the possibility of detention and removal (having been recruited from detention) than participants on RMAS. However, KAP stakeholders reported that the fear of possible detention was still very real for participants on the RMAS pilot, even for those who had not previously been detained. RMAS participants were in receipt of a BAIL 201 letter outlining that they were on bail from immigration detention.⁵⁶ They highlighted experiences of family members who already had leave to remain being apprehensive at each reporting stage that the family member required to report to the Home Office would be detained and not come home from their reporting appointment. Home Office stakeholders suggested that the lower than expected numbers of people taking up the offer of voluntary return could have been because of the countries of origin they would have been returned to (different profile to pilot one) or because participants on the RMAS pilot had not been recruited from detention.

On pilot 1, women participants were (in the main) recruited from detention in another part of the country and were not familiar with the local area where they were living and being supported on the pilot. This had an impact on the expectation of caseworkers to introduce participants to sources of support available locally. Indeed, one of the strengths of pilot 1 was the standing of Action Foundation in the local area and the links the organisation had developed locally. RMAS participants had already been living in the local area, in some cases for many years. It might have been expected therefore that RMAS participants were already familiar with their local surroundings.

However, because an insecure immigration status seals shut so many potential support avenues, RMAS caseworkers still had work to do to encourage their participants that there were options for them to engage with the local community and to develop confidence in and knowledge of their entitlements.

Pilot 1 also included supported accommodation. Some stakeholders suggested that this might implicitly encourage participants to engage more with their legal case as when the pilot ended so would the access to accommodation. It was not possible to provide evidence that supported accommodation encouraged greater engagement by virtue of the upcoming removal of that accommodation when leaving the pilot. However, there is evidence that the requirement to move on participants when the pilot ended had an impact on the pressure felt by caseworkers who could see imminent homelessness for some participants (pilot 1) compared with the continuation of existing living arrangements for others (pilot 2). This will also have had an impact on the dynamic whilst on the pilot for participants – for those whose accommodation relied on the pilot, they were aware that that would end at the same time as the pilot support.

⁵⁶ A BAIL 201 letter indicates to the recipient that their immigration status means that they are liable to be detained.

On both pilots, there were suggestions that the outcomes for participants were complicated by the complexity of immigration case histories and that if participants had received support earlier in the process, their cases would have been resolved more quickly.

Both pilots demonstrated the passion and commitment of staff from different organisations to seeking a holistically supportive approach to immigration case resolution.

8 Learning from the RMAS Pilot

Key evaluation questions
1. How effectively does the RMAS pilot deliver basic needs, case management and legal support?
2. To what extent does the RMAS pilot contribute to desired outcomes across the five pillars of support (personal stability, reliable information, community support, active engagement and prepared futures)?
3. Considering the long-term aims of the pilot programme, to what extent does the RMAS pilot represent value for money?
4. What are the key differences between RMAS and <i>Action Access</i> in terms of design, delivery and perceived outcomes?
5. What lessons learnt and examples of promising practice are emerging from the RMAS pilot that could be applied across the UK government's approach to asylum and migration management?

In this chapter, we explore the key lessons learnt from the RMAS pilot and identify examples of promising practice emerging from the pilot.

We first present key challenges from the pilot and discuss how these were addressed to identify lessons which can be learnt about implementing ATDs. Secondly, we consider examples of promising practice emerging from the pilot. Finally, we consider the application of these lessons and examples of promising practice to the UK government's approach to asylum and migration management.

8.1 Key challenges and lessons learned from the RMAS pilot

Developing a collaborative working between KAP and the Home Office

The collaborative working relationship between Action Foundation and the Home Office was described as 'ground-breaking' by one stakeholder. This second pilot in the series was seen as building on that collaboration. The first pilot had helped to build trust between the Home Office and a voluntary sector provider in the immigration space, where the Home Office and the voluntary sector providing support to vulnerable migrants are not usually seen to have a shared set of aims. In highlighting the development of this positive working relationship, stakeholders emphasised that there is a will within the Home Office to work together with the voluntary sector on achieving positive outcomes for those making their way through the immigration system.

KAP stakeholders acknowledged that the Home Office and KAP had different goals, roles and functions on the pilot and whilst that was a point of tension occasionally, that difference was the 'whole point of the community engagement series, which is about trying creative, innovative approaches with different partners to reach people and solve social problems that haven't been solved thus far' (KAP stakeholder).

Operational meetings were held fortnightly between the Home Office and KAP. Stakeholders from both the Home Office and KAP saw these as a helpful mechanism to discuss ongoing recruitment and case management of existing participants. KAP stakeholders appreciated the considerate way that pilot participant cases were dealt with by the staff from the Home Office working on this pilot.

Recruitment to (and eligibility for) the pilot

The approach to recruitment on to the pilot changed from the planned recruitment method, because of restrictions around face-to-face interaction imposed under the pandemic. KAP were not able to recruit via outreach activities as intended. KAP and Home Office stakeholders reported that the fact that all recruitment was carried out via Home Office communication may have had an impact on the proportion of those taking up the offer of support via the pilot because of potential wariness on the part of those invited.

Eligibility criteria for support on the pilot precluded those with dependent children under the age of 18 and those who did not have a stable living situation. Stakeholders highlighted the difficulties of having to communicate to potential participants that they would not be eligible after an invitee had expressed an interest. KAP stakeholders suggested that they could have offered support to more participants via hosting accommodation schemes or through their own supported living offer (for those with recourse to public funds).

Liable to detention/grounds to detain and eligibility for 'alternative to detention'

Both the pilots in the series were conceived and designed as alternatives to detention. That would imply that in order for participants to be accepted on to the pilot, in each case the participant should be a) liable to detention and b) there should be grounds to detain. Home Office stakeholders emphasised that if an individual with an irregular immigration status is required to report to the Home Office, then they are liable to detention at any point. However, other stakeholders questioned the extent to which the second element, i.e. 'grounds to detain' were present for all participants on the pilot. Given the age and health status of a number of participants (two participants died whilst on the pilot), it is unlikely that there would have been grounds to detain in every case. However, as all pilot participants were under reporting requirements to the Home Office, some KAP and Home Office stakeholders argued that any one of them could have been detained at any point.

The debate around eligibility between the different kinds of stakeholders had an impact on how some described and conceptualised the pilot. Some stakeholders clearly viewed the pilot as an 'alternative to detention' whereas others saw it more as a way of testing holistic support towards case resolution within a community environment, without reference to a detention model. From an evaluation perspective, it is challenging to view pilot 2 as an alternative to detention in the same way as pilot 1 because of the differences in recruitment approaches (with the emphasis in pilot 2 being on recruitment from within the community).

"I think for me, well it's a community engagement pilot and its original inception depending on who you're speaking to, it's classed as an alternative to detention pilot. So that's how we're approaching it as well" (KAP stakeholder)

8.2 Emerging examples of promising practice

Model of delivery between the voluntary sector and Home Office

Stakeholders highlighted that the pilot has demonstrated that collaboration between the Home Office and the voluntary sector does not have to be restricted to large NGOs with a national reach but can also work very well in a localised setting.

Government and civil society working together to deliver the pilot was seen as a unique approach to delivering ATD on pilot 1. The positive relationship between Action Foundation and the Home Office, established during the course of pilot 1 continued to flourish with KAP on this second pilot in the series. Home Office and KAP stakeholders spoke positively about the collaborative relationship developed during regular meetings throughout the length of the pilot where strategic and operational matters were discussed and agreed. Both sets of stakeholders emphasised that this collaborative model benefitted participants' experiences on the pilot and ultimately the outcomes achieved. KAP stakeholders highlighted that engagement with the Home Office was positive when working together to recruit on to the pilot or considering pilot participants' ongoing cases.

Legal counselling model and provision of holistic support around legal counselling

Stakeholders found the three-meeting model to work well and whilst it was not a 'typical' way of working for most immigration solicitors, the time invested with participants to help them better understand their options was seen as positive. A key facilitator in enabling the legal model to work was being able to pay for good-quality and reliable interpreting services which met the needs of participants.

KAP stakeholders described the holistic nature of the support they provided as a key factor in enabling successful immigration case management. And that holistic support combined with the clarity of legal advice formed the crux of the pilot's success. Stakeholders and participants viewed the model as a way of 'resetting' previously-received poor legal advice and a fair way of communicating legal options to participants. The role of the caseworker in helping to facilitate participants' understanding of the advice received was key. The skills, experience and professionalism of the team of caseworkers at KAP were also seen as enablers to the success of the pilot.

"I think whilst the clarity on their legal options, on their immigration options is the core of it, it would not stand up without the holistic support element and that dedicated key worker and all the other practical and pastoral support that's provided. I think that enables the other to happen. You could have one or the other, but neither would work very well." If you want to resolve people's cases, they need to feel that they've had a fair hearing,' and integral to that is good quality legal advice." (KAP stakeholder)

8.3 Application to UK government's approach to asylum and migration management

In this section, we discuss the application of the pilot for the UK government's approach to migration management.

Potential for greater cooperation between community-based organisations (CSOs) and the Home Office on delivering ATDs

Key informants and stakeholders reflected on the position of ATDs within the political landscape and immigration policy context. Stakeholders were hopeful and enthusiastic about the pilots being a part of a wider systems change in how migrants with insecure immigration cases are treated across the immigration case management system. Stakeholders particularly welcomed the respect afforded to pilot participants and the degree to which the pilot enabled choice for those whose immigration status had meant a lack of agency in many aspects of their lives.

As with *Action Access*, the RMAS pilot indicates that there are possibilities for alternatives to the current immigration management system to be explored in the future. The delivery of the pilot has shown that it is possible for government and civil society to work together in a positive and collaborative way, even if there may be significant disagreements by CSOs and rights bodies on the broader immigration and asylum questions, and that people with insecure immigration status can be supported well from within the community to access legal advice, understand their options, and pursue case resolution.

Lessons available from the legal model which could be applied elsewhere

The legal counselling model was considered a success by all stakeholders. Some stakeholders reported that it was not a way of working which KAP were familiar with before the pilot but they quickly adapted to working that way with the pilot participants.

KAP stakeholders highlighted how this could be applied more broadly across the immigration case system to other areas and what this might mean for those who are currently in limbo or who believe that they are without options to further their immigration case.

“They didn't know they had viable options. A lot of people, who are actually - if we just take this pilot and then, say, scale it up, my assumption would therefore be that in the UK, we actually have a lot of people who actually would have viable options, but they just don't know. I guess the lesson there would be do people know what their options are? Do people know they can have these options and how, what are we doing to help these people access this? The lesson would be, there will probably be more people who do have options. How are we reaching them?” (KAP stakeholder)

Systemic challenges

However, stakeholders also highlighted how systemic issues and cuts to legal aid mean that even for those with legal options to stay in the UK, challenges remain around accessing and paying for appropriate legal support.

“We're just a tiny part of it, so I think it can feel like you are - we're a tiny drop in a massive ocean of issues with our immigration system.”
(KAP stakeholder).

“If charities can't access people, then how can we expect anyone else to be able to do so? It's all very well and right to say, do legal routes and do it the right way, but many of our clients don't have that option necessarily, or the financial means to be able to afford the fees that are attached to it.” (KAP stakeholder)

Experiences of pilot participants highlighted the need for information about options to be provided as early on as possible in the immigration process to avoid confusion and to avoid participants being in limbo for months/years. Both pilots have demonstrated how more widespread use of ATD in partnership with NGOs to deliver timely legal counselling and case resolution has the potential to address systemic issues in immigration such as the reliance on immigration detention and the damage that could be done to mental and physical health by detention. Timely case resolution may also reduce the impact of uncertainty and instability regarding their immigration status on migrants and reduce the human cost of immigration.

The role of the advisory group on the pilot was seen as an important vehicle through which to communicate messages about the pilot through the sector and groups with an interest in detention.

9 Conclusions and reflections

UNHCR commissioned NatCen to undertake this independent evaluation of RMAS, the second pilot in the CEP series. This final evaluation report has synthesised findings from all elements of the evaluation to identify lessons learned from the RMAS pilot that can inform decision-making around further development and implementation of alternatives to immigration detention in the UK and beyond.

In this chapter we provide conclusions about the overall success of the pilot, reflecting on the evaluation criteria proposed by the OECD DAC and adapted by ALNAP for use in humanitarian evaluations⁵⁷ as set out in our Evaluation Framework (Table 1).

Relevance and appropriateness

The support offered through RMAS responded directly to the needs of the participant group. This included meeting basic needs for participants, providing legal and pastoral support, signposting and referring to other relevant support organisations, and providing links to the community.

Significant effort was invested in the tailoring of support work to the needs of individual participants through the initial needs assessment process adopted by KAP and the support planning process throughout the pilot.

Participants were supported well to understand their legal options. Those with legal options to remain in the UK were then supported with finding a solicitor to help progress their case. Those who did not have legal options were offered other avenues of support (including voluntary return).

Connectedness

RMAS caseworkers facilitated links to other support through signposting, referrals and supporting participants to self-refer. This included links with other provision offered by RMAS (e.g. English language classes, social events, activities, and support with getting ready for the workplace) and provision offered by external organisations (e.g. specialist mental health services, community groups, places of worship, volunteering opportunities).

As the pilot developed and the geographical footprint of participant recruitment increased, caseworkers developed their networks with providers beyond KAP's immediate local reach.

Coherence

The pilot demonstrated how people with insecure immigration status could be well supported in the community with no compromise to engagement with Home Office reporting requirements.

The complexity in immigration cases for many pilot participants, combined with (for some) the length of time living with an insecure immigration status, meant that achieving case resolution whilst on the pilot might not be achievable. This was understood by most participants already well-versed in the complexity of the immigration case management system.

More participants than expected received advice from their solicitor that they would have a legal option to remain in the UK. However, this positive news was tempered by

⁵⁷ Beck, T. (2006) Evaluating Humanitarian Action using the OECD-DAC Criteria London: ALNAP. Accessed August 24, 2020. <https://www.alnap.org/system/files/content/resource/files/main/eha-2006.pdf>

challenges around accessing a solicitor to take forward an immigration case beyond the length of the three-meeting model.

Coverage

A total of 84 people participated in the pilot between August 2020 and June 2022. The figures as delivered were slightly short of 50 participants on the pilot at any one time, as originally intended. Participant numbers may have been higher if KAP had been able to recruit on to the pilot from within the community as originally intended. Pandemic-related restrictions meant that recruitment was limited to identification of potential participants via Home Office data only.

Some stakeholders felt that the profile of participants on the pilot called into question the extent to which the pilot could be considered an 'alternative to detention'. Whilst all pilot participants were subject to reporting requirements to the Home Office (and therefore in receipt of 'liable to detain' directions), there was some disagreement amongst stakeholders as to whether this meant that there were grounds to detain all of those on the pilot. The numbers on the pilot may therefore have been significantly fewer if participation had been restricted only to those for whom detention and/or removal was considered imminent.

Efficiency

In comparison with immigration detention, cost per participant per day was significantly less as designed and as delivered. This is not surprising given that one of the eligibility criteria was that participants should already be in stable accommodation. There were also no detention or removal orders in place for pilot participants. A direct cost comparison with detention is therefore problematic. However, it is possible to say that supporting those 84 participants in the community for the duration of the pilot when compared with the costs if they had been in detention for the same length of time, was significantly cheaper.

The complexity of immigration cases for pilot participants and the length of time some participants had been living with an insecure immigration status meant that understanding and making sense of the potential future options for them was not a straightforward process. The role of the KAP caseworker was an important conduit between legal advisor, Home Office, and participant. Efficiency of the pilot could be improved by supporting individuals at an earlier stage in their involvement with the immigration system before cases get to the point of such complexity. However, it is also acknowledged that there is likely always to be the need for supporting participants with protracted and complex immigration histories and that inclusion in alternatives to detention models should not only be restricted to those with less complex, more straightforward cases.

Digitalisation of documentation related to participants' immigration cases would speed up the process of transferring (in some cases many years of) necessary documents between the Home Office, the support provider, and the legal advisor. COVID-19-related restrictions meant that there were delays in the Home Office being able to gather and transfer the documentation on the pilot as this relied on staff being physically present in the office.

Effectiveness

RMAS offered a community-based, holistically supportive environment in which participants were enabled to receive clear and fair advice on their unresolved immigration status in order to better understand their future options. Whilst the main aim of the pilot was to support participants with their insecure immigration status to achieve case resolution, the nature of the holistic support on offer meant that their

immigration status was not seen in isolation to other aspects of their daily life. Some participants had been living in limbo for many years. The support offered on the pilot – immigration and non-immigration related – meant that participants were enabled to develop in other areas of their lives, even within the context of the compliant environment and the associated restrictions on daily life imposed by an insecure immigration status. This feeds into the ability to make better decisions, either to influence integration or manage voluntary returns.

The role of the caseworker was invaluable in encouraging participant confidence related to their immigration case as well as more generally. The caseworker role was also seen as key enabler in determining the success of the legal counselling model through facilitating participants' understanding of their options and addressing any issues with legal advisors and/or the Home Office (related to documentation, for example).

There was clear evidence that the pilot enabled participants to better understand and more actively engage with their immigration case than before joining the pilot. Our evaluation has not followed case outcomes after the conclusion of the pilot when access to legal advice may become more restricted for financial reasons.

The three-meeting legal counselling model, developed and delivered as part of pilot 1 and delivered throughout the RMAS pilot was considered to be a success in a) resetting any previous poor legal advice and b) getting participants to the point of better understanding their cases and being ready to engage further with their potential future options.

Despite the debate around the extent to which the RMAS pilot could be considered to meet the definition of an 'alternative to detention', the pilot clearly met the aims of delivering holistic support to those with insecure immigration status whilst helping participants to understand their available options and to work towards case resolution. The role of the caseworker was seen as a crucial element in facilitating the legal counselling model and in encouraging participants to develop confidence in and knowledge of their rights and entitlements.

10 Recommendations

The following recommendations should be read in conjunction with the recommendations from the *Action Access* evaluation report.

For organisations designing and/or delivering pilots

Recommendation 1: Management of expectations when communicating with ATD participants regarding potential immigration case outcomes.

- To incorporate clear communication about potential options (and implication of each) at every stage of the support work process.

Recommendation 2: Delineation of roles and responsibilities

- Expect that participants may take time to fully understand the independence of the support provider of Home Office processes and the limitations around what the support provider can achieve in terms of casework support.

Recommendation 3: Early agreement on legal support post legal-counselling model

- Where possible, to agree with a solicitor as early as possible that legal support can continue after the three-meeting legal model. This may take time to negotiate depending on the participant's financial status and availability of legal aid.

Recommendation 4: Flexibility of tailored support

- Consider the tailoring of support via a tiered needs assessment and support planning process (such as that on offer by KAP). This will help ensure that all participants, irrespective of immigration case status, will be able to access appropriate support adapted as their circumstances change.

For consideration by the Home Office in increasing effectiveness and efficiency of any future ATD Programmes or roll out of aspects that are proven to be effective

Recommendation 5: Longer-term tracking of participant outcomes

- Ensure that future ATD programmes are informed by the outcomes from earlier ATD programmes. Longer-term outcomes of participants in ATD programmes would be better captured through more longitudinal tracking of participants, including follow-up post programme exit. However, that kind of longer-term data capture should not delay the implementation of any other recommendations.

Recommendation 6: Digitalisation of immigration case documents in the provision of bundles

- Delays in providing participant documentation would be alleviated through the digitalisation of immigration casework documentation.

Recommendation 7: Role of caseworker in the legal-counselling model

- Consider the wider use of partnership-working between the Home Office and civil society in supporting those with insecure immigration status. The input of caseworkers can act as a conduit between the Home Office, legal advisors and participants by bringing a degree of independence from government and helping to demystify the legal process for participants.

Recommendation 8: Expansion of eligibility criteria for future ATDs

- Consider the expansion of future eligibility to include participants with dependent children and flexibility around the requirement for stable accommodation arrangements. This would be in recognition of the possibility of existing living arrangements changing when people are reliant on the support of family/friends for significant periods of time.

Recommendation 9: Recruitment communication

- Consider the potential impact of Home Office involvement in recruitment for future ATDs and where possible (for example when not affected by COVID-19) to outsource recruitment as much as possible to the independent support provider.

Recommendation 10: Legal counselling model within the context of wider immigration management

- Consider implementing the three-meeting model of legal counselling for others with unresolved immigration cases as early as possible in their journey through the immigration case management process to avoid the need for more complex legal counselling at a later stage.

The Home Office and King's Arms Project have both provided management responses to the findings of this report, specifically addressing these recommendations. We welcome these management responses, which are included below as an appendix to the report.

Appendix A: Methodology

The evaluation collected data on the effectiveness of the pilot from the perspective of various stakeholders, and also involved analysis of management information data. However, as a qualitative evaluation without an experimental or quasi-experimental design, it was beyond the scope to quantify the ‘impact’ or ‘effectiveness’ of the pilot.

Evaluation activities

Our evaluation design mirrored the methodology used for the evaluation of pilot 1, adapting activities where appropriate and making use of synergies across the two projects.

We adopted a mixed-method design to the evaluation. This involved desk-based research and primary qualitative research with RMAS stakeholders, RMAS participants and key informants working on immigration and asylum issues. As in our evaluation of pilot 1, we used the evaluation criteria proposed by OECD-DAC and adapted by ALNAP for use in humanitarian evaluations as a framework for this evaluation.

Desk-based research

Document review

Following an inception meeting, we reviewed documentation provided by King’s Arms Project (KAP) to understand:

- the intended outcomes of the RMAS pilot
- planned activities and outputs delivered by the RMAS pilot
- how RMAS compares to Action Access

We also used findings from the review of the wider literature on ATDs that we conducted for our evaluation of pilot 1 to inform our research materials and interpretation of findings.

Analysis of management information data

We analysed management information (MI) data provided by KAP to report on:

- coverage of the pilot (number of participants and participant background information: gender, year of arrival into the UK; length of time accessing RMAS)
- services delivered (number of legal advice meetings)
- outcomes reached by participants (any new immigration/asylum applications submitted, case resolution outcome)
- costs of the pilot compared to detention / non detention (to be confirmed).

We reported on participant outcomes using MI data provided by the HO and KAP. We reported on management information at two time points – in the internal update (June 2021) and in this final report.

Research with RMAS stakeholders

We conducted research with two groups of stakeholders:

- strategic stakeholders (UNHCR, HO, managers at KAP)
- service providers (caseworkers, providers of legal and other services)

Logic model workshop

In January 2021, strategic stakeholders participated in an abridged logic model workshop as part of the inception phase. During the workshop, we facilitated stakeholders to develop a logic model for RMAS, using the Kellogg Foundation approach. This involved supporting the group to articulate and agree planned inputs and activities, and intended outputs, outcomes and impacts. We shared the *Action Access* logic model for participants' reference and to stimulate discussion during the workshop, given the shared intended outcomes and impacts across the CEP series.

We used the logic model to:

- inform the development of research instruments
- report on the extent to which the pilot was delivered as intended
- report on evidence of the intended outputs, outcomes and impacts (KEQ 1, 2)

RMAS stakeholder interviews

We conducted 11 interviews with RMAS stakeholders. First, interviewed service providers and strategic stakeholders during ongoing delivery of the pilot. At this stage, interviews with service providers focused on connectedness and coverage of pilot provision and appropriateness of the support. Interviews with strategic stakeholders focussed on intentions for the pilot and any changes to planned delivery.

We then interviewed strategic stakeholders and service providers to gather final reflections towards the end of the evaluation. These interviews focussed on effectiveness and efficiency of the pilot, barriers and facilitators to successful delivery and lessons learnt for wider rollout or for other ATD schemes.

We worked with KAP to identify the most relevant stakeholders at both timepoints.

Research with RMAS participants

RMAS participant interviews

We conducted individual qualitative interviews with three cohorts of RMAS participants. This allowed us to gain in-depth understanding of participants' experiences of the pilot. Interviews gathered participants' views on the value, relevance and connectedness of the support they received through RMAS, including their recommendations for improvements to the service. Interviews covered participants' experiences of signing up to and joining the pilot, and ongoing support. We interviewed 10 men and 10 women. Recruitment to the pilot was conducted on a rolling basis.

Research with key informants

Our evaluation also included research with 'key informants': civil society and other actors working on asylum and immigration, including representatives of people with experience of claiming asylum.

Key informant interviews

We drew on findings from key informant interviews conducted for the evaluation of pilot 1. These interviews explored how the CEP series would fit within the current UK system, the challenges and opportunities anticipated for successful delivery and lessons learnt from other approaches to asylum and immigration management (in the UK and in comparable jurisdictions).

Key informant workshop

The evaluation of pilot 1 included an online workshop with key informants, which took place in March 2021. The purpose of this workshop was to disseminate key findings from the evaluation, gather key informants' feedback on these findings, provide a steer on priorities for analysis and gather qualitative data on contextual factors that may have shaped the delivery and achievements of Action Access.

To minimise the research burden on key informants, we also used this workshop as part of the RMAS evaluation. We invited key informants to reflect on the challenges and opportunities presented by RMAS in light of the findings from pilot 1.

Data collection processes

Recruitment and enabling full participation in the research

Participation in the evaluation was voluntary. All individuals invited to take part were provided with details about each research activity in advance, including a privacy notice and information about how to find out more and/or raise any concerns.

We conducted interviews and workshops remotely, to be more cost effective and to enable participants to schedule interviews for a time that is most convenient to them.

Other strategies to facilitate RMAS participants' participation in the research included:

- endeavouring to offer interviews in participants' preferred languages wherever possible
- offering interpretation services where we are unable to find an interviewer who can speak the participant's preferred language, and/or where the participant prefers this option
- making adjustments to meet mental or physical health needs, for instance conducting interviews in two shorter sessions

Conducting interviews

We conducted all interviews using topic guides. The interviews were flexible and participant-led. We developed the topic guides with reference to the OECD-DAC criteria and KEQs, the RMAS logic model and findings from earlier evaluation activities.

Interviews lasted up to one hour. All interviews were digitally recorded (with participants' consent) and professionally transcribed verbatim to support analysis. Where interviews were conducted in a language other than English, the interviewer translated and transcribed the interview into English.

All researchers interviewing RMAS participants were selected on the basis that they were experienced in handling sensitive interviews. All researchers were briefed in advance of fieldwork. Briefings covered managing interviews on sensitive topics, working with vulnerable participants and NatCen's disclosure process.

Informed consent, anonymity, confidentiality and disclosure

Our ethics governance is aligned with ESRC and GSR Professional Guidance requirements. Ethical approval for the evaluation was sought from NatCen's Research Ethics Committee before the start of any research activities. The key ethical principles put into practice were informed consent, anonymity, confidentiality and disclosure.

We see informed consent as a continuous process rather than a one-off event. Throughout the evaluation we made sure that all participants were aware of:

- the subject matter of the research
- who NatCen, UNHCR, KAP and the HO are, and their respective roles in the pilot and evaluation
- that participation is voluntary and will have no positive or negative consequences
- issues around confidentiality, anonymity and disclosure
- how the data will be used and destroyed
- dissemination and impact activities
- any other issues which may affect their willingness to participate

Participants were also advised that they can withdraw their consent at any stage, without giving a reason. We developed concise written materials, which we also explained verbally, to ensure informed consent.

We ensured that reports and deliverables do not identify any individuals who participated in the research. Assurances of anonymity are often important in allowing participants to feel safe enough to share their views and experiences fully. In turn, this provides the in-depth qualitative data required to produce rigorous findings. However, there were limits to the anonymity we were able to offer RMAS participants and stakeholders, based on the small scale of the pilot. This was discussed with our research participants before each interview began.

The research team following the policy of the NatCen disclosure board around the process for reporting any safeguarding concerns (there were none).

Appendix B: RMAS potential participant invitation letter



www.gov.uk/home-office

[Recipient's name]
[Position, company]
[First address line]
[Second address line]
[Town/city Postcode]

Reference No:

A New Refugee and Migrant Advice Service

The Home Office is working with a small number of charities to support migrants in the UK without immigration status to understand their immigration options and make decisions about their next steps. These new services are being trialed to see how they work.

King's Arms Project, a charity based in Bedford, is providing one of these services, the Refugee and Migrant Advice Service. You have been sent this letter by the Home Office because you may be eligible for the Refugee and Migrant Advice Service.

Users of the Refugee and Migrant Advice Service will be provided with access to a legal advisor to understand their immigration options and they will be supported by a Support Worker from King's Arms Project to understand these options and decide what to do next.

You can find out more about King's Arms Project and the Refugee and Migrant Advice Service at their website <https://www.kingsarmsproject.org/rmadvice/>, by calling the Refugee and Migrant Services team at King's Arms Project on 0300 030 4055 (Monday to Friday between 1pm and 4pm) or King's Arms Project can call you.

Your details have not been shared with King's Arms Project. If you would like King's Arms Project to call you to explain more about the Refugee and Migrant Advice Service provide your name, phone number, preferred language and a preferred contact time (Monday to Friday between 1pm and 4pm) to them by emailing rmadvice@kingsarmsproject.org. King's Arms Project will then call you at your preferred time.

This letter is only being sent to a small number of people who may be eligible for the Refugee and Migrant Advice Service, **please do not share this invite with others as they will not be eligible and they will be declined for the service.** If you get in contact with King's Arms Project, they will contact the Home Office to confirm that you have been sent this letter inviting you to the service.

This service is not available to people with dependent children in the UK that are under 18 years of age. Therefore, if you do have a dependent child under the age of 18 and in the UK, please do not contact the King's Arms Project as you will be declined for the service.

This service is only available to people currently in the UK. If you are not currently in the UK, please do not contact the King's Arms Project as you will be declined for the service. If you are not in the UK, please email rmadvice@homeoffice.gov.uk to let the Home Office know so they can stop contacting you about this service.

Users of the service will have the opportunity to take part in research to improve the Refugee and Migrant Advice Service. This research will be with Home Office researchers. You can choose to take part in this research.

While the Home Office is working with King's Arms Project to provide this service, the work of King's Arms Project is independent of the Home Office.

Appendix C: Management responses

We welcome the following management responses to the findings in the report.

Home Office management response

The Home Office thanks the United Nations High Commissioner for Refugees (UNHCR) and NatCen for this report.

We welcome the fact that the report recognises the unique relationship between the Home Office and civil society in successfully delivering the Refugee and Migrant Advice Service pilot, as was also recognised for the first pilot in the Community Engagement Pilot (CEP) series, Action Access. We hope that the collaboration shown on these pilots can help similar programmes in other countries.

The CEPs were designed to test whether it would be possible to bring the cases of a small number of individuals otherwise liable to be detained to conclusion (whether to voluntary return or to a grant of status) in the community at least as effectively in terms of cost and time than would have been possible in detention.

On these key tests, the evaluation has shown that the number of resolutions on the pilot was slightly lower than those of a group of comparable individuals in detention. The evaluation's conclusions on cost effectiveness also imply that participants would have spent a notable duration of time in detention in the pilot's absence which we disagree would definitely be the case. We therefore consider that there is no definitive evidence that the pilot provided more effective case resolution in the community than detention.

We recognise that there were a number of positive outcomes from the Action Access pilot. However, we consider that, being a small pilot, it provided insufficient evidence of more effective case resolution than detention. Taking these results together with those of the Refugee and Migrant Advice Service, our view is that there is no evidential basis for further initiatives to support individuals following the CEP model at this time.

Nevertheless, as stated in our response to the report's recommendations below, there has been positive learning and insight from this pilot, most notably regarding the legal model that was developed for both this pilot and Action Access.

Response to recommendations for the Home Office

(Recommendations 1-4 are not for the Home Office)

Recommendation 5: Longer-term tracking of participant outcomes

Ensure that future ATD programmes are informed by the outcomes from earlier ATD programmes. Longer-term outcomes of participants in ATD programmes would be better captured through more longitudinal tracking of participants, including follow-up post programme exit. However, that kind of longer-term data capture should not delay the implementation of any other recommendations.

Accepted in principle but only in relation to any future ATD programmes.

Recommendation 6: Digitalisation of immigration case documents in the provision of bundles

Delays in providing participant documentation would be alleviated through the digitalisation of immigration casework documentation.

Accepted. The default position now is for all documentation to be digitised although older records may still need to be scanned.

Recommendation 7: Role of support worker in the legal-counselling model

Consider the wider use of partnership-working between the Home Office and civil society in supporting those with insecure immigration status. The input of support workers can act as a conduit between the Home Office, legal advisors and participants by bringing a degree of independence from government and helping to demystify the legal process for participants.

Accepted; there are a number of initiatives in train to provide support and advice through third parties, including through IE's Voluntary Return Service and National Community Engagement Team.

Recommendation 8: Expansion of eligibility criteria for future ATDs

Consider the expansion of future eligibility to include participants with dependent children and flexibility around the requirement for stable accommodation arrangements. This would be in recognition of the possibility of existing living arrangements changing when people are reliant on the support of family/friends for significant periods of time.

Accepted in principle but only in relation to any future ATD programmes.

Recommendation 9: Recruitment communication

Consider the potential impact of Home Office involvement in recruitment for future ATDs and where possible (for example when not affected by COVID-19) to outsource recruitment as much as possible to the independent support provider.

Accepted in principle but only in relation to any future ATD programmes, although there would be data protection challenges in sharing data with a provider without an individual's consent.

Recommendation 10: Legal counselling model within the context of wider immigration management

Consider implementing the three-meeting model of legal counselling for others with unresolved immigration cases as early as possible in their journey through the immigration case management process to avoid the need for more complex legal counselling at a later stage.

Partially accepted; we are exploring how positive aspects of the pilot can feed into the future immigration system, with a particular focus on the legal model, but this may not follow the three-meeting model in all circumstances.

Management response from King's Arms Project

Introduction

KAP, in partnership with the Home Office and with the support of UNHCR, established a strong collaborative effort to design and implement a delivery model for the ATD pilot program. The pilot spanned a two-year period and followed pilot 1 implemented by Action Foundation.

Overall Comments on the evaluation report:

The evidence presented underscores the potential for a holistic and cost-efficient approach to resolving the immigration status of community members, and we are immensely encouraged by these findings. The report captures the crucial importance of the caseworker's role in ensuring the success of the legal counselling model and empowering participants to understand the options available to them. This resonates with our own experience during the pilot implementation, affirming the significance of the caseworker's contribution to the success of the pilot.

The Covid-19 pandemic posed obstacles to the successful delivery of the pilot program, necessitating adjustments to our original implementation model, including participant recruitment. These adjustments may have resulted in a lower-than-expected number of participants. The pilot's recruitment process depended on participants taking the initiative to contact KAP after receiving correspondence from the Home Office. Many participants were fearful to engage in the pilot and the number of participants may have been higher if KAP had contacted potential participants directly. Nevertheless, despite the challenging circumstances, the evaluation affirms that adopting a more trauma-informed and person-centred approach is both advantageous and feasible. KAP now calls for this humane and dignifying approach to be standard practice.

1) Recommendations 1 & 2 Fully accept:

Comments:

KAP caseworkers often faced the challenge of establishing trust with participants, many of whom were hesitant to engage with the pilot, in many cases due to concerns about the involvement of the Home Office.

Caseworkers often found themselves needing to clarify to participants that KAP did not have the authority to influence decisions related to their immigration status. As a result, effectively managing participants' expectations became a crucial aspect of their casework responsibilities.

Recommendation 3 – Fully accept

Securing legal representation for participants, once they completed the 3-part legal model, emerged as a significant factor that contributed to delays in achieving case resolution.

With 80% of those who completed the 3-part-legal-model being presented by legal advisors with viable options to resolve their immigration challenges, it is expected that an early agreement on legal support post legal-counselling, could have led to a higher number of participants gaining positive case resolution during the pilot.

Recommendation 4 – Fully accept

Comments:

KAP's approach to casework was very holistic in nature. At the heart of the support the caseworkers provided was a respect for the dignity of each individual. While resolving their immigration situation was the main priority for participants, many had much broader needs, some of which were a consequence of living without immigration status for many years. Using a needs assessment ensured that we could provide person-centred support and prioritise the participants with the most vulnerabilities.

Recommendations 5-10

Comments:

Although not specifically aimed at the King's Arms Project (KAP), we endorse the remaining recommendations and would like to provide the following comments.

Many participants required more time than the pilot allowed to resolve their immigration challenges. KAP is aware of 4 participants who have received immigration status following the conclusion of the pilot, with many more having submitted immigration applications and awaiting outcomes. In many cases, participants required support from KAP beyond the end of the pilot in order submit applications. We would welcome further studies which track participants for over 2 years to allow a more realistic time frame for participants to find legal representation and achieve case resolution.

We consider our partnership with the Home Office to be a successful example of civil society organisations collaborating with government entities to design an approach to immigration that empowers individuals and addresses the broader needs often associated with irregular immigration status.

Appendix D: Terms of Reference

[These Terms of Reference were initially produced for Pilot 1 and were extended under a revised Frame Agreement in January 2001]

TERMS OF REFERENCE

Evaluation of UK Home Office Alternatives to Detention Community Engagement Pilot Series

Key Information at a glance about the evaluation	
Title of the evaluation:	Evaluation of UK Home Office Alternatives to Detention Community Engagement Pilot Series
Timeframe of evaluation:	March 2019 – December 2020
Type of exercise:	Decentralised Longitudinal Evaluation
Evaluation commissioned by:	UNHCR, United Kingdom
Evaluation manager's contact:	GBRLO@UNHCR.ORG
Date	16 September 2019

1. Introduction

This Longitudinal Evaluation is being commissioned by the UNHCR United Kingdom country office with the support of the UNHCR Evaluation Service. The evaluation is intended to evaluate the effectiveness of the models piloted against stated objectives and to generate evidence that helps to guide and enhance opportunities for the use of Alternatives to Detention (ATD) in the UK, linked to the Home Office ATD Community Engagement Pilot Series. The Terms of Reference (ToR) summarises the envisaged approach, scope and Key Evaluation Questions.

2. Subject of the evaluation and its context

UNHCR's work on ATD

1. In UNHCR's Global Strategy - Beyond Detention 2014-2019 ('Global Strategy') one of the key objectives is the promotion of ATD to ensure that they are available in law and implemented in practice.⁵⁸ Given the rate of detention and limited availability of community engagement focused ATD, promoting the latter has been a priority objective for UNHCR's work in the UK.

ATD advocacy and position in the UK

2. ATD are a safeguard against arbitrary detention. While there is no internationally agreed definition of the term ATD and it is not a legal term in itself, UNHCR defines "*alternatives to detention as any legislation, policy or practice that allows asylum-seekers to reside in the community subject to a number of conditions or restrictions on their freedom of movement. As some alternatives to detention also involve various restrictions on movement or liberty (and some can be classified as forms of detention), they are also subject to human rights standards.*"⁵⁹

⁵⁸ There are three specific goals which include the ending of children's detention, the introduction and implementation of alternatives to detention and, when detention is inevitable, the establishment of detention conditions that meet international criteria. See: UNHCR, *Beyond Detention: A Global Strategy to support governments to end the detention of asylum-seeker and refugees, 2014-2019*, 2014, available at: <https://www.refworld.org/docid/536b564d4.html>

⁵⁹ UNHCR, *The 10 Point Plan in Action*, available at: <http://www.refworld.org/10pointplaninaction2016update.html>

3. Problems that arise as a result of immigration detention are well known: it is expensive,⁶⁰ often ineffective and harmful to health.⁶¹
4. Detention itself can also result in significant interference with an individual's ability to navigate immigration and asylum processes.⁶² ATD can be considered a strategy for reducing reliance on immigration detention and delivering compliance and more effective case resolution for people at reduced cost to the public purse.

The UK's reliance on immigration detention and recent statistics

5. Despite a reduction in recent years, the UK Home Office continues to rely on immigration detention as a means of migration control and the UK is the only EU country that does not have an immigration detention time limit. The sole operational government ATD in the UK at present is "bail" (which does not specifically include case management) as per Schedule 10 of the Immigration Act 2016, which has been in force since 15 January 2018.
6. In the year ending June 2019 there were 41,535 applications (including dependents) which is up 17% from the previous year.⁶³ During the same period 24,052 individuals entered the detention estate.⁶⁴ Of the 24,467 people leaving detention, 41% (9,945) were returned from the UK to another country and 46% (11,355) were granted Bail by the Secretary of State. The remaining 13% were either released following a grant of Bail by an Immigration Judge, released following a grant of leave to remain or released for other reasons;⁶⁵ though the release figures are not disaggregated to specify the number of adult asylum detainees released onto bail.
7. At the end of June 2019, there were 1,727 people held in the detention estate (including 294 people detained under Immigration Act powers within the Prison estate). Out of the 1,727 people detained, 1,124 (65%) had also claimed asylum at some point during their time in the UK.⁶⁶

UNHCR Global Strategy

8. In recent years UNHCR's ongoing work to promote ATD has been carried out under its Global Strategy.
9. Under the Global Strategy, UNHCR is working with governments, international and national non-governmental organizations and other relevant stakeholders to address some of the main challenges and concerns around governmental detention policies and practices. A

⁶⁰ See Liberty's 2019 report "Economic impacts of immigration detention reform" available at: <https://www.libertyhumanrights.org.uk/our-campaigns/end-indefinite-detention/economic-impacts-immigration-detention-reform>, in which Liberty confirm that the government's detention expenditure in 2017/18 was £108m.

⁶¹ In their 2018 systemic study, "*The impact of immigration detention on mental health*", the Royal College of Psychiatry state that "*The practice of detaining asylum seekers, a group with a pre-existing vulnerability to mental health problems due to higher exposure to trauma pre- and peri-migration, risks further exacerbating their mental health difficulties. The experience of detention may act as a new stressor, which adds to the cumulative effect of exposure to trauma, leading to an increased likelihood of developing mental health difficulties such as PTSD as a result of the 'building block effect'*". The study is available at: <https://bmcpsychiatry.biomedcentral.com/articles/10.1186/s12888-018-1945-y>

⁶² Note that in *R (on the application of Detention Action) v Secretary of State for the Home Department* [2014] EWCA Civ 1634 (available at: https://www.refworld.org/cases/GBR_CA_CIV_54a1218a4.html) the Court of Appeal of England and Wales found that the practice of detaining asylum seekers pending appeal was purely based on the criteria of speed and convenience without considering whether they were at risk of absconding if released. This was determined to be unlawful. For an overview of asylum decision making in detention, please note the previous UNHCR audits of the Detained Fast Track process in 2008 and 2010: Quality Initiative Project, Fifth Report to the Minister, March 2008, available at <http://www.unhcr.org/uk/576013837>; and Quality Integration Project, First Report to the Minister, August 2010, available at: <http://www.unhcr.org/uk/576010337>.

⁶³ Home Office transparency data, August 2019, available at: <https://www.gov.uk/government/publications/immigration-statistics-year-ending-june-2019/how-many-people-are-detained-or-returned>.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid.

main goal of the Global Strategy is to ensure that ATD are available in law and implemented in practice.⁶⁷

10. There were initially 12 focus countries involved in the Global Strategy. They are Canada, Hungary, Indonesia, Israel, Lithuania, Malaysia, Malta, Mexico, Thailand, the United Kingdom, the United States and Zambia. In December 2016, they were joined by a further eight countries, bringing the total number of participants to 20. Those further eight countries are Belgium, Botswana, Bulgaria, the Czech Republic, the Republic of Northern Macedonia, Japan, South Africa and Zimbabwe.
11. Given the rate of immigration detention in the UK and the limited availability of ATD, (and in particular, community-based alternatives), UNHCR has prioritized advocacy with and support to the Government on ATD under the Global Strategy. At the same time UNHCR has worked with partners to address issues relating to conditions of detention and, in particular, the introduction of a time limit on immigration detention.

Development of the ATD Pilot

12. UNHCR's work on ATD has sought to both support the Government in its efforts to explore the potential expansion of the use of ATD and to complement advocacy efforts being undertaken by civil society in the UK. There are a range of actors involved in promoting ATDs in the UK, and the "detention landscape" has benefited from a number of small-scale ATD pilots, including Detention Action's Community Support Project.
13. 2017 and 2018 saw significant progress in UNHCR's work on the use of ATD in the UK. A wide range of interventions with the Government were undertaken, including high level discussions on the use of detention/expansion of ATD involving UNHCR's High Commissioner and the Assistant High Commissioner for Protection. This resulted in the establishment of a UNHCR/Home Office working group on ATD, which first met on 20 October 2017.
14. A senior level ATD meeting between the Home Office, UNHCR and government representatives from Canada and Sweden took place in November 2017. At that meeting the UK committed to working with the support of UNHCR to introduce a pilot ATD.
15. In July 2018, the Shaw Progress Report was published. Stephen Shaw had been commissioned to report on progress following publication of a review in 2016, which had, among other findings, revealed the impact of detention on mental health and called on the government to strengthen legal safeguards against lengthy detention periods. The progress report provided other important recommendations including, *inter alia*, the reaffirmed position that ATD needed to be fully explored by the Home Office. In his Ministerial statement in response to the Shaw Progress Report, the Home Secretary announced that the first ATD pilot, focusing on vulnerable women detained in Yarl's Wood Immigration Removal Centre, would be introduced with UNHCR's support.
16. Since the Home Secretary's announcement UNHCR has worked with the Home Office, Action Foundation and a number of detention-based specialist NGOs to support the development of the first ATD pilot known as *Action Access*.
17. As at August 2019, 11 women have entered the pilot since commencement. It is envisaged that up to 50 women will benefit from Action Access over the two year period of the pilot.

Action Access and the Community Engagement Pilot series

18. The aim of the Action Access pilot is to test whether support in the community leads to better outcomes for migrants and asylum-seekers when compared with detention. By better outcomes, we mean more efficient case resolution, whether this is integration in the UK or

⁶⁷ The two other main goals of the Global Strategy are: ending the detention of children; and ensuring that conditions of detention, where detention is necessary and unavoidable, meet international standards by, *inter alia*, securing access to places of immigration detention for UNHCR and/or its partners and carrying out regular monitoring. See: UNHCR, *Beyond Detention: A Global Strategy to support governments to end the detention of asylum-seeker and refugees, 2014-2019*, 2014, available at: <https://www.refworld.org/docid/536b564d4.html>

return (preferably voluntary) to the country of origin or habitual residence. It seeks to provide participants who volunteer for the pilot with support in the community whilst resolving their immigration cases, and thereby delivering humane and cost-effective immigration case management. All Action Access participants are asked to give their informed consent to participate in user research and the independent evaluation – if they refuse to give consent, this decision has no negative consequence.

19. Action Access is currently available to single women over the age of 18 years without dependents in the UK, who have no offending history, no imminent removal directions and who have at some point in their immigration history claimed asylum in the UK.
20. Action Access, through Action Foundation, is employing the principles of community-based ATD by: placing individuals in locally managed accommodation; assisting them to maintain contact with the Home Office (Immigration Enforcement); providing access to legal, health and other core services; and ensuring that sufficient trust is built to generate outcomes which satisfy all the stakeholders.
21. Action Access is the first of four planned ATD pilots being designed and managed by the Home Office, with the support of UNHCR and in partnership with civil society organisations in the UK, under the Community Engagement Pilot (CEP) series. The overall principle of the CEP series is to test approaches to supporting people to resolve their immigration case in the community.
22. The pilot series has been framed around five pillars of support:
 - i. Personal Stability: achieving a fundamental position of stability from which to make difficult, life-changing decisions (relevant to housing, subsistence, safety, and healthcare);
 - ii. Reliable information: providing and ensuring access to accurate, comprehensive, personally relevant information on UK immigration and asylum law;
 - iii. Community Support: providing and ensuring access to consistent pastoral support, and community support;
 - iv. Active Engagement: giving people an opportunity to engage with immigration services and ensuring that people feel able to connect and engage at the right level; and
 - v. Prepared Futures: being able to plan for the future, finding positive ways forward for individuals – such as skills development in line with their original immigration objective.
23. The objectives of the pilots under the CEP series include: increasing compliance and engagement with the Home Office; reducing the use of detention; and demonstrating qualitative improvements to individual's experiences in the immigration system.
24. The plan for the other pilots are as follows:
 - Pilot 2 is for people where personal stability already exists and will focus on providing other support, similar to that in Pilot 1, especially reliable information, community support, engagement with the Home Office and preparing for next steps. The ambition will be to support 50 people at any one time over a two year period. The Home Office have recently commenced the commercial process for this pilot.
 - Pilot 3 will be aimed at people with no or few ties to the UK who may be here working illegally or seeking life experience through informal channels.
 - Pilot 4 is aimed at focussing on individuals with strong ties to the UK who believe they are British or see the UK as home and exploring routes to their case resolution and potentially regularisation.
25. UNHCR's interest and involvement in the further CEP pilots remains to be confirmed. It is possible, however, that UNHCR may be requested to undertake evaluations of the additional pilots. Where this is considered by UNHCR to be feasible and consistent with its mandate, UNHCR will consider expanding the scope of the current TOR to include an evaluation of the further pilot(s). This will, however, only take place with the agreement of the contracted consultant(s).

Current Monitoring and Data collection

26. The Home Office and Action Foundation are collecting data for their own purposes. Where it is considered necessary to capture further data, any such data must be gathered in light of what is already available and the ethical position of using any available Home Office or Action Foundation data. It will be important to ensure the participants in the pilot do not experience research fatigue, while maintaining the integrity and independence of the evaluation.
27. The Home Office “user researchers” are using a number of methods to collect data on the experience of pilot participants, including individual interviews and diary entries. The purpose of this work is to support service design rather than evaluation. The methodology for the user research is evolving and will continue to be developed over the duration of the pilot. There is no specific requirement that participants engage and there are no negative consequences for participants where they refuse to engage with the user researchers.
28. Action Foundation utilises the “in form” database for case management data keeping. Specifically, “in form” records: information about the participant (relevant to their background – e.g. age, ethnic origin and ability to speak English); any goals (related, for example, to their integration into the community); risk assessments; needs assessments; and alerts (records relating to safeguarding issues).

3. Purpose and objectives

29. The evaluation is being undertaken for learning and accountability purposes. Community-based, engagement-focused ATD have not been extensively used in the UK and there is an interest in expanding their application. In this context, it is important that evidence is gathered and analysed with respect to the effectiveness of the piloted ATD as immigration management tools. The results of the evaluation are expected to help inform the further development and expansion of ATD in the UK. At the same time, the evaluation is intended to build evidence that contributes to work being undertaken globally on the use of ATD and supports the growing community of practice in this area.
30. The aim of the evaluation is to provide the UK Home Office with an evidence based assessment of the effectiveness and relevance of the approaches being used within the Action Access pilot. The evaluation will provide a descriptive analysis and mapping of the type of support being offered, efforts and approaches being used by both Action Foundation and the Home Office in delivering the pilot. It is likely that the design of the pilot will change as response to the iterative process of the service design research. Evaluation consultants will need to be able to respond to this effectively. The evaluation will then assess the extent to which the ATD pilot is contributing to its intended outcomes, the extent to which it is delivering basic needs, case management and legal support, whether or not it represents value for money, and identify lessons learned and examples of good practice that could be applied across the asylum and immigration system (for more on the approach see below).
31. The evaluation is expected to inform future UK Home Office decision-making around the use of ATD in the UK, including if and how they can be operationalized best.
32. The primary audience for this evaluation is thus UNHCR UK, the Home Office, Action Foundation with anticipated secondary users being the civil society in the UK and UNHCR as a whole. The evaluation will also be of interest to Governments working on ATD and the global ATD community of practice.

4. Evaluation Approach

4.1 Scope

33. The evaluation scope – relating to population, timeframe and locations for participants in the pilot – is as follows:
 - Timeframe to be covered in the evaluation: March 2019 – December 2020

- Population location and details: (1) Newcastle (North East of England) and surrounding area; and (2) Female asylum claimants living in managed accommodation.
- Data is defined for the scope of this evaluation to include all operational data, including data from population management activities, needs assessments, vulnerability and protection risk assessments, programme implementation, case management, monitoring and evaluation, collected and/or collated by UNHCR and the implementing partners (as referenced concern exists in relation to a conscious approach to collecting data and avoiding participant research fatigue).
- This evaluation examines the UK Home Office approach to ATD. This is specifically in relation to the first pilot programme Action Access being managed in partnership with Action Foundation.
- To be confirmed: A comparator group.

4.2 Key Evaluation Questions (KEQs)

34. The evaluation will address the key evaluation questions (KEQ) and sub-questions listed below. The analysis needed to answer them is likely to touch on other possible sub-questions and may be further refined during the evaluation inception phase.

KEQ 1: To what extent does the ATD pilot contribute to the outcomes of the Community Engagement Pilot across each pillar (as outlined in paragraph 21 above)?

This KEQ will also seek to answer the following sub-questions:

- To what extent does the ATD pilot deliver better outcomes, in terms of personal stability, reliable information, community support, active engagement and prepared futures, for the pilot participants than individuals held in detention?
- Has the pilot contributed to the integrity of the asylum system by supporting compliance and engagement with Home Office immigration and asylum procedures?
- To what extent does the ATD pilot contribute toward the application of a fair and humane asylum system in line with international standards?

KEQ 2: How effectively does the ATD pilot deliver basic needs, case management and legal support?

This KEQ will also seek to answer the following sub-questions:

- How client-focused is the delivery of basic needs, case management and legal support?
- How responsive is the Action Access pilot programme to the specific needs of the participants?
- What factors contribute and constrain the effective delivery of basic needs, case management and legal support?

KEQ 3: Considering the long-term aims of the pilot programme, to what extent does the ATD pilot represent value for money?

This KEQ will also seek to answer the following sub-questions:

- How are the costs of the delivering the pilot shared between the different actors contributing to the pilot?
- How do the costs of delivering ATD compare to the costs of detention?
- How do the costs of delivering ATD change over time and what factors contribute or constrain the efficient delivery of quality, client-focused ATD approaches?
- What is the added value of the ATD models?

KEQ 4: What lessons learnt and examples of promising practice are emerging from the ATD pilot that could be applied across the UK government's approach to asylum and migration management?

This KEQ will also seek to answer the following sub-questions:

- What examples of innovative and promising ATD practice are emerging?
- To what extent is the ATD pilot, or elements of the ATD pilot, scalable?
- How sustainable is the ATD approach?
- What elements from the pilots can be mainstreamed into future programme designs?

- To what extent does the organisation running the pilot programme feel supported and equipped to deliver ATD pilot programmes?

4.3 Approach and Evaluation Methodology

35. This is an evidence-based, longitudinal evaluation to understand the extent to which the ATD pilot is contributing to its intended outcomes and delivering basic needs, case management and legal support. It will also consider whether or not it represents value for money and identify lessons learned and examples of good practice that could be applied across the UK's asylum and immigration system.
36. The methodology should be two-pronged: 1) utilise a case-based evaluation approach to yield rich detail from the individual cases admitted to the Action Access pilot; and 2) situational analysis of the various factors in the UK impacting on the ATD pilot's delivery of its stated objectives.
37. The evaluation methodology should use both qualitative and quantitative methods to answer the five Key Evaluation Questions and Sub-questions. Methods appropriate for this evaluation include (but are not limited to) the following: 1) document review and content analysis; 2) in-depth interviews with ATD pilot participants, UNHCR staff, Home Office staff, Action Foundation staff, service provider staff engaged with the ATD; 3) key informant interviews with civil society and other actors working on issues relating to asylum and immigration management; 4) field data collection and 5) systematic review of the Action Access pilot, including analysis of existing data, to understand its operation, how it may have evolved since inception and inform scalability.
38. In addition, the evaluation should undertake a desk-based review to consider ATD practice in other, comparable jurisdictions, to put the Action Access pilot in context and to help support the identification and assessment of lessons learned and examples of promising emerging practice.
39. UNHCR welcomes the use of diverse, participatory, and innovative evaluation methods. The methodology – including details on the data collection and analytical approach(es) used to answer the evaluation questions – will be designed by the evaluation team during the inception phase, and presented in an evaluation matrix.
40. The evaluation methodology is expected to:
 - i. Reflect an Age, Gender and Diversity (AGD) perspective in all primary data collection activities carried out as part of the evaluation – particularly with refugees.
 - ii. Employ a mixed-method approach incorporating qualitative and quantitative data collection and analysis tools including the analysis of monitoring data – as available.
 - iii. Refer to and make use of relevant internationally agreed evaluation criteria such as those proposed by OECD-DAC and adapted by ALNAP for use in humanitarian evaluations.⁶⁸
 - iv. Refer to and make use of relevant standards analytical frameworks.
 - v. Gather and make use of a wide range of data sources (e.g. key informant interviews, direct observations, organisational documents, monitoring data, mission reports, coordination groups meetings, strategy narratives, and indicator reports) in order to demonstrate impartiality of the analysis, minimise bias, and ensure the credibility of evaluation findings and conclusions.
 - vi. Be explicitly designed to address the key evaluation questions – taking into account evaluability, budget and timing constraints.
41. The evaluation team is responsible for gathering, analysing and triangulating data (e.g. across types, sources and analysis modality) to demonstrate impartiality of the analysis, minimise bias, and ensure the credibility of evaluation findings and conclusions.

4.4 Evaluation Quality Assurance

⁶⁸ See for example: Cosgrave and Buchanan-Smith (2017) [Guide de l'Evaluation de l'Action Humanitaire](#) (London: ALNAP) and Beck, T. (2006) [Evaluating Humanitarian Action using the OECD-DAC Criteria](#) (London: ALNAP)

42. The evaluation consultants are required to sign the UNHCR Code of Conduct, complete UNHCR's introductory protection training module, and respect UNHCR's confidentiality requirements. UNHCR operates a zero tolerance policy towards sexual exploitation and abuse.
43. In line with established standards for evaluation in the UN system, and the UN Ethical Guidelines for evaluations, evaluation in UNHCR is founded on the inter-connected principles of independence, impartiality, credibility and utility, which in practice, call for: protecting sources and data; systematically seeking informed consent; respecting dignity and diversity; minimising risk, harm and burden upon those who are the subject of, or participating in the evaluation, while at the same time not compromising the integrity of the exercise.
44. The evaluation is also expected to adhere with the UNHCR 'Evaluation Quality Assurance' (EQA) guidance, which clarifies the quality requirements expected for UNHCR evaluation processes and products.
45. The Evaluation Manager will share and provide an orientation to the EQA at the start of the evaluation. Adherence to the EQA will be overseen by the Evaluation Manager with support from the UNHCR Evaluation Service as needed.

4.5 Data and information sources

46. The following data and information sources will be of relevance to the evaluation and should be considered:
 - Home Office individual case files of participants taking part in the pilot.
 - Action Access data sources (subject to data protection/confidentiality/security clearance).
 - Data gathered through the Home Office user research methodologies (including questionnaires, transcripts of interviews and participant diaries) completed by pilot participants.
 - Data on pilot participants gathered by Action Foundation through the "in form" database
 - Tools and resources as described below.
 - Existing Home Office data sources to allow comparisons.

Tools

- UNHCR 'Beyond Detention: Guiding Questions for the assessment of Alternatives to Detention', May 2018, available at: <http://www.refworld.org/docid/5b1e662d4.html>.
- EPIM 'ATD network client summary sheet' (See pages 34-37), July 2018, available at: https://www.epim.info/wp-content/uploads/2018/10/ATD-Evaluation-Report_FINAL.pdf.

Evaluations

- EPIM, 'Alternatives to detention from theory to practice Evaluation of three engagement-based alternative to immigration detention pilot projects in Bulgaria, Cyprus and Poland', July 2018, available at: https://www.epim.info/wp-content/uploads/2018/10/ATD-Evaluation-Report_FINAL.pdf.
- Immigration and Refugee Board of Canada, 'Report of the 2017/2018 External Audit (Detention Review)', available at: <https://irb-cisr.gc.ca/en/transparency/reviews-audit-evaluations/Pages/ID-external-audit-1718.aspx>.
- Detention Action 'Alternatives to Detention Community Support Project, April 2014 – June 2017' (covering first year of the project from June 2014 – May 2015), 2015, available at: <https://www.iars.org.uk/sites/default/files/uploads/FINAL%20IARS%20DA%20evaluation%20report%20July%202015.pdf>.
- Migrationsverket and European Migration Network, 'The use of detention and alternatives to detention in the context of immigration policies in Sweden', 2014, available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/27a-sweden_detention_study_august2014_en.pdf.
- UNHCR, 'Legal and Protection Policy Research Series', 'Building Empirical Research into Alternatives to Detention: Perceptions of Asylum-Seekers and Refugees in Toronto and

- Geneva', Costello and Kaytaz, June 2013, available at: <https://www.unhcr.org/uk/protection/globalconsult/51c1c5cf9/31-building-empirical-research-alternatives-detention-perceptions-asylum.html>.
- Equal Rights Trust, 'Measures of First Resort: Alternatives to Immigration Detention in Comparative Perspective', 2011, available at: http://www.equalrightstrust.org/ertdocumentbank/ERR7_alice.pdf
 - Brown, C, 'Toronto Bail Program' 2011, available at: http://biblioteca.cejamericas.org/bitstream/handle/2015/5458/Toronto_BailProgram.pdf?sequence=1&isAllowed=y.
 - Children's Society and BID, 'An evaluative report on the Millbank Alternative to Detention Pilot', May 2009, available at: https://hubble-live-assets.s3.amazonaws.com/biduk/redactor2_assets/files/175/An_evaluative_report_on_the_Millbank_Alternative_to_Detention_Pilot.pdf.
 - Tribal, 'Review of the Alternative to Detention (A2D) Project', (Millbank), May 2009, available at: <https://webarchive.nationalarchives.gov.uk/20090804165245/http://ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/reports/alternative-to-detention/alternative-to-detention.pdf?view=Binary>.

Commentary

- Council of Europe, 'Analysis of the legal and practical aspects of effective alternatives to detention in the context of migration', January 2018, available at: <https://rm.coe.int/steering-committee-for-human-rights-cddh-analysis-of-the-legal-and-pra/1680780997>.
- Odysseus Network 'Alternatives to Immigration and Asylum Detention in the EU', 2015, available at: <https://odysseus-network.eu/wp-content/uploads/2015/02/FINAL-REPORT-Alternatives-to-detention-in-the-EU.pdf>.
- EU Commission 'The use of detention and alternatives to detention in the context of immigration policies', 2014, available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/emn_study_detention_alternatives_to_detention_synthesis_report_en.pdf.

5. Organisation, management and conduct of the evaluation

47. UNHCR UK will serve as the **Evaluation Manager**. They will be responsible for: **(i)** managing the day to day aspects of the evaluation process; **(ii)** acting as the main interlocutor with the evaluation team; **(iii)** providing the evaluators with required data and facilitating communication with relevant stakeholders; and **(iv)** reviewing the interim deliverables and final reports to ensure quality – with the support of UNHCR Evaluation Service at HQ and a Reference Group comprising (TBD).
48. The **Evaluation Team** will comprise a senior team leader and team member. The team is expected to produce written products of high standards, informed by evidence and triangulated data and analysis, copy-edited, and free from errors.
49. The language of work of this evaluation and its deliverables is English.

5.1 Expected deliverables and evaluation timeline

50. The evaluation should be conducted from October 2019 to December 2020 and will be managed according to the timeline detailed below.
51. The key evaluation deliverables are:
 - Inception report;
 - Data collection toolkit (including questionnaires, interview guides, focus group discussion guides) and details on the analytical framework developed for / used in the evaluation;
 - Progress report, for the first year of the pilot, including an Executive Summary; and
 - Final evaluation report including recommendations and an Executive Summary.

Activity	Deliverables and payment schedule	Indicative timeline	Minimum # of estimated days
Evaluation ToR finalised and call for proposals issued	ToR and call for proposals	September/October 2019	N/A
Contract Awarded	Contract signed	October 2019	N/A
Inception phase including: - Initial desk review and key informant interviews. - Circulation for comments and finalisation - Potential Workshop and ATD results framework/theory of change	Final inception report – including methodology, refined evaluation questions (as needed) and evaluation matrix.	October 2019	10 days
PROGRESS REPORT: Data collection – Document review and in-person/virtual interviews (subject to necessity), including visits to partners	Data collection completed in line with inception report	October – December 2019	10 days
PROGRESS REPORT Data analysis and drafting phase including: Stakeholder feedback and validation of evaluation findings, conclusions and proposed recommendations.	Draft report and recommendations (for circulation and comments) with the potential of a validation workshop	December 2019 – January 2020	15 days
PROGRESS REPORT: Finalisation	-Updated draft in line with stakeholder comments and the EQA - PPT presentation summarising findings and evaluation learnings	January 2020	5 days
Mid Term Data Collection: In person/virtual interviews, focusing on partners delivering ATD pilot and ATD participants (subject to necessity)	Written internal update and analysis presented to UNHCR (maximum 5 pages)	June 2020	10 days
FINAL REPORT: Data collection – Document review and in-person/virtual interviews (subject to necessity), including visits to partners	Presentation of preliminary findings with UNHCR at a stakeholders workshop	November 2020 - January 2021	10 days
FINAL REPORT: Data analysis and drafting including: Stakeholder feedback and validation of evaluation findings, conclusions and proposed recommendations	-Draft report and recommendations (for circulation and comments) with the potential of a validation workshop - PPT presentation summarising findings and evaluation learnings	January 2021	15 days

FINAL REPORT: Finalisation	Updated draft in line with stakeholder comments and the EQA	January 2021	5 days
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6. Evaluation team qualifications

Functional requirements for an evaluation firm comprising multiple team members. The firm/group of experts should be able and willing to travel between London and Newcastle and meet the following qualifications and experience expectations:

Evaluation Team Leader

- A post-graduate degree in Organisational Effectiveness, Business Administration or a related area.
- Minimum of 10 years of evaluation experience in qualitative analysis and synthesis of data in a relevant setting.
- Proven experience in successfully leading an evaluation team and managing data collection in complex environments.
- Technical expertise in evaluating data utilisation, organisational information management involving population level data and program operation data, results frameworks and performance measurement at the organisational level.
- Proven track record of leading (preferable) or participating as senior team member in an evaluation commissioned.
- In depth knowledge of and proven experience with various data collection and analytical methods and techniques used in evaluation and operational research.
- Experience in generating useful and action-oriented recommendations to management and programming staff.
- In-depth experience or knowledge of UK asylum procedures and/or immigration law.

Evaluation Team Member

- University degree (in the areas of social science) plus a minimum of 5 years of relevant professional experience, or a post-graduate degree with at least 4 years of relevant experience in strategic information, data analysis, collection and/or information management.
- Proven experience (minimum 5 years) in supporting qualitative data collection and analysis for evaluation purposes (preferable) or studies and operational research around data utilisation and information management, advocacy and/or inter-agency coordination.
- In depth knowledge with various data collection and analytical methods and techniques used in evaluation and operational research.
- Proven expertise in facilitating participatory workshops involving different groups and participants.
- Technical expertise in the use of strategic information, data management, data analysis, information management involving population level data and program operation data, results frameworks and performance measurement at the organisational level.
- Knowledge of UK asylum procedures or experience working with asylum seekers and claimants.

7. Evaluation team selection criteria and bid requirements

Technical criteria used to evaluate proposals will comprise 70% of the total score while the remaining 30% is based on the financial offer. The technical offer will be evaluated using the following criteria:

- Proposed services: Approach and methodology to the evaluation (max 35 points).
- Team Composition and Strength: Number of people, qualifications and relevant experience (max 15 points).

The bid should include the following components:

- Proposed services: A statement detailing the methodology and tools you propose for this evaluation, important constraints/risks to the evaluation study that should be taken into consideration and mitigation strategies, expected level of effort (# of days and team size) and what quality assurance measures would be taken. (max. 6 pages).
- Team Composition and Strength: Bidders should indicate the composition and qualifications of each proposed team member; their role and past experience working together in carrying out this type of evaluation. Please submit the names and CVs of all proposed members (max 4 pages).