



Home from Home

Addressing the Issues of Migrant Workers' Housing

Summary for environmental health officers

KEY FACTS

- An estimated one million migrant workers have arrived in the UK from the ten eastern European countries since they joined the EU in 2004 and 2007, but around half of this group have already left the UK.
- Foreign nationals made up 3.5 per cent of the workforce in 1996 but 6 per cent in 2006.
- Polish nationals are now the single largest foreign national group resident in the UK, up from the thirteenth largest group in 2004.
- Around 90 per cent of people who arrived in the UK in the last two years are living in the private rented sector.
- In 2007, 89 per cent of migrant workers earned less than £400 per week before tax, compared to 57 per cent of the total UK population.

“There are widespread concerns about housing conditions for some migrant workers.”

Audit Commission, *Crossing Borders*, 2007

HOUSING ISSUES FACED BY MIGRANT WORKERS

Migrant workers leave their country of origin to work or seek work in another country. They come to the UK to seek employment but all too often find themselves living in expensive, overcrowded and poor-quality accommodation. This summary outlines practical steps that can be taken to address some of the key issues like:

- Enforcement of housing standards in HMOs,
- Handling poor quality unauthorised caravan sites run by employers,
- Addressing migrant workers' vulnerability to exploitation due to a lack of housing options.

Migration is an emotive issue and migrant workers' housing is one of the issues at the heart of the debate. The migration from Eastern Europe that has followed the recent expansion of the European Union has been notable as migrant workers have found employment throughout the country, rather than in a few urban centres. Issues are particularly likely to emerge where there has been a large or sudden increase in the numbers of migrant workers.

This summary of a longer report sets out the key recommendations that are most relevant to those working in the environmental health field.

SHARING BENEFITS WITH EVERYONE

As a general principle, where work is carried out to address needs identified in the migrant worker population, it should be structured to include others who have the same need, including 'internal migrants', arriving from elsewhere in the UK. Conversely, service providers such as local authorities should ensure that their normal services such as refuse collection are also appropriate to the needs of migrant workers and other mobile populations.

This approach should have both practical and political benefits as the local authority will not be perceived as giving special or priority treatment to a particular group, reducing the opportunity for local dissatisfaction. Consequently, it is recommended that:

A principle of inclusivity should be applied wherever possible to ensure that projects and services meet the needs of all relevant sections of the community, including both migrant workers and the settled population.



ENFORCING HOUSING CONDITION STANDARDS

The vast majority of migrant workers live in the private rented sector (PRS). Conditions in PRS accommodation can be poor, overcrowding is common and migrant workers are sometimes charged inflated rents or illegal fees.

Many migrant workers do not wish to spend more money than they need on accommodation and some may be willing to put up with overcrowded conditions in order to keep their housing costs down. At the extreme of overcrowded conditions are hot-bedding arrangements, where shift workers take turns to sleep in the same bed.

In some cases, migrant workers' accommodation is provided by their employer and is thus 'tied' to their employment, with inherent potential for vulnerability if the arrangement does not work well.

Many migrant workers live in houses in multiple occupation (HMOs) and caravans, so regulation of these are areas of particular importance in relation to the housing conditions of migrant workers.

Addressing housing standards in HMOs

Although regulations are in place relating to HMOs (particularly following the Housing Act 2004), minimum standards are not always effectively enforced, as environmental health departments do not always have sufficient resources to carry out the necessary checks, particularly in areas with large numbers of and/or recent rapid increases in the number of HMOs. It is essential that environmental health services are properly financed to ensure adequate policing, which should allow both reactive and proactive work to be undertaken.

Local authorities and other agencies with responsibility for funding enforcement action should increase expenditure on environmental health departments and other enforcement agencies to proactively police housing conditions and carry out effective enforcement action in relation to poor conditions where needed.

Working with the GLA to aid enforcement

Migrant workers may be employed directly by employers or indirectly through a labour provider or gangmaster. Since 2006, organisations or individuals who supply or sub-contract labour in certain sectors must be licensed by the Gangmaster Licensing Authority (GLA).

GLA licensing standards require that any accommodation provided, or effectively provided, by a gangmaster should conform to current legislation. Consequently, the GLA can be a useful partner for environmental health officers, as GLA powers to remove a licence (and effectively close down a gangmaster) can often be invoked quicker than local authority powers, resulting in quicker enforcement where poor conditions exist.

Local authority environmental health departments and the Gangmasters Licensing Authority should increase their partnership working to coordinate the enforcement of accommodation standards.

Addressing standards on caravan sites

As well as examining the current powers available to environmental health officers, the full report looks at legislative change that would enhance the powers available to deal with specific problems. The report calls on government to make changes to further these powers (see pages 30-32 in the full report for details).

Even simple legislative changes can take a significant time to bring about. Local authorities faced with current problems should consider adopting bye-laws to gain powers to enforce standards, where opportunities exist.

A bye-law that could help to deal with a significant number of unauthorised caravan sites has been drawn up by Kerrier District Council; other authorities could draw on that experience to produce a bye-law very simply. This gives local authorities an additional tool to use in certain cases.

Local authorities should, where there are significant numbers of migrant workers living in caravans, introduce bye-laws under section 270 of the Public Health Act 1936 to set minimum standards for accommodation for temporary agricultural workers.

Raising awareness of enforcement action

When enforcement action is taken against poor-quality accommodation there is an opportunity for its impact to be maximised by publicising it widely. Publicity relating to a successful enforcement action can trigger proactive action from other landlords, raise awareness amongst tenants, and demonstrate to the wider community the authority's determination to deal with poor living conditions where they arise.

Some agencies, including the Gangmasters Licensing Authority, already receive media attention relating to their work; this work should be further increased and other agencies should follow in their footsteps.

The Gangmasters Licensing Authority, local authorities and other agencies with responsibility for enforcing aspects of housing standards should seek to raise the profile of any action they take in relation to poor-quality housing, in order to increase public awareness of the issues.



DELIVERING CHANGE THROUGH PARTNERSHIPS

Migrant workers frequently travel long distances to and from work and may well live in one local authority area and work in another. If there is not a coherent approach, both between agencies and between geographic areas, highly mobile populations are particularly likely to experience the resultant problems of inconsistent systems.

Most areas will benefit from the creation of a working group which brings together a range of partners to address the issues relevant to their area, possibly as sub-groups of Local Strategic Partnerships (LSPs), Crime and Disorder Reduction Partnerships (CDRPs), or Strategic Migration Partnerships (SMPs). The composition and remit of the group will depend on the local situation, for example the scale of migration and population 'churn' in the locality, whether the migration is international or domestic, and whether there are problems relating to a particular type of housing.

The following recommendations provide guidance on developing working groups.

Local authorities should, where necessary, establish working groups of local stakeholders that can act as focal points for issues relating to migrant workers.

Local authorities should seek to work in a more coordinated manner with a range of statutory bodies and civil society organisations within their areas, together with neighbouring authorities where appropriate, to address local issues relating to migrant workers.

Local authorities and other statutory bodies should encourage employers and housing providers to participate fully in working groups or other local partnerships addressing migrant worker issues by ensuring that their involvement can be meaningful.

Sharing information and intelligence

Local public bodies often have significant amounts of intelligence relating to migrant workers. Unfortunately this information is often poorly understood and not shared with other relevant bodies. Whilst there are legitimate data protection issues that need to be considered, public bodies should work to share as much data as they can for the protection of health and welfare standards. Data sharing protocols can be established to formalise the process.

Migrant populations are disinclined to cooperate with public bodies which they believe are involved in immigration enforcement activities as irregular migrants are likely to be included in their circles of friends and they do not wish to get them into trouble. Because the withdrawal of the cooperation of migrants from the provision of information to public authorities would be counter-productive the sharing of information should be limited to issues concerning the promotion of integration and the provision of housing, health and welfare services, and should not be made available on a routine basis for the enforcement of immigration regulations.

Local partnerships should actively seek to identify information that can usefully be shared between members and establish data sharing protocols to maximise the appropriate and secure sharing of information.

Engaging with private landlords

Many private landlords are responsible and seek to provide decent accommodation at a reasonable rent. There are a number of positive ways in which local authorities can engage with private rented sector landlords, in order to support them in providing better services to their tenants and to avoid the need for enforcement wherever possible. These include local accreditation schemes and landlords' forums.

The Local Government Association should encourage local authorities to take a proactive approach to identifying private sector landlords who own residential properties in their areas and establishing good communication links with them through a variety of mechanisms, including local accreditation schemes, landlords' forums and tenancy relations officers.

Developing innovative schemes

Many housing associations and local authorities have innovative practices such as deposit guarantee and rent deposit schemes that could help migrant workers overcome the problems they face when first arriving in the UK, such as finding a deposit or providing references. The details of these schemes vary, but the general intention is that the local authority or housing association acts as a guarantor to the landlord for a private rented sector tenancy in the event that the tenant defaults.

Environmental health officers are often partners in these types of scheme, typically responsible for inspecting properties to ensure minimum standards are met. They could play a role in promoting schemes' extension to include migrant workers. Further details of the relevant types of schemes are provided in the full report.

Housing associations should include migrant workers as clients in the innovative private sector rental schemes, including operating as managing agents for private rented sector landlords, private sector leasing, rent guarantee schemes and rent deposit schemes.

SHARING GOOD PRACTICE

A number of reports and projects, such as the hact/CIH Opening Doors project and the Audit Commission's Crossing Borders report have identified good practice in the field. Particular effort should be made to learn from these examples.

LACORS (the Local Authorities Coordinators of Regulatory Services), the National Housing Federation, hact and the Chartered Institute of Housing as well as local and central government should increase their efforts to disseminate to members of their networks relevant good practice relating to migrant workers that has already been identified.

Local authorities should proactively seek to learn from good practice relating to migration.

PREVENTING HOMELESSNESS AND DESTITUTION

Although not a core responsibility for environmental health officers, it is important that they are aware of the potential for migrant workers to become homeless and destitute. While it is certainly not the experience of most migrant workers, the lack of eligibility for state support (combined with other factors) can leave migrant workers at significant risk of homelessness if they lose a job or a house. As enforcement action against poor quality accommodation could have such a significant impact upon innocent tenants, it is recommended that:

Environmental health officers should ensure that (where they are planning to undertake enforcement action that might result in accommodation being closed down) they have robust plans to deal with the impact on residents, including addressing their immediate housing needs.

FURTHER INFORMATION

In June 2008 BSHF organised a Consultation at St George's House, Windsor Castle, to identify practical ways in which stakeholders can work to address the issues of migrant workers' housing. The focus of discussions was low paid migrant workers from the ten Eastern European states that have recently joined the European Union. Many of the lessons, however, will be equally relevant to both migrant workers from different countries and internal migrants.

A full report on the findings of the Consultation has been published by BSHF. Printed copies of both the full report and this summary are available from the BSHF website, as are electronic copies for free download.

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