

Supporting migrant workers in private rented accommodation



East Cambridgeshire District Council

MIF project 2011

by Emily Haysom, January 2012

INTRODUCTION	3
Background	3
Overview	4
GOOD PRACTICE GUIDANCE	6
Methodology.....	6
Roots	7
1. Gathering information.....	7
2. Offer something	8
3. Building relationships	8
Trunk	9
Housing Health and Safety Rating System (HHSRS) inspections. ...	9
HMO inspections	10
Proactive programme of inspect	11
Landlord’s Logbook	11
Evictions and vulnerability	11
Branches.....	12
Outreach.....	12
Producing useful information	12
Data	12
Setting up an English Language Cafe	14
SUMMARY	15

INTRODUCTION

Background

In May 2009 Cambridgeshire County Council was awarded funding from the national Migration Impacts Fund to manage the transitional impact of migration. Cambridgeshire County Council agreed to fund a project to 'combat overcrowding, exploitation and health and safety issues for migrant workers in Private Rented Accommodation.'

The Cambridgeshire Private Sector Housing Strategy Group was charged with taking this project forward. Interest was limited but the funding was taken up by two of the five districts, East Cambridgeshire District Council and Fenland District Council.

Whilst working in partnership with Fenland the projects in each area took different forms due to the different stages each district was at in understanding their migrant populations.

East Cambridgeshire and Fenland are rural areas dominated by agricultural industry.

East Cambridgeshire has three main towns: Ely, Soham and Littleport, as well as various villages, small hamlets and some isolated homesteads attached to farms. Fenland has four market towns: Wisbech, March, Chatteris and Whittlesey surrounded by rural villages.

Migrant workers play an important role in supporting the local economy. In recent years there has been an increase in immigration to the area from eastern Europe and Portugal corresponding to a general increase in development and growth.

The project provided an opportunity to develop methods within the core duties of Environmental Services and Housing to better support migrant workers.

The project ran from March 2010 – September 2011.





Overview

In East Cambridgeshire the approach was multifaceted, and a basic grass-roots methodology was employed from the outset. Little background information was known. The funding was used to carry out initial research into

- Impact of migration
- Overcrowding
- Housing conditions
- Neighbourhood effects

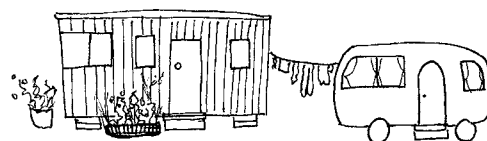
Outreach and information gathering went on simultaneously, followed by proactive inspections and the practical work of liaising with landlords to get repairs carried out. During the process, strong partnership networks were being developed. Many visits and inspections were carried out with partner contacts such as a housing officer, a fire safety officer, or food hygiene inspector – providing clients with a more holistic service, and improving access to, and knowledge of, migrant workers among partners.

In recent years better regulation of the agricultural industry has brought improvements for workers leading to some large agricultural employers now providing high standards of dormitory style accommodation for seasonal workers. Experience revealed that unsatisfactory conditions were more likely to be found within the private rented sector and small businesses, which are less regulated.



There are few three storey buildings in East Cambridgeshire and consequently mandatory licensable houses in multiple occupation (HMOs) are rare. Many other non-licensable HMOs exist in the form of flats and two storey houses shared by two or more households, properties with rooms let individually, pre 1991 converted flats, or accommodation tied to commercial properties such as restaurants where tenants have little protection from eviction.

Various kinds of substandard housing exists including HMOs, houses, flats, caravans and mobile homes in gardens and on forecourts. People were found to be sleeping in the waiting rooms of hand car washes, and there is evidence of rough sleeping in storage containers and garages.



The local authority traditionally operates a complaints based, reactive approach to unsatisfactory housing conditions. It became apparent through this project that many substandard properties would not have been located without proactive investigation and inspections. A reactive, complaints based, approach is limited by the need for a complainant to instigate proceedings. Part of this project has been to find new methods of working that include migrant workers and enable services to reach the most vulnerable.



Throughout the project language was a major issue. Many migrant workers spoken to expressed a desire to learn or improve their English but the opportunities to do so are limited.

GOOD PRACTICE GUIDANCE

In East Cambridgeshire District Council we had a unique opportunity to run a project from start to finish, or at least to the point of leaving a legacy that should benefit the work of the Council and the local community in improving the inclusion and support of migrant workers. The project focused on improving housing conditions, however the method could be applied to other projects with a view to engaging and supporting migrant workers within mainstream services.

Methodology

In order to avoid too many assumptions, grass roots research and engagement were employed from the outset. An analogy with a tree is useful: research and methods were rooted (based on listening to people and developing wide networks), it is organic in its development rather than prescriptive (allowing for creativity, experimentation and failures as well as unexpected successes). Essentially it is a bottom up approach rather than top down.¹



¹ “ Most radical change has to start outside government, usually from the bottom(up) rather than the top (down)”
Good and Bad Power: the ideas and betrayals of government, G.Mulgan 2007 as quoted in Connected Communities
RSA 2010

ROOTS

The 'roots' represent the groundwork of a project and consist of:

1. Gathering information
2. Offering something
3. Building relationships

Elements 1,2, and 3 overlap and are carried out simultaneously rather than as three separate stages.

1. Gathering information

- **Background research:** A lot of information can be found online and up-to-date information is circulated through network groups.
- **Partner agencies.** The National Union of Farmers will know of large scale farms in the area employing migrant workers, the fire service will be aware of many properties including HMOs at greater risk of fire.
- **Training.** Assess training needs of officers.
- **Data.** Set up a database and manage data. Initial data can be gathered as to where people live from electoral services, national insurance registrations, word of mouth. Local authority officers often know their patch well and can provide an idea of where migrant workers are living particularly where there is substandard accommodation or where there is likely to be overcrowding. For example a food hygiene inspector may be aware of tied accommodation, a waste officer may be aware of excessive rubbish being left outside a property indicating too many occupants.
- **Data protection.** There are limits to how much information people can share. Passing on information linking an address with an individual through their name (or potentially even by their race), without their consent, is likely to contravene data protection legislation. There are often data sharing agreements in place to facilitate the safe sharing of information. Check these and take care to protect any information you hold.
- **Contact visits.** Once you have initial information that migrant workers live at an address, door to door visits are the best way of looking at conditions and targeting people with advice and support. This can help eliminate the good accommodation from the bad and help to prioritise resources. Feed notes into a database for future reference. Door to door visits may yield complaints about conditions. Consider the vulnerability of tenants to eviction and possibly harassment should they complain. Be aware that you may be in a position where you are duty bound to investigate further whether tenants complain or not. As a housing inspector you cannot ignore serious hazards if you see them (Housing Act 2004, S4).
- **Manage expectations.** People may share information on other issues and expect you to sort out these issues. Be clear about your role and the limits of what you can offer.

2. Offer something

- **Leaflets:** for example, advice in various languages on tenant rights and responsibilities; welcome packs such as a myUKinfo.com card directing foreign nationals to online advice on life in the UK.
- **Being there to listen:** By talking to people, circulating leaflets, setting up meetings, your offer is also 'listening', and this is valued by people.
- **Signposting:** Putting partner agencies and migrant workers in touch with each other. It is important to listen and learn about what partners do, what their unique skills are. You may later wish to pass that information on to people who need it. Signpost people to the availability of online access to your services.
- **Manage expectations.** Your main 'offer' may be to link people up with information, other people or services rather than help directly. Don't offer more than you can deliver!

3. Building relationships ²

- **Teamwork:** Get to know your immediate team and develop relationships across services.
- **Networks:** Find out about existing networks connected with migrant workers within local authority and the community and voluntary sectors. Attend meetings and learn about what others are doing.
- Organise a networking event and invite different agencies - anyone with an interest in supporting migrant workers. Invite contributors, share information, and circulate contact details (check for consent).
- **Key individuals:** Identify and get to know individuals in other agencies such as police, fire service, Open Out, schools, children's centres etc.
- Get to know key individuals from other language groups (teachers, key workers, shopkeepers etc). Introduce yourself and your project. Ask them about their own experiences.
- **Be available:** Get to know migrant workers in cafes, door to door, through friends of friends – ask people about housing conditions, their experiences of life in the UK (It is easiest when you have something to offer such as leaflets!)



² 'A council's ability to promote community cohesion externally depends on the interrelationships of officers and members with professional and working counterparts in the wider community.' Communicating Cohesion – Evaluating Local Authority Communication Strategies, University of Birmingham Feb 2009

Initiate conversations. *Initiating conversation with strangers can be daunting for anyone but bear in mind how much more daunting it is for migrants who have to do this daily, often in a language foreign to them. Migrant workers were usually receptive to being approached; they valued someone taking time to listen to them and offering support, especially if English is their second language.*

TRUNK

For the purposes of our analogy the ‘trunk’ represents the core duties of your organisation.

A temporary project should relate to the core duties of its host organisation. In a local authority this would be statutory duties, such as preventing homelessness, ensuring local provision of suitable safe housing, promoting safe communities, and community cohesion.

- Ensure that an adequate number of officers are trained and proficient in the Housing Health and Safety Rating System (HHSRS) to inspect and take enforcement action for houses in multiple occupation (HMOs) and private rented accommodation.
- Eviction risk: Liaise closely with housing/homelessness services, particularly where there is risk of eviction.
- Formal signposting: Referrals to other agencies – for example the fire service, police (Bobby Scheme), Homeshield Age UK, and Care and Repair.
- Embedding research findings within your organisation: through good information sharing, improving cross-disciplinary communication between officers and agencies, and developing proactive strategies to tackle poor housing.
- Support social engagement and community cohesion.
- Enable better integration of migrants into local community.

Housing Health and Safety Rating System (HHSRS) inspections

Section 3 of the Housing Act 2004 requires local authorities to consider the housing conditions in their district with a view to determining what action to take under the Act.

In the case of a complaint of housing conditions

being received by the Council, it is a legal requirement to give 24 hours notice to the landlord and occupants in order to carry out an inspection. On the whole migrant workers do not tend to complain and yet are often the occupants of the poorest housing.

In practice, where information has indicated that there are substandard conditions in a property

- Carry out an initial visit offering advice and support to the occupants (including translated materials where necessary – make sure people know their rights and responsibilities), and observe what hazards exist.
- Advise the landlord informally on the basis of this visit. It may be possible to get repairs done informally

- If not, follow up with an HHSRS inspection: give 24 hours notice to the landlord and occupants informing them of your intended inspection (a phone call or email is sufficient as long as it is noted – this gives them the opportunity to respond). Legally all occupants where known should similarly be given 24 hours notice.
- Again, after an inspection a landlord may be co-operative negating the need for notices to be served.
- If not, continue with appropriate enforcement action in accordance with government guidance and the enforcement policy of your local authority.

HMO inspections

The Health and Safety Rating system would also be used for inspecting HMO's in general, with particular attention to the Fire Safety and Overcrowding and Space hazards. If immediate access is required, however, due to particular circumstances or a history of non-compliance, another tool is the HMO Management Regulations.

Under the HMO Management Regulations it is not necessary to give 24 hours notice for inspections. This allows for pro-active, on the spot, inspections of known or recognised HMO's of concern, ensuring that a property is inspected in its usual state, that good standards are being maintained and overcrowding is not occurring.

In terms of enforcement, this may be more straightforward in that a landlord or HMO manager either complies or does not comply with the law.

- Make sure that the hazard is dealt with. Rather than taking a punitive approach, give a non-compliant landlord a chance to comply, something they may be willing quickly to do when faced with potential prosecution! (Ensure that this is in line with the Authorities Enforcement Policy).
- Main hazards: overcrowding, electrical, carbon monoxide and fire.
- Work with other authorities to enforce standards: Health and Safety Executive (HSE) will deal with non-compliance on gas safety, the fire service will deal with non-compliance on fire issues in common parts of an HMO. Good partnership working helps facilitate dealing with the hazards.
- Tread carefully on overcrowding – landlords may carry out 'kneejerk' evictions which may be illegal.
- Carry out joint inspections with commercial environmental health officers in restaurants with tied accommodation, and with the fire service in HMOs
- Different agencies have different remits and can inspect different areas. By working together, all areas can be inspected to support the safety of the occupants.



Proactive programme of inspections

A proactive programme of inspections is preferable to relying on a complaints based system.

- This helps protect individual occupants,
- Gives the opportunity for people to make informal, anonymous complaints
- Gives officers access to see conditions in situations where complaints are highly unlikely, and for action to be taken.

However, proactive work often requires additional staff resources.

Landlord's Logbook

A landlord's logbook consisting of advice and guidance, a check list for certificates, and risk assessments for electrical, gas and fire safety could encourage landlords to self regulate. This could be a positive 'offer' when building relationships with private rental sector landlords and would help separate out co-operative landlords from the worst offenders. The logbook could be routinely inspected by officers combined with informal spot checks on properties in areas of doubt and where landlords choose not use the logbook. This would focus the more time-consuming HHSRS inspections on the worst properties and least compliant landlords.

Evictions and vulnerability

It is vital to work closely with housing and homelessness services when investigating a property, especially where there is overcrowding. It is also useful to get to know charities (including some churches and faith groups) that may help people who have 'no recourse to public funds'. Often a landlord's knee jerk reaction is to evict occupants at short notice.

- It is a legal requirement for landlords to give 2 months notice to tenants in private rented accommodation.
- In tied accommodation (HMO band G) the landlord has to give 'reasonable' notice, which in practice can be as little as 24 hours! These occupants are extremely vulnerable to homelessness, and are therefore the least likely to complain about conditions (both working and housing conditions).
- Depending on their nationality, if a migrant worker loses their job they may not be entitled to emergency housing or social security benefits and may lose their right to remain in the UK. Foreign nationals do not have the same safety net that UK citizens have.

BRANCHES

The 'branches' represent activities over and above the day to day running of your organisation but that support the core duties.

- Outreach
- Producing relevant information: 'Live Safe' leaflets', welcome packs (myUKinfo.com), improving online information for migrant worker tenants.
- Data: priority inspection list/ landlord list, partner contact list
- Sourcing any necessary resources to develop a landlord logbook and proactive inspections.
- Ely English Language (EEL) Cafe — potential to grow - new cafes, new language mentoring opportunities.
- Dissemination of project to other agencies and local authorities

Some branches break off or are pruned:

The idea of a tree growing allows for experimentation. Some things did not grow:

- Presentations, and housing surgeries at a major employer where times did not end up tallying with work patterns which fluctuated with the weather!
- Conventional daytime market stall outreach –failed to attract any migrant worker visitors – quite likely they were working!
- Similar surgeries and stalls were carried out at Sure Start childrens centres at times thought to fit in with migrant worker families without much success.
- Co-ordinating formal language classes run by volunteers.

Learning points: In general the simpler and less formal the idea the more successful it is.

Outreach

Initial contact:

Formal methods of outreach such as a display, or an advice surgery, which require migrant workers to make the approach seems doomed to failure. Less formal, proactive methods where the outreach officer makes the approach and initiates the conversation tended to work better for us.

Location:

Start where people are at. When a person is approached in a familiar environment they are usually more responsive. For example, door knocking at people's homes to talk to them about housing conditions; delivering information via ethnic food shops and cafes where recipients feel 'at home'.

Developing contact:

You can invite people in a comfortable way into a less familiar but safe environment for more organised activities. This has potential to develop integration into mainstream activities and community cohesion. Use key contacts to encourage others to participate – make use of word of mouth contacts and simple posters with translation if necessary.

Fig. 1

When looking to rent:

Get an Assured Shorthold Tenancy (AST) agreement. Ask your landlord for one. If you rent from someone who is not the landlord you have NO RIGHTS as a tenant.

Letting Agents may have additional charges. Ask for a complete list of charges throughout the tenancy, before renting a property through them.

For any advice on housing or if you are experiencing problems with your accommodation speak to someone at the council. Translation services are available.

East Cambridgeshire District Council
The Grange, Nutholt Lane, Ely, Cambs CB7 4EE

01353 665555
www.eastcambs.gov.uk

Useful Numbers

Emergency (ambulance, police, fire) 999

Fire Service (non emergency) www.cambsfire.gov.uk 01480 444666

Police (non emergency) 0345 4564564

Open Out (reporting race hate crime): www.openoutcambs.org 01223 823552

NHS direct (medical advice) www.nhsdirect.nhs.uk 0845 4647

Citizens Advice Bureau www.adviceguide.org.uk

Live Safe



in your rented home



East Cambridgeshire District Council

October 2010

Do you have a working smoke alarm in your home? Your landlord should fit one.

It will give you early warning of a fire and can save your life. You may get a free smoke alarm fitted by the fire service. Contact your local fire station.



Are the electrics and wiring old? Do you have overloaded sockets?

These can lead to electrocution or start fires.



If you feel that conditions in your home are unsafe or making you ill, contact **Environmental Services** at the council.

Are you sharing with others to save money? Or living in too small a home?

You may get some support with paying your rent. Speak to **Housing Options** at the Council.



Can you get out quickly? Do you have secure doors and windows and can you open them easily in the event of a fire? Are furnishings fire retardant?



Does your roof leak? Is mould making you ill?



Do you know your neighbours?

They may help you in an emergency.

- **Be considerate.** Keep the noise down at night. Be aware of others if you smoke or have barbecues. Park your car without blocking access routes. Be friendly. In the same way, your neighbours should be considerate towards you. People can complain to the council about noise and other neighbour disagreements.

Your landlord must ensure boilers are serviced every year by a Gas Safe registered installer.

Ask to see the Gas Safety Certificate.

Carbon monoxide has no smell and **KILLS**.



Is your home in good condition? Your landlord should carry out repairs.

You should let the landlord know if repairs need to be done. You should look after your home too.



Producing useful information

The longevity of a short term project is secured partly by leaving useful information for others.

- Provide advice leaflets aimed at migrant worker tenants. (For example, see fig. 1 on page 13) Ensure leaflets are visual with minimal text, making the information more accessible to speakers of English as a second language, and cheaper to translate. (It has the added benefit of being more accessible to people with low levels of literacy). Put a date on the leaflet to assist with reviewing outdated information.
- Make use of existing information and provide translations where necessary to suit local needs

Data

Through your research compile:

- a priority inspection list of vulnerable housing
- a migrant worker HMO list
- a landlord list
- partner contact lists

These will support an ongoing review of private sector housing within your team and help to inform future initiatives with engaging with and supporting tenants and landlords.

Setting up an English Language Cafe

An example of successful low-level organisation is the EEL cafe, an informal club that meets in a local community cafe consisting of mentors and learners of English (initially set up as part of the MIF project in June 2011). In the early stages posters were circulated to announce the start of the club, inviting mentors and attendees. People have come and gone but the club continues to meet with a group of around 16 (usually 1:1 English and non English speakers). The success of the group is due to the two parties benefiting equally from the exchange. Mentors are made of up retired people, job seekers, stay-at-home parents and the club gives them a chance to meet others and share their skills. For language learners the club gives them the opportunity to practise their English in a friendly setting with one-to-one support, for the cost of a coffee!



The cafe idea is small scale and will not teach large numbers to speak English fast but it is simple and sustainable and easily replicated.

An attempt to run a pilot scheme for more formal classes led by volunteers did not get off the ground, largely because the mentors preferred the informality of the 'cafe' environment.

On the surface an English language cafe seems to have little to do with housing conditions. However, supporting language learning helps to empower people. In the cafe setting mentors have supported learners with how get help regarding their housing, applying for jobs, explaining what to say if they have to ring 999, giving tours of the local library and so on. Mentors and attendees have formed friendships, helping to build confidence and break down barriers between language groups. ³

SUMMARY

This project was carried out in a largely rural district and the application of this methodology may be suited to similar areas but it has not been tried and tested in larger conurbations.

In East Cambridgeshire the Migration Impacts Fund enabled the additional staff resources necessary for this project. In an ideal world would be good practice to have sufficient staff in local authority to carry out proactive inspections and social engagement, combating exploitation, empowering people in the community and improving community cohesion! The base line is simply to respond to complaints.

The tree model is a less linear way of conceiving a project. The initial groundwork – **roots** - help to locate your organisation's existing work deeper in the community- in this case migrant worker communities- by listening and responding to real people and not just statistics and assumptions. Strong broad networks and relationships strengthen your team and your organisation. The **trunk** represents your organisation and its core duties which will remain at the end of a temporary project. Activities relating specifically to the temporary project are the **branches** which remain connected to the organisation and its core duties. Some branches may snap off or be pruned after time, but some will go on and continue to grow. The outcomes of the branch activities should feed the ongoing work of the organisation, similarly the networks at its roots should continue to develop and grow. It should sow seeds that continue to grow long after the project has ended.

³ "[S]ocial network interventions can attempt to create benign social viruses, through which small interventions seek to create major impacts." Connected Communities: how social networks power and sustain the Big Society, Powson, Broome, Jones, RSA 2010



Line drawings by Emily Haysom
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