

# Understanding Migrant Destitution in Scotland

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## Key Points

- In 2022, COMPAS and the Convention of Scottish Local Authorities (COSLA) co-designed a survey for local authorities, as part of the [Understanding Migrant Destitution in the UK](#) study. COSLA's annual survey in 2023/24 indicates that **the number of people with NRPF supported by Scottish local authorities has tripled from 2020/21 to 2023/24, rising from 578 to 1,868 and for families, the increase was fivefold, rising from 66 to 357.** Due to challenges with local authority data collection, these numbers are likely to be an underestimate of the level of need.
- Local authorities are essentially providing a 'parallel welfare safety net' ([Price & Spencer, 2015](#)) for vulnerable people excluded from accessing mainstream benefits due to their immigration status. However, **this parallel welfare system does not receive any central government support and is increasingly dysfunctional**, unable to provide adequate support for the increasing numbers of people facing destitution.
- Whilst NRPF is sometimes seen as a niche policy question, **the growing numbers of people subject to the NRPF visa condition have more than doubled** from 1.48 million people in 2020 to 3.3 million people in 2023. With growing levels of destitution across the UK, **we cannot hope to tackle wider strategic priorities, including ending homelessness, destitution and child poverty, without considering how vulnerable people are impacted by the NRPF policy.**
- The Scottish Government's Ending Destitution Together (EDT) strategy provides a blueprint for the rest of the UK in designing a national strategy to tackle migrant destitution. However, with a significant rise in the number of families supported by Scottish local authorities, there is **an urgent need to synergise the EDT strategy, Scotland's [tackling child poverty delivery plan](#), and the forthcoming [UK-wide Child Poverty Strategy](#)** to ensure Scotland can meet its policy objective of tackling child poverty for all children, regardless of their parents' immigration status.
- There are wide calls from [local government](#), [cross-party parliamentary committees](#) and people with lived experience for a significant reform of the NRPF policy, including a call to end the use of the NRPF condition. **In the meantime, there needs to be significant improvements to fix a patchy and dysfunctional local safety net, including providing central government funding to social care departments, developing local leadership to tackle migrant deprivation and the importance of listening to and including migrant voices when designing services, building on the learning of the Windrush Lessons Learned review.**

## Background

- 'No Recourse to Public Funds' (NRPF) is a UK immigration condition prohibiting access to the welfare safety net, including benefits and housing assistance. **Around 3.3 million people in the UK held visas with the NRPF condition in 2023 ([House of Commons Library, 2024](#)), over double the number of people in 2020 ([Migration Observatory, 2023](#)).** In addition to this number, people with an irregular immigration status, estimated to be between 594,000 – 745,000 people ([Kierans & Vargas-Silva, 2024](#)), also have NRPF by default.

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- The NRPF policy restricts people from accessing most mainstream benefits including Universal Credit as well as passported benefits, such as housing benefit and child tax credit.
- The policy impacts both people with legal status (including European nationals with [pre-settled status](#), student visa holders, [health and care worker visa holders](#),<sup>1</sup> [families on the 10-year route to settlement](#)) and people with an irregular status (including European nationals who missed the EU Settlement Scheme deadline, visa overstayers, [refused asylum seekers](#) and undocumented people).
- For certain groups of vulnerable people facing destitution, **local authorities have a legal duty to provide accommodation and/or subsistence, effectively providing a de facto 'parallel welfare safety net'** ([Price & Spencer, 2015](#)).

## Research findings

- In 2022, COMPAS and the Convention of Scottish Local Authorities (COSLA) co-designed a survey for local authorities as part of the [Understanding Migrant Destitution in the UK](#) study. COSLA's annual survey in 2023/24 indicates that **the number of people with NRPF supported by local authorities tripled from 2020/21 to 2023/24, rising from 578 to 1,868 and for families, the increase was fivefold, rising from 66 to 357.**

	Total no. referrals	Total no. people supported	Total no. children supported	Total no. families supported	Total no. vulnerable adults supported	Total annual expenditure
Reported numbers for 2020/21	908	578	203	66	221	Not Available
Reported numbers for 2021/22	1,343	811	239	83	393	£5.9m
Reported numbers for 2022/23	1,583	1,503	506	269	396	£8.3m
Reported numbers for 2023/24	1,791	1,868	700	357	302	£6.4m

Source: [COSLA Survey of Local Authority NRPF Support \(2025\)](#)

- **However, we know that these numbers are likely to be only the tip of the iceberg.** Due to challenges with local authority data collection, these numbers are likely to be an underestimate of the level of need. In addition, many families remain locked out of local authority support as they may be too fearful to present in case of potential repercussions on their immigration status, and others experience robust gatekeeping from local authorities.
- Across both families and vulnerable adults, we note an **increase post-Brexit in the number of European nationals impacted by NRPF**, many of whom either missed the EUSS deadline or were granted pre-settled status but are not exercising their qualifying right to be able to access public funds. Scottish local authorities saw a 138% increase in the number of EEA nationals referred in 2021/22 compared to 2020/21. One Scottish local authority saw their caseload of EEA nationals jump by 238% from 59 EEA nationals in 2020/21 to 200 in 2021/22. Another Scottish local authority described a *"significant increase in homeless presentations from newly-arrived EEA citizens in 22/23. The biggest group is people from Romania who are arriving in numbers to take up employment in the food processing sector."*
- In comparison to the rest of the UK, **Scotland has spearheaded innovative approaches to tackling migrant destitution at the national level** through the [Ending Destitution Together](#) (EDT) strategy. The EDT strategy, co-owned by COSLA and the Scottish Government, aims to improve the welfare safety net in Scotland by taking a preventative approach to avoid people reaching a point of crisis. COSLA's statutory [guidance](#) for local authorities, written in partnership with the NRPF Network and JustRight Scotland, has built further momentum, helping local authorities to take a more informed and joined-up approach to NRPF. Whilst some individual local authorities in the UK have commissioned legal providers to provide legal advice, **Scotland leads the way as the only UK nation to have taken a national approach, with the Scottish Government, via the EDT strategy, commissioning and funding legal advice and representation to vulnerable communities through a [partnership](#) with the International Organisation for Migration (IOM) to provide immigration advice and representation to vulnerable communities.**

<sup>1</sup> For more information on the financial pressures and precarity experienced by working migrants in Scotland, see Migration Policy Scotland's [Open the Door – Migrants Facing Financial Disadvantage and their Needs for Support](#) (2024) report.

- The pandemic saw a wider visibility for understanding and tackling migrant destitution, with public health being prioritised over migration governance. **Some pockets of good practice emerged across the UK, as some local authorities sought to tailor their approach to provide [early intervention models](#), [alternative housing](#), [increase subsistence payments](#) as well as [commission immigration legal advice](#) to support residents with regularising their status to be able to access mainstream benefits. In Scotland:**
  - As a result of our initial survey, COSLA has issued an **annual NRPF [survey](#) to local authorities for three years running**, generating key aggregate data on the number of case referrals, supported NRPF households and evidencing changes in the profile of people impacted and the increasing level of need.
  - **[Fair Way Scotland](#) is a partnership of third-sector organisations, funded by the Scottish Government, aiming to tackle migrant destitution and homelessness among people with NRPF by advocating for policy and systems change and providing people with a safe place to stay, casework support, weekly cash payments and legal advice to help people regularise their immigration status.** Fair Way Scotland's evaluation<sup>2</sup> evidences that the model provides a lifeline to people facing destitution, however the rapidly increasing demand for support exceeds capacity. The evaluation calls on the Scottish Government to co-invest with independent funders, housing associations, local authorities, and health partners to rapidly scale up Fair Way Scotland in order to meet the demand for support and accommodation ([Watts et al, 2024](#)).
  - The **[No Recourse North East Partnership](#)** includes third-sector organisations (facilitated by staff members of Grampian Regional Equality Council, Shelter Scotland and Turning Point Scotland) as well as representatives from the public sector, e.g. housing advice teams and financial inclusion local authority staff and NHS Grampian Teams. The partnership seeks to share experience and learning with partner agencies, focusing on supporting people with NRPF.
  - Perth & Kinross Council have set up a **[financial insecurity fund for people with NRPF](#)** in crisis to apply for support with day to day expenses for essential items such as food, heating costs, nappies, toiletries and travel costs.
  - Other examples of innovative practice across Scotland are featured in the [Ending Destitution Together Progress Report for 2022–2023](#).
- **However, despite new approaches being piloted, the reliability and provision of social care support is still patchy and inconsistent across Scotland with local authorities declaring "[housing emergencies](#)" and operating on overstretched social care budgets, without any funding from central government for NRPF provision.**
- Despite receiving statutory [guidance](#) from COSLA on assessing and supporting vulnerable people with NRPF, some councils are still uncertain of their legal duties and fail to provide adequate information, accommodation and support for the increasing numbers of people facing destitution.
- **People across the UK with lived experience of NRPF highlighted what a humiliating, distressing and intrusive process it can be trying to get the support that they are legally entitled to** – including families fleeing domestic violence and adults with terminal illnesses who have lived in the UK for decades. In many areas, **third-sector organisations continue to play a vital role in supporting vulnerable people to challenge local authority gatekeeping and provide interim basic emergency support where possible.**
- Whilst local authority support can offer a lifeline to people facing destitution, there is a **significant discrepancy in the subsistence rates local authorities provide. As a result, vulnerable people face a postcode lottery of support across Scotland** and at best, receive significantly below the level they would receive on Universal Credit and in some areas, even below asylum support rates. The COSLA statutory [guidance](#) references case law and the importance of ensuring local authorities follow the 'Getting it right for every child' (GIRFEC) framework, clarifying that children's needs should be considered. However, it does not provide a clear and concise outline of how to apply it in local practice or more recent [case law](#) specifying the level of support children are entitled to.

2 For more information on Fair Way Scotland, see Watts, B., McMordie, L., Bramley, G., Sims, R., Young, G. & Rayment, M. (2024) Destitution by Design: righting the wrongs of UK immigration policy in Scotland. Heriot-Watt University. <https://doi.org/10.17861/D38DX029>

In the Scottish local authorities where we interviewed social care staff, we could not find evidence of a local subsistence policy. Instead families were potentially receiving significantly less than asylum support rates, with deductions based on whether they were accessing food banks:

*"There is no definitive amount provided as there are too many other factors at play. Firstly, we look to see what charities can provide and what other agencies can provide. With regards to using a hypothetical example of a single mother with two children, payments of up to £100 could be provided weekly however this could also be significantly less as they are dependent on whether electricity/gas costs are needed, travel costs, whether food banks have been accessed etc."* (Children's Social Care Team, Scottish local authority)

- Despite the provision of legal advice through the COSLA and IOM partnership for vulnerable people to seek advice on regularising their status or applying to lift the NRPF condition, there are still challenges in accessing legal advice outside of the main cities, and **the current legal advice provision does not meet the increasing demand for advice and support.**
- **With robust social care eligibility criteria to access local authority support, many people are unable to ever access social care, refuges or places of safety, despite presenting with vulnerabilities and at risk of harm.** Whilst some people may be able to access limited short-term support through charities, many may find themselves dependent on exploitative support networks, stuck in abusive relationships or exploitative labour conditions, at an increased vulnerability of debt bondage or facing street homelessness.
- Whilst the Scottish Government's Ending Destitution Together (EDT) strategy provides a blueprint for the rest of the UK in designing a national strategy to tackle migrant destitution, our findings and evidence from [I-SPHERE](#) and [Lawmanity](#) indicate that the implementation of the strategy needs further consideration to achieve more meaningful change. Moreover, there is **very little overlap between the EDT strategy and [Scotland's Best Start, Bright Futures: tackling child poverty delivery plan](#).** The child poverty delivery plan's only mention of children with NRPF includes [funding](#) Child Poverty Action Group (CPAG) to provide a second tier advice line to advisers from other organisations with the most complex queries, including NRPF. The UK government's forthcoming [UK-wide child poverty strategy](#) provides an opportunity for the Scottish Government and COSLA to draw attention to the rapidly increasing number of families with NRPF that Scottish local authorities are now supporting.

## Implications for policy and practice

There are wide calls from [local government](#), [cross-party parliamentary committees](#) and people with lived experience for a significant reform of the NRPF policy, including a call to end the use of the NRPF condition. In the meantime, there needs to be significant improvements to fix a patchy and dysfunctional local safety net and tackle rising destitution. Our implications are organised according to the priority areas in the Ending Destitution Together strategy, to highlight the significant area of crossover with the aims of this strategy.

### 1. Essential Needs

- If local authorities are expected to provide a safety net for vulnerable people, the UK Government should adequately resource them to do so, empowering local government to, at a minimum, meet its legal responsibilities and ultimately develop preventative approaches to tackling poverty and exclusion.
- The Scottish Government should establish minimum Scottish national standards for accommodation and subsistence provided by local authorities, which meet children and vulnerable people's welfare needs, drawing on recent [case law](#) and [NRPF Network guidance](#).
- COSLA should review the statutory [guidance](#) for local authorities to ensure it provides clearer and more detailed steps on implementing policy into practice, including specifying minimum acceptable rates for subsistence, building in the flexibility to adapt to individuals' needs.

- In addition to embedding the COSLA guidance, local authorities should incorporate the [NRPF Network guidance](#) and use the '[support for migrant families web tool](#)' to establish available options for families.
- Until there are clear Scottish minimum national standards, local authorities should develop localised subsistence policies with clear minimum acceptable rates, building in the flexibility to adapt to individuals' needs, drawing on recent [case law](#) and guidance and ensure their homelessness strategy specifically assesses housing need related to immigration status, including people affected by NRPF.
- Local authorities should ensure payment systems for vulnerable people with NRPF are fit for purpose, ensuring payments are regular, accessible and prioritising cash over the use of vouchers to ensure people receiving support have more dignity and choice in providing for their households.
- Building on the example of [Perth and Kinross Council](#), local authorities should seek to set up discretionary crisis funds for people with NRPF if in crisis for support with day to day expenses for essential items such as food, heating costs, nappies, toiletries and travel costs.

## 2. Advice and Advocacy

- Local authorities should address the lack of clear and publicly available information on support available by providing, at a minimum, a publicly accessible page on their website with information about referral processes, access to immigration advice and local community support.
- Building on the COSLA and IOM legal advice [partnership](#), COSLA should consider extending the provision to ensure that people with a precarious immigration status can self-refer for legal advice on routes to regularisation and applying to lift the NRPF condition.
- Local government should build on the IOM commissioned advice model to ensure that local provision meets the identified need and should set up safe spaces with clear firewalls, in partnership with third-sector organisations, for residents to seek advice on routes to regularisation and access to services.
- Both the Scottish Government and UK Government should ensure there is clearer and more publicly available information on the process of applying to lift the NRPF condition, including a more explicit right to appeal refusals.
- Local government should take an earlier preventative approach by proactively reaching out to migrant communities at risk of falling into deep poverty, including information on Home Office fee waivers, change of conditions applications, free school meals and access to childcare.
- In order to meet the demand for casework support from single adults, the Scottish Government need to co-invest with independent funders, housing associations, local authorities, and health partners to scale up initiatives such as Fair Way Scotland.

## 3. Inclusion

- Listening and learning from the voices of people with lived experience:
  - Local authorities should ensure there is a consistent, standardised and sensitive assessment and case management process, treating people with respect and dignity.
  - Both central and local government should apply principles within decision-making and frontline services that promote "fairness, openness and effective care, and embed the idea that people will always be treated with respect and dignity" as recommended in the Windrush Lessons Learned Review and [Social Security Scotland's Charter](#) and actively involve people with lived experience in co-producing and designing local strategy, policy and practice.

- Improving governance structures to tackle poverty and destitution for all Scottish residents, regardless of their immigration status:
  - The Scottish Government should synergise the Ending Destitution Together strategy and the [Best Start, Bright Futures: tackling child poverty delivery plan](#) to ensure Scotland can meet its policy objective of tackling child poverty for all children, regardless of their parents' immigration status.
    - » The Scottish Government and COSLA should ensure the Ending Destitution Together strategy builds in a more specific focus on addressing destitution among children in migrant households.
    - » The Scottish Government should ensure that the next iteration of the [tackling child poverty delivery plan](#) addresses the impact of the NRPF policy on children growing up in Scotland and seeks to find solutions to tackle poverty and destitution for children in migrant households. This should also include updating the [guidance](#) to local authorities on developing an action plan to tackle child poverty to ensure it includes children living in families subject to NRPF.
  - Senior leadership within local government should recognise that failing to tackle migrant destitution prevents being able to address wider strategic priorities including ending destitution, homelessness and child poverty and addressing public health inequalities.
  - Senior leadership within local government should ensure there is a joined-up ending migrant destitution strategy, covering policy and provision across children's social care, adult social care and housing, and that wider council strategies including housing, child poverty, public health, VAWG include addressing the needs of people with NRPF and tackling migrant destitution.
  - Local authorities and health boards should ensure their annual [Local Child Poverty Action Reports \(LCPARs\)](#) describing ongoing and planned action to tackle child poverty at local level include children in families with NRPF.
- Widening entitlement to public funds to support the most vulnerable:
  - The UK Government should remove all discretionary welfare funds, including those designed by devolved administrations, from the list of public funds. This would allow local government to provide discretionary cost of living and emergency support to all residents in need, regardless of their immigration status and would allow devolved administrations to meet their policy objectives, including enabling Scotland to meet its Ending Destitution Together strategy aims.
  - The UK Government should grant mainstream access to those benefits and passported benefits especially intended to support vulnerable people and children to ensure they are open to all children and vulnerable people, regardless of their or their parents' immigration status.
  - The Scottish Government should explore ways of drawing on the example of the Welsh Government, who have used their devolved powers to open up part of their discretionary welfare fund to people with NRPF. As per Lawmanity's [Road Map to Ending Destitution in Scotland](#), this could include advocating to the UK Government for a clear framework on which Scottish funding schemes are added to or removed from the Public Funds list and guidance.

## UNDERSTANDING MIGRANT DESTITUTION IN THE UK

[Understanding Migrant Destitution in the UK](#) is a UK-wide research and knowledge exchange project (2022–2025), funded by abrdn Financial Fairness Trust, exploring the effects of UK immigration policy on migrant destitution in the UK, highlighting the scale and changing face of migrant destitution and the key role of local authorities in providing support. The study involved a mixed methods approach including a survey sent to all UK local authorities, secondary data analysis of administrative data and deep dive qualitative research in seven case study sites, interviewing key local authority staff, local stakeholders and partners as well as with people with lived experience.

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