

Briefing Note on Motions to Full Council on 23 October 2025

Motion 1 to Full Council on 23rd October 2025: Safeguarding Local Communities from Unconsulted Migrant Placements

The term migrants covers a wide range of groups and individuals including those moving to a local authority area from other parts of the country, those moving to the UK from abroad, refugees (for example under the Afghan Resettlement Programme), and those seeking asylum in the UK. It is understood that the Motion specifically relates to individuals who are asylum-seekers.

Asylum seekers are not entitled to welfare benefits, or allowed to undertake paid work. The Home Office is responsible for making arrangements for their accommodation and for their subsistence while their asylum claim is considered.

Local Authorities are consulted by the Home Office or its approved contractors when it is proposed to lease, acquire or otherwise enter into arrangements for accommodation specifically for asylum-seekers in its area. The accommodation may be in hotels, but there is no such provision in Teignbridge, in Houses in Multiple Occupation or individual self-contained properties.

Asylum-seekers are not placed in social housing owned by Local Authorities or Housing Associations and they are not entitled to register or apply for such properties. Asylum-seekers are not entitled to housing assistance under homelessness legislation. The responsibility for providing accommodation where required sits with the Home Office.

Local authorities are not consulted on the individuals placed in such accommodation. Such placements are made directly by the Home Office or its approved contractor. The Council is notified of the name of the individuals placed in the accommodation.

Where asylum is granted by the Home Office the individual or household concerned will normally be given a short period of notice to leave any accommodation provided. They will at this point be entitled to welfare benefits, to seek paid employment and be entitled to assistance under homelessness legislation.

The Council's Responsibilities

Safeguarding **all residents**, regardless of background or immigration status, is a core responsibility of this authority. Where safeguarding concerns are identified, they are addressed through **established statutory processes** embedded within public services, in line with our legal duties.

The Council has various legal responsibilities:

- Its duties under the **Equality Act 2010**, including the Public Sector Equality Duty to eliminate discrimination and foster good relations.
- Ensuring compliance with the **Human Rights Act 1998**, particularly in protecting the dignity and rights of vulnerable individuals.
- Promoting **community cohesion** – this includes countering the risk of any group being stigmatised or marginalised.

The Immigration and Asylum Act 1999 includes provisions in relation to asylum dispersal across the country

Key Local Statistics

- Population 135,000
- 37 asylum seekers currently in dispersal accommodation in our area
- No hotels being used for dispersal in our area
- 0.02% of Teignbridge Population are Asylum Seekers in dispersal accommodation

The Motion identifies three main areas

1. Guaranteeing Transparency

The Council is committed to transparency in all matters relating to migrant placements but this must be within relevant legal bounds, and whilst continuing to support the welfare of all residents. The council operates as a data processor, not a data controller, within the asylum procurement process. Publicly providing the address of an individual property that is being or will in the future be used for asylum dispersal would be in breach of UK GDPR. It is considered a personal identifier in relation to the address and the ethnicity/and or immigration status of a person due to move into this accommodation.

If notified of plans for large-scale dispersal provision (such as the use of a hotel), the matter would be escalated to the Senior Leadership Team, the Legal service, and the Leader of the Council. Collaboration with the Police, Devon County Council, and the NHS would also be required to respond appropriately. To date, Teignbridge District Council has never been approached by the Home Office for this type of provision, and the Government has committed to reducing the use of such accommodation in the future.

For individual dispersal accommodation units the Council's Housing Service is notified when procurement is being considered for a specific property (address only). This information is shared with the Police, NHS, Devon County Council (Education/Refugee Support). To comply with legislation, the Council does not share address details beyond this consultation group, as doing so could prejudice commercial interests and breach data protection requirements.

The Council also has a statutory duty to support the integration and safety of placements and must not breach confidentiality by sharing specific addresses without legal grounds to do so.

If there are concerns about the location of the property, its proximity to other asylum-seeker provision, or the type of provision these will be advised to the Home Office or their contractor.

Personal data about asylum seekers who may subsequently live there is not known at the procurement stage.

To note, the process of notification and indeed final procurement by the approved contractor and the response times required can present issues. Procurement can be protracted leading at times to short notice being given to the Council regarding a proposed property's final procurement and letting. We

will continue to liaise with the approved contractor to try to improve communications and the efficiency of this process.

2. Safeguarding and Refusing Placements

There are established Safeguarding arrangements in place within the Council and across relevant agencies. These are applied to support the welfare of all residents in Teignbridge including asylum-seekers. Should any safeguarding concerns arise at any point in the future these will be addressed through the existing procedures and processes.

The Council does not have the legal power to refuse placements. All placements are made by the Home Office and its contractor, with the local authority notified only immediately prior to the placement. At that point, the Council receives basic personal information (name, household composition, country of origin, and address), which is protected under the Data Protection Act 2018 and cannot be shared.

All placements have an asylum claim submitted to the Home Office and are therefore verified as asylum seekers. The Council is not informed about the method of arrival or progress of asylum claims. When asylum is granted, the approved Home Office contractor notifies the Council, and the household becomes eligible for housing as UK nationals. The Council does not have the authority or information to conduct risk assessments on individual placements.

3. Challenging External Placements

The Council does not have the ability to refuse the placement of any individual person or household in asylum-seeker accommodation in the District. If an issue was to arise with a specific person, we would contact Clearsprings to raise any concerns once the placement had commenced in line with standard safeguarding escalations. However, the Council could bring a challenge about an individual case through judicial review against the Secretary of State for the Home Office. Grounds for challenge would include illegality, irrationality, or procedural impropriety, and may also relate to the suitability of the accommodation provided.

Motion 2 to Full Council on 23rd October 2025: Celebrating the Contribution of Overseas-Born and Asylum-Seeking Residents

Teignbridge District Council Officer Statement. The data provided in relation persons born outside of the UK and humanitarian arrivals under Ukraine and Afghan resettlement schemes have been verified as accurate against the data sources provided by Councillor Palethorpe.

Data from the 2021 census shows that around 7 percent of Devon's population were born abroad.