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ROBINSON, David (2010). New immigrants and migrants in social housing in Britain: discursive themes and lived realities. *Policy and Politics*, **38** (1), 57-77.

# **New Immigrants and Migrants in Social Housing in Britain: Discursive Themes and Lived Realities**

## **Abstract**

The perception that new immigrants and migrants are unfairly advantaged in the allocation of social housing and are gaining access to the sector in large numbers at the expense of British citizens has emerged as one of the most frequently cited injustices of new immigration in Britain. This paper contends that this story-line has sounded right to so many people because it taps into dominant notions of the immigrant as folk devil and a long tradition of scapegoating blameworthy groups for the problems that 'more deserving' groups encounter accessing social housing. Debate around the issue of immigration and social housing is revealed to have all the hallmarks of a moral panic, with exaggeration and distortion raising public concern to a level disproportionate to any clear, apparent or rational threat. This point is reinforced by a review of available evidence regarding the eligibility of new immigrants and migrants to an allocation of social housing and their experiences within the social housing allocation process.

## **Introduction**

Since the early 1990s, the UK has experienced a new phase of immigration, characterised by a marked increase in the number of foreign nationals arriving into the country, from a diversity of countries of origin, who are being allocated to an increasing array of legal statuses that convey different packages of rights and entitlements (Vertovec, 2006). Heated debate has surrounded this new phase of immigration. Initially, attention focused on the

costs and benefits of migrant workers to the national economy and questions about whether the immigration and asylum system was fit for purpose, in the face of rising numbers of people seeking asylum in the UK (Robinson and Reeve, 2006). Soon, however, it also became apparent that new immigration was posing challenges for service provision and community relations. Local service providers, including the police, schools and local authorities voiced concerns about the challenge of resourcing and delivering services in the face of the rapid population change and increasing diversity driven by new immigration (Audit Commission, 2007; Robinson, 2007). Intensifying competition for scarce resources was also reported, contributing to rising tensions and 'cohesion challenges' in some locations (CICC, 2007).

These debates coalesced around the issue of housing and the contentious matter of access to the scarce resource that is social housing. Writing in *The Observer* in May 2007, the Cabinet Minister Margaret Hodge questioned why the needs of immigrant households should be prioritised over the rights of long-standing residents and asked why migrant workers should presume the right to social housing. Her comments sparked a flurry of political and media discussion and debate. Evidence soon emerged revealing that relatively small numbers of foreign nationals, and virtually no migrant workers, were gaining access to and living within the social rented sector (Robinson, 2007; CIH, 2008; IPPR, 2008). This did not prevent the perception that migrants are unfairly advantaged in the allocation of social housing becoming one of the most frequently alleged injustices of new immigration (Phillips, 2007). Picking up on this theme, the far-right frequently placed housing at the centre of its local campaigning, challenging the political establishment for its supposed failure to protect and provide for British citizens (John et al., 2005; 2006).

This paper sets out to explore and challenge this particular narrative, which has come to dominate popular, political and media discourses on new immigration and housing. The

question of why this story-line sounds so right to so many people is considered. Key discursive themes are revealed and juxtaposed against emerging evidence of the lived realities of new immigrant and migrant housing experiences. In particular, the rights and entitlements of new immigrants and migrants to an allocation of social housing and their experiences of applying for, accessing and sustaining a place within the sector are contrasted against common assumptions about new immigrant expectations and actions, landlord practices and housing outcomes.

Discussion begins by providing a brief review of the discussion and debate that has raged around the issue of new immigration and social housing. Attention then turns to the question of why the notion that new immigrants and migrants are gaining access to social housing in large numbers at the expense of British citizens has resonated discursively and sounded right to so many people. Discussion concludes by comparing and contrasting the assumptions inherent within this discourse against the realities of new immigrant and migrant housing experiences applying for and accessing social housing. Throughout the paper, discussion focuses on foreign nationals who have a legal right to reside in the UK and have either moved to the UK to take up permanent residence (immigrants) or have come to the UK intending to stay on a temporary basis, for example, to work (migrants). Social housing is defined as accommodation managed by a local authority, housing association or an Arms Length Management Organisation (ALMO) on behalf of a local authority.

### **New Immigration and Housing: The Emerging Discourse**

Until the intervention of the cabinet minister, Margaret Hodge, in May 2007, housing had only featured on the outer fringes of discussion and debate about the consequences of new immigration, territory occupied by various interest groups, media commentators and far-right political parties. Between 2003 and May 2007, Migrationwatch UK, an independent 'think-

tank' "concerned about the present scale of immigration into the UK" produced 10 separate briefing papers on the impact of immigration on housing in England and the UK. Drawing on headline data relating to net migration, household projections and house building targets, the broad conclusion drawn was that "*high levels of international migration have been a major factor in the housing shortage and have contributed to the rise in house prices which, in turn, has led to serious problems of affordability*" (Migrationwatch UK, 2006). The UK Independence Party (UKIP) picked up on this broad theme, arguing in its manifesto for the 2007 local elections in England that most of the unmet demand for housing was arising from immigration and that as a result "*hardworking local people find it increasingly difficult to afford decent housing*". In response, UKIP called on the government to "*restore proper controls on immigration to ease the demand for housing*" (UKIP, 2007).

In relation to social housing, attention was drawn to the fact that the number of asylum seekers granted leave to remain in the UK far outstripped the number of social rented units being built (Green, 2006). On this basis, Migrationwatch UK (2007) concluded that new immigration was putting "*very considerable strain on social housing*". The local campaigning of the British National Party (BNP) picked up on this point, asking why new immigrants were gaining access to the scarce resource that is social housing at the expense of British citizens (John et al, 2005; 2006). Despite a lack of evidence supporting this assertion, this story-line proved to be rich in political capital, allowing the BNP to successfully forge new political alliances among people who perceived themselves and their life chances to be harmed by new immigration. The BNP presented itself as the fixer of the problem and in doing so secured new authority and power (Cruddas, 2005). For the time being, however, these arguments and assertions remained peripheral to media discussion and political debate about the consequences of new immigration, but that was all about to change.

A hostile reception has greeted the arrival of increasing numbers of asylum seekers and refugees into the UK since the early 1990s (Gilbert and Koser, 2006; Robinson and Reeve, 2006; Smart et al., 2007). In contrast, the far greater numbers of migrant workers arriving into the UK in the early years of the 21st century received a relatively positive press, and were frequently portrayed as hard working, reliable and as making a positive contribution to the national economy (Robinson, 2007). However, as time went by and the full scale of migration, particularly from the European Union accession states, became apparent - 717,000 EU accession state nationals received a National Insurance number, a requirement to work in the formal labour market, between April 2004 and March 2007 - concerns began to be voiced about the challenges raised for service provision and community relations (see, for example, Audit Commission, 2007; Cambridge Police Authority, 2007). It was into this context that Margaret Hodge launched her salvo, with incendiary effect.

Writing in *The Observer* in May 2007, Margaret Hodge pointed to the urgent need to heed the resentments and fears of settled communities aroused by new immigration. Observing that the process of change driven by new immigration can prove “disturbing and painful” for settled communities, she went on to spotlight the issue of housing and to ask two key questions. First, why are the housing needs of a migrant family being prioritised over the entitlement of others, and second, “*if you choose to come to Britain, should you presume the right to access social housing?*” (Hodge, 2007). A flurry of media reports followed Hodge's intervention (see for example, Drury, 2007; Elliott, 2007; Milland, 2007). Attacked by some within her own party for ‘racialising housing allocation’ and ‘using the language of the BNP’ (Morris, 2007), she was lauded by sections of the press for being the first mainstream politician brave enough to ‘tell the truth’ about the impact of immigration on the housing conditions of British people (O’Flynn, 2007). The BNP also heaped praise on Hodge, commenting that “Labour MP Margaret Hodge deserves a word of compliment from the BNP for her efforts to raise the thorny issue of social housing for native Britons, an issue that has

been in our manifesto for years" (quoted in Revill and Doward, 2007). In the absence of any hard data on the number of foreign nationals moving into and living within the social rented sector, various figures were banded about. According to The Mail 10,000 council houses were 'given' to immigrants in one year (Slack and Hickley, 2007), while the Daily Telegraph claimed that 200,000 social homes were given to immigrants in the same year (Cleland, 2007). The conclusion remained the same, however; new immigrants and migrants were gaining access to tax-payer subsidised housing, which is in short supply nationwide, at the expense of British citizens.

Various reports were commissioned to explore the legitimacy of this populist discourse of new immigration and social housing. In June 2007, the government launched the Migration Impacts Forum, in a bid, according to the then Home Secretary John Reid, to "demonstrate that we are listening to people's concerns about immigration" (Home Office, 2007). An early report to the MIF focused on social housing and quoted analysis by Robinson (2007) revealing that less than five per cent of social lettings in England in 2006/07 were to foreign nationals and less than one per cent were to migrant workers from the EU accession states (Roney, 2007). In sections of the media, however, the story remained the same. Indeed, according to the Daily Express, the problem was only going to get worse, for not only were council tenants "seeing homes allocated to immigrants ahead of British families", but "four out of every 10 new homes built will be needed to accommodate the ever growing number of migrants flooding to Britain in the next two decades" (14 January 2008).

The Equality and Human Rights Commission (EHRC) and the Local Government Association (LGA) also commissioned research to address concerns that "white families are cheated out of the right to social housing by newly-arrived migrants" (Phillips, 2007). Research for the LGA quoted the same analysis referenced in the MIF report and concluded that there was no evidence that British citizens are being discriminated against in the

allocation of social housing (CIH, 2008). Analysis commissioned by the EHRC, meanwhile, revealed that less than two per cent of social housing in Britain is occupied by foreign born people who have arrived in the UK in the last five years (183,300) (IPPR, 2008). While in some quarters emerging data about the numbers of new immigrants and migrants living in social housing was taken as evidence that claims about British citizens losing out in large numbers to new immigrants were exaggerated (see, for example, Travis and Wainwright, 2008), the dominance of the populist discourse ensured that for others this evidence merely served to legitimise the concerns raised by Hodge and others. Reporting on the launch of the EHRC report, *The Mail* (9 April 2008), for example, led with the headline "more than a million immigrants live in homes paid for by the taxpayer", a reference to the number of social tenants revealed to have been born overseas, regardless of their length of residence in the UK or citizenship status.

### **The Anatomy of a Moral Panic**

The populist discourse that took centre stage in discussion of new immigration and housing following Margaret Hodge's intervention did not go unchallenged. A more radical discourse was asserted by a number of politicians and housing campaign groups, who, picking up on themes raised by Jon Cruddas MP during his campaign for the Deputy Leadership of the Labour party (see, for example, 'Social housing shortage feeding political extremism', *The Mail*, 18 February 2007), railed against the racialising of housing allocations by the populist discourse and pointed out that social housing is allocated by balancing entitlements against immediate housing need. The real problem, it was asserted, is that this balancing act is taking place in the context of a severe shortage of social housing, resulting in many households in housing need losing out in the competition to access the sector (see, for example, Shelter, 2007).

In contrast to the populist discourse, this radical discourse was able to draw on a wealth of corroborating evidence to back up its claims. Rising house prices and restricted access to mortgage finance had put owner occupation beyond the reach of increasing numbers of households, who had been left with little option other than to rent (Wilcox, 2005). The social rented sector was often the tenure of choice for these households (Fletcher et al, 2008), but the sector has shrunk dramatically in recent years, in both relative and absolute terms. In 1981, the social rented sector accounted for more than 30 per cent of all dwellings in England (a total of 5,208,000 units). By 2006, as a result of the combined effect of a dramatic decline in new build activity and the loss of stock through the right to buy programme, involving the sale of units to sitting tenants, the sector accounted for just 17.9 per cent of all dwellings (a total of 3,936,000 units). The net result was reported to be a waiting list for social housing in England of 1.6 million households, representing an estimated 4 million people (LGA, 2008). Yet, the weight of evidence in favour of the radical discourse counted for little as it struggled to gain any traction in a debate that increasingly took the form of a moral panic (Cohen, 1980), with the exaggeration and distortion generated by the moral entrepreneurs in the media and politics raising public concern to a level disproportionate to the actual challenge faced.

Goode and Ben-Yehuda (1994) outline five general features of a moral panic. First, there is a heightened level of concern about an issue or offending behaviour and its consequences for society. Second, a folk devil is created, whose behaviour is considered threatening to society and therefore represents the target of hostility. Third, there is a consensus that a real threat is posed by the behaviour of this group's members. Fourth, the concern raised is disproportionate to the objective threat posed. Fifth, and finally, the panic is characterised by volatility, coming to the fore apparently out of nowhere, perhaps subsiding equally quickly but often having the capacity to reappear with time. All of these conditions were satisfied by the furore that surrounded the issue of new immigration and social housing.

Heightened concern about new immigration and social housing was clearly evident in the media frenzy that followed Margaret Hodge's intervention. As Trevor Phillips, Chair of the Equality and Human Rights Commission, observed, accusations about new immigrants gaining access to social housing at the expense of British citizens became one of the most frequently cited injustices of new immigration. It also emerged as a concern in public opinion polls. More than half of people surveyed in a MORI poll for the Commission for Integration and Community Cohesion (2007) reported that some groups get unfair priority when it comes to public services like housing. In particular, 'settled communities' (White British and established minority ethnic populations) were found to frequently believe that immigrants and minorities are getting special treatment in the allocation of public services such as housing. Inevitably, these concerns were manifest in different ways in different places, reflecting the localised nature of concern raised by new immigration (Pillai et al., 2007). However, the significant political capital that the BNP was able to extract from the issue - particularly in places where such claims tapped into local insecurities about living with diversity and difference and provided an explanation for the problem of unmet housing need (Hickman et al., 2008; Pillai et al., 2007) - suggests that claims about new immigrants accessing social housing at the expense of 'indigenous people' resonated discursively in many locations.

Concern about the threat posed by new immigration to the housing opportunities of British citizens satisfied a prerequisite for any dominant causal story - it sounded right (Stone, 1989). Immigrants were already an established folk devil, readily identifiable to the public, while accusations about 'queue-jumping' by 'undeserving' groups who were gaining access to the scarce resource that is social housing at the expense of more 'deserving' groups have long featured in discussions about the allocation of the scarce resource that is social housing. It also appears that claims about new immigrants gaining access to social housing in large numbers corresponded with local readings of who was getting what housing. The concerns

expressed were therefore able to move swiftly from the periphery to the centre of debate, quickly being accepted as a justifiable and valid.

During the 1990s, concern about immigration had focused on the issue of asylum, with press portrayals suggesting that the country was being overrun by asylum seekers (Buchanan and Grillo, 2004). The language used was often generalising and inflammatory, perpetuating stereotypes and popular myths about immigrant populations (Barclay et al, 2003; ICAR, 2004; Lemos, 2004; Smart et al., 2007). It was assumed that few asylum seekers were 'genuine' and that most were economic migrants seeking a better life (Gilbert and Koser, 2006). Media coverage frequently spotlighted crimes supposedly committed by asylum seekers and refugees, including abuses of the asylum system, while neglecting to report the far more common incidence of crimes against refugees (Robinson and Reeve, 2006). In this context, and given the influence media reporting on asylum can have on public opinion (Smart et al., 2007), it is perhaps not surprising that asylum and immigration became the most contentious issue in public and political debate in the UK. By 2006, 44 per cent of people surveyed reported that immigration was the most worrying issue facing the country (Ipsos MORI, 2006). The imaginary figure of the asylum-seeker as a threat to well-being and national belonging became ingrained with the national psyche and 'we' learnt to desire and demand 'their' exclusion (Tyler, 2006, p191). In response, the legislature was in a state of perpetual crisis management, trying to secure the border and manage the inflow of foreign nationals into the UK; there were no less than six Parliamentary measures on asylum and immigration between 1993 and 2005 (Vertovec, 2006).

The press coverage and campaigning of the far-right around the issue of new immigration and social housing tapped into this reservoir of ill-will. In contrast to Hodge, who drew a distinction between refugees as 'deserving' and migrant workers as 'undeserving' of social housing, most media coverage and political comment on the issue bundled asylum seekers,

refugees and migrant workers into the catch all category of 'immigrant'. Long-standing stereotypes about immigrants as 'scroungers' out to exploit the generosity of the British welfare state and scare stories about 'indigenous' cultural and material loss in the face of immigration, themes that have raised their head whenever immigration has been discussed in the UK over the last 50 years (Berkeley et al., 2006), were consequently stirred into the discursive mix. The ongoing retreat from multiculturalism and the rise of the cohesion agenda, which emphasised shared values and a common belonging (Flint and Robinson, 2008), lent legitimacy to this heady discursive cocktail. Government demands, for example, that "all who live here should learn our language, play by the rules, obey the law and contribute to the community" (The Home Secretary, Jacqui Smith, quoted in Home Office, 2008a, p5) reinforced the notion that, currently, many new immigrants were not fulfilling these expectations.

The consensus that the threat posed by new immigrants and migrant workers was real and serious was given further weight by the fact that suggestions of 'queue jumping' by 'less deserving' groups is a recurrent theme in popular and political discourses in the allocation of social housing. Rather than following the lead of the radical discourse and asking why successive governments have failed to ensure the adequate supply of reasonable quality, accessible and secure affordable housing, the tendency has been to scapegoat contemporary 'folk devils' who are portrayed as gaining access to the scarce resource at the expense of more deserving groups (Cowan, 1998). In the 1980s, it was single women supposedly getting pregnant to jump the housing queue and secure a council tenancy (Davis, 2003). In the 1990s it was people becoming or posing as homeless in a bid to jump the queue and secure a social tenancy (Lidstone, 1994). Now it was new immigrants and migrants, a viewpoint lent further legitimacy by the ongoing political assault on multiculturalism, which spotlighted the preferential treatment in resource allocation supposedly given to particular groups, including asylum seekers and migrants, which was

portrayed as promoting the separateness that undercuts community cohesion (McGhee, 2008).

Finally, the consensus opinion that new immigration posed a threat that was real and serious was granted further legitimacy by local 'sightings' of foreign nationals gaining access to the social rented sector (Cruddas, 2005; Hickman et al., 2008; Pillai et al., 2007). It is possible to posit at least two explanations for local 'sightings' of new immigrants and migrants in social housing, despite the relatively small numbers actually gaining access to the sector. First, in recent years increasing numbers of minority ethnic households have gained access to social housing. This fact that reflects high levels of housing need within the minority ethnic population and gains made in removing some of the barriers that have historically restricted access to the sector for certain minority ethnic groups (Harrison with Phillips, 2003). It is not difficult to imagine, in the context of fevered local and national political and media speculation about the scale and consequences of new immigration, that a minority ethnic household moving into a neighbourhood to take up a social tenancy could, on the basis of crude notions of difference, be assumed by some settled residents to be a new immigrant household. This is particularly likely in neighbourhoods with little history of accommodating diversity and difference that are struggling to come to grips with an ongoing process of change (Robinson and Reeve, 2006). Second, as a result of right-to-buy sales, private (owner occupied and private rented) housing is now pepper-potted across many social housing estates. By virtue of its location, design and appearance, this accommodation still assumes many of the characteristics commonly associated with social housing. It is therefore possible, if not likely, that some local residents will assume that a new immigrant or migrant moving into this accommodation has been allocated to social housing. Rather than questioning the veracity of these 'sightings', however, the tendency - evident in Margaret Hodge's Observer piece - was to regard them as evidence from the 'frontline' of the real and serious threat posed by new immigration.

The populist discourse dominated discussion not because it was right, but because it sounded right. Resonating discursively, it allowed concern to be expressed that was clearly disproportionate to the 'threat' posed. Only a relatively small proportion of new lettings by social landlords have been to foreign nationals, despite evidence of extreme housing need among refugees and migrant workers (Kofman et al., 2007; Spencer et al., 2006; Markova and Black, 2007, Robinson et al., 2007; Phillips, 2006). However, in the context of a moral panic, figures can be exaggerated or fabricated and undue attention can be placed on particular conditions or explanations (St Cyr, 2003). Attention can therefore be deflected away from more substantive issues - in this case, the failure of housing policy under successive governments to ensure the provision of affordable housing for people in housing need - and responsibility can be apportioned to a blameworthy group - in this case new immigrants and migrants.

### **Beyond Discourse: Eligibility, Application and Outcome**

Evidence regarding the housing experiences and situations of new immigrants and migrant workers has slowly begun to emerge. New immigrants and migrants are being revealed to encounter major problems accessing and maintaining accommodation and to be experiencing poor housing conditions, overcrowding and homelessness, as well as exploitation by landlords in the private rented sector (Blake Stevenson, 2007; Hunt and Steele, 2008; Integration Lincolnshire Limited, 2007; Kofman et al., 2007; Markova and Black, 2007; Nicholson and Romaszko, 2008; Pemberton and Stevens, 2006; Robinson et al., 2007; Somerville, 2008; Spencer et al., 2007; Zaronaitė and Tirzite, 2006). This section draws on this evidence base to consider two recurring themes that underpin the enduring notion that new immigrants and migrant workers are gaining access to social housing in large numbers at the expense of British citizens: first, the presumption that the allocation

process systematically discriminates against the rights of 'indigenous' or 'local' people in favour of immigrant households; and, second, the notion that new immigrants are skilled players of the generosity of the British welfare state, who expect and are gaining access to social housing. These themes are explored through a review of new immigrant and migrant eligibility to an allocation of social housing, the potential for making a successful application, and resulting housing outcomes. Where relevant, discussion is informed by lessons drawn from accumulated evidence regarding previous immigration streams and the experiences and outcomes of minority ethnic households, more generally, within the bureaucratic system that governs the allocation of social housing.

### *Eligibility*

A common discursive theme in contemporary narratives of immigration and social housing is the assumption that the rules and regulations governing the allocation of social housing systematically discriminate against long-standing residents and British citizens. In reality, however, the eligibility of a foreign national to an allocation of social housing is tightly governed by statutory regulations. In 2006, all previous regulations governing eligibility for an allocation of housing under Part 6 of the Housing Act 1996 were consolidated by the Allocation of Housing and Homelessness (Eligibility) (England) Regulations, which came into force on 1 June 2006. The regulations concerned eligibility for an allocation of social housing by persons subject to immigration control and by other persons who are not subject to immigration control but who are treated as persons from abroad. These regulations were subsequently amended by the Allocation of Housing and Homelessness (Eligibility) (England) (No.2) Regulations 2006, which came into force on 1 January 2007. The overall objective of these new regulations, which were introduced in response to the accession of 12 new states to the EU, was made clear in the accompanying supporting statements issued by the Department of Communities and Local Government, which asserted that "*EEA nationals*

*working lawfully in the UK should have access to an allocation of accommodation" (CLG, 2006a) but that "EEA nationals should not be able to come to the UK with no intention of supporting themselves and then have access to benefits and housing assistance funded by the UK taxpayer" (CLG, 2006b).*

Under these regulations, the right of a foreign national to an allocation of social housing was made dependent upon the immigration controls to which they are subject and their resident status. On this basis, three broad groupings of foreign nationals can be identified, each with distinct eligibility rights: nationals of an European Economic Area (EEA) state; refugees; and other non-EEA state nationals.

### ***Insert Table 1***

As Table 1 reveals, the eligibility of migrant workers from the EU accession states are severely restricted. Nationals of these states have to be in registered work or to have secured habitual residence, by working for 12 months continuously, in order to be considered for an allocation of social housing. Available evidence suggests that many migrant workers from the accession states are not registered with the Workers Registration Scheme. Anderson et al. (2006) report that, according to their assessment, half of the 139 accession state migrant workers that they interviewed who were not registered should, in fact, have been registered with the Workers Registration Scheme. Exploring reasons for non-registration, it emerged that the incentives to register were not necessarily clear to migrant workers and that many were unaware of the need to register. In such circumstances, migrant workers are ineligible for an allocation of housing, even when in work, and are unable to secure eligibility by working continuously for more than 12 months. This fact helps explain the reliance of many migrant workers on the private rented sector for a place to live (Robinson, 2007; IPPR, 2008), a situation reinforced by the dependence of migrant workers

on friends , relatives and associates when searching for accommodation and the perception among migrant workers that the private rented sector is more 'flexible' and easy to access (Hunt and Steele, 2008; Robinson et al., 2007). However, the result for some migrant workers, who are unable to find or who lose work, can be destitution and homelessness (Briheim-Crookall, 2006).

The rights of non-EEA nationals to an allocation of social housing are also severely limited, eligibility being conditional on people being habitually resident in the UK and their right to reside in the UK not being subject to limitations or condition. This serves to exclude most non-EEA nationals in the UK on time limited work visas. People who have been given leave to remain in the UK on the basis of an undertaking by a sponsor (such as a person entering the UK on a Spouse Visa) are not eligible for an allocation of social housing if they have been resident in the UK for less than five years and their sponsor is still alive. In contrast, refugees are eligible for an allocation of social housing. However, access to the social rented sector is dependent upon a household being aware of the opportunities afforded by the sector, knowing how to go about making an application and subsequently being deemed to be in housing need and deserving of an allocation by a social landlord. Emerging evidence suggests that refugees and migrant workers are struggling to negotiate this process.

### *Applying for Social Housing*

Contrary to popular notions of refugees and migrant workers as skilled players of the generosity of the British welfare state, available evidence suggests that many are unaware or unclear about the opportunities afforded by the housing system and how to go about accessing social housing (Robinson et al., 2007; Markova and Black, 2007; Experian, 2007). This finding is consistent with evidence of the limited knowledge of asylum seekers and

migrant workers about the UK before arrival (Gilbert and Koser, 2006;). A degree of understanding and awareness can accumulate with time (Markova and Black, 2007), but evidence suggests that knowledge of the housing system can remain limited (Experian, 2007) and that migrant workers can remain convinced that they have no right of access, even when it appears that they satisfied eligibility criteria (Robinson et al., 2007). This situation is not helped by the limited access that many new immigrants and migrant workers have to good housing advice, often because information is not provided in relevant languages or in ways that facilitate access (Experian, 2007; Kofman et al., 2007).

In contrast to migrant workers, the pathway into social housing is more clearly signposted for many refugees. It appears to be common practice for Borders and Immigration Agency staff (and previously National Asylum Support Service staff) and their agents to direct asylum seekers, who are required to vacate their temporary accommodation within 28 days of being granted leave to remain in the UK, to approach the local authority as homeless (Robinson et al., 2007; Phillips, 2006). Some refugees are also able to tap into the advice and support provided by, often long-established, community-led organisations in the area, as well as friends and relatives (Cole and Robinson, 2002). This is not to say, however, that these refugees understand and are able to play by the 'rules of the game' that govern access to social housing.

A lack of knowledge and understanding has long been known to be a disadvantage in an allocation process that has relied on bureaucratic and lettings systems geared more to the administrative convenience than assisting customers (Somerville, 2001; Robinson, 2002). It was hoped that the introduction of choice-based lettings systems, which allow applicants for social housing to apply for vacancies that are advertised, for example, in local newspapers or on a website, would address such problems. This optimism appears to be borne out by a review of the impacts of choice-based lettings, which found that minority ethnic applicants

did not differ from White British applicants in their understanding and use of choice-based lettings (Pawson et al., 2006). However, Pawson et al. (2006) make an important distinction between minority ethnic applicants who are fluent in English and those who possess only limited language skills, who were reported to find it difficult to use choice-based lettings systems without assistance from family and friends or community or voluntary groups. This is a finding of particular significance to new immigrants and migrants, who are often isolated from family, friends and community groups when they first arrived in the UK and possess little or no English language skills. One study of 388 Eastern European migrants in London and Brighton reporting that more than two-thirds described their English on arrival as 'none' or 'basic', although this was reported to improve with time (Markova and Black, 2007). A separate study of Central and Eastern European migrants, involving more than 500 interviews with migrant workers in England, found that almost half of Bulgarian respondents and more than a third of Polish respondents reported speaking only basic English, with similar levels of proficiency in reading English also reported (Spencer et al, 2007). Limited proficiency in English has also been identified as common among asylum seekers and refugees, raising problems for refugees and service providers alike and leading to a deliberate policy of housing asylum seekers in language clusters in a bid to facilitate support (Phillips, 2006).

Presuming that a new immigrant or migrant overcomes these difficulties and makes an application for social housing and is deemed eligible, there is no guarantee that they will receive a tenancy offer. Being a refugee or a migrant worker does not, on its own, constitute grounds for being awarded priority under the terms of the Housing Act 1996, which requires allocation schemes to give 'reasonable preference' to persons who are in greatest housing need. Like all other applicants, the needs of new immigrants and migrants are assessed against a series of priority need categories and unless they are deemed to fall into one of these categories their chances of accessing social housing are limited. This requirement is

likely to restrict access for many refugees and migrant workers by virtue of the fact that, at least in the early years of settlement, most are single people (Audit Commission, 2007).

Local authorities are under no statutory obligation to provide assistance for single people, even if they are deemed homeless, unless they can show that they are vulnerable as a result of old age, mental illness or handicap or physical disability or other special reason. However, left to decide what level of risk of harm is required in order for an applicant to qualify as vulnerable under the homeless legislation, local authorities have tried to limit their duties by enforcing restrictive definitions of vulnerability (Hunter, 2008). The consequence for many single people, including new immigrants and migrants, appears to be difficulties accessing social housing. A recent study of the housing pathways of new immigrants in Sheffield, for example, uncovered cases of people granted leave to remain in the UK and required to vacate temporary accommodation within 28 days, approaching the local authority as homelessness and being deemed not to be in priority need for housing (Robinson et al., 2007). In such cases, the local authority's duty of care only extends as far as the provision of advice and assistance. Concern about rising homelessness among recently recognised refugees has also been expressed in other cities, as a result of people required to leave asylum seeker accommodation having insufficient time to negotiate access to alternative accommodation, particularly if not deemed to be homeless and in priority need (Kofman et al., 2007).

### *Choice and Outcome*

Refugees and migrant workers who are deemed eligible and recognised as being in housing need may still have to wait months or even years for a tenancy offer, particularly in 'tight' housing markets where demand for social housing far outstrips supply (Hickman and Robinson, 2006). Just how long an applicant is able to wait can be an important determinant

of the accommodation they are able to secure. This fact was illustrated by Jeffers and Hoggett's (1995) study of housing allocations in Lambeth and Haringey, which found that transfer applicants were able to wait longer for a tenancy offer than homeless applicants and therefore tended to access better quality accommodation. This fact had a profound discriminatory effect, because minority ethnic households were disproportionately present among homeless applicants, while transfer applicants were overwhelmingly white households. Given that refugee households are disproportionately represented amongst homeless applicants, it appears likely that they will experience the same disadvantage (Phillips, 2006).

It has also been suggested that this disadvantage could be exacerbated by the introduction of choice-based letting schemes, that formalise the process through which households who are in desperate circumstances, such as in bed and breakfast accommodation, are encouraged to opt for accommodation in any area, and to do so willingly (Cowan and Marsh, 2004). Cowan and Marsh argue that this is achieved by providing information that allows 'customers' to assess the popularity of different properties/areas and make decisions accordingly. The more desperate applicants, they argue - which will include asylum seekers required to vacate UK Border Agency accommodation upon receiving a positive decision granting them leave to remain the UK - are always more willing (and if not are sometimes forced through institutional practice, such as reduced bidding rights for homeless applicants) to widen their choice of area and property type, leading to concerns about institutional racism. This prompts Cowan and Marsh to conclude that not all approaches to choice-based lettings sit comfortably with local authority and Housing Corporation obligations to eliminate unlawful racial discrimination.

The impact of such practices on new immigrants was revealed by the study of the housing pathways of new immigrants in Sheffield (Robinson et al., 2007). Somali refugees were

found to have often been offered accommodation on peripheral estates that were largely unknown to them and which they had not identified as a preferred location, despite Sheffield City Council running a choice-based lettings system that, in theory, allows housing applicants to view details on, choose between and apply (or 'bid') for currently available properties to let. These Somali refugees were often keen to remain in the locations where they had been living while in temporary accommodation, with which they had become familiar and where they had built up a network of friends or associates. This same preference for familiar areas close to other community members are also reported by Kofman et al. (2007) in their national study of migrant needs in England. However, advised that turning down the first tenancy that they are offered would result in them losing their 'priority need' status and their eligibility for housing under the terms of the homelessness legislation, the Somali respondents in the Sheffield study typically accepted an offer on a peripheral estate that had little history of accommodating diversity and difference. The result, however, was a sense of injustice, which was compounded by the racist harassment and abuse that some of these respondents experienced upon moving onto peripheral estates that had little history of accommodating diversity and difference.

These experiences are consistent with evidence suggesting that refugees who secure an allocation of social housing often end up in less popular parts of the social rented stock – deprived estates in low demand areas, characterised by poverty, community tensions and crime – that have been left behind or avoided by households able to exercise a greater degree of choice in the allocation process (Carter and El-Hassan, 2003; Hickman et al., 2008; D'Onofrio and Munk, 2003; Phillips, 2006).

## Conclusion

Access to social housing is determined by a complex interplay of four key factors: availability, which reflects the balance between supply and demand; eligibility, which is determined by statutory regulation; personal resources, centred around knowledge and understanding of the application process, but also including issues such as the ability to wait; and allocation policy and practice. Demand for social housing currently outstrips supply, limiting availability. Rather than focusing on the perversity of successive governments overseeing a reduction in the size of the sector, through sales to sitting tenants and a dramatic decline in new build activity, at a time of increasing housing need and rising demand, attention has centred on the issues of eligibility, personal resourcefulness and the rights and wrongs of policy and practice governing access to social housing. This focus inevitably leads to the scapegoating of blameworthy groups who are perceived to be gaining access to the scarce resource that is social housing at the expense of 'more deserving' groups. Where once it was single mothers or homeless people reportedly jumping the queue, the contemporary folk devil is the new immigrant and the migrant worker, people long portrayed as skilful players of the generosity of the British welfare state whose arrival in the UK has frequently been blamed for cultural and material loss within the settled population. Within this context, the suggestion that the allocation process was systematically discriminating in favour of new immigrants and migrants, who were gaining access to social housing in large numbers at the expense of British citizens, sounded right to many people and soon came to be the consensus opinion. The result was a moral panic.

There is little doubt that the rapid pace of change at the local level driven by new immigration can present real challenges (Communities and Local Government Committee, 2008; Robinson and Reeve, 2006). However, this particular panic has been revealed to have little or no association with a clear, apparent and rational threat. There is no evidence to suggest

that the bureaucratic system that governs the allocation of social housing systematically discriminates in favour of new immigrants and migrant workers. Available evidence suggests that new immigrants and migrants, far from being skilled players of the British welfare state, are often unaware of the possibilities provided by the social rented sector and the rules that govern the allocation process. The sector is an important feature within the housing experiences of some refugee households, reflecting their eligibility to an allocation of social housing and the signposting that can serve to direct them towards the sector, but emerging evidence also points to problems encountered negotiating the allocation process and securing and sustaining a positive housing outcome. In contrast, the eligibility to an allocation of social housing of the vast majority of foreign nationals who have arrived in the UK in recent years - migrant workers from the EU and nationals of non-EU states who have either entered the UK on time limited visas or have been given leave to remain on the basis of an undertaking by a sponsor - is tightly circumscribed by statutory regulation. The result is that a relatively small proportion of new lettings made by social landlords are to new immigrants and migrant workers, despite evidence that many new immigrants and migrant workers are in extreme housing need.

Moral panics have a preference for the simple over the complex and a contempt for information and evidence. Their currency is 'commonsense' and prejudice, which in this case tells people that new immigrants and migrants are gaining access to social housing at the expense of long-standing residents. This story line resonates discursively with entrenched notions about 'the immigrant' and the undeserving poor in British society and chimes with local perceptions about who is getting what housing. The local campaigning of the far-right groups has been quick to recognise this fact and drawn heavily on this story line to great effect, particularly in locations where demand for social housing far outstrips supply, leading to new immigrants and migrant workers being blamed for problems which predated their arrival (Cruddas, 2005; Pillai et al., 2007). In contrast, the government has remained

strangely quiet on the matter, declaring no more than a commitment to listen to people's fears and concerns about new immigration (Robinson, 2007). This observed silence reflects the double-bind that the government finds itself in on this issue. On the one hand, confronting the populist discourse and challenging the racialisation of housing allocation risks switching attention to the issue of housing supply and spotlighting the failure of government policy to meet demand for affordable and accessible housing. On the other hand, to blame new immigrants and migrants for the shortage of affordable housing invites further criticism of the government's immigration policy. All the while, resentment within the receiving population is exacerbated, local tensions are heightened, new immigrants and migrants are the targets of abuse, harassment and violence and the far-right secures new authority and power.

Perhaps the government hopes that some sting will be taken out of the issue as the number of foreign nationals entering the UK to live and work reduces. The number of asylum seekers granted leave to remain in the UK is already falling (Home Office, 2008b) and the number of time limited work visas granted to non-EEA nationals is likely to fall following the introduction of the new point-based system in 2008 (Home Office, 2008a). Migration from the EU accession states is faltering and many people have returned home, as it becomes increasingly hard to find secure work in the UK and the financial rewards become less obvious (ONS, 2008; Pollard et al., 2008). However, historically low levels of house building, tighter restrictions on access to mortgage finance in the aftermath of the banking crisis of 2007/08 and projected population growth (ONS, 2007), combined with the enduring popularity of the social rented sector among people unable to secure and sustain a place in the private sector (Fletcher et al., 2008), all point to the likelihood that demand for social housing will continue to outstrip supply. In this context, there will always be potential for the moral panic over new immigrants and migrants in social housing to resurface and grip the

public consciousness, as people cast around for someone to blame for the problems that increasing numbers of households are likely to encounter meeting their housing needs.

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**Table 1 Foreign Nationals and Eligibility for an Allocation of Social Housing**

| Status  |  | Eligibility for an Allocation of Social Housing  |
|---|--|--|
| <b>EEA nationals</b>  | EEA nationals from the 'A8' Accession States (1) | <ul style="list-style-type: none"> <li>• eligible for an allocation of social housing if registered with the Home Office under the workers registration scheme and in work or self-employed (2)</li> <li>• eligible for an allocation of social housing if working history includes a period of continuous work lasting at least 12 months when registered with the Home Office under the workers registration scheme</li> <li>• ineligible if out of work or in work and not registered under the workers registration scheme (unless working history includes a period of continuous work lasting at least 12 months when registered under the workers registration scheme)</li> </ul> |
|   | EEA nationals from Romania and Bulgaria          | <ul style="list-style-type: none"> <li>• eligible for an allocation of social housing when employed and an authorised 'worker' (3)</li> <li>• eligible for an allocation of social housing after working as an authorised 'worker' without interruption for 12 months</li> <li>• ineligible for an allocation of social housing if looking for work</li> </ul>   |
|   | All Other EEA nationals                          | <ul style="list-style-type: none"> <li>• eligible for an allocation of social housing if in work</li> <li>• eligible for an allocation of social housing if habitually resident in the UK</li> <li>• not eligible for an allocation of social housing if not habitually resident in the UK or if right to reside in the UK is derived from his/her status as a jobseeker or the initial right to reside for a period not exceeding three months</li> </ul>   |
| <b>Refugees</b><br>Asylum Process,<br>Resettlement and Family<br>Refugees |  | <ul style="list-style-type: none"> <li>• eligible for an allocation of social housing</li> </ul>   |
| <b>Other Non-EEA Nationals</b>  |  | <ul style="list-style-type: none"> <li>• eligible for an allocation of social housing if habitually resident in the UK and right to reside in the UK is not subject to limitations or condition</li> <li>• not eligible for an allocation of social housing if granted leave to enter or remain in the UK upon an undertaking given by a sponsor (for example, spouse) and resident in the UK for less than five years and sponsor is still alive</li> </ul>   |

**Notes**

1. Poland, the Czech Republic, Slovakia, Hungary, Slovenia, Latvia, Lithuania and Estonia (sometimes referred to as A8 states) and Malta and (Greek) Cyprus joined the EU in 2004. Romania and Bulgaria became full members of the EU in January 2007.

2. In most cases, A8 nationals must register with the Worker Registration Scheme within 30 days of finding work. Working in the UK without being registered is illegal. Some categories of people do not have to register with the scheme: people with leave to enter or remain before 30 April 2004 with no restriction on employment; people who had leave to enter or remain before 30 April 2004, had a restriction on employment and worked within these restrictions; and people who worked legally in the UK for at least 12 months before or after 30 April 2004.

3. Under the Worker Authorisation Scheme, put in place as part of the transitional arrangement developed by the UK government, nationals from Bulgaria and Romania must obtain an accession worker card before starting work in the UK. It is illegal to work without a card. To qualify for a card, a person must have an offer of work. There are some categories of people who do not have to get authorisation under the scheme: people who had leave to enter or remain in the UK on 31 December 2006 without any restriction on employment, or who were given leave after that date; and people who had been working legally in the UK without interruption from 1 January to December 2006. Workers offered employment through the seasonal agricultural workers scheme (SAWS) get a SAWS card. SAWS jobs only last for 6 months and workers on the scheme cannot get the 12 months continuous employment required to qualify as an EEA work.