

## **Baptist churches and welcoming Ukrainian refugees**

### **Appendix – Use of church property and other legal considerations**

#### **Homes for Ukraine Sponsorship Scheme**

Phase one of the scheme launched on 18 March 2022.

Your church may have a residential property or manse which is unoccupied, or your minister may have expressed a wish to use spare rooms in the manse to host Ukrainian refugees. Churches have also been asking us about offering space in their church building or hall for accommodating refugees.

The present priority is for refugees to be accommodated in **residential** property, rather than in other premises used by community organisations, businesses or churches. This is because residential properties will already be habitable, affording refugees greater privacy, proper bathroom facilities and access to local amenities, such as shops and schools. If your church has residential accommodation that could be shared with or made exclusively available to refugees, we would encourage you to register your interest using the links provided [here](#).

It is unlikely that there will be any restrictions in the property trust arrangements for church residential properties to be used in this way. If there are, these would usually be capable of being overcome with a declaration of Baptist model trusts, which you can discuss with your Trust Corporation. Likewise, a loan from the BUC or your Baptist Trust Corporation should not prevent you using your property for hosting refugees but you may wish to check this with them. However, it is important for church charity trustees to consider the use of their properties and whether hosting refugees is in the best interests of the church charity. Your church may consider that offering befriending and integration support to other local organisations supporting refugees or through giving to the [BMS Ukraine Appeal](#) may be a better way to help.

The offer of accommodation should be for at least 6 months and Ukrainian refugees coming to the UK under this scheme will be granted 3 years leave to remain, with entitlement to work and access to benefits and public services. Each host household will be offered an optional 'thank you' payment of £350 per month (for up to 12 months, paid in arrears). It is therefore important to consider your decision to offer your manse or spare rooms with this timescale in mind and with careful thought given to the church's longer-term planning and ministry needs.

We want our churches to be welcoming and safe spaces for refugees and so it is important that you also carefully consider the following issues:

- Will your insurance cover be sufficient? Please read the helpful guidance from the Baptist Insurance Company below.
- If you have a mortgage with a non-Baptist lender, you should check that they would be happy for the property to be used for this purpose.

- If you are renting your residential property from a landlord, you should check to see if you would require their consent to these arrangements.
- Will you have the budget for increased water and energy costs (even with the £350 monthly contribution from the Government)?
- Are all the electrical, gas and fire safety measures (including smoke and carbon monoxide alarms) up to date and functional?
- If more than one household will be living in one residential property, you should check with your Local Housing Authority to see whether the relevant property will need to be licensed as a House in Multiple Occupation (HMO).
- Churches in Wales wishing to provide accommodation in a vacant manse do not need to contact Rent Smart Wales to register as a 'landlord'. We are advised by Rent Smart Wales that if no rent is being paid for properties intended to be made available to Ukrainian families, the properties will fall outside the scope for Rent Smart Wales' purposes. The compensatory payment of £350 per month is not deemed to be 'rent' for Housing (Wales) Act 2014 purposes.
- Is this something the whole church will get behind? It would be appropriate to seek the consent of the church members to these arrangements in a church meeting and to encourage members to play their part in welcoming and supporting refugees.

Phase two of the scheme will be aimed at charities, community groups and businesses and no date has been set yet for the second phase. If, in due course, additional accommodation is required and non-residential property is sought for refugees, churches will need to liaise with their trust corporation and Local Authority in relation to the suitability of the premises for hosting refugees and whether a change of use application will be required. It is very likely that inspections will be made of premises to ensure that they are fit for purpose. Please note the guidance from Baptist Insurance below about the use of church premises and halls. You will be able to indicate on the Government registration form what type of accommodation you can offer.

Any further questions should be directed to your Baptist Trust Corporation. For the BUC, please contact [legal.ops@baptist.org.uk](mailto:legal.ops@baptist.org.uk).

### **Guidance from the Charity Commission**

The Charity Commission has produced some [guidance](#) for charities and trustees responding to the crisis in Ukraine. This provides information about fundraising, participating in aid convoys, complying with financial sanctions and identifying donors, and working with partners. This guidance was updated on 28 March 2022 to include a new paragraph about dealing with a large increase in funding to help respond to the crisis. Together with the Fundraising Regulator, the Charity Commission has also [issued a statement](#) urging the public to give safely to registered charities, such as BMS, helping and supporting those affected by the invasion of Ukraine.

### **Information from Baptist Insurance Company (BIC)**

#### **Home Insurance**

BIC will follow the ABI Guidance on the Housing of Ukrainian Refugees, which is summarised as follows:

*If you are a homeowner in the UK and want to temporarily house refugees who have been displaced from the conflict in Ukraine as non-paying guests in your home, **you do not need to inform your insurer and your cover will remain the same.***

*If your policy is due for renewal within the first 12 months of the refugee(s) living with you in your home, you will not need to tell your insurer when your policy is next due for renewal. Policyholders should be aware of any existing terms that might apply to non-paying guests within their policy and contact their insurer if they wish to discuss their cover or other changes in circumstances. Some insurers have committed to extending cover to include the refugees as members of the household.*

*If homeowners wish to house refugees displaced from the conflict in Ukraine in their second homes, guest homes or rental properties, or for longer than 12 months at their home, they should discuss this with their insurer in the first instance.*

If your church or church members have use of a second residential property, guest home or rental property that is not a private dwelling or property, the use of this other accommodation could be determined as commercial rental / use and would therefore be required to have a current electrical certificate, PAT, fire alarm and FRA. If they are already commercial premises e.g. holiday rentals then they should have these already in place.

### **Church and Charity Insurance**

BIC issued advice to underwriters following the Syrian/ Afghan refugee crisis in 2016. However, the main difference between the Syrian crisis and the current situation in Ukraine appears to be that now people are being encouraged to take refugees into their homes “or other self-contained properties”, **which would generally rule out housing them in churches or church halls, as these are not suitable venues for long-term accommodation.**

Government guidelines state that the accommodation **must be available for at least 6 months, be fit for people to live in, and suitable for the number of people to be accommodated** which may not be the case for church or business premises. Additionally, only 1 payment per address is allowed, which means housing multiple people or families at a church would mean that the church would still potentially only be eligible for a payment of £350 per month.

As the use of “commercial” premises has not yet been specifically addressed in Government and ABI guidance for Ukraine we would expect queries to be more around housing at this stage. If churches are considering putting refugees up in churches, etc. realistically this should only be a short-term measure as Government guidelines clearly state that accommodation must be suitable for occupation up to 6 months duration and a church or church hall would generally not meet this criteria. In addition churches and church halls are now coming back into “normal” use and any occupation of this duration would potentially hinder worship/ letting and hire opportunities.

We would therefore request any use of church premises to be referred into Baptist Insurance (or other insurer your church uses). In general such use would be acceptable, as long as the premises can be suitably adapted for personal, residential use. However, full consideration should be given to the longer-term plan for placing refugees in more normal housing accommodation, to avoid issues in the future.

### **Regional Association/church owned and unoccupied properties**

The guidelines for these will follow that for home insurance above and we would expect churches and the Regional Associations to maintain and inspect these properties periodically. We will require updates on the situation at the renewal of any policies which contain properties being used to house refugees. The point above regarding a current electrical certificate, PAT, fire alarm and FRA for commercial rental may also apply, though this may have already been considered as normal.

### **Storage of donated goods within churches**

BIC have confirmed that this is acceptable. They recommend the usual assessments of safe storage and manual handling and any appropriate fire risk assessment where appropriate, though these are not compulsory under normal circumstances. Churches should be encouraged to move on donations as quickly as possible.

### **Motor Insurance**

Though BIC do not directly write this class of business, the information below issued by the ABI may be of assistance:

#### **1. *Volunteer driving in the UK***

*If you want to use your private vehicle to transport goods around the UK to aid in the humanitarian crisis unfolding in the UK, our members want to support this. **Most customers will not need to inform their insurer and their cover will not be impacted in accordance with the ABI Volunteer Driving Commitments; more details can be found on the website.***

#### **2. *Private Vehicles used for humanitarian aid in the European Economic Area***

*If you want to use your private vehicle to deliver humanitarian aid to other parts of Europe in response to events in Ukraine, our members want to support this. **A UK motor insurance policy will provide, a minimum, third party liability coverage for a period specified in the policy when driving within the 'Free Circulation without Green Card' zone.***

We encourage you to familiarise yourself with regulations around the cross-border transport of goods and abide by any travel advice issued by the Foreign, Commonwealth & Development Office. Please check your policy documents carefully for limits of coverage and policy exclusions.

#### **3. Commercial vehicles used for humanitarian aid in the European Economic Area**

If businesses want to use commercial vehicles to provide humanitarian aid in response to events unfolding in Ukraine, our members want to support this. **Customers with commercial vehicles that have comprehensive motor insurance cover in the UK will be granted comprehensive coverage at no additional charge for any cross-border journeys taken for humanitarian reasons within the [‘Free Circulation without Green Card’ zone](#) for the next three months, until 11<sup>th</sup> June 2022, at which point it will be reviewed.**

Speak with your insurer if you require additional coverage or plan to leave the European Economic Area. Policyholders that are planning to undertake cross border journeys and who would usually not be covered for these journeys under their existing comprehensive policy should inform their insurer of their plans.

### **Conclusion**

In general BIC are following the ABI stance that for 12 months the risk for churches and manse is acceptable, without any additional terms or considerations, and Baptist Insurance will take a generally supportive stance to this situation for its customers and churches.

**21 April 2022**

### **Table of amendments**

<b>Date of amendment</b>	<b>Amendments</b>	<b>Section and page number</b>
18 March 2022	Adding further details re phases of sponsorship scheme and further content about property trusts, multiple occupation and Rent Smart Wales.  New section with guidance from the Charity Commission and Fundraising Regulator.	Homes for Ukraine Sponsorship Scheme, pages 1-2  Page 2
29 March 2022	Update to Charity Commission guidance about dealing with a large increase in funding.	Guidance from the Charity Commission, page 2
21 April 2022	Update from Rent Smart Wales – hosting Ukrainian refugees falls outside the scope	Page 2