



Committee and Date

Cabinet
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Item

Public

Unaccompanied Asylum-Seeking Children National Transfer Scheme

Responsible Officer

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1. Synopsis

This report provides an overview of the duties of Shropshire Council towards unaccompanied asylum-seeking children; how children and young people become the responsibility of Shropshire Council; how they are supported and how this is funded. This report is for information and no decisions are required.

2. Executive Summary

Unaccompanied Asylum-Seeking Children (UASC) are children and young people who are seeking asylum in the UK but who have been separated from their parents or carers.

Every local authority has a duty to 'look after' any unaccompanied asylum-seeking child who is found in their area and to support them through to adulthood.

Local authorities have specific statutory duties to care for and meet the needs of all looked after children and to be a good corporate parent.

The Government initially introduced a model whereby it was deemed reasonable for 0.07% of a Local Authority looked after children population to be asylum-seeking children.

Local Authorities who did not have 0.07% were requested to support Local Authorities who looked after more than this %. Nationally, the majority of unaccompanied asylum-seeking children have arrived on the south coast or in certain local authorities on key transport routes and those local authorities have carried a disproportionate duty of care.

To address the national inequality, in March 2021 the Government backed a revised National Transfer Scheme (NTS) for all Local Authorities to share this duty more fairly. At this stage it is not mandatory, however the indication has been that it will become so if Local Authorities do not participate.

Under The National Transfer Scheme a model has been worked out to calculate a fair distribution for each Local Authority. This is set out in more detail in this report.

Government funding is provided to support the Local Authority in fulfilling its duties to unaccompanied asylum-seeking children and young people. This covers the costs of their placements and statutory education and some staffing costs. There is additional funding for young people accepted under the National Transfer Scheme.

3. Recommendations

3.1 Cabinet is requested to consider the information in this report and support the work of the Children's Social Care and Safeguarding Service in fulfilling the Council's statutory duties and the requirements of the National Transfer Scheme.

3.2 Cabinet is requested to consider what other services or functions of the Council and partner agencies could contribute or assist in settling unaccompanied asylum-seeking children in Shropshire, for example offering a secure base to be cared for, participation in activities, integration into local communities and with other young people and opportunities as care leavers for employment or training and suitable housing.

REPORT

4. Risk Assessment and Opportunities Appraisal

4.1 Risk Management

Unaccompanied asylum-seeking children and young people are all subject to an initial age-assessment and initial Home Office assessment on arrival and also a self-isolation period in respect of Covid.

Their story of their reasons for seeking asylum and of their journey is assessed by the Home Office in determining their status and whether they are granted temporary 'leave to remain', the legal status given to those who can legally stay in the UK. This is permanently decided once they are 18 years old. Children and young people come to the UK from a range of countries, fleeing a range of political regimes, risks to their life or by being trafficked.

A Social Work Assessment is completed, a qualified Social Worker is allocated and regular Looked After Children Reviews take place to oversee their Care Plan. Their assessment includes a risk assessment in respect of risk of trafficking, exploitation or modern slavery. A referral is made to the police National Referral Mechanism if this is suspected.

There are potentially risks arising from the young people feeling alienated, or from other members of the community where they live not understanding their circumstances. Supporting the children and young people to settle, integrate and access education and community opportunities is essential.

4.2 Human Rights

All unaccompanied asylum-seeking children and young people are entitled to the same human rights as everyone else in this country. Their human rights are considered as part of their Care Plan and their status as a looked after child or care leaver.

Asylum-seeking children and young people have a right to be safe and to feel safe. Assessments ensure that any risks in terms of their trauma history, personal safety and their environment are taken into account.

Most young people are separated from their parents and siblings. All efforts are made through the Red Cross to reunite them if possible, or to put them in touch with family members who are often in other countries or refugee camps across the globe. This can take months, or longer and waiting is a worrying and lonely time for the children and young people.

4.3 Equalities

Most unaccompanied asylum-seeking children and young people have particular needs in respect of language, culture and religion. Interpreters and translators are made available, key documents are translated.

Their health assessment and access to educational support are important elements of their care to identify any additional health or educational needs or disability. Many have experienced trauma, either in their country of origin or on the journey to flee their home country.

It can be particularly hard for a child from a different culture to share issues relating to their gender or sexuality. Opportunities for support will be available through the child's care planning processes.

4.4 Community

Most unaccompanied asylum-seeking children and young people have a wish to become integrated into the community in which they settle. They are given access to language classes and opportunities to undertake activities and social events with other looked after young people and care leavers.

We have a UASC Champion, who was a previously looked after child in Shropshire, who is able to be a peer mentor and is able to welcome them and to aid their understanding of the culture, norms and behaviours expected and how to access advice, guidance and support.

Unaccompanied young people are cared for in foster homes, or if no places available residential homes if they are under 16. If over 16 we enable them to live with Supported Board & Lodgings (SBL) carers or Supported Housing. Carers and support staff enable them to understand and utilise their local community-based resources. Young people are supported to sign on with a GP, register with a school or college and apply for their ID card.

4.5 Consultation

The Government consulted widely with all stakeholders in devising the National Transfer Scheme.

Young people are always consulted in making their care plans and pathway plans as care leavers.

5. Financial Implications

Government funding is provided to local authorities for each unaccompanied asylum-seeking child and young person who is looked after.

The funding is intended to cover the costs of supporting unaccompanied asylum-seeking children. This includes the cost of care and education up to statutory school leaving age. In some cases this may not cover the full costs of supporting the child including the cost of staffing to fulfil the statutory duties to a looked after child, eg social worker, Independent Reviewing Officer, Team Manager.

As we accept more Unaccompanied Asylum Seeking Children (UASC) as a result of increasing numbers, there is an increased likelihood that Shropshire Council will have a UASC in need of a residential placement. This is due to national placement sufficiency issues. We know that while a UASC is placed in a fostering or semi-independent placement the weekly funding rate of £798 (£114 per night) is just about sufficient to cover the costs of supporting that child, whereas if a UASC does require a residential placement the Home Office funding falls significantly short of meeting our costs. We are working with supported living providers to try and ensure this is not required. However, if it is then it will be at significant cost to the Local Authority.

Where responsibility for a UASC is transferred between local authorities through the National Transfer Scheme, funding eligibility passes from the entry Local Authority to the receiving Local Authority from the day the UASC transfers into the care of the receiving authority.

The funding reduces post-18 as the majority of young people are granted 'leave to remain' and so can earn money, access education and training grants or claim benefits to contribute to their care and support. There are occasions where there is a lengthy wait in relation to this.

The Leaving Care Team ensure young people are supported to process their claim so that decisions are made as swiftly as possible. There have been Home Office delays in processing claims, although more recently this has improved.

6. Climate Change Appraisal

Not applicable

7. Background

7.1 Who are Unaccompanied Asylum-Seeking Children (UASC)

Unaccompanied Asylum-Seeking Children (UASC) are children and young people who are seeking asylum in the UK but who have been separated from their parents or carers.

Many have fled their home country alone after their family has gathered funds or paid traffickers to enable their child to escape from persecution, war or other threat to their life.

Unaccompanied asylum-seeking children and young people share the same needs as any other child or young person. They wish to be integrated into their new adopted country and many grow to adulthood wishing to 'give something back' to the country that welcomed them.

Most are never able to be physically reconciled back with their birth physically and they live with loss and trauma due to their experiences in their home country and on their journey.

This Government has pledged to continue to support and offer a home to all unaccompanied asylum-seeking children who arrive in the UK and to work in cooperation with our European neighbours post-Brexit.

Children who arrive with their parents are supported as an asylum-seeking family via the Refugee Council and do not need to be 'looked after' as are unaccompanied asylum-seeking children.

7.2 Statutory duties of the Local Authority to Unaccompanied Asylum-Seeking Children

Local Authorities have specific statutory duties to care for and meet the needs of all looked after children and to be a good corporate parent.

Every local authority has a duty to 'look after' any unaccompanied asylum-seeking child who is found in their area and to support them through to adulthood.

The Council has a statutory duty to ensure they have suitable, secure and safe housing, and access to education, training and employment opportunities and healthcare. They are entitled to an equal right of access to services and support and their individual needs are taken into account in respect of any disability, religion, language, culture, gender or sexuality.

While their asylum claim is processed, any unaccompanied asylum-seeking child is cared for by a local authority as a 'looked after child' up to the age of 18.

Post-18 the responsible local authority continues to have a duty to support unaccompanied asylum-seeking young people who have previously been 'looked after' up to the age of 25 if they are granted 'leave to remain' by the Home Office, or they are still waiting for this claim to be processed. This is part of the Leaving Care duties and Responsibilities for a Local Authority.

7.3 National Context

Nationally, the majority of unaccompanied asylum-seeking children have arrived on the south coast or in certain Local Authorities on key transport routes and those local authorities have carried a disproportionate duty of care.

The Government initially introduced a model whereby it was deemed reasonable for 0.07% of a Local Authority looked after children population to be asylum-seeking children.

Local Authorities who did not have 0.07% were requested to support Local Authorities who looked after more than this %.

However, over the last 12 months it has been apparent that this transfer scheme has not addressed the challenge of ensuring a safe home for all unaccompanied asylum-seeking children in the areas where they are initially found.

The Government has calculated that there may be a need to transfer up to 1,400 unaccompanied asylum-seeking children currently being looked after in Kent, Portsmouth and London Boroughs across to other local authorities.

In respect of the current situation in Afghanistan, it is highly likely that the majority of children arriving in need of asylum in the UK from Afghanistan will be accompanied by a parent and will not be looked after as an unaccompanied asylum-seeking child. However, it is likely there will become more children from Afghanistan in the weeks and months ahead.

7.4 The National Transfer Scheme

To address the national inequality, in March 2021 the Government backed a revised National Transfer Scheme (NTS) for all Councils to share this duty more fairly. The West Midlands region supports this scheme.

The National Transfer Scheme and regional Local Authorities have worked on a model for fair distribution for each Local Authority.

The model of distribution which has now been agreed gives greater weighting to factors relating to children's services while ensuring a

significant recognition is also given to pressures from the supported asylum population. The final weightings applied are:

- Child population 25%
- Looked After Children per 10k 22%
- UASC per 10k 10%
- Former UASC care leavers per 10k 10%
- Supported asylum population per 10k 33%

A national rota, divided into 8 cycles, is in place to enable local authorities to adjust and plan for their 'turn' on the rota. Cycle 3 is in progress.

8. Additional Information

Unaccompanied Asylum-Seeking Children & Young People in Shropshire

Children's Social Care and Safeguarding has worked proactively with other Local Authorities in the West Midlands Region to ensure that we offer safe homes for all children who arrive unaccompanied.

We have done so consistently over recent years and responded to children and young people as they have either arrived in Shropshire, or where they have needed to be transferred from their arrival point and we have a resource to offer.

Currently we have 20 unaccompanied asylum-seekers under the age of 18 who are looked after. This number changes week by week and will continue to do so as new children arrive and some reach 18.

Currently in Shropshire we also have 37 unaccompanied asylum-seeking care leavers ages 18-25.

In Shropshire, based on our current number of looked after children, if we were to care for 0.07% as unaccompanied asylum-seeking children, this would be up to 40 children under 18.

Since April 2021 we have taken 15 unaccompanied children/young people, of which 13 have come to us through the National Transfer Scheme and 2 directly from the port.

Due to the low numbers, it is not possible to be specific about their age or country of origin in this report as young people may be identifiable. However, our unaccompanied asylum-seeking young people are mainly, but not exclusively, male, ages 16+ and from Syria, Afghanistan, Iran, Iraq, Albania, Sudan and Vietnam.

There are particular skills and knowledge that social workers have to acquire to support these children and young people, we support dedicated social workers and personal advisors to undertake this work, the

legislation is complex and they require a broad knowledge and understanding of culture, religion, trauma as well as working with interpreters, legal advisors and a range of other professionals. They also have to be alert to a specific range of risks to these young people, as they are vulnerable and at risk of going missing, being trafficked or pulled into modern slavery. We are one of only a few Local Authorities that has employed a UASC Champion to support our young people.

9. Conclusions

9.1. No decision is required from Cabinet but it is requested that the information is noted

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
N/A
Cabinet Member (Portfolio Holder) Kirstie Hurst-Knight
Local Member All members
Appendices <ol style="list-style-type: none">1. The National Transfer Scheme2. Councillors' Induction to Corporate Parenting