

Appendix A: Unaccompanied Asylum-Seeking young person as LAC

1. Who is an Unaccompanied Asylum-Seeking young person?

The East of England Protocol, in accordance with the Home Office definition, defines an unaccompanied asylum-seeking child/young person in the following way:

An unaccompanied asylum-seeking child is any person who, at the time of making an asylum application:

- i) Is under the age of **18**, or in the absence of any documentary evidence, appears to be under 18.
- ii) Is applying for asylum in his/her own right.
- iii) Has no adult relative or guardian to turn to in the UK.

2. Unaccompanied Asylum-Seeking Young People in CBC

In October 2018 Central Bedfordshire Council was accommodating and acting as corporate parent for 42 Unaccompanied Asylum-Seeking Children (hereinafter referred to as “UASC”) under the age of 18 and has corporate parenting responsibilities for a further 63 young people between 18 and 25 years old who arrived in Central Bedfordshire as unaccompanied asylum-seeking young people under the age of 18 and are now care leavers. This is a total of 105 young people.

94% (99) of our UASC and young people are male and 6% (6) are female

The 105 young people come from 12 different countries with 33% (34) having been born in Eritrea, 17% (18) in Iran and 14% (15) in Iraq.

Country of birth	Under 18	Over 18	Total
Eritrea	12	22	34
Iran	5	13	18
Iraq	5	10	15
Sudan	7	4	11
Vietnam	6	3	9
Afghanistan	3	5	8
Ethiopia	1	2	3
Syria	0	3	3
Turkey	1	0	1
Libya	1	0	1
Saudi Arabia	0	1	1
Egypt	1	0	1

3. The Journey of an unaccompanied asylum-seeking child/young person once arrived in the UK

3.1. Arrival

Unaccompanied children and young people seeking asylum usually come to the attention of the police when dropped off by those transporting them to the UK. The Police take them to police stations and contact the local children's services or out of hours (EDT) service. Many of CBC's UASC are dropped off at Toddington Service on M1.

As soon as the notification is received a suitably trained Social Worker will meet the young person on the same day to determine their age and the best accommodation for them,

3.2. Assessment

Many unaccompanied and trafficked children arrive in the UK without documentation or with forged or counterfeit documents. Where the age of a young person is uncertain and there are reasons to believe they are a child, that person is presumed to be a child in order to receive immediate access to assistance, support and protection in accordance with section 51 of the Modern Slavery Act 2015. Where an age assessment is required, local authorities must adhere to standards established within case law. (DoE - Care of unaccompanied migrant children and child victims of modern slavery - 2017)

All the young people claiming to be under 18 when asked by the Police are visually screened by Children's Services Social Workers with the support of translators.

Unless the visual screening strongly contradicts the age offered by the young person they are accepted as unaccompanied asylum-seeking children/young people and become looked after immediately. From that point onwards, they receive all services offered to all looked after children.

In disputed cases, a full Age Assessments is completed by two Social Workers who are both specifically trained to undertake this assessment. In order for an age assessment to be valid, it must comply with the findings of R (B) v Merton LBC [2003] 4 All ER 280 (or what is commonly referred to as the age assessment being "Merton Compliant"), where the Court provides guidance as to the conduct of an age assessment.

A named social worker is allocated to each young person as soon as they are assessed as being under the age of 18 and if they are between the ages of 16 and 18, each young person will have a Pathway Plan. The individuality of our children is reflected in their Pathway Plans which were described in August 2017 by OFSTED inspectors as "providing a rich picture of each young person. Case histories are very detailed. Care leavers are fully involved in producing their pathway plans and their views and experience shine through".

3.3. Accommodation

The young people are visually assessed as soon as possible (on the same day) to ensure they are not spending long periods of time in police custody. After the visual assessment concluded that the young people are under the age of 18, they will be accommodated in a suitably staffed and supported accommodation until a full assessment of their need is completed. This is in majority of cases a fully staffed and supported accommodation. Where possible 16-17-year old UASC are placed in shared housing/semi-independent accommodation with other young people that are of same culture and language. This makes it easier for them to integrate into their new surroundings.

However, if the young person is under the age of 16, they will be placed with foster carers and not in semi-independent or other forms of accommodation.

From this point onwards, the Asylum-Seeking Young People will be treated the same as any other looked after child and the social worker is expected to provide or facilitate the meeting of all the needs of the young person including the statutory requirements for all looked after children and young people.

In the past 12 months, a service level agreement has been implemented with Central Bedfordshire's housing department's independent living team. This team now provide accommodation for 9 UASC age 16 and 17 (39%) and 8 Care leaving UASC (17%) age 18 plus who live independently. These properties are all within the local authority's boundaries, which has a range of advantages to the young people such as access to local support, in particular when they are ready to transition in to their own accommodation. The Leaving care team and the Independent living team are continuing to work together to further increase this offer.

At the time of writing 63% of our UASC young people under the age of 18 reside in semi-independent accommodation and 31% are living with Foster Carers.

3.4. Responsibilities of Local Authority for Looked after Children

Looked after children's physical health and emotional well-being and mental health needs must be addressed.

Appropriate schooling/education is ensured and promoted by the Social Workers/Personal Advisers and Youth Support Service in conjunction with Virtual School.

It is also essential to ensure that LAC children engage in meaningful leisure activities, that they can pursue their chosen religious observance and festivals, that they understand and stay in touch with their cultural roots and that they participate in their local communities and networks. The service works closely with a number of agencies and service providers to promote positive outcomes for all young people in relation to diversity issues (Refugee Council, Home Office, CAMHS, Virtual School, Colleges). We are also using regularly the British Red Cross to help UASC safely re-establish contact with their birth families or other people important to them in their home countries.

All looked after children and young people need to be safeguarded and protected from negative outcomes to which they are vulnerable, such as going missing, exploitation, radicalisation, substance misuse, unemployment or homelessness.

3.5. Specific requirements for UASC

In addition, additional requirements include the need to support them in their appointments with their solicitor and with the Home Office in order to resolve their immigration status.

Often, Unaccompanied Asylum-Seeking Children and Young People need to be supported to learn to speak English. This is addressed by provision of ESOL (English for Speakers of Other Languages). Induction into UK culture is also important. There is a particular need to ensure that this is a positive experience for our young people.

Unaccompanied asylum-seeking children/young people are especially vulnerable to risks of going missing or exploitation. This is particularly so whilst their immigration status in the UK is unresolved for a significant period after they become looked after.

For some unaccompanied asylum-seeking children/young people, their pathway to adulthood is not as clear cut as for other looked after children and young people. For those young people whose residence status is resolved, they become care leavers with access to the same entitlements as other care leavers.

For a smaller group of young people, their residence status is not resolved and become individuals to whom the categorisation “appeal rights exhausted” (ARE) is applied. Put simply, they are awaiting deportation. Currently, following assessment under the Human Rights Act, these young people who are not entitled to work or claim benefits are supported financially by the Local Authority with rent and subsistence and remain part of our cohort of Care Leavers.

Currently CBC supports 6 young people whose appeal rights are exhausted.

4. The National Transfer Scheme (NTS)

The NTS aims to ensure that children can access the services they need by achieving a fairer distribution of unaccompanied children across all local authorities and parts of the UK, through a scheme which is equitable and transparent.

The transfer is done in accordance with section 69 of the Immigration Act 2016, Part 5.

The guidance stipulate that the Local Authorities should support a number of UASC equal to 0.07% of the authority’s total child population. In Central Bedfordshire this equates to 41 children and young people.

5. Statistic data – regional and national comparison

DATE	31/03/2014	31/03/2015	31/03/2016	31/03/2017	31/03/2018	31/10/2018
Total no of unaccompanied asylum-seeking children on this date.	3	18	34	46	39	41
% of UAS of the total LAC population	1.1%	6.6%	12.0%	15.2%	12.5%	12.7%

Since the introduction of the NTS in 2016, the number of UASC children looked after in Central Bedfordshire has stabilised and it remained relatively stable as percentage of the overall LAC population.

In the region, CBC is still responsible for a larger number of UASC than most of our neighbours (only Thurrock is higher) and we have more UASC in the looked after population (12.5%) than our statistical neighbours (7%) and national average (6%).

NAME	Under 18	Total LAC	% UASC that are LAC	% of Total 0-17 population	Date
Bedford	17	237	7.2%	0.04%	31/09/2018
Cambridgeshire	82	737	11.1%	0.06%	31/09/2018
CBC	41	328	12.5%	0.07%	31/09/2018
Essex	119	1086	11.0%	0.04%	31/09/2018
Hertfordshire	100	946	10.6%	0.04%	31/09/2018
Luton	24	370	6.5%	0.04%	31/09/2018
Norfolk	28	1195	2.3%	0.02%	31/09/2018
Peterborough	18	370	4.9%	0.04%	31/09/2018
Southend	11	281	3.9%	0.03%	31/09/2018
Suffolk	78	892	8.7%	0.05%	31/09/2018
Thurrock	47	311	15.1%	0.11%	31/09/2018

East (Total)	565	6753	8.4%	0.05%	31/09/2018
--------------	-----	------	------	-------	------------

CBC	39	312	12.5%		31/03/2018
SN Average			7.1%		31/03/2018
National			5.9%		31/03/2018

6. Conclusion

There is clear evidence that our Unaccompanied Asylum-Seeking children are well supported by their Personal advisers and their Social Workers. This was also recognized by the last OFSTED inspection in 2017 who mentioned:

“Care leavers, including unaccompanied asylum-seeking children, receive a good service. They live in good-quality accommodation and receive effective support from their social workers and personal advisers to help them to feel safe and to make good progress. “

And

“Personal advisers ensure that unaccompanied asylum-seeking care leavers integrate well, meeting their accommodation needs and helping to build their confidence.”

The best testimonial of what it means to be Unaccompanied Asylum-Seeking child is in the video below from the perspective of a young person:

<https://youtu.be/9x0XBqIPVzg>