

Arrangements for Unaccompanied Asylum Seeking Children

To: Children and Young People Committee

Meeting Date: 13th September 2016

From: Executive Director: Children, Families and Adults Services

Electoral division(s): All

Forward Plan ref: Not applicable Key decision: No

Purpose: To update the Committee on proposed changes in the arrangements for Unaccompanied Asylum seeking children and to propose the Council's participation in the new arrangements.

Recommendation: The Committee is asked to agree the Council's participation in the regional transfer scheme for Unaccompanied Asylum Seeking Children

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1.0 BACKGROUND

- 1.1 There has been considerable attention given over the last year to the support that is provided by this county to refugees. In the last few months, the Government has begun to set out its proposals for supporting refugees and which provide a key role for local authorities.
- 1.2 There are three groups of children and families that the Government is asking Local Authorities to consider supporting:
- 1 “Spontaneous” Unaccompanied Asylum Seeking Children (UASCs). These children and young people enter the country illegally. Once identified and following an age assessment determining that they are under 18, the accommodation of the children and young people currently becomes the responsibility of the Local Authority in whose area they are first identified. Cambridgeshire currently accommodates 62 UASCs, who have the same legal status as looked after children.
 - 2 Children/families resettled under the “Children at Risk scheme” run by the Syrian Resettlement Scheme (albeit not limited to Syrians). The scheme focuses on vulnerable children, including young carers, children at risk of child sexual exploitation, child marriage etc. the government has committed to taking 3000 of these children over the next four years. These children might be resettled with their families.
 - 3 Unaccompanied children currently in France, Italy and Greece that were covered by Lord Dub’s amendment to the Immigration Bill. The previous Prime Minister had stated that he was minded to accept this amendment. Further details of the scheme have been promised but have not yet been received.
- 1.3 Cambridgeshire currently looks after 62 UASCs which is a relatively high number compared to other local authorities nationally. A significant factor behind this number is the fact that the county is one of the first stopping points for lorries after the East Coast ports. There has been a significant increase in the UASC population over the last few years as shown below:

Unaccompanied Asylum Seeking Children looked after by the Council

| | 31.3.2011 | 31.3.2012 | 31.3.2013 | 31.3.2014 | 31.3.2015 | 31.3.2016 |
|--------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| UASCs looked after | 15 | 5 | 10 | 5 | 15 | 61 |

(Numbers in earlier years are taken from Government returns which round to the nearest 5)

2.0 Government Proposals

- 2.1 The practice of UASCs becoming the responsibility of the Local Authority in whose area they are first identified has put considerable pressure on a small number of local authorities. Kent currently looks after over 900 UASCs. The Government’s view is that this pressure on a small number of LAs is unsustainable and that a national scheme for the redistribution of UASCs is required.
- 2.2 The Government is looking to Local Authorities to agree to work together on a regional basis to manage UASC numbers. Under proposals published in June 2016, each Authority will be set a maximum number of UASCs it will be expected to accommodate. The limit is set at 0.07 UASCs per 10000 of the child and young person population. For

Cambridgeshire, this represents an upper limit of 92 UASCs. If a UASC arrives in a LA area where numbers are above the 0.07 threshold then they would be reallocated to an LA that is below the threshold and which would become the corporate parent for the young person. The arrangements will initially operate on a regional basis.

- 2.3 The Government is hoping that LAs will agree to participate voluntarily in the scheme but it is proposing to have the powers to make the scheme mandatory if necessary. To support participation, the Government has increased the funding that LAs receive for accommodating UASCs. Rates have increased to £114 per day for under 16s and £91 per day for 16 and 17 year olds, which is now close to the actual cost of provision.
- 2.4 The Government has also stated that it will use the 0.07 figure as a basis for resettling children (and families) under the Children at Risk scheme. The approach could also be used to accommodate any children resettled under Lord Dubs' amendment. Regional funding to operate the scheme has been announced and the Government expects the regional Strategic Migration Partnerships to play a key role in facilitating the new arrangements.

3.0 Implications for Cambridgeshire

- 3.1 Unaccompanied Asylum Seeking Children are very vulnerable children and young people. The fact that they have been able to make their way to this country represents considerable resilience and effort on their part. However, they are away from both their family groups and support networks and their journeys frequently involve exposure to organised criminal activity. There is a significant risk that the young people are criminally exploited even after reaching this country. Therefore the children and young people require support which reflects their individual circumstances and risks they face.
- 3.2 It is difficult to assess definitively the short or long term impact of participation in the scheme compared to future activity levels should the Council not participate. The latest figures indicate that Thurrock, Central Bedfordshire and Peterborough are accommodating more UASCs than their 0.07 limit. At the end of June, Thurrock in particular was significantly above its limit of 28 with 93 UASCs. The Eastern region accommodates 526 UASCs compared to a regional upper limit of 901. It is unlikely that there will be a significant increase in UASC numbers in Cambridgeshire in the short term through participating in the regional scheme. In the longer term much will depend on levels of refugee activity and in particular the extent to which there is an increasing trend for refugees to seek to enter the country via the East Coast ports. However, participation would cap the number of UASCs that the Council would be expected to accommodate to 92. No cap would exist if the Council did not participate.
- 3.3 It is considered that a gradual increase in numbers could be managed. The additional funding for UASCs is welcome and largely addresses a long held concern about a gap between funding rate and actual cost. The number of Looked After Children has stabilised over the last few months and is currently 614. The demand and supply of placements for looked after children remains relatively evenly matched but it is considered that capacity exists to accommodate a gradual increase in UASC numbers. In addition contingency plans are in place should there be a sudden need to accommodate significant numbers of UASCs. In the longer term there are encouraging signs of an increase in the number of potential foster carers.
- 3.4 There remains a concern in respect of UASCs who, on becoming 18, are not given leave to stay. These individuals are not eligible for any benefits and currently local authorities are often the only source of support for them. The point has been made that if local authorities volunteer to become a part of this scheme then it is incumbent on the Home

Office to ensure that it takes timely action to repatriate individuals who are not given leave to stay; this can currently take 18 months to two+ years.

- 3.5 Participation in the Children at Risk scheme can involve the relocation of families and requires active partnership with the District Councils to address housing and other needs. There will also be a need to secure school places etc. Given that the scheme is targeted at children at risk then there is likelihood that social care support will be required on a short/long term basis for families.
- 3.6 Cambridge City Council previously agreed to accommodate a small number of refugee families and County Council services have worked well with City Council colleagues to provide support to these families.
- 3.7 Positive discussions have been had with local groups concerned that more should be done to support refugees including the Cambridge Refugee Resettlement Campaign. Opportunities to increase the profile of opportunities for fostering, developing the provision of language education to UASCs and generally closer working between the campaigns and the Council have arisen from these discussions.

4.0 Next Steps

- 4.1 It is proposed that the Council agrees to participate in the regional scheme. The current arrangements are clearly putting considerable pressure on a small number of local authorities which can only hinder the provision of support and care that these young people require. It is also highly likely that Government will use their powers to make participation mandatory if authorities refuse to take part.
- 4.2 There are potential opportunities through working on a regional basis with other LAs. For example, currently all LAs have to have staff trained to undertake age assessments regional/sub regional working could potentially create expert capacity that is deployed on a regional/sub regional basis. There are also opportunities for the joint commissioning of provision. Participation in the regional scheme would facilitate the development of such arrangements

5.0 ALIGNMENT WITH CORPORATE PRIORITIES

5.1 Developing the local economy for the benefit of all

- 5.1.1 There are no significant implications for this corporate priority

5.2 Helping people live healthy and independent lives

- 5.2.1 As looked after children, unaccompanied asylum seeking children are given the same support and opportunities to live healthy lives and have a positive start to adult life.

5.3 Supporting and protecting vulnerable people

- 5.3.1 Unaccompanied asylum seeking children are particularly vulnerable. Those children and young people that have entered this country before being identified remain vulnerable to exploitation. Those children and families that are potentially eligible for resettlement through the Syrian Resettlement Scheme and the Lord Dubs amendment are often living in circumstances that make them highly vulnerable. The support provided to children and families when resettled to this country recognises this and there is likely to be a need for ongoing support from social care and other services.

6.0 SIGNIFICANT IMPLICATIONS

6.1 Resource Implications

6.1.1 Increases in the rate of funding for new UASCs means that funding and the cost of provision are generally aligned. It is therefore unlikely that participation in the scheme will represent a new significant financial pressure.

6.2 Statutory, Risk and Legal Implications

6.2.1 UASCs are looked after children and therefore the local authority is subject to the same subject to the statutory and legal requirements for their care as any other looked after child.

6.3 Equality and Diversity Implications

6.3.1 In accommodating UASCs, the Council seeks to recognise the cultural backgrounds of the young people.

6.4 Engagement and Consultation Implications

6.4.1 UASCs are encouraged to participate in the Council's arrangements for the participation of looked after children in decision making.

6.5 Localism and Local Member Involvement

6.5.1 There are no significant implications

6.6 Public Health Implications

6.6.1 UASCs are eligible for and support to receive the same targeted health support as other looked after children. Additionally evidence shows that unaccompanied children may have significant physical and mental health needs as a result of their experiences in conflict zones,ⁱ notably:

- Communicable (infectious) Diseases (e.g. Tuberculosis screening and vaccination)
- Nutrition (e.g. anaemia)
- mental health.

| Source Documents | Location |
|--|---------------------|
| Letter to Local Authorities from the Immigration Minister. | Room 222 Shire Hall |

ⁱ Health Needs assessment – Unaccompanied Children Seeking Asylum. March 2016. Coyle R; Bennett S: Kent Public Health Observatory. Kent County Council

| Implications | Officer Clearance |
|---|--|
| Have the resource implications been cleared by Finance? | Yes Name of Financial Officer: M Wade |
| Has the impact on Statutory, Legal and Risk implications been cleared by LGSS Law? | Yes Name of Legal Officer: Lynne Owen |
| Are there any Equality and Diversity implications? | Yes (Identified by Adrian Loades) Name of Officer: Adrian Loades |
| Have any engagement and communication implications been cleared by Communications? | Yes Name of Officer: Simon Cobby |
| Are there any Localism and Local Member involvement issues? | Yes (Identified by Adrian Loades) Name of Officer: Adrian Loades |
| Have any Public Health implications been cleared by Public Health | Yes Name of Officer: Tess Campbell |