

## Children's Partnership Board

13 July 2022

<b>Title</b>	Deep dive report into Unaccompanied Asylum-Seeking Children
<b>Report of</b>	Brigitte Jordaan, Director of Children Social Care, Family Services
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	None
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### Summary

Barnet, like many other local authorities within London, has traditionally had an increasing population of Unaccompanied Asylum-Seeking Children (UASC).

The numbers of young people being accommodated into our care during a 12 month period, in March 2019, was 82 unaccompanied minors, whereas in March 2021, 120 unaccompanied children had been looked after locally. This is an increase of 46%.

Years	Total UASC	Difference
Mar-19	82	
Mar-21	120	+38 (46% increase)

A snap shot of age range of the presenting unaccompanied children as at 1 June, see chart below:

#### UASC coming in to care in Barnet

Age Grouping	2018-19	2019-20	2020-21
11 to 13	1	2	2
14-15	4	12	8

16-17	30	28	25
18+	2	0	0
<b>Grand Total</b>	<b>37</b>	<b>42</b>	<b>35</b>

Unaccompanied asylum-seeking children typically became known to Barnet through:

- Pan – London Rota, or through the National Transfer Scheme (NTS) managed by the Home Office
- Presenting directly at a local police stations, Council Offices or hospital

Up until the age of 18, these young people are considered children in need of care and protection under S. 20 and/ or S. 31 of the Children Act (1989). After their 18<sup>th</sup> birthday, they remain in receipt of services as care experienced young adults until they turn 25.

The usual outcomes of asylum applications are:

Positive Decisions

- Refugee Status
- Humanitarian Protection
- Other leave to remain

Negative Decisions:

- Refusal
- possible appeal

Since July 2020, Barnet has been home to four asylum seeker contingency hotels and the current population (as of 06/06/2022) stands at 992 people. Of these, 207 have been confirmed to be aged under 18, with 73 children under five years old across all hotels. Of the current population all under 18 years are accompanied by their parents. Since the opening of these hotels in 2020, Barnet has received in total 81 referrals for putative unaccompanied children seeking support for the period between July 2020 until June 2022.

Specifically for the last 2 years, 59 referrals were received in total from individuals claiming to be 16 and 17 years old, wrongly assessed as adults by the Home Office, and in need of care and support as children and from June 21 to June 22, 22 putative children originating from asylum seeker contingency hotels have been accommodated by Barnet Council.

#### **Officers Recommendations**

1. That members note the report

### **1. Why this report is needed**

#### **Background to Unaccompanied Asylum-Seeking Children in the UK**

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. While their claim is processed, they are cared for by a local authority. London continues to have the highest proportion of UASC in the UK by a considerable margin and the number of UASC receiving support and assistance from Local Authorities across the capital has increased to 1606 as at December 31 2021.

The table below provides a range of trends, which creates a London picture of newly arrived UASC to the capital.

1) New Arrivals via the Pan London Rota from Croydon Asylum Intake Unit from January 2021 to December 2021

Temporary Accommodation Statistics	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Total
Total number of new arrivals	1	11	8	6	3	7	11	13	6	10	8	9	93
Total number of male new arrivals	0	9	7	5	3	7	9	12	4	9	6	9	80
Total number of female new arrivals	1	2	1	1	0	0	2	1	2	1	2	0	13
Total number age disputed	0	4	0	0	1	1	2	5	0	0	1	1	15
Total No who went missing prior to transfer to LA	0	0	0	0	0	0	0	0	0	0	0	0	0

In addition to the Pan London referrals, a number of UASC present directly to Local Authorities. The table below illustrates those who self-referred directly to Barnet versus the total number of UASC direct presentations across all London Boroughs.

For comparative Pan London information, please see appendix 1

Local Authorities	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21
Barnet	4	2	0	Left Blank	10	7
<b>Total UASC directly presenting each month Pan London</b>	73	62	83	119	102	89

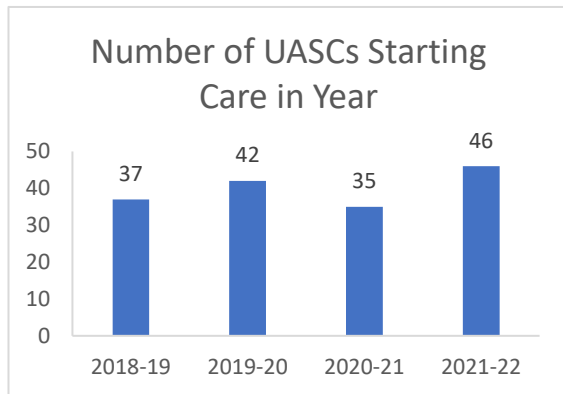
Children and separated young people arrive in the UK by a number of different means, including

- Spontaneous arrivals: most UASC arrive in the UK by their own means and are encountered at their port of entry, at the Asylum Intake Unit in Croydon or are otherwise encountered by police / children's social care. The local authority in which the child first presents is normally responsible for their care
- Dubs. Amendment – resettlement of UASC already in France, Greece or Italy, prioritising children aged 12 and under, at high risk of sexual exploitation and children of Sudanese or Syrian nationality. Transfer to the UK must be determined to be in their best interest.
- Dublin III Regulation – children / close family / dependents reuniting to have their asylum claim dealt with together. The local authority is responsible for undertaking family assessment to ensure the placement is suitable.
- Children are also accommodated in Barnet through the Pan London Rota and the National Transfer Scheme (NTS). The NTS first began operating in 2016 when it was a voluntary arrangement to try and achieve a fairer distribution of children across Local Authorities. In July 2021, following a consultation, it remained voluntary but operated on the basis of a regional rota system. In December 2021 it became mandatory, whereby LAs under the 0.07% threshold cannot refuse to accept referrals allocated to them on the NTS. Pan London rota operates simultaneously to support Croydon and children included in overall NTS allocations.

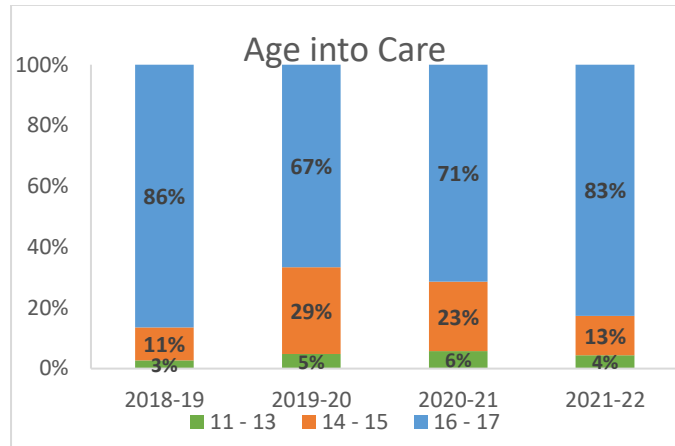
The number of unaccompanied asylum-seeking children and young people receiving a service in any local authority is determined as 0.07% of the child population. There are 98,900 children and young people living in Barnet, and therefore, the UASC population for Barnet is set at 69. Each local authority

receives £114 per child per night as a Home Office grant to provide care and support for these children. Local Authorities over the threshold of 0.07% receive the upper threshold for UASC of £143 per child per night.

The average population of UASC young people in Barnet over the last 4 years is currently 71 (as at 17/06/2022).



Graph 1:



Graph 2:

The above graphs demonstrate the increase of UASC young people coming into the care of the local authority and reflects that the majority of young people coming into care are aged between 16 and 17.

As you will see from the above graphs, there are currently 67 unaccompanied asylum-seeking children supported by the Local Authority, all of whom are boys. The far majority of these children are aged 16 and 17, with a small number aged 14 and 15. The majority (83%) of these children have fled their home countries across the African continent, Syria, Iran, Iraq and Afghanistan. Graph 3 highlights the nationality and cultural background of the UASC young people receiving care from the local authority and demonstrates the trend data whereby the majority (31%) of UASC young people requiring support and assistance from the local authority continue to be from Afghanistan with small numbers of young people coming from Iraq (13%), Sudan (13%), Albania (9%) and Vietnam (8%).

Over the last year (2021/2022) there has been an increase with presentations of children from Iran (24%) and Iraq (11%) and a significant decrease in young people coming from Albania (2%).

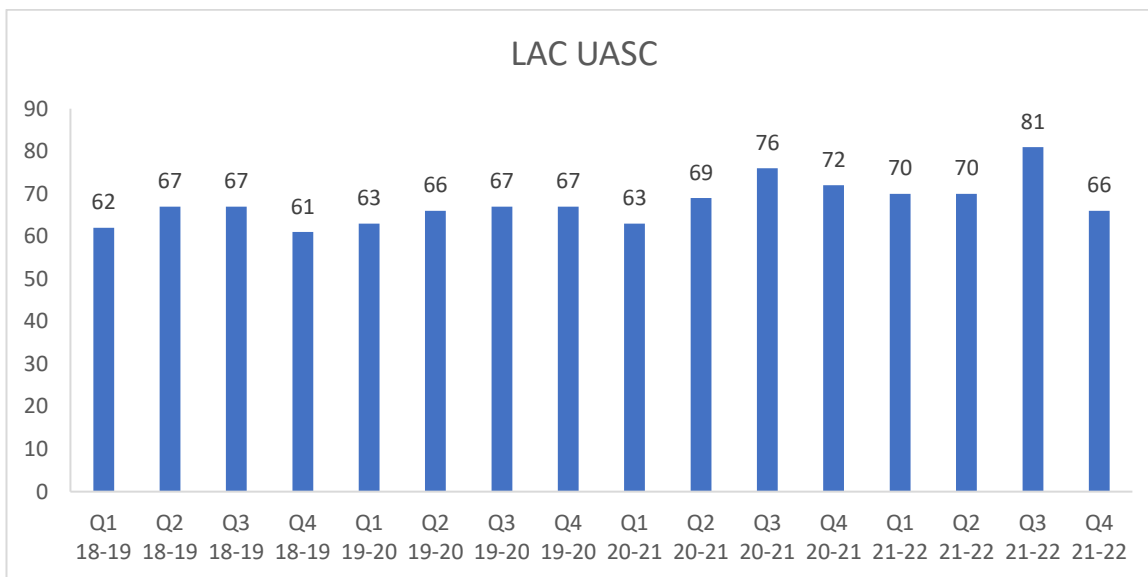
Nationality	2018-19	2019-20	2020-21	2021-22	Grand Total
Afgan	14%	38%	40%	30%	31%
Albanian	22%	14%	0%	2%	9%
Algerian	0%	2%	0%	0%	1%
Chadian	0%	0%	9%	2%	3%
Egyptian	0%	2%	0%	0%	1%
Eritrean	19%	2%	0%	0%	5%
Ethiopian	11%	0%	9%	4%	6%
Guinean	0%	0%	6%	0%	1%
Iranian	8%	14%	0%	24%	13%
Iraqi	0%	5%	0%	11%	4%
Kurdish	3%	0%	6%	0%	2%
Kuwaiti	0%	0%	0%	2%	1%
Nigerian	0%	0%	3%	0%	1%

Not Stated	0%	2%	0%	0%	1%
Pakistani	3%	0%	0%	0%	1%
Sudanese	5%	7%	29%	13%	13%
Syrian	3%	0%	0%	7%	3%
Vietnamese	14%	12%	0%	4%	8%
<b>Grand Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Graph 3:

The below graph (4) shows the increase in accommodating young people in Barnet in correlation to the contingency home office hotels located within the borough. This coincides with the period of lockdown measures and restrictions which on the one part resulted in a drastic reduction of missing children, child protections referrals, S. 47 investigations etc however at the same time did not appear to curb entry into care of self-referring 16- & 17-year-olds from local hotels.

In Quarter 2 of 2020/2021 there were 69 UASC in Barnet requiring support and assistance, however this increased to 76 in the following months linked to the presentation of young people assessed by the Home office as adults and placed in contingency hotels located across the borough. This causality saw the increase in number of UASC young people requiring support as looked after children to 81 in quarter 3 (October – December) at the end of 2021. This number has significantly reduced to 66 in the proceeding 3 months (Q.4 – January – March 2022) generally attributed to the number of young people celebrating their 18<sup>th</sup> birthday with a date of birth of January 1<sup>st</sup>. This is a common date of birth provided to young people who do not know their date of birth and have been ascribed one by the Home Office. This correlation of young people becoming adults is evident in the data of care leavers (Graph 5).



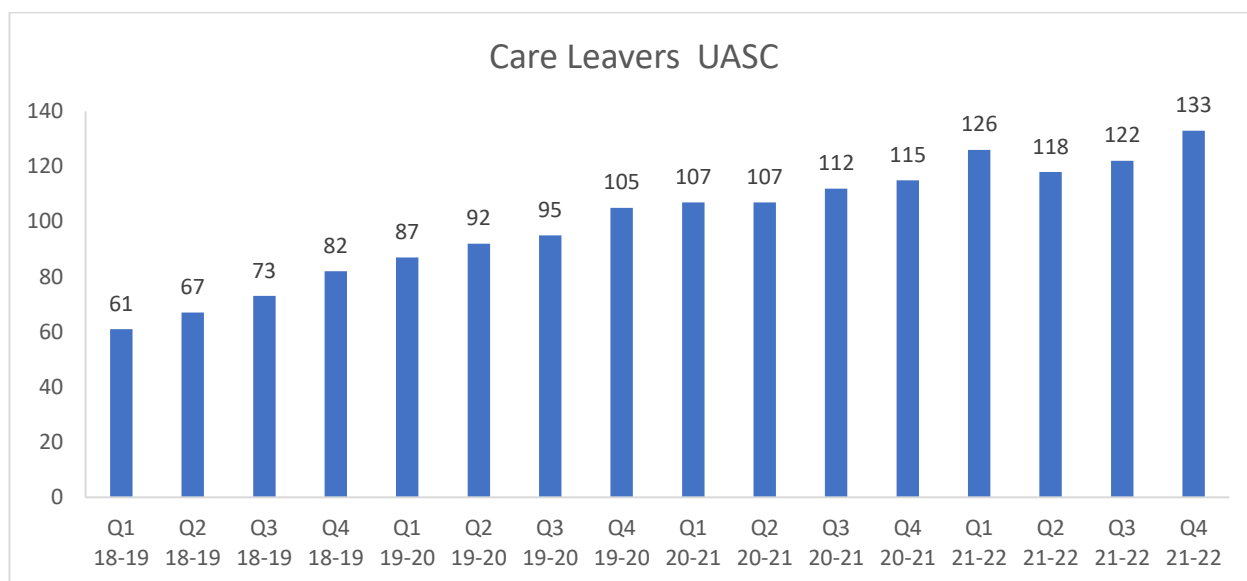
Graph 4:

As of 31/03/2022 there were 339 care experienced young adults open to the leaving service, known as Onwards and Upwards, 133 of these are former UASC. 39% of Barnet's care experienced population are asylum seeking young adults, the wide majority of whom are men. The number UASC coming into the care of the local authority, with a definite correlation to the Home Office hotels, have a direct impact on the rising numbers of former UASC becoming asylum seeking care leavers (see Graph 5).

Most of these young adults will have an outstanding asylum claim with the Home Office and will be awaiting a decision on whether they will remain in the UK. Many of these adults have been in the local authority since they were 15 and 16, and will have formed relationships with friends and intimate partners in the UK.

However, with an uncertain future, and whilst they await for a decision from the home office, or await an outcome of their appeal following an initial negative decision, they will live in the grey areas of uncertainty. This uncertainty impacts on these young adults’ mental, emotional and physical health.

Following their completion of ESOL language classes, they are unable to access further education, although many of them have high aspirations with academic potential, and furthermore, are prevented from accessing the job market and from becoming gainfully employed, as they are unable to obtain the necessary national insurance number. They are unable to access benefits, and are reliant on the £61.05 weekly allowance and provided with temporary accommodation through the local authority emergency housing department. If and when an individual’s asylum claim is granted, they will then become entitled to access Department of Work and Pensions (DWP) statement benefits whilst they look to access employment, education or training, and will also be assessed and banded by Barnet Homes to access their permanent housing offer.



Graph 5:

### Support provided to Unaccompanied asylum-seeking children

UASC children receive the same support and care by the local authority as children born in the UK and who cannot remain in the care of their birth families. However, many require additional support on account of their traumatic and difficult journey to the UK. Young people have reported their journey taking anywhere between 6 weeks to 3 and 4 years, and many young people will describe how their families pay people traffickers and smugglers thousands of pounds to assist their child with safe passage to the UK.

#### Saleem’s story:

***At the age of 14 Saleem’s circumstances in his home country of Sudan changed and he and his family no longer felt safe. He began his long, frightening 7-month journey separated from his family to England where he was told he would be safe and could be happy.***

*Saleem overcame many challenges along the way and even when arriving in England challenges remained. He needed to let authorities know he was here and that he was a child, however he didn’t speak English or know anyone. He was scared and did not know where he would end up. Saleem was taken to a foster family with 2 other Unaccompanied children.*

*Saleem is now 19 years old, he speaks English well and is studying at university. He remains with his foster family under a staying put arrangement. With the support of this foster family, Social Worker and*

*later his Personal Advisor in the Leaving Care Service Saleem has learnt to feel safe and cared for again. He continues to receive support to help with his past trauma, unique to UASCs as a result of their difficult journey and experiences en route to the UK, and support from his Personal Advisor for his asylum application and housing. Now when you ask Saleem to describe himself it is clear that he remains impacted by traumatic events, but he says he is happy, he feels he belongs and is grateful for the support and compassion of everyone who supports him.*

The local authority has responded to the pressure of the increase of UASC requiring care and support through the development of a specific UASC team located within the leaving care service Onwards and Upwards. This team is made up of both social workers working with children and young people under 18 requiring statutory child in care services, and personal advisors to provide support and guidance for those over 18.

## **Education & The Virtual School**

There are currently 23 UASC young people of statutory school age accessing secondary education, the majority of whom are attending Barnet schools.

	<b>2018/ 2019</b>	<b>2019/ 2020</b>	<b>2020/ 2021</b>	<b>Autumn 2021</b>	<b>Spring 2022</b>
Number of UASC	18	25	35	21	23

Table 1

The O&U Service work in partnership with the Virtual School, providing education provision and support to young people with ESOL classes before moving into more mainstream college education. The remaining UASC young people who are not in secondary school, and over 16, are likely to be attending college and participating in an ESOL program to assist with their language skills. Barnet virtual school has partnered up with Whitefields School to develop a specific UASC pathway into education, that also seeks to support these young people with their understanding of life in the UK and the British values.

The UASC Working Group, a collaborative partnership with the virtual school and Barnet Onwards & Upwards is well established. The new post-16 education booklet (translated into 6 languages) which has been created to help new Unaccompanied Asylum Seekers to understand the education system more effectively was shared with key stakeholders and young people. A video is also being developed to support those young people who may be illiterate in their own language. A mapping document providing information to school and colleges on how to recognise, assess and refer UASC young people where concerns about learning needs arise has also been developed. A workshop is in development for local schools and colleges to further promote this document and to encourage our education colleagues to feel more confident about how to access support for UASC young people.

### **Clinical Support:**

Children and young people are also supported through the specialist UASC clinician from Barnet Integrated Clinical Services (BICS) recognising the specific challenges that young refugees and asylum seekers have faced and continue to face on their journey's to seeking safety.

*The hope is that this pathway will positively impact how young people engage with their own wellbeing. We aim to listen to young people who have travelled to the UK for safety, to learn from them and understand how we can contribute to improving their future outcomes. We promote wellbeing and the reduction of symptoms of emotional distress using trauma and attachment informed approaches that facilitate cultural integration and the strengthening of social identity.*

We offer a range of specialised individual interventions and targeted, community-based groups to help promote wellbeing and optimal mental health, that children and young people can access while within, and after the asylum-seeking process.

The BICS clinician also works closely with our social care colleagues and other multi-agency colleagues, providing consultation and support. Over the last 8 months, the mental health care pathways for asylum seeking and refugee young people have increased the capacity to offer psychologically informed screening and early intervention through partnership working.

Historically, BICS received several referrals from GPs following initial health assessments (IHA). These referrals were often inappropriate or lacking in enough information to make clinical decisions and so, a targeted, partnership working approach was developed with a system in place to routinely attend all UASC Initial Health assessments, providing an initial mental health screening. This is to support early intervention and detection.

Since mid-November 2021, the UASC psychologist has accepted 22 referrals appropriate for psychological support. This work has included

- Nine young people who were of significant enough complexity to be offered multiple consultations over time.
- Nine young people were offered psychological assessments, with the view to exploring their suitability for talking therapy within BICs
- Eight young people have engaged/are engaging in some form of psychological therapy within BICs

## **Background to contingency hotels in Barnet**

The UK has a statutory responsibility to provide people, who have entered the country seeking asylum, with temporary accommodation and subsistence expenses while their claim is being considered. This is in accordance with the Immigration and Asylum Act 1999. The responsibility to provide this support lies with the Home Office.

When asylum seekers arrive in the country, a number of commissioned accommodation providers working under contract from the Home Office disperse them into temporary housing (known as dispersal accommodation or DA). The Covid-19 pandemic caused a bottleneck in this process. In order to maintain social distancing and avoid making people homeless during the pandemic, all decisions on asylum claims were paused for most of 2020. This greatly increased the demand for dispersal accommodation, with huge numbers of people being held in the system while awaiting the outcome of their claims.

As a stop-gap solution, asylum seekers began being accommodated in hotels, which were otherwise unused due to lockdown restrictions. These are known as contingency hotels. Around half of the contingency hotels being used are located in London.

Despite Covid restrictions lifting, and asylum claims once again being considered, the hotel population remains high. As of 13 May 2022, there were 12,625 people accommodated in contingency hotels across 23 London boroughs. Barnet's contingency hotel population currently stands at 992 people, accommodated in four hotels. As a result of the increased asylum seekers population in Barnet, the local authority received an increase in UASC referrals from solicitors and other charity organisations in the borough, supporting individuals who were initially identified as an adult, and now claiming to be a child. For many, an age assessment is required, as they have no documentation or paperwork to confirm their claimed age, or the age the Home Office has determined them to be.

As of May 2022, 30 of the 67 UASC young people accommodated by the local authority had initially been placed in Home Office accommodation following being assessed by Home Office officials as an adult upon their entry into the UK. A proportion of the hotel referred cohort have also aged out of care and are now being supported by the Onwards and Upwards Service.



## **The impact of contingency hotels on Barnet's Unaccompanied Asylum-Seeking Children (UASC) population**

The volume of asylum seekers being accommodated in Barnet has a consequent impact on the numbers of young people entering Barnet's care system as UASC. As most UASC do not have recourse to public funds at 18, the local authority remains fully responsible for the cost of their subsistence and accommodation until their asylum application is finalised or until they are 25. This means that the financial burden of this increased UASC cohort will be felt by the council for several years to come.

### **Age assessments**

A snapshot of the current cohort: 30 have been referred from a contingency hotel where they had initially been accommodated as an adult. Of these, 26 were identified as requiring an assessment of age. Following the age assessment only eight were confirmed as adults and referred back to the Home Office. Therefore, a large majority of the UASC accommodated in Barnet have been assessed as adults by the Home Office on arrival in the country and this judgement is consistently disputed and challenged by the young people and their legal representatives. The age disputes increase the overall workload and impose demand for the Local Authority to fund independent Merton compliant age assessments as well as subsequent legal challenges and Judicial Review.

The local authority age assessment process is costly and time consuming. It has to be conducted along guidelines set by the Merton Judgement<sup>1</sup> by specially trained social workers. Barnet has already had to recruit two new social workers to accommodate this additional workload. Further costs can be incurred if an asylum seeker mounts a legal challenge to the age assessment. Defending a Judicial Review is costly and difficult as age assessments are not scientific exercises but are determined through the experienced professional views of social workers which may differ between workers and young person's narrative tends to change with time.

## **2. Reasons for recommendations**

2.1 This report was a requested agenda item.

## **3. Alternative options considered and not recommended**

3.1 None

## **4. Post decision implementation**

4.1 There is presently no implementation of changes to be agreed.

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<sup>1</sup> In [R \(B\) v Merton \[2003\] EWHC 1689 \(Admin\)](#), the High Court set down broad guidelines as to how age ought to be assessed in respect of unaccompanied minors who arrive in the UK without documentary evidence to prove their age. The court confirmed that the local authority "cannot simply adopt a decision made by the Home Office" and outlined a number of criteria for a lawful assessment.

## **5. Implications of decision**

### **5.1 Corporate Priorities and Performance**

5.1.1 The council has a responsibility to ensure the welfare of all residents regardless of their status. We are committed to ensuring the best possible life chances for adults, children and young people in Barnet, especially those facing disadvantage.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 The impact of the contingency hotel population on council finances is significant and outside of established budgets.

5.2.2 In September 2021 the Chief executive wrote to the Director General for Asylum and Protection at the Home Office stating that to date, the council had incurred costs of over £600,000. At least another £200,000 has been spent since that letter was written and there remains both an ongoing financial burden as well as continued future pressure.

### **5.3 Legal and Constitutional References**

5.3.1 None

### **5.4 Insight**

5.4.1 Data in this report is provided by Clearsprings Ready Homes and London Councils.

### **5.5 Social Value**

5.5.1 N/A

### **5.6 Risk Management**

5.6.1 The contingency hotels pose a potential risk to community cohesion and are a potential target for far-right groups. The council is alert to this risk and monitors it carefully. We do not publicise the names or specific locations of the hotels and have on one occasion advised the Home Office not to stand up a further contingency hotel due to the likely tension it could generate in that neighbourhood.

### **5.7 Equalities and Diversity**

5.7.1 Asylum seeking children and children separated from their families are an extremely disadvantaged group by their very status. The population also comprises people with numerous intersecting protected characteristics.

### **5.8 Corporate Parenting**

5.8.1 This report concerns the increased pressure on the council's Children's Care service. Asylum seeking young people make up a disproportionately high number of our care cohort and care-leaver population. This mostly a direct result of the contingency hotels.

## 5.9 Consultation and Engagement

- 5.9.1 Informal engagement with asylum seekers takes place on a regular basis through the outreach support services we commissions.
- 5.9.2 More formal engagement is planned as part of a health needs assessment being delivered by the council's Public Health team.

## 5.10 Environmental Impact

- 5.10.1 There are no direct environmental implications from noting the recommendations. Implementing the recommendations in the report will lead to a positive impact on the Council's carbon and ecology impact, or at least it is neutral.

*Note: Officers may revise this statement if they are aware of any environmental implications as a result of their recommendations.*

## 6. Background papers

- 6.1 None