

<b>20 February 2024</b>		<b>ITEM: 5</b>
<b>Hidden and Extreme Harms Prevention Committee</b>		
<b>Corporate Parenting Committee Annual Report 2022/23</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Non-Key	
<b>Report of:</b> Corporate Parenting Committee		
<b>Accountable Assistant Director:</b> Janet Simon, Assistant Director of Children's Social Care and Early Help		
<b>Accountable Director:</b> Shelia Murphy, Executive Director for Children's Services		
<b>This report is</b> Public		
<b>Version:</b> Committee		

## Executive Summary

This report updates committee members on Unaccompanied Asylum Seeking Children (UASC) looked after by Thurrock Council. Corporate Parenting responsibilities are inclusive of UASC who are a subset of the Children Looked After. Good corporate parents, just like all parents, need to understand and know what is happening to their children and young people.

Unaccompanied children arriving in Britain are particularly vulnerable to exploitation given that they may have had contact with an organised criminal gang as part of their journey into the UK and will likely not have an established support network in the country.

Members should be aware the number of Unaccompanied Asylum-Seeking Children looked after by Thurrock Council is capped at 44 children. This is to ensure a fair distribution nationally of unaccompanied children. As of 31 December 2023, there were 45 unaccompanied children looked after by Thurrock Council. Thurrock also support young adults as care leavers who arrived as children. As of 31 December 2023, Thurrock Council was supporting 100 care leavers who were formerly UASC, which is 38% of the care leaving population.

## Commissioner Comment:

n/a

## 1. Recommendation(s)

**1.1 That Members of the Committee are advised of the potential harms faced in relation to Unaccompanied Asylum-Seeking Children presenting to Thurrock and review the work done to safeguard them.**

## **2. Introduction and Background**

2.1 Unaccompanied Asylum-Seeking Children (UASC) arrive in the United Kingdom often following a long and dangerous journey where they may have been at risk of distinct types of abuse and exploitation, which can often leave them traumatised. A UASC is a person below the age of 18 who arrives in the UK seeking Asylum who has no adult with responsibility for their care. This includes minors who are left unaccompanied when they have entered the UK and is a person who:

- a) is under 18 years of age when the asylum application is submitted.
- b) is applying for asylum in their own right; and
- c) is separated from both parents and is not being cared for by an Adult who in law or by custom has responsibility to do so.

A child who is outside his/her country of origin and separated from their Primary carer may:

- be on their own
- have come with a relative who abandons them
- have been sent away by parents for their own safety
- have been trafficked

2.2 Local Authorities across the country have the task of receiving these children, identifying who they are, their specific needs and ensuring that appropriate support is offered to keep them safe. Local authorities support young people with their legal and immigration status and help them to settle into their new circumstances, achieve in education or training and reach their potential.

2.3 Appendix A contains a fuller description of the relevant processes Thurrock follows in respect of unaccompanied asylum-seeking children.

## **3. Issues, Options and Analysis of Options**

### **3.1 National Quotas:**

There continues to be small numbers of UASC entering Essex ports. This has continued to be the case since August 2020 as the preferred route is through Dover with high number of Asylum seekers crossing the channel on small boats. Information shared by police colleagues suggest that the success rate for an asylum seeker coming into the UK via small boat is thought to be around 50%. Success rates for Asylum seekers entering via Lorries is thought to be around 10%. This has increased the number of arrivals nationally with most arrivals occurring in Dover.

In Thurrock this is beginning to change with all of the 40 new arrivals into the UK via Thurrock this year (between 01 February 2023 – 31 January 24) being spontaneous arrivals into Thurrock; compared to 10 of the 31 in the same period during the previous year having been transferred into Thurrock via Kent.

For equitable distribution of UASC arrivals Central Government have implemented the National Transfer Scheme (NTS). At the end of August 2022, the thresholds for the number of UASC that each Local Authority is responsible for were increased from 0.07% to 0.1% of the child population. This means that the previous maximum number of UASC Looked After by Thurrock has risen from 31 Children to 44 Children. This has some implications:

- An increase in Thurrock's CLA population with an additional 13 Unaccompanied children.
- An impact on caseloads in the Children Looked After Teams and for Personal Advisors in the Aftercare Team as most young people are aged 16+.
- Additional pressure on our placement resources within the context of a national shortage of placements.

Given established transport links, unaccompanied asylum-seeking children are more likely to enter the country through a limited pool of Local Authorities. Thurrock is one such point of entry due to its geographical location, two established ports and busy motorway services. There has been a minimal increase in the number of UASC entering Essex Ports during 2023 but the preferred route has remained through Kent via small boats. In order for equitable distribution of UASC arrivals Central Government have implemented the National Transfer Scheme (NTS).

Thurrock are currently at/above quota in terms of the number of UASC for whom we hold parental responsibility. New arrivals into Thurrock are now being transferred to other Local Authorities under the NTS.

### 3.2 **Trafficking and exploitation:**

One of the risks to UASC when they arrive in the UK is from organised trafficking and exploitation. In some cases, children may have been supported to journey to the UK by organised gangs for a fee or possible exploitation and involvement in criminal activity.

A lot of emphasis is placed on initial relationship building and engagement with new arrivals in Thurrock. There is a comprehensive package of support including:

- Direct work and follow up visit within 24hrs and again within 1 week.
- Initial needs assessment – to help understanding the young person's needs
- An education offer comprising of:
  - Personal Education Plan paperwork to progress into education
  - e-learning resource list
  - commissioned online learning resource
  - A minimum of 5 hours online tuition per week

The impact for children from this model of practice can be seen in the reduction of cases with missing or exploited UASC. Thurrock have, on more than one occasion, presented this model of practice as an example of good practice at Ofsted training events.

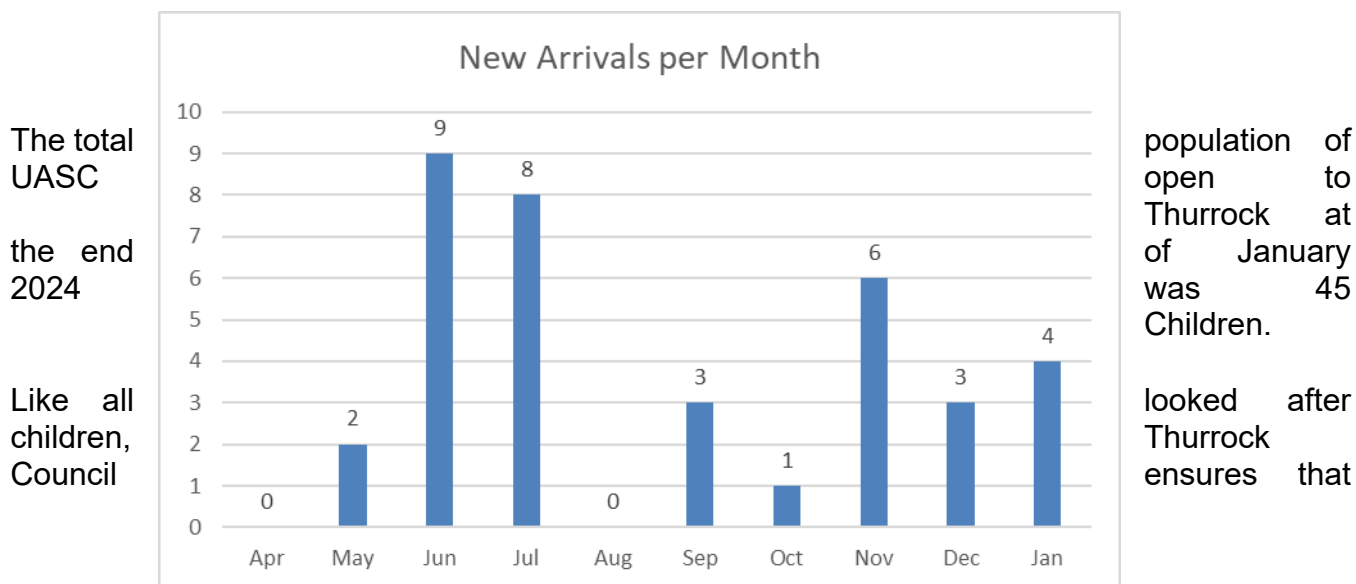
### 3.3 **Multi Agency Safeguarding**

An important aspect to the work to address issues of exploitation is joint working and sharing of information with the Police and Border-Force colleagues. Information shared in the Organised Immigration Crime meeting helps us to understand and address current trends.

This kind of information helps to inform our plans and risk assessment, and that social workers and carers are aware of children who may be particularly vulnerable so that they can be vigilant. Engagement in this forum has helped us to advocate on behalf of Thurrock’s missing children with focus on challenge, joint planning and disruptive actions to prevent episodes for children who might be at risk of repeat missing episodes.

### 3.4 Data on arrivals of Unaccompanied Asylum-Seeking Children (UASC)

Between 01 April and 31 January 2024, there were 36 new UASC arrivals into Thurrock. All of these entered the UK via Thurrock.



The total UASC population at the end of January 2024 was 45. Like all children, Thurrock Council

looks after children in Thurrock to ensure that

unaccompanied children have an allocated social worker who visits them regularly. They are supported with an appropriate placement, a personal education plan, an assessment of their mental and physical health. Unaccompanied children may have a range of needs, vulnerabilities, resilience and aspirations. Thurrock Council provides a specialist CLA team to ensure care plans are developed that meet these needs. This is in line with our statutory duties as a local authority.

For those over the age of 18 we continue to provide support via our After Care Services. This offers each young adult a pathway plan which is produced with them. They are offered support in respect of the education, employment, housing and health needs. Services are provided by Thurrock’s Housing, Education and Adults Social Care as appropriate. Again these services are provided in line with our statutory duties and consistent with the services provided to all care experienced young people.

#### Missing UASC

Between 01 April 2023 and 31 January 2024, there were 24 missing UASC episodes, related to 12 young people. Clear protocols are in place to address short and long term missing episode should they occur.

When UASC looked after by Thurrock go missing this is for short periods of time and followed up with our robust missing procedures including the Police and Safeguarding partners.

Of these 12, all were of male gender between the ages of 15 to 18 years. In relation to all other cases, our follow up work has found no evidence of exploitation in respect of these missing

episodes. These relate to young people choosing to stay out late beyond their curfew or staying with friends without our prior agreement.

A return to home interview was offered after each missing episode (to consider the reasons why they were missing and any support that could reduce the risks of future missing episodes).

### **Concluding Comments:**

While UASC nationally are at an increased risk of harm in the form of Organised Immigration, crime and other forms of exploitation, there is little evidence of this in regard to the UASC cohort in Thurrock. We believe this is due to the effective strategies implemented within Children's Services and by partner agencies. Missing episodes are low in number, relate to a small number of young people and are for short periods of time.

## **4. Reasons for Recommendation**

4.1 The report sets out the broad needs of unaccompanied children arriving in and looked after by Thurrock Council

## **5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 Not applicable.

## **6. Impact on corporate policies, priorities, performance and community impact**

6.1 The positive impact of the work of Thurrock Council for 2022/2023, in driving forward issues in relation to UASC looked after children and care leavers to ensure their safety and wellbeing.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Michelle Hall**  
**Finance Manager**

During 2022-23, the Home Office delivered two incentivised funding pilots linked to unaccompanied asylum-seeking children. The first pilot, which ran from 24 August 2022 to the 15 December 2022, provided £6,000 for each unaccompanied child transferred from a dedicated UASC hotel within 5 working days.

No further incentivised funding has been made available throughout 2023-24 to local authorities. On 5 January 2024 the Home Office confirmed that Thurrock would be receiving the higher rate of funding for all UASC in Thurrock's care during 2023-24, because Thurrock was over the 0.07% threshold on 31/03/2023. This backdated increase has improved the forecast position for 2023-24.

The forecast position for period 9 is an underspend of £0.221m

<b>UASC forecast 23/24</b>	<b>£m</b>
Net Budget	0.428

Forecast UASC costs	2.000
Forecast Staffing	0.481
Forecast grant funding	(2.274)
<b>Variance</b>	<b>(0.221)</b>

Included in the forecast is a provisional amount of £2.274m of expected grant funding for 23/24 based on current numbers at the higher rate. There is no guarantee that Thurrock will receive the higher rate for 24/25 as this will depend on whether the numbers exceed the threshold as at 31/03/2024.

## 7.2 Legal

Implications verified by: **Nicola Monerville**  
**Principal solicitor LBB**

The local authority will have a number of important duties owed to an Unaccompanied asylum seeking child. Important duties are set out below.

Unaccompanied asylum-seeking children are almost always 'children in need' pursuant to section 17 of the Children Act 1989 and therefore entitled to be provided with various services by the local authority, usually including accommodation. Where there is a need for accommodation, section 20 of the Children Act 1989 also imposes such a duty to accommodate. Section 31 gives local authorities a duty to investigate and take action if it is believed that children are in need of protection. Most unaccompanied children become 'looked after' pursuant to s.20.

Looked after children are also entitled to services under the Children (Leaving Care) Act 2000 and associated regulations, which define eligibility and entitlement to planning for leaving care and to support up to the age of 21 (or 25 if in full-time education).

The Children Act 2004 now includes a duty on local authorities to improve the wellbeing of all children in their area and to make arrangements to safeguard and promote their welfare (Sections 10 and 11).

The National Transfer Scheme is mandated by central government pursuant to the National Transfer Scheme Protocol for Unaccompanied Asylum-Seeking Children. This is pursuant to those powers set out under Section 72(3) of the Immigration Act 2016 (the '2016 Act') providing for the Secretary of State for the Home Department to direct local authorities to comply with the scheme.

The council is under a statutory obligation to participate in the NTS Scheme.

### **National Transfer Scheme (NTS)**

The National Transfer Scheme Protocol for Unaccompanied Asylum-Seeking Children provides guidance on the operation of the NTS and the way in which local authorities can transfer unaccompanied children to another local authority in accordance with the Immigration Act 2016, sections 69 - 73. The changes announced on 10th June 2021 including the rota will come into effect as soon as possible and are as a result of a joint Home Office and DfE consultation with local authorities across the UK.

## **Age Assessments**

Many unaccompanied and trafficked children arrive in the UK without documentation or with forged documents. In these circumstances the local authority will need to carry out an assessment of age. 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. Following the launch of the National Age Assessment Board the joint working guidance was updated in March 2023 to support the understanding of the immigration process and movement of young people around the country between responsible authorities.

The Care of Unaccompanied Migrant Children and Child Victims of Modern Slavery – Statutory Guidance for Local Authorities provides that where the age of a person is uncertain and there are reasons to believe that they are a child, they are presumed to be a child in order to receive immediate access to assistance, support and protection in accordance with the Modern Slavery Act 2015, s51.

### **7.3 Diversity and Equality**

Implications verified by: **Rebecca Lee**  
**Team Manager Community Development Team.**

Childrens Social Care, along with partner agencies, are committed to child centred practice which takes account of the traumatic experiences for UASC. These children and young people are claiming asylum and, in some cases, this will be because they have experienced discrimination as a result of their gender, culture, religion and other characteristics which result in persecution in their country of origin. Social workers seek to provide a compassionate response enhancing the UASC’s sense of security and creating safety for these young people.

All information regarding Community Equality Impact Assessments can be found here:  
<https://intranet.thurrock.gov.uk/services/diversity-and-equality/ceia/>

### **7.4 Risks**

None

### **7.5 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, or Impact on Looked After Children**

None

### **8. Background papers used in preparing the report (including their location on the Council’s website or identification whether any are exempt or protected by copyright):**

### **9. Appendices to the report**

- **Appendix A – UASC Guidance**



UASC Guidance.pdf

**Report Author: Daniel Jones**