

# UASC Guidance

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## Who is an Unaccompanied Asylum-Seeking Child:

The Home Office defines a UASC as a person who, at the time of making the asylum application:

- Is, or (if there is no documentary evidence) appears to be, under eighteen;
- Is applying for asylum in his or her own right;
- Has no adult relative or guardian to turn to in this country; and is fleeing persecution from their own country

## Main legislative framework:

The Children Act 1989 places a responsibility upon local authorities to safeguard and promote the welfare of children and young people living in their area. When children in need are identified, including newly arriving UASC, an assessment of their needs should be undertaken.

The Association of Directors of Children's Services (ADCS) have issued guidance to support local authorities in achieving compliance with relevant case law, and childcare and immigration legislation. In summary, the guidance states:

- All UASC should, on arrival, be supported under Section 20 of the Children Act 1989, until assessment of needs has been completed. In some instances, it may be necessary to seek legal advice to consider whether the threshold is met to initiate care proceedings;
- Based on assessed need, most UASC including 16- and 17-year-olds who require accommodation should be provided with Section 20 support;
- The majority of UASC will be entitled to leaving care services.

Section 17 can be used to support UASC in exceptional circumstances where an assessment of needs identified that to become looked after would not be in the child's best interests - for example if the young person strongly expresses aversion to becoming looked after.

Exceptions to the provision of support under Section 20 could arise where older asylum-seeking young people may refuse to be 'looked after' but because of their immigration status, the Children Act 1989 provides their only lawful means of support in this country. The local authority after taking account of the child's wishes under Section 20 might judge that the young person is competent to look after him or herself. In these instances Section 17 may be used for support, including accommodation without making the young person 'looked after'. It is vital, however, that the young person has been assessed as understanding the full implications of being supported under Section 17 rather than Section 20 and is Gillick Competent to make that decision.

Young people who arrive within 13 weeks of their 18th birthday will not qualify for full leaving care services even if they have been provided with Section 20 or 23 support under the Children Act 1989 for the weeks leading up to their 18th birthday, as they have not been 'looked after' for 13 weeks or more. They are known as 'qualifying children' and although they are not entitled to the main leaving care entitlements, they are entitled to advice, assistance and befriending.

One exception to this is where, as part of the 13-week qualifying criteria, it was spent in a contingency hotel prior to transfer to Thurrock. Those weeks form part of the qualifying weeks.

## **LCS / case progression**

Once MASH have been notified of a new arrival they will process the information and make a LCS case file for the YP which will initially be in the UASC referral tray. Team Manager's should have access to this tray. The YP will need to be picked up from the UASC referral tray and a "start new referral" should be processed. A C and F Assessment should be selected from this and the case allocated to the duty worker. This will then enable the duty worker to complete the placement request. With UASC this needs to be started manually from the case pathway on LCS and then from the request to make CLA on the full map. Once this is complete fostering duty will get an automatic notification on LCS and can complete the placement details and make the YP CLA on the system.

**There is no expectation or requirement for the C&F Assessment to be completed at this stage.**

It is essential that the identity tab is updated at this point on LCS especially the immigration section as this maintains accurate numbers on UASC currently accommodated by Thurrock. This must be updated and reflect the most accurate information. Ethnicity / Nationality / language and Religion can be updated at this point which assists in meeting the YPs needs more efficiently.

## **Interpreters**

An interpreter should be used for all communication when and where possible. There are some languages / dialects which are harder to reach than others and there are rare occasions where it is not possible to source an appropriate interpreter. In these circumstances raise the issue with the DUTY manager. Commissioning can be approached to spot purchase access to the required language / dialect if all other avenues have been exhausted but this will likely be after the YP has been accommodated. The Police and Border Force use a different interpreting service and may allow use of this to gain access to the required language. However, this is not an automatic right but rarely declined. Online applications, Google Translate for example, can be used as a last resort when

unable to source an appropriate interpreter but must be followed up with an interpreter once they have been identified.

Translation and interpreting services are provided to all departments across the council by three organizations:

1. **DA Languages**
2. **The Language Shop**
3. **Premium Linguistic Services**

The services are to be accessed in the order that they are listed above. DA Languages should be contacted in the first instance. If they are unable to deliver the service requested, then you may contact The Language Shop. You should only contact Premier Linguistic Services if DA Languages and the Language Shop are unable to deliver the service you need.

It is mandatory that this selection processes is used consistently. Random checks will be conducted on services chosen on a regular basis.

### **DA Languages (Language PIN codes are attached separately)**

To book a service:

- phone 0161 928 2533
- a customer service adviser will ask you to provide the information needed to complete an online booking form
- you will be sent an invitation to raise further requests on the DA Languages system

Provider contact details:

- email – [info@dalanguages.co.uk](mailto:info@dalanguages.co.uk)
- phone – 0161 928 2533
- address – Talbot Road, Stretford, Manchester, M32 0FP
- 

### **The Language Shop**

To book a service:

- go to [languageshop.newham.gov.uk](http://languageshop.newham.gov.uk) and either sign-in or register as a new customer
- follow the steps in the [Guidance on booking and using The Language Shop services \(2 MB\)](#)

Provider contact details:

- email – [amy.soutter@newham.gov.uk](mailto:amy.soutter@newham.gov.uk) or [faheem.dharma@newham.gov.uk](mailto:faheem.dharma@newham.gov.uk)
- phone – 0203 373 8771
- address – Newham Dockside, 1000 Dockside Road, London, E16 2QU

### **Premium Linguistic Services**

To book a service:

- for face-to-face bookings email [f2interpreting@premiumlinguisticservices.com](mailto:f2interpreting@premiumlinguisticservices.com) or phone 0121 448 3030, selecting option1 then option 2
- for telephone interpreting phone 0121 448 3030, selecting option 1 then option 1
- for document translation email [ana@premiumlinguistic.com](mailto:ana@premiumlinguistic.com) or phone 0121 448 3030, selecting option 1 then option 3
- 

Provider contact details:

- email – [info@premiumlinguisticservices.com](mailto:info@premiumlinguisticservices.com)
- phone – 0121 448 3030 or 0121 448 4884
- address – Unit 4 Great Barr Business Park, Baltimore Road, Birmingham, B42 1DY

157 Wivenhoe Road, Alresford, Essex, CO7 8AQ  
 Tel : 01206 822080 Fax : 01206 580177  
[info@essexinterpreting.com](mailto:info@essexinterpreting.com)

## **Biometrics / Operation Innerste / Asylum claim**

In Thurrock UASC come to the attention of the LA through the police or Border Force at the ports of Tilbury and Purfleet. I

Operation Innerste identifies that if the presenting asylum seeker is claiming to be a child (aged under 18 years), then the response to the UASC by Essex Police and Thurrock Social Care will be that of them being a potential victim of trafficking in the first instance. Therefore, all appropriate attempts to prevent the presenting UASC from being arrested and taken to a Police Station will be made (unless there are concerns or necessity to best protect and support the presenting asylum seeker).

If the UASC are processed at the port, then Border Force should take their biometrics as part of their required processes. If the UASC is at the Police Station, they should still be fingerprinted in order to cross reference with any previous identifiers and for future purposes should they go missing.

### **Asylum Claim:**

An asylum claim must be registered ASAP – this is routinely done by Border Force but not the police and will require prompt action. You will still need to confirm this with Border Force and should be provided with the paperwork they have completed as part of this. The paperwork can be handed over to the respective placements for safekeeping.

The information below needs to be sent to the following email address:

[Child.ASUappointment@homeoffice.gov.uk](mailto:Child.ASUappointment@homeoffice.gov.uk)

*Please find details of UASC that I would like to request an interview for to register their claim for Asylum.*

*Name of child:*

*Date of birth:*

*Nationality:*

*Language spoken:*

*Name of local authority: Thurrock*

*Name and contact number of social worker:*

*Name of foster carer:*

*Address:*

*Mobile number of foster carer:*

*Medical/Health concerns for child:*

If Thurrock are looking to transfer the YP under the NTS then please alert the Home Office in this email and request that it be prioritised.

## **UUCR – Unique Unaccompanied Child Record**

The UUCR needs to be completed at point of first contact. The electronic version (word document) of the form needs to be filled in and sent to the CLA 3 Team Manager by close of the next working day. The UASC regional coordinator will not accept the form in any other format.

The form must have a response in every single box and should be completed up to the relevant part. This includes the placement details. Once completed the form must be submitted to the HO UASC NTS Team at [UASCNationalTransferTeam@homeoffice.gov.uk](mailto:UASCNationalTransferTeam@homeoffice.gov.uk) and copied to the SMP UASC lead in their region/nation – Helen Hancock - [Helen.Hancock@EELGA.GOV.UK](mailto:Helen.Hancock@EELGA.GOV.UK).

Collect as much information as possible about the young person. Not exhaustive but include:

- Young person's name - ensure this is in the correct order and is spelt correctly.
- Ask about ethnicity, religion, first language, medical needs, has the young person had food/drink offered, is the young person pregnant if female.
- Establish whether there are any immediate safeguarding concerns such as trafficking – consider an immediate referral to the Barnardo's Independent Guardianship Service for advice/safety planning and consideration of NRM referral.
- Establish information regarding journey and other risks such as medical disease/needs.
- Ask for young person's date of birth - ascertain any issue about accuracy or whether age is disputed (This is important as it will determine whether the child is eligible for services).

## **Age Assessment**

Statutory guidance on the care of UASC states that:

*'Age Assessments should only be carried out where there is significant reason to doubt that the claimant is a child. Age assessments should not be a routine part of a local authority's assessment of unaccompanied or trafficked children.'*

Their legal age will be determined by their claimed date of birth. If not being deemed significantly over 18 for the purposes of a Brief Enquiry, as set out below, then this will remain their legal age until a full compliant age assessment is completed, if deemed necessary.

## **Brief Enquiry**

The Brief Enquiry (as to age) should be completed where there are doubts as to the claimed age of the YP. All sections of the form must be fully completed. **This must be done with the use of an appropriate interpreter.** A copy must be uploaded on their LCS file. A new arrival claiming to be a child can only be deemed older if it is felt they present as significantly over 18 based very strongly on their physical appearance and demeanour. **Current Thurrock policy stipulates that significantly over 18 is 25+.** Following the assessment if we feel they are not 25+ then benefit of the doubt must be

given and they are to be treated as a child and accommodated as such. The Brief Enquiry is not a full Merton compliant Age Assessment and should not be referenced as such. If the YP transfers to another LA, then the decision to undertake such an assessment usually falls to them. If Thurrock are under quota or a decision is made for a YP to remain in Thurrock based on a Best Interests Assessment, then that decision remains with Thurrock.

Every section of the Brief Enquiry must be completed, and a very clear rationale stated on the form. Again, no elements of doubt should be on that form. Any doubt then they are treated as a child. The rationale needs to include more than just reflections on appearance.

This process must be followed to the letter. Again, this needs to be a very robust assessment able to stand up to close scrutiny.

## **18+ letter**

If a UASC is deemed to be significantly over 18 following the undertaking of the Brief Enquiry, then a copy of the over 18 letter needs to be handed to the individual and a copy retained for Thurrock. If the individual refuses to sign the letter or accept a copy, then this needs to be recorded clearly on the letter and on their LCS file. This must be uploaded on their LCS file. **This process must be undertaken with the assistance of an interpreter.**

## **Missing – incl. Planning for Missing Form:**

UASC are vulnerable to 'people traffickers'. All relevant staff and carers should be made aware that they may be targeted, recruited or coerced into exploitative situations.

When any UASC goes missing, Children Missing Procedures must be followed.

The Planning for Missing Form must be completed on LCS. When placed in Essex, this form should then be shared with Essex Police.

The police must be contacted and all available information given that may lead to the child or young person being recovered. The Home Office must be informed as they may hold a current photograph and fingerprint record. Details of the missing UASC will be posted on the UASC Index. This will ultimately be part of the National Child Index for England and Wales.

UASC have the same rights as other looked after children who are missing children and they will remain open to Childrens Services until the age of 18. When a missing UASC is located, this must be carefully explored as the UASC may be paying back a debt of honour, and it may put them or their family of origin at risk if they do not continue to co-operate. They should be viewed as at risk, and continuing efforts should be made to protect them. This will require a strategy meeting with the police and agreement about how to proceed.

A referral is to be made to the Barnardo's Independent Trafficking Guardianship Team for any UASC that are missing or have been located for their support and advice. Social care are a first responder organisation and as such have a legal duty to refer to the NRM.

## **Photo**

A photo should be taken of the YP, with consent of the YP, and uploaded on their file. This should be taken at the point of arrival or very shortly after. This can be invaluable in the event that a UASC goes missing and the overall effectiveness of our response in such an event. Additional photos should be sought as with any Looked After Child to reflect changes in appearance.

## **Health**

**The Initial Health Assessment referral must be completed at point of entry.** The UASC IHA referral form has been adapted to facilitate this process. The purpose and process should be explained to the YP using an interpreter to ensure informed consent.

Supported accommodation providers and foster carers should be instructed to complete all the required health registrations. This includes GP, Opticians and Dentist with initial appointments arranged and undertaken. YPs should be supported to these appointments. Aside from LA health assessments the statutory responsibility for ensuring interpreting services falls to the NHS and not the Local Authority. The ASW should ensure that an appropriate interpreter is booked for the IHA appointment. There have been occasions where the current providers have struggled to meet this requirement. Essex Interpreting have fulfilled this request without issue, but this provider is off contract and approval will need to be sought from the TM and / or Service Manager.

**Please note that there is an expectation that the allocated social worker will attend the IHA appointment with the YP.**

A Section 20 letter should be provided to the placement. This will help to facilitate the health registrations and ease access to other support and services.

Please note that whether registered or not all UASC have a right to medical attention. An initial screening should have been undertaken by the Police or Border Force who will have a legal duty to ensure that any immediate medical needs are addressed. If there are any subsequent concerns, then medical attention should be sought from an appropriate source and Accident and Emergency if necessary.

The LAC Health nurses are available for any general enquiries or more specific questions.

### **Mental Health support:**

The GP and / or a CAHMS / EWHMS referral should be given consideration.

My View – offered by the refugee council – is a potential therapeutic support service to be utilised. They offer one-to-one and / or group settings. The help that they are able to support with are around managing symptoms such as nightmares, intrusive thoughts and anxiety. My View have a diverse range of practitioners and will look to adapt to the individual's needs, offering sessions based on art, dance, drama, music, play and talking therapy approaches.

Please note this service is under a restructure and so the parameters mentioned above are subject to change.

### **WW4RI**

Wellbeing and Work for Refugee Integration, WW4RI, offers specialist therapeutic, employment and language support to refugees living in the East of England. Working in partnership with the Strategic Migration Partnership and regional organisations, the programme supports refugee adults, families and separated children to access tailored integration support within their local community. For information contact [admin.ww4ri@refugeecouncil.org.uk](mailto:admin.ww4ri@refugeecouncil.org.uk)

In the Wellbeing part of the service they offer:

- Specialist wellbeing and therapeutic support, focusing on increased resilience & self-care

- 1-1 therapy over 12 sessions
- Individual and group art therapy for Children and Young people
- Individual and group Music and Arts therapy for Children, Young people, Adults and Families
- Individual and group psychoeducation
- Other adult therapeutic groups according to interest and availability e.g. horticulture.

Who is it for?

- Refugee adults and families with children (via asylum-route, VPRS, VCRS and Gateway)
- Separated children seeking asylum

Please bring a Biometric Residence Permit or Home Office Letter as proof of eligibility to access this service.

Those eligible include people:

- with Refugee Status
- given Humanitarian Protection
- with Indefinite Leave to Remain
- with Discretionary Leave to Remain (over 12 months – as result of asylum claim)
- who are Resettled refugees (VPRS, VCRS, Gateway)
- here under Family Reunion
- Unaccompanied Asylum-Seeking Children (UASC) under 26 years of age, who have an outstanding claim for asylum, made whilst they were under the age of 18 years can also be referred to us so long as there is evidence showing that the claim was made before they turned 18.

How to access the Wellbeing services:

Please contact us via the email address: [admin.ww4ri@refugeecouncil.org.uk](mailto:admin.ww4ri@refugeecouncil.org.uk)

Your enquiry should clearly specify

- grounds for eligibility - we will need to see a BRP or Home Office Letter as proof of eligibility to access this service
- Which location and service you wish to refer to.
- Please also complete and send the attached referral form to the above email address

Hsin-Pei Wu (Children and Adult Service)

Psychological Therapist / HCPC registered Drama therapist

Wellbeing & Work for Refugee Integration Project: Wellbeing and Therapeutic Service

Southend and Thurrock

Working Days: Wednesday to Friday

Direct line 07810 473643 Email [Hsin-Pei.Wu@refugeecouncil.org.uk](mailto:Hsin-Pei.Wu@refugeecouncil.org.uk)

**Contact / International Red Cross Family Tracing Service**



Support to make initial contact with their family should be encouraged and provided. This can be done through the interpreting service as a three-way call. In so far as is practicable an initial conversation should take place with the family member to cross reference information provided by the YP. If there is any doubt as to the identity of any such individual, then the call should not take place or be terminated if already under way. Further enquiry will need to be undertaken.

If the YPs indicate that they do not know the whereabouts or contact details for family, then a referral can be made to the International Red Cross Family Tracing Service. The referral form can be accessed through their webpage. Please be advised that the service does receive a high number of referrals and there will be a waiting time.

## **Trafficking / National Referral Mechanism / Independent Trafficking Guardianship Service**

In accordance with the requirements of the Council of Europe Convention on action against Trafficking in Human Beings, the UK has a National Referral Mechanism (NRM) for identifying and recording victims of trafficking. Professionals who come into contact with a child they suspect to be a victim of trafficking need to act to support and protect this child from further harm. Consideration should be given to undertaking a strategy discussion and Section 47 enquiries depending on perceived risk in this case and a safety plan should be created and shared with all involved in supporting the young person.

Where there are concerns in respect of trafficking, a referral is to be made to the Barnardo's Independent Trafficking Guardianship Service for guidance and advice around safety planning and direct work for the child or young person. The NRM referral will further prompt this referral.

Where there are grounds to suspect that a UASC is a potential victim of modern slavery / trafficking then a referral must be made to the National Referral Mechanism. The above actions must be recorded on the case file and the referrals uploaded on documents. Individual case summaries should be updated to reflect this information. Thurrock social care is a first responder organisation and as such have a legal duty to refer in these circumstances.

## **Personal allowance / Pocket money / clothing**

Personal allowances for UASC are set at £67.20 for those placed in supported accommodation. Within foster placements the pocket money is in keeping with the current levels set by fostering.

It should be recommended to placements that the personal allowance is provided over the week and not given in one go. This is to allow for an assessment on their ability to manage finances and will be subject to further review and discussion between the allocated social worker and the placement.

Placements can provide the allowance and invoice the LA to be reimbursed.

An initial assessment on their clothing needs should be undertaken. Irrespective of placement type – foster placement or supported lodgings - funding will be provided to meet their initial needs. A starting amount of £150 should be sufficient for them to have a range of items and for the allocated social worker to further assess the situation.

Approval for funding for religious items such as a Quran or prayer mat can be requested from a relevant manager. Religious needs of the YPs should be encouraged and supported by the LA.

## **Education**

The importance of education for UASC is recognised. A UASC new arrival PEP has been devised and should be completed within 48 hrs of arrival. This can take place on the day of arrival but ideally should be completed on the follow up visit within 48 hrs of arrival. This gives the YP time to settle before being asked more questions. The completed form should be forwarded to Tina McGuinness at the Virtual School.

There are a number of issues in arranging education for those YPs subject to transfer under the NTS. The expected timeframes of 10 working days do not make securing education on such a short-term basis feasible. This includes the time of year that any such UASC present themselves as it is invariably at a mid-point in the academic calendar. The legal duty to provide education for all children of compulsory school age, irrespective of their immigration status or rights of residency, is acknowledged and provisions have been made in meeting this duty. The details of the various support, including tuition and other learning resources, is contained within the separate guidance on UASC education policy.

## **Placement / Visits**

The expectations and rules of the placement should be carefully explained to the young person, together with any financial arrangements that will apply via the completion of the Placement Plan. It should be borne in mind that the young person's initial primary needs are likely to be for food and shelter, a bath, clean clothes and caring adults.

The physical appearance of the placement, its location and who lives there should be explained to the young person before s/he is taken to the placement. An orientation with the local area will need to be organised as soon as possible to include relevant points of contact with the young person's community, support agencies and religion.

All UASC should be accompanied to their placement by a qualified social worker. This must include seeing where the child will be sleeping as well as all communal areas. Once placed all initial visits should be followed up with a courtesy call the next day with regards to an update on how things are going. An additional visit should take place within 48 hrs of being placed and then weekly visits until transfer or the initial review. The YP and placement should both be clearly informed of the plans to transfer, if that is the case, and what this entails. All visits must be written up on their LCS file within 24 hrs.

## **Voluntary Returns Service**

The Voluntary Returns Service's (VRS) role is to offer practical support to people in the UK with no right to live in the UK who have decided that they wish to return home. This support is also available to people who have claimed or who are claiming asylum.

The level of support available depends on individual circumstances. The support is varied and can include financial assistance.

The Home Office recognises that there will be people who choose to return to their home country, but who have no means of doing so, or who need help, depending on their personal circumstances.

The Home Office guidance can be found using the following link:

<https://www.gov.uk/government/publications/returning-to-your-home-country-voluntarily-how-the-service-works>