

ITEM No ...4.....

REPORT TO: CHILDREN AND FAMILIES SERVICES COMMITTEE – 6 SEPTEMBER 2021

REPORT ON: UNACCOMPANIED ASYLUM-SEEKING CHILDREN (UASC) NATIONAL TRANSFER SCHEME (NTS)

REPORT BY: EXECUTIVE DIRECTOR OF CHILDREN AND FAMILIES SERVICE

REPORT NO: 236-2021

1.0 PURPOSE OF REPORT

- 1.1 This report outlines the current circumstances in relation to the increase in numbers and changes in arrangements for support to Unaccompanied Asylum-Seeking Children (UASC) across the UK. The report includes an outline of changes to the National Transfer Scheme (NTS) announced by the UK Government on 10 June 2021 and its possible implications for Scottish Local Authorities. It recommends that the Council joins the new NTS and formally agrees to coordinate local arrangements to accept and care for UASC aged 16-17 years on a rota basis along with other areas nationally. It also outlines how these arrangements will be progressed in alignment with the Council response to the rapidly developing emergency situation in Afghanistan.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that Elected Members:
- i. Note the developments nationally impacting the lives of UASC
 - ii. Agree that the Council joins the NTS as part of a national rota across Scotland.
 - iii. Instructs the Executive Director to provide an update on progress in 12 months

3.0 FINANCIAL IMPLICATIONS

- 3.1 The NTS scheme provides additional UK Government funding of £143 per week per young person. There is also a modest 'exceptional cases fund' of £3m, to support local authorities facing higher costs for individual young people. For those aged 18 years or over, the funding increases to £270 per week. As all UASC are considered 'Looked After', arrangements regarding Continuing Care also apply, including the option for young people to move forwards independently. The level of funding covers the cost of a young person in a Housing Support service or within their own tenancy and includes funding for daily living. Additional Home Office funding to support Afghanistan LES and refugees is expected but given the pace of developments details have not yet been confirmed.

4.0 BACKGROUND

- 4.1 The NTS was established in 2016 to provide a mechanism for the transfer of UASC from an entry Local Authority to another in the UK. The aim was to ensure young people get the crucial care they need whilst facilitating a more equitable distribution of responsibility and alleviating growing pressures felt by some areas. The scheme has helped to facilitate the transfer of 1,582 children between 2016 and 31 March 2021. However, continued pressures on entry areas such as Kent County Council and the transfer of young people to some areas much more than others have led the Home Office to launch a new NTS in July 2021.
- 4.2 The new NTS involves a voluntary rota scheme with a definitive outline of numbers to be transferred to participating nations and/or Local Authority areas based on a standard formula.

The aim is to ensure that responsibility for placing a referred child is clear, with no requirement for ad-hoc requests and Local Authorities having time to plan for potential new placements. Currently, there are around 5,000 UASC across the UK, with 200 in Scotland. The new scheme will involve between 45–60 young people transferred across Scotland every 12 months, alongside existing methods of foreign nationals entering the country and receiving support:

1. **National Transfer Scheme** – the formula to determine the number of young people the Home Office may seek to transfer to each local authority area is 0.07% of the local child population. In Dundee, this would mean that up to 4 young people could come to the city over the period of a year. It is anticipated that this could be slightly higher in the early days of a new rota system to allow arrangements to be made for the high volume of young people who have presented over recent months. At this stage, it is being proposed that participation in the scheme is voluntary
2. **Vulnerable Children's Resettlement Scheme** – this relates to the 'Children at Risk' scheme for Syrian, Middle Eastern or North African unaccompanied young people. It requires family members to be identified and willing to offer the young person a home, subject to an assessment of whether the care arrangements are suitable by a local authority. In Dundee, 7 young people have arrived with their own families and have the same funding/support as the Syrian families arriving under the Syrian Resettlement scheme
3. **European Refugee Camps Resettlement Scheme** – the Immigration Act 2016 includes provisions which require the UK Government to resettle UASC from camps within Europe, specifically France, Greece and Italy. The UK Government has not specified how many children will be resettled to the UK on this basis and has instead said that they will be guided by local capacity, considering the wider demands to support unaccompanied asylum-seeking children. Dundee has not taken any children through this scheme
4. **Spontaneous arrival** – at the point of presentation, young people are assessed by the Home Office and either returned to their country of origin or permitted entry as an asylum seeker. Young people who are given the right to remain as UASC become looked after by the local authority in which they present, with their status as adults determined by the Home Office when they reach 18 years. In Dundee we have supported 5 such young people over the last 5 years after they were identified through Child Protection processes.

- 4.3 To date, most of the young people arriving in the UK as asylum seekers have been male, aged 16-17 years and likely to have travelled for many months. They may have experienced very difficult and traumatic living circumstances, including time spent in refugee camps, separation from their families, being victims of human trafficking, physical and sexual abuse and their basic needs generally not being met.

Further to this, in response to the growing emergency in Afghanistan around half of Councils in Scotland have agreed to participate in accommodating Locally Engaged Staff (LES) who worked for the UK Government. Some have been receiving families since the end of June but as more are anticipated in the coming weeks and existing offers of support likely to be insufficient, the UK Government is asking all Councils to consider if there is any further accommodation they can identify. The local response is being progressed by the Humanitarian Protection Partnership, which will build on its experience of coordinating similar supports provided to Syrian refugees.

4.4 **Main issues for Dundee**

In response to the NTS, a working group involving key partners from the Council, NHS Tayside, Further and Higher Education and the Third Sector has been established to plan and coordinate a local approach. Building on the experience gained through the resettlement and integration of foreign nationals arriving in the city through different processes, the group is

considering legal advice, accommodation, interpreting services, access to appropriate education, training and employment and access to health services. Members are also liaising with Angus and Perth and Kinross Councils on possible regional collaborative opportunities.

4.5 Accommodation options

The experience of other local authorities shows that UASC tend to have some different needs to care experienced children and young people, so the type of placement they are likely to need will differ. Local placement capacity in foster care and residential care is also typically fully utilised. The working group is therefore seeking to identify best practice from across the UK from other Local Authorities more experienced in supporting these young people, to identify best accommodation options. Some areas, for instance, have developed separate schemes by recruiting dedicated carers with a particular interest in supporting asylum seekers.

4.6 Coordination

Clearly, given the additional demands created by these changes, which involve complex legal processes, require partnership services to be developed or adapted and necessitate ongoing support to both carers and young people, additional capacity may be needed for overall coordination purposes. The Working Group is therefore also liaising with other Local Authorities to inform the most appropriate approach. Clearly, it is particularly important that arrangements are fully trauma informed, that young people have access to a range of supports and that they have opportunities to mix with people from their country of origin as well as integrate locally.

Feedback from other Local Authorities with experience of supporting young people indicates that it has been a very positive development. The young people have settled well within their accommodation and wider community and are doing well. However, experience has shown that, as the young people settle, the emotional impact of their previous experiences becomes more apparent and can be compounded by anxiety associated with the asylum application process. Responsive support and access to legal advice are therefore critically important in helping young people.

4.7 Next steps

Nationally, 3 possible models of delivery of the NTS are being explored, involving either the weighted number of placements in each Local Authority based on the 0.07% formula; Local Authorities offering a fixed number of placements based on their internal resources; and a smaller number of Local Authorities committing to a fixed number of placements per cycle. One consideration is that it may not be in best interest of young people to be placed in more remote areas. It is also suggested that a 'critical mass' of at least 3 young people is needed for the resources to be sufficient to set up services and support.

- 4.8 Until there is an indication of how many Scottish Councils will participate in NTS it is difficult to determine which of these models of delivery will be adopted but it is proposed that the Council offers up to 4 placements per year in accordance with the weighted formula. At this stage, there is no definitive start date but it is anticipated that the scheme will start in the autumn or towards the end of the year. In the interim, the working group is continuing to meet and develop supportive responses, linking with the Humanitarian Protection Partnership to ensure a consistent approach.

5.0 SUMMARY

- 5.1 The agreement of the new National Transfer Scheme to include Scotland has brought into focus the need for the Council to consider its position in response to the transfer of UASC from entry Local Authorities which are struggling to support high numbers of young people. The participation in the transfer scheme continues to be voluntary but may become mandatory if not successful. Locally, the Council has some experience of supporting foreign

national young people who have entered the city via other routes and approval is sought for the partnership working group to continue to build on this, towards an anticipated start in autumn 2021. Developments will align with the work of the Humanitarian Protection Partnership relating to the rapidly changing emergency situation in Afghanistan.

6.0 POLICY IMPLICATIONS

- 6.1 This Report has been subject to an assessment of any impact on equality and diversity, fairness, poverty, environment and corporate risk. There are no major issues.

7.0 CONSULTATIONS

- 7.1 The Council Management Team have been consulted in the preparation of this report.

8.0 BACKGROUND PAPERS

- 8.1 None.

Paul Clancy
Executive Director

Glyn Lloyd
Head of Service
Children's and Community Justice Services

August 2021