

## **CABINET 19 July 2016**

### **UNACCOMPANIED ASYLUM SEEKING AND REFUGEE CHILDREN – TRANSFER SCHEME**

#### **Report by Director of Children's Services**

#### **Introduction**

1. The crisis in Syria and events in the Middle East, North Africa and beyond have seen an unprecedented number of migrants and asylum seekers arriving in Europe. Some have gone on to reach the UK via Northern France, including many unaccompanied asylum seeking children (UASC). Other children are still in the Middle East, North Africa and Europe and the Government has committed to resettle a number of these vulnerable children. Across the UK there were over 3,000 asylum applications from UASC in 2015, a 56% rise compared to the year ending March 2015.
2. UASC – is a person who:
  - Is under 18 years of age when the asylum application is submitted.
  - Is applying for asylum in their own right; and
  - 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.
3. The Home Office and other central Government Departments have recently sought agreement with local authorities, the South East Strategic Partnership for Migration (SESPM) and South East England Council (SEEC) to agree a voluntary approach to sharing UASC more equally across the UK. If a voluntary approach fails, Government has, under recent legislation and regulations, given itself powers to force councils to accept UASC.
4. The current system means that in most cases UASC stay in the care of the local authority where they claim asylum, resulting in a small number of local authorities looking after the vast majority of the children. Notably Kent which currently looks after 900 UASC whilst many other local authorities look after very few or no UASC (see Annex 2)

#### **Issues**

5. The Government is committed to a transfer scheme operating from 1 July 2016. South East county and unitary councils – along with councils in other

parts of the country – are being asked to indicate how many UASC they could accept. No authority will be expected to take more than 0.07% of their existing child population.

6. For Oxfordshire 0.07% would equate to a 99 UASC. Currently Oxfordshire is responsible for 55 UASC under 18 years with LAC status and 35 UASC care leavers aged 18-25yrs (these numbers have tripled in the last two years). This would therefore equate to a potential increase of 44 UASC for Oxfordshire. The 0.07% (99) is not a target but will be used to indicate when a local authority has reached the point where it could not be expected to receive any more UASC.
7. The request to Oxfordshire and other South Eastern upper tier authorities is that each should take up to two UASC per month from July 2016. Notwithstanding that local political agreement will need to be sought, this would be the Home Office's de facto expectation. Cabinet will therefore need to take a decision at the earliest opportunity as to whether or not they agree to take part in this scheme.
8. There has for some time been increasing concern from local authorities that the government grant allocation falls far short of the actual cost of accommodating these children. In order to address these concerns and to encourage local authorities to commit to the new scheme the current level of funding has been increased by 20% and 30%. This will be applicable to UASC entering the United Kingdom from the 1st July and UASC who move to other local authorities via the scheme.

The new national rates for local authorities looking after unaccompanied asylum seeking and refugee children will be:

- £41,610 per child per year for children under the age of 16;
- £33,215 per child per year for children aged 16 and 17;
- £200 per child per week for UASC who qualify for leaving care support.

This additional level of funding, whilst welcome, is still significantly less than the actual cost of support.

9. In addition to the above, clarification is currently being sought by South East Strategic Partnership for Migration (SESPM) and South East England Council (SEEC) of the Government in response to the proposed transfer scheme in relation to a number of matters which include:

i) Many UASC are aged 16-17. Current funding does not cover the full cost of supporting care leavers. The definition of education needs to be clarified, along with councils' role in funding vocational courses.

ii) Streamlining of asylum eligibility assessments for UASC when they reach 18 as there is a need to remove duplication, ensure consistent messages to young people and avoid the situation where councils continue to support failed asylum seekers without central government funding.

iii) Government communication is needed to inform communities about UASC. Public expectations are for younger children rather than 16-17 year olds.

iv) The creation of a co-ordinator role within (SESPM) to facilitate the transfer process across the region.

10. Oxfordshire County Council needs to take a formal decision regarding whether it will commit to the scheme. In doing so there are a number of issues that need to be considered.

i) National-level action is needed to ensure supported accommodation for older UASC is available. At present accommodation is only provided in a few locations, forcing some councils to place UASC outside their boundaries.

ii) Should Oxfordshire agree to join the Transfer Scheme formally, we would need to undertake considerable planning to locate suitable placements to meet the needs of these vulnerable children - children who would be additional to the spontaneous UASC currently arriving in Oxfordshire.

iii) Any decision made on joining the proposed scheme would need to take account of the current pressures within Children's Services due to the number of children subject to Children in Need, Child Protection and those who are looked after (LAC). Additional pressure would also impact on services related to the care of these children such as CAMHS and the voluntary sector.

iv) There would be a current shortfall between the actual costs and the government allowance. Currently there is shortfall of £754,000 for the 12 month period for current UASC ( LAC and Leaving Care). Should 44 UASC be received into Oxfordshire this would equate to a potential shortfall of £1m. Oxfordshire currently place UASC children in fostering, residential homes and semi-independent accommodation at a cost ranging from £700 to £3000 per week.

v) The costs associated with UASC are also a consideration and can be in the region of £900 per child to complete various assessment and essential meetings such as age assessments and LAC reviews. There are also associated legal costs incurred to the local authority when age assessments are challenged; in 2015/16 these equated to £21,552.39 and within this financial

year equated to £8,717.85. There was one judicial review challenge this financial year and the local authorities age assessors decision was upheld and there are two ongoing reviews.

vi) It is estimated that an additional 2.5 Social Workers would be needed to cope properly with the increase of 44 UASC at a cost of about £110,000 (on the basis of pay at the top of the relevant scale).

vii) Should Oxfordshire agree that further discussion is required within the SE region on an agreed number to transfer as Oxfordshire's current UASC numbers are significantly higher than other SE councils and is the fourth highest in the SE region?

## **RECOMMENDATION**

11. The Cabinet is **RECOMMENDED** to give consideration to the Government proposal regarding the redistribution of UASC and recommend an approach.

### **JIM LEIVERS**

Director of Children's Services

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July 2016

**UASC data Oxfordshire June 2016****Numbers at 31.05.16**

- 55 UASCs under 18years all LAC (looked after children)
- 35 UASC care leavers aged 18-25yrs

Placements include fostering, residential homes and semi-independent accommodation

**Growth between March 2012 and March 2016**

There has been a tripling in the last two years

**UASCs**

	31/03/2016	31/03/2015	31/03/2014	31/03/2013	31/03/2012
LAC	59	42	21	28	30
Number new LAC in year	39	38	26	28	25

**Cost to Oxfordshire County Council for supporting UASC clients 2016/17**

- **The shortfall between the actual costs of UASCs and the government allowances we receive:**

For existing clients we have £1.347m coming in from Government, but we are spending £2.101m, giving a shortfall of **£0.754m** for the 12 month period

- **The shortfall should Oxfordshire receive 44 UACS on the new rates after 1<sup>st</sup> July would be in the region of £1million.**
- **Staffing cost of the specialist UASC team in Children's Social Care** £519k included in the spend figures above.

**Out of County UASC Placements**

- 13 placed out of county
- 11 in Independent Fostering Agency
- 1 in residential
- 1 in supported accommodation
- 2 Berkshire
- 1 Birmingham
- 2 Bristol
- 1 Cambridgeshire (missing)
- 1 Essex
- 1 Hampshire

1 Hertfordshire  
3 London  
1 Middlesex

Costs of these placements:

£11,850.93 pw

£616,248.36 pa

#### **Nationality of those presenting in 2015/16**

<b>2015/16</b>	
<b>Region</b>	<b>Number</b>
<b>Middle East</b>	<b>16</b>
<b>Africa</b>	<b>13</b>
<b>Europe</b>	<b>6</b>
<b>South East Asia</b>	<b>1</b>

**In terms of gender the vast majority are male, 3 of current cohort are female.**

**National UASC Transfer Scheme Date Modelling**

The following tables demonstrate provisional data modelling for the National UASC transfer scheme. To note, the data below is HO management information from February 2016 based on submitted financial claims.

**Key Definitions:**

**Number of UASC** – The number of UASC per local authority based on financial claims submitted by local authorities to the Home Office (February 2016).

**Number of children** – The number of children per local authority as published by the Office for National Statistics in the mid-2014 Population Estimates.

**Percentage of UASC in Child Population** – The percentage of the general child population in each local authority that are UASC.

**Number to reach 0.07% of Child Population** – The number of UASC each local authority would need to increase to meet their UASC threshold.

South East (Kent Included)

Local Authority	Number of Children	Number of UASC	Percentage of UASC in Child Pop	0.07% of Child Pop	Number to reach 0.07% of Child Pop
<b>South East</b>	<b>1904216</b>	<b>1298</b>	<b>0.0682%</b>	<b>1333</b>	<b>686</b>
Bracknell Forest	27,823	1	0.0036%	19	18
Brighton and Hove	50,951	25	0.0491%	36	11
Buckinghamshire	118,909	19	0.0160%	83	64
East Sussex	105,392	13	0.0123%	74	61
Hampshire	281,459	21	0.0075%	197	176
Isle of Wight	25,542	0	0.0000%	18	18
<b>Kent</b>	<b>328,250</b>	<b>881</b>	<b>0.2684%</b>	<b>230</b>	<b>0</b>
Medway Towns	62,536	3	0.0048%	44	41
Milton Keynes	65,229	38	0.0583%	46	8
<b>Oxfordshire</b>	<b>141,153</b>	<b>53</b>	<b>0.0375%</b>	<b>99</b>	<b>46</b>
Portsmouth	43,360	27	0.0623%	30	3
Reading	35,850	5	0.0139%	25	20
Slough	39,867	8	0.0201%	28	20
Southampton	48,583	4	0.0082%	34	30
Surrey	254,586	124	0.0487%	178	54
West Berkshire	35,631	12	0.0337%	25	13
West Sussex	168,834	55	0.0326%	118	63
Windsor and Maidenhead	33,397	5	0.0150%	23	18
Woking	36,864	4	0.0109%	26	22

South East (Kent Not Included)

## CA11

Local Authority	Number of Children	Number of UASC	Percentage of UASC in Child Pop	0.07% of Child Pop	Number to reach 0.07% of Child Pop
<b>South East</b>	<b>1575996</b>	<b>417</b>	<b>0.0265%</b>	<b>1103</b>	<b>686</b>
Bracknell Forest	27,823	1	0.0036%	19	18
Brighton and Hove	50,951	25	0.0491%	36	11
Buckinghamshire	118,909	19	0.0160%	83	64
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Surrey	254,586	124	0.0487%	178	54
West Berkshire	35,631	12	0.0337%	25	13
West Sussex	168,834	55	0.0326%	118	63
Windsor and Maidenhead	33,397	5	0.0150%	23	18
Woking	36,864	4	0.0109%	26	22

**Yorkshire and Humber – Overview**

Local Authority	Number of Children	Number of UASC	Percentage of UASC in Child Pop	0.07% of Child Pop	Number to reach 0.07% of Child Pop
<b>Yorkshire and the Humber</b>	<b>1140971</b>	<b>73</b>	<b>0.0064%</b>	<b>799</b>	<b>726</b>
Barnsley	49,576	0	0.0000%	35	35
Bradford	138,947	4	0.0029%	97	93
Calderdale	45,694	3	0.0066%	32	29
Doncaster	65,158	3	0.0046%	46	43
East Riding of Yorkshire	63,141	0	0.0000%	44	44
Kingston Upon Hull, City Of	55,412	6	0.0108%	39	33
Kirklees	98,348	2	0.0020%	69	67
Leeds	160,470	22	0.0137%	112	90
North East Lincolnshire	34,309	6	0.0175%	24	18
North Lincolnshire	35,220	2	0.0057%	25	23
North Yorkshire	117,379	4	0.0034%	82	78
Rotherham	56,398	0	0.0000%	39	39
Sheffield	115,160	0	0.0000%	81	81
Wakefield	69,136	21	0.0304%	48	27
York	36,623	0	0.0000%	26	26

## CA11

Local Authority	Number of Children	Number of UASC	Percentage of UASC in Child Pop	0.07% of Child Pop	Number to reach 0.07% of Child Pop
<b>UK</b>	<b>13,254,493</b>	<b>3971</b>	<b>0.0300%</b>	<b>9278</b>	<b>6472</b>
<b>England</b>	<b>11,591,701</b>	<b>3877</b>	<b>0.0344%</b>	<b>8114</b>	<b>5402</b>
<b>Scotland</b>	<b>1,033,183</b>	<b>57</b>	<b>0.0055%</b>	<b>723</b>	<b>666</b>
<b>Wales</b>	<b>629,609</b>	<b>37</b>	<b>0.0059%</b>	<b>441</b>	<b>404</b>
North East	524997	12	0.002%	367	355
North West	1514874	76	0.005%	1060	984
Yorkshire and the Humber	1140971	73	0.006%	799	726
East Midlands	965734	241	0.025%	676	435
West Midlands	1256994	350	0.028%	880	566
East of England	1287537	396	0.031%	901	534
Inner London	701895	350	0.050%	491	192
Outer London	1218077	1003	0.082%	853	247
Outer London (excluding Croydon)	1125727	590	0.052%	788	247
South East	1904216	1298	0.068%	1333	686
South East (excluding Kent)	1575966	417	0.026%	1103	686
South West	1076406	78	0.007%	753	675