

Item No 11	Classification: Open	Date: April 2 2009	Meeting Name: CORPORATE PARENTING COMMITTEE
Report title:		Unaccompanied Minors Seeking Asylum	
Ward(s) or groups affected:		All	
From:		Rory Patterson, Assistant Director of Children's Specialist Services	

RECOMMENDATION

1. That the services and issues relating to unaccompanied minors as set out in this report be noted.

BACKGROUND INFORMATION

2. Children and young people entering the United Kingdom without an appropriate adult identified to provide day-to-day care and seeking asylum in the UK are deemed to be "unaccompanied minors" and eligible to claim asylum.
3. Because 'unaccompanied minors' are extremely vulnerable Local Authorities are required to receive them into care under Section 20 (accommodate) of the 89 Children Act.
4. Southwark currently has 553 children in care of which 42 are unaccompanied minors.

KEY ISSUES FOR CONSIDERATION

5. In order to respond to the specialist need of this group of children in care who have unaccompanied minor status, Southwark has established a specialist team within Children Looked After Services (Adolescent and After Care Service).
6. Following a service review undertaken with the Independent Reviewing Officer Service, including feedback from SpeakerBox, it is proposed that the team will provide the same level of service afforded to all Looked After Children from 1st April 2009 (specified through legislation, guidance and APA processes).
7. In addition to core services the unaccompanied team have developed a number of specialist partnerships to enhance service outcomes for this group of young people, including:-
 - Commissioning accommodation from the private sector for post 18 services
 - Effective working protocols with Southwark's housing benefit section (post 18)
 - English is a second language services provided through education
 - Specialist group work provision (eg. Group for Turkish young men)
 - Management of post-traumatic stress disorders (partnership with

Southwark, CAMHS)

- Links with National Asylum Support Service (NASS)
- Partnerships with Home Office relating to Asylum claims, leave to remain applications and grant claim / monitoring
- Delivery of age assessment activity
- Access to home tuition to support GCSE qualificatons
- Support to attend University

Referral System

8. Young people presenting to the London Borough of Southwark as being unaccompanied are immediately referred to NASS (Croydon) which is the Home Office clearing system for registering claims and allocating responsible Local Authorities. Young people are usually allocated to the authority where they present but NASS will on occasion distribute young people more equally across London to reduce (where possible) disproportionate pressure upon given Local Authorities.
9. Since the establishment of NASS in Croydon (just over 2 years ago) Southwark has seen a small decline in the total number of unaccompanied minor presentations.
10. New unaccompanied minors are recognized by Southwark as new children entering the care system and are subject to initial health and education planning, as well as CAMHS and substance misuse screening and are offered a placement in keeping with their developmental needs. Young people aged 15 and 16 year olds are placed with Southwark In-House foster carers, whilst unaccompanied minors who are 17 years of age are more likely to be placed in semi-independent supportive lodgings, unless they are assessed to be vulnerable and need a greater level of support.
11. Each young person is then involved in developing their own care plan and pathway plan which identifies appropriate education, job training or employment opportunities and helping prepare them for the transition to adulthood.

Country of Origin

12. The following information is provided with regards to the ethnicity, country of origin and gender of the current group of unaccompanied minors as at December 2008.

UM CLA as At March 2009 by Ethnicity, Country of Origin and Gender

Ethnicity	Country of Origin	Gender	Total
Asian - Other	Afghani	Male	8
	Any Other Asian (please state)	Male	1
	Chinese	Male	1
	Iranian	Male	3
	Iraqi	Male	3
	Vietnamese	Female	3
		Male	2
Asian - Other Total			21
Asian - Pakistani	Pakistani	Male	1

Asian - Pakistani Total			1
Black African	Any Other Black or Black British (please state)	Female	1
		Male	1
	Eritrean	Female	2
		Male	2
	Nigerian	Female	1
	Somali	Male	1
	Ugandan	Female	1
Black African Total			9
Black Other	Any Other Black or Black British (please state)	Female	1
Black Other Total			1
Chinese	Chinese	Female	1
		Male	1
Chinese Total			2
Other	Afghani	Male	1
	Iranian	Male	1
	Vietnamese	Female	1
Other Total			3
White - Other	Iraqi	Male	1
White - Other Total			1
			38

Post 18 Support Issues

13. In partnership with NASS, unaccompanied minors are allocated their own solicitor and submit an asylum claim. Most of these applications are not resolved by the time the young person reaches 18 years of age and therefore they become young adults in Southwark whose immigration status has yet to be resolved. Under the Children (Leaving Care) Act 2000, Southwark must provide all care leavers with a service up to the age of 21.
14. The Adolescent and After Care Service are currently providing post 18 support to over 125 former unaccompanied minors who are still awaiting determination of their immigration status from the home office.
15. Together with Specialist Service's Brokerage team, the Adolescent and After Care Service provides unaccompanied care leavers with their own private rented accommodation and supports them in claiming housing benefit. The challenge we are currently experiencing in the service is identifying sufficient numbers of private landlords who are willing to accept 18-21 year olds on housing benefit (shortage of private rented accommodation within HB Housing Benefit limits in South London).

Status Resolution

16. Once unaccompanied minor care leavers receive notification from the Home Office that their claim has been accepted, they are eligible for housing under the joint housing protocol as a care leaver with legal status. There are a number of young people however, who have their asylum claim denied who then lodge appeals for indefinite leave to remain or exceptional leave to remain. There are a small number who upon failing subsequent appeals are then

subject to deportation orders and are designated as over-stayers. As a result of various court rulings Southwark is obliged to continue supporting these young adults under the leaving care legislation until such time as deportation arrangements are put into place.

17. It has been nationally recognized that the Home Office have been unable to deliver an effective system in this area and the CLA Service is seeking to develop partnership with the local Home Office service responsible for this activity.

Service Trends

18. During 2005/06, there were 119 unaccompanied minors. It is expected that this will have fallen to 42 by April 2009.
19. The unaccompanied minors social work team and other Home Office grant funded support posts in finance, administration, brokerage, quality assurance and fostering have remained unchanged over the last 3 year period despite the downward trend in numbers.
20. It is therefore, anticipated that the government grant will drop considerably in the financial year 2009/10. From 1st April 2009 a smaller UM team (and other support staff) has therefore, been agreed to reflect the smaller numbers.
21. The legal framework for unaccompanied minors, which includes asylum claims, over stayers, indefinite leave to remain, deportation processes, benefits and government grant present a number of complex additions to routine care planning and service management. This highly specialized knowledge enables the team to provide appropriate advice and guidance concerning status issues and produce detailed information to support Southwark's capacity to administer the grant process.

Policy implications

22. There are no specific issues relating to new policy outlining this document.

Community Impact Statement

23. Unaccompanied minors are in care as it has been identified they are extremely vulnerable without any known adult in the UK who is able or willing to accept responsibility for them.
24. Generally, unaccompanied minors present as highly motivated with regards to entering the world of education and employment and accordingly establish effective working relationships with their social workers and carers.
25. As a group they are also less likely to be engaged in anti-social or criminal behaviour or experiencing problems in conduct or attendance at school / further education.

Resource implications

26. The government allocates a weekly allowance for each unaccompanied minor in age categories:-

- Under 16 - £757.26 pw
- 16 to 18 - £339.15 pw
- Over 18 - £100.00 pw

27. Each year the CLA Service finance team present a detailed report to Home Office relating to claiming the grant (numbers of weeks of care provided multiplied by the relevant age allowance) which tracks costs of placements provided and staff expenditure incurred in providing the service.
28. This year Southwark's Independent auditors, Price Waterhouse Coopers undertook a detailed audit relating to eligibility thresholds, financial processes, government reporting and expenditure.
29. The current weekly allocation outlined above is recognized across London as being insufficient to meet the routine care needs of this group of children and young people.
30. Southwark's expenditure during the 08/09 financial year was as follows:

Spend

- Team and translation costs – 850,000
 - Under 18 – 2,187,000
 - Over 18 – 844,000
- Total** – 3,031,000

Income

- 0-18 – 980,000
 - Over18 – 1,687,000
- Total** – 1,667,000

Government Claim

31. The claimable Home Office Grant Income (based upon numbers of unaccompanied minors in placement) is £1.667m 08/09. Each year the shortfall in the service is subject to a special application to the Home Office at the end of the financial year, subject to annual auditing processes. This year, Southwark's expected additional claim (special measures) is expected to be £550,000. The cost of accommodation for the team is not included in these figures.
32. From April 2009 there will be a revised budget for the UM service (grant) which will continue to be managed by the CLA service and children's services finance.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

33. It will often be necessary to include in the report comments from other chief officers. This will usually be the finance director and the borough solicitor, but may include other officers. Examples of when comments from these officers are required are listed below.

Strategic Director of Legal and Democratic Services

34. There are no legal implications arising from this report

AUDIT TRAIL

Lead Officer	Rory Patterson, Assistant Director Children's Specialist Services & Safeguarding		
Report Author	Chris Saunders, Head of Services for Children in Care		
Version	Final		
Dated	March 24 2009		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER			
	Officer Title	Comments Sought	Comments included
	Director of Legal and Democratic Services	No	No
	Director of Finance	No	No
	Executive Member	No	No
	Date final report sent to Constitutional/Community Council/Scrutiny Team		March 24 2009