

Item No. 9.	Classification: Open	Date: 21 April 2011	Meeting Name: Corporate Parenting Committee
Report title:		Economic Well Being – Unaccompanied Minors Service	
Ward(s) or groups affected:		All	
From:		Strategic Director of Children’s Services	

RECOMMENDATIONS

1. That the Corporate Parenting Committee approves continued provision of a specialist unaccompanied minors service despite the significant reduction in numbers of unaccompanied minors over the last seven years.
2. Corporate Parenting Committee support the considerable expertise of the Unaccompanied Minors Team being utilised by other parts of children’s services responsible for supporting families with no recourse to public funds or where children have been subject to trafficking.

KEY POINTS

3. In 2009 a positive decision was taken that all Unaccompanied Minors in Southwark would be treated in exactly the same way as all Southwark’s Looked After children concerning placements, care support and full access post 18 services.
4. Unaccompanied minors are all viewed as being in care to the London Borough of Southwark and have been identified as particularly vulnerable because they have no adult in the UK who is able or willing to accept responsibility for them. It is therefore crucial that children’s services are able to provide effective care planning, alongside further education, health and accommodation support (all be it for a brief period) to maximize their potential. Our primary aim is to enable them to make a positive contribution as adults residing in Southwark and achieve economic well being.
5. The UM team is highly experienced and valued by social care teams and key agency partners.

BACKGROUND INFORMATION

6. Children and young people entering the United Kingdom without an appropriate adult identified to provide day to day care are deemed to be “unaccompanied minors” and eligible to seek asylum.
7. “Unaccompanied minors” (UM) are considered to be extremely vulnerable and local authorities are required to assess their needs. As a result, most enter care under section 20 (accommodated) of the 1989 Children Act. The ethnicity and country of origin for UM will vary in response to international events, conflict or political upheaval.
8. Through relevant Home Office departments, the government provides a grant

- to local authorities to fund the accommodation and relevant support services for unaccompanied minors based upon their age and the total number being accommodated.
9. The grant does not fund unaccompanied minors once they become 18. The Department for Education provides a basic grant for unaccompanied minor care leavers.
 10. The unaccompanied minors social work team and two other posts (finance, and brokerage) are funded by the grant.
 11. In July 2009, the current unaccompanied minors team was significantly reduced in size to reflect the drop in numbers. Also in July 2009 Southwark agreed that all of its unaccompanied minors would be treated in exactly the same way as all looked after children with regards to provision of placements, personal allowances and additional support when preparing for independent living. This resulted in all unaccompanied minors being assessed from the outset from their specific needs and being offered a placement best suited for them.
 12. The legal framework for unaccompanied minors, which includes asylum claims, over stayers, indefinite leave to remain, deportation processes, benefits and government grant present complex additions to routine care planning and service management. This requires highly specialized knowledge which underpins the core function of the UM team namely to provide appropriate advice and guidance concerning status issues and produce detailed information to support Southwark's capacity to maximize the grant process.
 13. Since 2008 the Home Office introduced a more streamlined procedure in dealing with new asylum claims. Central offices were developed in North and South London (Hillingdon and Croydon) where all claims were managed to produce greater consistency. Whilst this resulted in Hillingdon and Croydon having significant increases in the numbers of unaccompanied minors they have to manage, it has produced a steady downturn in the total number of new claims for unaccompanied minors being received in Southwark. (Appendix 1).

KEY ISSUES FOR CONSIDERATION

14. It is proposed to retain a specialist UM team who will continue to provide dedicated support for this group of looked after children. This team will also continue to provide support for unaccompanied minor care leavers until they reach the age of 21 or 24 if attending University.
15. There are currently 126 UM care leavers receiving support from the three personal advisors located in the UM team. It is expected that this number will drop further to between 100 and 105 by April 2012.
16. The team has further reduced in its social work and management capacity from April 2011 to reflect current numbers (see Appendix 2 for current structure). From April 2011 the unaccompanied minors team has been reduced by one personal advisor to reflect the expected drop in unaccompanied minor care leavers over the coming twenty four months. However due to the increasing complexities of some of the Adult unaccompanied Minor care leavers (having children subject to safeguarding plans, adult mental health/trauma and disabilities) a new post of Senior

- Personal Advisor has been introduced (as an alternative to a current established post) who will be able to develop specialist links with adult and safeguarding services.
17. The team will continue to be fully funded through Home Office and DFE grants.
 18. The grant paid for unaccompanied minors is payable on a weekly basis using two core age bands per child a) under 16 and b) 16-18 year olds. Whilst the weekly allowance for children rises each year in line with inflation, this has not kept pace with the real costs of fostering, residential, semi independent and independent living placement costs etc. Any shortfall of funding between the grant received and assessed need of unaccompanied minors is managed within the CLA Services allocated budgets. No UM child in Southwark is adversely affected due to grant limitations.
 19. Currently the UM team are supporting 28 care leavers attending university.
 20. The current total of unaccompanied minors (21 as at 1/3/11) is a very small cohort to reach any firm conclusions with regards to ethnicity or country of origin. Appendix 3 provides a series of charts which provide a breakdown of the current unaccompanied minors under a number of headings.
 - Ethnicity and country of origin
 - Placement
 - Under 16 and 16-18
 - Percentage in employment, education and training
 21. The unaccompanied minors team continues to develop close links with the NASS office in Croydon for managing new claims.
 22. The unaccompanied minors team continue to provide detailed tracking for all unaccompanied minors to ensure they have access to expert legal advice to progress their claim for asylum. Under Leaving Care Legislation, the unaccompanied minors team will continue to provide an aftercare service until the young person obtains the age of 21 (or 24 if young person attending university). It should be noted however that unaccompanied minors care leavers cannot access council accommodation or university support until they have obtained indefinite leave to remain.
 23. It should be noted that if the Home Office refuse the care leaver's asylum claim and all subsequent appeals are exhausted then they will be subject to the Home Office deportation processes. Deportation procedures are complex and there has been a great deal of recent media focus upon this area which is fraught with legal challenge. Whilst awaiting deportation unaccompanied minors care leavers have no access to public funds but court rulings have concluded that they would still be eligible for leaving care support under leaving care legislation. Whilst this does not extend to a council tenancy or university support, Southwark is still obliged to provide weekly benefits and rented accommodation. The Unaccompanied Minors Team has developed a close working relationship with Southwark's border and immigration team to support the management of care leavers who have exhausted all their claim options.

24. During the last two years there has been an increasing trend of “adult” asylum seekers claiming they are young people (under 18). This has caused some care management issues especially when the applicant is considerably older. Foster carers and placement providers (and schools) have expressed concern as to the legitimacy of the applicant and whether it is appropriate to treat the person as a child when they are in placements (or school) with other children. Recent court rulings have determined that age assessments undertaken by NASS or local authorities need to be undertaken with a high degree of expertise and professional knowledge and ultimately can only be determined by the courts (where there is any dispute). Southwark’s unaccompanied minors team have therefore had to develop this expertise and introduce systems as to how to appropriately manage legal challenges. This expertise is becoming increasingly valued by specialist services and the safeguarding and assessment teams when considering families who do have access to public funds or when children have been subject to trafficking.
25. Unaccompanied minor care leavers are all allocated a personal advisor and receive the full range of support with regards to ensuring they are living in appropriate accommodation and are able to access employment, education and training opportunities within the current legal framework.
26. Unaccompanied minor care leavers are subject to the same performance indicators as all Southwark care leavers.
27. Appendix 4 provides a breakdown of unaccompanied minors care leavers under the following headings:-
- Age
 - Ethnicity
 - Those in suitable accommodation aged 19
 - Status
28. Appendix 4 also provides details as to the numbers of care leavers who are currently being supported through university and their employment status.
29. It should be noted that when there were over 100 unaccompanied minors in Southwark’s care, their education and academic achievements at GSCE’s were having a significant impact upon Southwark’s CLA GCSE performance. It should now be noted that with such a small cohort (and many of those claiming asylum and coming into the care system beyond statutory school age) Southwark’s current GSCE performance is now only minimally influenced by unaccompanied minor attainment levels.

Policy implications

30. There are no specific issues relating to new policy outlined in this document.

Resource implications

31. The year on year failure of the Home Office grant to maintain pace with inflation has produced significant spending pressures over the last few years and it is increasingly difficult for services to be delivered within grant expectations.

Community impact statement

32. Unaccompanied minors are all viewed as being in care to the London Borough of Southwark and have been identified as particularly vulnerable because they have no adult in the UK who is able or willing to accept responsibility for them. It is therefore crucial that children's services are able to provide effective care planning, alongside further education, health and accommodation support (all be it for a brief period) to maximize their potential. Our primary aim is to enable them to make a positive contribution as adults residing in Southwark and achieve economic well being.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Children Leaving care act 20 (accommodated) of the 1989 Children Act	Department of Education	www.Dfe.gov.uk

APPENDICES

No.	Title
Appendix 1	Trends of total UM's since April 2005
Appendix 2	Revised Unaccompanied Minors Team Structure
Appendix 3	Information/Trends for Current UM's
Appendix 4	Information/Trends for UM Care Leavers

AUDIT TRAIL

Lead Officer	Assistant Director Children's Specialist Services & Safeguarding	
Report Author	Chris Saunders, Head of Services for Children in Care	
Version	Final	
Dated	7 April 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Finance Director	No	No
Date final report sent to Constitutional Team	7 April 2011	