

London Councils' Executive

Unaccompanied Asylum Seeking Children Item 6

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Summary

This report summarises the current arrangements for refugees and unaccompanied asylum seeking children (UASC) being received by the UK, the challenges in the UASC system and the *Our Turn* campaign, which councils across the UK are being asked to support and make pledges towards.

The Executive is asked to consider whether, taking into consideration that a number of boroughs have already made pledges, a collective approach to the terms which boroughs engage with the *Our Turn* campaign is possible, as well as on the receipt of UASC under current arrangements. In doing so, the Executive may wish to revisit previous calls from London local government, including the following factors –

- Future financial support must fully fund the costs of caring for all UASC.
- That there must be a single, consistent national response which is equitable, proportionate and ensures no council remains above its 0.07% threshold.
- That there should not be pressure for a disproportionate number of placements on London and the South East as a result of the *Our Turn* campaign.
- That the Home Office should engage with London boroughs to reform the current processing arrangements in the Capital in order to ensure the more efficient assessment and transfer of UASC.

Recommendations

The Executive is asked to:

- Offer guidance on the points set out above;
- agree that a report be submitted to Leaders' Committee setting out a proposed position for agreement as a single set of terms which would form the basis for individual offers to the *Our Turn* campaign; and
- provide a view on whether Lord Dubs' offer to meet with Leaders' Committee be taken up.

Unaccompanied Asylum Seeking Children

Introduction

Adult and child refugees and unaccompanied asylum seeking children arrive in the UK by a number of routes, including arriving sporadically by their own means, through organised people-trafficking networks and through official, nationally coordinated arrangements.

There are currently a number of internationally coordinated refugee resettlement programmes, operated in collaboration with the UN refugee agency (UNHCR). Under these schemes, refugees are given a status when they arrive in the UK and do not have to apply for asylum. These are:

- Vulnerable Persons Resettlement Scheme (VPRS) which will resettle 20,000 refugees fleeing the Syrian conflict by 2020. London has resettled over 500 refugees under this scheme.
- Vulnerable Children Resettlement Scheme (VCRS) which hopes to resettle up to 3,000 children and their families from the Middle East and North Africa (MENA). The scheme includes unaccompanied refugee children, but relatively few have been identified as suitable for the programme.

With regard to UASC, the Dubs scheme (Section 67 of the Immigration Act 2016) is distinctly different from adult and child refugee resettlement programmes. It arose in the context of the closure of the Calais 'jungle' camp in 2016. Lord Dubs' amendment established a requirement in law for the Government to take UASCs who did not have family ties in the UK from refugee camps in Europe.

In addition to this, asylum seeking children residing within the EU who have family ties in the UK are entitled to be brought to the UK in order to claim asylum.

Finally, where UASC arrive in the UK outside these official routes, local authorities have responsibilities to provide care and accommodation as children looked after and as care leavers.

This report to Executive has been drafted in response to the approach by Lord Dubs.

The London Context

London has a long track-record of welcoming refugees and asylum seekers from across the world. Currently, boroughs make a substantial collective contribution:

- London boroughs spent £53.7 million in support of an estimated 2,881 households with NRPF (No Recourse to Public Funds) in 2016/17. It is estimated that they supported around 3000 children from NRPF households.
- 5,152 asylum seekers are currently in London, around quarter of the total in the UK. 3,626 are in dispersal accommodation (also known as NASS accommodation).
- Over 500 refugees have been resettled in London under the Vulnerable Persons Resettlement Scheme (VPRS), the scheme for refugees fleeing the Syrian conflict.
- There are currently roughly 1500 UASCs (Unaccompanied Asylum Seeking Children) in London, a quarter of the overall population in England.
 - Research by ADCS (The Association of Directors of Children's Services), London Councils, and others have consistently shown that government funding for UASCs only covers in the region of half of the costs of caring for them a shortfall of around £25,000-£35,000 per year per UASC child.
 - London Councils' research found that, in 2016/17, 19 London boroughs reported a cumulative funding pressure of £19 million as a result of having to deliver unfunded responsibilities for UASCs.

As of December 2018, 24 boroughs report that they are caring for more UASCs than 0.07% of their total child population - the threshold above which central government considers the pressure upon local authorities to be unreasonable.

The '*Our Turn*' Campaign

Supported by the refugee charity Safe Passage, and led by Lord Alf Dubs, the *Our Turn* campaign is calling for the establishment of a new 'Children at Risk' resettlement scheme to bring 10,000 child refugees to the UK over the 10 years. As envisaged:

- The scheme would build on and extend the current Vulnerable Children's Resettlement Scheme (VCRS) beyond 2020, with central government providing funding to local authorities that at least equals that allocated under VCRS.
- The new scheme (unlike the current VCRS) would be open to vulnerable children in Europe as well as other regions around the world.

- Like the VCRS, the scheme would be both for unaccompanied children and accompanied children who are particularly at risk under UNHCR criteria. The *Our Turn* campaign has not specified what the division between the two would be, although it hopes that far more unaccompanied children can be found places than currently under VCRS.

It is not wholly clear, but it is assumed that this scheme would supersede the current array of nationally coordinated arrangements.

To secure a government commitment, the *Our Turn* campaign is asking local authorities to pledge places now for children for this future scheme. The emphasis in the campaign is upon unaccompanied children, although this is not explicit. If the government commits to funding the 'Children at Risk' scheme, local authorities would be expected to honour these pledges.

At the request of Lord Dubs, the Chair of London Councils met with Lord Dubs and representatives of Safe Passage in December. During this meeting it was evident that through bilateral engagement, a number of councils inside of and outside of London have already made individual pledges to the *Our Turn* campaign to accommodate children after the current VCRS and VPRS schemes end in 2020. Those pledges include those from around 9 London boroughs and appeared to offer between 3 and 10 placements per year across a 10 year period. It is understood that pledges are made on the condition of all costs being funded.

The UNHCR's analysis of projected future need does not identify Europe (with the exception of Turkey) as a region with significant resettlement needs. However, Safe Passage officials have highlighted that UASCs within the EU are also living in undesirable conditions, especially in camps in Greece.

UASC – The Current System

Any humanitarian case for the *Our Turn* campaign cannot be seen in isolation from finance, capacity and mechanisms in place for receiving and accommodating UASC.

For a number of years, boroughs have been running the Pan London Rota. This has helped manage some of the pressure on the London Borough of Croydon –

which hosts the Home Office Screening Unit for asylum registration – although the number of UASC in the borough is still several hundred . Boroughs voluntarily fund the London Asylum Seekers Consortium (LASC), which provides accommodation services, information, training and partnership working. Most boroughs play a role in the rota – the exceptions are those where there boroughs are already acting as a port of entry and therefore accommodate significant numbers of UASC (e.g. Croydon and Hillingdon).

In more recent years, the Home Office has introduced a National Transfer Scheme (NTS). The NTS is currently voluntary, though the enacting legislation does allow for the Secretary of State to make it mandatory. The introduction of the NTS was intended to ensure that the responsibility for accommodating UASC was shared nationally as part of new system. This was a positive step forward and, since being established, has helped to disperse several hundred across UASC the country. However, as the pressure in the capital indicates, there are currently significant problems with the NTS. Transfers are happening slowly and often fall through due to the insufficiency of spaces provided by receiving local authorities outside of London.

Furthermore, some councils outside of London have had to stop receiving UASC pending the outcomes of the Home Office review of funding. There are also around 140 children currently awaiting transfers from entry local authorities.

The Association of London Directors of Children's Services has recently written to Home Office officials to raise concerns about UASC arrangements, including:

- Insufficient funding to cover local authority costs, and ongoing delays in announcing the result of the Government's UASC funding review. This not only increases the cost of looking after UASCs in London, it undermines the participation of receiving local authorities. Most acutely, we understand that local authorities in a region outside of London have collectively frozen their participation in the NTS until a higher level of funding is announced.
- Substantial delays in the provision of screening interviews, which are required before local authorities can refer young people onto the NTS. It is not uncommon now for it to take three weeks before an appointment is provided by the Home Office. This means that children become settled in

London before they are even initially referred onto the NTS, substantially reducing the chances of a successful transfer.

- The inclusion of Dubs and VCRS cases in the NTS, as well as the prioritisation of these cases by the Home Office over UASC from local authorities over the 0.07% threshold. The Home Office clearly does need, systematically, to identify new homes for Dubs and VCRS unaccompanied young people, but this is a different kind of need that should be dealt with separately.

Matters for Consideration

While the request to support the *Our Turn* campaign is put forward as conditional on all costs to councils being fully met – and as a longer term scheme to go beyond 2020, when two of the internationally coordinated arrangements are due to end – the emphasis on children, specifically UASC, means it is impossible to consider the ask in isolation from the difficulties in the current UASC system.

The number of UASC arriving in London has increased steadily over the past few years. London's share of UASC remains stubbornly fixed at around 1 in 3. The financial shortfall for caring for UASC is substantial, in the region of £19 million per year, and the Home Office has not yet announced the outcome of its funding review. The lack of clarity around future funding is placing the NTS under strain, some councils outside of London withdrawing. These withdrawals are only likely to increase the reliance on London and the South East and to further slow up the process of dispersing children through the NTS. Finally, in the context of an overspend of £107 million on children's services in London, of which placement costs is the biggest area of overspend, there are serious concerns to be taken into consideration about the impact of additional UASC on the placement market in terms of sufficiency of supply, cost and quality.

It is, however, characteristic of how arrangements were handled during the closure of the Calais camps in 2016 that the process for seeking pledges to the *Our Turn* campaign is being handled through a series of bilateral discussions rather than as a coordinated and collective effort. This approach, albeit inadvertently, leads to a lack of consistency and transparency in the system. This is in contrast to London's efforts to coordinate its work and for a collective, transparent and consistent approach to be at the root of its work. This was evidenced at the time of the closure

of the Calais camps in 2016 when the former Chair of London Councils proactively worked to promote a consistent response across the city, which served to reinforce a coordinated approach by London.

The Executive is asked to consider whether, taking into consideration that a number of boroughs have already made pledges, a collective approach to the terms which boroughs engage with the *Our Turn* campaign is possible, as well as on the receipt of UASC under current arrangements. In doing so, the Executive may wish to revisit previous calls from London local government, including the following factors –

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Next steps

Subject to the view of the Executive, Leaders' Committee could be asked to take a view on a London position in respect of the current difficulties facing the UASC system and a response to the *Our Turn* campaign specifically. Lord Dubs has offered to attend and present to Leaders' Committee if members felt this would be helpful.

Financial Implications for London Councils

There are no financial implications for London Councils resulting from this report.

Legal Implications for London Councils

There are no legal implications for London Councils resulting from this report.

Equalities implications for London Councils

There are no equalities implications for London Councils.