

REPORT TO:	Children and Young People Scrutiny Sub-Committee 13 September 2016
AGENDA ITEM:	6
SUBJECT:	Unaccompanied asylum seeking children in Croydon
LEAD OFFICER:	Barbara Peacock Executive Director (People)
CABINET MEMBER:	Cllr Alisa Flemming Cabinet Member for Children, Young People and Learning
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Ian Lewis Director, Child and Family Early Intervention and Children's Social Care

ORIGIN OF ITEM:	This item is contained in the sub-committee's agreed work programme.
BRIEF FOR THE COMMITTEE:	To scrutinise the quality of services provided to children in care and the funding due to the council for these services

1. EXECUTIVE SUMMARY

- 1.1 London Borough of Croydon is in a unique national position with regard to Unaccompanied Asylum Seeking Children due to the presence of The United Kingdom Visa and Immigration Department offices within the Borough. This means that all children and young people making a direct presentation to that office are designated as Children in Need within our area according to Section 17 of the Children Act 1989. If they require to be Looked After Children, and the vast majority of them do, then this is the responsibility of this Local Authority. For many years, this has placed a major additional responsibility upon the Council and on other local services.
- 1.2 This report will update the Scrutiny Committee on how London Borough of Croydon responds to meeting the needs of this group of young people, how we work in collaboration with other local authorities and our partner agencies and what our assessment is of the quality of the services that they receive. The report will outline the financial implications for the Council. It will also update the Committee on the emerging national response to the distribution of

Unaccompanied Asylum Seekers and the potential implications of these on the Council in years to come.

- 1.3 In May 2016, Croydon was the subject of a Joint Targeted Area Inspection by Ofsted, the Care Quality Commission, HMI Constabulary and HMI Probation. Part of the Inspection was to look at our arrangements for managing new referrals to services and there was a specific look at the reception arrangements for Unaccompanied Asylum Seeking Children. The Inspectors were very impressed with the quality of the work that they oversaw and this was mentioned as an area of highly effective practice in their letter following the Inspection. The full comment is shown below:

Case study: highly effective practice

The local authority has effective joint screening arrangements in place with the Home Office, which ensure that initial needs and risks for Unaccompanied Asylum Seeking Children (UASC) who present in Croydon are identified immediately. Well-developed commissioning processes locate and access foster placements promptly, meaning that there are no unnecessary delays for this vulnerable group of young people. A duty social worker is based at the Home Office which supports the joint approach for UASC. Where potential risks are identified, such as the young person being the victim of trafficking or where the age of the young person presenting is disputed, these are appropriately considered in the placement-matching process. Following consultation with young people, this process was further amended to ensure that young people do not wait for long periods on the day for a placement to be found. In one example seen during the inspection, the process for screening, placement identification, then matching and transporting the young person to the placement was completed within two hours. A further strength is that all young people who present as under the age of 18 are placed in foster care, including 16- and 17-year-olds. This means that placements that are made at the point of presentation are more likely to offer effective support and stability. Subsequent moves to semi-independent living for this age group will only take place following a detailed assessment and agreement by the independent reviewing officer and senior managers.

2. Statistics

- 2.1 Table 1 below shows the number of UASC children over the past five years as at 31st March.

Table 1

Year	Number
2012	335
2013	305
2014	365
2015	410
2016	433

It can be seen that the overall numbers have been increasing over the past four years, having experienced a lower number. The number increased by May 2016 to 445.

2.2 Table 2 indicates the principal countries of origin of applicants. We are currently (May 2016) looking after children from 25 countries. The top five are:

Table 2

Country	Number
Albania	214
Afghanistan	95
Eritrea	36
Vietnam	30
Syria	11

The past year has seen an increase in the number of new applicants from Afghanistan and a slight decrease in the number of applicants from Albania.

By gender there is a very large preponderance of boys. In May 2016 there were 407 boys and 38 girls.

The age profile of current Looked After Children is as follows, shown in Table 3.

Table 3

Age	Number
Under 13	5
13	16
14	34
15	78
16	145
17	167

2.4 Croydon has had a long standing agreement with other London authorities to share the overall burden of placement of UASC children through the Pan-London Rota. This agreement means that children who present to UKVI as being aged 16 or 17 are distributed on a rota basis across London authorities other than Hillingdon (who have Heathrow within their area). During 2015-16, 430 children were distributed in this way. This means that the vast majority of UASCs in Croydon are claiming ages of 15 and under at the time that they become Looked After. This affects their placement and means that they must be placed in foster care.

2.5 Table 4 shows the placement type of those children currently looked after (May 2016)

Table 4

Type	Number
Residential Unit	0
In-house foster care	145
Independent Foster Care	244
Semi-Independent Accommodation	56
Secure Accommodation or Prison	0

3. Services Offered to Unaccompanied Asylum Seeking Children

3.1 The core social work service comes from Permanence 1 Delivery Area. This is a dedicated service of four Units of social workers. The service operates a separate duty service to manage new referrals from the UKVI.

3.2 UASC children are offered the same level of social work service as that offered to local Looked After Children. They are subject to the same legislative framework. They are allocated an Independent Reviewing Officer and will have their case and their Care Plan reviewed in the same way as local children. Clearly, they are less likely to have family members available to them. They have access to the Independent Visiting Service and Independent Advocates.

3.3 Education

3.3.1 Many Unaccompanied Asylum Seeking Children enter the United Kingdom with limited experience of formal education. In many cases their English language skills are limited. Previous experience showed that many children and young people struggled if they were placed directly into mainstream education for these reasons. As demonstrated above, most of those young people who are new to Croydon will be of statutory school age on arrival.

3.3.2 Croydon Virtual School provide an Interim arrangement for New Arrivals pending an allocated school placement. For 3 days a week, Monday, Wednesday and Friday, unaccompanied asylum seekers can attend classes run by qualified teachers at St. Andrew's CE School; the take up is very good. This interim arrangement allows a level of school orientation, such as getting used to timetabling and initial English language skills. This interim provision has led to a reduction in children's placements at school disrupting.

3.3.3 Where young people have been placed in authorities away from Croydon, there have been occasional difficulties in obtaining a school place for them, as schools will demand that an age assessment is undertaken.

3.3.4 In terms of outcomes, many Unaccompanied Children will not be ready to sit GCSE courses at the end of Year 11. Those that have been looked after for more than twelve months will be counted as part of the cohort for our national indicators and this does have an impact on the overall scores at CSE. For the last reported academic year (2014-15), 5 out of the 21 young people who were part of this cohort were UASC. The Virtual School had no previous information on their attainment and none of them were in a position to successfully complete their GCSEs at that time. UASC young people will often achieve

qualifications but this will not be in the correct timescale to correspond to national indicators. For UASC undertaking ESOL (English as a Second Language) qualifications, the success rate is high, all passing at their respective levels.

3.3.5 The vast majority of our A level learners are UASC. However, those UASC students have all been in the UK education system for several years and the majority for between five to ten years. Again, our Level 3 BTEC learners are predominantly UASC but their average time in the UK is generally lower than their A Level counterparts, highlighting that the vocational Level 3 route is often more accessible to those young people who entered the English system later.

3.4 Health and Emotional Wellbeing

3.4.1 The strategic plan by the CCG and Peoples Department in providing one service for all looked after children, including unaccompanied asylum seekers (UASCs), children, including unaccompanied asylum seekers (UASCs), are not as yet established. The health and wellbeing of unaccompanied young people is met by a service set up by the Children's Integrated Commissioning Team. That service was delivered at Edridge Road GP Practice and came to an end in June 2016. It is envisaged the new commissioned service at the North Croydon Medical Centre will begin on the 3rd September 2016. In the meantime, initial health assessments for UASC are being requested by the clients registered GPs facilitated, by their foster carers. The majority of UASCs enter the country with very limited or no information about their health or whether basic issues such as immunisations have been carried out in their country of origin.

3.4.2 It should be noted that the first initial health and wellbeing assessments take place on the client's arrival at the Home Office Screening Unit, where issues are identified and immediate action taken by Croydon's UASC Duty social worker based within the Home Office screening unit.

3.4.3 The Permanence Service continues to work closely with other partners in order to manage the health needs of the clients including regular direct consultation sessions with CAMHS and the Drug and Alcohol Service.

3.4.4 Young people also have access to the dedicated Looked After Children CAMHS team. Unaccompanied young people may have emotional problems associated with Post Traumatic Stress Disorder due to their experiences in their country of origin or on their journey. In addition, they may suffer from loneliness and isolation. They are often unsure of their rights to remain in the United Kingdom and this is very unsettling. In addition to the statutory service, additional Counselling services for young people have been commissioned through the Local Transformation Plan for CAMHS. This includes provision for on-lone counselling. These less formal arrangements are often more attractive to young people.

3.5 Leaving Care

3.5.1 The LAC Leaving Care Service provides services as outlined under the Children Leaving Care Act 2000. The service comprises of 4 Units consisting of social workers and personal advisors, covering a total of 740 care leavers of the age range 18-25 (as of June 2016). 3 out of the 4 Units deal with asylum seeking young people. Our Personal Advisors also start working with the younger age group (16+) who are entitled to a Leaving Care Service, and attend the last 2 LAC reviews to ensure smooth transition to independent living.

3.5.2 The Leaving Care team ensures that the care leavers are placed in suitable post 18 accommodation and 93% of the total care leavers are considered to be in suitable accommodation. The service is very successful in housing young people who have exhausted their appeal rights in the UK, and continues to be entitled to the Leaving Care Service. The status of these young people is likely to change with the implementation of the Immigration Act in April 2017.

3.5.3 We achieve this by building and maintaining good relationships with private landlords, and housing department, and the appropriate use of SNAP accommodations. As we all know, finding suitable housing for care leavers have always been a major issue, especially with care leavers with complex and high support needs. We have been managing this; however this is turning out to be a real pressure for the team. UASC Care Leavers may have specific difficulty in securing long term tenure due to the uncertainty of their status in the United Kingdom.

3.5.4 One of our main priorities is ensuring our care leavers are in some form of training or employment. We currently have 64% in Education, Employment and training. We have been able to achieve this through ongoing work with Drive Forward, Princess Trust, BlueTouch Consultancy, Ingeus, and constant liaison work with colleges and Virtual School. The Service also has a dedicated EET worker who has initiated contacts with Smart Training, Reed Partnership, Skills Funding, HiTZ, CACAT, Chequers, Janciel Childcare, to improve the EET figures for our hard to reach care leavers and get them into traineeship, apprenticeship and employment.

3.5.5 This Service also hosts the Children in Care Council (CiCC) and from experience we know that majority of the attendees are asylum seeking young people who share their life experience in the UK, and provide feedback on the quality of the service received through the LAC system.

3.6 Age Assessments

3.6.1 As well as delivering on all the statutory looked after functions for unaccompanied asylum seeking young people; age assessments take a large proportion of the social workers time. In the last year from April to present some 96 age assessments have been undertaken. Age assessments should not be undertaken as a routine. They should only be undertaken when there is reasonable doubt regarding the claimed age of the young person. Each assessment consists of 3-4 separate appointments each lasting between 4/5

hours. Following the decision a full Merton Compliant Age Assessment is written within 28 days. This is a highly skilled piece of work and we are concentrating our best report writers on these ensuring quality and managing legal challenges. Although time consuming, we are making headway and winning most of these challenges. The unfortunate cost is to the public's purse regardless. The Permanence service has needed to adapt to the frequent updates in case law and we are effective in completing assessment that are legally robust.

3.6.2 The 28 day deadline is not possible at present as Croydon is dealing with the consequence of the huge increase in asylum cases last summer. Of the 96 age assessments undertaken 23% were found to be adults.

Croydon also operates the Pan London Rota and of the 468 unaccompanied asylum seekers distributed to the London boroughs April 2014 to March 2016, 122 (26%) were age disputed clients.

3.6.3 The Joint Targeted Inspection made the following comment on our process for age assessments:

'Age assessments of unaccompanied asylum seeking children are thorough, with the process and basis of the assessment clearly evidenced and in line with guidance and current case law. Effective joint screening between social care and the Home Office ensures that immediate need and risk are identified for young people presenting as unaccompanied asylum seekers, and this ensures that a placement that will meet their needs is provided. Issues of risk are considered in placement matching. For example, when the age of a young person is disputed, placements without younger children are sought, and when risks relating to potential trafficking are identified, the actions and directions are clear for prospective foster carers.'

3.7 Quality Assurance

3.7.1 Children's Social Care has a Quality Assurance Framework that is supported through the Quality Assurance and Safeguarding Service. This is updated on an annual basis and is based on an analysis of the strengths and weaknesses of the Division. The service has a system of managerial audits and independent auditing. In the coming year, audits will be undertaken through a dedicated six-monthly Practice Week, where all senior managers will adopt a 'back to the floor' approach, undertaking audits and practice observation.

3.7.2 Each young person has an Independent Reviewing Officer who is employed through the QA service. IROs have a statutory obligation to hold the authority to account for the delivery of the Care Plan. They chair the six-monthly Child Care Review. They should develop a relationship with the young person in order to ensure that their views are being incorporated into the Care Plan. The Annual Report of the IRO Service was submitted to Scrutiny Panel in March 2016.

3.7.3 Young people have full access to the Complaints Service and they are made aware of their rights to make a complaint. Croydon has an independent

advocacy service that is provided by Barnardo's pending a full tendering process later this year. In addition, Croydon operates an Independent Visitor Service for Looked After Children.

3.7.4 Placements are provided either through Fostering or through Semi-Independent provision. Independent Fostering Agency placements are sourced through a Framework Agreement and providers are required to provide information to Commissioners regarding their Ofsted Inspection status. Semi-Independent providers are also subject to a Framework agreement. They are not regulated by Ofsted and the quality of accommodation is overseen by Croydon staff.

3.8 Missing, Child Sexual Exploitation and Trafficking

3.8.1 All children who are reported missing and are allocated within Children's Social Care are monitored and a management report is circulated three times per week through all managers. Unaccompanied Asylum Seeking Children are also featured through this report. Some children will go missing for long periods. We continue to follow all the procedures for missing children along with the local Police force. The final decision on whether to continue to regard them as being Looked After by Croydon is taken by the Director of Early Intervention and Children's Social Care. In the financial year 2015-16, 84 UASC were reported missing to the Police. This figure does not include repeat incidents. All were male, which is an unusual profile for missing children. The Council commissions an independent Return Home Interview service through the NSPCC. The service does not currently have the capacity to undertake interviews on all missing children in Croydon due to the volume but will undertake interviews on the most high risk children in order to further understand their individual reasons for going missing and to underline the risks that they may be exposing themselves to. Dealing with incidents of missing is a considerable drain on local Police resources and on the Council Emergency Duty Social Work Service.

3.8.2 Children who are understood to be at risk of Child Sexual Exploitation are overseen by the Multi-Agency Sexual Exploitation Panel. Currently no UASC is being overseen by this Panel as these risks have not been identified. This is something that requires active monitoring to ensure that we are identifying such risks.

3.8.3 Trafficking is the movement, abuse and exploitation of women, men and children for gain. It involves the movement of individuals across international borders as well as within internal borders by force, coercion or deception with a view to exploiting them. The UK has a National referral Mechanism (NRM) for identifying and recording victims of trafficking and ensuring that they receive appropriate support. In the year 2015-16, we referred 54 young people to the NRM. This also requires the service to undertake a safeguarding assessment of the young person concerned to assure their safety. There is a multi-agency sub-group regarding Modern Slavery that reports to the Safeguarding Children and Safeguarding Adults Board.

3.8.4 Young people who are unaccompanied may be particularly vulnerable to attempts to radicalise them, because of their isolated position. Where there are

concerns that a child or adult has been subject to radicalisation, they are referred to the multi-agency Channel Panel, which is overseen through Community Safety. Currently, one unaccompanied young person is being monitored and offered support through the Channel process.

3.9 Update Since Last Inspection

3.9.1 The most recent full Social Care inspection took place in 2012 and rated Children's Social Care as Adequate. Since that inspection the Ofsted Framework (known as the Single Inspection Framework) has been substantially revised. Ofsted are due to have inspected all local authorities in England under the new framework by the end of December 2017. Ofsted are explicit that they have 'raised the bar' in terms of their expectations of Children's Social Services. The recent Joint Targeted Area Inspection was under a further new framework and is in addition to the Single Inspection Framework. However, it has given a clear indication in regard to the services for Unaccompanied Asylum Seeking Children that they regarded the quality of work that they observed very highly, as demonstrated earlier in this report.

3.9.2 The Scrutiny Committee had a full presentation regarding the overall position of Children's Social Care and the improvements that we believe that we have made in March 2016.

3.9.3 In preparation for the Inspection, the Service has undertaken a rigorous Self- Assessment against the published framework, which is known as the Annex M, and assembled documentary evidence to support our position. We continue to address issues where we understand that we need to improve. There is a regular Inspection Preparation Meeting where senior managers meet with colleagues from performance and commissioning to drive forward improvements.

4. National Dispersal Scheme and Immigration Act

4.1 In 2015, Kent experienced a very considerable increase in the numbers of UASCs presenting during the summer. In addition, the Government made a commitment to accept up to 3,000 unaccompanied children from refugee camps around Syria in response to the general refugee crisis.

4.2 In response to both of these issues, as well as the historical awareness that the system has placed an inequitable pressure on a small number of gateway authorities, of which Croydon is one, the Home Office and the Department of Education have developed a scheme for a voluntary dispersal of UASC children around the United Kingdom. This would apply to new arrivals.

4.3 The scheme would mean that authorities with a proportion of UASC of more than 0.07% of their overall child population would be able to refer new arrivals to the National Dispersal Scheme and they would be distributed on a regional basis to authorities where the proportion is lower than 0.07%. Croydon is very considerably over this proportion, which would equate to approximately 65 children. The scheme came into formal operation on 1st July 2016. It was initially agreed that this would apply to new arrivals to Kent.

- 4.4 As described in Section 2.4 of this report, Croydon has an established protocol for new arrivals aged 16 and 17 within London. During the initial period of the National Dispersal Scheme it has been agreed that the London Protocol will remain in place for those age groups. At the time of writing this report we are awaiting confirmation that the National Dispersal Scheme has the capacity to manage the additional new referrals from Croydon. We will then start to refer arrivals of age 15 and under through the Scheme. The latest estimate for the commencement of these arrangements for Croydon is September 2016.
- 4.5 Should the National Dispersal Scheme be successful, this will ease the pressure on Croydon. Every new arrival will still require an assessment and an immediate placement but the plan for the Scheme is that they will move to the new Authority after a maximum of 5 days.
- 4.6 Looking at the figures in Table 3 it can be seen that even if no new children were to arrive, it would be 2020 before Croydon would be below the 0.07% level, given the age profile of our existing children.
- 4.7 The Immigration Act 2014 will have an additional impact on the commitment to UASC children and Care Leavers. As referred to in Section 4.2, the current arrangements for National Dispersal are voluntary for Local Authorities. The Immigration Act comes into force on 1st April 2017. This will give the Government the power to instruct Local Authorities to accept new arrivals. The Government are hopeful that this compulsory action will not be necessary.
- 4.8 Currently, UASCs over the age of 18 who exhaust their rights of appeal to remain in the United Kingdom retain their rights under the Leaving Care Act 2000. This means that this Local Authority bears the cost of subsistence and accommodation as they have No Recourse to Public Funds. The Immigration Act will remove this commitment and such young people will be referred to the National Asylum Service for support. This removes the financial burden on the Local Authority. Currently Croydon supports approximately 150 young people in these circumstances. Adversely, this removes the support for young people who have been subjects of our care for many years in some cases.

5. Finance

- 5.1 The Home Office gives financial support to local authorities in order to support them in delivering services to unaccompanied children. The rates are directly related to the number of children in placement. They vary according to their age and status. They support the placements of the children at set rates and they support the direct staffing of social workers and personal advisers in the case of care leavers. The grant does not specifically cover any other supports that are required and does not compensate partner agencies and the costs that they incur, for example Police or Health services. They do not cover the costs of the provision of education.
- 5.2 The income and the expenditure is set out below in Table Five:

Table 5

	Funding	Expenditure	Shortfall
2013/14	£14.8m	£14.8m	0
2014/15	£17.1m	£17.6m	£0.5m
2015/16	£18.4m	£19.8m	£1.4m
2016/17 forecast	£18.4m	£19.6m	£1.2m

As can be seen, the expenditure has outstripped the income for the past three years. Up to this point, the shortfall has been covered by accumulated reserves from previous years. These are no longer available. Negotiations continue with the Home office regarding the grant and the appropriate level of money to compensate the Council in providing this service. In the longer term, the National Dispersal Scheme is intended to address the inequity in responsibility across the United Kingdom. The additional costs in supporting Care Leavers without recourse to public funds will diminish from April 2017.

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BACKGROUND DOCUMENTS: None