

TO: EXECUTIVE
DATE: 18 JULY 2016

ARRANGEMENTS FOR THE NATIONAL AND REGIONAL DISPERSAL SCHEME FOR UNACCOMPANIED ASYLUM SEEKING CHILDREN AND REFUGEE CHILDREN

Director of Children, Young People and Learning

1 PURPOSE OF REPORT

- 1.1 The urgent report updates the Executive on the Government proposals for the dispersal and allocation of Unaccompanied Asylum Seeking Children (UASC) and refugee children across Councils in England. The reason for urgency is that the Government's proposals are being implemented from July and were sent to the Council at very short notice. The next Executive meeting in September will be too late to respond to the Secretary of State.

2 EXECUTIVE SUMMARY

- 2.1 The Government is implementing a regional dispersal scheme for UASC/refugee children, initially on a voluntary basis, but with the potential for a forced scheme if necessary.
- 2.2 Each Council would be allocated a percentage quota that would bring the number of Looked After Children up to a maximum of 0.07% of the general child population. For Bracknell Forest this would equate to 19 UASC/refugee children under 18 years of age based upon our current numbers of Looked after Children. The number is not fixed, however, as responsibility is retained for UASC/refugee children who become care leavers at 18 and the Council's responsibility continues until age 21 or 25 if they are in full time education. Against this, the percentage quota would potentially be a rolling figure of 19 under 18 year old UASC/refugee children continued year on year. The proposal could therefore add significant costs to the budget.
- 2.3 The vast majority of UASC/refugee children are 16-17 year olds (67%), male (90%) and the largest groups currently are from Eritrea, Afghanistan and Albania and more recently Iran and Iraq.
- 2.4 Although we have known through media reports that there would be a national dispersal system for UASC/refugee children the system for dispersal has only been developed and announced over recent weeks and is still evolving. Leaders and Chief Executives were written to on 21 June and asked to respond to the proposed dispersal scheme. On 1 July the detailed information pack was circulated to the regional links and forwarded to Chief Executive's on 3 July. The voluntary scheme went live on 1 July.

3 RECOMMENDATIONS

- 3.1 **That the Executive confirms that the Council will be part of the national and regional dispersal scheme, accepting up to 0.07% of our general child population over time.**

- 3.2 **That Council Services make the necessary plans to receive children from the regional dispersal scheme on the basis of one or two a month as that is considered to be manageable for dispersal and coordination arrangements.**
- 3.4 **That funding to support UASC in excess of the Government Grant, be met from the contingency in the current year.**
- 3.5 **That relevant partners are included in the planning process, especially health services as there is expected to be additional health service needs associated with this vulnerable group.**

4 REASONS FOR RECOMMENDATIONS

- 4.1 An UASC is a person who is under 18 years of age when their asylum application is submitted and is applying for asylum in their own right. The young person must be separated from both parents and not being cared for by an adult who in law or by custom has responsibility to do so.
- 4.2 There are, on average, around 3,000 UASC entering the UK every year. This year, following the former Prime Minister's decision to accept a group of children from the Middle East and North Africa as part of the 'children at risk' scheme there are a further group of approximately 3,000 who are at refugee camps and will be entering the UK over the lifetime of this Parliament (many but not all of this group could be with family/carers) along with refugee children currently in Europe who will be allowed to enter the UK (some will be unaccompanied but it is thought that many will join family in the UK).
- 4.3 The current system means that in most cases the children stay in the care of the local authority where they claim asylum. A small number of local authorities especially those who have a port, motorway service station or airport in their area are therefore looking after a disproportionate number of UASC. The dispersal arrangements are intended to ensure that any local authority does not face an unmanageable responsibility in accommodating and looking after unaccompanied children pursuant to its duties under parts 3, 4 and 5 of the Children Act 1989.
- 4.4 Within the UK some Council's have no UASC, whereas others have received very high numbers, with Kent the most affected. The Government has therefore developed a proposal for a national dispersal system using a mathematical formula based on the general child population in each Local Authority to provide a more equitable distribution mechanism. Under this scheme each local authority would be required to accept 0.07% of their general child population. In the case of Bracknell Forest, this equates to 19 young people under 18 years old.
- 4.5 Once UASC turn 18 years of age, they enter the after care system and will most likely move into supported living accommodation. Many leave the care system at aged 21 whilst others remain the local authority responsibility up to age 25 if they are in full time education. Even at 21 or 25 there are support needs as they become adults subject to the Immigration Act and seek to remain in the UK.
- 4.6 The national dispersal scheme was scheduled to start from 1 July 2016 and is coordinated regionally by the Strategic Migration Partnerships. The expectation is that national teams will allocate to the regions and the regional coordination team will allocate to local authorities.

- 4.7 The Government has confirmed that additional grant funding will be available to support these new UASC but this will be insufficient to cover the costs of education, care and accommodation particularly for care leavers. Council's are expected to meet the additional costs from their own budgets.

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 There is no feasible alternative but to agree to be part of the scheme. The Immigration Act 2016 Section 72 enables the Secretary of State to require local authorities to cooperate in the transfer of unaccompanied migrant children if they are unwilling to do so on a voluntary basis, by creating a scheme for the transfer of the functions of one local authority to another local authority, in accordance with arrangements under section 69 and directing the relevant local authority to comply with the scheme. The Secretary of State has indicated that he will do this if Councils do not 'volunteer'.
- 5.2 By agreeing to be part of the scheme, the Council may have more control as part of a planned voluntary programme of settlement than it would if simply forced or 'required' to accept specific UASC, although this is untested.

6 SUPPORTING INFORMATION

Understanding the Quota

- 6.1 As outlined above, the 19 UASC/refugee children that would take the proportion of Looked After Children to 0.07% of the child population are not a finite number. When a young person reaches 18 years old they cease to be looked after and become a Care Leaver. At this point, in principle, more UASC/refugee children under 18 years of age could be added to maintain the 0.07% of the general child population i.e. 19. As outlined above, the Council maintains responsibility for Care Leavers until they are 21, unless in full time education in which case it is up to age 25.
- 6.2 With Bracknell Forest there is currently one UASC and three former UASC who are now Care Leavers. Four others have left care and have ongoing immigration issues. The Council continues supporting them through the immigration and associated court processes. These young people were all from Afghanistan. Therefore, whilst to reach the quota of 19 UASC/refugee children we could be allocated 18 more, but as they turn 18 years of age more could be added to retain the 0.07% figure of 19.
- 6.3 Costs are part of a rolling programme of accommodating UASC/refugee children on an ongoing basis and are very difficult to predict with any certainty as they depend on the numbers allocated and the needs of those specific young people. However, the worst case modelling suggest that they could eventually over time reach up to £600,000 if the Government is not persuaded to provide additional support.

Grant Funding

Unrestricted

- 6.4 To offset the cost of additional UASC, the Government, under pressure from Councils, has already increased the new national rates for local authorities looking after UASC/refugee from 1 July. The new rates are:

£41,610 per child per year for children under 16.

£33,215 per child for children aged 16 and 17.

£200 per child per week for UASC who qualify for leaving care support

However, the general view within local government is that these amounts will not cover the costs incurred by Councils – particularly for those who become care leavers.

Finance Information

- 6.5 The costs of accommodating children could be significant in times of budget reductions and reduced funding. It is not possible for the direct care needs to be contained within the grant allocation and we can only estimate the costs as until the individual needs are known we can only make assumptions. Due to the scale of UASC needing to be admitted, not only will there be a cost increase in direct care needs, but there will also be a need to strengthen the staffing structure and support services to start up the process. These are estimated at £20K initially and will be met within existing services.
- 6.6 Whilst some costs will increase directly with each new UASC, such as direct care needs, translation costs etc, those associated with the necessary staffing structure will increase on a stepped basis once a critical mass of new UASC has been reached. There is a small amount of capacity to take in a very small number of new looked after children as is currently the case through normal day to day changes. Our experience to date is that these young people will have different and more extreme needs e.g. unable to write or read even in their own language and have high emotional needs from their traumatic experiences. If not controlled and a large number enter at the same time we will need more additional resources. We will aim to redirect funding where possible.

7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 7.1 The report accurately reflects the national picture. It needs to be considered from our experience of previous UASC that some of these children will have health needs both congenital and others brought about by the length and means of transportation and notwithstanding that English as a second language is not a special educational need, some are likely to have special educational needs and require an EHC plan. These factors should be considered.

Borough Treasurer

- 7.2 At this early stage only a provisional estimate of the cost of supporting the unaccompanied asylum seeking children can be made. It would be prudent for the Council to assume that a budget pressure of around £0.6m per annum could emerge over time, but in the shorter term, to allow for a proper set of support services £0.3m is a likely scenario. One of the main uncertainties is the pace at which children needing support will arrive in Borough, making precise budgeting problematic. As such it is recommended that the risk of this emerging cost be recognised in the

Unrestricted

Council's Medium Term Financial Strategy, but that budgeting for the additional costs associated with unaccompanied asylum seeking children be incorporated within the Council's usual budget setting process. Any unexpected additional costs that emerge during the year will need to be managed either within existing departmental budgets or through the corporate contingency.

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