



Item No: 15

Meeting Date: Wednesday, 21st September 2016

Glasgow City Integration Joint Board

Report By: Susanne Millar, Chief Officer Strategy, Planning and Commissioning / Chief Social Work Officer

Contact: Susanne Millar

Tel: 0141 287 8847

UNACCOMPANIED ASYLUM SEEKING CHILDREN (UASC)

Purpose of Report:	To advise Integration Joint Board of the issue regarding UASC and to seek agreement to engage in on-going discussions with the Home Office.
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Recommendations:	<p>It is recommend that Integration Joint Board</p> <ul style="list-style-type: none">• Note this report• Agree our approach to exploring both options as outlined in report.• Request further updates on progress.
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Implications for IJB:

Financial:	Although Home Office funding is available it is unclear as yet if this would be sufficient to provide an appropriate response to UASC in Glasgow.
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Personnel:	Dependent on the outcome of discussions with the Home Office we may need to enhance existing staffing.
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Legal:	There are discussions with the Scottish Government and Care Inspectorate to vary Regulations.
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Economic Impact:	Minimum impact.
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Sustainability:	No impact.	
Sustainable Procurement and Article 19:	No Impact.	
Equalities:	These proposals are consistent with the Equalities Outcomes agreed by the IJB.	
Risk Implications:	To be determined	
Implications for Glasgow City Council:	To be determined	
Implications for NHS Greater Glasgow & Clyde:	To be determined	
Direction Required to Council, Health Board or Both	Direction to:	
	1. No Direction Required	
	2. Glasgow City Council	✓
	3. NHS Greater Glasgow & Clyde	
	4. Glasgow City Council and NHS Greater Glasgow & Clyde	

1. Background

- 1.1 In recent years there has been a significant increase in the number of unaccompanied children reaching the UK and claiming asylum. These young people become the responsibility of the local authority in which they present, which means the majority are looked after by the local authorities in London and the South of East of England that are close to major points of entry into the UK. In order to ease pressure on these local authorities the Home Office and the Department for Education in England is currently seeking to develop a voluntary system to disperse unaccompanied asylum seeking children around the UK. There are powers within the Immigration Act 2016, which received Royal Assent on 11 May, that could be used to compel local authorities to become involved. Additional legislation would be required though to extend those powers to Scotland.
- 1.2 In recent months the UK Government has come under increasing pressure from charities and opposition political parties to resettle unaccompanied children from refugee camps in the Middle East and Europe. In April, the Immigration Minister announced a 'Children at Risk' scheme as part of the Syrian Resettlement Programme which will aim to resettle vulnerable children from the Middle East or North Africa who may be unaccompanied, or who may be living with extended family or community groups. The scheme will resettle 3,000 individuals in addition to the 20,000 who will be resettled through the Syrian scheme.

- 1.3 The Immigration Act 2016 also included provisions to resettle unaccompanied children from within Europe, specifically France, Greece and Italy. The UK Government has not specified how many children will be resettled to the UK on this basis, but has instead said that they will be guided by local authority capacity, taking into account the wider demands to support unaccompanied asylum seeking children.
- 1.4 The Immigration Minister wrote to Council Leaders and Chief Executives on 13 May, setting out the Home Office's plans. A copy of this correspondence is attached at Appendix One. Glasgow City Council has engaged in early discussions with other Local Authorities and the Home Office on these issues through COSLA Strategic Migration Partnership. Our initial understanding of the letter from the Immigration Minister is that up to 75 of the young people currently living in South East of England could be placed in Glasgow, with a further number unconfirmed following the UK Governments commitment outlined in 1.2 above.
- 1.5 The young people who make their own way into the UK must submit a claim for asylum before they are recognised as refugees or granted humanitarian protection. Most will be granted discretionary leave until they turn eighteen at which point their case will be reviewed and their leave to remain in the UK may be withdrawn. It is expected that young people who are brought into the UK by the Government will have been granted some form of humanitarian protection before entering the country, in the same way as those arriving through the Syrian Resettlement Scheme. It should be noted that UK Immigration Law requires young asylum seekers to be treated as children until they reach the age of 18. The majority of young people who arrive in the UK themselves are aged 16-17 years old. That profile may change as young people are resettled from refugee camps in Europe and the Middle East

2. Glasgow Context

- 2.1 Glasgow City has a long history of supporting young unaccompanied asylum seekers who have presented in our City, and we established a specialist team nine years ago to work with these young people. Unaccompanied young people are predominately male and present aged between 14 and 16 years. The most common countries of origin are Somalia, Afghanistan, Iraq, Iran, China and Vietnam. Young people are almost exclusively economically trafficked and as a consequence are generally motivated positively in relation to education, training and employment.
- 2.2 If we believe young people have been trafficked we complete a NRM (National Referral Mechanism), a multi- agency response, including the police, for the purpose of gathering intelligence and investigation.
- 2.3 Currently our specialist social work team in Glasgow is working with 99 young people, ranging in age from 14 – 21, with placements across residential, foster care, supported accommodation and individual tenancies.
- 2.4 When young unaccompanied asylum seekers present to our service under the age of 18, they require to be treated with the same status as young people looked after by the Local Authority although they tend not to present issues of risk and the need profile as other young people in care. However, service responses currently require to be compliant with The Children (Scotland) Act, 1995, the Children and Young People Act (2016) and

associated legislation. This includes requirements to ensure any placements and services are regulated and inspected by the Care Inspectorate and that crucially we now also require to provide support until the age of 26, or until a decision is taken regarding their immigration status.

2.5 In our experience 60% of young people who present seeking support /asylum in Glasgow claim to be younger than we or the Home Office believe them to be and as a consequence they require to be age assessed. In addition, all young people under 18 years have access to the Guardianship project in Scotland, funded by the Scottish Government fund and delivered by a third sector organisation. The project covers all of Scotland however in reality most of the young people are Glasgow based.

3. Issues

3.1 There are a number of issues for Glasgow City to consider in formulating its response to the Home Office

- The care system in Glasgow and across Scotland is already under significant pressure due to the demands from our existing population, e.g. in Glasgow there are currently no placements in our provided children's residential service, there is a waiting list for Supported Carers for young people in care, our Fostering service is consistently full, and all of the supported accommodation projects for young people leaving residential care currently operate a waiting list due to the levels of demand
- The presentation of need within the young unaccompanied asylum population is generally not at the same level as our care population, and there are risks in placing unaccompanied asylum seeking young people in placements designed for the wider Looked after population
- The need to treat young unaccompanied asylum seekers as Looked After children limits the capacity of Local Authorities to develop innovative, person centred responses to these young people, e.g. we are unable to use the offers already made by many community and faith based organisations to provide refuge to these young people without the need to undertake full assessments, checks and registration of individuals and organisations
- The level of funding currently proposed, will not cover the actual costs incurred by local authorities. Given the availability of foster care in Scotland it seems more likely the young people are to be treated as looked after children, they would have to be accommodated within residential or group living units and it is likely that additional capacity would need to be commissioned. There is a significant deficit between the funding available and the costs of providing residential care or supported accommodation.
- The young people will have very different needs from the looked after population and provision will need to be made for services to meet these needs such as English language support. For young people pursuing asylum claims it is important that they have access to legal support and the expertise in this area of law is currently concentrated in Glasgow.

4. Options

- 4.1 It will be important to ensure that Glasgow City continues to participate in the national discussions on how Scotland may respond to the challenges of providing support to an increased number of young unaccompanied asylum seeking children. It is likely that there will be support for us to respond positively but it is also critical that we can create an environment ready and able to respond effectively.
- 4.2 Based on our experience to date, we could not respond effectively to the numbers envisaged by the Home Office at this point particularly given the legislative and regulatory constraints in place, but there are a number of options we are exploring:
- There could be a Scottish response to the Home Office which would be to propose that the Home Office commissions, probably a third sector organisation to provide appropriate accommodation, on a regional basis within Scotland, and the Home Office manages that contractual relationship, with the relationship with Local Authorities based on our contribution to support services for these young people and a transition to community based resources when refugee status is granted. This has been discussed within the meetings across local authorities and with the Scottish Government and Home Office but it is unclear if there would be support for this approach.
 - We had initial discussions with the Scottish Government and Care Inspectorate about potential changes to Looked After regulations which would allow for the unaccompanied young people to be treated in their own category and services developed which better meet their needs. This has involved consideration of a partnership with community and faith based groups offering placements not required to meet the same regulations, with local authorities providing assessment and safeguarding. There have been initial discussions with faith based groups in Glasgow and a positive response from them to engage in further discussions on this option. At this stage, the thinking is we would approach communities, through the faith based groups to gauge interest in families offering accommodation and support to a young person, with HSCP, undertaking an assessment of suitability based on the current kinship assessment. There would be a process to screen and match young people to families, with on-going support and safeguarding provided by the HSCP. This support would include providing and supporting access to other services as appropriate. The Home Office funding would be used to provide an allowance to families offering accommodation and support and to fund the support required from HSCP.

5. Recommendations

- 5.1 It is recommended that Integration Joint Board:
- Note this report
 - Agree our approach to exploring both options outlined above.
 - Request further updates on progress.



DIRECTION FROM THE GLASGOW CITY INTEGRATION JOINT BOARD

1	Reference number	210916-15-a
2	Date direction issued by Integration Joint Board	21 September 2016
3	Date from which direction takes effect	21 September 2016
4	Direction to:	Glasgow City Council
5	Does this direction supersede, amend or cancel a previous direction – if yes, include the reference number(s)	No
6	Functions covered by direction	Children's Services
7	Full text of direction	Glasgow City Council are directed to continue to support young unaccompanied asylum seeking children who present in the city, and to continue to engage with the Home Office and others with regard to the issues outlined in this report.
8	Budget allocated by Integration Joint Board to carry out direction	As directed by the Chief Officer: Finance and Resources
9	Performance monitoring arrangements	Via the agreed performance management and financial monitoring frameworks of the Glasgow City Integration Joint Board and the Glasgow City Health and Social Care Partnership.
10	Date direction will be reviewed	April 2017