

# Scrutiny Report



## Performance Scrutiny Committee - Partnerships

### Part 1

Date: 17<sup>th</sup> November 2021

### Subject **Unaccompanied Asylum Seeking Children**

Author Scrutiny Adviser

The following people have been invited to attend for this item:

Invitee:	Area / Role / Subject
Sally Anne Jenkins	Head of Childrens Services
Natalie Poyner	Service Manager – Childrens Teams

## Section A – Committee Guidance and Recommendations

### 1 Recommendations to the Committee

The Committee is asked

1. Consider the Council's response to UASC
2. Consider the progress for children who are affected by EUSS
3. Acknowledge the partnership work with our UASC and the issues for young people who have insecure immigration status and are entitled to leaving care support
4. To agree any additional comments to be passed to the partners in relation to this item.

### 2 Context

#### Background

- 2.1 Unaccompanied Asylum Seeking Children (UASC) are children and young people who are seeking asylum in the UK but who have been separated from their parents or carers. While their claim is processed, they are cared for by a local authority. The UK Government Immigration Rules defines an unaccompanied asylum seeking child as a person who:
- a. is under 18 years of age when the asylum application is submitted.
  - b. is applying for asylum in their own right; and
  - c. is separated from both parents and is not being cared for by an adult who in law or by custom has responsibility to do so.

- 2.2 Most UASC arrive in the UK by their own means and are encountered either at their port of entry, at the Asylum Intake Unit in Croydon, or otherwise by police, social services and various agencies throughout the UK. The local authority in which the child first presents is normally responsible for their care. A UASC may also be routed to Wales by the Home Office if an immigration officer takes the view that the young person's physical appearance and demeanour strongly suggests that they are over the age of 25 and is therefore being treated as an adult. In these instances, the young person should still be referred to the Local Authority in which they are residing for a full age assessment.

### **Previous Consideration of this item**

- 2.2 This will be the Committee's first consideration of the Unaccompanied Asylum Seeking Children report.

## **3 Information Submitted to the Committee**

- 3.1 The submission for the committee is comprised of two sections. The initial information report (section one) explores the contribution of Newport City Council in supporting Unaccompanied Asylum Seeking Children (UASC) entering care following being dispersed in line with the NTS, along with four case studies. The second section of the submission is the third draft of the National Transfer Scheme Protocol for Unaccompanied Asylum Seeking Children.
- 3.2 The information report contains the following sections;
- Introduction
  - Finance and accommodation
  - Collaboration with stakeholders
  - Case studies
    - AA 15 Years, 7 Months
    - DD 17 Years, 1 Month
    - MS 15 Years, 9 Months
    - AS 16 Years, 9 Months
  - Current position
  - Next steps

## **4. Suggested Areas of Focus**

### **Role of the Committee**

**The role of the Committee in considering the report is to:**

- Review and analyse the contents of the report and additional information contained in the draft protocol.
- Consider the experience of our unaccompanied children and note the partnership offer to unaccompanied children and the improved outcomes this offer delivers.
- Consider the Council's response to UASC
- Consider the progress for children who are affected by EUSS
- Acknowledge the partnership work with our UASC and the issues for young people who have insecure immigration status and are entitled to leaving care support
- To agree any additional comments to be passed to the partners in relation to this item.
- Conclusions:
  - What was the overall conclusion on the information contained within the reports?
  - Is the Committee satisfied that it has had all of the relevant information to base a conclusion on the Council's response to UASC?
  - Do any areas require a more in-depth review by the Committee?
  - Do the Committee wish to make any Comments / Recommendations to the partners?

**4. Suggested Lines of Enquiry**

4.1 The Committee might wish to think about the following when devising questioning strategies;

- What are the main challenges that face the partnership in delivering the scheme?
- Are there any mitigations in place in the event of the partnership not having enough housing stock and foster carers to accommodate the young people arriving?
- What is the continued support in Wales?
- Will the scheme have an impact on the children currently being cared for in Newport?

**5 Links to Council Policies and Priorities**

Summarise how this report aligns with Council priorities – in particular the Corporate Plan and wellbeing objectives:

<b>Well-being Objectives</b>	Promote economic growth and regeneration whilst protecting the environment	Improve skills, educational outcomes & employment opportunities	Enable people to be healthy, independent & resilient	Build cohesive & sustainable communities
<b>Corporate Plan Commitments</b>	Thriving City	Aspirational People		Resilient Communities
<b>Supporting Function</b>	Modernised Council			

## **6 Impact Assessment:**

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

The council has a number of legislative responsibilities to assess the impact of any strategic decision, proposal or policy on people that may experience disadvantage or inequality. A copy of the relevant Fairness and Equality Impact Assessment (FEIA) should be included or referenced here, which will have considered all relevant impacts. If an FEIA has not been included, there should be a rationale for why this is the case.

### **6.1 Summary of impact – Wellbeing of Future Generation (Wales) Act**

FEIA not required as there are no decisions to be made, report is an update on implementation of the scheme.

### **6.2 Summary of impact – Equality Act 2010**

FEIA not required as there are no decisions to be made, report is an update on implementation of the scheme.

### **6.3 Summary of impact – Socio-economic Duty**

FEIA not required as there are no decisions to be made, report is an update on implementation of the scheme.

### **6.4 Summary of impact – Welsh language**

FEIA not required as there are no decisions to be made, report is an update on implementation of the scheme.

## **7. Background Papers**

- [The Essentials - Wellbeing of Future Generation Act \(Wales\)](#)
- [Corporate Plan](#)
- [Socio-economic Duty Guidance](#)
- [Public Sector Equality Duty](#)
- [Welsh Language Measure 2015](#)

Report Completed: 17 November 2021