

<b>CABINET</b>	<b>AGENDA ITEM No. 7</b>
<b>26 SEPTEMBER 2016</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Councillor Sam Smith, Cabinet Member for Children's Services	
Contact Officer(s):	Lou Williams, Service Director for Children and Safeguarding	Tel. 864139

**REGIONAL AND NATIONAL APPROACHES TO MEETING NEEDS OF UNACCOMPANIED ASYLUM SEEKING CHILDREN AND YOUNG PEOPLE**

R E C O M M E N D A T I O N S	
<b>FROM :</b> Service Director for Children and Safeguarding	<b>Deadline date :</b> N/A
<p>1. Agree that Peterborough City Council plays a full part in national arrangements under the Government's National Transfer Scheme that is intended to ensure that unaccompanied asylum seeking children and young people account for no more than 0.07% of the child population of any one local authority;</p> <p>2. Agree that Peterborough City Council also plays a full part in supporting arrangements across the eastern Region to support the transfer of unaccompanied minors between regional authorities by agreement and where transfer would be in the interests of the child or young person concerned.</p>	

**1. ORIGIN OF REPORT**

1.1 This report is submitted to Cabinet following a request from Councillor Sam Smith, Cabinet Member for Children's Services.

**2. PURPOSE AND REASON FOR REPORT**

2.1 The purpose of this report is to seek Cabinet Approval for Peterborough City Council to participate in regional and national schemes that ensure that the responsibility for supporting unaccompanied asylum seeking children and young people is managed as equitably as possible between local authorities.

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.2 'To promote the Council's role as community leader, giving a 'voice' to the community in its external relations at local, regional, and international level, and fostering good working relationship with the Council's partner organisations.'

**3. TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>N/A</b>
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#### **4. DETAILS OF DECISION REQUIRED**

- 4.1. Members will be aware that councils have responsibility for supporting children and young people aged 17 and under who arrive in the UK as unaccompanied minors. The long-standing arrangement has been that the responsible local authority is that where an unaccompanied minor has been detained by the police.
- 4.2. This arrangement has come under pressure following the increase in unaccompanied minors arriving into the UK over the last few years. The pressure has been most intense in Kent, where large numbers of unaccompanied minors have been detained on leaving lorries that have arrived from Europe through the main channel ports.
- 4.3. Other local authorities have also experienced a significant increase in numbers of unaccompanied asylum seeking children and young people, depending on their location or proximity to ports and airports. Peterborough, for example, has seen a significant increase in unaccompanied children and young people being detained by police within the City, largely because of the lorry routes along the A1. Lorries stopping at local service areas enable young people to disembark, after which they are quickly detained [and often declare themselves] to local police.
- 4.4. Local authorities in other areas of the country have, on the other hand, not experienced any unaccompanied asylum seeking young people presenting for support. Authorities in the North West and South West, for example, have responsibility for few if any unaccompanied asylum seeking children and young people.
- 4.5. In July 2016, the Government announced a national transfer scheme that seeks to ensure that unaccompanied minors would not be placed in any area where the existing population of unaccompanied minors is above 0.07% of the local child population. In Peterborough, this equates to 33 children, young people and young adults [who were formerly looked after as unaccompanied minors, and for whom the Council continues to have responsibility].
- 4.6. As at the beginning of September 2016, 40 children, young people and young adults fell into these categories, meaning that Peterborough is already supporting more unaccompanied minors and former minors than its notionally allocated number.

#### **National Transfer Scheme**

- 4.7. The Home Office wrote to all local authorities on 8 September 2016 asking for confirmation that the Council would be joining the National Transfer Scheme. This letter is attached as Appendix 1 to this report.
- 4.8. Peterborough City Council has always taken our responsibilities for supporting vulnerable unaccompanied minors very seriously. We are also contributing to broader needs by participating in the scheme to resettle Syrian families, and we are a dispersal centre for asylum seeking adults.
- 4.9. In this context, it is right that we should also be part of the National Transfer Scheme, since this will enable us to continue to play our part in supporting vulnerable unaccompanied asylum seeking children and young people, but to do so as part of a scheme that seeks to establish an equitable and predictable use of resources across all local authorities.

#### **Regional arrangements**

- 4.10. The Directors of Childrens' Services in the Eastern Region have also committed to work together to ensure an equitable distribution of unaccompanied minors across our region. This would operate in addition to the nationally organised National Transfer Scheme outlined above. It would help us to work constructively together to ensure that, for example, where we have placed children in foster carer another local authority area in the Eastern Region, we can negotiate for case and financial responsibility to transfer to that local authority.

- 4.11. This is a pragmatic and sensible approach, enabling local authorities in the region to ensure that vulnerable unaccompanied minors receive the on-going support of services local to where they are placed.
- 4.12. Case transfer would not, however, apply where a local authority is already supporting a higher number of unaccompanied minors and former minors than the equivalent of 0.07% of their local child population.

#### **Unaccompanied refugee children in Europe [the 'Dubbs' amendment]**

- 4.13. As part of the Immigration Act 2016, the Government committed to admitting into the UK up to 3,000 unaccompanied children and young people already in Europe, where it would be in the best interests of those children for such action to take place. The Government is working principally with France, Greece and Italy to identify children and young people who should be admitted under this legislation.
- 4.14. Any children admitted in this way and who have no existing close family connections would be placed in local authorities through the National Transfer Scheme as detailed above.

#### **Financial implications**

- 4.15. Councils accepting unaccompanied children and young people under the national transfer scheme will receive a contribution towards the cost of support that is in line with current arrangements. These are a contribution of £95 per day for young people aged 15 and under and £71 per day for 16 and 17 year olds.
- 4.16. Under the previous arrangements, no financial assistance towards the costs of supporting young adults who are former unaccompanied minors was available. Councils will, however, continue to receive a financial contribution from central government for former minors settled under the National Transfer Scheme for whom Councils continue to have responsibility. This contribution is expected to be set at £200 per week for care leavers in this category.
- 4.17. These contributions towards the cost of looking after unaccompanied children and young people do not meet full cost in most cases. A foster placement costs at least £850 per week, for example. This is because we have insufficient capacity in our in-house service to meet need, and so every additional placement in care will be purchased through an Independent Fostering Agency.

#### **Other implications**

- 4.18. There are minimal risks in relation to joining the regional scheme, since any movement of young people between regional authorities would be by agreement between the Councils concerned.
- 4.19. The Home Office is clear that it will compel authorities to join the national scheme in the absence of voluntary agreements. There are risks around whether the number of asylum seeking young people that local authorities are required to accept under the scheme may change in the future. Any such changes will, however, be known in advance and will be possible to plan for, in contrast to the current position where we are responsible for young people simply by dint of where they are apprehended, which is much more difficult to manage.
- 4.20. There are a few finer details of the national scheme to be confirmed, particularly around arrangements for transfer between the area where the child or young person is apprehended and the receiving local authority, together with clarification about responsibility for completion of age assessments.
- 4.21. These details do not impede agreement to take part in the national scheme, however. Under current arrangements, where a young person is apprehended in Peterborough, we

are responsible for undertaking the age assessment. Under a national transfer scheme, it would make sense for the receiving authority to have responsibility for the age assessment. Should responsibility remain with Peterborough for young people apprehended in our area, this would not represent any change from the current position.

## **5. CONSULTATION**

- 5.1. There has been consultation across regional local authorities through the Directors of Children's Services.
- 5.2. The Home Office has consulted and continues to consult local authorities about the operation of the National Transfer Scheme.

## **6. ANTICIPATED OUTCOMES**

- 6.1 The anticipated outcome is that Cabinet approves arrangements for the Council to join the National Transfer Scheme and to fully participate in regional arrangements within the Eastern Region.

## **7. REASONS FOR RECOMMENDATIONS**

- 7.1. Participating in the National Transfer Scheme will ensure that Peterborough continues to fully play our part in contributing to the support needs of vulnerable unaccompanied minors and former minors and any vulnerable children identified under the provisions of the Immigration Act 2016.
- 7.2. Importantly, however, this contribution will be made in a planned and predictable way that ensures that this support is provided within a framework that is equitable across the country.
- 7.3. Participating in the regional scheme agreed by Directors of Children's Services will enable us to help children and young people we have placed outside of the City to be better supported in the longer term by, for example, supporting case responsibility to transfer to the local authority within which they are placed, by agreement.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 The following options were considered and rejected:
- 8.2 Option 1 – Not to participate in either the National Transfer Scheme or regional arrangements. This option was rejected because:
  - a) Non-participation in the National Transfer Scheme would result in the Council continuing to be required to meet the needs of unaccompanied minors being apprehended within Peterborough as at present. Current arrangements lead to an unpredictable and variable resource pressure as numbers arriving fluctuate throughout the year;
  - b) Non-participation in the National Transfer Scheme would risk the Council being perceived as being unwilling to accept our fair share of responsibility for supporting unaccompanied minors, although clearly not actually the case given our history;
  - c) Non-engagement in the regional scheme would mean that we may not be able to secure the agreement of other regional local authorities to accept case and financial responsibility for children and young people we have placed outside of Peterborough, affecting the ability of those young people to access long term and consistent support in an area that has become familiar to them.

## **9. IMPLICATIONS**

- 9.1. Taken together, the Council joining both national and regional approaches to meeting the needs of vulnerable unaccompanied children and young people will be likely to:

- Be better for the children and young people concerned who will be placed in areas where resource availability is likely to be greater because numbers of new arrivals over the years have been lower, and;
- Enable Peterborough to continue our strong tradition of supporting vulnerable children, adults and families, but within a framework that enables us to be better able to predict levels of need and plan accordingly.

## **10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 None.

## **11. APPENDICES**

11.1 Appendix 1: Letter to the Leader from Home Office, dated 8 September 2016.

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