

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Education and Children's Services
<b>DATE</b>	20 February 2024
<b>EXEMPT</b>	No This report relates to the provision of statutory social work services.
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Social work service provision for Unaccompanied Asylum-Seeking Children and Young People (UASYP)
<b>REPORT NUMBER</b>	CFS/24/045
<b>DIRECTOR</b>	Eleanor Sheppard
<b>CHIEF OFFICER</b>	Graeme Simpson
<b>REPORT AUTHOR</b>	Alison McAlpine
<b>TERMS OF REFERENCE</b>	2.1.1 and 2.2

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### 1. PURPOSE OF REPORT

- 1.1 This report is to update Elected Members and provide assurance that appropriate and effective support is afforded to Unaccompanied Asylum-Seeking Young People (UASYP) within Aberdeen City.

### 2. RECOMMENDATIONS

That the Committee:-

- 2.1 note the current plans to provide appropriate accommodation, support and intervention to meet the needs of this vulnerable group of children and young people; and
- 2.2 instruct the Chief Social Work Officer to provide an annual update through the Children's Services Plan Annual Report.

### 3. CURRENT SITUATION

#### 3.1 Background

- 3.1.1 Global conflict and population displacement has had an impact across all regions of the UK over the last three years. Locally the most significant impact has been a significant increase in the demand and resource required from Children's Social Work services to support and safeguard UASYP who arrive in Aberdeen City.
- 3.1.2 UASYP will often have been exposed to significant trauma from within their countries of origin. In addition they will often have been exposed to exploitation and abuse during their journey to arriving within the UK. Many will have accrued

'debts' during the journey, debts which they will be expected to repay once they are in the UK.

3.1.3 Their needs are complex and require a multi-agency response. UASYP have the same status as other looked after children and the duties of all Corporate Parents to this group don't vary. The duty of all Corporate Parents is to provide care and support up to the age of 26. Each UASYP attracts a level of funding from the UK Government dependent on their age. Those aged 18years or over receive circa 25% of those aged under 18 years.

3.1.4 Main routes to arrival in Aberdeen City are:

<b>Route of Referral</b>	<b>UASYP (as at 31.12.23)</b>
Spontaneous arrival	3
National Transfer Scheme	25
Hotel Dispersal	21

### **3.2 National Transfer Scheme (NTS)**

3.2.1 The number of asylum-seeking individuals, including unaccompanied children, arriving in the UK has increased in recent years, the majority arriving via small boats into Kent, England. To meet this demand and reduce the reliance of these children spending extended periods of time within hotels, a Transfer Scheme agreement was established between local authorities in England to ensure a more equitable distribution of these unaccompanied children. The legislation was amended in 2018, to include local authorities in Scotland, Wales and Northern Ireland.

3.2.2 The above scheme was unable to respond to the scale of the demand and from 15 February 2022, Aberdeen City Council, in line with all local authorities, has been directed to participate in the National Transfer Scheme.

3.2.3 This scheme, operates on a rotational basis, mandating local authorities across the UK to accept referral of unaccompanied asylum-seeking children, until the number of children has reached 0.1% of their child population. It is expected that children will be received by the mandated local authority within 5 working days of referral from the Home Office.

3.2.4 As at December 2023, 25 Unaccompanied Asylum-Seeking Young People had moved to the care of Aberdeen City via the NTS (out of the 491 across Scotland through this scheme)

3.2.5 There remain local challenges to identifying appropriate accommodation, care placements and move on accommodation provision, (with two young people reunified with family in other parts of the UK being an exception). Resourcing for under 16yr olds is the most difficult, with a national shortage of foster carers and demand in our city children's homes increasing by 40% in 2022/23.

3.2.6 The placement costs provided by the Home Office are not sufficient to cover residential care or out of authority placements. All efforts continue to be taken to prevent the need for care to be purchased outwith Aberdeen City.

### **3.3 Hotel Dispersals**

3.3.1 During 2023, 3 Hotels within Aberdeen City were commissioned by the UK Government, supported by Mears Group, a private social care and housing provider, to provide accommodation and support to adult asylum seekers, all males to date, who have been dispersed to Hotels from Kent.

3.3.2 The dispersal scheme has seen (at December 2023) just over 500 asylum seekers arrive in our city hotels. A small but significant proportion of these individuals (9% of hotel dispersed asylum seekers within the city) have since arrival in Aberdeen, disputed that they are over 18yrs of age.

3.3.3 The move to room maximisation within hotels has increased the number of asylum seekers arriving, which has in turn, increased the number referred to children's social work on account of disputing their age.

3.3.4 Each individual who disputes their age, either to indicate that they are an adult or, as has always been the case in Aberdeen, indicating they are under 18yrs of age and not therefore an adult as had been otherwise recorded, must have their stipulated age given due consideration via an Age Assessment undertaken by children's social work.

3.3.5 Whilst the time taken to undertake an assessment of age can vary dependent on each individual, it is clear that the intervention required to fulfil this task in line with guidance and legislative responsibilities is complex, should be carried out by more than one worker who has a social work qualification, will usually require several interviews, is subjective and by nature, very labour intensive.

### **3.4 Age Assessments**

3.4.1 A number of UASYP regardless of the route by which they have arrived in the city, dispute the age that they are initially understood or assessed to be. There is a legislative requirement for Age Assessments to be undertaken to make a determination of age, with the results impacting on what services and intervention are required for that asylum-seeker.

3.4.2 When the assessment is that the asylum-seeker is under 18yrs of age, the legislation and policy, practice and guidance (National Child Protection Guidance 2021) dictates that they should become a Looked after Child.

3.4.3 UASYP should not be living within hotels assigned for adult asylum seekers. In keeping with our Homeless Policy, we are committed to stop using hotel accommodation and for looked after children to deploy the Care Leavers Housing Protocol.

3.4.3 Age Assessment Guidance has been set out by UK Govt and requires to be followed for all who are subject to immigration control who do not have sufficient

evidence to demonstrate their age, and either their claim to be children is doubted or they claim to be adults but are suspected to be children.

3.4.4 Consideration of age, initially via a 'brief enquiry' should be undertaken by two social workers, both with suitable experience and training to undertake this task. Given that any age assessment cannot provide the same degree of confidence about whether an individual is an adult or a child, as could be provided by reliable documents, the principle of 'benefit of the doubt' must be applied.

3.4.5 Benefit of the doubt means that where there is still uncertainty about whether the individual is an adult or a child, the individual should be treated as a child pending further consideration of their age. This further consideration may include a more robust Merton Compliant Age Assessment [Assessing age GOV.UK](#) where physical appearance and demeanour does not very strongly suggest they are significantly over 18yrs of age.

3.4.6 As at December 2023, 44 referrals have been made regarding age disputed asylum-seekers within the 3 hotels in the city. Social work assessment indicates that for 21 of these, there has been insufficient evidence to deem them to be under 18yrs of age. A further 23 individuals have been accepted to be under 18yrs of age, including a number of these for whom we are giving benefit of the doubt, as per guidance on Age Assessments.

### 3.5 Care and Support Provision

UASYP looked after in Aberdeen City (31.12.23) by age group	
Under 16 years of age	2
16-18 (under 18) years of age	38
18-26 years of age	9

- two were aged under 16 years old at point of placing, bringing the total number of UASYP in our children's homes in the city to 5
- 38 were aged 16-17 years and Looked After in Supported Accommodation provision
- 9 were over 18yrs old and requiring aftercare services
- Looked After Child planning and resource processes were deployed for all these children to support their specific needs.

3.5.1 To augment our accommodation options to meet this increased need, we have worked with Housing Providers and Registered Social Landlords, to secure accommodation for this group. We have also extended our third sector partnership for Aftercare support and together with our Youth Team, (care leavers provision) Action for Children are leading on aspects of outreach provision. We are developing our approaches to ensure we are taking account of UASYP individual cultural backgrounds, their experiences of loss and how for many this manifests in trauma. Securing health support, education provision and social integration remain key activities in our strategic planning.

3.5.2 Looked After Care and Aftercare planning is in place for UASYP, with an increasing number indicating their reluctance to remain in North East Scotland and a preference to move to an English city area.

- 3.5.3 Pathway planning is in place, allowing us to move asylum-seeking young people on from children's homes and closely supported accommodation, to wider supported accommodation and eventually into their own tenancies, as their scope to manage more independently in a new city, is developed and enhanced. This planning has facilitated some throughput for the steady stream of new arrivals to the city via both NTS and spontaneous arrivals.
- 3.5.4 We will continue to require to flex our planning given that we forecast demand will continue to increase at a faster rate than accommodation becomes available and UASYP are ready to move on to accommodation.
- 3.5.5 Where UASYP require to remain in hotel accommodation whilst planning to secure accommodation dedicated to under 18yr olds is identified, close working takes place with Mears, to ensure appropriate support and intervention is provided by children's social work to this group. To date, 8 young people have been moved from hotel accommodation, with planning taking place to move a further 15 as alternative supported accommodation is secured for them.
- 3.5.6 Financial remuneration is made available from the UK Government for each UASYP at the time they are received into the care of the local authority. The remuneration arrangements require this to be claimed in arrears, which adds uncertainty to forecasting when planning to meet accommodation and intervention need. This national model precludes infrastructure planning and has been raised with the Home Office via Cosla on behalf of all Scottish Local Authorities.
- 3.5.7 This funding is not sufficient to cover costs of children's home placements nor the higher costs of children and young people being placed in resources outwith Aberdeen City. Funding also reduces significantly when the individual turns 18yrs of age, at which time, as per the legislation, they may continue to require the same level of support and accommodation as they did prior to their 18<sup>th</sup> birthday.
- 3.5.8 To date we have not had to accommodate any of this group of asylum seeking children outwith Aberdeen and this will continue to be our aim. This is in line with the fact that our obligations to meet the needs of this group would be difficult to meet if they were not within close proximity and also that utilising residential and family care options out of the city is cost prohibitive, and is far in excess of the funding allocated by UK Govt.
- 3.5.9 Needless to say, the provision of accommodation and support to this vulnerable group of UASYP impacts the availability of children's home and supported accommodation options for all who require to be cared by the local authority in Aberdeen. There has been on average 22% occupancy by UASYP of all local children's home placements, over this reporting period.

### **3.6 Staff resourcing**

- 3.6.1 To meet need, a revised staffing complement has been established within existing services to respond to current need. This augments existing staff

resource for a further 23 month period by 1x Team Leader, 2x social workers, 1x housing support officer.

3.6.2 Appropriate training for staff involved in this area of work has been absorbed within existing service training budget.

#### 4. FINANCIAL IMPLICATIONS

4.1 All available funding from UK Government has been utilised to meet the needs of UASYP and significantly to provide additional staffing required to care and support this new demand.

4.2 To date we have not required to place any UASYP outwith Aberdeen City, however meeting our legislative requirements for this vulnerable group via providing care and accommodation that is required, has directly impacted on our scope to utilise care placements for our local children and young people in need of care and protection. This has inevitably meant that some children who we would have wished to care for in Aberdeen, have had to be placed in residential resources outwith the city. The average cost of an out of authority placement is £280,000 per annum.

4.3 As at 17.01.24 we have 5 UASYP living in our children's homes and 6 UASYP in our most closely supported accommodation in Aberdeen City.

#### 5. LEGAL IMPLICATIONS

5.1 It is anticipated that there will be cases where age disputed asylum seekers will appeal decisions where their stated age is not accepted. The Council has duties to UASYP as looked after children under the Children (Scotland) Act 1995 as amended. Where UASYP dispute the findings of an age assessment they can challenge the decision via judicial review proceedings.

#### 6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

#### 7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	No significant related risks	N/A	N/A	N/A
<b>Compliance</b>	Failure to act on the duty	Forward planning in place to identify next	M	Yes

	<p>to care for this group will see ACC in breach of statutory duties.</p> <p>Judicial Review</p>	<p>available resource and timeframe which is offered when NTS notify of new referral to the city. Close communication with NTS has helped to collaborate receiving of UASC is out with stipulated timeframe (5 days)</p> <p>Spontaneous arrivals Close communication with Mears housing provider ensures collegial response to need when it is not feasible to immediately move UASC from the Hotel into CSW accommodation. In these cases, CSW offer intervention and support albeit that for a period, the UASC remains in Hotel (adult) accommodation.</p>		
<b>Operational</b>	<p>Ensuring the effective planning for children and young people who need care is central to the planning for all open to Children's Social Work</p>	<p>Process map developed to clarify support and intervention from outset of referral to exiting services.</p> <p>Triage system to allow prioritisation of needs when resources are not immediately available for all.</p> <p>Close alignment with other areas of partnership to ensure corporate responsibilities are shared wider than solely CSW (housing, health)</p>	M	Yes
<b>Financial</b>	<p>Additional funding is claimed by</p>	<p>Joint working with CSW accountants to reconcile spend with</p>	M	Yes

	ACC in relation to this group. Funding is sufficient to meet need within the city but not to cover costs if we are required to place children out of our authority.	<p>respective allocated funding.</p> <p>Updates to Children's Services Board via statutory reporting (Annual Report) on demand and resource. Forecasting of future need using data shared on future Hotel dispersals</p> <p>Scrutiny of data to allow moving on plans to be worked up for those who can be supported into more independent living arrangements to allow throughput for new arrivals who are seeking asylum.</p>		
<b>Reputational</b>	Given the humanitarian nature of this need failure to deliver services is likely to adversely impact on ACC's reputation.	Close working across ACC services and with local housing providers has allowed additional accommodation options to be sourced and planning is developed to enhance this further	M	Yes
<b>Environment / Climate</b>	None identified.	N/A	N/A	N/A

## 8. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN 2023-2024</u></b>	
	<b>Impact of Report</b>
<p><b>Aberdeen City Council Policy Statement</b></p> <p><b><u><a href="#">Working in Partnership for Aberdeen</a></u></b></p>	<p>Ensuring the effective planning for children and young people who require to come into local authority care has a direct relevance to the delivery of the following statements contained within the Council Delivery Plan:</p> <ul style="list-style-type: none"> <li>Continue to seek to support young people to receive care in Aberdeen, to reduce 'out of authority; placements.</li> </ul>

Local Outcome Improvement Plan 2016-26

<p>Prosperous Economy Stretch Outcomes</p>	<p>Aberdeen City Council's social work services play a central role to supporting and assuring that the multi-agency partnership delivers on the LOIP Prosperous People (Children and Young People) Stretch Outcomes 4-9.</p> <p>In addition the work of the Child Protection Committee ensures that our children are safe from harm. Children, young people and families who are adequately protected from threats to their health, safety and economic wellbeing are more likely to prosper than those who are not. Given the vulnerabilities of UASC this is of particular importance.</p>
<p>Prosperous People Stretch Outcomes</p>	<p>Aberdeen City Council's social work services play a central role to supporting and assuring that the multi-agency partnership delivers on the LOIP – Prosperous People (Children and Young People) Stretch Outcomes 4 to 9.</p> <p>UASYP are recognised as looked after children. The work of Stretch Outcome 6 fully aligns to supporting the needs of this groups of young people. We however recognise the work of the Child Protection Committee is highly relevant to ensure our UASYP are safe from harm. Children, young people and families who are adequately protected from threats to their health, safety and economic wellbeing are more likely to prosper than those who are not.</p>
<p><b>Regional and City Strategies</b></p>	<p>Ensuring the effective planning for children and young people is central to the planning for all children and young people open to Children's Social Work. This activity is relevant to the Aberdeen City Council Delivery Plan, the Local Outcome Improvement Plan, and the Children's Services Plan.</p>
<p><b>UK and Scottish Legislative and Policy Programmes</b></p>	<p>Ensuring the effective planning for children and young people is central to the planning for all children and young people open to Children's Social Work supports the Scottish Government's drive to #KeepthePromise. This wide ranging and ambitious programme impacts on a range of statutory duties on the Council in relation to vulnerable and care experienced children. Asylum-Seeking Children are specifically referenced in the National Guidance for Child Protection in Scotland. The National Transfer Scheme was specifically compiled to ensure a nationwide approach to meeting the urgent needs of those fleeing home countries due to persecution and worldwide conflict.</p>

## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	No assessment required. I confirm this has been discussed and agreed with Graeme Simpson, Chief Officer, Integrated Children's and Family Services on 15 January 2024.
<b>Data Protection Impact Assessment</b>	Not required for this report.
<b>Other</b>	Not required for this report.

## 10. BACKGROUND PAPERS

10.1 None

## 11. APPENDICES

11.1 None

## 12. REPORT AUTHOR CONTACT DETAILS

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