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## **UNACCOMPANIED ASYLUM SEEKING CHILDREN – UK NATIONAL TRANSFER SCHEME**

**Report by Director – Education and Lifelong Learning**

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### **SCOTTISH BORDERS COUNCIL**

**28 October 2021**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report provides an overview to Council on the United Kingdom Unaccompanied Asylum Seeking Children (UASC), National Transfer Scheme (NTS). This is in addition to other migration schemes Scottish Borders Council (SBC) participate in.**
- 1.2 Large numbers of UASC have arrived in the UK, predominantly in Kent.
- 1.3 Such is the pressure on Council Services in the South of England that urgent national support is being sought through a NTS.
- 1.4 While the scheme is voluntary, it could be mandated if support is not forthcoming, and the Home Secretary has existing powers to mandate transfers under Section 27 of the Immigration Act 2016.
- 1.5 The Home Office have estimated 650 UASC participating in the NTS per annum, with 45 UASC (6.9%) allocated to Scotland per distribution cycle, although numbers may vary depending upon arrivals. SBC are currently hosting 2 UASC who arrived in the Scottish Borders unannounced out with the scope of the NTS.
- 1.6 The COSLA Leaders Meeting on 27 August 2021 agreed that Scottish Local Government would participate in the NTS on the basis that Scottish Local Authorities would only accept young people who are 16 or over, unless by exception.

#### **2 RECOMMENDATIONS**

- 2.1 I recommend that Scottish Borders Council:-**
- (a) Note the position regarding Unaccompanied Asylum Seeking Children National Transfer Scheme and agree that Scottish Borders Council should comply with the request for urgent national support for this vulnerable group.**

- (b) That Scottish Borders Council agree to allow Officers to comply with other mandated national Migration Schemes as the need arises.**

### **3 BACKGROUND**

#### **UASC Background**

- 3.1 In a UK Government Ministerial letter dated 28 November 2020, each Council was asked to provide feedback on proposals around the NTS, established in 2016. A view was sought on whether the Scheme should remain voluntary or be mandated. This had been prompted by an uneven distribution of UASC across Council's in the United Kingdom.
- 3.2 On 7 June 2021, a letter was sent from the Home Office Director General of Asylum and Protection seeking urgent national support for UASC as the NTS was not working as efficiently as envisaged. The letter went on to request every Local Authority commit to the Scheme to create a pipeline of placements.
- 3.3 A paper was presented to the COSLA Leaders Meeting on 25 June 2021, with agreement reached that an options paper would be brought back to the meeting on 27 August 2021, following consultation with Councils and other stakeholders.
- 3.4 At the COSLA Leaders meeting on 27 August 2021, it was agreed that Scottish Local Government participates in the NTS; participation is on the basis that Scottish Local Authorities will only be able to accept young people who are 16 or over, unless by exception; participation at a Scotland level is applied on the same or similar weighted basis to maintain the underlying principles; and Scottish participation will commence in October 2021.
- 3.5 Given the current uneven distribution of UASC across the United Kingdom, the Home Office expect to re balance the distribution over a 2 year period.
- 3.6 The Scottish Borders are expected to take **2** UASC within each cycle. It is anticipated that there will be 2 or 3 cycles within the first year, and thereafter 1 cycle per year.
- 3.7 Information available from the Home Office indicates that the majority of young people within the UASC NTS are aged over 16, are male and originate from a number of countries, including Iraq, Iran, Afghanistan, Sudan, Eritrea and Vietnam.

#### **Looked After Children Arrangements**

- 3.8 Within the definitions being applied, UASC are designated as "looked after children" up until 18 years of age and thereafter as "care leavers", and are eligible for support until they are 26 years of age.
- 3.9 The unique experiences of UASC and the associated trauma related to their displacement will be important considerations, and all UASC receive a holistic assessment of their needs.

#### **Wider Corporate Parenting Considerations**

- 3.10 Eligibility for support until 26 years of age encompasses the full range of care and support offered to looked after children and care experienced young people.

3.11 The use of the additional funding provided needs to be carefully considered in meeting the varied needs of UASC placed in the Scottish Borders.

### **Capacity to Participate**

3.12 Scottish Borders Council could currently provide care for 2 UASC and there is the required range of skills, experience and knowledge to support this.

3.13 Additional support is also available via national organisations with whom local services have an existing relationship, which includes translation and cultural services.

3.14 In the medium to long term, there will be resource implications and the need to develop additional models of care provision for care leavers.

## **4 IMPLICATIONS**

### **4.1 Financial**

(a) A **daily** amount of £143.00 is payable to Councils for each "Looked After" UASC they host, this equates to £1001 per week.

(b) A weekly amount of £270 per **week** is payable to Councils for each UASC care leavers.

(c) Current costs for looked after children:

**Weekly** 2020/21 foster care cost for a child (aged 11+) = £422.98.

(d) Additional consideration is required to develop models of care and support within the budget provided and this will be progressed by services, looking at best practice from learning elsewhere.

### **4.2 Risk and Mitigations**

(a) If the Council does not participate in the Scheme and it becomes mandated, there is a risk UASC could arrive at a point when there are insufficient placements available.

(b) COSLA are working with Councils on economies of scale and creating regional groupings to manage arrivals and costs in as efficient a way as possible. This work is continuing to progress.

### **4.3 Equalities**

(a) Due to the urgent nature and tight timescales of the crisis regarding UASC, an IIA will be carried out following full Council.

(b) The purpose of this report is to ensure that Scottish Borders Council meets its collective obligation to participate in the Scheme. UASC are a very vulnerable group who are significantly disadvantaged.

### **4.4 Sustainable Development Goals**

There are no implications in respect of this.

### **4.5 Carbon Management**

There are no implications in respect of this.

### **4.6 Rural Proofing**

None.

### **4.7 Data Protection Impact Statement**

There are no data protection issues in relation to this.

#### 4.8 Changes to Scheme of Administration or Scheme of Delegation

There are no implications in respect of this.

### 5 CONSULTATION

5.1 The Director (Finance & Corporate Governance), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), the Clerk to the Council and Corporate Communications and any comments received will be reported at the meeting.

#### Approved by

**Lesley Munro** Director – Education & Lifelong Learning  
(Corporate Parenting Lead, Scottish Borders Council)

#### Author(s)

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#### Background Papers:



LD21120



LD21120



LD21120



34949-Home\_Secret

1\_Unaccompanied A3\_Unaccompanied A2\_Unaccompanied Ary\_Letter\_on\_UASC.

#### Previous Minute Reference:

N/A

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Gareth Stott can also give information on other language translations as well as providing additional copies.

Contact us at Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose TD6 0SA (01835 924000).