



Children's Safeguarding and Family Help

Working with unaccompanied asylum seeking children (UASC): procedures and practice guidance for social workers

1 Introduction

This document sets out the local practice and procedures for social workers working with unaccompanied asylum-seeking children and should be read together with the *Unaccompanied migrant children and child victims of trafficking and modern slavery policy*. [Unaccompanied Migrant Children and Child Victims of...](#)

2 National Transfer Scheme protocol

- To ensure a fair distribution of UASC cases across local authorities, cases may be transferred between local authorities under the National Transfer Protocol available at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/534258/Interim_National_UASC_transfer_protocol.pdf
- UASC cases will be sent to Camden from the Asylum Intake Unit at Croydon under the Protocol. Most UASC present to Camden CSSW first due to transport hubs located in the borough or because they have links with the borough. All cases will be processed by the Children and Families Contact Service and if there are concerns about trafficking and modern slavery, the case will be dealt with under MASH procedures to ensure relevant information is obtained.
- The Contact Service manager will then allocate all UASC cases directly to the Looked After Children and Care Leavers Service and cases will be allocated to CLA social workers by the CLA manager.
- Information about the child and details of any transfer of their case under the Protocol will be recorded on the Unique Unaccompanied Child Record known as Annexe 2 (shown at Appendix 1). This is to ensure good information sharing where the child moves between local authorities.
- **Where the young person has presented to Camden first** the social worker should notify the Central Administration team at the Asylum Intake Unit at Croydon about the young person; this is done by completing and sending on Part A of the Unique Unaccompanied Child record as soon as possible.
- **If the case will be transferred from Camden to another local authority** the social worker should complete a short child and family assessment (see section 6.3 for details). As soon as it is known that a case is to be transferred to another local authority, managers should take action to ensure that this happens in a timely

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manner and that Camden has completed the Part A and a brief child and family assessment.

- **Where the case is referred to Camden under the National Transfer Scheme Protocol** the allocated CLA social worker will be responsible for completing part D of the Unique Unaccompanied Child record to notify the UASC central administration that Camden accepts case responsibility.
- The allocated social worker should continually update Annexe 2 as new information comes to light and the new information should be shared with the Home Office.
- UASC Central Administration keeps a database of all UASC in the UK and social workers should use Part E of Annexe 2 to inform Central Administration of the following changes that will affect funding of UASC:
 - they cease to be looked after either because:
 - they reach 18
 - they go missing
 - an age assessment has established they are over 18;
 - they resume looked after status following a notification of any of the above;
 - there is a change of local authority with responsibility for the child.

3 Dealing with immigration issues

Social workers should be aware of the framework for decision making around UASC claims followed by the Home Office which is available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/537010/Processing-children-s-asylum-claims-v1.pdf

Local authorities have a duty to support UASC to resolve their immigration status and social workers will be expected to carry out the following:

- As soon as a young person presents as UASC, the social worker must check that they have applied for asylum and are in contact with the Home Office.
- The social worker must ensure that the young person has access to legal advice from a registered immigration adviser; social workers can find a suitably qualified adviser from the Office of the Immigration Services Commissioner website at: [Office of the Immigration Services Commissioner - GOV.UK](#)

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- All UASC will have a welfare interview with the Home Office shortly after submitting any application for asylum in order to check their immediate safety. If the case is allocated at this point the social worker will be expected to attend as the responsible adult for the child.
- Social workers will be contacted by the Home Office as part of the case review to establish that relevant information has been gathered and the child is ready to be interviewed. The social worker will be asked to complete Part 1 of the Current Circumstances form and should provide information that the social worker believes should be taken into account by the Home Office when making a decision on asylum. This form allows social workers to provide the Home Office with relevant information about the young person that they feel should be taken into account when making decisions about the young person's asylum claim.
- All UASC are interviewed by the Home Office regarding their asylum application within 2-3 weeks of applying (the substantive asylum interview) although a decision on the application may not be made for some weeks. It is essential that social workers attend this meeting for the following reasons:
 - The Home Office interview is often the point at which the young person provides full information about their background and circumstances and this will enable the allocated social worker to complete the information needed for Annex 2.
 - The social worker will be the responsible person and should be present in order to safeguard the young person's welfare during the interview.
 - Social workers may be asked to provide information with regard to the young person's circumstances and presentation that may be relevant to the asylum claim.

4 Transition to adulthood and leaving care services

Pathway planning for UASC will be the same as for all eligible children and social workers should refer to the *Leaving care and transitions* policy. [Leaving Care and Transition](#)

UASC will qualify for a full leaving care service if:

- they were looked after for at least 13 weeks after the age of 14 and up to the age of **16 and**

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- they have been granted leave to remain or have an outstanding asylum or human rights claim or appeal.

At 18 years old UASC will be transferred to the leaving care service and allocated a personal advisor who will support the young person as they move to independence. Support for UASC over the age of 18 is the responsibility of NAS and personal advisors should support young people to refer themselves to NAS so that they receive asylum support.

5 Access to services and public funds

While they are under 18 and looked after, all UASC are entitled to a CLA service and will be supported by the Care Experienced team under the Children Act 1989.

However personal advisors should be aware that once the young person is 18, they must have a legal basis to be in the UK in order to access any funds under leaving care legislation. If their leave to remain ends and they have exhausted all appeal options they will be without an immigration status and will be in the country illegally and may have no recourse to public funds.

If a UASC who is aged over 18 has been denied leave to remain in the UK by the Home Office and is Appeal Rights Exhausted (ARE):

- The young person will be considered to be in the UK unlawfully under Schedule 3 of the Nationality, Immigration and Asylum Act 2002 and will therefore have no recourse to public funds, including support from Camden as care experienced.
- Their personal advisor should carry out a Human Rights Act assessment which should be completed within 4 weeks. The completed assessment and the young person's latest pathway plan should be sent to Legal Services for checking and sign-off within 2 weeks of the date of completion.
- Legal Services will send a template letter to the young person giving notice of the date that any support they are receiving from CSFH will end; this will be within 2 weeks or may be longer depending on the terms of any tenancy agreement.
- The Care Experienced manager will send a letter to the young person's accommodation provider giving notice of the date when Camden will cease to pay for the young person's accommodation.

- The personal advisor will meet with the young person to explain the outcome of the Human Rights Assessment and its implications, what actions the young person must take in order to arrange their return home, and what support they will be able to access whilst arrangements are being made
- Where the young person agrees to return home, personal advisors will support them to make these arrangements:
 - The young person will be supported to refer themselves to the Assisted Voluntary Returns service for support.
 - Personal advisors may seek the agreement of the Care Experienced Service Manager or Head of Service to pay for the young person's ticket home and a sum for subsistence for the young person whilst they wait to return.
 - The personal advisor will support the young person to make an application to NAS for accommodation and support whilst they wait to return home.
 - The Care Experienced team will support the young person to obtain the necessary documents to allow them to travel.
- If the young person does not agree to return home or does not engage in making arrangements, it should be made clear to them that Camden will continue to withdraw support as stated in the letter and the young person should be informed of the consequences of their failure to take action.
- On the agreed date, the Care Experienced manager should ensure that providers have been notified and that all payments have been stopped before the case is closed on MOSAIC.

6 Human Rights Assessment

- Where a young person is ARE, the local authority may have a duty to provide support if this is necessary to prevent a breach of the young person's human rights, for example if the young person would become destitute if the local authority stopped providing support.
- To establish whether the young person should receive support, the personal advisor should carry out a human rights assessment and should consider the following:
 - the young person's needs
 - their current situation with regard to accommodation and income
 - whether they have access to other sources of income or help and support from family, friends or the community
 - whether they can return to their country of origin; if there are any barriers to returning and what support they need to overcome these.

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- Where the human rights assessment concludes that the young person should be supported, it should be made clear to the young person that this support will be temporary only while they make arrangements to return to their country of origin. They should be made aware that if they fail to take any necessary steps to comply with the Home Office decision, Camden will withdraw support.
- If the young person is unable to travel due to practical or legal barriers, for example not having travel documents or having a medical condition, Camden should provide any support to help them overcome these barriers and to facilitate their return. This should be explored as parts of the human rights assessment and may include tracing family members at home or contacting the relevant embassy for help.
- If the young person states that they cannot return because their human rights would be breached in their country of origin, they should be advised about seeking legal advice about submitting a fresh application or representations to the Home Office.
- They should also be advised that this would only be considered if there is substantive new evidence to support their claim. If the Home Office agrees to reconsider their application, this would be a legal obstacle to the young person returning.
- Whilst there are obstacles to the young person returning, the young person should be advised to apply to the NAS for funding.
- It is essential that personal advisors discuss the possible outcomes of the assessment and ensure that the young person is aware of all the options available to them so that they are aware of the possible consequences of their decision should they remain in the UK. If there are no obstacles to the young person returning home they should be advised that Camden will withdraw support.
- All human rights assessments should be authorised by the Care Experienced service manager and shared with legal services so a decision can be made on whether Camden should continue to support the young person.
- This decision will be communicated to the young person in writing stating that they have 10 working days in which to make representations to Camden after which support will be ended, the case closed and the young person will be expected to leave any accommodation.

7 Reunification and return home

- Care planning should always look at the possibility of the child being reunited with family members or supporting contact with them but this matter should be handled in a sensitive manner and it should be borne in mind that it may not always be possible to trace family members.
- The Home Office is responsible for tracing family members but only if this does not compromise the safety of the child, for example if parents have been complicit in trafficking. The issue of potential family reunification should be explored as part of the UASC assessment.
- Sometimes a young person coming to the UK as an asylum seeker may already have family members here with whom they will want to live with and who are able to look after them. The Home Office will notify Camden of any child moving into the borough and Camden's kinship care policies will apply.
- Care arrangements with family members must only be made if they are in the young person's best interests. In particular care must be taken where there are concerns the young person has been trafficked and someone claiming to be a family member comes forward to care for them.
- Social workers may need to consider arrangements for helping the young person to return home at the following points:
 - On their arrival it may be assessed that this is the best option for the young person, particularly if it is unlikely that they will be granted asylum.
 - If the Home Office refuse asylum there will be a consideration as to whether there are suitable reception arrangements for the child if they return home and that this is in their best interests. However, the young person can appeal against the decision to refuse asylum.
 - Where the young person's leave to remain ends and all appeals are exhausted they will be expected to leave the UK.
- If they are to return, CSFH should work with the Home Office to ensure that this is decision is in the young person's best interests and that they will be safe. Information should be gathered from the embassy regarding this as part of the Human Rights Assessment.

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- Social workers should advise the young person to consider applying for assistance under the Assisted Voluntary Returns scheme so that they can access help with travel documentation and flights and reintegration grants to help them settle on their return.

8 Recording legal status on MOSAIC

Social workers must ensure they record the legal status of UASC on MOSAIC whenever a change is made to the young person's status by the Home Office. Social workers should enter the start date of any new legal status *and* the end date of the previous legal status *each* time it changes so that a chronology of changes of status is recorded on file. The previous legal status **must not** be deleted. Guidance is available at: [uasc-legal-status-mosaic-guidance.pdf](#)

9 UASC who go missing

- Social workers, carers and professionals should also be aware that this group of young people are very likely to go missing from placements; UASC who have been trafficked or are victims of modern slavery may go missing very quickly, sometimes within 72 hours of placement.
- If there are concerns about a young person going missing, the care plan should note what actions professionals should take in the event that this happens. The police should be notified and all efforts should be made to locate the young person. The Home Office should be notified that the young person has gone missing and one week later, if the young person remains missing, the case may be closed by Camden.
- If a young person goes missing within 24 hours of presenting to Camden, they will not be considered to have been looked after by Camden and the case can be closed.

Annex 2 – Unique Unaccompanied Child Record

PART A: RECEPTION INFORMATION

This part to be completed in respect of each unaccompanied child who begins to be looked after, and submitted promptly by the local authority to UASCcentralAdmin@homeoffice.gsi.gov.uk.

Entry local authority:

Social worker:

Date:

Interpreter:

ID No:

Port/HO Ref:

Location of entry to UK:

Family/Tribal name:

First name:

Middle names:

Any other names known by:

Any other names used:

(Claimed) DOB:

(Claimed) age:

Gender:

Nationality:

Language:

Dialect:

Does the young person have any documents to support their stated age and nationality?

Does this young person require an age assessment?

If so, what is your observation of his/her likely age?

Background (which country were they living in prior to their journey?):

Are there any indications that the child may have been trafficked?

Are there any physical marks, scars or identifying features that would enable this person to be identified if necessary?

HEALTH

Allergies:

Medication:

Any long term health concerns?

Smoke?

Alcohol?

Drugs?

Any sustained injuries on the way to the UK?

Any problems sleeping, have bad dreams or nightmares?

Reason

Any other health issues?

FAMILY

Mother

Age

location

Father

Age

location

Brothers

Sisters

Any family in the UK?

Location and numbers:

What was the reason they left their home country:

How long ago did they leave their home country

Route and journey to UK:

Any obvious signs of trauma / vulnerability?

What was the cost of the journey and who paid?

Who arranged their travel?

Do they have a mobile phone?

Do they have any money?

Do they have any belongings?

EDUCATION HISTORY:

Have they attended school?

Age started school:

Number of years attended:

Date last attended:

Any school years repeated:

Grades completed:

Work history:

RELIGION

Religion

Practicing?

Any dietary considerations?

INITIAL PCLAEMENT

Date initial pCLAement commenced

Type of first / temporary pCLAement (foster care / reception centre)

Address of first / temporary pCLAement

Transport method

