

BECOMING ADULT

Mapping unaccompanied asylum seeking
children in England

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Researching young migrants'
uncertain futures

The aim of this Research Brief is to report on data collected via Freedom of Information (FOI) requests submitted to all local authorities in England concerning unaccompanied asylum-seeking children (UASC). The request asked for local authority statistics from the previous three years (March 2012 to March 2015).

Key findings

- Increasingly children are accommodated outside the local authority with statutory responsibility to support them
- Receiving local authorities are rarely informed of these transfers and keep no record of unaccompanied minors placed from other LAs
- Figures of missing children from Local Authorities do not match the one provided by the Home Office.
- Definitions of 'missing' children vary considerably across England casting doubt on the comparability of data across local authorities
- Data on care leavers are extremely patchy and inconsistent across Local Authorities. As a result, little is known about what happens to young people after they reach 18 years old

About Becoming Adult

Becoming Adult: conceptions of futures and wellbeing among migrant young people in the UK is a three-year ESRC-funded project (October 2014–September 2017). The study will enhance understanding about:

- The lived experiences of young men and women who migrated alone to the UK as children as they make the transition to 'adulthood'
- How young people in this situation understand and seek to realise their futures and maintain a sense of wellbeing
- The extent to which there is a fit between young people's conceptualisations of their futures and the immigration and social care policies governing their lives

The study involves young people from Albania, Afghanistan, Eritrea and Vietnam

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Introduction

The UK Home Office definition of an Unaccompanied Asylum Seeking Child (UASC) is a person under 18, who is applying for asylum in his or her own right, and is separated from both parents and not being cared for by an adult who in law or by custom has responsibility to do so.

The duty of care for these children is governed by the Children Act 1989 (as amended by the Children and Young Persons Act 2008). When a child reaches 18 years old the duty to the young person is held within the Care Leavers (England) Regulations 2010 (amended in 2014 to require those duties are fulfilled with particular regard to the child's circumstances and needs as unaccompanied or trafficked).

The responsibility for UASCs is devolved to local authorities (LA) in the UK. Although statutory provisions contain guidance regarding the care UASC and former UASC care leavers should receive, little is known about the implementation of these policies at the local level. Data are particularly scarce for former UASC care leavers and their trajectories once they reach 18 years and are no longer considered to be a 'child'.

The aim of this briefing is to report on the findings of a Freedom of Information (FOI) request sent to all LAs in England. The FOI request asked nine questions about the numbers, categories, definitions and policies for UASCs and former UASC care leavers who have reached 18 years old (see Annex 1). This is part of a larger ESRC-funded research project called 'Becoming Adult: Conceptions of futures and wellbeing among migrant young people in the UK', investigating the wellbeing outcomes for former unaccompanied migrant children as they reach 18 (www.becomingadult.net)¹. The FOI request was sent to 152 LAs in November 2015 for information over a three year period (2012-2015). 141 responses were received.

Previous research shows that the treatment of UASC varies considerably across LAs in the UK (Bianchini 2011; Kohli & Mitchell 2007; Matthews 2014; Stanley 2002; Vine 2013; Wade et al. 2005; UNHCR/UNICEF 2016). Local authorities interpret their duty vis-à-vis UASC and former UASC differently and this results in a variation in young people's experiences of local authority care. Repeated cuts to LA budgets have further polarised such experiences with more wealthy LAs being able to maintain services no longer available or only partially available elsewhere (Connolly & Pinter 2015). In the absence of any centralised database concerning this population, we submitted the FOI request to all LAs in England in order to build a national overview of UASCs and former UASCs from local level data.

The picture that emerges from the data is patchy and revealing of some underlying tensions in the provision of support to this population. It provides nonetheless a unique portrait and baseline for our ESRC-funded study which compares and contrasts meanings and practices concerning futures and wellbeing of current and former unaccompanied minors, local authorities and national stakeholders. Questions included in the FOI were informed by our own research with unaccompanied minors and previous research on this population and aimed to shed light on gaps that had previously been identified.

¹ Becoming Adult: Conceptions of futures and wellbeing among young people subject to immigration control in the UK (ES/L009226/1)

Over the past three years, unaccompanied children have been increasingly placed outside the local authority with statutory responsibility to support them. Children are therefore accommodated in one local authority, while they remain the responsibility of another. However, from 1st July 2016 a more formalised, nationally coordinated system is being introduced. The ‘transfer protocol’ outlines the provisions for the transfer of responsibility for relevant children from one local authority to another (under Part 5 of the Immigration Act 2016). The ‘transfer protocol’ marks a shift from informal voluntary arrangements at the local level to a national scheme coordinated by the Home Office. The effects of this new scheme for the best interests of unaccompanied children are yet to be seen.

Freedom of Information requests

The FOI request is available in full in Annex 1. In brief Question 1 requested the number of UASC in the care of each LA including demographic breakdown. Question 2 asked about the number of UASCs placed in the LA by other LAs. Question three asked how many UASCs are placed by the LA in other LAs. Question 4 requested the number of UASCs who go missing from care. Question 5 asked for the numbers of former UASCs who reached 18 including demographic breakdown. Question 6 asked about how many of those care leavers go missing. Question 7, 8 and 9 asked whether any young people in their care had become appeal rights exhausted, whether Human Rights Assessments (HRA) are undertaken and if any care leavers continue to receive support following a HRA.

The responses suggest data for care leavers are not as systematically collected for UASCs at a LA level and that there are different systems of data collection and monitoring that operate for UASCs and former UASC care leavers. Department for Education (DfE) monitoring data for looked after children requires all LAs to provide disaggregated data for UASCs. However, DfE monitoring data for care leavers does not disaggregate for those who were former UASCs. There are no centrally collected data for former UASCs and local authorities do not seem to systematically collect these data.

Despite limitations (see Annex 2), striking patterns emerge regarding the number of responses where local authorities responded that there were ‘No Data Available’. Data on Human Rights Assessments do not seem to be systematically collected. In addition, more LAs than not report having no data on ‘missing’ UASC care leavers. Finally, more than half the LAs have no available data on whether there are UASCs in their LA who are supported by other LAs.

Demographic profile of UASCs in England

The data gained from FOI requests on the total number of UASCs in England broadly corresponds to the data collated by the Home Office. The small discrepancies can be attributed to the process of rounding in Home Office data.

Table 1: Total UASC in England (cumulative stock)

	2012	2013	2014
Home Office published statistics	1780	1825	2630
Becoming Adult FOI requests	1811	1878	2453

Number of UASC by Local Authority: England 2015

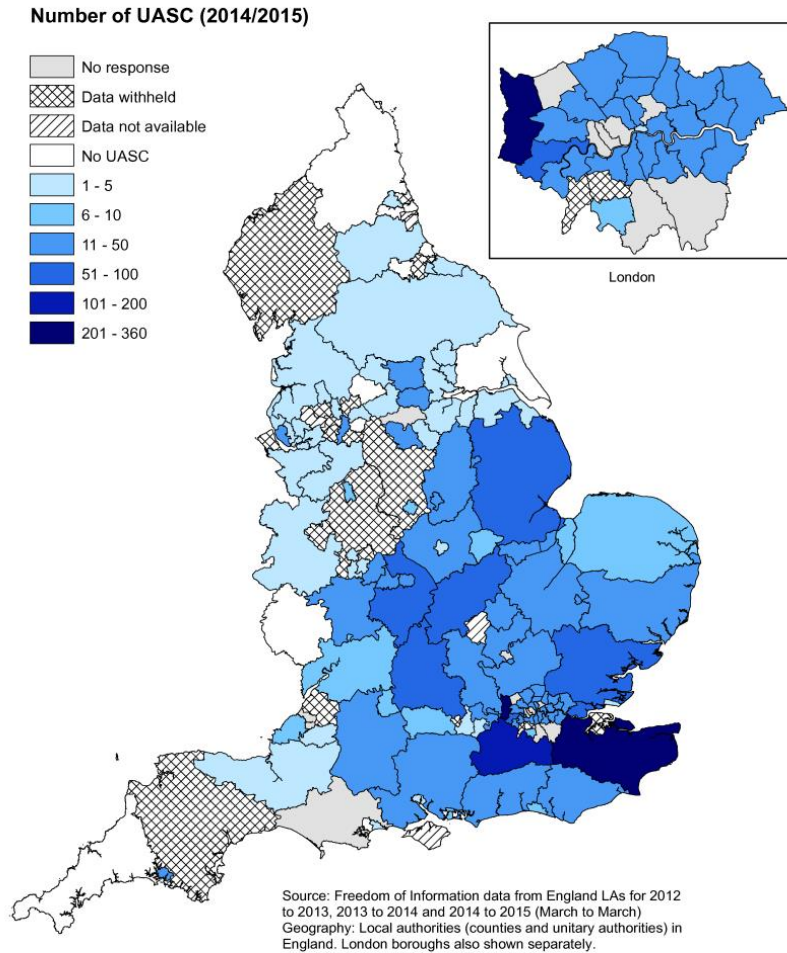


Figure 1: Number of UASC by Local Authority, England 2015²

Table 2: Top 5 nationalities of UASC in the England

2013		2014		2015	
Afghanistan	607	Afghanistan	467	Afghanistan	408
Albania	154	Albania	341	Albania	413
Iran	129	Eritrea	169	Eritrea	346
Eritrea	126	Iran	101	Syria	120
Vietnam	74	Vietnam	68	Vietnam	109

² We wish to thank Anja Krausova for producing the maps in this Research Brief.

Age groups of UASCs and former UASC care leavers in England

The age of a child determines the support that they are entitled to. Children who are under 16 years old are normally placed into foster care, whereas 16-17 year-olds are usually placed in cheaper semi-independent or independent living arrangements. The age of children therefore has large budget implications for local authorities.

Table 3: Age distribution of UASC and former UASC in England

Year	under 16	16-17	18+	No Data Available (NDA)
2013	321	994	1998	58
2014	312	687	2587	175
2015	403	1394	2613	208
Total	1036	3075	7198	441

Age profile of UASC by Local Authority: England 2015

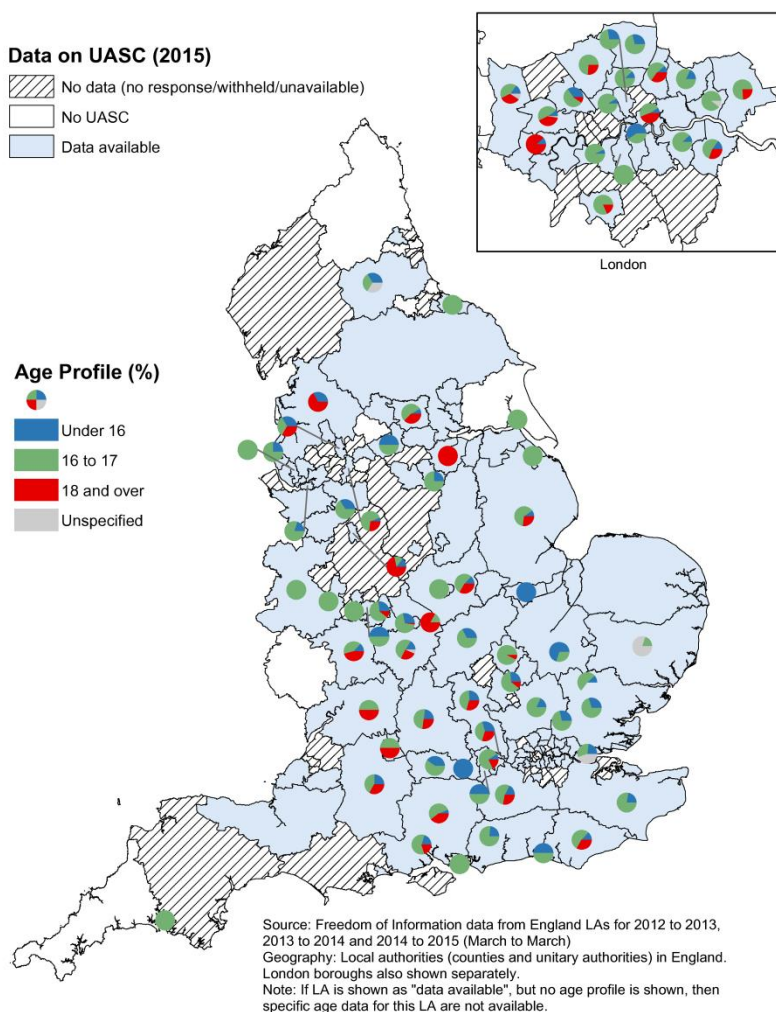


Figure 2: Age profile UASC by Local Authority, 2015

Key findings

Missing Children³

Our data do not correspond to Home Office data on missing unaccompanied asylum seeking children. Table 4 below shows discrepancies in numbers of missing children.

Table 4: Missing UASC according to Home Office and Local Authorities, 2013-2014

	2013			2014		
	Male	Female	Total	Male	Female	Total
Missing UASC - Home Office	30	3	33	40	10	50
Missing UASC – Becoming Adult FOI	81	8	89	71	4	87 (12 NDA)

The discrepancy between the FOI responses and Home Office data may be explained by the wide range of definitions of ‘missing’ provided by local authorities.

The statutory guidance on missing episodes states two definitions:

- ‘Missing from care – a looked after child who is not at their placement or the place they are expected to be (e.g. school) and their whereabouts is not known;
- Away from placement without authorisation – a looked after child whose whereabouts are known but who is not at their placement or place they are expected to be and the carer has concerns or the incident has been notified to the local authority or the police.’

According to the FOI, this definition was interpreted widely by local authorities. ‘Missing’ for some local authorities was classified as ‘any missing episode’ not necessarily those where a young person remained missing. Whereas for other local authorities ‘missing’ was defined as all contact interrupted or ended with the Home Office.

There were also varying amounts of time that lapsed before a child was considered missing. Responses included ‘immediately, 2 hours, 4 hours, 6 hours, 24 hours, depends on risk factors associated with child, depends on whether the circumstances are out of character, same as any other LAC child’.

Bearing in mind the definitional differences, according to the FOI, Table 5 below shows the local authorities with the highest percentage of missing children.

Table 5: Top 10 Local Authorities by percentage of missing UASC, 2012-2015

³ This data was published in the UK European Migration Network report and is not available for 2015 http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/unaccompanied-minors/28a_uk_uam_study_2014_final.pdf

Local authority	Missing UASC	Total UASC	Percentage missing
Warrington Council	3	6	50%
Portsmouth City Council	16	34	47%
Nottinghamshire County Council	8	26	31%
Poole Borough Council	1	4	25%
Dudley Metropolitan Borough	1	5	20%
Halton Borough Council	2	11	18%
Slough Borough Council	9	50	18%
Cheshire West and Chester	1	6	17%
Plymouth City Council	4	25	16%
City of London	2	13	15%
Kent County Council	116	761	15%

The largest numbers of recorded missing children in absolute terms are Kent County Council (116), Sussex County Council (26) and Essex County Council (17) followed by Hillingdon (16) and Portsmouth (16).

UASC gone 'missing' from local authority: England 2012-15

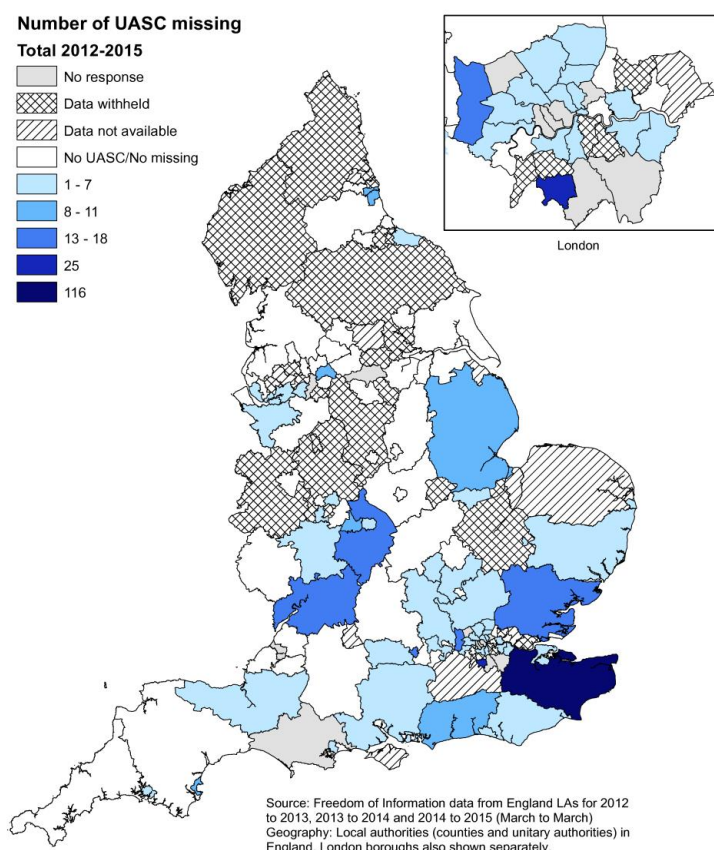


Figure 3: UASC gone 'missing' from local authority: England 2012-2015

There are no published Home Office statistics regarding former UASC care leavers who go missing. Most responses build their operational definition around the criteria of lack of information on whereabouts, but significant variation exists as to further elements included in the definitions. Some LAs differentiate in terms of risk levels, some look at the cause of disappearance, while others define specific categories for 'missing' cases. However, LA responses define a former UASC as missing in a wide variety of ways. The time lapse associated with 'missing' varied most widely. Responses included 24 hours, 5 days, 1-2 weeks, within one month and 8 weeks. Other less specific responses included: 'they are considered to be adults', 'we do not hold this data', 'depends on type of accommodation', 'depends on individual circumstances', 'young people often go missing after their entitlement to leaving care service has ceased'.

Nineteen LAs (15%) stated they had 'no data available' for missing care leavers whereas no LA stated they had 'no data available' for those missing who were less than 18 years old. Local authorities explained that as care leavers are over 18 years of age 'as they are neither children, nor looked after, such events would not constitute or be reported as a 'missing' episode'. The wide definition of missing for former UASCs may reflect the difficulty of recording a person who is more than 18 years old as missing with the police. This indicates differing perceptions of vulnerability and risk associated with those who are less than and more than 18 years old. These perceptions of vulnerability are connected to the definition of childhood and echoed in the institutional care of children and young people in need of protection.

Geographical placement

The FOI responses revealed that increasingly young people are placed outside the LA where they are supported or 'looked after'.

Table 6: Geographical placement and knowledge of placement by year

	2013	2014	2015
Placed outside responsible LA	616	632	872
Known to LA where placed	147	86	57

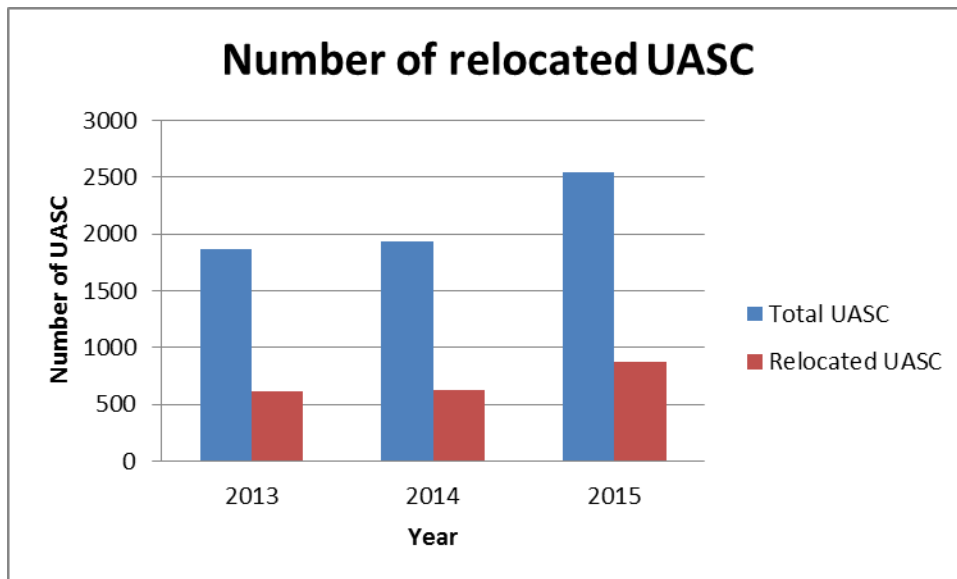


Figure 4: Number of relocated UASC, 2013-2015

In addition, fewer children over time are known to the local authority where they are being placed. Only 17 LAs reported that they had been informed that a UASC had been placed in their LA from a different local authority. This finding may have wide-ranging implications that are also supported by qualitative interviews conducted with social workers and young people. First, social workers must travel to visit the looked-after-child they are responsible for which may have implications for the relationship developed with and the support received by the looked-after-child. Second, it has implications for when a child turns 18 and their support changes. They may be moved back to the LA which has been supporting them and at the same time lose vital support networks when they are most needed. Third, placement outside the LA where they are supported may have an impact on how and whether a child is considered missing, for example it may be more difficult to organise strategy meetings across LA boundaries for missing children. Furthermore, as highlighted above, there are many different definitions and procedures for missing children across LAs. Finally, different LA and police jurisdictions may have conflicting strategies resulting in barriers and delays to registering a child or young person as missing.

UASC moved to a different Local Authority: England 2012-15

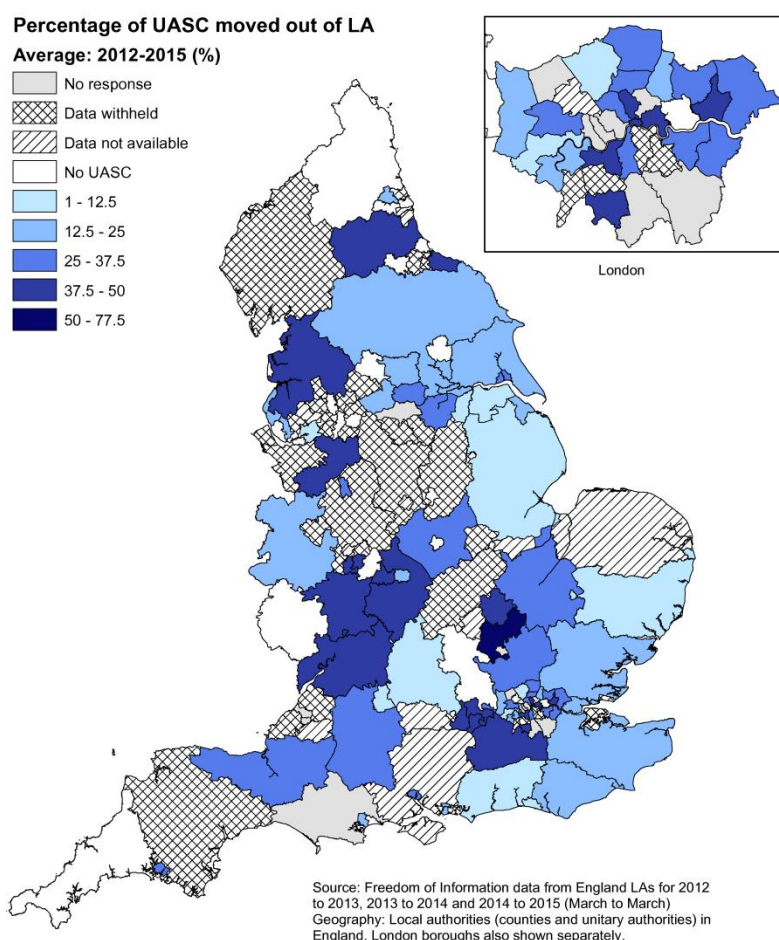


Figure 5: UASC placed in a different Local Authority, England 2012-2015

Conclusion

The responses from the Freedom of Information requests has provided an indication of the complex picture of the regional differences between local authorities regarding the care of unaccompanied asylum-seeking children. There are many limitations in the data presented due to variation of definitions, categories and data collection and recording methods. However, five crucial findings emerge.

First, there are wide variations between the data collected for UASCs and former UASC care leavers. It is yet to be seen what the impact of the Immigration Act 2016 will be for whether and how LAs continue to support UASCs turning 18 who do not have a secure legal status.

Second, the wide range of definitions and data collection methods regarding missing children makes comparability at the national level difficult. This should be well noted when considering statistics on missing UASC children in England.

Third, the transfer scheme rolled out from 1st July may further impact the daily lives of children seeking asylum in England. The implications of the scheme will be shaped by its

management; implementation (particularly how children are chosen to be relocated) and how it is resourced at the regional and local level. The details of the scheme and its effects remain to be seen.

Fourth, over the period covered by the FOI, Local Authorities increasingly placed UASC under their responsibility in other Local Authorities without informing them of these transfers.

Fifth, data collection on former UASC care leavers is patchy and inconsistent and little is recorded of outcomes of this population.

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Annex 1: FOI request

Please could you provide the following information **for each of the last three** years ending 31st March (that is 2012/2013; 2013/2014 and 2014/2015. If you are unable to provide data on any of the questions below please indicate this by inserting 'NO DATA AVAILABLE'.

Looked after unaccompanied asylum-seeking children (under 18 years)

- 1) The number of unaccompanied asylum seeking children (UASC) that were looked after by this local authority:

For each year (where possible) please state the profile of the above in terms of:

- i. Gender
 - ii. Nationality
 - iii. Legal/immigration status on 31st March in each year (e.g. no decision made as yet; granted asylum; granted temporary protection as a child (Discretionary Leave / UASC leave) refused asylum with no grant of leave)
 - iv. Age on 31st March in each year
- 2) The number of UASC who were placed in this LA by other local authorities?
 - 3) The number of UASC placed by this local authority place in other LAs?
 - 4) The number of UASCs who went 'missing'⁴ from the care of the local authority.

How long is a UASC untraceable (the local authority has no knowledge of where they are) before they are considered to be 'missing'? Of those who have gone 'missing' from local authority care, please state their profile in terms of:

- i. Gender
- ii. Nationality
- iii. Legal/immigration status at the point that 'missing' was recorded
- iv. Age at the point missing was recorded

Former UASC care leavers

For each of the same three years please can you provide information about:

- 5) The number of former UASC care leavers who were supported under leaving care legislation by this local authority.

Please state the profile of the above in terms of:

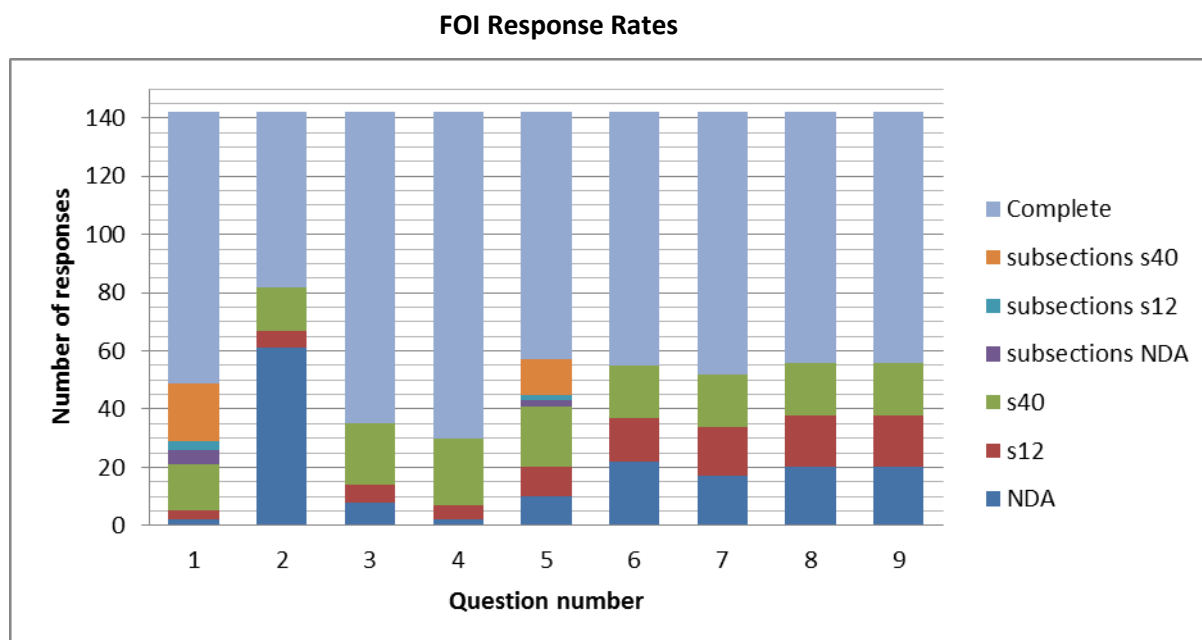
- i. Gender
 - ii. Nationality
 - iii. Legal/immigration status on 31st March in each year
 - iv. Age on 31st March in each year
 - v. Whether or not enrolled in higher education
 - vi. Whether or not enrolled in further education
- 6) The number of former UASC care leavers who went 'missing' whilst still entitled to leaving care services from the local authority.

⁴ By 'missing' we mean that they have interrupted all contact with the local authority and local authority has no knowledge of where they are.

How long is a former UASC care leaver untraceable (the local authority has no knowledge of where they are) before they are considered to be 'missing'? Please state the profile of the above in terms of:

- i. Gender
- ii. Nationality
- iii. Legal/immigration status at the point that 'missing' was recorded
- iv. Age at the point that 'missing' was recorded
- 7) The number (if any) of appeal rights exhausted care leavers who were supported by the local authority beyond grant funding from the Home Office.
- 8) The number (if any) of human rights assessments made for care leavers with appeal rights exhausted.
- 9) The number (if any) of care leavers with appeal rights exhausted who continued to receive support from the local authority following human rights assessment.

Annex 2: Response rates



There are several limitations in the data collected. Graph 1 illustrates the response rate and exemptions applied by LAs. Two exemptions were applied by LAs including section 40(2), statistical confidentiality, and section 12(1), cost of collating the data requested (see Annex 2). Question 1, 4, 5 and 6 asked for demographic breakdown of data. Exemptions applied to this data are depicted above as 'subsection'.

The increase in Section 12(1) and 'No Data Available' responses for the demographic breakdown of UASCs in Question 1 is indicative of the different categories used between the Department of Education and the Home Office in collecting data. The Department of Education asks for a child's ethnicity whereas the Home Office collects data about a child's nationality. Similarly the Home Office records data on legal status by the type of legal protection granted to a UASC whereas the Department of Education defines legal status by the provisions in the Children Act through which the child has become 'Looked After'.

Annex 3: Exemptions under the Freedom of Information Act 2000

Section 12 - Exemption where cost of compliance exceeds appropriate limit⁵

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Section 40 - Personal information⁶

- (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.
- (2) Any information to which a request for information relates is also exempt information if—
 - (a) it constitutes personal data which do not fall within subsection (1), and

⁵ <http://www.legislation.gov.uk/ukpga/2000/36/section/12>

⁶ <http://www.legislation.gov.uk/ukpga/2000/36/section/40>

(b) either the first or the second condition below is satisfied.

(3) The first condition is—

(a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—

(i) any of the data protection principles, or

(ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and

(b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

(4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject’s right of access to personal data).