

SAFEGUARDING ADOLESCENTS

STRATEGY GUIDE

Theme: Unaccompanied Asylum Seeking Children (UCAS)

Introduction

Unaccompanied Asylum Seeking Children (UASC) Child First - Migrant Second

The majority of adolescents who arrive alone in Hampshire are between 14 and 17, and the Local Authority has ongoing responsibilities to Unaccompanied Asylum Seeking Children (UASC) until the age of 26. There is no universal terminology to describe a child or young person who is seeking asylum alone.

Definition of an Unaccompanied Asylum Seeking Child (UASC):

“A child who is claiming asylum in their own right, who is separated from both parents, and who is not being cared for by an adult who in law or by custom has responsibility to do so. Some will not qualify for asylum but may require “humanitarian protection”. Others may not qualify for any leave to remain in the UK. Their status will be determined by the Home Office” [DfE, \(2017\)](#).

Unaccompanied migrant children and child victims of modern slavery, including trafficking, can be some of the most vulnerable children in the country. Trafficking is a child protection issue; young people who are victims of trafficking have specific support needs which should be considered under local child protection procedures. Unaccompanied children are alone, in an unfamiliar country and may be surrounded by people unable to speak their first language.



The local authority where an UASC first arrives is responsible for them under the [Children Act 1989](#). There are exceptions to this under the [Immigration Act 2016](#) in relation to transfer and redistribution of UASC within the Home Office scheme. For those seeking asylum and claiming to be aged under 18 years, then the local authority is responsible for making its own assessment of age.

The unique experiences of UASC and the associated trauma related to their displacement will be important considerations for carers in their day-to-day care. In addition to this, carers will also need to support UASC through the process of applying to the Home Office for permission to stay in the UK and the uncertainty regarding their outcomes while this process is taking place.

What is the impact on safeguarding adolescents?

Many UASC will have emotional health needs resulting from adverse childhood experiences (ACEs) occurring prior to and during their journeys (Digidiki and Bhabha, 2017). They are also likely to have additional educational needs due to language barriers and interrupted (or no) formal education in their home countries (Hopkins and Hill, 2006). Young people's experience of the immigration system can compound existing trauma, as they have to recount harrowing experiences in great detail, and often have to wait for some time before a decision is made on their claim for asylum (Crawley, 2007; Gentleman, 2018).

When children and young people arrive alone in the UK and become known to statutory agencies, they are 'looked after' by the local authority children's services department who take on the role of 'corporate parent'. Local authority social workers take responsibility for ensuring access to services such as appropriate accommodation, health and education. However, as well as this supportive role, social workers in the UK also have a role in assessing the age of a young person where there is doubt that they are under 18 years.

Although unaccompanied young people are legally 'looked after' children, they are also subject to immigration legislation. This is important to understand, as a young person's immigration status, particularly post-18, can significantly impact on their ability to plan for their future.

Carers are likely to be asked to accompany children and young people to their immigration meetings and arrange legal support. Children and young people will also need help to access education, support to practise their faith or religious persuasion, make important links within the local community and support with day-to-day living. Helping children to learn English is an important part of the role, as well as support with their emotional well-being.

For many children their experiences will have been traumatic, and they will have experienced significant



loss. Sheila Melzak, Head of Child and Adolescent Psychotherapy at the Medical Foundation for the Care of Victims of Torture identifies that many UASC experience what she terms as 'Triple Jeopardy':

"...which includes the trauma experienced in their country of origin, their experiences on route and the treatment they are subjected to on arrival i.e., treated as second class citizens, racism and xenophobia."

Therefore, these children can present with significant safeguarding needs that the multi-agency network will need to support, especially due to the absence of previous family and community networks.

Additional Resources and Information

[The Hampshire, Isle of Wight, Portsmouth and Southampton \(HIPS\) Safeguarding Children Procedures Manual](#) - Provides continually updated information, resources and training links.

[Care of Unaccompanied Migrant Children and Child Victims of Modern Slavery: Statutory Guidance for Local Authorities, November 2017](#) - Guidance for local authorities.

[Safeguarding Children who May Have Been Trafficked \(Home Office, 2011\)](#) - Practice guidance for safeguarding children who may have been trafficked.

[Modern Slavery Helpline and Resource Centre - Unseen](#) - The helpline provides information, advice and guidance about modern slavery issues for potential victims, businesses, the public and statutory agencies.

[NSPCC Child Trafficking Advice Centre \(CTAC\)](#) - Information about protecting children from trafficking and modern slavery.

[Duty to Notify the Home Office of Potential Victims of Modern Slavery](#) - Information for specified public authorities that have a duty to notify the Home Office of any individual encountered in England and Wales who they believe is a suspected victim of slavery or human trafficking.

[Home Office Circular - Modern Slavery Act 2015](#) – Information about the Modern Slavery Act 2015, which ensures that the National Crime Agency, the police and other law enforcement agencies have the powers they need to pursue, disrupt and bring to justice those engaged in human trafficking and slavery, servitude and forced or compulsory labour. The 2015 Act also introduces measures to enhance the protection of victims of slavery and trafficking.

[Modern Slavery: Duty to Notify Factsheets \(GOV.UK, October 2016\)](#) - Factsheet and posters that explain what to do if a professional thinks someone has been a victim of modern slavery.

[Support for Victims of Modern Slavery \(Home Office, 2016\)](#) - A leaflet outlining the support available for victims of modern slavery in 11 foreign languages.

[Victims of Modern Slavery - Guidance for Frontline Staff \(UK Visas and Immigration, March 2016\)](#) - Describes the signs that someone may be a victim of modern slavery, the support available to victims, and the process for determining whether someone is a victim.

[Guidance on Processing Children's Asylum Claims](#) - Asylum policy guidance on processing asylum claims from children.

[Victims of Human Trafficking: Competent Authority Guidance](#) - Describes the signs that someone may be a victim of modern slavery, the support available to victims, and the process for determining whether someone is a victim.

[National Referral Mechanism: Guidance for Child First Responders](#) - Guidance on referring potential victims of modern slavery/human trafficking to the national referral mechanism.

[National Transfer Protocol for Unaccompanied Asylum Seeking Children](#) - National transfer procedure on transferring UASC.

[Child Protection: Working with Foreign Authorities](#) - Guidance on child protection cases and care orders where the child has links to a foreign country.

[Local Government Association - Council Support: Refugees, Asylum Seekers and Unaccompanied Children](#) – A resource on supporting refugees, asylum seekers and unaccompanied children .

[Unaccompanied Asylum-seeking Children \(UASC\): Funding Instructions](#) - Instructions to local authorities about funding for the support and care of former and unaccompanied UASC.

[Modern Slavery Act 2015](#) - An Act to make provision about slavery, servitude and forced or compulsory labour and about human trafficking, including provision for the protection of victims; to make provision for an Independent Anti-slavery Commissioner; and for connected purposes.

[Modern Slavery Act 2015: Recent developments - Briefing Paper, July 2016](#) – Information regarding the reaction to the 2015 Act and its implementation, Government action on modern slavery since the 2015 Act and statistics on modern slavery.

[College of Policing - Modern Slavery](#) - Information on modern slavery based on the professional expertise of selected members of the police service, wider law enforcement organisations and voluntary sector practitioners.

[NSPCC - ICARUS leaflets](#) - A directory that can be searched for the latest research, child protection statistics, leaflets, practical guidance, briefings and evaluations.

[Modern Slavery Pocket Guide - Royal College of Nursing Guide for Nurses and Midwives](#) – Guidance for nurses and midwives.

[Refugee Council - Children's Panel](#) - The Refugee Council provide asylum and welfare support, help trafficked children and those whose age has been disputed. They offer mental health therapy to help the children come to terms with their experiences. They also help them with issues such as their care arrangements, education, health issues and other concerns.

[Gangmasters and Labour Abuse Authority](#) - The Gangmasters and Labour Abuse Authority works in partnership to protect vulnerable and exploited workers.

[Young Refugees & Migrants: The Children's Society](#) - The Children's Society provide services across the UK to give young refugees and migrants opportunities to recover, meet people and start enjoying life in a new country.

References

Department for Education, (2017). [Care of unaccompanied migrant children and child victims of modern slavery](#).

Melzak, S. (2005). Research in Practice, On New Ground: Supporting unaccompanied asylum seeking children and young people.