



MIGRANT CHILDREN / UNACCOMPANIED ASYLUM-SEEKING CHILDREN (UASC) January 2011

1. Migrant Children

1.1 In recent years the number of migrant children in the UK has increased for a variety of reasons including the expansion of the global economy and incidence of war and conflict. Local agencies should have due regard to the need to safeguard and promote the welfare of these children offering the same level of support and protection as for children who are UK nationals. Given that migrant children may have serious health needs, in addition to their complex other social needs, particular attention should be given to ensuring that they receive appropriate health care services.

2. Unaccompanied asylum-seeking children (UASC)

2.1 A UASC is an asylum-seeking child under the age of 18 who is not living with their parent, relative or guardian in the UK. In most cases UASC will be referred to local authorities by the UK Border Agency (UKBA) shortly after they arrive in the United Kingdom.

2.2 Local authorities should adopt the same approach to assessing the needs of a UASC as they use to assess other children in need in their area. The child will not have a parent, relative or other suitable adult carer in the United Kingdom, and will likely to have to be accommodated under section 20 of the Children Act.

2.3 The child's immigration status should not affect the quality of care, support and services that are provided as a result of the assessment. Immigration status will, however, have a bearing on the child's future and very careful thought should therefore be given to the range of services provided to the proportion of the children that are not granted asylum or long term leave to remain in the UK – with a view to making sure that the children are equipped for life in their countries of origin as well as the United Kingdom. These considerations should be reflected in the child's care (or their pathway plan for those aged 16+), which will be subject to the same statutory review process, chaired by an Independent Reviewing Officer, appropriate for other looked after children.

2.4 In assessing the needs of UASC and providing effective care local authorities will normally need to build close links with the UKBA 'case owner' responsible for resolving the child's immigration status. This should extend to sharing key information necessary to safeguard the child's welfare, including:

- information relevant to the assessment of the child's identity and age (given that most UASCs may not have reliable documentary evidence of their age and identity);
- information that might be relevant to the immigration decision made in respect of the child (where, for example, the child has complex medical needs or is suffering from trauma); and
- information about any efforts to trace the location of family members in the country of origin (many UASCs will have lost contact with family members because of the circumstances of their journey to the United Kingdom).

2.5 In order to plan appropriately for the future of unaccompanied asylum seeking children it will be necessary for their social worker or personal adviser to seek up to date information on the progress of their asylum case from the UK Border Agency. It should not be assumed that a UASC will remain permanently in the UK, unless and until they have been granted British Nationality, refugee status or indefinite leave to remain. Opportunities available in the country of origin should be addressed in the care or pathway plan review to prepare for the eventuality that the child may decide to or be required to return to their country of origin.

2.6 Where there are safeguarding concerns relating to the care and welfare of any UASC²⁶² then these must be investigated in line with the LCSB procedures in the area where they are living, in the same way as any other looked after child.