

13th September 2021

Agenda Item: 15

**REPORT OF THE SERVICE DIRECTOR, YOUTH, FAMILIES AND SOCIAL
WORK****UNACCOMPANIED ASYLUM SEEKING CHILDREN AND FORMER
UNACCOMPANIED ASYLUM SEEKING CHILDREN CARE LEAVERS - RE-
MODELLING SERVICE PROVISION AND PRACTICE****Purpose of the Report**

1. Nottinghamshire Social Care receives Home Office grant funding for our Unaccompanied Asylum Seeking Children and those that are now care leavers who are eligible for Home Office grant funding. This report proposes a re-modelling of the current approach for this cohort of children and young people in Nottinghamshire to ensure that support is being met through the Home Office grant and so as not to impact on core provision.
2. The need to make the proposed structural changes is needed on an urgent basis. The current situation in Afghanistan has further compounded pressures at UK ports, specifically at the Kent coast. Nottinghamshire Social Care agreed to the transfer of six unaccompanied asylum seeking children from Kent as part of the first 'four cycles' of the National Transfer Scheme Rota (launched 26th July 2021). It was expected that a 'cycle' would be every three months. However, due to these pressures in Kent, Nottinghamshire Social Care completed 50% of committed transfers from the first and second cycles by the fourth week since launch.

Information

3. Nottinghamshire Social Care is required legally to support and accommodate children and young people under s20 (Children Act 1989) who present to social care as asylum seeking children as they require support and have no identified person(s) with parental responsibility. As such, they are also entitled to leaving care services from 18 years until their 25th birthday under the guidance of the Children (Leaving Care) Act 2000 and the Children and Social Work Act 2017 including Nottinghamshire's local offer for care leavers.
4. The Council's Looked After and Leaving Care Service continues to support unaccompanied care leavers and this has always been case-managed within the same model as the core provision and then linking any Home Office funding to the individual young people. As Home Office grant funding has increased and is now more readily available to this cohort, it is recognised that the current model is not utilising the grant to its full potential.

5. There is current year-on-year funding from the Home Office that the Council is able to claim for our support of these children and young people, but to utilise this to its full potential the costs have to be linked directly to this cohort. Currently, not all costs are linked as some of these are hidden and it is not always possible and practical. To avoid this impacting on core provision, it is proposed that there is a change to the current approach, so that more direct and indirect costs are linked directly to the Home Office grant, which will enable Nottinghamshire Social Care to access the full entitlement and reduce financial pressures on core provision.
6. The grant claimable per eligible child and young person is detailed below:

	Grant per UASC (Daily Rate)			Grant per UASC (Full Year)		
	Former UASC - Care leaver	General UASC - Under 18	Referrals - Under 18	Former UASC - Care leaver	General UASC - Under 18	Referrals - Under 18
2021/2022	£39	£114	£143	£14,079	£41,610	£52,195

7. The Local Authority can also continue to claim for a former asylum seeking care leaver if they are over 21 years and in education and/or training.
8. The table below shows the direct costs in supporting this cohort of young people for 2020/21 (e.g. accommodation, personal allowances, equipment, activities) and the grant received from the Home Office. The balance of the remaining grant can then contribute to Social Care staffing and any other overheads:

Cohort	UASC Direct Costs for 2020/21	Grant Income Received for 2020/21	Balance of the grant to contribute towards Children's Social Care staffing & overheads
	£'000	£'000	£'000
UASC – Under 18	422	(583)	(161)
Former UASC – Care leavers	343	(632)	(289)
TOTAL	765	(1,215)	(450)

9. In 2020/21 the Council claimed Home Office grant for 15 looked after Unaccompanied Asylum Seeking Children and 51 former asylum seeking child care leavers.
10. The re-modelling would mean the immediate development of a focused mini-Unaccompanied Asylum Seeking Children team by establishing the following posts: 1 FTE Team Manager (Band D), 2 FTE Social Workers (Band B), 3 FTE Leaving Care Personal Advisors (Grade 5) and 0.5 FTE Business Support Administrator (Grade 3).
11. The maximum projected cost of this re-modelling is detailed below, alongside which grant area the costs would be met from. This could be subject to change if numbers of children and young people do not increase as predicted. However, the costs of remodelling show remaining grant funding allowing flexibility within the service to meet demand. Following discussions between the East Midlands Strategic Migration Partnership, the Council's asylum lead and Finance Team, it is identified that it is highly likely that spontaneous arrivals of Unaccompanied Asylum Seeking Children in Nottinghamshire will increase. Currently

Nottinghamshire has 25 looked after asylum seeking children. This model has accounted for any increase or decrease in numbers so that the Council will still be able to offset the cost of this re-modelling with any fluctuations. There would be enough flexibility for there to be no additional financial pressures to core provision if the number of looked after unaccompanied asylum seeking children remained at 18 or even increased to 35.

Post	FTE	GRADE	Salary	Running expenses	TOTAL Cost	Grant Allocation	
						UASC	Former UASC
Team Manager	1	D	56,417	1,500	57,917	23,167	34,750
Social Worker	2	B	46,228	1,500	95,456	95,456	
Personal Advisor	3	5	33,549	1,500	105,147		105,147
Business Support	0.5	3	24,633	1,500	13,067	6,533	6,533
TOTAL	6.5				271,587	125,156	146,430

12. This will then offset the current need and projected budget pressures within the Looked After service due to the current looked after unaccompanied asylum seekers being re-allocated from current core provision social workers to the Unaccompanied Asylum Seeking Children specific social workers using the Home Office funding. It is anticipated that this will create capacity within the core provision of around 20 young people without the need for increasing establishment of core provision. The completion of Age Assessments within the Unaccompanied Asylum Seeking Children team will also reduce demand pressures and current capacity within the Assessment Services (North and South) whilst fully utilising Home Office funding.
13. Capacity within the Leaving Care team is significantly increasing. Without remodelling there is a projected need for an additional 4 Personal Advisors in Leaving Care, due to the increasing numbers of looked after children meeting eligibility threshold for leaving care services under the guidance of the Children (Leaving Care) Act 2000. The remodelling of Unaccompanied Asylum Seeking Children provision means that funding for the additional Unaccompanied Asylum Seeking Children specific Personal Advisors can be offset via the Home Office grant. This creates an increase in capacity of around 50 young people within the core provision of leaving care, and reduces future budget pressures for additional Personal Advisors funded via core provision.
14. Therefore, this new model will immediately increase much needed capacity within looked after and leaving care of which the funding for this will be offset via the Home Office grant as opposed to incurring additional budget pressures. This new model will also allow applications for additional Home Office grant funding when young people have specific needs (e.g. accommodation and mental health provision linked with their Home Office application).
15. The Council's legal responsibility will not change within the re-modelling, but it is expected that the level of provision and service response will improve due to skills being focused within a specialist area. There are no implications on the statutory position, but the re-modelling will require a short review of current policy, procedure and guidance to ensure any changes of transfers/support pathways are clear.

Other Options Considered

16. The current model could be continued but it is likely that the Council would not be able to access and implement the full Home Office grant funding for this cohort of young people and would have to continue with some reliance on current core provision.
17. As a consequence of continuing with the current model, there would be an increase in budget pressures for further Social Worker capacity within the Looked After Team and Personal Advisor capacity within the Leaving Care Team, due to the increase of Nottinghamshire children entering Local Authority care, specifically 16/17yr olds.

Reason/s for Recommendation/s

18. The Looked After and Leaving Care Service is working closely with the Finance Team to ensure that proactive and timely grant claims are being made for all relevant children and young people to ensure that Nottinghamshire is claiming the appropriate maximum funding available. This process will be easier to monitor and manage under the new model which will ensure that there is less reliance on core provision funding, as this can be directed to Nottinghamshire children and young people that require social care intervention.
19. By operating under the proposed new model, the service will be able to promote and develop specialisms and expertise in this area, as opposed to being spread across several core provision services. This will enable workers to develop better working relationships and knowledge of Home Office working practice which should result in quicker decision-making by the Home Office, faster response to service need and reduce ongoing additional support costs which is currently impacting on core provision. Furthermore, specialisms will also help to develop better links with specialist legal provision, community groups, and other organisations to ensure that the needs of this cohort of young people are being met appropriately and legally without detracting or impacting on other core provision support.
20. This model will also speed up the process of assessments, Home Office applications, pressure on quicker Home Office decision-making and reduce the risk of threats of Judicial Review against the department.

Statutory and Policy Implications

21. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

22. There would be no changes to the current data protection and information governance in respect of information held by Nottinghamshire County Council or the information and data shared with the Home Office in respect of the financial grant claims.

Financial Implications

23. The annual cost of establishing the focused Unaccompanied Asylum Seeking Children team (as set out in **paragraphs 10 and 11**) is £271,587. If approved, recruitment is anticipated to be completed by December 2021 and the cost for 2021/22 is expected to be £90,529. This will be contained within the Home Office grant funding for both Unaccompanied Asylum Seeking Children and Former Unaccompanied Asylum Seeking Children for 2021/22 and the annual cost for the team in each subsequent grant year.

Human Resources Implications

24. The re-modelling would mean a small increase in staffing within the Looked After and Leaving Care establishment which can be incorporated into the current service management establishment without incurring additional costs.

Human Rights Implications

25. Nottinghamshire Social Care is legally required to support and accommodate children and young people who present to social care as asylum seeking children as they require support and have no identified person(s) with parental responsibility. This is linked with the children and young people's article 3 and article 8 rights under the guidance of the European Convention on Human Rights 1950 and the Human Rights Act 1998.

Public Sector Equality Duty implications

26. The remodelling of this service provision would not cause a two-tier service to children and young people depending on their citizenship rights in the UK. All children supported under the remodelled asylum specific service will be looked after children (s20, Children Act 1989) as legislated by the Hillingdon Judgment 2003 and entitled to Children (Leaving Care) Act 2000 provision. This remodelling is more focused on ensuring that maximum grant funding can be accessed and used for asylum seeking children and young people in the care of Nottinghamshire County Council and to ensure that this is not at a detriment to other children and young people accessing core provision.

Smarter Working Implications

27. The continuation of smarter working across the Looked After and Leaving Care teams remains unchanged.

Safeguarding of Children and Adults at Risk Implications

28. The Council's duties in safeguarding children and young people living in Nottinghamshire and being in the care of Nottinghamshire County Council will remain unchanged. The remodelling will aim to help improve communication, co-production and specialisms when working with the Home Office, East Midlands Immigration Teams, East Midlands Strategic Migration Partnership, Nottinghamshire Police, National Referral Mechanism, Barnardo's Child Trafficking Advocacy Service and other voluntary organisations (i.e British Red Cross), who specialise in supporting asylum seeking children and young people.

Implications for Service Users

29. The specialisms and expertise that will be developed under the remodelling of the current service will enable workers to develop better working relationships and knowledge of Home Office working practice which should result in quicker decision-making by the Home Office alongside increasing specialisms and better links with organisations and partners to ensure that the needs of this cohort of young people are being met and better outcomes for them as they transition into adulthood and independence.

RECOMMENDATION/S

That:

- 1) the current service provision for asylum seeking looked after children and care leavers be re-modelled as detailed in **paragraphs 10 and 11** of the report
- 2) the development of a focused Unaccompanied Asylum Seeking Children team with immediate establishment of the following posts:
 - 1 FTE Team Manager (Band D)
 - 2 FTE Social Workers (Band B)
 - 3 FTE Leaving Care Personal Advisors (Grade 5)
 - 0.5 FTE Business Support Administrator (Grade 3).

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Constitutional Comments (ELP 25/08/21)

30. The recommendations fall within the delegation to Children and Young People's Committee by virtue of its terms of reference.

Financial Comments (LCD 31/08/21)

31. The annual cost of establishing the UASC team (as set out in **paragraphs 10 and 11**) is £271,587. If approved, recruitment is anticipated to be completed by December 2021 and the cost for 2021/22 is expected to be £90,529. This will be contained within the Home Office grant funding for both Unaccompanied Asylum Seeking Children and Former Unaccompanied Asylum Seeking Children for 2021/22 and the annual cost for the team in each subsequent grant year.

HR Comments (BC 31/08/21)

32. The staffing implications are contained within the body of the report. New posts will be recruited to in line with the Council's vacancy control and recruitment procedures.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

Electoral Division(s) and Member(s) Affected

All.

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