

Unaccompanied Asylum Seeking Children (UASC) National Transfer Scheme Questions and Answers

This document should be read in conjunction with the [UASC National Transfer Protocol](#) and provides responses to some frequently asked questions in relation to the scheme.

NTS Referrals

How are transfer requests for children processed by the NTS Team?

The UASC NTS team process requests for transfers of children in order of when the request was made. In line with the protocol and the aim for children to be transferred into a new local authority as swiftly as possible, this ensures that the next suitable placement is offered to the child who has been waiting to transfer the longest. However, if specific types of placements are offered then we ensure that these are filled with the next appropriate child.

There is also an option for local authorities to offer placements to children who had been waiting for longer than 28 days, including groups of children who are more content to move together than on their own. This model offers greater flexibility for some regions who would prefer to arrange placements with more time for preparation than is possible for new arrivals who require a swift transfer.

What action do you take if the initial information provided on Unique Unaccompanied Child Record (UUCR) is of poor quality?

The UUCR completed by the entry local authority provides the information required about the child to be transferred to a receiving authority. Part A of the UUCR should be completed in the first 48 hours of the young person arriving in the entry local authority and therefore the initial level of information will be limited to what has been gathered at that time. All sections of Part A of the UUCR must be completed, even if the answer is simply a "no". If information contained in Part A of the UUCR is incomplete or of poor quality, the referral will not be accepted and the NTS team will refer the transfer request back to the entry local authority social worker for additional information. We will continue to work together with all local authorities to ensure the information exchanged is of good quality to support the efficient and safe transfer of children.

Does the Welfare Interview have to have been completed before an in-region transfer can take place?

No, for in-region transfers, completion of Part A, B and C of the UUCR is sufficient.

Can a child be referred for transfer if there is no written record of why the entry LA decision to refer for transfer is in the best interest of the child?

No, the protocol requires a written explanation of why the entry LA's decision to refer for transfer is in the best interests of the child. The explanation should also include what the wishes and feelings of the child are regarding transfer, and an explanation for how the entry local authority social worker will be able to work with the receiving local authority social worker to ensure that the child is ready to move.

What assurance can a receiving local authority expect regarding how a child has been prepared for transfer – especially if the child has indicated that their wish is to stay in the entry local authority?

The entry local authority will complete a written explanation of why the entry LA's decision to transfer is in the best interest of the child. The explanation should also outline the wishes and feelings of the child regarding the transfer, what preparation work is already underway with the child, and a plan for how the entry local authority social worker will be able to work with the receiving local authority social worker to ensure that the child is fully prepared and ready to move. The entry local authority will ensure the receiving authority is kept updated with any new information pertaining to the child and their individual circumstances, particularly if they impact upon the decision to transfer the child or the likelihood of this transfer being in the child's best interests.

The receiving authority should receive more detailed information on the steps taken above if the child has indicated that their wish is to stay in the entry local authority. This wish to stay may increase if the transfer does not take place within the expected timescales. In this situation, the entry authority must supply additional information on the reviews it has undertaken to ensure it remains in the child's best interest to transfer.

Whilst the child's wishes and feelings are one of the key considerations in deciding the best interest of the child, it is not the primary or only consideration. There will be many cases where collaborative working between the child, and social workers in the entry and receiving local authority will result in a positive outcome for the child being transferred. It is expected that the receiving authority will take all reasonable attempts to support the transfer of the child into their local authority area and adhere to the expected timescales within the NTS protocol.

Does the NTS protocol allow entry local authorities to withdraw a child from transfer late in the process when a receiving local authority may have identified a placement?

Yes, the entry local authority may need to withdraw a child from the transfer process if it becomes clear at any point in time that it is no longer in the best interest of the child to move. The decision to withdraw, and why, should be communicated to the receiving local authority and the NTS team as soon as possible.

What action is taken if there are concerns around practice or safeguarding concerns for an individual child and who can I raise these with?

Local authorities have the legal responsibility for the safeguarding of individual children who are looked after by them or are in their area.

The Home Office NTS team take concerns in relation to the safeguarding of all UASC very seriously. In line with our duties under section 55 of the Borders, Citizenship and Immigration Act 2009 we have a Cases of Concern process to manage and monitor such cases ensuring that information shared with us is appropriately passed on to other Home Office colleagues, for example those who have an ongoing responsibility for consideration of an asylum claim.

The cases of concern annex provides a flow chart setting out the process for a receiving local authority social worker or SMP UASC lead to raise concerns with an entry local authority about a child referred for transfer. Entry local authority social workers should raise any concerns around practice or safeguarding of UASC to the Home Office NTS team safeguarding inbox UASCNTSSafeguarding@homeoffice.gov.uk. The NTS team will then immediately pass these onto the local authority concerned so that they can be resolved. Whilst a concern is being resolved, all transfer action for the child will be suspended by the NTS team.

Reports relating to the safeguarding or wellbeing of a child will also be logged by the NTS team against the individual child's transfer record and the Cases of Concern log. The Cases of Concern log will contain anonymised details of the issues raised and will be shared with cross government staff and practitioners at the NTS Protocol Working group meetings to inform any new NTS FAQs or revisions to the Protocol.

What is the process for a receiving LA to provide feedback where a child has been transferred but they have serious safeguarding concerns about the way that the transfer took place?

The receiving local authority social worker and designated manager should put their concerns in writing and send directly to the entry local authority designated manager, copying in UASCNTSSafeguarding@homeoffice.gov.uk. The entry local authority designated manager should review the case and put a response in writing within 2 weeks, again, copying in UASCNTSSafeguarding@homeoffice.gov.uk. Any issues identified relevant for the revision of the NTS Protocol will be brought by the NTS team in an anonymised version to the NTS Protocol working group when it meets.

Asylum Contact points

Who can I contact regarding a welfare interview for a UASC?

For welfare interviews and information relating to these please call the National Asylum Intake Unit on 020 8196 4524.

Who should I contact regarding a young person's asylum claim?

Asylum decision-makers have responsibility for making decisions on asylum applications made including those for UASC. You should already be in contact with Home Office staff in relation to the child's asylum claim but if you remain unsure who to contact, an updated list of contacts for each asylum decision-making team has been circulated to the SMP network.

Asylum Safeguarding teams

The Asylum Safeguarding Hubs are geographically aligned to each of the UKVI regions. Each Hub is tasked with safeguarding activity for asylum customers that reside in their region. If a safeguarding concern is identified for a UASC after they have been transferred to a region please make a referral to the appropriate Hub (details below).

Scotland & Northern Ireland	<u>Click to email the SNI Hub</u>
North West England	<u>Click to email the NW Hub</u>
North East England	<u>Click to email the NE Hub</u>
Wales & South West England	<u>Click to email the WSW Hub</u>
Midlands & East England	<u>Click to email the MEE Hub</u>
London & South East England	<u>Click to email the LSE Hub</u>
National Asylum Intake Hub	<u>Click to email the NAIU Hub</u>

Data

What data is published on the number of UASC transferred through the NTS and within each local authority?

Data is published on a quarterly basis as part of the Asylum Transparency Statistics on the gov.uk website. <https://www.gov.uk/government/collections/migration-transparency-data>

Data on the number of UASC looked after by each local authority is currently published by the Department for Education up until March 2017. <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

Data on the UASC population in each local authority is not currently published by the Home Office.

Age assessment

What is the position in relation to an individual whose age is in dispute?

Where required, the receiving local authority will normally be expected to conduct the Merton and further case law compliant age assessment. However, the protocol allows a greater degree of flexibility so that the entry local authority may, subject to their agreement, conduct a Merton compliant age assessment before a transfer takes place.

Where an individual's age has been disputed by the Home Office, what date of birth do the Home Office assign to that person?

The Home Office changed its guidance in February 2018 to ensure that in cases where an individual's age has been disputed, but where they have been given the benefit of the doubt and treated as a child until a Merton compliant assessment has been conducted, they should be assigned their claimed date of birth – pending the outcome of the Merton compliant assessment or new documentary evidence coming to light.

Why are some claimant's given a date of birth of 1st January?

Where a claimant has no documentary evidence of age, and they do not know their date of birth, they may be given a date of birth of 1 January. This is a long standing approach based upon UNHCR practice guidance.