

Fosterline Wales Factsheet

Fostering unaccompanied asylum seeking children

This factsheet provides a definition of an unaccompanied asylum seeking child; the role of the government and local authority; the issue of trafficking and exploitation; and tips and support for foster carers.

Introduction

Children or young people who arrive in the UK seeking refugee status, without their parents or carers, usually come into the care of the local authority when they are first identified. As looked after children, they are often placed in foster or residential care, unless a suitable family member or guardian can be identified to care for them.

These children and young people usually have complex legal, emotional, educational, faith, language, family relations and practical needs.

What is an unaccompanied asylum seeking child(UASC)?

There were 3,223 asylum applications from UASCs in the year ending March 2019, a 31% increase compared to the previous year.¹ UASCs accounted for 10% of total asylum applications in the latest year. A small number of these are living in Wales.

They are subject to immigration legislation, as well as looked after children legislation.

An UASC is legally a looked after child. As such, they have the same legal rights as any other looked after child. Similarly, if they are allowed to remain in the UK as adults, they have the same legal rights as all other care leavers, including access to When I Am Ready.

Who does what?

The UK Government is responsible for immigration legislation. The Home Office oversees immigration and asylum processes, which can be complex and time consuming. (The Fostering Network's 'Supporting Unaccompanied Asylum Seeking Children, Signposts in Fostering' sets out an asylum process guide). The Welsh Government holds the devolved responsibility for legislation, regulation and codes of practice about their education, health and being a looked after child (or care leaver). Each local authority is responsible for the child's wellbeing and supporting the child through the care process, with a Care and Support Plan, and the immigration and asylum processes.

¹ <https://www.gov.uk/government/publications/immigration-statistics-year-ending-march-2019/how-many-people-do-we-grant-asylum-or-protection-to>

The foster carer's main role is to provide day to day care and support to the child. The foster carer has the dual task of helping the child adjust to life in Wales, while also supporting them to deal with many multi-layered worries and fears. In addition, a well-informed foster carer, who understands the asylum process, can play an important advocacy role (including support in keeping all the documents in order and safe), but it is not their role to act as a legal advisor. The young person will also need to have access to specialist immigration information and advice in addition to interpretation, advocacy services and legal representation.

Age assessment

The age of a young person is often a matter of dispute, particularly as few have legal documents. This is particularly important where there is a dispute about whether someone is over or under 18, as this affects the local authority's responsibility for that person. Wales has an Age Assessment of UASC All Wales Multi-Agency Toolkit, to assist in such an assessment process.

Trafficking, exploitation, radicalisation or abuse such as Female Genital Mutilation (FGM)

Children may have been trafficked into the UK with adults and their status as a UASC is only discovered later. They may present as an UASC when they enter the UK, only to disappear when their trafficker makes contact with them. Other UASC may have been smuggled into the UK but then left to fend for themselves. Trafficking and exploitation are always child abuse. As a foster carer, you need to be aware that a child may still be at risk from their trafficker even after they have been placed with you. Be alert to signs that the child is waiting for, or receiving communications from, unrelated adults.

Any suspicious or unexplained activities may lead to the questions that the young person may have come under the influence of radicalisation activities, either directly from extremist groups or online.

For concerns about a child or young adult, follow child protection All Wales Practice Guidance and speak to the designated safeguarding lead in your fostering agency. Please note all professionals have a legal obligation to safeguard children that present to them. For out-of-hours assistance, contact your local children's social services or police, specifically highlighting your concern about trafficking or abuse.

Further resources and support can be found at:

- NSPCC specialist Child Trafficking Advice Centre (see Resources section).
- The Refugee Council for Wales or British Red Cross (see Resources section) gives advice on how you can help if a child wants assistance to locate family in the UK, or to communicate with family still living in their country of origin.
- Barnardo's have an Independent Trafficking Guardian Service (see Resources section).

If you know the child's language, culture or religion, the first couple of weeks of transition to the new placement will be eased with familiar words, objects, the offer of a prayer space in their room, local services, or foods when they arrive. In addition,

they may ask for contact with local families associated with their religious customs, language or culture, such as attending regular services, festivals or observances. Doing everyday activities together can be a positive way to build confidence and relationship. As you do things together, you may learn new skills, as well as pass on yours.

Initially, following initial registration with a local GP, most will need additional support with health, (free on the NHS regardless of the immigration status), attending school if under age 16, learning English as a second language (ESOL-English for Speakers of Other Languages), and gaining formal education qualifications.

Unaccompanied asylum-seeking children may have unexpected and strong reactions to what will be everyday occurrences to the foster family. These may be related to trauma, expectations based on past experiences, or unfamiliarity with life in Wales.

In addition, foster carers also need to be sensitive to issues of:

- social services may have limited or no information about the young person
- reactions that health services, and the police, may not feel like safe places
- experiences of day to day resentments, bullying, prejudice or abuse
- the worries about the prospect that they may have to return to their country of origin
- the young person may go missing, requiring immediate information to social services

Resources

The Fostering Network

Supporting Unaccompanied Asylum Seeking Children, Signposts in Fostering
fosteringresources.co.uk/?cid=1&sid=3&pid=587&p=0

Welsh Government's Swansea Children's Legal Centre

A series of factsheets for young people who find themselves in Wales seeking asylum, without family to care for them

<https://gov.wales/sites/default/files/publications/2019-08/child-first-looking-after-unaccompanied-asylum-seeking-children-in-wales.pdf>

Information for foster carers about fostering UASC in Wales

<https://gov.wales/sites/default/files/publications/2019-04/child-first-looking-after-asylum-seeking-children-in-wales-foster-carers.pdf>

A Best Practice Guide for Social Workers in Wales supporting UASC

<https://gov.wales/unaccompanied-asylum-seeking-children-guidance>

Welsh Refugee Council

Provides advice, information and support. 0300 303 3953

welshrefugeecouncil.org.uk/

<https://wrc.wales/wp-content/uploads/2020/02/MSiW-Briefing-Unaccompanied-Asylum-Seeking-Children.pdf>

Coram Children's Legal Centre

Migrant Children's Project Advice. Email advice from a specialist solicitor on all issues affecting migrant, asylum-seeking and refugee children

childrenslegalcentre.com/get-legal-advice/immigration-asylum-nationality/advice-line/

For legal information: childrenslegalcentre.com/resources

Refugee Council

Children's Advice Service: national service providing advice and support to children.

020 7346 1134 or email children@refugeecouncil.org.uk

refugeecouncil.org.uk/latest/projects/childrens-advice-project/

The asylum process:

<https://refugeecouncil.org.uk/wp-content/uploads/2019/06/Separated-children-asylum-process-journey-map.pdf>

Child Trafficking Advice Centre (CTAC) NSPCC

Advice and support for professionals worried that a young person may be a victim of trafficking 0808 800 5000 or email help@nspcc.org.uk

learning.nspcc.org.uk/services/child-trafficking-advice-centre/

All Wales Child Protection Procedures Review Group

All Wales Practice Guidance for Safeguarding Children Who May Have Been Trafficked

childreninwales.org.uk/wp-content/uploads/2015/09/All-Wales-Practice-Guidance-for-Safeguarding-Children-Who-May-Have-Been-Trafficked.pdf

Welsh Government

Statutory guidance to help prevent children and young people from missing education: A practical toolkit to help identify children and young people missing education

https://dera.ioe.ac.uk/554/7/101419missingeducationen_Redacted.pdf

Wales Safeguarding Procedures

<https://safeguarding.wales/>

Barnardo's

Information on Barnardo's Independent Child Trafficking Guardian service

<https://www.barnardos.org.uk/what-we-do/protecting-children/trafficked-children>

Schools of Sanctuary

Committed to a school being a safe and welcoming place for all, especially those seeking sanctuary

schools.cityofsanctuary.org/

British Red Cross

Missing Families

redcross.org.uk/get-help/find-missing-family

Wales Strategic Migration Partnership

Age Assessment of Unaccompanied Asylum Seeking Children: All Wales Multi-Agency Toolkit, 2015

wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=2462

Safe Passage

Legal Routes to Sanctuary

safepassage.org.uk/refugees-welcome/

Refugee Action

Providing basic support refugees need to live again with dignity

refugee-action.org.uk/about/our_vision/

How The Fostering Network can help

The Fostering Network offers advice, information and support. Our expertise and knowledge are always up-to-date and available through our vital member helplines, publications, training and consultancy.

Advice

Fosterline Wales

Call us on 0800 316 7664 from 9.30am - 12.30pm Monday to Friday.

If you call outside this time, please leave a message and someone will call you back as soon as possible.

You can email us at:

fosterlinewales@fostering.net

Support and resources

Our website is an essential source of information, while our online community brings together foster carers for peer support and advice. You can login to share your experience and get advice from other foster carers. Our online community is a safe and secure area to discuss foster care matters.

thefosteringnetwork.org.uk

Training and consultancy

Wherever you are in your fostering career, as a foster carer, social worker or manager, The Fostering Network has a range of training designed to meet your development needs.

For more information contact our learning and development manager, Sarah Mobedji at sarah.mobedji@fostering.net.

About The Fostering Network

The Fostering Network is the UK's leading fostering charity, bringing together everyone who is involved in the lives of fostered children to make foster care the very best it can be.

Contact

To find out more about our work in Wales, please contact:

The Fostering Network Wales
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Cardiff CF11 9HB

Telephone: 029 2044 0940

Email: wales@fostering.net

Web: thefosteringnetwork.org.uk

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