

## Fosterline Wales Factsheet

### Fostering unaccompanied asylum seeking children

#### 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?

Around 4,560 unaccompanied and separated children sought asylum in the UK in 2016/17. A small number of these are living in Wales.

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

An unaccompanied asylum-seeking child (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 the provisions of When I am Ready.

#### Who does what?

**The UK Government** is responsible for immigration legislation.

**The Home Office** oversees immigration and asylum processes.

**The Welsh Government** is responsible 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 immigration and asylum processes.

The child or young person needs a responsible adult with them during their asylum application. If they have received appropriate training and support, this could be the foster carer.

The foster carer's role is to provide care and support to the child. The foster carer has the dual task of helping the child adjust to life in Wales, while also making sure the child is prepared for a possible future return to their country of origin. A well-informed foster carer, who understands the asylum process, can play an important advocacy role, 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.

## **Age disputes**

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 16 or 18, as this affects the local authority's responsibility for that person. Wales has an [Age Assessment of Unaccompanied Asylum Seeking Children All Wales Multi-Agency Toolkit](#) to help resolve such disputes

## **Trafficking and exploitation**

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, an unrelated adult.

For concerns about a child or young adult follow all child protection guidelines and speak to your designated child protection lead in your fostering agency. Please note that health 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 service, specifically highlighting your concern for child trafficking.

For further support, you may wish to contact the NSPCC specialist Child Trafficking Advice Centre service for information and advice. Call 0808 800 5000 or [email](#) for more information.

## **Tips for foster carers**

Watch the [video presentation by Jim Wade](#), to help you think how to prepare for the child, and how best to support the child while they are with you.

If you know the child's language, culture or religion, make sure there are some familiar words, objects or foods clearly visible when they arrive.

Be aware that, depending on the age and circumstances of the child, they may want a family relationship with you, a temporary home base or safe lodgings. The Refugee Council for Wales can advise 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.

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, most will need additional support with health, learning English as a second language, and gaining formal education qualifications.

Unaccompanied asylum seeking children may have unexpected and strong reactions to, what to you are everyday occurrences. These may be related to trauma, expectations based on past experiences, or unfamiliarity with life in Wales. In particular, be aware that health services and police may not feel safe places.

### **Further Resources**

Supporting Unaccompanied Asylum Seeking Children, Signposts in Fostering, The Fostering Network

[fosteringresources.co.uk/?cid=1&sid=3&pid=587&p=0](http://fosteringresources.co.uk/?cid=1&sid=3&pid=587&p=0)

Safeguarding and Promoting the Welfare of Unaccompanied Asylum Seeking Children and Young People: All Wales Practice Guidance, All Wales Child Protection Procedures Review Group, 2011

[childreninwales.org.uk/policy-document/safeguarding-and-promoting-the-welfare-of-unaccompanied-asylum-seeking-children-and-young-people-140613-w-2/](http://childreninwales.org.uk/policy-document/safeguarding-and-promoting-the-welfare-of-unaccompanied-asylum-seeking-children-and-young-people-140613-w-2/)

[childreninwales.org.uk/our-work/safeguarding/wales-child-protection-procedures-review-group/](http://childreninwales.org.uk/our-work/safeguarding/wales-child-protection-procedures-review-group/)

Guidance on applying Section 6 of the Social Services and Wellbeing (Wales) Act for looked after children

[welshrefugeecouncil.org.uk/migration-information/legal-briefings/local-authority-services-for-separated-migrant-and-asylum](http://welshrefugeecouncil.org.uk/migration-information/legal-briefings/local-authority-services-for-separated-migrant-and-asylum)

Guidance on applying the Social Services and Wellbeing (Wales) Act for care leavers

[welshrefugeecouncil.org.uk/migration-information/legal-briefings/migrant-care-leavers-duties-of-welsh-local-authorities-under](http://welshrefugeecouncil.org.uk/migration-information/legal-briefings/migrant-care-leavers-duties-of-welsh-local-authorities-under)

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

[learning.gov.wales/docs/learningwales/publications/170323-statutory-guidance-to-help-prevent-children-and-young-people-from-missing-education-en.pdf](http://learning.gov.wales/docs/learningwales/publications/170323-statutory-guidance-to-help-prevent-children-and-young-people-from-missing-education-en.pdf)

### **To contact:**

Welsh Refugee Council

[welshrefugeecouncil.org.uk](http://welshrefugeecouncil.org.uk) 029 2048 9800

For legal information

[childrenslegalcentre.com/resources](http://childrenslegalcentre.com/resources)

Wales Strategic Migration Partnership (WSMP)

[wsmp.org.uk/](http://wsmp.org.uk/)

### **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 or write to us at:

[Fosterlinewales@fostering.net](mailto:Fosterlinewales@fostering.net)

The Fostering Network

1 Caspian Point, Pierhead Street

Cardiff Bay CF10 4DQ

## **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](http://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](mailto: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

1 Caspian Point, Pierhead Street

Cardiff Bay CF10 4DQ

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