

Home Affairs Committee

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From the Committee Chair

Rt Hon Priti Patel MP
Secretary of State
Home Office
2 Marsham Street
SW1P 4DF

8 September 2021

Dear Home Secretary,

Home Office management of unaccompanied asylum-seeking children

The Committee has been contacted by several organisations who have expressed significant concern about the Home Office's management and care of unaccompanied asylum-seeking children. In particular, it has been drawn to our attention that the Home Office is using hotels to accommodate vulnerable unaccompanied children, arrangements which appear to fall outside of the looked after child statutory framework and guidance, without appropriate supervision and support.

On 29 July 2021, 65 charities wrote a joint letter to the Education Secretary¹ expressing concern at the Department for Education's authorisation for the Home Office to place children seeking asylum in minimally supported hotel accommodation. The charities stated that "it is not clear on what legal basis" the Home Office is holding children in contingency accommodation, such as the Kent Intake Unit or hotels. They further highlighted that the Department for Education is introducing new legislation, which comes into force tomorrow, 9 September 2021, making it unlawful for local authorities to place children under 16 in this type of accommodation.² We have also heard concerns that assessments of need, which should be undertaken by local authority children's social care, safeguarding or trafficking assessments, have not been carried out and further that it is unclear who has been employed to look after the children in the hotels. Please could you urgently clarify the following points:

1. Under which powers are children and young people placed in (a) holding accommodation prior to their acceptance by a local authority under the National Transfer Scheme and (b) in all other types of accommodation?
2. Have children and young people been transported across the country in vehicles, without an appropriate adult, like a social worker, to escort them?
3. Does the Home Office routinely collect data on the length of stay for children and young people in holding accommodation? If so, what is the average stay duration

¹ [Charities to Education Secretary Gavin Williamson 'Placing unaccompanied children in hotels is a breach of their rights'](#), 29 July 2021

² The Care Planning, Placement and Case Review (England) (Amendment) Regulations 2021

and maximum stay duration for children and young people held in hotels in the period from 1 April 2021 to present?

4. Is the Home Office using hotels as short-term holding centres? If so, under what legislation and powers?

5. It has been suggested that the Home Office has temporarily assumed the role of 'corporate parent' for unaccompanied asylum-seeking children arriving in the UK, although it is local authorities that have a statutory role as corporate parent under the Children Act 1989. Is this correct? If so, under what authority has the Home Office assumed this responsibility, and why?

6. Does the Home Office undertake risk assessments on all temporary accommodation used for children and young people before unaccompanied asylum-seeking children are placed?

7. Have any of the unaccompanied asylum-seeking children, placed by the Home Office in temporary accommodation, fallen outside of the looked after children legal framework and guidance, even if this is temporarily? If so, how many and what proportion does this represent of the unaccompanied asylum-seeking children arriving in the UK while such temporary accommodation has been in use? What is the average and maximum period during which a child has fallen outside the framework and guidance?

8. Under the Home Office's current accommodation arrangements, are any children left unsupervised over-night by Home Office commissioned private childcare providers or Local Authority Children's Service commissioned childcare providers?

Brighton and Hove

On 29 July, leader of Brighton and Hove City Council Phélim Mac Cafferty expressed his concern about the welfare of unaccompanied asylum-seeking children being accommodated in a hotel in Brighton and Hove. He said that Brighton and Hove City Council were given less than 24 hours' notice, and were not consulted, before the arrival of dozens of unaccompanied asylum-seeking children.³ We understand that the Council were also informed that the Home Office would function as the corporate parent for the unaccompanied asylum-seeking children. Media reports indicate that the Council requested details of the action to be taken by the Home Office to provide ongoing care and support for the children but had not received even a holding response after one week, or clarification on how security, support or long-term funding would operate for these children⁴. Could you please clarify the following points:

9. What criteria was used to select the hotel in Brighton and Hove as suitable accommodation for children and for what reason was the local authority not consulted before the unaccompanied asylum-seeking children were moved in?

10. Can the Home Office explain how, in the light of paragraph 18B of Schedule 2 to the Immigration Act 1971, it is placing children in hotels for more than 24 hours?

11. Can you confirm whether the Home Office has been provided special dispensation to act as a corporate parent for the unaccompanied children in Brighton and Hove? If yes, by whom?

³ MPs decry 'shocking conditions' at facilities for asylum seekers, Guardian, 29 July. [Home Office needs to be clear on responsibilities to unaccompanied asylum-seeking children placed in the city](#), Brighton and Hove City Council, 29 July 2021

⁴ [Leaders call for mandatory rota for child asylum seekers](#), Local Government Chronicle 2 August 2021

12. Have child needs' assessments been conducted on any or all children, prior to a qualified social worker working within a children's social care statutory service being involved?

13. What financial, medical, and practical support (food, toiletries, clothes, phone credit & data) are being provided during their stay in the hotel?

14. Have the unaccompanied asylum-seeking children already been supported to begin the process of lodging an asylum claim?

15. Are translators or interpreters on site to help provide suitable assessments of need? Are the children able to access legal advice with an interpreter present?

16. What are the average and maximum periods for which children and young people are remaining in the hotel before being moved elsewhere, and how is this being recorded and monitored?

17. Is the Home Office using hotels in other local authority areas to accommodate unaccompanied children?

I would appreciate a response by 20 September.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Yvette Cooper', written in a cursive style.

Yvette Cooper MP