

Home Secretary

Home Office

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Rt Hon. Yvette Cooper MP
Chair, Home Affairs Select Committee
House of Commons
London
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22 September 2021

Dear Chair,

Thank you for your letter dated 28 August. As you will be aware, high numbers of people are making life-threatening journeys crossing the Channel at the hands of criminal trafficking gangs. These boats are often carrying unaccompanied asylum-seeking children (UASC). Our priority is ensuring UASCs receive the appropriate support and care whilst we seek permanent placement for them with local authorities across the country.

The Home Office is working closely with the Department for Education to ensure that the needs of newly arriving unaccompanied asylum-seeking children are met and that permanent placements are secured for them at the earliest opportunity.

Many local authorities have already come forward and provided places and we are very grateful for their support.

To further support the work undertaken by local authorities, we recently refreshed and relaunched the National Transfer Scheme (NTS), including more than £20m of new funding. The new scheme has been designed to address key barriers to local authority participation.

Home Office management of unaccompanied asylum-seeking children

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?

In providing for their needs we have kept the children central to our decision making. During the summer whilst waiting placement with local authorities we provided temporary accommodation in hotels with accompanying support from nurses, support workers and social workers. We are pleased to say that following ongoing discussion with Kent County Council, the Council have been able to recommence accommodating children in their specialist centres. There will now be a transition period as we return to children being accommodated by Kent County Council whilst they await transfer under the National Transfer Scheme.

2. Have children and young people been transported across the country in vehicles, without an appropriate adult, like a social worker, to escort them?

There are contractual arrangements in place for the transportation of UASC and they will have been transported in accordance with those arrangements.

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?

The Home Office, in addition to the usual immigration system records, keeps a register for the UASC hotels, tracking arrival, NTS progress, move out and departure. The hotels were stood up on 16 July and we began tracking cases on these registers on 21 July. Based on local management information, since then, we have moved 287 residents out of the hotels, with the average stay being 9 days. This time allows the local authority that will care for the UASC time to find a suitable placement.

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

The hotels are not short-term holding facilities and the children are not detained. We have sought to provide a comfortable and supportive environment for the children whilst they await a permanent placement. We have worked closely with the NGOs to ensure additional support is in place.

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?

Our focus has been ensuring that no child is left destitute or without support and to that end we have worked closely with statutory bodies prioritising the health, safety and wellbeing of unaccompanied asylum-seeking children who have required our support pending placement with local authorities. We welcome the resumption of support by Kent County Council and anticipate that the resumption coupled with the

relaunched National Transfer Scheme which offers increased financial support for local authorities will see an end to the need for the Home Office to provide direct support.

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?

There is an expectation that hotels meet the statutory health and safety requirements, and the Home Office can request copies of the relevant health and safety certificates. Any performance issues are raised with our contractors for resolution. Hotels can expect requests to be made for sight of the relevant certificates and risk assessments. The Home Office has a call-off contract in place with CTM (via Crown Commercial Service's RM6016 framework) for the provision of accommodation. All hotels are procured, and quality assured by CTM and Crown Commercial Services before they are recommended to the Home Office as suitable accommodation.

When issues arise, they are raised with the hotel directly and addressed accordingly. In the case of the hotels used by the unaccompanied asylum-seeking children, certificates and assessments were requested once the hotels became operational. The [hotel] was already known to the Home Office as it has previously been successfully used for asylum accommodation.

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?

An unaccompanied asylum-seeking child is afforded the same legal protections as any other child, regardless of how they are accommodated or whether a local authority has assumed formal responsibility for them. We have worked closely with local government to ensure the children in their area are known and their needs are met.

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?

Under current accommodation arrangements, children are not left unsupervised
Supervision is in place 24/7 within the UASC hotels.

Brighton and Hove

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?

All hotels are procured, and quality assured by CTM and Crown Commercial Services before they are recommended to the Home Office as suitable accommodation. As soon as the hotels were operational, we notified local stakeholders. The urgency of the situation meant there was insufficient time to consult local stakeholders ahead of the opening the hotels as the priority was to ensure UASC were accommodated.

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?

To confirm paragraph 18B of Schedule 2 to the Immigration Act 1971, is a power to detain and children are not being detained, so it is not applicable in this instance.

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?

The Home Office has provided accommodation to UASC to ensure no individual was left destitute or without support whilst local authority placements were found.

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?

Once young people reach the Kent Intake Unit, they are either accepted as a child and a welfare interview is undertaken by an Immigration Officer or age disputed as over 18 or over 25.

If accepted as a child they will be bailed into the care of Refugee Council at KIU or transferred to one of the UASC hotels where they will be monitored by care workers and have a social worker assessment.

If deemed as under 25 but over 18 they will be interviewed by two social workers who will age assess them. In both circumstances any vulnerability or concern identified is addressed.

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

During their stay, children are cared for by dedicated care workers 24/7. Social Workers and Nurses attend at least three days a week. Children staying in the hotel are on a rolling rota with local GP practices to ensure they are seen by medical professionals, which includes dental services. Three meals a day are provided for the children with supplementary fruit and snacks. Clothes and toiletries are either purchased or donated and haircuts are provided in Hove. We have a supply of mobile phones available for UASCs to use to contact family/individuals. NGOs also provide support.

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

On arrival, young people are transferred directly to the Kent Intake Unit where biometrics are captured to lock identity and undertake security and identity checks. On completion of these checks, young people will undertake a welfare interview and have their asylum claim registered.

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?

In the UASC hotels, some of the dedicated care workers speak appropriate languages and there is access to interpreters 24/7 through Big Word and internal Home Office interpreters. UASCs are advised of how to access legal services at screening in the Kent Intake Unit and they are supported to do so in the hotels if requested.

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?

Since 21 July, the average stay is 9 days. Each case is progressed on its own merits and this may mean that the receiving local authority needs to undertake additional checks that extend the stay of the child in the UASC hotel.

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

We have one other hotel, near Heathrow, that is being used to isolate Covid-19 positive cases.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'P. Patel', with a stylized flourish at the end.

Rt Hon Priti Patel MP

Home Secretary