

Written evidence from Ilona Pinter (CPNo20)

Approximately how many children in the UK live in households that have NRPF? What are the challenges involved in estimating this accurately?

I understand that the Committee has received evidence from The Children's Society which covers the findings from the 'Lifeline for All' report which I was the lead author for, so I have not covered this in my evidence. Instead, for this question, I have focused on other evidence including emerging findings from my current research with children and families seeking international protection in the UK. These are accompanied children living with their families rather than unaccompanied asylum-seeking children (UASC) who are usually looked after by local authorities.

Children and families seeking asylum also have 'no recourse to public funds' as set out under Section 115 of the Immigration and Asylum Act 1999 because they are 'subject to immigration control' and though they have not yet been granted leave to remain they are lawfully in the UK while they await their asylum determination. During this time, they are generally not permitted to work but if they are destitute, they may be able to get subsistence support and dispersed accommodation through a parallel system provide via the Home Office known as 'asylum support' (previously NASS). As they have no recourse to public funds, they are solely reliant on the asylum support system which is designed to meet '*all needs that are considered "essential" for average, able-bodied asylum seekers and their dependants*'¹. The current level of support is £39.63 per week per person including per child and the Home Office document setting out the support rates details what subsistence rates are intended to cover. In brief, families are provided with fully furnished accommodation and utilities paid for, as well as additional support for infants and pregnant mothers. Most families with children will be on Section 95 asylum support and they are eligible for Free School Meals and Pupil Premium. For children who are living with their families on Section 4 asylum support – intended for refused asylum seeking adults – the eligibility for FSMs was introduced in response to litigation at the start of the pandemic and is part of the temporary measure aimed at providing FSMs to some categories of children affected by NRPF restrictions². It's unclear whether this will be made permanent and whether Pupil Premium will be provided³. There are some additional forms of support available to asylum-seeking families. However, the subsistence that families live on is still very limited and places families well below the poverty threshold.

Numbers of children seeking asylum with their families

There is a perception within public narratives that the vast majority of asylum seekers are single adults. But Home Office data shows that children, and their

¹ Home Office (2021) Report on the Allowances Paid to Asylum Seekers and Failed Asylum Seekers: 2020.

² See section on 'Section 4 of the Immigration and Asylum Act 1999' in government guidance on the temporary extension: <https://www.gov.uk/government/publications/covid-19-free-school-meals-guidance/guidance-for-the-temporary-extension-of-free-school-meals-eligibility-to-nrpf-groups#who-is-eligible>

³ Following litigation, the government did provide PP for some of the children affected by NRPF for 2021/22 but schools had to apply separately: <https://www.gov.uk/government/publications/pupil-premium-allocations-and-conditions-of-grant-2021-to-2022/pupil-premium-conditions-of-grant-2021-to-2022-for-academies-and-free-schools>

parents and carers, form a significant part of the asylum-seeking population, and those receiving asylum support from the Home Office⁴.

Published Home Office data⁵ show that between 2010 and 2020, 62,321 children claimed asylum with their families out of a total of 372,560 asylum applicants and their dependents⁶. This means that there were on average 5,666 applications from children in families each year on average between 2010-20⁷.

Overall children made up almost a quarter (23% - 86,533 out of 372,560 in total) of asylum seekers and the majority of these were children who were claiming asylum with their families either as dependents or main applicants. Children in families made up almost a fifth (17% - or 62,321) of all asylum applicants and dependents on average during this time period⁸ and this has remained relatively consistent over recent years.

Although all asylum seekers will have 'no recourse to public funds' until their claim is determined, not all will go on to be supported by the Home Office through the asylum support system. The Refugee Council estimates that in 2020, around 66% of asylum applicants went onto apply for asylum support⁹. Others may be able to rely on friends and family for a period of time, but there is very limited data or research with children and families in this context.

Numbers of children on asylum support

There are currently no published breakdowns of how many children and families are supported each year. However, data obtained through Freedom of Information (FOI) requests revealed that at the end of December 2019, there were 16,186 children (under 18) living on Asylum Support provided by the Home Office, making up over a third (34%) of the 47,353 individuals supported at that time.

Of those, 15,363 children were on Section 95 support which is provided to asylum seekers while they are awaiting the determination of their claim including families with dependent children. Families who have children under 18 can also continue to receive this support if they have been refused asylum and have exhausted their appeal rights as a safeguard to protect the welfare of children in the family, though this is set to change under proposals in the New Plan for Immigration¹⁰.

⁴ For the purposes of this inquiry I have focused on children who are seeking asylum with their families who will be in receipt of asylum support i.e. accompanied children. Unaccompanied asylum-seeking children may find themselves accommodated within the asylum support system if their age is being disputed, though generally they should be supported by local authorities as looked after children under Children Act 1989 provisions. Some unaccompanied young people may also end up on asylum support later on as adults having left care.

⁵ The analysis is based on detailed asylum statistics published by the Home Office as part of its quarterly statistics for the year ending June 2021 (Table Asy_Do1): <https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets#asylum-applications-decisions-and-resettlement>

⁶ An additional 24,212 claimed asylum on their own as unaccompanied asylum-seeking children.

⁷ There were an additional 2,201 applications from unaccompanied asylum-seeking children on average each year. Recorded in the data as under 18s – some UASC are recorded as being over 18 when their age is being disputed.

⁸ The remaining 6% (24,212) were unaccompanied asylum-seeking children.

⁹ Refugee Council (2021) The impact of the New Plan for Immigration Proposals on asylum:

<https://refugeecouncil.org.uk/information/resources/new-plan-for-immigration-impact-analysis/>

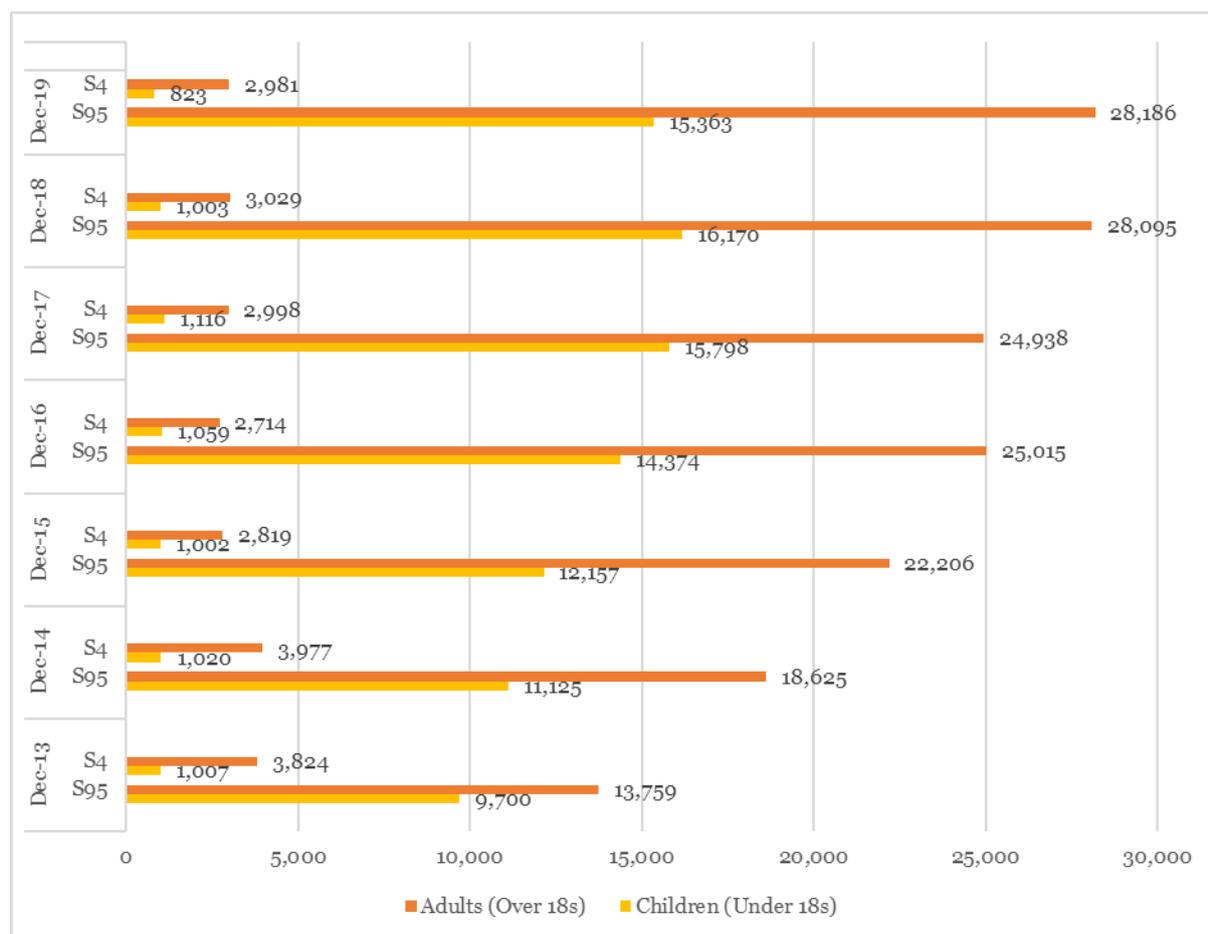
¹⁰ Chapter 8 of the plan states that the government will consult with Local Authority partners and stakeholders on implementing the provisions of the Immigration Act 2016 to remove support from failed asylum-seekers who have no right to remain in the UK which primarily affects families with children and care leavers:

<https://www.gov.uk/government/consultations/new-plan-for-immigration/new-plan-for-immigration-policy-statement->

In addition, 823 children were on Section 4 support which is intended for refused asylum-seeking adults who are destitute and where there are barriers preventing their return¹¹. It includes some children who were born after an asylum refusal. Children make up 22% of Section 4 support recipients.

Although the number of asylum support recipients has increased steadily since 2013, children have remained between 34 - 38% of support recipients overall. Figure 2 shows the data for the years ending 2013 to 2019.

Figure 2 Asylum support recipients on Section 95 and Section 4 support at the end of each calendar year by whether they are children (under 18) or adults (over 18)¹²



What proportion of children with NRPF are living in poverty? How does this compare to children whose families do have access to public funds?

As mentioned before, children in asylum seeking families who are living on Home Office asylum support will be living on subsistence well below the poverty line, even considering the additional in-kind support provided. Children and families were particularly affected by cuts to subsistence rates in 2015, which introduced a ‘flat rate’ of support so that adults and children would receive the same amount: £36.95

[accessible#chapter8](#).

¹¹ Set out under 3(2) (a)-(e) of the Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) Regulations 2005: <https://www.legislation.gov.uk/uksi/2005/930/regulation/3/made>

¹² The data includes main applicants and dependents, and was obtained through FOI request to the Home Office.

at the time¹³. According to the government, this was because the rates of support provided to families ‘*significantly exceed what is necessary to meet essential living needs*’¹⁴. This meant a reduction of support to child dependants (under 16s) by 30% from £52.96¹⁵, and for single parents by 16% from £43.94. The changes were upheld by the courts. There has been very limited research done with families on asylum support generally, including the impact of these targeted cuts on children’s outcomes and welfare.

More broadly though, there is currently no available data which allows for a precise analysis of what proportion of children with NRPF restrictions are living in poverty as these children are not identified in any government data sets or nationally representative surveys. The government’s annual child poverty statistics – the Households Below Average Income (HBAI) - do not provide any breakdowns for children by immigration histories or status. Migrant, asylum-seeking and refugee families are likely to be underrepresented within national surveys for a range of reasons including language barriers and inaccessibility, residing in accommodation which isn’t captured by surveys and the relative size of the population¹⁶.

Nevertheless, some analysis has provided an insight into poverty among children in migrant families more generally. The Family Resources Survey (FRS) from which the HBAI statistics are generated, does not capture data on immigration status or whether a household is affected by NRPF conditions, but does have information on parents’ country of birth and how long they have been in the UK. This data has been used to generate analysis which shows risks of poverty among children with foreign-born parents. Using pooled data over a three-year period (2011/12 and 2013/14), analysis¹⁷ estimated that 45% of children with foreign-born parents were at risk of relative poverty after housing costs, compared with 24% for children of UK-born parents. The analysis estimated that of the 3.6 million children in poverty in the UK at the time, over a quarter of children (26% or 960,000) were living with two foreign-born parents and 260,000 children (7%) were living with one foreign-born and one UK-born parent. Most of the children in poverty who lived in foreign-born families (70%) were themselves UK-born.

Not all foreign-born parents will be subject to NRPF – some may have gained Indefinite Leave to Remain or have naturalised as British citizens and therefore will have access to social security benefits. These estimates do not differentiate between non-EEA and EEA nationals who previously would not have been subject to immigration control and generally able to access benefits, though with some restrictions. Given the lack of other more precise data though, this gives some indication of the proportions of children that may be affected.

¹³ Asylum Support (Amendment) (No. 3) Regulations 2015: <http://www.legislation.gov.uk/ukxi/2015/1501/regulation/2/made>

¹⁴ Para 7.6, Home Office. (2015). *Explanatory Memorandum to the Asylum Support (Amendment) Regulations 2015 No. 645*. Retrieved from <http://www.legislation.gov.uk/ukxi/2015/645/contents/made>

¹⁵ Children aged 16 and 17 were already on a lower rate than others prior to 2015 but their support was also decreased by 7% from £39.80.

¹⁶ For further details see: Vizard, P., Burchardt, T., Obolenskaya, P., Shutes, I., & Battaglini, M. (2018). Child poverty and multidimensional disadvantage: Tackling “data exclusion” and extending the evidence base on “missing” and “invisible” children: <http://sticerd.lse.ac.uk/dps/case/cr/casereport114.pdf>

¹⁷ Kenway, P. & Hughes, C. (2016) Foreign-born people and poverty in the UK: <https://www.jrf.org.uk/report/foreign-born-people-and-poverty-uk>

Separately analysis by colleagues at CASE of children in recent migrant families (living in the UK for less than 10 years) attempted to capture potential differences in residence status and associated rights and entitlements to work and to social provision of migrants. It did this by firstly exploring the differences between migrants born in non-EEA countries and EEA countries and, secondly, by setting the threshold for “recent” migrants at 10 years or less of living in the UK - a point after which a large majority would be entitled to apply for indefinite leave to remain, provided they had been a continuous lawful resident in the UK¹⁸. Using three years of pooled data from the FRS (2013-14 to 2015-16), they found that both children who live in non-EEA-born and EEA-born recent migrant families have a higher risk of poverty compared to those in UK-born/long-term resident families according to four different poverty measures. Almost half of children in recent migrant families were on relative low income after housing costs (48.3% for non-EEA and 44.9% for EEA origins). This compares to 26.9% of children in UK-born/long-term resident families. Children in non-EEA recent migrant families are also at a higher risk of low income and material deprivation, and of severe income and material deprivation, than children in either EEA recent migrant families or UK-born/long-term resident families. For example, 7.5% of children in non-EEA recent migrant families experience severe low income and material deprivation, a rate that is two and a half times higher than for children in UK-born/long-term resident families (at 3.5%)¹⁹. The authors assess these trends as particularly useful when thinking of the additional costs that some migrants face, especially those from outside the EEA, in the process of migrating, maintaining their entitlements to work and their stay in the UK, and potentially sending remittances to family members in their countries of origin. These additional costs may therefore impair the conversion of income into achieved standards of living and result in higher risks of poverty and material deprivation²⁰.

What impact has the pandemic had on children with NRPF? Has the lifting of restrictions made any difference?

The following evidence is based on a small sample of pilot interviews with eight families during the national school lockdown between December 2020 and March 2021 who had experiences of living on Section 95 asylum support. This is not intended to be a comprehensive overview of the findings but provides some information on key emerging themes from interviews with families about their experiences of living on asylum support and the impact of employment restrictions. Most of the interviews were with parents or carers and two involved young people.

Unlike the Universal Credit £20 per week uplift which came into force near the beginning of the lockdown in April 2020, families on asylum support did not receive an equivalent uplift in subsistence rates despite being on far lower base rates. However, a temporary exceptional increase was made to Section 95 and 4 payments

¹⁸ And if they did not already have UK citizenship.

¹⁹ See figure 1 on pg 24-25 in 'Poverty among children in recently arrived migrant families in the UK' in CASE (2019) Annual Review: <https://sticerd.lse.ac.uk/dps/case/cr/casereport129.pdf>

²⁰ Obolenskaya, P., Burchardt, T., Shutes, I. & Vizard, P. (forthcoming) 'Poverty and deprivation among children in recently-arrived migrant families in the UK'

on 15th June 2020, to £39.60 per person²¹. This was then further increased by 3p in October 2020 to £39.63 – providing a daily rate of about £5.66 per day per person.

Families had already struggled to meet their own and their children’s basic needs while on Section 95 support, even prior to the pandemic. They reported having to make constant trade-offs and sacrifices to meet children’s needs. Families said they prioritised food while other costs like clothing, shoes and travel costs were much harder to cover. Toys, books and activities for children were rarely bought unless they are gifted or free.

Life during the pandemic

Families spoke about how some spending decisions became even more difficult during the pandemic due to the uncertainty of what support would be available and limited access to information. Parents reported that rising prices and the fact that they were more limited in searching for deals meant that their money did not go as far. In addition, it was not always possible to access support that they had prior to the pandemic – which might give them clothing or toiletries - as many charity drop-ins or churches had closed or were only providing a limited service. Some families were fearful of venturing out and risking their health. With limited access to data and internet, families also had no way of knowing whether support would be available.

One parent I spoke to didn’t have any support nearby. She knew people from her church but hadn’t seen many of them in months since the start of the pandemic. She didn’t want to risk going to church and spending the last £4 she had to get there and back²². If there was no-one there that could help her, she would be better off spending those £4 on getting a few things for the family. Also, asking for help from acquaintances after a long separation was very difficult.

Some parents reflected that life on asylum support generally is a lot like life during lockdown – isolating, stressful; unable to work, socialise, go anywhere, or see loved ones. One father said: *“If you want to imagine [living on Asylum Support], just imagine it without all of these things...lockdown without the TV and online shopping, shop online, get take away or watch TV or films.”*

Families did not generally have access to the same forms of entertainment to occupy their time – without access to Wi-Fi in their homes, a TV licence²³ or other forms of entertainment like Netflix or Spotify, it was difficult to find other things to do, or to take advantage of even the ‘free’ educational provision to support children’s learning, such as the BBC Lockdown Learning programming.

Education during the pandemic

During the pandemic, there was some provision of IT devices and data to children from disadvantaged families via the Department for Education’s scheme but there was no targeted support to children in asylum-seeking families to ensure they had access. There were some local authority-wide initiatives that benefited children in some cases. For example, in Glasgow children in asylum-seeking families were

²¹ Section 95 payments were previously £37.75 – so a £1.85 per week increase.

²² 67% of her daily support allowance

²³ A TV licence costs £159 annually or £3.06 per week – 8% of an individual’s allowance. There are no specific exemptions or reductions for those on Asylum Support: <https://www.tvlicensing.co.uk/reducedfee>

provide with devices and data access which enabled some to maintain contact with services as well as use devices for schoolwork. It's unclear if provision existed in other local areas.

For families with school-aged children who were interviewed during the pilot, having access to internet, IT devices and data was seen as an essential need in order to facilitate children's learning even before the pandemic as well as during. Although families do not have access to bank accounts and therefore cannot easily access Wi-Fi, and there is no requirement to provide Wi-Fi within asylum accommodation, many families rely on pay-as-you-go plans via their mobile phones. Many of the families I spoke to had not received any support with data or devices by the time of the interviews in winter 2021 during the school closure. One family had been loaned a chrome book by the school, but they were told that they would need to pay for it, if it were damaged so they did not want to use it as they couldn't afford to pay it back. Another family tried to get a data top-up through the government scheme via their school, but their data provider was not on the list of providers by the end of January, and it took another week before this became available.

One parent I spoke to told me that prior to the pandemic, her eldest son would need to go to the library to use the internet, but this was not possible during the pandemic. When we spoke in December, they had not received any data top-ups from the school, college or universities where the young people in the family were studying. They were relying on a pay-as-you-go account to access the internet to do their assignments, revision and learning. The five young people in the household shared one laptop, two of whom were at university and they set up a booking system so that they could attend some of their lessons and do assignments. The university scholarship only covered tuition fees but did not provide any additional support to the young people to help with their studies.

In another family, a young person aged 19 who was living with her family and younger siblings explained that even before the pandemic it had been hard for her to do schoolwork without access to a laptop, computer or the internet. She was unable to watch videos for her assignments or access a maths app which had been set for homework. To study for her GCSEs, she was told to look online at tutorials and other information, but she did not have a laptop or Wi-Fi at home to do this. She would sometimes use her friend's computer or go to the library, but this was difficult to do in the evenings and was not an option as libraries closed. This meant that she couldn't do her homework, and she felt that this affected how she was perceived by teachers.

Her family eventually got access to a laptop and could access the internet however the connection was very poor which meant she often got disconnected and could not participate in her classes. She felt that this negatively affected her grades. Although she was able to explain it to her teacher once or twice, she didn't feel that she would be believed if she gave the same excuse every time. The poor internet connection and lack of adequate equipment has meant that during Covid, she and her siblings couldn't be online for lessons at the same time and therefore had to miss out. Their work was often lost and they had to stay up late at night redoing or finishing off assignments.

What other financial support from the Government is available for families with NRPF who are facing financial hardship? How effective is this support?

How have families with NRPF benefited from the new support that the Government introduced in response to the pandemic, such as the Coronavirus Job Retention Scheme and the COVID Local Support Grant?

The Government has extended eligibility for free school meals to some categories of children with NRPF on a temporary basis. What has been the impact of this policy?

Work-related and general support

Asylum seeking families cannot work so therefore haven't benefited from work-based provisions. Support rates were increased during the pandemic by a relatively small amount and from an already low rate which families struggled to meet their children's needs.

FSMs extension and extra support

As mentioned above, some families on Section 4 will have benefited from the temporary extension of Free School Meals to children affected by NRPF restrictions, which will have been a significant source of support for families on a very low income. FSMs are worth £2.30 per day per child – 38% of a child's daily allowance while on asylum support.

It is unclear to what extent this information was communicated to eligible families. FOI data from the Home Office highlighted that there were 823 children on Section 4 support at the end of December 2019. There is no publicly available data to show how many children on Section 4 support and more broadly those under the temporary extension have been able to take up the FSMs offer. Going forward it will be important to ensure that this provision be made permanent and that it is extended to all children affected by NRPF restrictions.

It's important to remember that while families seeking asylum may be eligible for extra support like FSMs or HC2 certificates for free prescriptions, not all will be aware of these opportunities or will be able to access this support, due to language and other barriers, digital exclusion, and limited support networks. Consultations with professionals as well as interviews with families have highlighted that access to additional support is not always straightforward – for example families are not always aware that they can access FSMs or are supported to do it. If this support is not available or if it is suddenly taken away due to a bureaucratic error, which happened to a family I spoke to, it leaves a huge gap in the family's income and means children go hungry.

Although not a new provision during the pandemic, another family spoke about the importance of the HC2 certificate which allowed them to access dental care and free prescriptions, something which other families interviewed were not all aware of and struggled as a result.

What role do other bodies, such as local authorities and third sector organisations, play in supporting children with NRPF?

What impact has the pandemic had on these organisations' capacity to support children with NRPF?

Based on information from professionals working with asylum-seeking families in different local areas as part of my research, there seems to be a mixed picture of what support local authorities do provide to asylum-seeking families, namely in dispersal areas. Based on anecdotal information, some authorities appear to have dedicated asylum teams and will refer families onto specialist services to help support children into nursery places, schools and to get Free School Meals whereas others do not appear to provide any specialist provision. In some areas, there appears to be limited interaction with local authorities who do not have specific statutory responsibilities for this group other than general provision for children and when child protection issues arise.

While families are on asylum support, they are generally not supported by local authorities under Section 17 Children Act 1989 provisions (or related provisions in devolved nations) as other NRPF families may be, though the systems are linked as rates of local authority support are often pegged to asylum support rates²⁴.

Local authorities may still need to provide asylum-seeking children and families with some support when a child is found to be 'in need' (CIN) other than for reasons of destitution – for example if they have a disability or additional need. They may also need to provide support when a child has caring responsibilities. However, there is no publicly available information about how many children and families on asylum support receive this kind of service from local authorities.

Concerns have been raised about the need for greater awareness of asylum-seeking children and families by local statutory services, especially considering the high vulnerabilities and multiple disadvantages faced by families in this context. One example is highlighted in the Serious Case Review of Baby T concerning a child and his mother who had been on Section 95 asylum support at the time of the baby's death. The SRC commissioned by Redbridge Local Safeguarding Children Board details the various complex factors identified in this case and the learning from it some of which is relevant to the asylum support system. The review noted, for example, that the low rate of support provided to the family meant that there was an inability for the family *'to plan for the future, living each day as it comes, dependency on others and experiencing hunger'* and that the mother *'eventually decided to take the risk of working illegally in order to increase her income'*²⁵, placing the baby with an unregulated babysitter. There is no specific recommendation on the support regime; however, one of the recommendations (19) states that *'the Government should introduce legislation which would require the*

²⁴ Jolly, A. (2019). From the Windrush Generation to the 'Air Jamaica generation': local authority support for families with no recourse to public funds. In *Social Policy Review 31: Analysis and Debate in Social Policy, 2019* (pp. 129).

²⁵ Para 6.7 Baby 'T' Serious Case Review Report – Redbridge Local Safeguarding Children Board (LSCB) Published 14 January 2020 <https://www.redbridgescp.org.uk/wp-content/uploads/2016/04/Redbridge-LSCB-SCR-Baby-T-Report-Final-14-01-2020.pdf>

Home Office to inform a local authority of the details of any child placed or dispersed to their area with an asylum seeker parent or parents'. It is not clear whether this has been accepted.

Nevertheless, the review does show how a range of agencies do in fact work together to support children and families seeking asylum, providing various services including early intervention, mental health services, access to food banks and other support. To what extent families are aware of other support and whether this is similar in other areas is still unclear.

October 2021