UASC policy and guidance



Updates on policy news relating to unaccompanied asylum seeking children in the UK.

Operational news and updates

Disproportionate impact of Covid 19 lockdown on looked after children and young people seeking asylum,

including those who have been trafficked

June 2020

Description 21 charities have written to the Children's Commissioner asking her to investigate failings to looked after children seeking asylum, including those who have been trafficked, during the Covid 19 pandemic. Issues highlighted include: children going missing and being re-trafficked; issues with public health information being inaccessible to children; lack of access to technology and the internet and an increase in mental health issues.

Independent Child Trafficking Guardians [ICTG] service expanded to new areas

May 2021

ECPAT UK

Description The ICTG service is now available in two thirds of local authority areas in England and Wales, meaning more trafficked children will access essential specialist support.

Positive engagement with the National Transfer Scheme by Norfolk County Council

December 2020

Description Norfolk council has been featured in a positive article about their participation in the National Transfer Scheme [NTS], having taken almost 50 unaccompanied asylum seeking children.

Statutory guidance

Assessing age for asylum applicants

January 2022 [updated]

Home Office

Description Guidance for Home Office staff on age assessment.

Comment Social workers should also refer to the Age assessment guidance published by ADCS [Association of Directors of Children's Services], which provides support on how to undertake a thorough, high quality age assessment.

Care of unaccompanied migrant children and child victims of modern slavery

November 2017

Department for Education

Description The revised statutory guidance.

Criminal exploitation of children and vulnerable adults: county lines guidance

September 2018

Home Office

Description This guidance is primarily aimed at front line staff who work with children, young people and potentially vulnerable adults.

Guidance on legal aid for separated children

July 2019

Coram Children's Legal Centre

Description New guidance from charities working with separated migrant children has been published, outlining how to access legal aid for this group.

Interim guidance for independent child trafficking guardians

November 2021 [updated]

Home Office

Description Guidance on roles and responsibilities of Independent Child Trafficking Guardians [ICTGs]. Referral forms are also included as part of the guidance.

Legal aid eligibility for separated children with immigration or nationality issues

October 2019

Description Legal aid has been reinstated for immigration and nationality law for unaccompanied and separated children in care. This form of legal aid will also cover children in the care system who might be struggling to get through the EU Settlement Scheme because of complexity of their situation. More information about this change is available through Coram Children's Legal Centre.

National transfer scheme [NTS] protocol

September 2022 [updated]

Home Office

Description The new NTS protocol, including frequently asked questions.

National referral mechanism [NRM]: guidance on referring potential victims

January 2022 [updated]

Home Office

Description Provides details on how to refer a child into the NRM, completing the referral form, reviews of decisions, and the benefits of referral.

Policy on age dispute cases in detention centres

October 2020

Home Office

Description This instruction sets out the policy and procedures to follow where an immigration detainee under escort or in an immigration removal centre claims to be under 18 years old but there is a lack of physical or definitive documentary evidence to prove this is the case.

Safeguarding strategy: unaccompanied asylum seeking and refugee children

November 2017

Department for Education

Description Updated version of the guidance.

Safeguarding strategy: letter to the Children's Commissioner

January 2019

Home Office and Department for Education

Description A letter from the HO and DfE to the Children's Commissioner for England outlining the progress made on the commitments in the Safeguarding Strategy for unaccompanied asylum seeking and refugee children.

What is a suitable placement for an unaccompanied asylum seeking child?

April 2018

Department for Education

Description Information for local authorities to accompany the national transfer protocol for unaccompanied asylum seeking children.

Government rules, regulations and information

Brexit: the end of the Dublin III Regulation in the UK

December 2020

UK Parliament

Description The 'Dublin III Regulation' and all other aspects of the Common European Asylum System will no longer apply to

the UK from January 2021. Further to this research briefing, the UK Government have published a statement in regards to legal routes to the UK for unaccompanied children.

Briefing: immigration and nationality options for children in care

January 2021

Free Movement

Description Information for local authorities when applying for British Citizenship for children in care.

Consultation and review on legal routes to the UK for unaccompanied children

November 2020

Parliament UK

Description The Government have committed to a consultation and review on legal routes to the UK for unaccompanied children. They have also been asked to present a statement on the outcome of the review and to parliament.

Dubs Scheme

August 2020

Home Office

Description The Home Office have confirmed that they successfully completed the Dubs scheme and has comprehensive data for section 67 of the Immigration Act 2016

EU Settlement Scheme: toolkits and guide for local authorities

May 2020

Description The Home Office has produced formal guidance on EU Settlement Scheme applications for looked after children, setting out the role of local authorities and health and social care trusts. The Children's Society has also produced a guide for local authorities specifically for looked after children.

- Home Office- EU Settlement Scheme: looked-after children and care leavers guidance
- Children's Society looked after children and the EU settlement scheme guide

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Leave to remain for UASC who came from Calais - written statement HCWS961

September 2018

Caroline Nokes (Minister of State for Immigration)

Description A written ministerial statement to inform parliament of its intention to create a new form of immigration leave for those transferred to the UK to reunite with family as part of the Calais camp clearance between October 2016 and July 2017 and who do not qualify for leave under existing rules [ie are refused refugee status / humanitarian protection].

Safeguarding children who may have been trafficked

Published March 2015; last updated December 2020

Department for Education and Home Office

Description This guidance is for local authorities, to help agencies and their staff safeguard and promote the welfare of children who may have been trafficked. It should use it together with the related statutory guidance 'working together to safeguard children'.

Separated migrant children given better access to legal aid

October 2019

Ministry of Justice and Legal Aid Agency

Description The Ministry of Justice re-introduced legal aid for the immigration and citizenship cases for separated children so those eligible to apply for EUSS could get free legal advice.

Funding information

UASC funding instructions to local authorities 2022 to 2023 (accessible version) - GOV.UK (www.gov.uk)

August 2022 (updated)

Home Office

Description Updated funding instructions for Local Authorities have been published for 2022 - 2023 for both UASC in care and for those leaving care.

Source URL: *https://www.migrationyorkshire.org.uk/uasc-hub-unaccompanied-asylum-seeking-children/uasc-policy-and-guidance*