



Request for funding to cover Unaccompanied Asylum Seeking Children cost pressures incurred in Slough Children First of £742k for 2022/23

Executive Summary

This is a request to SBC for funding to cover additional costs incurred through caring for increasing volumes of young children seeking asylum in Slough having fled from unsafe situations in their home countries.

The additional burden on the Company from rising demand

SCF are requesting additional funding of **£742k** to cover spend over budget for the period Apr 22 – Mar 23 from an increasing Unaccompanied Asylum Seeking Children (UASC) cohort.

The total spend over budget is **£967k**, less a previously submitted claim for **£226k**, to leave the balance of **£742k**.

An increase in volumes of children presenting to Slough for care as an unaccompanied minor has led to an increase in placement pressures in the number of semi-independent accommodation placements, along with additional staffing and other support costs incurred through supporting these young children.

This request is a follow on from the successful claim of £226k claimed for such additional costs during Q1 and Q2 of 22/23. The claim follows the same process and calculation in working out the additional cost burden to the Company, net of additional Home Office funding.

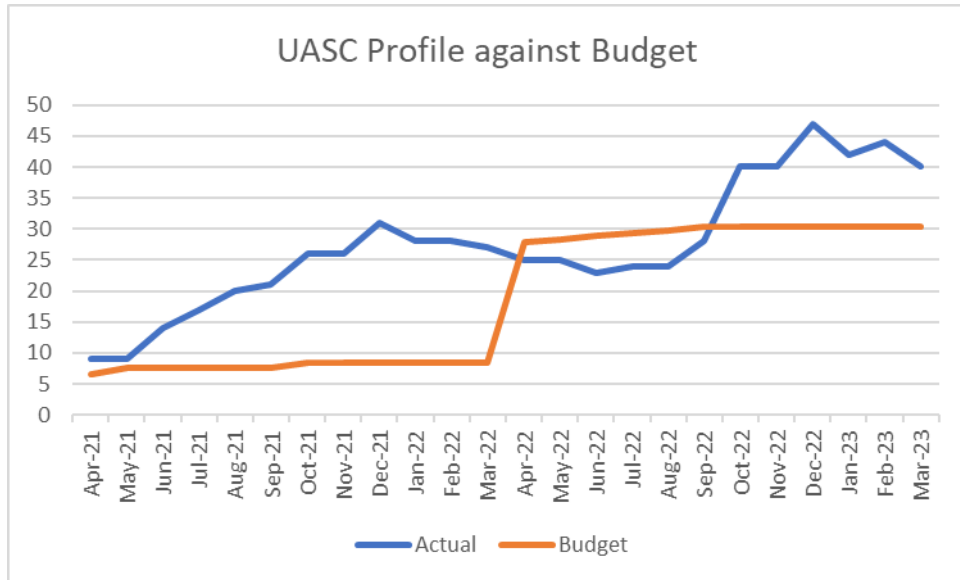
SCF are having to complete age assessments for most UASCs presenting in order to either secure home office funding or for the responsibility of the young person to be picked up by the home office. Most of the young people presenting do not speak English, and therefore translations services are required to support them through care and through care leavers services, the impact being a pressure against the budgeted levels of translation. As part of the process, SCF have had to seek legal advice on the cases to support the challenges around age.

The extent of the increase in the demand for services

SCF saw a sharp increase in the number of UASCs in 2021/22 which has continued into 2022/23. There were 9 UASCs in the system at 1 April 2021, this rose to 26 by 31 March



2022, 31 at September 2022 and estimated to be 45 by year ending March 2023. Of the growth in volume in 22/23, only 5 have come via the national transfer scheme. The remainder have either arrived in Slough through other routes and therefore we are not entitled to Home Office funding for them until their status is confirmed.



The table above shows the comparison of actual FTE against budgeted FTE. 21/22 having 17 more UASCs by 31 March 2022 than budget. Budgets were reset for 2022/23 and have largely tracked against budget, although a recent influx has resulted in an adverse position against budget. By year end, the Company is supporting 40 young people.

The Implications on Resources from Demand

The cost burden on SCF for UASCs being **£967k** year to March 2023 in relation to **accommodation, support, subsistence, translation services, legal fees and the costs for carrying out age assessments offset by home office funding** actuals in total.

Undertaking an age assessment requires experienced and suitably qualified social workers to ensure against legal challenge. SCF currently have 16 individuals awaiting an age assessment with 9 in train, due to delays in having such suitably qualified workers, appropriate adults and interpreters together at the same time, although SCF have now employed an additional specialist age assessor to manage the volumes presenting to SCF. The Company is also developing the children looked after service so more workers are qualified to undertake this specialist work. A framework to increase resourcing of appropriate adults is also being developed.

The Company prioritises the order of undertaking age assessments to those thought to be adults following initial screening of the individual so that once the outcome is known and



the individual can be accommodated as a child in care or moved on into Adult Asylum Seeking services as appropriate and the case closed to SCF.

The table below breaks down the cost impact from the rising demands of UASCs and the cost burdens bourn by SCF against the budget

	2022/23		Variance adverse / (favourable) £000's	Less already claimed £000's	Current Claim £000's
	Actual £000's	Budget £000's			
Accommodation, support and subs costs	1,365	1,046	319	27	292
Care leavers accommodation, support and subs costs	737	265	471	127	344
Translation services costs	262	70	192	37	155
Age Assessments	75	0	75	37	38
Legal	93	0	93	43	50
Home office funding income	(1,342)	(1,159)	(183)	(46)	(138)
Totals spend / adverse position	1,190	223	967	226	742

The volume variance referenced in section 3 has led to incremental accommodation, support and subsistence cost of **£319k** above budget in 2022/23 driven by price variances with delays in progressing the 16+ tender.

	Volume FTE	Price	Total £000's
CLA accommodation & support			
2022/23 budget	29.7	£677	1,046
2022/23 actual	37.4	£702	1,365
2022/23 variance	7.7	£24	319

Care leavers volumes have increased as a result of the increase in UASCs turning 18 or being assessed as 18.

There have been 93 UASCs present since September 2020. 12 of these have been challenged as being over 18 and recorded as care leavers following their age assessment, contributing to the adverse numbers of care leavers against the budget assumptions.

7 of these challenges have been successful and the adults passed back to the home office for ongoing support.

	Volume FTE	Price	Total £000's
Care leavers accommodation & support			



2022/23 budget	9.0	£567	265
2022/23 actual	23.1	£614	737
2022/23 variance	14.1	£47	471

There has been an increase in the requirement of translation services to support the UASCs as a result of the increasing volumes of UASCs. 2022/23 has seen an increase in activity with ongoing legal challenges around 3 cases which have been challenged and have been referred to an upper tribunal.

SCF have in place robust processes to ensure funding claimed from the Home Office is maximised. Timely communications between finance and the children looked after teams ensure all cases are logged and reconciled regularly. The Home Office is kept up to date on all cases and outcomes of age assessments with grant claims submitted in line with the Home Office time scales. These processes are covered in more detail in the Appendix.

SCF seek legal advice where necessary to ensure the Company is protected against legal challenge on its action and around following proper process and in the following scenarios:

- A case has been presented by a lawyer giving us 24 hours to respond
- There is dispute on the age of the individual
- There is a challenge on the outcome of the age assessment

The table below shows a sample of where legal advice has been sought and the outcome.

Action	No.
Pre action - accommodated	1
Pre action - settled as no further evidence offered	1
SCF successfully challenged JR	1
JR challenge age assessment	4
Legal advice undergoing	2
Pre action - age assessed as under 18 and accommodated	8
Pre action - age assessed as adult and case closed	1
SCF successful challenge pre action	1
Grand Total	19

Where there is no dispute, no legal advice would be sought.

Out of 12 cases being challenged, SCF have conceded on 2 occasions and settled at pre action, even though the age assessment showed them as being over 18.

Taking a robust approach and being successful in defending cases is having a positive impact. Out of 30 new cases presenting to SCF in 2021/22, 15 (50%) were referrals from lawyers, but only 3 of 27 (11%) cases presenting were referrals from lawyers to date in 2022/23. Showing a real decline in the numbers being presented with legal backing in 2022/23.



Information and Supporting evidence on steps the Company is taking to manage the said circumstances/ events within the initial Contract Sum

SCF are undertaking a number of activities to drive cost efficiencies and incremental income to assist with the pressures.

Specifically relating to the rise in UASCs

- SCF automatically accommodate UASCs presented to avoid any legal challenge and expense.
- SCF have taken steps to look at alternate means of assessing age and are in the process of testing this out. Seeking input from colleges and workplaces, social media etc, with the aim of avoiding the costs of an age assessment.
- If the UASC presents is nearing 18, with 13 weeks or less to their birthday, SCF do not undertake an age assessment as the individual will not be entitled to care leavers services at 18 as they have not been in care for 13 weeks or more. This results in avoidance of costs for assessment including translation services and legal advice.
- SCF have developed a level of age assessment expertise which is being shared amongst social workers to ensure good practice now and in the future.
- SCF have successfully met the **criteria for 2 UASC transferred** through the national transfer scheme which attracts additional one-off funding of **£12k**.
- SCF are working with a local provider to develop a **new provision designed for UASCs**, recognising the increasing demands for UASCs. This will be tailored to meet their specific needs and provide for a better value option.
- SCF are looking at commissioning opportunities to develop a model of semi independent for UASCs with models of support tailored to their needs to drive a more cost effective solution.



Appendix 1: UASC Assessment and Defence Procedures

The process map below lays out the information flows, the required documents for submission and communication between finance and the Home Office and the internal rate calculation trackers re all UASCs.

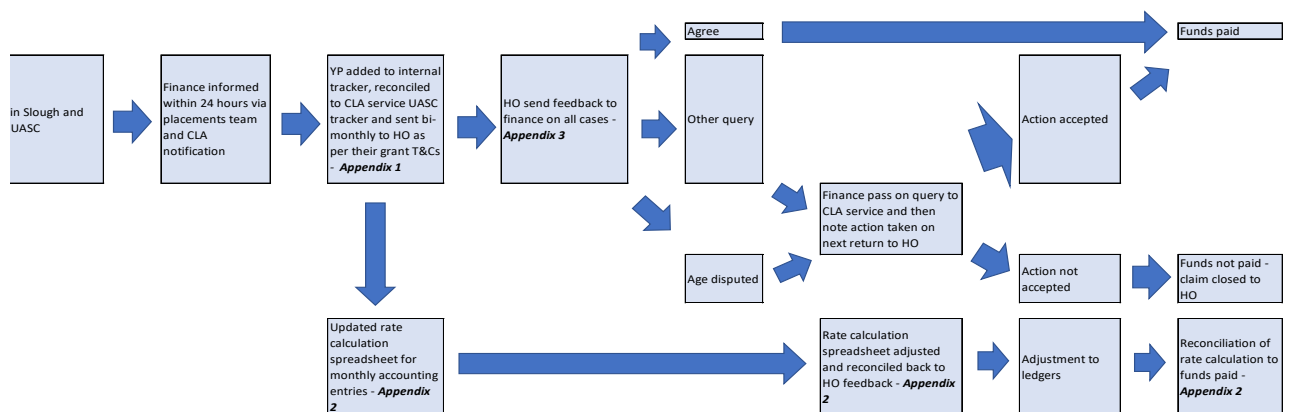
The current cohort is 40 under 18 year olds:

- Starting cohort – 9 (9 agreed)
- Hotel entrants – 22 (22 awaiting HO review or awaiting age assessment)
- NTS entrants – 5 (1 awaiting formal agreement by HO)
- Other entrants – 4 (3 awaiting age assessment)

There are 2 entrants under the new 5-day transfer scheme attracting higher rate of funding

Finance are notified via various routes of an entrant into care that is claiming asylum – ATR panel, placements function, CLA service and CLA notifications. As soon as they are notified, the young person (YP) is entered onto the HO submission form and a finance tracker to calculate funding. The HO form is submitted bi-monthly as a grant claim in order for HO funding to be received. The finance tracker is used to calculate accruals for income in the monthly accounts.

The HO send feedback to finance (only one received to date this year) on each YP claim, by either accepting the claim as valid, requesting more information or disputing age. Finance update the tracker accordingly to amend income accruals and also liaise with the CLA service re the claims in query so they can be answered on the next submission form.



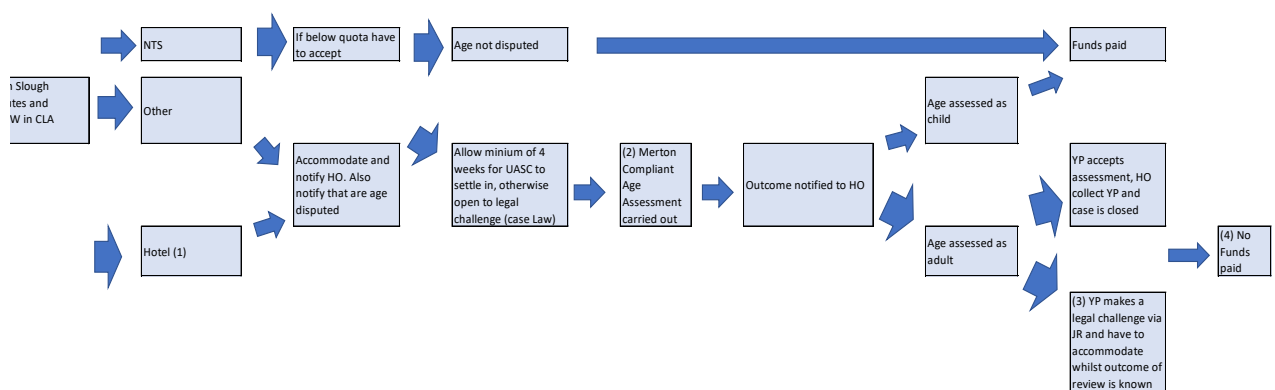


The process map below lays out the information flows between the **Children Looked After service and the Home Office**.

A YP enters into care as a UASC through 1 of 3 usual routes- NTS, dispersal hotel or other routes. SCF have to accept the case unless the 0.1% quota has been reached in which case only those transferred via the NTS route can be refused. All those coming via the hotel route are disputing their initial age assessment – done by the HO in the first instance, but not in compliance with the Merton age assessment procedures – therefore we have to accept as a child until evidenced otherwise to avoid legal challenge at this stage. The CLA service informs the HO at this stage that we have accommodated the YP, but the initial age assessment is disputed.

To follow case law, we have to allow YP disputing their age 4 weeks to settle into placement before commencing an age assessment. To be Merton compliant, an age assessment has to be undertaken by a suitably qualified SW, with a further SW in attendance, an appropriate adult and an interpreter where required. The assessment takes place over 3 days, with the outcome notified to the HO. The HO have never disputed our age assessments and will therefore amend their records and pay a legitimate claim, or close the case and pick up the YP where we have assessed as being an adult.

Where SCF assess as being an adult the HO is notified and would normally arrange for NASS to pick up the YP fairly promptly. A number of YP have still challenged their compliant age assessment through a JR and SCF take legal advice and may continue to accommodate until the matter is resolved. At this point it is up to the court to decide our actions and the outcome.



- (1) All are age disputed and are notified to us via Solicitor or Vol Org. HO carried out non Merton compliant age assessment at the port. Have to accommodate as a child. Didn't accommodate initially but lead to legal challenge and costs. Now accommodate whilst under going Merton compliant assessment.
- (2) 22 currently awaiting age assessment due to volume. Wait time depends on capacity and availability of workers. Require x2 SW, 1 of whom has to be fully trained in Merton Compliant age assessments which can take 3 days. Requires appropriate adult to be present and interpreter as necessary. Engaged a fully trained additional SSW to undertake age assessments.



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- *(3) 9 JR's last year, 3 JRs currently progressed to the Upper Tribunal. Have sought approval, and been granted from Court, right to be accommodated and known as a child in care whilst awaiting hearing outcome, likely to be Jan / Feb 23. No HO funding agreed*
 - *Did ask HO to carry out age assessments but outcome of 2 they did were open to challenge and SCF ended up accommodating as care leavers with no HO funding*
 - *(4) Process can take 3 months even before JR / legal challenge / HO pick up adult*
 - To note:
 - Slough has 2 hotels within LA area
 - SCF give minimum entitled to as a child in care
 - Entitled to education, but limited school places so have to buy in additional tuition - no PPG as most are 16+