



## SHINING STARS FOSTERING AGENCY

### An Induction Guide for Unaccompanied Asylum Seeking and Black and Ethnic Minority Children and Young People



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*This information pack is helpful for Unaccompanied Asylum seeking and Black and Ethnic Minority Children and Young People.*

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## Introduction

This information booklet has been put together to help you understand what happens when you are in the United Kingdom, being looked after by Foster Carers, from Shinning Stars Fostering. A support worker or your foster carer will go through this document with you and you can ask questions.

We have put together 10 top tips to help you settle in and you are very welcome to add anymore you may have. Your opinion is very important to us and will help us understand further how to do our jobs better. Let us know what you think:

### Tip One

Foster carers and their families are people that welcome and look after children and young people who, like you, can't be with their families.

### Tip Two

A lot of foster carers have their own children or have children and young people in their lives, they understand what you might be into and will want to know what you like doing and what you are interested in.

### Tip Three

Some foster carers can speak more than one language. They will be interested in learning about your language and culture and they will help you to learn more about the culture and language in this country as well as other cultures and countries.

### Tip Four

You will be matched with foster carers that will take care of what you need. Sometimes foster carers have a different background to yours, they may have a different culture of origin or religion but they will make sure that your identity is respected and valued and they will advocate for you when you need to access services in the community or when you are having a difficult time.

### Tip Five

Your foster family will want you to feel welcome and they make sure you are treated with respect in your new home and community.

### Tip Six

Foster carers are knowledgeable about looking after children and young people and most are experienced, some have had many children and young people like you in their care. Nevertheless, they keep learning through attending courses and consulting with professionals and services in the community. They will support your learning as well and they will motivate you to do your best in your education. It is their duty to make sure you go to school and college. They understand that sometimes you might feel that is too hard or too much, but there are a number of support services to help you.

### Tip Seven

Your foster carers will want you to feel part of their family so they will be taking you to events in the community or family gatherings. Sometimes they have to check with the

professionals working with you if this is okay and they will explain to you why. It could be that an event is late in the evening during school time, therefore it would not be a good idea for you to be out late. It is good for you to let your carers know how you feel as well when you are invited to events.

### Tip Eight

Cooking can be fun and a good way for you and your foster family to get to know each other and spend time together. Your foster carers might ask you if you want to share a recipe with them or just join in the kitchen, preparing a meal. If this is something you would like doing, let them know.

### Tip Nine

Your foster carer might want to share a book with you or what a film as a family. These are really good ways to get to know them and them to know you.

### Tip Ten

The professionals around you matched you with a foster family because they know it's important for you to feel safe and to have a family where you feel well looked after and happy. People around you will be asking you to share your feelings and wishes so that they do the best they can for you now and in the future. You are the future.

This booklet will go through some terms and definitions that you will come across, as well as useful information related to Unaccompanied Asylum-Seeking Children (UASC) and young people.

In the UK, a person is officially a refugee when they have their claim for asylum accepted by the government.

This guide will explain:

- The terms and legal definitions
- The home office and screening process
- The type of asylum and legal status offered
- Education for UASC
- Help and advice



## Glossary

This glossary covers some of the common terms you will hear:

### Refugee

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*“A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”*

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## The 1951 United Nations Convention Relating to the Status of Refugees

### Asylum Seeker

A person who has left their country of origin and formally applied for asylum in another country but whose application has not yet been concluded.

### Asylum Screening Unit

The asylum screening unit in Croydon is the entry point into the asylum system. It is here that in-country asylum seekers make their initial asylum claims and where immigration officers conduct screening interviews. Within the screening unit the Asylum Intake Unit assesses cases for the Detained Fast Track and Detained Non-Suspensive Appeals processes. See Screening Interview, Detained Fast Track, And Detained Non-Suspensive Appeals.

### Asylum interview

An asylum interview is a substantive interview about a person's reasons for claiming asylum in the UK.

### Asylum Support Adjudicators

Asylum Support Adjudicators consider appeals by asylum seekers against Home Office decisions to refuse or terminate asylum support.



## Application registration card (ARC)

ARC is a credit card sized document issued to asylum applicants after screening to show that they have applied for asylum. It is also used as evidence of identity, immigration status and entitlements in the UK. It holds identifying information including fingerprints and reporting arrangements in a microchip within the card.

## Discretionary leave

Discretionary leave is a form of immigration status granted to a person who the Home Office has decided does not qualify for refugee status or humanitarian protection but where there are other strong reasons why the person needs to stay in the UK temporarily.

## Indefinite leave to remain (ILR)

ILR is a form of immigration status given by the Home Office. Indefinite leave to remain (ILR) is also called 'permanent residence' or 'settled status' as it gives permission to stay in the UK on a permanent basis.

## Refugee status

Refugee status is awarded to someone the Home Office recognises as a refugee as described in the Refugee Convention. A person given refugee status is normally granted leave to remain in the UK for 5 years, and at the end of that period can apply for Indefinite Leave to Remain. See *ILR*.

## Removal

Removal is a process whereby immigration officers enforce return from the UK to another country.

## Reporting

Most asylum seekers who are not detained are expected to report to a reporting centre or police station.

## BRP

Biometric residency card. BRP will include:

- name, date and place of birth
- fingerprints and a photo of your face
- immigration status and any conditions of your stay
- whether you can access public funds, for example benefits and health services



## HOME OFFICE SCREENING PROCESS

### First Screening Interview

*This initial interview takes place within the first 7 days of a young person being placed in foster care. The young person will have a legal representative present that will listen and make notes. An interpreter will also be present. During this interview the officer will ask questions about background, the reason for coming to the UK and their journey. After the interview the young person will be given a temporary ID card. The officer will then give a date for the second interview.*

### Legal representation

*As soon as the young person has had the interview, the foster carer will find a good solicitor that specifically deals with unaccompanied minors. The solicitor will make a case and fill in an application for asylum on behalf of the young person. The foster carer will be present for this as they need to make sure the young person is being represented fairly. The solicitor will ask similar questions to what the HO have asked but ask for more specifics. Once the application form is filled in it will be sent to the Home Office*

### Official Interview Home Office

*The foster carer will be present for this interview as an appropriate adult. The foster carer cannot speak on the young person's behalf during the interview, however the officer will ask them if there is anything they would like to add at the end of the interview. This is a long interview and normally takes about 2 to 3 hours. It's very detailed and the young person will be asking lots of questions to determine who they really are. There will be a legal rep from the solicitor's office who will be listening and making notes and will advocate for the young person if it is necessary. The main purpose of this interview is to determine how genuine the case is and so only the young person can answer the questions.*

## What happens after the interview?

A decision will normally be determined within 6 weeks of the interview. An age assessment may also be requirement if the home office is not satisfied. The age assessment will be carried out by the local authority. The duration of your stay as a UASC in this country all depends on the back ground research the home office does after the interview. Below explains briefly what type of legal status a UASC can have in the UK:

### Discretionary leave

Discretionary leave is a form of immigration status granted to a person who the Home Office has decided does not qualify for refugee status or humanitarian protection but where there are other strong reasons why the person needs to stay in the UK temporarily.

This type of leave is normally awarded to UASC whose age cannot be determined fully or whereby the home office have suspicion that the UASC may be older. At the end of the leave the UASC is normally deported back to the country of origin. Sadly, this has been the case more so for UASC coming from Albania, Iraq, and Iran and in some cases Afghanistan

### Indefinite leave to remain (ILR)

ILR is a form of immigration status given by the Home Office. Indefinite leave to remain (ILR) is also called 'permanent residence' or 'settled status' as it gives permission to stay in the UK on a permanent basis. This type of leave is not given as much as it was prior 2003.

## Refugee status

Refugee Status is awarded to someone the Home Office recognises as a refugee as described in the Refugee Convention. A person given refugee status is normally granted leave to remain in the UK for 5 years, and at the end of that period can apply for Indefinite Leave to Remain.

This type of leave is being offered more so for UASC who present themselves to be younger and do not require an age assessment. This is a more secure legal status in the country and gives a UASC stability. At the end of the 5-year period a solicitor will re-apply on the UASC behalf for indefinite leave to remain or an extension of leave if the UASC is in full time education post 16.

## Legal representation

Securing a child's immigration status is very important and should be addressed in the child's care plan. Where there is a need for legal representation, the local authority, who has corporate parenting duty, should provide practical assistance in securing appropriate representation. If no legal aid is available and no other source of legal representation exists, the local authority may have to pay for private legal services.

## Support under the Children's Act 1989

The law in this country imposes a general duty on local authorities to safeguard and promote the welfare of children within the area in need. Children seeking asylum who have not responsible adult to care for them are separated or unaccompanied and are therefore in need. A child asylum seeker's first encounter with the home office can be a point at

which a welfare referral involves the relevant children's services.

## Accommodation under section 20

For unaccompanied asylum seeking children in the UK with no parent or carer able or willing to provide accommodation the presumption is that they fall within the scope of section 20.

## Looked after status and entitlement

A child who is accommodated by the children's services department of a local authority under section 20 of the children's act 1989 for 24 hours falls within the definition of being looked after.

## Section 22

Section 22 of the 1989 act sets out the general duty of the local authority looking after a child to safeguard and promote welfare of that child. There are seven dimensions to a child's developmental needs, to which the local authority must have regard and for which they must plan:



- health
- education and training
- emotional and behavioural development
- identity with particular regard to religious persuasion, racial origin and cultural and linguistic background
- family and social relationships
- social presentation
- self-care skills

## Type of Accommodation

No definition of accommodation is provided in the legislation and no specific category of section 20 accommodation exists. Instead different types of accommodation can be provided.



- Children under the age of 16 are most of the time placed in foster care
- 16-17 year olds are sometimes placed in semi-independent accommodation with some support or supported lodgings.

It is important to ascertain the wishes and feelings of the young person about the type of accommodation and for the young person to be listened to if the placement is not working out. Local authorities must give children wishes and feelings due consideration in regards to the type of accommodation to be provided.

## What is the national transfer/dispersal scheme?

In some cases, after the interview at the home office, UASC can be put under the national transfer scheme. In July 2016 the national transfer scheme was introduced for unaccompanied asylum seeking children arriving in the UK, so that children are no longer necessarily cared for in the local authority in which they first present, but instead maybe transferred to an authority with greater capacity on a voluntary basis.

## What happens if the child is not happy to be put under the national transfer scheme?

If a decision had been made to put the UASC under the scheme without considering their wishes and feelings, a foster carer can support and advocate on the child's behalf. The case has to be strong for example:

- The child has got a school placement and is settled
- The child is completing their GCSEs therefore removing them would be detrimental to their education
- The child has formed a secure relationship with the foster carer and feels unsafe to be moving

There is no guarantee that it will be possible for the child's needs and wishes to be accommodated, however getting help from the refugee council or Coram legal services can help persuade the local authority to reconsider their decision. This decision can be very stressful for a UASC therefore it is crucial to get legal help and advice as soon as possible. The refugee council and Coram work on legal aid, therefore can financially support that help.

## Education for Unaccompanied Asylum-Seeking Children

*Difficulties refugee and asylum-seeking children can face in accessing and achieving in education*

Previous research has shown that refugee and asylum-seeking children continue to face particular problems in accessing

school places and in achieving educationally. This is due to a number of reasons, including:

- Children arriving in the middle of the school year;
- Schools reluctance to admit pupils who may have had little or no prior educational experience;
- Bullying and racism;
- Experiences of trauma and flight;
- High pupil mobility; and
- Lack of language proficiency



### How to overcome some of these barriers?

This is the most challenging barrier when an asylum-seeking child comes into care. Often the time taken to get a school or college placement can range from 1 to 8 months. This can be demoralising for a child who is desperate to start a new life and begin school. Foster carers can enrol UASC into ESOL courses which are normally free, these courses can either be completed online or at the local library or college. The course ranges from 3-6 months and is a useful tool to get a UASC used to the language before they start mainstream school/college. Local authorities and the refugee council provide tuition services as well which are also free or covered through the pupil premium. Accessing homework clubs through the refugee council is straightforward. Foster carers and social workers can call or make a referral.



## Extracurricular activities

This can also be implemented as soon as possible. If a child is still waiting for a school placement another method to improve social skills and language barriers is to actively get an asylum seeking child involved in sports like football, cricket, basketball and scouts. For older children a gym membership can also be helpful.

## School mentors

Once a child is placed in school accessing a school mentor or mentor outside of school can also help overcome some of the learning barriers a UASC faces. Mentors act as advocates in school and help the school to meet the needs and wants of a child. Mentors have access to other facilities and services which can benefit children. To get access to a mentor find out during a school PEP meeting and speak to the local authority social worker.

## Alternative provisions

Sometimes a school placement may not be suitable for an asylum seeking child who has been out of the school system for a long period of time. Finding the right establishment can be difficult. During meetings with social workers and IRO's, foster carers can ask for help on this and find education establishments that would be more suitable. Alternatively, the refugee council provide a similar education service as well with in house therapists. A referral can be made via the local authority to access this service.

While alternative provision can be beneficial, it is important that decisions are made based on the individual child's needs

and that the benefits of a placement outside mainstream schooling exceed those of being in the mainstream.

## The role of a foster carer when caring for UASC

Foster carers looking after unaccompanied asylum child there are extra roles and responsibilities:

- **Taking the young person to the home office interviews:** this is a daunting experience as these interviews are official. The young person will have translators and their solicitor present however it is more comforting for a young person to have their carer present as a reassurance and support. There are 2 interviews carried out. The first one is the screening interview and the second is the official interview which can last up to 3 hours. Keep your young person calm and try not to let them stress about this. During the interview stages a young person would need more emotional support and that is something you should provide.
- **Finding a good solicitor;** as a carer you will need to find a solicitor who specialises in immigration law. Do not assume that social services will provide one. Often they will ask the carer to do this. Once you find one you will need to go with your young person to the meetings. The solicitor will be making the application on behalf of the young person and will be asking many personal questions; e.g. their journey to the country? Were they trafficked? Why they fled their country?

These questions can be emotional for a young person as they have to relive their experiences. Again they would need your reassurance.

- [Advocate and follow up Local authority for paperwork](#); you will need necessary paperwork from social services for your young person to register with a doctor, dentist and optometrist. This will not happen straightaway therefore your role would be to chase up paperwork. This paperwork is also necessary to apply for schools and colleges
- [LAC reviews and PEP meetings](#); these meetings are important. Many decisions are made and as a foster carer you need to make sure the young person's views and needs are being listened to.

## Help and Advice

Sayed Sultani is Shining Stars Fostering Agency's Support and Participation Worker who is care experienced and also has experience of navigating through the asylum system as he arrived aged 14 as an unaccompanied minor from Afghanistan and was placed in care soon after. Sayed supports young people with the anxiety and frustration associated with their asylum status. Sayed is multi lingual and speaks Pashto, Dari and Farsi. Sayed provides an induction to all our newly arrived UASC's placed with SSFA and also supports foster carers and young people when a placement is seen to be fragile and in need of extra support to help stabilise and sustain the placement. This has been very helpful particularly in those cases where young people have struggled to settle and integrate in families upon arriving in the UK. This has included

support with asylum application, home office and solicitor appointments. He has also accompanied them to their initial and ongoing solicitor appointments and Home Office interviews as they made their claim for asylum in the UK. Sayed has also supported young people to prepare for independent living when they approach the leaving care stage.

If you have any queries or would like further assistance contact Sayed Sultani at 020 8263 6260.



## Further help

### Refugee council

[www.refugeecouncil.org](http://www.refugeecouncil.org)

### Coram legal services

[www.coramclc.org.uk](http://www.coramclc.org.uk)

### Home Office

[www.gov.uk](http://www.gov.uk)

[www.gov.uk/government/publications/unaccompanied-asylum-seeking-children-interim-national-transfer-scheme](http://www.gov.uk/government/publications/unaccompanied-asylum-seeking-children-interim-national-transfer-scheme)

### ESOL online

[www.esolcourses.com](http://www.esolcourses.com)

### Ofsted

You also have the right to talk directly to an organization called Ofsted if you live in England and want to make a complaint.

Ofsted (Office for Standards in Education, Children's Services and Skills)

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