

## Unaccompanied Asylum Seeking Children

### Description

# Fostering Separated (Unaccompanied Asylum Seeking) Children

<https://sparksfostering.org/wp-content/uploads/speaker/post-1119.mp3?cb=1735475021.mp3>

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The difference between asylum and refugee status is that an asylum seeker is someone who claims to be a refugee, but whose claim hasn't yet been evaluated. When referring to 'UASC' (unaccompanied asylum seeking children), this may sometimes include children who have refugee status, and therefore these children may also be referred to as 'separated' children.

Fostering separated children requires specialist knowledge and skills. For example, the children may need support with filling in citizenship application forms and they may have more meetings to attend to. The child may suffer from post-traumatic stress and there may be complications in resuming or maintaining contact with their friends and family.

Occasionally there is uncertainty about the age of the children placed, either because the child doesn't know how old they are, or because the individual wishes to present as younger, so they are more likely to have their asylum claim accepted. Some separated children have experienced being trafficked and they may still have contact with their traffickers, who may be trying to get the child to leave the foster home. It's particularly upsetting to know that many separated children are lost along their journey to the UK and even sometimes after they arrive in the UK and it's thought that many of the children have been sexually and/or labour exploited. Foster carers of separated children will be given support and training to understand all of these issues and how they can offer the best level of support to the children.

That said, many foster carers have a strong preference for caring for separated children because these children are considered to be exceptionally vulnerable and so some foster carers feel particularly sympathetic to these children. Furthermore, it is not unusual (but not guaranteed) for these children to adapt very quickly to living in the UK and many have gone on to excel. A good example of this is Gulwali Passarlay, an Afghan refugee, who lived with White British foster carers (who he continues to call uncle and aunty): Gulwali graduated with a degree in Politics from the University of Manchester, has written an autobiography and is a prominent campaigner (see

<https://www.thersa.org/events/speakers/gulwali-passarlay>

for full bio).

Any foster carers who wish to look after separated children would need to be able to demonstrate that they have the knowledge and skills to meet the needs of the children. Additional training can be provided if needed.

## **Further information (optional reading)**

### **Age assessments**

Children who are trafficked into the UK may be subject to age assessments. The assessment of age is a complex task, which often relies on professional judgement and discretion. Many societies do not place a high level of importance upon age and it may also be calculated in different ways. Some young people may genuinely not know their age and this can be misread as lack of co-operation. Levels of competence in some areas or tasks may exceed or fall short of our expectations of a child of the same age in this country.

Age assessments should only be carried out where there is significant reason to doubt that the claimant is a child. Age assessments should not be a routine part of a local authority's assessment of unaccompanied or trafficked children. Where the age of a person is uncertain and there are reasonable grounds to believe that they are under 18, they will be treated as a child in order to receive immediate access to assistance, support and protection in accordance with Section 51 of the Modern Slavery Act 2015. An age assessment should only be carried out if it is appropriate to do so, and should not cause a delay in referring into the National Referral Mechanism.

Foster carers may also have questions about the age of the children placed into their home; however, Sparks Fostering requests that foster carers remain focused on the welfare and wellbeing of the children placed in their homes. It is not the role of the foster carer to ascertain the age of children placed with them, and if there are no safeguarding or significant behavioural concerns, foster carers are expected to meet the children's needs in much the same way that the needs of all our children are met.

### **Resources:**

[Age assessment guidance: Guidance to assist social workers and their managers in undertaking age assessments in England.](#) From the Association of Directors of Children's Services.

[Age assessments](#) – information from the Coram Children's Legal Centre.

[Age assessments.](#) Guides for professionals and young people in English, Arabic and Kurdish. From the Greater Manchester Immigration Aid Unit.

[Hundreds of child refugees facing abuse, harassment, exploitation and trauma in adult hotels and detention](#) (Refugee Council)

### **Asylum process**

There are four main possible outcomes of the asylum process for an unaccompanied child: These are

outlined below including the impact they may have on the care and pathway planning:

- Granted refugee status (i.e. granted asylum), with limited leave to remain for five years, after which time they can normally apply for settlement (i.e. indefinite leave to remain).
- Refused asylum but granted humanitarian protection, with limited leave to remain for five years, after which time they can normally apply for settlement (i.e. indefinite leave to remain). This is most commonly granted where the person is at risk of a form of 'ill treatment' in their country of origin but which does not meet the criteria of the Refugee Convention.

As it is very likely that those granted refugee status or humanitarian protection will qualify for indefinite leave to remain, their care and pathway planning should primarily focus on their long-term future in the UK, in the same way as for any other care leaver.

- Refused asylum but granted Unaccompanied Asylum Seeking Child (UASC) Leave. This is normally for 30 months or until the age of 17½, whichever is the shorter period. This form of leave is granted to unaccompanied children where they do not qualify for refugee status or humanitarian protection, but where the Home Office cannot return them to their home country because it is not satisfied that safe and adequate reception arrangements are in place in that country. There must be no reasonable grounds for regarding the applicant as a danger to the community or security of the United Kingdom; they must not have been convicted by a final judgment of a particularly serious crime; and they must not, at the date of their application, be the subject of a deportation order or a decision to make a deportation order. It is a form of temporary leave to remain and is not a route to settlement. This decision is a refusal of the child's asylum claim and will attract a right of appeal. The child should be assisted to obtain legal advice on appealing against such a refusal. Before the child's UASC Leave expires, they can submit an application for further leave to remain and/or a fresh claim for asylum, which will be considered. It is essential that they are assisted to access legal advice and make any such further application or claim before their UASC Leave expires. In such cases, care and pathway planning should therefore consider the possibility that the child may have to return to their home country once their UASC Leave expires or that they may become legally resident in the UK long-term (if a subsequent application or appeal is successful). Planning should also cover the possibility that they reach the age of 18 with an outstanding application or appeal and are entitled to remain in the UK until its outcome is known.
- Refused asylum and granted no leave to remain. In this case the unaccompanied child is expected to return to their home country and their care plan should address the relevant actions and the support required. The Home Office will not return an unaccompanied child to their home country unless it is satisfied that safe and adequate reception arrangements are in place in that country. Any appeal or further application should be submitted where appropriate by the child's legal adviser.

Although these are the four main types of outcomes for an unaccompanied child, there may be others. For example, a child may be granted discretionary leave depending on whether they meet other criteria such as needing to stay in the UK to help police with their enquiries after being conclusively identified as a victim of trafficking. Other examples include: [leave as a stateless person](#); [limited or discretionary leave for compassionate reasons](#); and [limited leave on the basis of family or private life](#).

## Resources:

[Asylum process](#) – a map/graphic of the asylum process for separated children. Produced by The Refugee Council.

[The stages of a young person's asylum journey](#). An interactive guide by 'Right to Remain' and a list of roles of professionals in the 'People who can help' section.

[Traffic light reference chart on legal representation of UASC](#) – useful guide to ensure UASC receive good legal support.

[Welcome: Your guide to claiming asylum as a separated child in the UK \(under 18 years old\)](#) – by The Refugee Council

## Education

[Healing classrooms](#). By the International Relief Committee. the Healing classrooms programme aims to support schools and educators to develop inclusive and nurturing spaces where refugee and asylum-seeking students can gain the necessary academic, social and emotional skills to develop their full potential. The IRC offers free training sessions and resources to educators and schools supporting refugee and asylum-seeking students in the UK.

[Implementing school-based initiatives to support young refugees and unaccompanied asylum-seeking children](#). 25 minute video by Phillip Taylor, BroadOak School Manchester.

[Online ESOL resources for children](#): A list of free online resources for children to learn English. Collated by the North West Regional Strategic Migration Partnership.

[Practitioner training](#): To promote educational access and outcomes in their context. Free training from Refugee Education UK.

[Pupil resources, new to English](#) – from Wigan Council

[Supporting unaccompanied asylum seeking young people in education](#). By AfC (Achieving for Children)

[Welcoming refugee and asylum seeking learners](#). A collection of resources for schools welcoming newly arrived learners who speak English as an Additional Language. Also useful for fostering workers. Produced by The Bell Foundation.

[Welcoming unaccompanied asylum seeking young people in school or college](#): Briefing video. 12 minute video by Achieving for Children.

## Health

[UASC health](#) – Resources to support the health of separated children. From the ‘NHS Kent and Medway Looked After Children’s Team’.

## Language support

Most children who come to England from a war-torn country struggle to communicate in spoken and written English. The child may be very enthusiastic about learning English, which helps us to be able to support the child.

Initially, a translation service would be booked regularly to communicate with the child. When using a translator, we must try to be alert (as far as possible) to ensuring that the translator is saying everything we want them to as accurately as possible.

Inbetween using a translator, an electronic translator (such as Google translate) may be used, although please note that sometimes the translations may not be as precise as we want them to be.

When attempting to communicate directly with the child, we should avoid unnecessary words, but still use full sentences. The child should be given ample time to process what is being said (speak slowly). Pointing at relevant items, using props, and acting out can help the child understand what you’re trying to say. We should be careful to use our usual tone of voice – don’t speak in a patronising tone of voice. Carers should check the child’s understanding as far as possible by asking appropriate questions.

Carers are expected to support the child to learn English. Some carers may wish to get ESOL (English for Speakers of Other Languages) training. There are lots of free ESOL tools online. Carers are expected to encourage the child to do some work on developing their English every day, or several times a day if the child is very enthusiastic.

Sparks Fostering also encourages carers to book sessions on the app ‘Preply’ where speakers of the child’s first language can support the child to speak English. The tutors can also be used to translate between the carer and child when needed (not for multi-agency meetings).

There are other online language learning apps, such as DuoLingo, which can be explored and used by the child if they are happy to do so.

The app ‘ICOON for refugees’ has a picture dictionary, which may be useful for communication with non-English speakers.

There is a list of other resources to help children learn English on the [attached document \(click here\)](#).

## Trafficking

[Care of unaccompanied migrant children and child victims of modern slavery](#): Statutory guidance for LAs and professionals who support unaccompanied migrant children, who may be victims, or potential victims, of modern slavery. [Also see Sparks Fostering guidance ‘Modern Slavery’].

[Human Trafficking: First report of session 2023 – 24](#). By the House of Commons and Home Affairs

Committee.

[Over 100 charities call for action on children going missing from Home Office hotels, at risk of trafficking and exploitation.](#) From Every Child Protected Against Trafficking.

[UK minister admits 200 asylum-seeking children have gone missing.](#) Article in The Guardian.

## **Trauma and emotional health**

[Childhood trauma, migration and asylum:](#) Toolkit for educational communities, children and other professionals. Produced by the UK Trauma Council.

[How to support refugee and asylum-seeking children and young people who have experienced trauma.](#) By the UK Trauma Council.

[Mental health and psychosocial support directory for refugees and migrants in London.](#) By Kings College London. Content may also be useful for those outside London.

[Practice guidelines for clinical psychologists for supporting appropriate care and treatment for Unaccompanied Asylum-Seeking Minors in the United Kingdom.](#) A document produced by Foundation 63 for clinical psychologists, but with a lot of useful information for the fostering sector.

[The youngsters going through the UK's asylum system – BBC London.](#) A 26 min video outlining the harrowing situation for separated people entering the UK. It talks about how damaging age assessments can be, and addresses what happens when care leavers are denied asylum status.

## **Voice of the child**

[Fostering case-studies: Children who are migrants or refugees.](#) A lovely 12 minute video of separated young people their foster carers talking about their experiences. Produced by Waltham Forest Council.

[‘Refugee stories’](#) – videos produced by a variety of organisations and collated by ‘Schools of Sanctuary’. Very moving and distressing personal account.

## **Misc Resources**

[APPG for social work: Unaccompanied asylum-seeking children roundtable.](#) 1 and half hour recording published by the British Association of Social Workers (Nov 2021).

[Asylum seeker and refugee support.](#) A comprehensive list of resources collated by Hampshire Services.

[A warm welcome: A blueprint for supporting displaced children.](#) Guidance from Barnados.

[Care of unaccompanied migrant children and child victims of modern slavery: Statutory guidance for local authorities.](#) Department for Education (Nov 2017).

[Caring for children moving alone: Protecting unaccompanied and separated children.](#) Online course, 4 hours a week for 6 weeks.

[Caring for unaccompanied asylum seeking children and young people](#). A series of booklets available to purchase as a group (or individually).

[Children's Rights Group Webinar: The rights of unaccompanied asylum-seeking children in the UK](#). 1 and half hour recording produced by Doughty Street Chambers in March 2023. It includes speakers from the Children's Rights Group (at Doughty Street Chambers), the UN Special Rapporteur in Trafficking, the Chief Executive of Article 39, and the Head of Policy at 'Every Child Protected Against Trafficking' (ECPAT).

[Creating the environment for recovery for displaced children, young people and families](#). 1 and half hour video by Anna Freud.

[First generation immigrants, asylum seekers and refugees: learning from case reviews](#). From the NSPCC.

[Focusing practice on the best interests of child victims of trafficking](#). A 1 hour recording of a seminar hosted by 'Every Child Protected Against Trafficking' (ECPAT)

[How to talk with children and young people about war: Understanding and supporting our refugee children](#). A 1 and half hour webinar by Dr Tina Rae, hosted by Evidence for Learning.

[Practising with care in mind: Learning from professionals and unaccompanied asylum-seeking children](#). A free course by 'OpenLearn Create'.

[Providing support to refugee children](#). A free 3 hour course by the Augeo Foundation.

[Refugees, asylum seekers and unaccompanied minors – Resources](#). A list of resources in London.

[Resources for young people. Particularly useful for children who are due to be interviewed by the Home Office](#). Produced by the Migrant and Refugee Children's Legal Unit.

[SLRA \(South London Refugee Association\)](#) has useful resources and information.

[Social work practice with unaccompanied asylum-seeking young people facing removal](#). A journal article by Frances Wright, published in The British Journal of Social Work.

[Supporting children, adolescents, and families impacted by conflict and forced displacement](#). A podcast by The Association for Child and Adolescent Mental Health.

[Supporting refugee and asylum seeking children](#) – free downloadable resources from 'Young Minds'.

[Supporting unaccompanied asylum-seeking children: The experience of foster care](#). 20min recording by The Rees Centre. This is very easy to follow and highly recommended for foster carers of separated children.

[Taking care – Immigration support for young people in your care](#) (a video by Coram).

[The Mental Health of Children Impacted by Armed Conflict: Supporting Parenting and Wellbeing](#). A podcast by The Association for Child and Adolescent Mental Health.

[UASC Hub](#): An online resource for professionals or carers supporting unaccompanied asylum-seeking children in Yorkshire and Humber. By Migration Yorkshire.

[Unaccompanied asylum-seeking children \(UASC\)](#): advice, guidance and resources. Collated by Devon County Council, but useful for foster care in any area.

[Working with unaccompanied asylum seeking children](#) – a video produced by The Association for Child and Adolescent Mental Health outlining the work done in Kent). Note that the second presentation is specifically for foster carers. Some of it is hard to follow, but it has useful tips for activities with children who have suffered trauma.

[Who is Who?](#) A series of videos and resources in different languages which outline the roles of professionals working with separated children. By the Migrant and Refugee Children's Legal Unit.

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