

KENT COUNTY COUNCIL

SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Friday, 11 December 2015.

PRESENT: Mr R J Parry (Chairman), Mr J E Scholes (Vice-Chairman), Mr H Birkby, Mr G Cowan, Mrs T Dean, MBE, Mrs S V Hohler (Substitute for Mr E E C Hotson), Mr A J King, MBE, Mr R A Latchford, OBE, Mr L B Ridings, MBE and Mr R Truelove

ALSO PRESENT: Mr G Lymer

IN ATTENDANCE: Mr A Ireland (Corporate Director Social Care, Health & Wellbeing), Ms S Hammond (Assistant Director of Specialist Children's Services, West Kent), Mr J Mackintosh (Principal Accountant) and Mr J Cook (Scrutiny Research Officer)

UNRESTRICTED ITEMS

87. Minutes of the meeting held on 20 October 2015
(Item A4)

RESOLVED that the minutes of the meeting held on 20 November were an accurate record and that they be signed by the Chairman.

88. Select Committee Update
(Item A5)

RESOLVED that the Select Committee on Corporate Parenting be congratulated on their report and that the launch of the Select Committee on Grammar Schools and Social Mobility be noted.

89. Unaccompanied Asylum Seeking Children - funding from Government
(Item C1)

1. At the request of the Chairman, Mr Lymer provided an introduction to the subject of Unaccompanied Asylum Seeking Children (UASC), briefly summarising the scale of the challenge.
2. Mr Ireland explained that the Specialist Children Service's experience in 2015 was unprecedented; with more than 650 additional children coming into care. As of 11 December, there were 994 under 18 UASC, with more than 400 over 18 care leavers still linked with KCC.
3. To address the influx, the Committee was advised that new reception centres had been opened and 30 additional locum social workers had been employed. Due to the exceptional demand for placements, KCC has been forced to use independent foster carers which involved increased costs.

4. Mr Ireland reassured the Committee that significant liaison had taken place with central government to identify a solution. Letters had already been sent to all other County Councils requesting support in facilitating accommodation and support for UASC coming into care and numerous Secretaries of State had signed a letter sent to councils supporting the development of a voluntary dispersal scheme. However only two authorities had responded to the request from Government, offering to take very limited numbers.
5. In light of the significant financial and staff implications, along with the limited response from other authorities, Mr Ireland advised the Committee that legislation would likely be required to address the matter appropriately. This would entail the development of legal obligations to disperse UASC arrivals in a fair manner that met the needs of the children and did not overburden individual authorities. Mr Ireland clarified, that the only legislation in place that covered local authority responsibilities for caring for children was the 1984 Children's Act.
6. The Chairman thanked the Deputy Cabinet Member and Officers for their overview of the issues and invited Members of the Committee to ask questions.
7. Responding to Member questions, Ms Hammond explained that 97% of UASC were males, 75% aged between 16 and 17. Ms Hammond advised the Committee that 92 UASC were listed as missing and that the youngest missing was 14 years old. Ms Hammond explained that children were assessed upon arrival for high risk characteristics, including those that may influence the likelihood of going missing: Children being trafficked for the purpose of exploitation and children that were taken into care while travelling through Kent en route to meet up with established UK contacts and were therefore more likely to abscond. Additionally, Age queried children were considered high risk; those whose claimed age had been challenged with the potential for their rights to remain and to level of support being impacted, commonly resulting in absconding to avoid removal proceedings.
8. Mr Ireland clarified that while a small minority were trafficked with criminal purpose once inside the UK, the majority were just trafficked directly to the UK; involving the illegally facilitated travel through other nations to first present to authorities for asylum processing.
9. A Member commented that the poor response from other authorities to the government's request for support for a voluntary dispersal scheme was cause for concern and agreed with Mr Ireland's comment that legislation was needed to address the matter effectively. Mr Ireland confirmed that while a voluntary scheme would have helped Kent manage the recent influx, it would not be the best way to arrange a long term solution. He explained that it was encouraging that the issue of concentrated pressure on certain authorities arising from UASC responsibility had been recognised as a national issue that required further work and that the letter from three Secretaries of State was a positive indication that the Government appreciated that seriousness of the situation.
10. A Member expressed their support for the hard work of the staff that had managed the situation and supported the large number of young people in care. She noted that UASC faced particular difficulties and this meant the support for

them had to be delivered effectively and was to Kent's credit that this had been achieved. The Member also praised the briefings provided to Members on Child Sexual Exploitation and supported further work being undertaken to ensure Kent was able to effectively prevent UASC becoming victims.

11. Responding to Member questions about the various backgrounds of the UASC groups, Ms Hammond explained that the most common nations of origin were Eritrea and Afghanistan. The common misconception had recently been that the influx was mainly of Syrian nationals and Ms Hammond confirmed that this was not the case, with only a very small minority arriving in the UK due to the Syrian conflict. Ms Hammond also advised the Committee that the travelling patterns of those coming from Syria was different from the majority of arrivals, predominantly young males, in that most Syrians claiming asylum had travelling in families. Rather than the UK, Ms Hammond explained that, Germany and Sweden were the most popular destinations for Syrian refugees. However, Ms Hammond commented that it was anticipated that all young people arriving in the UK from relevant nations would claim asylum as their under 18 status entitled them to longer and more secure leave to remain.
12. Mr Ireland reassured the Committee that while Kent was still experiencing significant pressure, additional financial agreements secured from the Home Office in response to the situation, would allow ongoing UASC support and that the recognition by the government of the particular pressure facing the county should be welcomed. Linked with this, additional efforts have been made by Kent to reassure other authorities that the financial pressure of taking on UASC would not be unmanageable. However, he clarified that there remained significant financial implications to the long term support for over 18 care-leavers and that this factor continued to dissuade other authorities from offering more support to Kent.
13. Several Members supported the view that legislation was required to assist in the management of UASC distribution and funding, particularly given the current fiscal challenges affecting all local authorities. Mr Ireland advised the Committee that legislation could be implemented quickly if the addition of reserve powers was made to the Immigration Bill but that it could take much longer if fresh legislation had to be drafted from the beginning. He was not aware of any plans for such primary legislation and did not believe that it would have much support within government.
14. Mr Ireland and Mr Mackintosh, Principal Accountant, explained some of the costings for UASC in that SCS spends on average £105 a day for under 18s and that care leavers SCS spend was £254 a week, though the grant from government was on £200. This equated to a £2m shortfall due to the gap between spend on care leavers and the government funding provided. Mr Ireland clarified that the grant from government usually covered the cost of supporting under 18 UASC and that this had been well managed to fund the additional staff required to deal with the influx.
15. Members discussed the value of drafting a letter from the Committee to be sent to all Kent MPs to encourage additional work being undertaken by government to address the issues. While it was recognised that several Kent MPs and District

Councils were already supportive but that a co-ordinated effort should be encouraged.

16. Mr Ireland supported the suggestion to seek additional government support but noted some work that could be done locally to improve the financial situation by reducing costs; notably that better accommodation contracts could be negotiated, the benefit claiming system could be streamlined and made more effective and that the asylum process could be sped up so that leave to remain or return to country of origin procedures could be arranged much faster. This remained challenging given the complexities of the various asylum categories and risk factors involved as well as the legal issues involved with removing those with All Rights Exhausted (ARE) status who would be removed from the UK.
17. Ms Hammond advised the Committee that Kent had delivered effective support to UASC in care for more than a decade, with numerous examples of successful communities emerging from the settlement of those once seeking asylum in Kent. North Kent, Gravesham in particular, had a good reputation for accepting migrant communities and embracing the diversity they brought.
18. Responding to Member questions about the leave to remain process, Ms Hammond explained that a small number of young people will become 'naturalised' following the grant of full refugees status but the majority will be given defined leave to remain, which varies depending on the country of origin due to the different conditions present and how these factors influence when it may be safe for the individual to return.
19. Ms Hammond explained the current accommodation situation in that the Whitstable venue would close in 2016, as it had only be leased temporarily for UASC purposes prior to its disposal as an accommodation site. This venue could cope with 30 new arrivals a week when operating alongside the Millbank and Appledore reception centres.
20. Members discussed the issue of whether hiring more permanent social work staff to reduce the expense of agency staffing would be suitable. Mr Ireland and Ms Hammond explained that the choice was dependent on what was likely to happen in the future. If legislation was developed that would allow for a managed dispersal scheme, a larger permanent staff would not be necessary and may result in redundancies down the line so the short term expense of additional agency staff in the interim would be justified. Conversely, if legislation is not likely or will take a long time to come into force, there would be a case to consider for increasing the permanent social worker staff. Mr Ireland commented that recruiting social workers to support UASC can be challenging and that some work may still need to be commissioned to meet the demand.
21. Members discussed the issues raised, noting the funding gaps in relation to the over 18 care-leavers and the difficult staffing decisions that needed to be made. Members agreed that more needed to be done to encourage central government to take action to develop a long term solution. Additionally, Members commented that it was useful to clarify that the current UASC cohort was not predominantly made up of Syrian refugees, which had been a common assumption by people in Kent.

RESOLVED that the Scrutiny Committee thank Mr Lymer, Mr Ireland, Ms Hammand and Mr Mackintosh for attending the meeting and answering Members' questions on this item.

The Cabinet Member for Specialist Children's Care and the Corporate Director Social Care, Health and Wellbeing would confirm the status of ongoing negotiations with central government and indicate the value of a letter from the Scrutiny Committee to all Kent MPs.

The letter, if required, would highlight the key concerns, express the commitment of all KCC Members and Officers to identifying a long term solution with an equitable funding and dispersal system supported by legislation and request that all Kent MPs support this initiative.

90. Exempt minute of Scrutiny Committee held on 20 October 2015
(Item D1)

RESOLVED that the minutes of the exempt item consideration at the Committee's meeting on 20 October 2015 were an accurate record and that they be signed by the Chairman.