



UK Visas
& Immigration

Local Authority Operational Guidance

Arrival of Unaccompanied Asylum Seeking Children – section 67 Immigration Act 2016 (Dubs Amendment)

July 2019

About this guidance

This guidance is for Local Authorities that are receiving children transferring to the United Kingdom under section 67 Immigration Act 2016 (Dubs Amendment). The guidance sets out general guidelines of what to expect when children are transferred to the UK and is intended to assist in planning the placements for children and making arrangements for their collection at the airport.

Contacts

If you have any questions about this guidance or about specific children being transferred please contact:

UASC National Transfer Team
Telephone: 0208 196 0600
Email: UASCNationalTransferTeam@homeoffice.gov.uk

If you have any questions about funding please contact:

UASC Funding team
Email: UASCLAFundingTeam@homeoffice.gov.uk

Referral

1. The scheme aims to identify the most vulnerable children in Europe who are in need of urgent protection through transfer to the UK. By virtue of this, it is crucial that all action is taken to facilitate the child's swift and safe transfer to the UK.
2. European Officials in Greece, France and Italy work with delivery partners (Non-Governmental Organisations and humanitarian organisations) in the participating state to identify children who might be eligible for transfer to the UK under section 67. Ahead of referral, a Best Interest Assessment (BIA) is conducted by European Officials and delivery partners to decide whether transferring to the UK is in the child's best interest. The forms are completed in the language of the participating state. As agreed with partner organisations we are not able to share the BIA with local authorities however the relevant information is translated into English and is distilled into a Child Information Form (CIF, **Annex A**). The CIF is sent securely to Home Office officials. The Home Office is then responsible for completing security checks which, if cleared, will lead to the child being referred for a placement in the UK.
3. In the UK we work with Strategic Migration Partnerships (SMP) regional unaccompanied asylum seeking children (UASC) leads or local authorities (LA) directly, in order to find an appropriate LA to look after the child.
4. In order to confirm an offer to accept a child, LAs are required to complete a Placement Confirmation Form (PCF, **Annex B**) and then send this to the SMP UASC lead and the UASC Transfer Team with details of the placement identified for the child. If known, it is important to provide the address where the child will be living within the PCF, as well as the type of accommodation (for example foster placement or semi-independent accommodation). Where at all possible the PCF form should be returned within **3 working days**, to avoid delays for the child transferring.
5. The returned PCF form is considered to be confirmation that the LA will find accommodation for the child but it is understood that securing a placement a number of weeks in advance of the arrival date can be challenging and costly. If a placement address cannot be confirmed at the point of returning the PCF please return the form with this section blank and advise us of the address nearer the time of arrival.
6. Once the UASC Transfer team has received the PCF, we will contact European Officials to start the legal process of releasing the child from the care system of the relevant participating State so that the child can be transferred to the UK as soon as possible. We work closely with European Officials to expedite the process.

Planning an arrival

7. Once the LA confirms the date that the accommodation will be ready for the child, we will arrange travel on that date or as soon as possible after that date. We must adhere to the legal procedures of the participating State to ensure the appropriate handing over of responsibility for the child to the UK. This can sometimes take as little as three weeks. However it can take longer depending on the circumstances. We will keep LAs informed of progress.
8. Our partner, International Organisation for Migration (IOM), is responsible for organising the child's transport to the UK. We will work closely with LAs and ensure that IOM is

made aware of preferences for where and when the child arrives. Where possible transfers will take place during business hours, to allow for onward journeys from the airport. Internal flight transfers will be booked for travel to regional airports in the UK where possible. On occasion we use international train services into London. Travel arrangements take into account where the child is travelling from and availability of transport.

9. Prior to transfer, wherever possible, it is useful for LAs to provide as much information as possible about where the child will be moving to, for example, details of the local area, photographs of the carers, home or area, or a leaflet detailing the semi-independent accommodation. This information will be shared with the child by IOM, who help prepare and reassure a child ahead of transfer.
10. Where logistically possible and appropriate we will work with European Officials to try to facilitate a phone call between the LA and the child before transfer so that the child can be introduced to their social worker and given reassurance about the process. The LA may be asked to provide an interpreter to support with the call.
11. Where necessary, IOM will complete a Medical Health Assessment (MHA) with the child ahead of the transfer, which the LA will be provided a copy of. If it is known the child requires prescribed medication, the LA will be informed of this and IOM will endeavour to provide medication that the child can use on arrival in the UK until they attend a medical appointment and can be given a new prescription. Depending on the processes in the relevant European country, this may not always be possible. If this is the case, the LA will be informed what medical support the child needs and will be advised to arrange a medical appointment as soon as possible after the child arrives in the UK.
12. If an issue arises that means an LA wishes to withdraw or postpone their offer of a placement, for example if a confirmed placement falls through, the LA should notify their SMP UASC lead and the Home Office as soon as possible. If the request is to postpone the child's arrival, we will try to arrange. However, this will depend on the child's situation in the participating State where they are residing and delay may not always be possible. Unless and until we confirm that the transfer has been postponed (and unless the LA withdraws their offer of a placement altogether), the LA should continue to prepare for the child's arrival. This should include organising alternative accommodation if a placement has fallen through which may need to be emergency accommodation ahead of finding a suitable longer-term placement. Please note that the Home Office is unable to make arrangements to accommodate unaccompanied children. If delay in transfer is caused by events in the participating State where the child is residing, we will inform the LA and try to resolve the issue as quickly as possible.

Transfers

13. The LA should provide contact details of the social worker who will meet the child on the day of arrival. Once we have these we will contact the social worker with confirmation of the arrival and reception arrangements, and points of contact for the day of arrival.
14. To support the child during the transfer, they will be accompanied by an IOM staff member from when they leave their care provision in Europe to when they are met by the receiving LA social worker. A Home Office official will also be there to meet the child on arrival and support with the transfer – the social worker will be provided with their contact details ahead of the transfer.

On the day of arrival

15. The social worker will need to meet the child at the airport landside in the arrivals hall after the child has come through security and immigration. At the point when the social worker meets with the child, the receiving LA is understood to have assumed responsibility for the child. To confirm this, the Home Office official will complete an Undertaking Form with the social worker (**Annex C**). Please ensure that the social worker collecting the child has photographic ID with them such as a passport or driving licence so that it can be verified by our staff.
16. We will provide the social worker with flight details, terminal information and instructions on when and where to meet the child. At the first port of arrival the child will have their asylum claim registered. This includes a Welfare Interview and providing biometric information which will be taken by a Border Force officer. The child will be accompanied throughout by an IOM escort who will also act as an appropriate adult. Additionally, a dedicated Home Office official will be present throughout the process.
17. See **Annex D** for an example of the Welfare Interview Form completed with the child during the interview. The Welfare Interview is conducted for every UASC entering the UK at the point they are first encountered by Home Office staff. It is designed to obtain basic personal information and identify any immediate welfare concerns not already known about. For planned arrivals of this nature, we expect any welfare concerns to have been identified prior to arrival. The social worker collecting the child at the airport will be provided with a copy of the completed form and will be informed of any safeguarding or health issues raised.
18. In most situations, we anticipate that once a child has cleared airport security, customs and had their Welfare Interview, they should be ready to collect landside about 1.5 - 2 hours after their flight arrival. Please note these processes can on occasion be delayed making it hard to predict what time the social worker and child will leave the airport. We will keep the social worker updated about timings and any unexpected delays. If the child has a connecting flight in the UK, they will usually have their Welfare Interview and biometrics taken at the first UK airport where they arrive, meaning they should be ready to collect landside shortly after their arrival at their final destination. We will inform the social worker if this is the case.
19. As the social worker will not be going through airport security, there are no restrictions on liquids, etc. If driving they will need to park their vehicle in regular airport car parking facilities.
20. A child may arrive feeling nervous and disorientated and the local authority may wish to consider whether an interpreter comes to the airport so that the child can be reassured and to allow the social worker to explain who they are, what is happening and answer any questions (e.g. how long the onward journey will be, where they are going etc).
21. As the child will have had a long journey from where they were living in Europe to the UK, they may be hungry on arrival. The child may also not arrive with many belongings or clothes. Snacks and drinks will be provided airside but the social worker will need to respond to any immediate or unexpected needs the child may have.
22. To allow the LA to be prepared to meet the child's needs, we will make you aware of any known special needs the child has, for example any mobility issues/ wheelchair users and medical needs that might require doctor to doctor handover.

23. The Home Office staff member will escort the child to where the social worker is waiting once the security and immigration processes are complete. The social worker will then be free to leave the airport and accompany the child to their placement.

Claim for asylum

24. A Statement of Evidence Form (SEF) will be given to the social worker and child to provide details of the child's asylum claim at a later date with the assistance of a legal representative. The LA will need to support the child through the asylum process, including helping identify suitable legal representation. The child's asylum claim will be considered by the appropriate regional asylum casework team in the Home Office. After their arrival, the child will be sent an Asylum Registration Card in the post.

25. At the conclusion of the asylum process, should the child be granted refugee status or humanitarian protection, they will be given limited leave to remain for 5 years in line with usual asylum procedures. If the outcome of the child's asylum claim is that they do not qualify for refugee status or humanitarian protection, they will be eligible for 'section 67 Leave' which is a new form of leave created by the Home Office for children transferred under section 67 of the Immigration Act and who do not qualify for refugee status or humanitarian protection. This is also granted for 5 years.

26. More information about the asylum process for unaccompanied children can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/537010/Processing-children_s-asylum-claims-v1.pdf

27. Care should be taken to avoid unwelcome intrusions from press and media when these children arrive. We will ask airport authorities to deny any requested filming permits on the days when we are expecting arrivals but ultimately this is the decision of the airport authorities. Airport arrival halls are public spaces and it will not always be possible to keep anyone with a camera away from a child arriving. We ask you not to invite any press or media to the airport.

28. The LA must keep the Home Office informed of any changes in address for the child, so that appropriate correspondence can be sent to the child to the address they are residing.

Family in the UK

29. There may be a limited number of cases where a child referred under section 67 claims to have some family member(s) already living in the UK. These family links will already have been investigated by the participating state to establish whether they qualify for transfer under the Dublin III Regulation. If the child has been referred under section 67, it will have been established that they did not qualify under the Dublin III Regulation. In this situation, any available information about the child's claimed or established relatives will be shared with the LA in advance of the transfer to help inform the LA's decision making about the child's care.

Funding

30. Local authorities can claim Home Office UASC funding for children transferred under section 67 of the Immigration Act. Instructions can be found here - [Unaccompanied asylum seeking children and leaving care: funding instructions](#).

Legal advice

31. The LA will need to ensure that the child has access to legal advice in order to assist them in their claim for asylum. Details on where to find immigration legal representation can be found using the Adviser Finder function on the OISC website at http://home.oisc.gov.uk/adviser_finder/finder.aspx or at the Law Society website link at <http://solicitors.lawsociety.org.uk/>

Feedback

32. After the child has arrived we will be in touch to ensure they have settled into their placement and gather any feedback from you on the process. Please direct any queries via your Regional Strategic Migration Partner to:

UASCNationalTransferTeam@homeoffice.gov.uk

Annexes:

Annex A: Child Information Form (CIF). This form is sent to the LA and contains information about the child to assist with identifying a suitable placement.

Annex B: Placement Confirmation Form (PCF). This is the form we ask LAs to complete and return once a placement has been identified.

Annex C: Undertaking form for Dublin or Dubs Child Arrival

Annex D: Welfare interview form. This is completed at the first port of entry as part of the registration of the child's asylum claim.

Annex A

Please see below an example of the form you will be sent at the point of referral. The form contains information for the child to help you find a suitable placement.

S67 Immigration Act: Child Information Form – Part 1

<u>PERSONAL DETAILS</u>		
1.0	Section 67 Country	
1.1	Childs Full name (including first name(s) FAMILY name)	
1.2	Date of birth or if not known how old the child is	
1.3	Place of birth	
1.4	Any other names or dates of birth used or known by	
1.5	Gender	
1.6	Nationality	
1.7	Identity documents confirming nationality (if available)	
1.8	Languages and any dialects	
1.9	Does the child wish to travel to the UK with the intention of claiming asylum?	

S67 Immigration Act: Child Information Form – Part 2

<u>FAMILY IN THE UK</u>		
2.1	Family members in the UK	
2.2	Details of family member (including relationship, full name, date of birth, nationality, gender) Address and contact details of family member (s)	
HEALTH/SPECIAL NEEDS		
3.1	Does the child have any <ul style="list-style-type: none">- medical conditions- disabilities- infectious diseases- medication they are taking or should be taking?- a medical report?- Immunisation record/history	
3.2	(If female) Is the child pregnant? If 'yes', please provide details of due date	
3.3	Does the child have any particular emotional or	

	psychological needs? Please provide details	
3.4	Is there any evidence that the individual is: <ul style="list-style-type: none">• at risk of trafficking• at risk of other forms of exploitation? <p>If yes, please include as much detail as possible.</p> <p>Please provide detail as to why this assessment has been made and how child is presenting.</p>	

3.5	Is there any further information about this child's welfare that would assist the UK authorities in securing him/her a care placement?	
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Annex B

Please see below an example of the form you will be asked to complete to confirm acceptance of the referral for the child. It is recognised that a LA will need enough time to find a suitable placement but it is also urged that the PCF form is returned as quickly as possible, where at all possible within **3 working days**, to limit delays for the child transferring.

S67 Immigration Act: Placement Confirmation Form

<u>PERSONAL DETAILS</u>		
1.1	Reference Number:	
1.2	Childs Full name (including first name(s) FAMILY name)	
1.3	Date of birth	
1.4	Destination LA	
1.5	Placement Address (if known)	
1.6	Type of Placement	
1.7	Proposed care for vulnerabilities to be provided in the UK (if applicable)	
1.8	Important Details of placement (e.g. Pets)	
1.9	Lead Social Worker Details	
2.0	Airport Preference (please note due to operational constraints and availability of flight routes this may not always be possible to accommodate)	

Annex C: Undertaking form for Dublin or Dubs Child Arrival

Undertaking for Dublin/Dubs Minor Arrival

Minor Name: _____

Minor DOB: _____

Minor Reference: _____

I confirm that I have collected and am taking responsibility for the above named minor.

Signed: _____

Print name: _____

Date: _____

Time: _____

Tel: _____

ID document: _____

ID number: _____

Annex D

Please see below an example of the Welfare Form completed with the child by a Home Office official during the Welfare Interview when the child first arrives in the UK.

Welfare Form: Unaccompanied Children

This form is to be used with all unaccompanied children who enter into the UK either via Dublin III Regulation route or through Section 67 Immigration Act.

Note for interviewing officer:

This section to be completed prior to commencing the interview with the child / young person

HO Ref
Family Name:
First Name:
Nationality:
Gender:
Date of Birth:

Date & Location of Interview:
Time interview commenced:
Names of all people present in the room:
Interpreter Code:

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(Note for interviewing officer)

The purpose of following section is to establish understanding; ensure the young person (YP) understands interview process and is well enough to be interviewed

Where a ‘/’ is indicated in the text below, allow the interpreter to translate before continuing on

Ask interpreter to say a few lines to child before commencing to make sure they can understand.

Direct interpreter to communicate with YP to establish understanding

- *Did you understand the interpreter? (record response)*
- *My name is (insert name) /*
- *I am an Officer from the Home Office /*
- *In the room with me I have give names and roles)/*
- *Because I don't speak[insert C/YP's language (and dialect, if known)],*
- *I will be using an interpreter to talk with you /*
- *They will speak to you in the language you understand best and they will also speak to me in my language of English /*
- *Would you prefer another language? (record answer and cease interview if appropriate) **Direct interpreter to communicate with YP to establish understanding***

- *It is not a problem if you have difficulties in understanding what I am saying – if you do not understand we will help you with this and try to find someone who you understand.*
- *During our conversation, I will be writing notes, so that I do not forget what you have told me/*
- *Do not worry if it is quiet as I do this /*
- *You can ask me questions at any time/*

(i) Are you taking any medicine or tablets at the moment that you will need to take again soon?

(ii) Do you have any health problems which you would like to tell me about?

(iii) ***(If female)*** Are you pregnant?

(iii) Is there anything hurting you or do you feel ill right now? It is important that you let me know so that I can try to help you.

(iv) Are you feeling well enough to answer my questions?

If YP indicates they are unwell, follow up as appropriate to ensure child is both well enough and wakeful enough to continue interview.

The interviewer must assess from the context of all the answers provided above, the extent of how unwell the child may be feeling. Reference should be made to a senior officer to consider if interview should be stopped.

Do you need a comfort break or refreshments before we begin?

- *You are safe here /*
- *We will need to take some photographs of you and a copy of your fingerprints because it is important that we have a record of you and your arrival into the UK /*
- *I'm going to ask you some questions in a moment/*
- *It is important that you understand and answer my questions as best you can /*
- *Detailed questions about your journey, the reasons why you have come to this country and/or your request to live here will be done at another meeting /*
- *Once we have finished I will contact the people in the UK who look after children and young people who do not have family to care for them/*
- *The people who will arrange to look after you will speak to you. They will help you to make contact with any family you have in the UK to find out if it is safe for you to live with them. They will also find you a lawyer who can help you explain your reasons for coming to the UK /*
- *They can help you contact your family. It's important that you stay in your accommodation and work with them to find your family so that we can ensure your safety please do not try and find your own way there/*
- *If, at any time, you feel worried about anything, or if something becomes apparent later on, it is important that you tell the people arranging your care as soon as possible, so that they can find you help and let us know.*

Why did you leave your country? (brief details only do not expand or question anything said)

- ***(If no claim for asylum has been made)*** People who are scared to return to their home country can make a claim for asylum in the UK. If you later make a claim for asylum, you will not have to leave this country while your application for asylum is being considered unless you have family members in another European country/
- ***(If the unaccompanied minor has been transferred to the UK under the Dublin Regulation, the UK has accepted responsibility for considering their asylum claim)*** You have been transferred to the UK from [insert Member State] as we have accepted responsibility to consider your asylum claim, and unite you with family or relatives whilst that claim is considered. The questions I will be asking you here will not relate to the reasons why you might fear returning to your home country. Questions about that will take place at another time. The answers you give to me here will not be used later as part of your asylum claim.

Modern Slavery Section

1. Has anyone harmed you on your journey to the UK (not including your journey from **[insert country]** to the UK? (if yes take details)

2. Has anyone promised you work in the UK?

Do you have anything else that you want to tell me?

Have you understood all the questions I have asked you?

Time interview concluded

Interviewing Officer (print and sign)

CIO Authorising (print and sign)