

Unaccompanied Asylum-Seeking Children and Young People FAQs

In keeping with Hampshire's commitment to the Rights of the Child, the contents of this document should be read alongside the United Nations Convention on the Rights of the Child (UNCRC), specifically the following three Articles:

Article 20 (children unable to live with their family)

If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care that is continuous and respects the child's culture, language and religion.

Article 22 (refugee children)

If a child is seeking refuge or has refugee status, governments must provide them with appropriate protection and assistance to help them enjoy all the rights in the Convention. Governments must help refugee children who are separated from their parents to be reunited with them.

Article 39 (recovery from trauma and reintegration)

Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life.

The following list comprises frequently-asked questions and answers in relation to unaccompanied asylum-seeking children and young people

What is the educational entitlement of an unaccompanied asylum seeker?

The educational entitlement of an unaccompanied asylum seeker is the same as that of any other child/young person – they are entitled to free, full-time education/training up to the age of 18 years. In common with other students, they may, as an alternative to full-time further education, choose an apprenticeship or part-time/voluntary work with training between 16 and 18 years. They may also be able to continue in higher education after this but only if they meet the entry requirements and have by then been granted refugee status.



What should a school do if they are unsure about a young person's age?

The school should use the date of birth that has been allocated to the child/young person either at their age assessment or by the Home Office. If they are unsure whether an age assessment has been carried out or not they should ask the child/young person's social worker. Similarly, if they are unsure of the date of birth that has been allocated by the Home Office they should contact the child/young person's social worker who will be able to clarify this. If the school questions the accuracy of an age assessment or the age which has been allocated by the Home Office, they should discuss this with the child/young person's social worker.

What if a UASC arrives without any official documents?

Unaccompanied asylum seekers commonly arrive in the county without any documents. This should not impact on their admission to a school or college. A child/young person's social worker can provide confirmation that they are an unaccompanied asylum seeker and additional information such as the date of birth that has been allocated to them.

What is the care status of a UASC?

The status of an unaccompanied asylum seeker is 'Looked After' if they become accommodated by Children's Services. These children/young people are accommodated under Section 20 of the Children Act, 1989.

Following the child/young person's 18th birthday, UASC status becomes Former Relevant Child under Leaving Care legislation.

It is also possible to be an unaccompanied asylum seeker and be subsequently privately fostered¹ by friends or family through Local Authority assessment processes. In these cases there is no care status.

¹ Note that a private fostering arrangement is defined when an adult who is not the child's parent is looking after a child for duration of more than 28 days. A referral to the Local Authority must be made in this instance to assess the appropriateness of such an arrangement and this will include checks on the adult's true identity.



Are all asylum seekers unaccompanied?

No, some asylum seekers under the age of 18 arrive in the UK with other adult members of their families. These children/young people are asylum seekers but because they are with their families, they are not classed as unaccompanied asylum seekers.

Schools should, through liaison with the child/young person's social worker, establish that any 'relatives' are who they claim to be in order to safeguard the child/young person from possible harm and/or exploitation. An adult acting in loco parentis should be asked to provide evidence of their relationship to the child/young person for example a genuine birth certificate or guardianship papers.

What support is available for a UASC?

Hampshire EMTAS (Ethnic Minority & Traveller Achievement Service) can provide an initial assessment and support for all asylum-seeking and refugee children/young people if they are being educated in a maintained school from Year R to Year 11. The type of support offered will be bespoke based on the needs of each child/young person at admission. Schools will need to make a referral via the [EMTAS website](#).

EMTAS can also offer training and [good practice guidance](#) documents, free to download from the website. Academies and colleges can buy in EMTAS support through sold services arrangements. They should contact EMTAS on 0370 7794 222 to discuss this.

How do I find out which language is spoken by a young person?

The child/young person's social worker will be able to inform you of the child/young person's first language. Note that not all children/young people will be fully literate in their first language(s).

How do I access an interpreter?

EMTAS is able to source interpreters in many cases. There may be a charge for maintained schools using EMTAS interpreters if the agreed support allocation has come to an end. There will be a charge for non-subscribing academies and colleges. Settings should phone EMTAS on 0370 7794 222 more information.

How do I find out about the previous educational background of a UASC?

The child/young person's social worker may have some information about this. In addition, as part of the profiling process following referral to EMTAS, a Specialist Teacher Advisor will find out as much as possible about this by speaking to the child/young person with an interpreter if needed. This will be made available to you in a written profile report. It is important to bear in mind that some children/young people will have had no access to formal education at all, some may have been educated solely at home whilst others will have had an interrupted education.

Is it good practice for UASC be placed in a year group below their chronological age (decelerated)?

For some children/young people who arrive late into Year 10 or during Year 11, deceleration can be helpful as it can allow for more time to access GCSE courses which can lead to exam success. However, deceleration will not be the best option for all UASC and it is essential that decisions are taken on a case by case basis following consultation with an EMTAS Specialist Teacher Advisor and the child/young person.

Are UASC entitled to free school meals?

No. The child/young person's carer is expected to provide either lunch money or a packed lunch as they receive funding for the UASC's expenses which covers this.

Asylum seekers who arrived in the UK with their family are entitled to free school meals if they are in receipt of vouchers from the National Asylum Support Service.

Are UASC able to go on school trips/residential visits?

There may be safeguarding implications for some UASC regarding school trips and/or residential visits. UASC may lack the necessary travel documentation for residential trips abroad and may not be eligible for any visas required. The UASC's social worker and carer should be consulted about any proposed trips or residential visits to ascertain if it would be possible for the child/young person to attend. In cases where the social worker has confirmed that there are no safeguarding concerns or other barriers, then participation should be encouraged.



What organisations can help?

There are useful lists of other organisations that can help in the following documents:

[Unaccompanied Asylum-seeking children/young people in education: good practice guidance for Hampshire schools](#) (p.65 – 67)

[Unaccompanied Asylum-seeking children/young people in education: good practice guidance for schools receiving pupils from Hampshire who have been placed out of county](#) (p.61 – 64)

[Welcome to Hampshire: an information guide for unaccompanied asylum-seeking children and young people](#) (p.41 – 47) – scroll down the page to find this resource in English, Arabic, Farsi and Pashto

Hampshire EMTAS Specialist Teacher Advisor Team
July 2020

