

Operational from 24 August 2022



# National Transfer Scheme Protocol for Unaccompanied Asylum Seeking Children

Version 4.0 (updated on 05 September 2022)

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## Introduction and Key Principles

The National Transfer Scheme (NTS) protocol for unaccompanied asylum seeking children (UASC, and mainly referred to in this document as unaccompanied children) has been established to enable the safe transfer of unaccompanied children in the UK from one local authority (the entry authority from which the unaccompanied child transfers) to another local authority<sup>1</sup> (the receiving authority). Only unaccompanied children that meet the definition of a UASC, as set out in paragraph [352ZD of the Immigration Rules](#), are eligible to be referred to the NTS.

When the NTS first began operating in 2016 it formed the basis of a voluntary agreement made between local authorities in England to ensure a fairer, more equitable distribution of unaccompanied children across local authorities. To meet the overall best interests of unaccompanied children, a fairer distribution of children across the UK helps all local authorities meet their duties under the relevant children's legislation. Legislation was amended in 2018 to extend the scheme to include local authorities Scotland, Wales, and Northern Ireland.

From 26 July 2021, the NTS operated on the basis of a national voluntary rota, into which local authorities in England, Scotland, Wales and Northern Ireland, with UASC at or over 0.07% of their child population, could refer newly-arrived unaccompanied children. However, despite substantial reform the voluntary model has not sufficiently responded to the scale of intake into the asylum system.

On 23 November 2021 the Government took steps to ensure the National Transfer Scheme (NTS) works effectively, and ensures all children are transferred promptly to local authorities to be cared for. On this date, the Minister for Safe and Legal Migration, Kevin Foster MP, wrote on behalf of the Secretary of State for the Home Department to all local authorities in the UK with children's services to signal the Government's intention to direct participation in the NTS.<sup>2</sup> This is pursuant to those powers set out under Section 72(3) of the Immigration Act 2016 (the '2016 Act') providing for the Secretary of State for the Home Department to direct local authorities to comply with the scheme.

From 15 February 2022, following the required representations process, all local authorities with children's services in the UK have been directed to participate in the NTS, commonly referred to as a 'mandated NTS'.

The duration of any mandatory period will be dictated by a range of factors including intake levels, ability to place children in local authority care in a timely manner, and the viability of a return to a voluntary NTS that works effectively. We will keep its operation under review.

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<sup>1</sup> Including Health and Social Care Trusts in Northern Ireland.

<sup>2</sup> Letters to local authorities in England were jointly sent from Will Quince, the Parliamentary under-Secretary of State for Children and Families, on behalf of the Secretary of State for Education.

In accordance with Section 55 of the Borders, Citizenship and Immigration Act 2009, the Home Office must carry out its existing immigration, asylum and nationality functions in a way which takes into account the need to safeguard and promote the welfare of children. Therefore, the best interests of unaccompanied children being considered for transfer must always be a primary consideration throughout the transfer process.

The NTS is currently operating under the powers set out under Section 72(3) of the 2016 Act providing for the Secretary of State for the Home Department to direct local authorities to comply with the scheme.

### **Threshold adjustment**

From 24 August 2022, the Home Office will not transfer UASC to a local authority which is looking after UASC in line with or greater than 0.1% of its general child population. This represents an increase in the threshold, up from 0.07% to 0.1%, effective from 24 August 2022. The outcome of this change is twofold: (1) directions for transfer will now be allocated to local authorities under the 0.1% level, including local authorities who are supporting a UASC population between 0.07% and 0.1%, and (2) these authorities will not be able to refer new arrivals into the scheme for transfer. Local authorities who support a UASC population of 0.1% or above of their general child population will not be directed to accept transfers.

The original threshold of 0.07% has not been increased since 2016 and was developed in partnership with DfE when the NTS policy was first implemented. It was calculated using the UASC population in the UK at the time, together with estimated intake, and based on this the threshold was considered to be the fairest way to distribute caring responsibilities more evenly across the country. It is not a “cut off” point for accepting responsibility for unaccompanied children and is not an indication regarding a local authority’s ability to appropriately care for the children in its area.

However, the sustained higher rate of intake in the last couple of years has resulted in an increase to the overall UASC population such that it is necessary to adjust the operating threshold. The threshold will continue to be reviewed and formulated in accordance with existing UASC population and estimated intake.

### **Transfer deadline**

From 24 August 2022, the transfer deadline, as set out in this Protocol, was reduced from ten working days to five working days for all transfers of UASC not currently in the care of a local authority. This change is essential to increase the speed of transfers for these emergency placements for UASC in hotels and ensure young people are placed in local authority care at the earliest opportunity. The transfer deadline will remain 10 working days for NTS transfers between local authorities.

## **Contacts**

Any comments regarding this document and questions about how the protocol should be applied locally should be directed to UASC National Transfer team.

# The Legislative Framework

This protocol provides guidance on the operation of the NTS and the way in which local authorities across the UK should effect the safe transfer of unaccompanied children to another local authority in accordance with the [Immigration Act 2016](#).

[Sections 69-73](#) of the 2016 Act contain provisions for the transfer of responsibility for unaccompanied asylum seeking and refugee children between local authorities. Section 69 creates a mechanism to transfer responsibility for unaccompanied asylum seeking and refugee children from one local authority to another.

The Home Office is using existing powers set out under Section 72(3) of the 2016 Act providing for the Home Secretary to direct local authorities to accept children during the time that a mandated scheme is in operation.

This protocol sets out the agreed roles and responsibilities of the organisations with principal responsibility for its implementation, including:

- Local authorities directed to participate with a mandated scheme, or local authorities which have voluntarily agreed to participate
- The Home Office UASC NTS Team
- Strategic Migration Partnerships

This guidance should be read alongside other relevant guidance about the care of looked after children and unaccompanied asylum seeking children. This document provides links to related pieces of guidance where necessary throughout.

## Devolved Nations and governments

Section 73 of the 2016 Act enables the Home Secretary to make regulations to extend any provisions made by sections 69 to 72 to Scotland, Wales, and Northern Ireland. In 2018 the Government extended the provisions to the devolved nations, making the NTS a national scheme.

The mandated NTS operating from December 2021 continues to be a national scheme, with the national rota operating across the UK. There may be procedural elements of the NTS that will differ for one or more of the devolved governments.

The rota weightings of the mandated NTS have been calculated to determine a fair allocation of NTS placements to each region by taking account of asylum and children's services pressures on local authorities. The particular weighting to each factor was reached in partnership with regional representatives.

Information about the legislative framework in Wales can be found at Annex H.

# The national rota, reception, and transfer processes

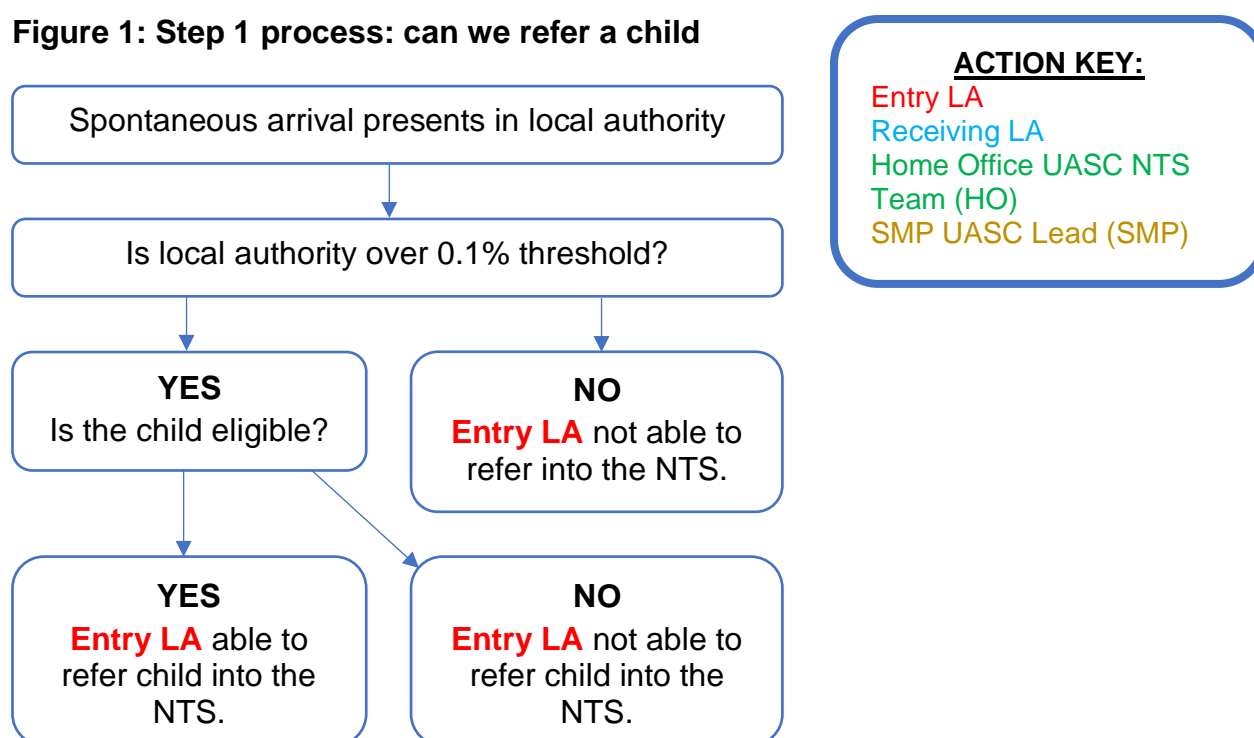
Since 26 July 2021 under the then voluntary scheme and now from December 2021 under a mandatory scheme, the NTS operates on the basis of a rota system in which regions and nations take it in turns to assume responsibility for unaccompanied children referred into the scheme. The operation of the rota is set out in the following subsections and in full in the process flow diagram at [Annex A: The national rota: eligibility, referral, allocation, and transfer process](#).

All local authorities with children's services have received a notice of the intention to direct them to comply with the NTS. However, the Home Office will not transfer UASC to an authority that is looking after UASC in line with, or greater than, 0.1% of their child population.

## Step 1: Can we refer a child?

Figure 1 below sets out the process for a local authority to determine whether it can refer a child into the NTS.

Figure 1: Step 1 process: can we refer a child



### Is the number of unaccompanied children in the local authority more than 0.1% of the child population?

Only a local authority which is supporting a number of UASC at or above 0.1% of its general child population is able to refer a child into the NTS.

Each local authority's 0.1% threshold is calculated from UASC population data based on the number of UASC funding claims made by that local authority, and the latest ONS estimate of that local authority's total child population at that time.

The percentage calculated for each local authority does not include care leavers; looked after children living in that local authority who are not the legal responsibility of that authority, that is, they have been placed there out-of-area by another local authority; or young people previously assessed as being aged over 18 who are subject to an ongoing age assessment process.

### Is the child eligible?

Unaccompanied children who have not made a claim for asylum are not eligible to be included in the transfer scheme.

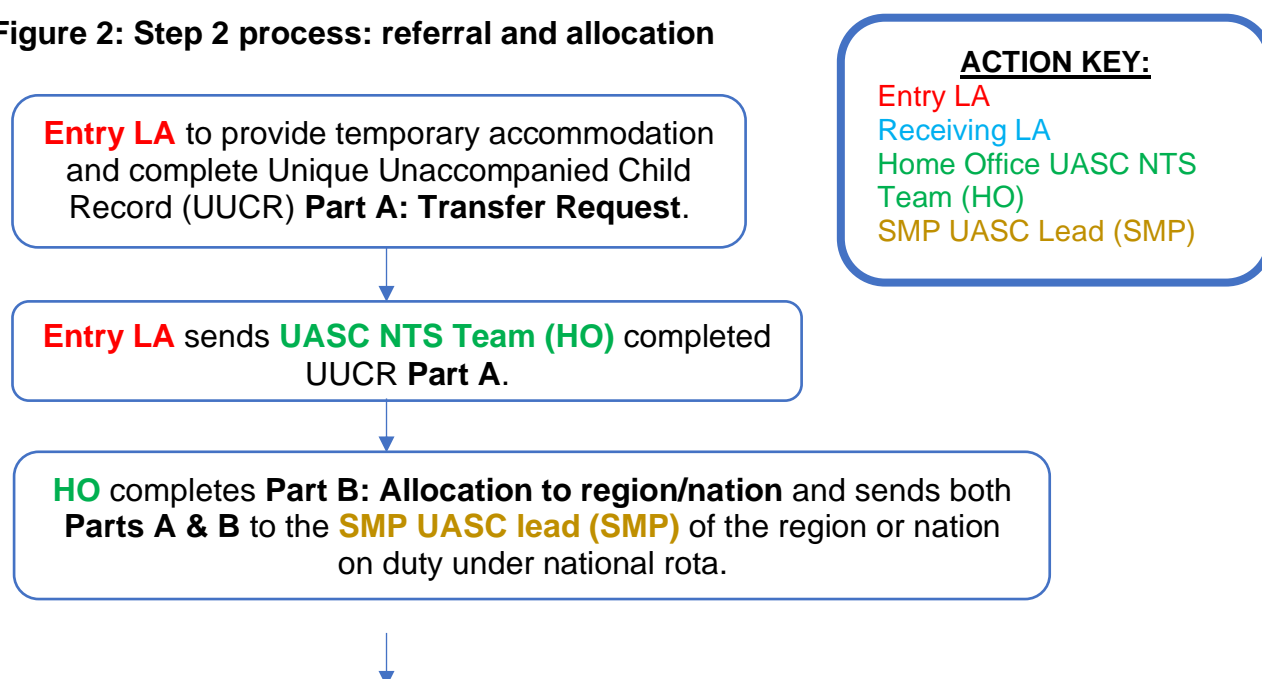
Unaccompanied children who arrive in the UK within 13 weeks of their 18<sup>th</sup> birthday are not eligible for the transfer scheme. It is not considered to be in the best interests for any child over the age of 17 years and 9 months to be referred to the NTS regardless of leaving care eligibility as this does not provide adequate time for receiving local authorities to complete pathway planning and prepare for independence post 18<sup>th</sup> birthday.

Please see [Annex E: Age disputes](#) where there is concern about the person's age.

## Step 2: Referral and allocation

**Figure 2** below sets out how a local authority can refer a child into the NTS, and the process for processing that referral and allocating the child to a receiving authority. The child should be informed of the decision to refer them to the NTS at the earliest appropriate opportunity.

**Figure 2: Step 2 process: referral and allocation**



**SMP** allocates case to a receiving LA within their region or nation as per their agreed local approach.

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**Receiving LA** completes UUCR **Part C: Transfer acceptance**, **SMP** emails to **HO** and **Entry LA** to notify of transfer acceptance.

### Deciding to refer a child

The decision to refer must take into account the child's best interests as a primary consideration alongside other considerations, and the appropriateness of transfer must be considered on a case-by-case basis. See [Good practice note 1 – deciding which children to transfer](#). Where a child is being looked after by a local authority, that local authority is under a duty to safeguard and promote the child's welfare.

See [Annex C: Best interests of the child](#) for further guidance on consideration of a child's best interests, and [Annex D: Family reunification](#) where children are found to have family members elsewhere in the UK.

**The entry local authority will make the decision to refer the child as soon as practicable** - ideally within two working days after the child's asylum claim has been registered.

### Referring a child

Once the entry authority has decided that it wishes to refer a child into the NTS, the entry authority begins the process by completing **Part A (Transfer request)** of the UUCR and sending this to the UASC NTS Team. See **Annex G: Unique Unaccompanied Child Record (UUCR)**.

The entry authority should use **Part A** to provide any receiving authority with all the details it has about the child, while recognising that such information may be limited. For example, it is not expected that a health assessment will have been completed at the time of referral. A referral should include, for example, any safeguarding concerns and whether or not the child claims to have family links in a particular area. It is important that **Part A** is completed fully and accurately. Please see [Good practice note 4: Providing child level information to the receiving local authority](#).

If, during the transfer process, the receiving Strategic Migration Partnership (SMP) UASC lead or the prospective receiving local authority request additional information from the entry local authority to progress the transfer, and the request is reasonable and proportionate, the entry local authority should respond within 5 working days.

If during the transfer process the entry authority finds additional relevant information about the child, it should share this with the receiving authority as soon as possible by updating **Part A** of the UUCR and sending this to the receiving authority, copying to the UASC NTS Team and the SMP UASC lead.



**The transfer should take place within 10 working days of a referral, or 5 working days of a referral of UASC not currently in the care of a local authority.** It is in the best interests of the child that the transfer process takes place without delay as this may cause the child distress as they become settled in the initial placement.

If the transfer of the child fails, the child remains the responsibility of the entry local authority until a successful transfer can be completed, if it remains in the child's best interests to transfer.

There may be **exceptional** health or other reasons why a transfer needs to be delayed. It is the responsibility of entry and receiving local authority social workers to decide the transfer date and notify the SMP UASC lead of any delays.

**The child should be told of the decision to refer them to the NTS as soon as possible.** It is in the best interests of the child to have a clear understanding that their initial placement is a temporary arrangement pending their transfer to a placement in another part of the country.

### **Reviewing decisions to refer a child**

If the entry local authority reviews the decision to transfer the child and concludes that it is no longer in the child's best interests to proceed with the transfer, then the entry local authority must notify the UASC NTS Team by completing **Part E: Withdrawal of referral/ change in circumstances**. See [Good practice note 3 – reviewing decisions to refer for transfer](#).

### **Allocations to local authorities**

To make the rota under a directed NTS as fair and equitable as possible, a weighting system has been applied to take wider pressures into consideration. The weighting system determines how many children each local authority can expect to receive. See [Annex B: Illustrative allocations under the rota](#) for further details about the weighting system.

Once a child has been referred into the NTS, the UASC NTS Team will complete **Part B: Allocation to region/nation** and sends both **Parts A & B** to the SMP UASC lead of the region or nation on duty under the national rota. The SMP UASC lead will then allocate the case to a local authority within their region or nation under their own, agreed, arrangements which will best reflect their particular local circumstances. For any period during which the scheme has been mandated and local authorities have been directed to participate, those local authorities are responsible for placing the transfers allocated to their region or nation, unless within their region or nation local arrangements have been made for their allocation to be accepted by another local authority.

The rota is projected over a series of cycles. This means the on-duty region/nation will move to the next region/nation on the rota after its allocation of children per cycle has been placed.

## Accepting a referral

Upon receipt of a referral, the receiving local authority will as soon as possible acknowledge that it accepts the transfer by completing UUCR **Part C: Transfer acceptance** and send this to the UASC NTS Team, entry authority and their SMP UASC lead.

A transfer should take place within a maximum of 10 working days from the point of referral to the National Transfer Scheme where a child is in the care of a local authority, or 5 working days of a referral of UASC not currently in the care of a local authority.

## Accessing and monitoring the rota

While it is not possible to predict placement needs precisely, regions and nations will know when their turn on the rota is coming up and their allocation for that cycle. This system should increase the predictability of the region or nation's contribution to the NTS and increase the speed of transfers.

Any child not in the care of a local authority will take first priority for transfer in accordance with the NTS.

Data will be shared regularly with regions and nations by the NTS Team to enable regions/nations and local authorities to prepare for their turns on the rota and will inform future forecasts of the pace of the rota. The pace of future rota cycles will be determined by the rate of referrals into the scheme.

Transparent and regular data sharing is important to reassure all regions and local authorities that the rota is being managed effectively and fairly, as well as demonstrating progress towards the aims of the NTS.

This will be updated further as the rota operates and systems bed in.

## Allowing flexibility in transfers under direction

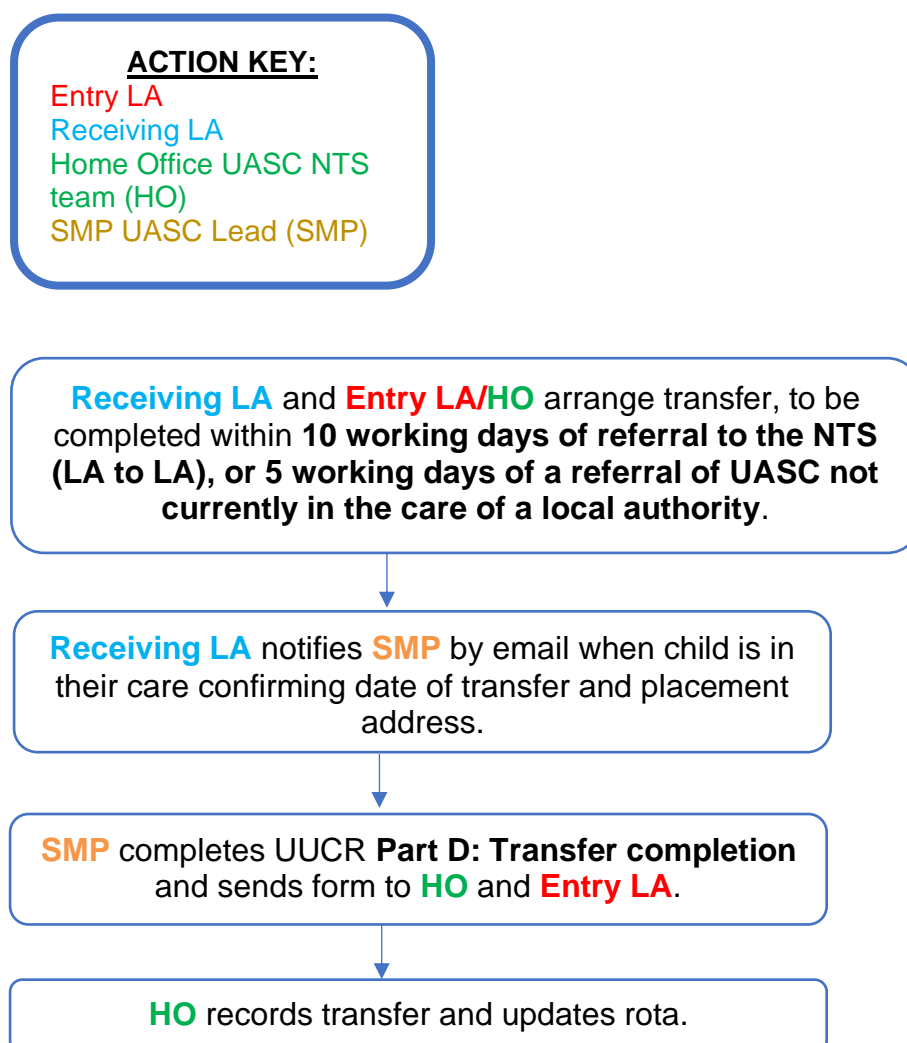
While transfers will generally operate within the framework of the national rota, local authorities will retain the flexibility to agree transfers outside of the rota where a particular placement is in the best interest of the child, for example where a child may have a family connection, or when a local authority is seeking to reduce its out of area placements by transferring legal responsibility to the local authority the child is currently accommodated in. Where such a transfer takes place, this will be considered as part of the receiving authority's allocation of placements under the next cycle of the rota. See **Transfers agreed outside the rota** section below.

## Escalation

Where any issues arise between the entry and receiving authority around a transfer, and this has been escalated to senior social worker level but still cannot be resolved, see [Annex F: Escalation procedure](#) for how to proceed.

## Step 3: The transfer process

Figure 3: Step 3 process: arranging transfers



### Transfer processes and standards

Once a decision has been made, it is in the best interests of the child that the transfer process takes place without delay as this may cause the child distress as they become settled in the initial placement.

Entry local authority social workers (or the Home Office if a child is not currently in the care of a local authority) will decide when to request the transfer takes place (for example, there may be health or other reasons why the transfer needs to be delayed). **Transfers should take place within a maximum of 10 working days of the referral to the NTS where a child is in the care of a local authority, or a maximum of 5 working days of a referral of UASC not currently in the care of a local authority.**

Local authorities should make every effort to ensure a transfer happens within this expected timeframe and should escalate as necessary. However, if a transfer does

not take place within this timeframe, then the entry local authority must review the continued suitability of transferring the child.

If the entry local authority reviews the decision to transfer the child and concludes that it is no longer in the child's best interests to proceed with the transfer then the entry local authority must notify the UASC NTS Team by completing **Part E: Withdrawal of referral/ change in circumstances**. See [Good practice note 3 – reviewing decisions to refer for transfer](#).

Once a decision has been made to transfer the child to another participating local authority, the entry local authority must explain the decision to the child and ensure that they understand the implications of that decision. At the earliest opportunity, the child should be informed about the local authority area where they are to be transferred. The entry local authority should ensure that the child is prepared for the transfer to the receiving local authority.

### **Transfer of statutory duties**

The receiving authority will become legally responsible for the child at the point of physical transfer of the child into the care of the receiving authority. The receiving authority will then need to comply with its obligations under statutory guidance or the relevant legislation in their nation. See **Good practice note 5 – placement decisions in receiving local authorities**.

### **Transport costs and practicalities**

Transport arrangements from the entry local authority's temporary placement to the receiving local authority placement will be coordinated between the two local authorities. The entry local authority will be responsible for payment of transport costs unless different arrangements are exceptionally agreed between the two local authorities and the Home Office.

At the point of transfer the child must be accompanied by a representative from the entry local authority who will hand responsibility for the child to the receiving local authority, unless the child is 16 or over in which case the entry and receiving authority will agree on a case-by-case basis the need for the child to be accompanied, considering both safeguarding and welfare issues.

### **Procedure upon arrival**

As soon as is practicable and no longer than 24 hours after arrival, the SMP UASC lead will complete UUCR **Part D: Transfer completion** and send this to the UASC NTS Team, copied to the entry authority administration lead, to notify them of the safe arrival of the child.

Upon safe arrival, if the child has not been referred to the NRM prior to transfer but the receiving local authority considers that the child may have been a victim of trafficking, it should follow the instructions set out in the [Modern Slavery guidance](#) and child protection procedures.

## If a child goes missing

If a child goes missing the local authority which has legal responsibility for the child – i.e. the local authority who had legal responsibility for the child at the time they went missing – should follow DfE's [Statutory guidance on children who run away or go missing from home or care](#) or Welsh Government's All Wales Practice Guide on Safeguarding Children who go missing from home or care.<sup>3</sup>

If the child due to be transferred through the NTS process goes missing at any point during the process, the local authority with legal responsibility should notify the UASC NTS Team by submitting UUCR **Part E: Withdrawal of referral/ change of circumstances**.

If a child travelling alone does not arrive with the entry local authority representative at the time expected the receiving local authority will contact the entry local authority to investigate.

If the child goes missing prior to the transfer of statutory duties to the receiving authority, it may be appropriate to withdraw the referral.

In a scenario where a child not currently in the care of a local authority goes missing and is subsequently found, the local authority where the child was located should assume statutory responsibility for the child.

## Making funding claims

Details of the funding contribution made available by the Home Office to the receiving authority and the process to claim the funding can be found in the UASC and leaving care [funding instructions](#). A local authority may claim the higher rate funding for any child they receive under the NTS.

## COVID-19

Local authorities are responsible for ensuring that the latest Government guidance on **Coronavirus (COVID-19) for children's social care services is followed** in relation to newly arriving unaccompanied children.

## Transfers agreed outside the rota

Transfers between local authorities, where the referring authority is over 0.1%, agreed outside the rota can be counted towards a local authority's allocation under the rota.

Where an unaccompanied child is transferred from one local authority to another without the direct involvement of the UASC NTS Team in the transfer process, e.g., where a child has a family connection, the SMP UASC lead will complete **Part D: Transfer Completion** and send this to the UASC NTS Team within 24 hours of the

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<sup>3</sup> <https://safeguarding.wales/chi/c6/c6.p9.html>

transfer. The UASC NTS Team will update records and the transfer will be considered as part of the receiving authority's allocation of placements under the next cycle of the rota.

### **Escalation**

Where any issues arise between the entry and receiving authority around a transfer, and this has been escalated to senior social worker level but still cannot be resolved, see [Annex F: Escalation procedure](#) for how to proceed.

## Good practice notes

### Good practice note 1 – deciding which children to refer for transfer

The appropriateness of transfer must be considered on a case-by-case basis.

*Additional factors indicating it may be in the best interests of the child to be referred for transfer:*

- Where there is a heightened risk of gangs, trafficking or child sexual exploitation (CSE) if they stay in the entry local authority.
- Where they have a family member in another local authority which they can be transferred to.
- Where they are strongly vocal about not wanting to stay in the entry local authority and are at risk of going missing because they want to be elsewhere.

*Factors indicating it may not be in the best interests of the child to be referred for transfer at the point that the child has arrived in the UK:*

- Where a child has a family connection in the entry local authority.
- Where they have a level of disability or have additional health needs which need attending to before the child can be transferred (for example, TB or scabies treatment).
- Where a child has expressed his or her strong view about wanting to stay in the entry local authority and are at risk of going missing once they are transferred in order to return to the entry authority.

The assessment of why it is in the best interest of the child to be referred for transfer should be included in the LAC care plan and shared with the receiving local authority.

### Good practice note 2 – preparing the child for transfer

Preparation for transfer needs to be continual and child-centred. Local authority social workers should:

- Ensure that all carers and professionals are giving the same reassuring messages about the fact that the child will be transferring.
- Highlight the opportunities and positives of the move to the child.
- Ensure that, where a child has been in the entry authority's care for some time and a care plan is completed, the care plan reflects the context of the child awaiting transfer.
- Ensure all paperwork and information has been shared with the receiving local authority, and maintain a dialogue with the receiving local authority social worker.

- Make contact with unaccompanied children who have previously been transferred and ask them to share their experience with the child who is due to be transferred.
- Where possible, receiving local authority social workers could travel for an advance meeting with the child, or meet virtually, before transfer to reassure and start building trust.
- Ask for photos of new carers and information about their household to share with the child, and if necessary help prepare the child for being cared for in a different type of environment to the one they have experienced in the entry local authority.
- Show the child pictures from the area they are transferring to and tell them what it will be like. If possible, put them in touch with other children who have been placed in that area and are happy with the placement.
- Where the child is travelling accompanied by a social worker, arrange for the “handover” between social workers to take place somewhere the child will be relaxed. An unaccompanied child already settled in the receiving area might also be able to be present at the handover.
- An appropriate representative from the receiving local authority should always receive the child into their care and accept legal responsibility.

### Good practice note 3 – reviewing decisions to refer for transfer

Where a transfer has not taken place within the expected 10 working days from referral, or 5 working days of a referral of UASC not currently in the care of a local authority, in certain circumstances this may warrant a review of the decision to refer a child for transfer. Relevant considerations when reviewing the decision could be:

- Following referral has the child then disclosed that they have relatives in the area?
- Has the child developed connections with the local community or local services or treatment which they have begun and which it would be detrimental to leave?
- Are there specialist services which they are accessing and are only available in the entry local authority?
- Have further vulnerabilities become apparent (including mental health needs) since the referral was made?
- Has the child expressed a strong wish to stay – despite being adequately prepared for transfer?
- Have other professionals given a view or made recommendations that the child should not now be transferred?
- Is the child due to turn 18 shortly?
- Is the entry local authority now under the 0.1% threshold?

In some circumstances, (for example where the child is receiving treatment for an infectious disease) it may be in the best interests of the newly arrived unaccompanied child to stay in the entry local authority accommodation for an extended period of time before being transferred. Where a decision on whether to transfer the child has been deferred, the entry local authority will notify the SMP UASC lead and the UASC NTS Team as soon as possible after the deferral decision is made. After a period of



deferral, the decision to transfer will need to be reassessed to ensure that it is still in the child's best interest.

## Good practice note 4 – providing child level information to the receiving local authority

*Before the receiving local authority is confirmed:*

- Complete every section of Part A of the UUCR in as much detail as possible, recognising that information available within the expected timeframes will be limited. For example, it is not expected that a health assessment will have been completed at the time of referral.
- Where additional **relevant** information (which would make a difference to a placement decision) has become available, update and re-send Part A.
- Include full details of any family members.
- Where the care plan has been completed, send this with the revised Part A.

Once the receiving local authority is confirmed, **all relevant information available should be shared with it**. This could include:

- all assessments to date such as the LAC Care plan, medical assessment (or fitness to travel documents), etc.
- information about the culture and ethnicity of the child, including foods, faith, regional language and dialect, experience of culture in journey to the UK.
- the child's relationships with others, and their following of COVID-19 guidelines.

Note: A photograph of the child for prospective carers is no longer required.

If during the transfer process the entry authority finds additional **relevant** information about the child, it should share this with the receiving authority as soon as possible by updating Part A of the UUCR and sending this to the receiving authority, copying to the UASC NTS Team and the SMP UASC lead.

Entry local authority accommodation providers, carers and social workers will identify any immediate risks to the child and will take all safeguarding actions necessary. Where signs and indicators of trafficking are present, the local authority will convene a multi-agency strategy meeting to consider the need for a s47 investigation under the Children Act 1989 or the relevant legislation in their nation. The meeting should consider any immediate safeguarding actions (including NRM referral) and agree a shared risk plan to promote the child's immediate safety and wellbeing. The local authority should also follow the instructions set out in the [Modern Slavery guidance](#) and child protection procedures.

The entry local authority will arrange for a registered medical practitioner to carry out an immediate assessment of the child's state of health which will address any immediate health issues that require urgent attention and include an assessment of whether the child is fit to travel. Entry local authorities should register the young person with the local GP as soon as possible so that relevant information can be easily accessed by the health authorities in the receiving local authority area. Further

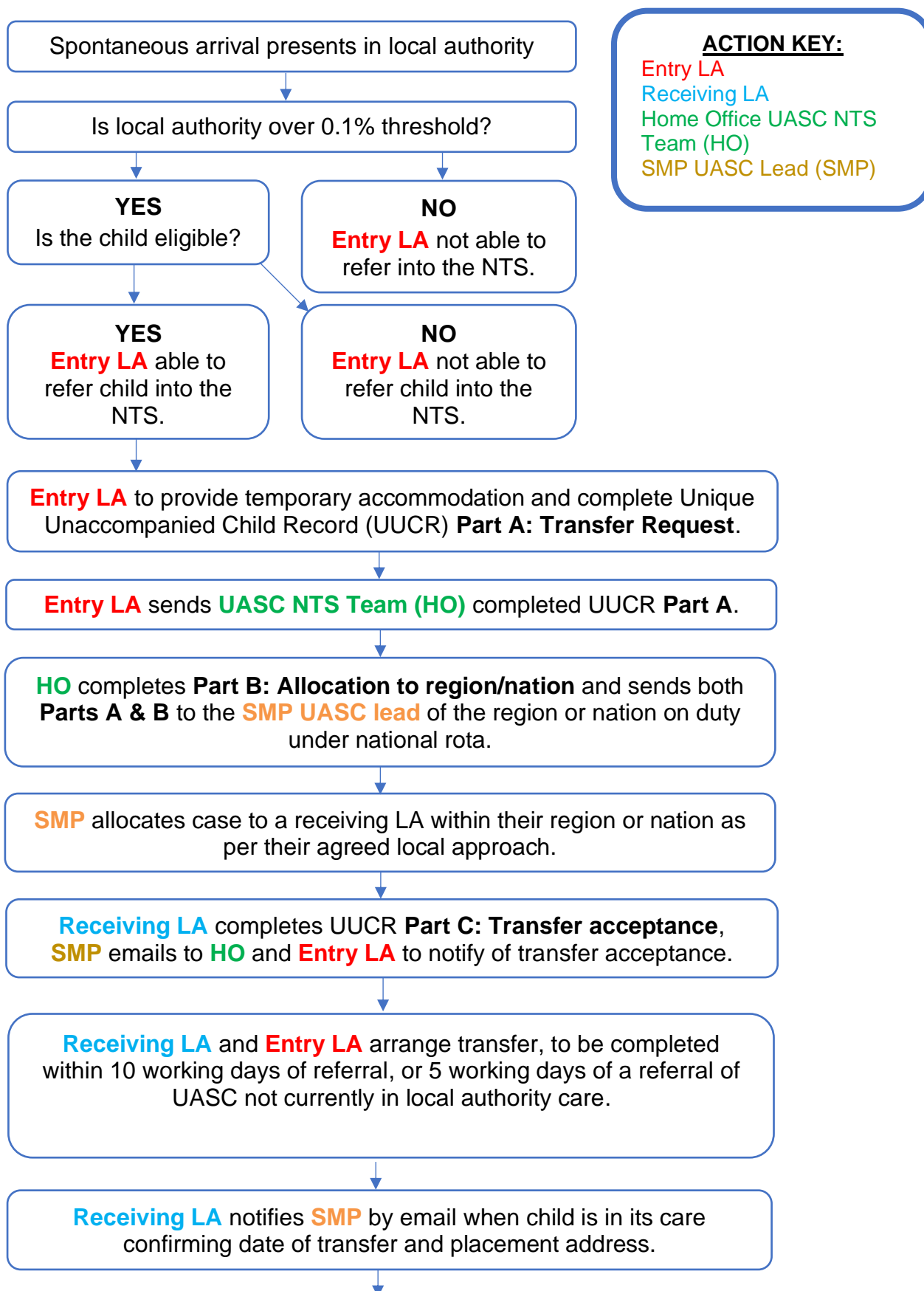
information developed by health professionals in Kent can be found at <http://www.uaschealth.org/>.

**Transfers should take place within 10 working days of referral to the NTS where a child is in the care of a local authority or 5 working days of a referral of UASC not currently in the care of a local authority.** If for exceptional reasons the transfer is unlikely to meet this timeframe, the entry local authority may need to commence arrangements to undertake the initial health assessment (a health plan) as required by the [Care Planning, Placement and Case Review \(England\) Regulations 2010](#). The health plan must cover all of the information set out in Schedule 1, paragraph 1 of the Regulations and feed into the wider care plan. Further guidance can be found in the Department for Education and Department of Health, [Promoting the health and well-being of looked-after children Statutory guidance for local authorities, clinical commissioning groups and NHS England \(2015\)](#).

Whether or not the child has been referred for transfer, after they have been accommodated by the entry local authority for 24 hours, they become a looked after child under the relevant legislation or statutory guidance in their nation. The entry local authority will then need to comply with all its obligations under the relevant legislation in their nation, and statutory guidance ensuring that the child is accommodated in the most appropriate placement available which meets their needs. What is appropriate in the circumstances is a decision for the local authority to make.

All of the information collated by the entry local authority as a result of the above should be shared with the receiving local authority.

## Annex A: The national rota: eligibility, referral, allocation, and transfer process map



**SMP** completes UUCR **Part D: Transfer completion** and sends form to **HO** and **Entry LA**.



**HO** records transfer and updates regional rota.

## Annex B: Illustrative allocations under direction

The NTS seeks to deliver a fairer and more equitable distribution of UASC supported by local authorities across the UK. The proportion of children to be allocated to each local authority for transfer has been determined by detailed modelling taking into account wider pressures relating to looked after children and the supported asylum population as well as the size of the population.

We have modelled for projected allocations of transfers on the basis of a cohort of 652 children based on estimated annual referrals and previous experience, broken into 4 smaller cycles of 163 children to ensure that no region or local authority is asked to take responsibility for too large a group of children at any one time.

During each cycle, a region or nation will take responsibility for placing referrals into the care of local authorities in their area up to the determined allocation at which point responsibility will move to the next region or nation. Once all regions or nations have taken their turn on the rota, the next cycle will begin. When 652 transfers have taken place the process begins again.

It is difficult to estimate the pace that each cycle will be completed as this will be dictated by the rate of intake of new arrivals. Under the voluntary scheme, the pace was also accelerated by a reduced level of participation amongst local authorities, which will not be so acute under a mandatory scheme.

### Regional distribution

The weighting system is first applied to the devolved nations and nine regions in England to ensure an equitable distribution across the UK. This takes account of the five factors set out below, with the particular weightings indicated, to determine the proportion of UASC transfers to be allocated to each region or devolved nation.

#### Size factor

- Child population. This factor ensures a proportional relationship such that a larger child population will result in a larger allocation. (25% weighting)
- Children's services factors
  - Looked After Children population. The number of looked after children per 10k is an established measure of the pressures on children's services. Higher rates of looked after children will result in a smaller allocation. (22% weighting)
  - UASC population. Providing the appropriate care for UASC in their care may require additional support from local authorities due to the particular needs and challenges of this cohort. Higher numbers of UASC as a proportion of child population will result in a smaller allocation. (10% weighting)
  - Former UASC care leaver population. Similarly, former UASC care leavers may require additional support from local authorities. Higher numbers of former UASC care leavers as a proportion of general population will result in a smaller allocation. (10% weighting)
  - Supported Asylum population. The number of asylum seekers who are dispersed and supported under provisions of the Immigration and Asylum Act 1999

varies across the UK. A greater number of supported asylum seekers as a proportion of general population result in a smaller allocation. (33% weighting)

### **Local authority distribution**

The same factor-based weighting system is then applied at a local level to determine a fair distribution of UASC to be transferred to local authorities within each region.

Any local authority supporting UASC at or above 0.1% of their total child population will receive an allocation of 0 (where data has been verified by the Home Office), as will any authority who is considered exempt from being directed to receive transfers under the scheme by the Home Office. To ensure the regional distribution remains consistent, the full regional allocation is allocated across eligible authorities in the region.

### **Rounding**

As we are working with a complex set of interrelating factors the modelling often proposes allocations that represent a fraction of a child. This raises an issue of fairness. If we apply a simple rounding method, hypothetical local authority A with a weighting of 1.5 children per cycle, would be treated the same as hypothetical local authority B with a weighting of 2.25 children. Both authorities would receive 8 children over 4 cycles.

To mitigate this, we have applied an ordered ranking methodology to distribute the allocation of children within a region over the projected cycles. In the example above this ensures that local authority A will receive 6 children over 4 cycles while local authority B receives 9 children.

### **Review**

We recognise that populations can be dynamic at the regional and local authority level. The model is designed to be flexible and will routinely be reviewed to ensure the underpinning data is up to date and rota continues to reflect the current position in order to achieve the objective of an equitable and fair distribution. We will refresh the allocations modelling ahead of beginning to transfer each cohort of 652 children.

For example, should a local authority's supported asylum population increase disproportionately, while other factors stay the same, this will be reflected in a reduced allocation of children to both that particular local authority and their broader region.

### **Devolved Governments**

The NTS is a UK-wide scheme and allocations have been determined for children to transfer to local authorities in the devolved nations. However, due to the different legislative and political context in devolved nations, available data is not directly equivalent to that relating to the English regions and cannot provide a direct comparison at national level. We have worked closely with colleagues in the devolved nations to determine the most appropriate weighting for each devolved nation.

Allocations within each devolved nation have then been distributed at local authority level using the factor based modelling informed by the appropriate datasets for that nation.

## Annex C: Best interests of the child

At the beginning of the transfer process local authority social worker will need to decide based on the child's best interests:

- Whether to request a transfer to another local authority; and
- When to request a transfer if it is deemed a transfer is in the child's best interests.

In accordance with Section 55 of the Borders, Citizenship and Immigration Act 2009, the best interests of unaccompanied children being considered for transfer must always be a primary consideration.

Article 3, paragraph 1, of the [Convention on the Rights of the Child](#), ratified by the UK Government, gives the child the right to have his or her best interests assessed and taken into account as a primary consideration in all actions or decisions that concern him or her, both in the public and private sphere.

The UN Committee has drawn up a [non-exhaustive and non-hierarchical list](#) of elements that could be included in a best interest assessment by any decision-maker having to determine a child's best interests. The non-exhaustive nature of the elements in the list implies that it is possible to go beyond those and consider other factors relevant in the specific circumstances of the individual child or group of children. All the elements of the list must be taken into consideration and balanced in light of each situation. The list should provide concrete guidance, yet flexibility.

### **Elements to be considered when assessing the child's best interests**

- (a) The child's views
- (b) The child's identity
- (c) Care, protection, and safety of the child
- (d) Situation of vulnerability
- (e) The child's right to health
- (f) The child's right to education

As with any looked after child, a local authority accommodating a child under section 20 of the Children Act 1989 or in Scotland section 25 of the Children (Scotland) Act 1995 or in Wales section 76 of the Social Services and Well-being (Wales) Act 2014 is expected to make decisions to safeguard that child and to promote their welfare. Making these decisions will require the local authority to consider the child's wishes and feelings as well as other factors in the child's life, including but not necessarily limited to the child's safety and vulnerabilities, identity and care needs, education, cultural and/or religious needs and health.

Although the term "best interests" is commonly used to encompass local authorities' responsibilities towards children looked after by them, local authorities do not have a



specific duty in national legislation to make decisions in a child's "best interests". Instead, local authorities have the **duty** to safeguard and promote a child's welfare, a duty which inherently requires local authorities to take account of a child's best interests and, under section 1 of the Children and Social Work Act, a local authority in England must, in carrying out functions in relation to children who are looked after by a local authority '**have regard to** the need to act in the best interests, and promote the physical and mental health and well-being, of those children and young people'; Reference to best interests therefore refers to a local authority's duties under the Children Act 1989, the Children and Social Work Act 2017 and the Social Services and Well-being (Wales) Act 2014 or relevant legislation in each nation.

The requirement to take into account the wishes and feelings of the child and to safeguard and promote the child's welfare are embedded in the following primary legislation, regulations and guidance:

- Section 22 of the Children Act 1989;
- The Care Planning, Placement and Case Review (England) Regulations 2010;
- The Children Act 1989 guidance and regulations Volume 2: care planning, placement and case review, and the Care Planning, Placement and Case Review (England) Regulations 2010;
- Working together to safeguard children A guide to inter-agency working to safeguard and promote the welfare of children March 2015;
- Section 1 of the Children and Social Work Act 2017;
- Applying corporate parenting principles to looked-after children and care leavers: Statutory guidance for local authorities, February 2018.
- In Scotland section 25 of the Children (Scotland) Act 1995.

## Annex D: Family reunification

### Spontaneous arrivals and family reunification

Where a child arrives unaccompanied in the UK but declares the presence of a potential carer in another local authority and that individual is willing and able to care for them, and it is assessed as being in the best interests of the child to be reunited with them, the entry local authority will make arrangements to assess whether the child could live with the adult. This may result in the child ceasing to be looked after by the local authority (if the arrangement is deemed to be an informal family and friends care arrangement) but not in all cases. If, after an assessment, it is deemed in the best interests of the child not to be cared for by that adult, but contact should be facilitated, the entry local authority should request that the child is transferred to the family member's local authority, specifying the reasons why that local authority is being asked to assist the child to facilitate contact with that individual. This is most likely for example, if the adult is a sibling and care leaver themselves. See the **Allowing flexibilities in transfers** and **Transfers agreed outside the rota** subsections of [Step 2: Referral and allocation](#) of the protocol for more guidance on this.

At the point where a child is reunited with family members and may cease to be a looked after child the local authority will use UUCR **Part D: Transfer completed** and send to the UASC NTS Team to notify them of the arrangements.

### Family reunification through established legal routes of entry

The UK is no longer bound by the Dublin Regulation. However, specific family reunion provisions of the Dublin Regulation were 'saved' by Part 3 of Schedule 2 to the Immigration, Nationality and Asylum (EU Exit) Regulations 2019, known as the 'saving provisions'. This means that transfers of people seeking asylum in Europe, including unaccompanied children, to the UK for family reunion may still take place under the Dublin saving provisions for a period of time.

There may be clear reasons why transfer would, or would not, be in the best interests of the child. For example, where a child enters the UK under the 'saving provisions' and has relatives in an area who are unable to care for them, but it is in the child's best interests to be near their family. See published guidance on [Requests made to the UK under the Dublin III Regulation prior to the end of the Transition Period](#).

If for any reason, such as breakdown of the family relationship, the child becomes looked after by the local authority in which the relative(s) reside, then the child will be included in the 0.1% calculation, but it is expected that it will usually be in the child's best interests to stay in the same local authority as their relative(s). In some circumstances, it may be assessed to be in the child's best interests to be transferred to another local authority.

## Annex E: Age disputes

In accordance with the [Assessing Age](#) guidance, anyone claiming to be a child but whose physical appearance and demeanour has led to a decision to treat them as an adult will be treated by the Home Office from that point onwards as an adult, though the decision will be reviewed if relevant new evidence is received. All asylum-seeking individuals who are accepted or temporarily treated as being below 18 years of age during the initial Home Office welfare interview are eligible to be included in the transfer scheme.

Where the age of a child is disputed – but accepted as being under 18 years of age or treated as being under 18 years of age until further assessment of their age has been completed – the receiving local authority will normally conduct the Merton and further case law compliant age assessment. In some cases, the entry local authority may agree to conduct the case law compliant age assessment before referring the person into the NTS. Where the child is not being transferred, the Merton and further case law compliant assessment will be conducted by the entry local authority.

Where an individual has been given the benefit of the doubt and accepted as a child while a full age assessment is undertaken, the receiving local authority will confirm with the Home Office as to the outcome of the age assessment once completed. Further age assessment guidance can be found on the [Association of Directors of Children's Services](#) website and the Home Office's [Assessing Age](#) guidance. In Wales, an age assessment toolkit has been published and can be found at Annex H.

Where the entry authority has completed an age assessment, it will include the outcome of the assessment in **Part A** of the UUCR when sending to the UASC NTS Team.

If the receiving local authority concludes from its own age assessment that the individual is an adult, they will cease to be eligible for support from the local authority under the Children Act 1989 or in Scotland section 25 of the Children (Scotland) Act 1995. The local authority should immediately notify the Home Office of anyone assessed as an adult who needs asylum support accommodation by submitting a request to the Accommodation Gatekeeper Team. The Accommodation Gatekeeper Team handles referrals on a same day basis and will arrange initial accommodation and transport to that accommodation, as necessary. The local authority remains responsible until the individual has been physically transferred into accommodation in the adult asylum support system.

Any age dispute cases arising in adult asylum accommodation will be the responsibility of the Local Authority where they are located. They may be referred to the NTS if they meet the existing criteria. A referral cannot be made to the NTS until an age dispute has been resolved via the relevant asylum team, and the date of birth has been amended on Home Office systems to reflect they are an age disputed UASC.

## Annex F: Escalation procedure

### Introduction

1. The Escalation Procedure provides guidance to local Authorities<sup>4</sup> on how to raise an issue with another local authority regarding children that have, or are to be, transferred through the NTS. It seeks to provide clarity around key stakeholder's roles and responsibilities. It is an annex to the National Transfer Scheme Protocol. Issues resulting from a LA to LA transfer should be resolved between the local authorities.
2. The Escalation Procedure typically applies where entry authorities and receiving authorities find they have differing views on what is in the best interests of a child who is due to be transferred between them.

It may also be used where a LA wishes to flag a perceived short-coming in terms of best practice, to promote constructive learning among all LAs participating in the NTS, in the interests of avoiding similar challenges in the future.

3. Examples where the Escalation Procedure might be used:
  - (a) Situations where the appropriateness of a transfer needs to be reviewed:
    - The receiving LA believes the decision to transfer has seriously affected the safety and welfare of the child and is concerned that the transfer is not in the child's best interests.
  - (b) Situations where frustration arise between LAs about the nature of a transfer:
    - An entry or receiving LA is consistently slow to correspond about an upcoming transfer, resulting in delays.
    - Receiving LA exceeds the 10-working day deadline for a child in the care of a local authority, or 5 working day deadline of UASC not currently in the care of a local authority, in identifying a placement and transferring a child.
    - Information comes to light after a child has been transferred which the receiving LA believes it should have been made aware of prior to transfer, as it would have affected the selection of placement within the receiving LA, e.g. significant information relating to the profile of the child.
    - Differing views about the child's age once the child has been transferred.
4. In all situations 'the best interests of the child' will be a guiding principle.
5. In all situations entry LA and receiving LA should log the issue with the Home Office (HO) to allow learning to be shared with the wider NTS network.

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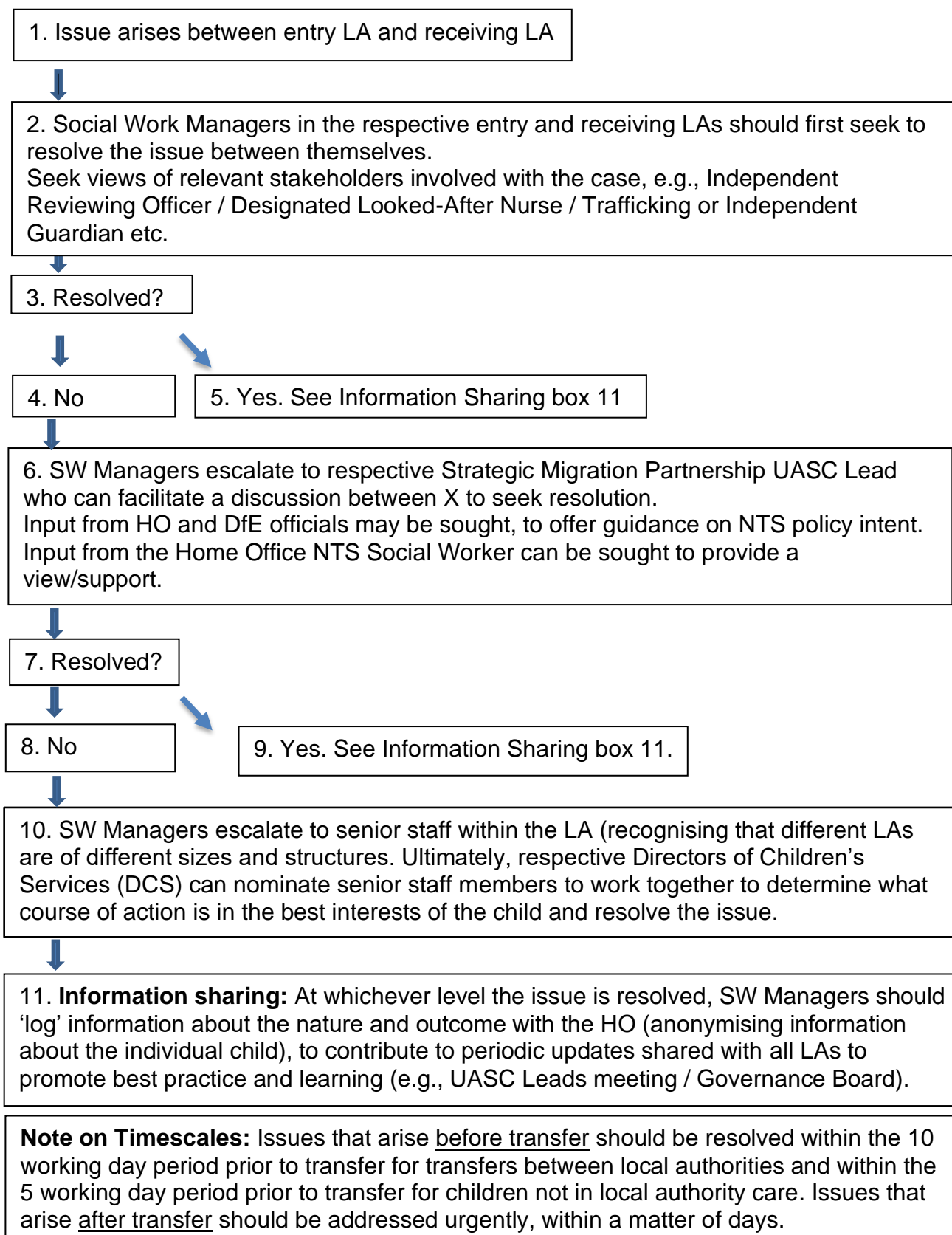
<sup>4</sup> Heath and Social Care Trusts in Northern Ireland.

**Note**

In the past, a common issue has been the perception of receiving LAs that they have received incomplete information about a child prior to transfer. Children who are not in local authority care will now be transferred more quickly, within a maximum of 5 working days. Therefore, the receiving LA can expect to receive key basic information about the child prior to transfer, and then plan to build up a fuller picture once the child is under its care. As much as possible the receiving LA should view the child as a 'spontaneous arrival' in its own areas, and keep in mind that UASC are unlikely to disclose all information about themselves in a first interview in the entry authority.

Another common issue has been differing views over whether a transfer continues to be in a child's best interests if they have spent significant time in the entry LA. It is hoped that faster transfers will avoid children becoming settled in the entry LA. Clear and timely communication between the entry LA and the child, and the receiving LA and the child, will be key to ensuring a child fully understands the process and reasons for transfer, and will help reduce the risk of a child resisting the transfer.

## The Escalation Procedure<sup>5</sup>



<sup>5</sup> For 'LAs', read Health and Social Care Trusts in Northern Ireland.

## Frequently asked questions:

### 1. How different is this process to what has happened in the past?

In the past LAs have sometimes directed their concerns to the HO NTS Operations Team. HO and DfE officials can provide a view on NTS policy intent, and input from the Home Office NTS Social Worker can be sought to provide a view/support. Ultimately, however, decisions around the care of unaccompanied children remains the duty of the local authority.

### 2. Should there be a role for the LGA, NI Regional Practice Network, UASC Working Group, or UASC Governance Board?

Not in decisions about the appropriateness of a particular child's transfer, that is for social workers who are close to the child's case. However, they may be invited to take a view on the 'overall picture' of the type and frequency of issues, in the interests of promoting best practice and avoiding LAs repeatedly facing the same challenges.

### 3. What happens if the two DCSs, or the people they have nominated to come to a decision, can't decide? Don't we need a 'deciding vote'?

The consensus among social work practitioners is that they will be able to decide.

### 4. Does the Escalation Procedure apply in situations where a child has been transferred to an LA and then run away to the entry LA or another LA, and there is a disagreement between LAs about what is in the child's best interests?

Yes, it might be helpful in this circumstance.

### 5. Can anyone else use the Escalation procedure, i.e. NGOs, medical staff etc with concerns?

No, but they can flag concerns to a child's Social Worker, Independent Guardian, or Independent Reviewing Officer<sup>6</sup>.

### 6. Do children have a voice in the escalation procedure?

Children have Independent Advocates and Independent Reviewing Officers who are positioned to review the care plan and provide challenge to a child's social worker.<sup>7</sup>

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<sup>6</sup> IROs do not exist in Northern Ireland.

<sup>7</sup> An independent guardian will be appointed to advocate on behalf of a UASC in Northern Ireland.

## Annex G: Unique Unaccompanied Child Record (UUCR)

This form is used to facilitate the **safe transfer of an unaccompanied asylum seeking child (UASC)** from one local authority (the entry authority) to another local authority (the receiving authority).

The form has five parts relevant to each stage of the transfer process:

**Part A: UASC Transfer Request form** – to be completed by the entry local authority, to provide all relevant information about a child in its care that it wishes to transfer. It is essential that the entry local authority completes this part fully as it will be used to inform any prospective local authority about how to support the child.

**Part B: Allocation to region/nation** – the formal request sent by the Home Office UASC NTS Team to the region or nation on duty to source a suitable emergency placement for a child to be transferred to. This form and Part A are sent to the SMP UASC lead of the region or nation on duty, who will allocate the referral within 24hrs or the next working day to a local authority in their area.

**Part C: Transfer acceptance** – to be completed by the receiving authority and sent by the relevant SMP UASC lead to the HO UASC NTS Team and entry authority, to inform them that the receiving authority accepts the transfer of the child into its care, and to provide contact details of the social worker responsible for the transfer.

**Part D: Transfer Completion** – to be completed by the SMP UASC lead and sent to the HO UASC NTS team to confirm the transfer is complete and that the receiving authority is now legally responsible for the child.

This form **must** also be completed if an unaccompanied child has been transferred from one local authority to another without the involvement of the HO UASC NTS Team.

**Part E: Withdrawal of referral/ change in circumstances** – to be completed by the entry authority to update the HO UASC NTS Team that the entry authority withdraws the referral, or that there have been relevant changes in circumstances e.g., to the looked after status of the child or the child has gone missing during the transfer process, before legal responsibility has transferred to the receiving authority.



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**Part A: Transfer request**

This part is completed electronically by the entry local authority social worker for each unaccompanied child where a transfer to another local authority is requested.

It is important that the form is completed fully and accurately. Entry authorities have a responsibility to ensure receiving authorities have all relevant information about the child known at the time to inform planning and provision of services, recognising that information available within the expected transfer timeframes will be limited.

Once completed the form must be submitted by the entry local authority to the HO UASC NTS Team and copied to the SMP UASC lead in their region/nation.

It is important to ensure that the HO UASC NTS Team is continually updated if new information comes to light or circumstances change.

<b>Section 1: About the local authority making a UASC transfer request</b>	
Entry LA requesting transfer	
Social Worker	
Date Part A completed	
<b>Section 2: About the child</b>	
Port/HO ref:	Location of entry to the UK:
First name:	
Middle names:	
Family name:	
Any other names known by:	Any other names used:
DOB:	
Age:	
Sex:	
<b>Is this age disputed?</b> Yes/No If yes complete <b>section 9</b>	
Nationality:  Are there any documents to support the stated nationality and age? If yes, please list	Language: Dialect:  Does the child speak any English? Please indicate (e.g., easily, a little, none) Speaks Understands Reads Write
Religion:	Practising?
Any dietary considerations?	

<b>Section 3: Health</b>		
Allergies:		Medication:
Smoke?	Alcohol?	Drugs/Substance misuse?
Are there any obvious signs of trauma/vulnerability?		
Does the child require any emergency health treatment?		
Are there any physical marks, scars or identifying features that would enable this child to be identified if necessary?		
Any long-term health concerns?		
Are there any other health issues that any receiving local authority should be made aware of?		
Has the child been assessed as fit to travel to a new local authority?		
<b>Section 4: Education/Work history</b>		
Have they attended school?		Number of years attended?
Grades completed:		
Work History:		
<b>Section 5: Trafficking</b>		
Are there any indications that the child may have been trafficked?		
Does the child have an Independent Child Trafficking Guardian? If so, please provide contact details.		
<b>Further information</b>		
<p><b>National Referral Mechanism:</b> When an agency comes into contact with a child who may have been trafficked Children's Services and police should be notified immediately. All children, irrespective of their immigration status, are entitled to protection. For further information including the referral process see <a href="#">Modern Slavery guidance</a></p> <p><b>Independent Child Trafficking Guardian</b> Independent Child Trafficking Guardians (ICTG) are professionals who support children who have potentially been trafficked. Please also complete the ICTG referral form at <a href="#">Interim guidance for Independent Child Trafficking Guardians early adopter sites - GOV.UK</a> if the child you are concerned about lives in or has links to:</p> <p>Greater London; Surrey; Essex; West Yorkshire; Merseyside; Kent; Warwickshire; North Yorkshire; Gloucestershire and Bristol; Lancashire; Bedfordshire; Wales; Hampshire; Greater Manchester; West Midlands; East Midlands; and the Isle of Wight.</p>		

<b>Section 6: Family</b>		
Mother's name:	Age:	Location:
Father:	Age:	Location:
Brothers:		
Sisters:		
Did this child arrive with a close relative? If so, please provide further details. Has this child asked to be kept together with this relative?		
Has the child asked to be kept together with another unaccompanied child? If so, please provide further details.		
<b>Section 7: Family links in the UK</b>		
Does the child have any family in the UK?		
How are they related to this child?		
Location: Full address: Contact details (including email and mobile number if known):		
Has this child expressed a desire to live with this relative?		
What attempts have been made to find out whether it is possible for this child to be reunited with their relative?  Have you considered the following? <ul style="list-style-type: none"> <li>• Is it in the child's best interests to live with and be cared for by their relative?</li> <li>• If it is not in their best interests to live with their relative, is it in their best interests to live near and have contact with their relative?</li> </ul> Provide further details on when the relative was contacted and why in your view it is not appropriate for the child to be reunited.		
<b>Section 8: Journey to the UK</b>		
Which country was the child living in prior to arriving in the UK?		
How long ago did they leave their home country?		
Background: What was the route and journey? Provide timeframe if known		
<b>Section 9: Age disputes</b>		
Has the age been disputed?		
Who has disputed the age? Please provide further details.		
Has an age assessment been undertaken?		

<p>What form of assessment has been undertaken?</p> <ul style="list-style-type: none"> <li>• Short form assessment <input type="checkbox"/></li> <li>• Comprehensive Merton Assessment <input type="checkbox"/></li> <li>• Opinion of the Immigration Officer that young person is being treated as under 18 until further assessment of their age <input type="checkbox"/></li> </ul>
<p>What was the date of the assessment? Please send the assessment proforma with this transfer request.</p>
<p><b>Section 10: Other concerns (also see Section 5 on trafficking)</b></p>
<p>Has a risk assessment been undertaken to identify if the child is likely to go missing?</p>
<p>Do <u>you</u> have any other concerns about this child?</p>
<p><b>Section 11: Possessions</b></p>
<p>Do they have a mobile phone? <span style="float: right;">Mob No:</span> If yes, has the phone been seized? Can they provide any further information?</p>
<p>Do they have money?</p>
<p>Do they have belongings?</p>

<p><b>Section 12: Current Placement</b></p>
<p>Date the current placement commenced?</p>
<p>Type of placement (e.g., reception centre/foster placement)</p>
<p><b>Address of placement</b></p>
<p><b>Section 13: Child's Best Interests</b></p>
<p><b>Summary explanation of why it is in the child's best interests to transfer, including the child's feelings and wishes</b> (the transfer decision should continue to be reviewed by the entry local authority to reflect new information or changes in the child's circumstances that could mean transfer ceases to be in the child's best interests):</p>
<p>Has the child been counselled about moving to a local authority in another region/nation?</p>

**Section 14: Confirmation a transfer to another local authority is requested**

**This authority has reviewed the best interests of the child and considers it appropriate for the child to be moved to another local authority.**

**Responsible social worker:**

**Contact details:**

**Responsible Social Worker Manager:**

**Contact details**

(All case notes pertaining to this child will need to be transferred to the receiving local authority once transfer acceptance has been confirmed)

**Details for person to be contacted for a transfer to be arranged:**

**Name**

**Secure e-mail**

**Telephone**

**Date/time of request:**



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## Part B: Allocation to region/nation

To be completed by the HO UASC NTS Team and submitted to the SMP UASC lead for the relevant region/nation on duty under the national rota.

Child's name: Nationality: DoB: Home Office/Port Reference:
Allocated region/nation:
Date and time of allocation:



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### Part C: Transfer acceptance

To be completed by the receiving local authority once it has agreed to accept the transfer, and sent by the SMP UASC lead to the HO UASC NTS Team copied to the entry authority.

Child's name: Nationality: DoB: Home Office/Port Reference:		
Receiving local authority accepting transfer:		
Date and time of acceptance:		
Date and time transfer expected to take place:		
<b>Contact details for person in receiving authority to arrange transfer:</b>		
<b>Name</b>	<b>Secure e-mail</b>	<b>Telephone</b>



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## Part D: Transfer completion

To be completed electronically by the SMP UASC lead **as soon as possible upon completion of transfer.**

This form should be completed in all cases including where:

- the transfer is within the same region
- the transfer is to another region
- the Home Office UASC NTS Team has not been involved in the transfer.

The form should be sent to the HO UASC NTS Team.

Child's name: Nationality: DoB: Home Office/Port Reference:
<b>Entry local authority:</b>
<b>Receiving local authority:</b>  This authority confirms its acceptance of legal responsibility for assessing and looking after the aforementioned child, by way of transfer between local authorities by mutual agreement in accordance with section 69 of the Immigration Act 2016.
<b>Address of placement in receiving authority:</b>
<b>Date of acceptance of legal responsibility:</b>
<b>Was this a transfer agreed outside of the national rota?</b>



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## Part E: Withdrawal of referral/ change in circumstances

This part is to be completed by the entry local authority and sent to the HO UASC NTS Team to notify of relevant changes in circumstances of the unaccompanied child where they have been referred to the HO NTS Team for transfer as set out in pages 9, 12 and 13 of the protocol.

<b>Local authority:</b>		
<b>Contact in case of query:</b>		
<b>Name</b>	<b>Secure e-mail</b>	<b>Telephone</b>

### Details of child/young person

<b>Port/HO Ref:</b>	<b>LA ref:</b>
<b>Family/Tribal name:</b>	<b>Nationality:</b>
<b>First name:</b>	<b>Middle names:</b>
<b>Any other names known by:</b>	<b>Any other names used:</b>
<b>DoB:</b>	<b>Sex:</b>

### E1 – to be completed if the child/young person has ceased to be looked after

<b>Reason for child or young person ceasing to be looked after:</b>	
<b>a. Missing: Police authority to which reported</b>	
<b>b. Age determined as over 18</b>	
<b>c. Reunified with responsible adult (name and address)</b>	
<b>d. Other (please specify)</b>	
<b>Date on which child/young person ceased to be looked after by this authority:</b>	



*This project is part funded by the EU Asylum, Migration and Integration fund. Making management of migration flows more efficient across the European Union.*

**E2 – to be completed if the child/young person has resumed being looked after**

<b>Reason for resumption of child being looked after (please state):</b>
<b>Date on which authority resumed looking after the child:</b>

**E3 – to be completed if the region/nation wishes to withdraw the transfer request**

<b>Reason for looking after in this local authority (please state):</b>
<b>Date responsibility commenced:</b>



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## Annex H: Wales

Wales' legislative framework for unaccompanied asylum seeking children is provided by the Social Services and Well-being (Wales) Act 2014 and its associated Regulations, guidance and Codes of Practice. Part 6 of the Act relates to Looked After and Accommodated Children and Part 3 of the Act relates to Assessing the Needs of Individuals. Unaccompanied asylum seeking children in Wales are treated as looked after children with the same rights and entitlements as children born in Wales and the UK.

The 2014 Act and the Rights of Children and Young People (Wales) Measure 2011, brings compliance with UNCRC into Welsh domestic law. This means those carrying out social services functions must have due regard to the UNCRC. The relevant legislation is here:

[Social Services and Well-being \(Wales\) Act 2014](#)  
[Part 6 Code of Practice \(Looked After and Accommodated Children\)](#)  
[The Care and Support \(Assessment\) \(Wales\) Regulations 2015](#)  
[The Care Planning, Placement and Case Review \(Wales\) Regulations 2015](#)  
[The Care Planning, Placement and Case Review \(Wales\) \(Amendment\) Regulations 2018 \(came into force 2 April 2018\)](#)  
[The Care Leavers \(Wales\) Regulations 2015](#)

Additionally, Welsh Government has published a range of advice and guidance about support for unaccompanied asylum seeking children, here:

- <https://gov.wales/law-care-and-support-unaccompanied-asylum-seeking-children> – a legal briefing about the rights of unaccompanied asylum seeking children and young people under the Social Services and Well-being (Wales) Act 2014
- <https://gov.wales/unaccompanied-asylum-seeking-children-age-assessment-toolkit> - guidance on how to undertake age assessments of unaccompanied asylum seeking children and young people
- <https://gov.wales/unaccompanied-asylum-seeking-children-guidance-professionals> - guidance for social workers, foster carers and unaccompanied asylum seeking children and young people, the latter in ten languages
- <https://www.thefosteringnetwork.org.uk> - a guide on how to become a foster carer with a focus on encouraging people from Black, Asian and Minority Ethnic communities to come forward. It also features a section on fostering unaccompanied asylum-seeking children to encourage carers, existing and new, to support these young people
- <https://safeguarding.wales/chi/index.c6.html> - Wales Safeguarding Procedures All Wales Practice Guides