

National Transfer Scheme Protocol for Unaccompanied Asylum Seeking Children

Version 7.0

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Introduction and Key Principles

The National Transfer Scheme (NTS) was established to enable the safe transfer of unaccompanied asylum-seeking children ('UASC', and also referred to in this document as 'unaccompanied children') in the UK from one local authority (the 'entry', 'transferring' or 'first' authority from which the unaccompanied child transfers) to another local authority¹ (the 'receiving' or 'second' authority).

The NTS is intended to secure a fairer, more equitable distribution of unaccompanied children across local authorities in the UK with children's services, supporting entry authorities with meeting their statutory duties under relevant children's legislation. 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 into the NTS.

All local authorities with children's services are subject to a direction from the Secretary of State for the Home Department under section 72(3) of the Immigration Act 2016 and are under a duty to comply with the scheme. This was reflected at paragraph 213(d) in the judgment of Mr Justice Chamberlain in [ECPAT UK, R \(On the Application Of\) v Kent County Council & Anor \[2023\] EWHC 1953 \(Admin\) \(27 July 2023\)](#).

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 must always be a primary consideration throughout the operation of the scheme and transfer process.

Changes 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. Legislation was amended in 2018 to extend the scheme to include local authorities in 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 supporting a number of UASC at or over 0.07% of their general child population were able to refer newly arrived unaccompanied children into the NTS.

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

¹ References to "local authority" throughout the Protocol should be read as including Health & Social Care Trusts in Northern Ireland.

Threshold adjustment

On 24 August 2022, the NTS threshold was adjusted from 0.07% to 0.1%. 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. Local authorities which support a UASC population of 0.1% or above of their general child population are not directed to accept transfers. Directions for transfer are allocated to local authorities under the 0.1% level.

A local authority's threshold is calculated from UASC population data and the latest Office for National Statistics estimate of that local authority's general child population. The threshold 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. The threshold is intended to be a fair and equitable way to distribute newly arrived unaccompanied children. The 0.1% threshold will continue to be kept under review and formulated in accordance with UASC population data.

Transfer timescale

It is generally in the best interests of children to transfer as quickly as possible to a receiving authority having been referred into the NTS by an entry authority. The timescale in which NTS transfers should be completed is ten working days, starting from the date when the child is referred into the NTS by the entry authority and ending on the date that the transfer to the receiving authority has taken effect.

Contacts

Any feedback regarding this document and questions about how the protocol should be applied locally should be directed to NTS Operations.

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](#) (the 2016 Act).

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

The Home Office is using 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 NTS.

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
- Home Office NTS Operations
- Department for Education
- Strategic Migration Partnerships and their UASC coordinators¹².

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

Extension to Scotland, Wales and Northern Ireland

In 2018, the provisions in the 2016 Act relating to the transfer of responsibility between local authorities in England for UASC were extended to Scotland, Wales and Northern Ireland by way of [regulations](#), making the NTS a national scheme.

The mandated NTS continues to be a national scheme, with the national rota operating across the UK. There may be procedural elements of the NTS that differ across one or more of the UK nations.

The rota weightings of the mandated NTS have been calculated to determine a fair allocation of NTS placements to each region or nation 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 and national representatives.

Information about the legislative framework in Wales can be found at Annex I. Annex J contains information about the legislative framework in Northern Ireland. Annex J

² Throughout this Protocol, references to Strategic Migration Partnerships (SMP) UASC leads should be read as including the regional UASC coordinator for Northern Ireland.

sets out the Northern Ireland Department of Health guidance on the operation of the NTS in Northern Ireland and the process to be followed when children are transferring to Northern Ireland under the scheme.

The national rota, reception, and transfer processes

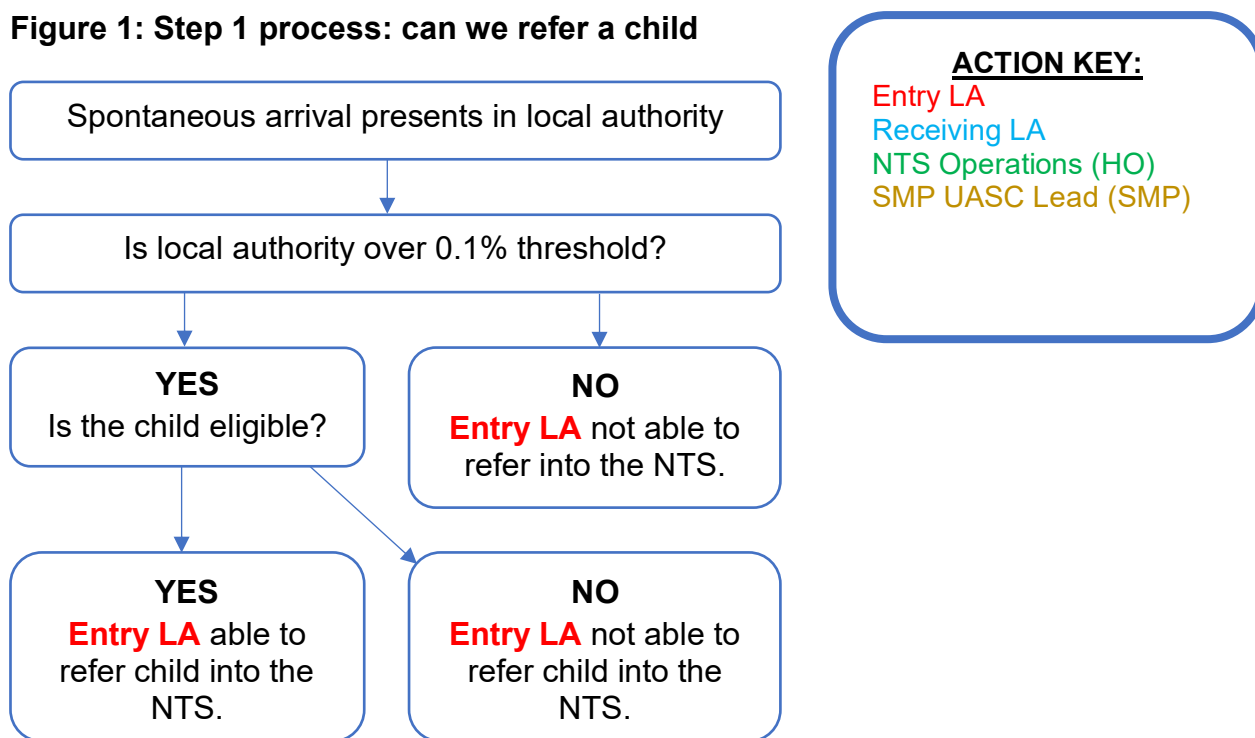
The NTS operates on the basis of a rota system in which regions and nations take it in turns to assume responsibility for unaccompanied children referred into the scheme. The operation of the rota is set out in the following subsections and in full in the process flow diagram at [Annex A: The national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

All local authorities with children's services are under a duty to comply with the NTS. However, the Home Office (following a referral by an entry authority) will not transfer UASC to an authority that is looking after a number of UASC in line with, or greater than, 0.1% of its general 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 and the latest Office for National Statistics estimate of that local authority's total child population at that time.

There is nothing in sections 69 to 73 of the 2016 Act which makes prior exercise of functions under the Children Act 1989 or equivalent devolved legislation by the entry local authority a pre-condition of the transfer of responsibility by that local authority via the NTS.

The Home Office cannot refer a child into the NTS. This NTS referral must always be undertaken by the entry authority.

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 i.e. 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 in the UK are not eligible for referral into the NTS.

Unaccompanied children who arrive in the UK within 13 weeks of their 18th birthday are also not eligible for referral into the NTS .

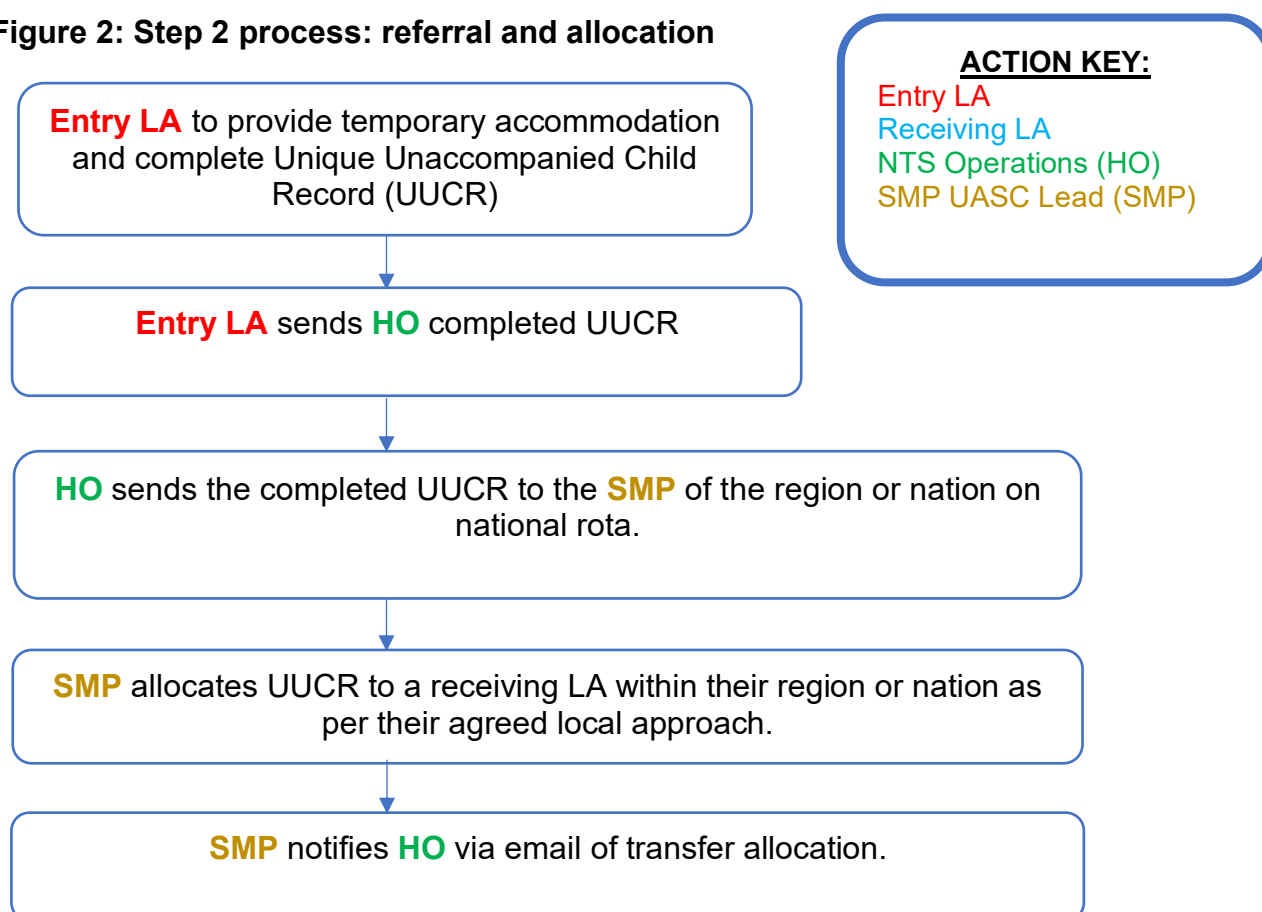
It is also not considered to be in the best interests for any child over the age of 17 years and 9 months to be referred into the NTS regardless of how long they have been in care as this does not provide adequate time for receiving local authorities to complete pathway planning (where relevant) and prepare for independence post 18th birthday.

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 an entry authority can refer a child into the NTS, and the procedure for processing that referral and allocating the child to a receiving authority. The child should be informed of the decision to refer them into the NTS at the earliest appropriate opportunity.

Figure 2: Step 2 process: referral and allocation



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](#). When 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 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 the UUCR and sending this to NTS Operations. See **Annex H: Unique Unaccompanied Child Record (UUCR)**.

The entry authority should use the UUCR 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 necessarily 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 the UUCR is completed fully and accurately. See [Good practice note 4: Providing child level information to the receiving local authority](#).

If the UUCR sent to NTS Operations is incomplete or with incorrect information, this will not be counted as an NTS referral until this is resolved. NTS Operations will notify the entry authority as soon as possible if this is the case.

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 authority to progress the transfer, and the request is reasonable and proportionate, the entry authority should respond as quickly as possible and within two working days of receipt of the request.

If after a completed UUCR has been received the entry local authority finds additional relevant information about the child during the transfer process, it should share this with the receiving authority as soon as possible by updating the UUCR and sending this to the receiving authority, copying to NTS Operations and the SMP UASC lead.

For NTS transfers between an entry authority (which has made the NTS referral) and a receiving authority, the transfer timescale is ten working days. This transfer timescale starts on the date when the child is referred into the NTS by the entry authority and ends on the date that the transfer to the receiving authority has taken effect. The transfer timescale will not begin until a **complete** version of the UUCR has been received by NTS Operations.

It is usually 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. In these circumstances 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 into 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 email NTS Operations, explaining the reason for the withdrawal at the earliest opportunity. 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, NTS Operations will send the UUCR 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. Local authorities are responsible for finding a placement for the transfers allocated to their region or nation, unless local arrangements have been made within the region or nation for one local authority's 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.

Once allocated to a receiving local authority the SMP UASC lead will update NTS Operations via email confirming the allocation date and local authority details as soon as possible.

For NTS transfers between an entry authority (which has made the NTS referral) and a receiving authority, the transfer timescale is ten working days. This transfer timescale starts on the date when the child is referred into the NTS by the entry authority and ends on the date that the transfer to the receiving authority has taken effect.

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 help increase the speed of transfers.

Management information data will be shared regularly with SMPs by NTS Operations 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.

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 in which the child is currently accommodated.

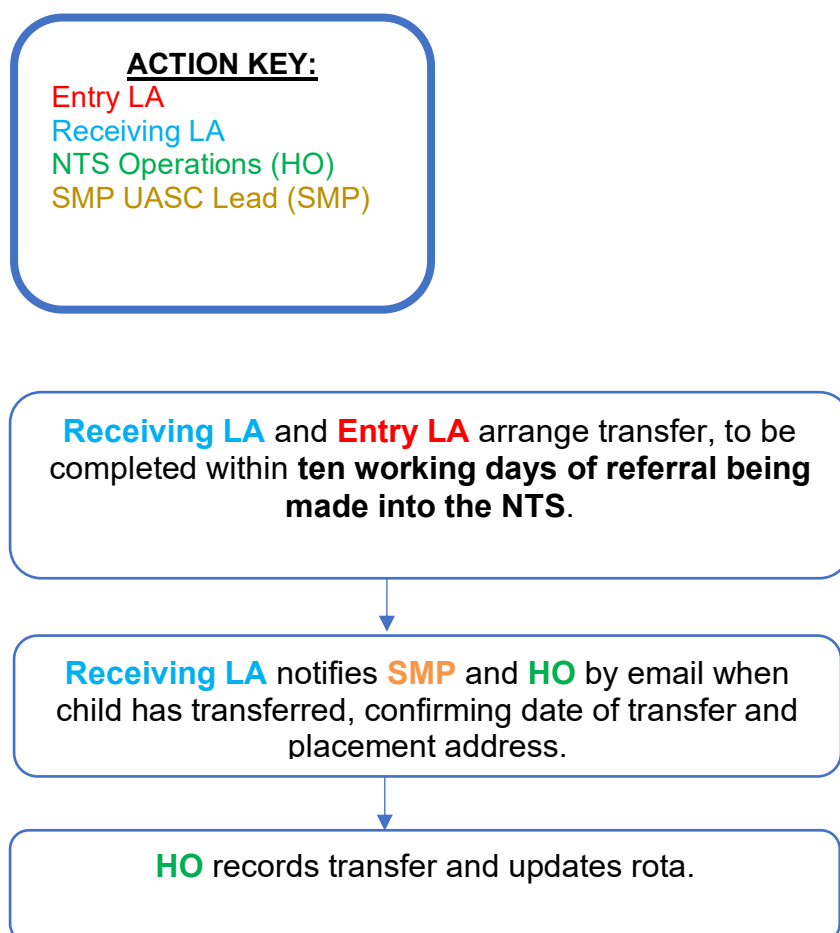
Where a UUCR completed by an entry authority identifies that it may be in a child's best interests to be transferred to a specific region or nation, for example where a sibling is living, the UUCR may be sent by NTS Operations to the relevant region or nation outside of the rota cycle. Where a transfer takes place outside of the rota, this will be counted as part of the receiving authority's mandated allocation 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 usually in the best interests of the child that the transfer process takes place without delay to avoid potential distress given they may become increasingly settled in the initial placement.

For NTS transfers between an entry authority (which has made the NTS referral) and a receiving authority, the transfer timescale is ten working days. This transfer timescale starts on the date when the child is referred into the NTS by the entry authority and ends on the date that the transfer to the receiving authority has taken effect.

Local authorities should make every effort to ensure a transfer happens within this expected timeframe and should escalate as necessary (see [Annex F for local authority escalation procedure](#)). However, if a transfer does not take place within this timeframe, then the entry authority must review the continued suitability of transferring the child.

Once a decision has been made to transfer the child to another 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 to that receiving authority, whether to the local authority area or to an out of area placement. The receiving authority will then need to comply with its obligations under the legislation and statutory guidance in the relevant nation.

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 (and where it is considered necessary, the Home Office). The entry local authority will be responsible for payment of transport costs unless different arrangements are put in place between the two local authorities and the Home Office, in which case the Home Office may contribute in whole or in part towards the cost of the transport. It remains the responsibility of the entry local authority to ensure in every case that the transport arranged is suitable for the individual child concerned, taking into account their welfare and safeguarding needs.

It is for the entry local authority to decide on a case-by-case basis whether the child is to be accompanied during the transfer to the receiving local authority.

Procedure upon arrival

As soon as is practicable and no longer than 24 hours after arrival, the receiving local authority will confirm the safe arrival of the child via email to the entry local authority lead and NTS Operations. 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 potential 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 which had legal responsibility for the child at the time they went missing – should follow the Department for Education's [Statutory guidance on children who run away or go missing from home or care](#), the Welsh Government's [All Wales Practice Guide on Safeguarding Children who go missing from home or care](#), or [the Northern Ireland Missing Children Protocol](#).

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 NTS Operations via email immediately. The child will be withdrawn from the NTS and

once located, an updated UUCR can be sent to NTS Operations if the local authority still wishes to refer the child into the NTS.

If a child travelling alone does not arrive at their new placement in the receiving authority as arranged between the two local authorities, the receiving authority will contact the entry authority as soon as possible to investigate.

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](#).

Transfers agreed outside the rota

Where an entry local authority is at or over 0.1%, transfers agreed outside the rota can be counted towards a local authority's allocation under the rota. There are no restrictions on the part of a local authority to provide placements strictly within the rota allocations. We encourage local authorities with capacity to utilise placements for unaccompanied children who require them, including to support entry local authorities such as Kent County Council.

Where an unaccompanied child is transferred from one local authority to another without the direct involvement of NTS Operations in the transfer process, e.g. to offer support to another local authority outside of the rota to alleviate pressures on an entry authority or if a child has a family connection in a particular area, the SMP UASC lead will notify NTS Operations via email as soon as possible. NTS Operations 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 (e.g. 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 by the entry local authority in the LAC care plan where available 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 authority should always receive the child and accept legal responsibility.

Good practice note 3 – reviewing decisions to refer for transfer

Where a transfer has not taken place within the required timescale, 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 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 authority will notify the SMP UASC lead and NTS Operations 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 the UUCR in as much detail as possible, recognising that information available within the expected timeframes will be limited. For example, it is not necessarily 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 the UUCR.
- Include full details of any family members.
- Where the care plan has been completed, send this with the revised UUCR.

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.

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 the UUCR and sending this to the receiving authority, copying to NTS Operations 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 equivalent devolved legislation. 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.

Where safeguarding concerns have been identified and there is an immediate need for health intervention, 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

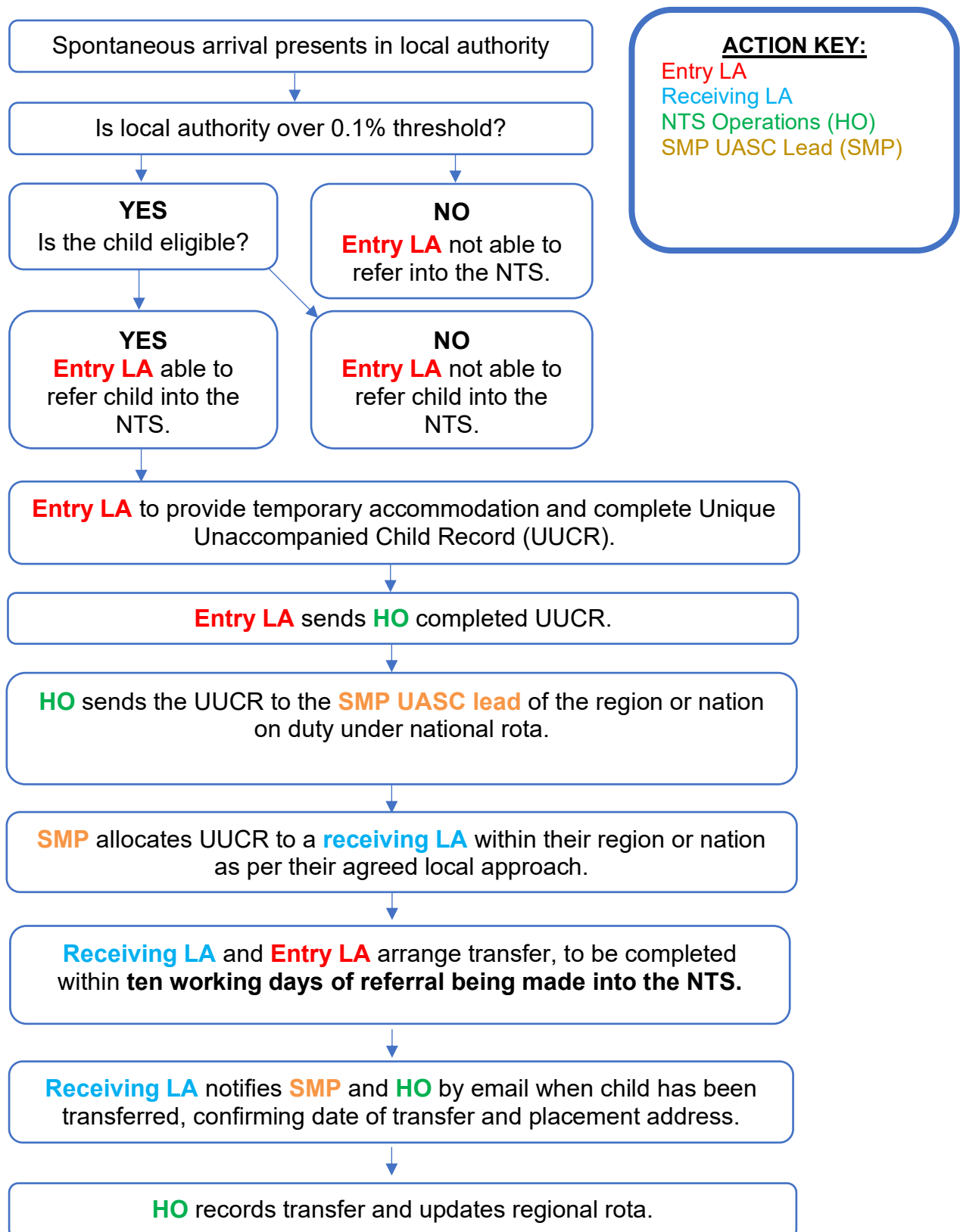
assessment of whether the child is fit to travel. Entry local authorities should register the young person with the local GP as soon as possible so that relevant information can be easily accessed by the health authorities in the receiving local authority area. Further information developed by health professionals in Kent can be found at <http://www.uaschealth.org/>.

For NTS transfers between an entry authority (which has made the NTS referral) and a receiving authority, the transfer timescale is ten working days. This transfer timescale starts on the date when the child is referred into the NTS by the entry authority and ends on the date that the transfer to the receiving authority has taken effect.

Whether or not the child has been referred for transfer, after they have been accommodated by the entry authority for 24 hours, they become a looked-after child under the relevant legislation or statutory guidance in their nation. The entry 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 authority as a result of the above should be shared with the receiving authority.

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



Annex B: Illustrative allocations under direction

The NTS seeks to deliver a fairer and more equitable distribution of unaccompanied children 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 to 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.

Regional distribution

The weighting system is applied to the nine regions in England and nations of Scotland, Wales and Northern Ireland 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 transfers to be allocated to each region or 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 area 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 its total child population will receive an allocation of 0 (where data has been verified 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 as appropriate. For example, when it is appropriate to refresh the modelling 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 its region or nation.

Scotland, Wales and Northern Ireland

The NTS is a UK-wide scheme and allocations have been determined for children to transfer to local authorities in Scotland, Wales and Northern Ireland. However, due to the different legislative and political context in these 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 Scotland,

Wales and Northern Ireland to determine the most appropriate weighting for each nation.

Allocations within each 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, the local authority 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 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 must always be a primary consideration throughout the operation of the scheme and transfer process.

As with any looked after child, a local authority accommodating a child under section 20 of the Children Act 1989 in England, section 25 of the Children (Scotland) Act 1995 in Scotland, section 76 of the Social Services and Well-being (Wales) Act 2014 in Wales or Article 21 of the Children (Northern Ireland) Order 1995 in Northern Ireland 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. Under section 1 of the Children and Social Work Act 2017, 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.
- In Northern Ireland, article 26 of the Children (Northern Ireland) Order, the Review of Children's Cases Regulations (Northern Ireland) 1996, and Co-operating to Safeguard Children and Young People in Northern Ireland.

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, the entry local authority shall undertake an assessment to determine if such an arrangement is appropriate and in the child's best interests. This may result in the child ceasing to be looked after by the entry local authority and moving to reside in another authority area (if the arrangement is deemed to be an informal family and friends care arrangement). In these circumstances it is the responsibility of the entry authority to notify and share information with the authority where the child will be resident.

If, following 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.

Annex E: Age disputes

In accordance with the [Assessing Age](#) guidance for Home Office staff, anyone claiming to be a child but whose physical appearance and demeanour has been assessed by the Home Office to very strongly suggest they are significantly over 18 years of age, 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. Anyone claiming to be children but doubt remains over whether they are an adult or a child, will be afforded the benefit of the doubt by the Home Office and, for the time being, treated as their claimed age for immigration purposes until further assessment has been completed. All unaccompanied 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 referred into the transfer scheme.

Where age has been disputed by the Home Office, copies of the following documents should be attached to the transfer request to the receiving local authority (where applicable) to enable them to gain a better understanding of why age was disputed by the Home Office:

- IS.97M and IS.98M - these are Home Office decision on age letters issued by immigration officials to age disputed persons
 - if the initial decision on age was made by juxtaposed controls, also attach a copy of the Supplement to the Juxtaposed Controls versions of the IS.97M or IS.98M - these letters are issued to those who have had initial decisions on age made by Juxtaposed Controls and where the age-disputed persons subsequently arrives in the UK (juxtaposed controls are the UK's border controls in France, Belgium and Netherlands)
- ASL.3596 (also known as BP7) – this is a minute sheet used to record the reasons why a claimed age has been disputed by the Home Office and is completed by immigration officials.
- Unaccompanied child welfare form (ASL.5097) - this form is used by the Home Office to obtain information from unaccompanied children that is necessary for a meaningful immigration booking-in process, including information relevant to the individual's identity, their needs and any welfare concerns.
- Local authority child referral form or email (if issued to the entry local authority) – this notification is normally issued by the Home Office when making safeguarding referrals to local authority children's services where the Home Office identifies a child at risk of harm or in need.

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 compliant age assessment. In some cases, the entry local authority may agree to conduct the Merton compliant age assessment before referring the person into the NTS. Where the child is not being transferred, the Merton compliant assessment will be conducted by the entry local authority. Local authorities can email

HomeOfficeAgeDisputes@homeoffice.gov.uk for queries relating to age dispute cases.

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 I. In Northern Ireland, age assessment guidance for HSC Trusts is currently being finalised.

Where the entry authority has completed an age assessment, it will include the outcome of the assessment in the UUCR when sending to NTS Operations.

If the receiving local authority concludes from its own age assessment that the individual is an adult, they may cease to be eligible for support from the local authority depending on the individual circumstances of the case. The local authority should immediately notify the Home Office of anyone assessed as an adult who has no entitlement to any other form of support and who may be eligible for asylum support. In such cases, requests must be submitted to the Routing Initial Accommodation Validation (RIAV) Team. RIAV handles referrals on a same day basis and will arrange initial accommodation and transport to that accommodation, as necessary.

Any age dispute cases arising in adult asylum accommodation where an individual claims to be a child will be the responsibility of the local authority where they are located. The entry authority may refer the individual into the NTS if the individual is being treated as an age disputed child and other criteria for referring into the NTS has been met. A UUCR sent to NTS Operations will not however be counted as a referral until the date of birth has been changed on Home Office systems by the Home Office casework team to reflect that the person is being treated as an age disputed child.

Annex F: Local authority escalation procedure

Introduction

The Escalation Procedure set out in this annex provides guidance to local authorities³ 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 stakeholders' roles and responsibilities. Issues resulting from a transfer should be resolved between the local authorities.

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 local authority wishes to flag a perceived short-coming in terms of best practice, to promote constructive learning among all local authorities participating in the NTS, in the interests of avoiding similar challenges in the future.

Examples where the Escalation Procedure might be used:

- (a) Situations where the appropriateness of a transfer needs to be reviewed:
 - The receiving local authority 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 arises between local authorities about the nature of a transfer:
 - An entry or receiving local authority is consistently slow to correspond about an upcoming transfer, resulting in delays.
 - Receiving local authority exceeds the period for transferring a child within the required timescale.
 - Information comes to light after a child has been transferred which the receiving local authority believes it should have been made aware of prior to transfer, as it would have affected the selection of placement within the receiving local authority, e.g. significant information relating to the profile of the child.
 - Differing views about the child's age once the child has been transferred.

In all situations, 'the best interests of the child' will be a guiding principle.

In all situations, the entry local authority and receiving local authority should log the issue with the Home Office to allow learning to be shared with the wider NTS network.

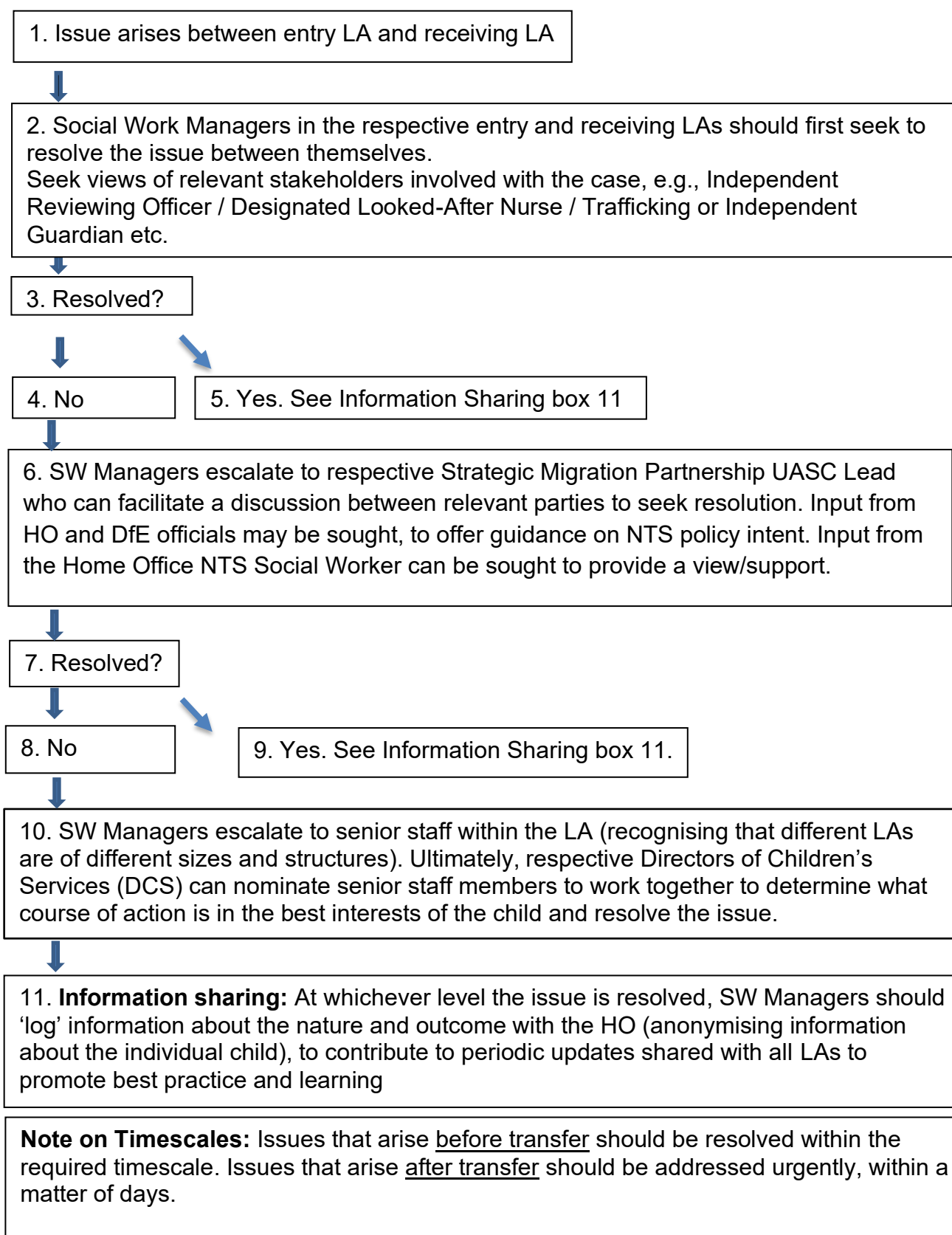
³ Heath and Social Care Trusts in Northern Ireland.

Note

In the past, a common issue has been the perception of receiving local authorities that they have received incomplete information about a child prior to transfer. Newly arrived unaccompanied children, for example those who arrive in Kent, are likely to be referred into the NTS soon after their arrival and will therefore only spend a short time in the entry authority. Therefore, the receiving local authority 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 has been transferred. As much as possible, the receiving local authority should view the child as a 'spontaneous arrival' in its own area, and keep in mind that children 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 the child has spent a certain amount of time being looked after by the entry LA. The intention is that faster transfers will avoid children becoming more settled in the entry local authority. Clear and timely communication between the entry local authority and the child, and the receiving local authority and the child, is likely to be key to ensuring a child fully understands the process and reasons for transfer, and can help reduce the risk of a child resisting the transfer.

The local authority Escalation Procedure⁴



⁴ 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, local authorities have sometimes directed their concerns to the NTS Operations Team. HO and DfE officials can provide a view on NTS policy intent, and input from the NTS Operations Social Care lead can be sought to provide a view/support in an advisory capacity. Ultimately, however, decisions around the care of unaccompanied children remain the duty of the local authority.

2. What happens if the two Directors of Children's Services, 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.

3. Does the Escalation Procedure apply in situations where a child has been transferred to a receiving local authority but then runs away to another authority area (including the entry authority), and there is a disagreement between local authorities about what is in the child's best interests?

No, the NTS Escalation Procedure does not apply in this situation after a transfer takes effect. It is for the local authority with legal responsibility for the child and the other relevant local authority to find a solution, as would be the case where a looked after child not in scope of the NTS had run away to another authority area.

4. 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 Officer⁵.

5. Do children have a voice in the escalation procedure?

Children have an Independent Reviewing Officer and may have an Independent Advocate who are positioned to review the care plan and provide challenge to a child's social worker.⁶

⁵ IROs do not exist in Northern Ireland.

⁶ An independent guardian may be appointed to advocate on behalf of a UASC in NI in line with Section 21 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 – see Annex J.

Annex G: Home Office and Department for Education escalation procedure

It is generally in the child's best interests for an NTS transfer to be completed as quickly as possible.

For NTS transfers between an entry authority (which has made the NTS referral) and a receiving authority, the transfer timescale is ten working days. This transfer timescale starts on the date when the child is referred into the NTS by the entry authority and ends on the date that the transfer to the receiving authority has taken effect.

In practice this means that the receiving local authority may have less than ten working days to meet the transfer timescale depending on the date they are notified about a child awaiting transfer.

All local authorities are subject to a direction under section 72(3) of the 2016 Act and are under a duty to comply with the NTS. This was reflected at paragraph 213(d) in the judgment of Mr Justice Chamberlain in [ECPAT UK, R \(On the Application Of\) v Kent County Council & Anor \[2023\] EWHC 1953 \(Admin\) \(27 July 2023\)](#).

In the time between a referral being made into the NTS by the entry authority and the ten working days transfer timescale, the Home Office and Department for Education may, depending on the relevant circumstances and situation e.g. sudden peaks in arrivals of unaccompanied children to the UK, undertake engagement with SMPs and/or local authorities to maximise progress on transfers.

Where a transfer does not take effect within the set timescale, the Home Office will undertake engagement at an operational level to understand the circumstances of why this has not occurred within ten working days. The Home Office will expect the receiving local authority to set out a clear plan for a timely transfer during this engagement.

Where there is no satisfactory plan set out by the receiving authority for the transfer of the child, it may be appropriate for the case to be escalated if this is in the best interests of the child and to maintain the integrity of the broader scheme. This may involve further steps such as local authority engagement by a senior official and/or Minister.

In some cases, there may be a delay in the receiving local authority being notified about a transfer. For example, following a referral into the NTS further information may be awaited from the entry local authority before the receiving local authority can be contacted about a transfer. The Home Office and the Department for Education may exercise discretion on whether the escalation procedure is appropriate in such cases. It is likely to be counterproductive to issue an escalation letter to a receiving local authority in circumstances where the authority has only just received the referral and has had no time to act on the transfer request.

The judgment of Mr Justice Chamberlain in [ECPAT UK, R \(On the Application Of\) v Kent County Council & Anor \[2023\] EWHC 1953 \(Admin\) \(27 July 2023\)](#) makes clear at paragraph 213(d) that the duty to comply with the NTS is enforceable by proceedings for Judicial Review.

Decisions in relation to the escalation of non-compliance with the NTS, including whether steps are taken to issue pre-action protocol letters and/or judicial review proceedings will take account of all relevant circumstances on a case-by-case basis.

Annex H: 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 UUCR is completed electronically by the entry local authority social worker for each unaccompanied child where a transfer to another local authority is requested. The form cannot be completed by NTS Operations.

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 NTS Operations at UASCNationalTransferTeam@homeoffice.gov.uk and copied to the SMP UASC lead in their region/nation.

It is important to ensure that NTS Operations are continually updated if new information comes to light or circumstances change.

Section 1: About the local authority making a UASC transfer request	
Entry LA requesting transfer	
Social Worker	
Section 2: About the child	
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:	
Is this age disputed? Yes/No If yes complete section 9	
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?			
Would the child be against living with a pet (such as a dog or cat)?			
Section 3: Health			
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?			
Has the child been registered with a GP in the entry authority. If so, provide contact details of GP surgery and any health number allocated to the child.			
Section 4: Education/Work history			
Have they attended school?		Number of years attended?	
Grades completed:			
Work History:			
Section 5: Trafficking			
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.			
Further information			
National Referral Mechanism: 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 [Modern Slavery guidance](#)

Independent Child Trafficking Guardian

Independent Child Trafficking Guardians (ICTG) are professionals who support children who have potentially been trafficked or have experienced other forms of modern slavery related exploitation. Please also complete the [ICTG referral form](#) and refer to the [Interim guidance for Independent Child Trafficking Guardians](#) if the child you are concerned about is located in one of the following areas:

Greater London and Croydon; 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.

Section 6: Family

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.		

Section 7: Family links in the UK

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?

- Is it in the child's best interests to live with and be cared for by their relative?
- 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?

Provide further details on when the relative was contacted and why in your view it is not appropriate for the child to be reunited.

Section 8: Journey to the UK
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
Section 9: Age disputes
Has the age been disputed?
Who has disputed the age? Please provide further details.
Has an age assessment been undertaken?
What form of assessment has been undertaken? <ul style="list-style-type: none"> • Short form assessment <input type="checkbox"/> • Comprehensive Merton Assessment <input type="checkbox"/> • Opinion of the Immigration Officer that young person is being treated as under 18 until further assessment of their age <input type="checkbox"/>
What was the date of the assessment? Please send the assessment proforma with this transfer request.
Section 10: Other concerns (also see Section 5 on trafficking)
Has a risk assessment been undertaken to identify if the child is likely to go missing?
Do <u>you</u> have any other concerns about this child?
Section 11: Possessions
Do they have a mobile phone? Mob No: If yes, has the phone been seized? Can they provide any further information?
Do they have money?
Do they have belongings?

Section 12: Current Placement
Date the current placement commenced?
Type of placement (e.g., reception centre/foster placement)
Address of placement
Section 13: Child's Best Interests

Summary explanation of why it is in the child's best interests to transfer, including the child's feelings and wishes (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):
Has the child been counselled about moving to a local authority in another region/nation?

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: <table><tr><td>Name</td><td>Secure e-mail</td><td>Telephone</td></tr><tr><td> </td><td> </td><td> </td></tr></table>	Name	Secure e-mail	Telephone			
Name	Secure e-mail	Telephone				
Date/time of request:						

Annex I: 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, the 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

Annex J: Northern Ireland

In Northern Ireland, the Children (Northern Ireland) Order 1995 and associated guidance and regulations is the principal statute governing the care, upbringing and protection of children. Unaccompanied asylum seeking children have the same rights and entitlements under the Children Order as those children and young people who are indigenous to Northern Ireland. Likewise, former UASC care leavers are entitled to rights and protections which aim to improve the life prospects of children who are looked after by HSC Trusts as they make the transition to independent living.

Under section 21 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, the Department of Health in Northern Ireland is required to appoint suitably qualified social workers to act as independent guardians to assist, represent and support children who have either been trafficked, are suspected to have been trafficked or who have become separated from their parents and because of that separation, may be at risk of harm. The legislation requires an Independent Guardian to be an employee of a registered charity who is required to represent the child's best interest and assist, represent and support him/her until the child attains 18 years of age. Provision exists for continuation of the service beyond the age of 18 years of age up to age 21 subject to the provisions of the Act being met.

Links to relevant legislation and guidance are set out below:

[The Children \(Northern Ireland\) Order 1995](#)
[s21 of the Human Trafficking and Exploitation \(Criminal Justice and Support for Victims\) Act \(Northern Ireland\) 2015](#)
[Co-operating to Safeguard Children and Young People in Northern Ireland \(2017\)](#)
[Safeguarding Board for NI Procedures Manual](#)
[Working Arrangements for the Welfare and Safeguarding of unaccompanied and separated children and young people](#) (currently under review)
[Working Arrangements for the Welfare and Safeguarding of child victims and potential child victims of human trafficking and modern slavery](#) (currently under review)
[Protecting Looked After Children Guidance NI](#)
[The Northern Ireland Missing Children Protocol](#)