

Key concerns regarding the situation of separated children¹ in the Home Office hotels in South East England.

2nd November 2022

Key issues

- A rapidly developing crisis puts vulnerable children at huge risk. Separated children are housed in hotels outside of the child protection system, without having a corporate parent assigned within 24 hours of their arrival to make decisions and arrangements for their welfare. **The hotels operate unlawfully** (children under 16 years of age are placed in unregulated accommodation) and **local authorities are not involved in providing services to these children** (under s20 of the Children's Act 1989).
- Children in the Home Office hotels are **not classed as 'looked after children'**. Prolonged stays in the hotels have an impact on whether they will meet the 13-week rule for care leavers' support.
- The temporary, crisis response from the summer of 2021, developed into business as usual with two new hotels about to be opened on top of five which are in use already. **The Home Office was unable to develop a robust and swift pathway whereby these children are moved into the National Referral Mechanism (NTS) and the care of local authorities, acting as their corporate parent.**
- **The Home Office is not fulfilling its duties under s55 Borders, Citizenship and Immigration Act 2009 (BCIA)** to safeguard and promote the welfare of children who are in the United Kingdom. The welfare of these children and ensuring they enter the local authority care should be the priority, yet after over 15 months of operating hotels, the Home Office has no exit strategy. Separated children ought to be treated like all resident UK children within the children's protection statutory framework. To do otherwise is unjust and against our domestic and international commitments to protect children.
- Concern that the Home Office, Department for Education, and the Department for Levelling-Up, Communities and Local Government are too slow to develop a strategy for moving these children into the care of social services. Over a year of operating a broken system, **there are fears that the solution will be the segregation of children and that responsibility for their care will not be provided under s20 of the Children's Act. We cannot allow for the failure of the asylum support system to now be replicated in the children's context.**
- **Ofsted is not able to provide the scrutiny** and a [recent inspection](#) by the Independent Chief Inspector of Border and Immigration (ICIBI) uncovered many issues, including that **staff working at the hotel sites with children were not DBS (Disclosure Barring Service) checked**, which is mandatory for those working with children.
- The crisis of placing children in unregulated accommodation is **yet another example of the dysfunctionality of the Home Office, waste of public money, and lack of leadership at the top of the Department and the government.**

¹ Please note, we purposefully use term *separated children* rather than *unaccompanied asylum-seeking children* (UASC) because children should not be defined solely by their immigration status.

Key questions

1. Will the Home Secretary commit now to immediately ending the use of hotels to house unaccompanied children, and as a matter of urgency committing to ensure they are all transferred into local authority care as soon as possible?
2. Will the Home Secretary liaise with the Secretary of State for Education to discuss how the Department for Education can ensure local authorities are acting within their legal responsibilities by providing care for children, as they are required to do?
3. Will the Home Secretary confirm that there is no intention to develop a new system for unaccompanied children who are seeking asylum which is outside of or parallel to the rights accorded to all children, under legislation like the 1989 Children Act?
4. Can the Home Secretary commit to publishing a written report on the circumstances surrounding those unaccompanied children who have gone missing from hotels, including lessons learnt and what Government will do differently in the future?
5. Can the Home Secretary explain what quality assurance is in place for the use of these hotels, both to ensure the physical safety of the buildings and that staff are overseeing children properly?
6. Can the Home Secretary explain why her department intends to open more hotels to accommodate unaccompanied children, given the failings within the current provision and the unlawful accommodation of under 16s in current hotels?
7. Can the Home Secretary confirm what support is available to children in these hotels, and if this includes mental health support?
8. To ask the Secretary of State for the Home Department if she will make a statement about the decision to increase the use of unregulated hotels to accommodate unaccompanied asylum-seeking children after the disappearance of many from current hotels

Outline

- There were 3,762 asylum applications submitted by separated children in 2021, an increase of 989 applications (36%) from 2020.²
- 899 unaccompanied children under the age of 16 have been housed in hotels in the past year.
- Over 2,000 young people aged 16 and 17 have also been placed in hotels, with an average stay of 16 days.³

Over the last few years, we have been observing an increase in people crossing the English Channel to seek asylum in the UK. In July 2021, Kent Local Authority decided to withdraw from providing support to separated children who arrive in Dover. With pressure mounting, it was decided to house children in hotels temporarily, pending their move to local authority care under the National Transfer Scheme (NTS). The hotels in South East England are managed by the Home Office and run by, among others, the agency contracted by the Home Office which is operated by Kent County Council.

Although difficult decisions had to be made to address the crisis and find a solution where children will be accommodated before going into NTS, it is unacceptable for this situation to continue with no strategy in place to move children from hotels into the care of local authorities.

² Refugee Council, *Children in the Asylum system*, policy briefing. Available at: <https://media.refugeecouncil.org.uk/wp-content/uploads/2022/09/13080646/Children-in-the-Asylum-System-September-2022.pdf> (31st October 2022).

³ Information obtained through a Parliamentary Question UIN 61091, tabled on 11th October 2022. Available at <https://questions-statements.parliament.uk/written-questions/detail/2022-10-11/61091> (31st October 2022).

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Children who are placed in unregulated accommodation should have access to basic provisions, e.g. to an independent adviser and casework to advise on their asylum and child protection journey, and any safeguarding issues arising while in unregulated care, including mental health, however, separated children in hotels across South East England don't have access to these fundamental forms of support.

The current practice operates outside of the legal framework for children's care where children not cared for by their parents should be in the care of local authorities. There is no independent scrutiny by Ofsted into how these hotels operate, staff working with children were not DBS checked, children don't have access to basic services and as a result, 116 of them went missing from the hotels.⁴ The Home Office is unable to say what happened to them and they are not registered with legal advisers and GPs.

Home Office claims children are moved out within 10 days and that they aim to reduce this to five days. In reality, most young people wait several weeks, sometimes longer, before being moved into care. Some young people who are then moved to the Reception Centres in Kent rather than into the care system to a permanent address do not have the difference explained to them leading to further confusion and distress for young people who then spend long periods of time in Reception Centres after having been in the hotels.

Children who experienced war, persecution, discrimination, and witnessed unimaginable horrors are being let down by the system which should protect them. **We all should be deeply shocked that this situation is happening to children in the UK and demand the government take urgent action. This is a national scandal; the government is failing in its duty to safeguard children and it has no proper long-term plan for how to support unaccompanied children.**

Information from Refugee Council services

Refugee Council has been providing support to separated children for over 20 years and we are the only national organisation who have been working with this group of children through both casework and therapeutic support. Our staff regularly visit hotels and provide support to children and young people who are housed in them.

The children we speak to tell us that they feel anxious, scared and lonely in these hotels, and we have grave concerns about their mental and physical health. Just last week, a young person told us that they are scared and do not trust hotel staff. We supported another young person who was told that they will be sent to an address somewhere in the UK (presumably under the NTS), however, when a taxi arrived to pick them up, they were taken hotel reception centre for separated children. Lack of information and reassurance creates additional pressures and amplifies stress in children who were through so much already. Access to phones and interpreters is often limited which makes communication even more challenging.

It has also been reported by our staff that there were 3 confirmed diphtheria cases, 6 close contact cases, and 7 suspected diphtheria cases in one of the hotels. Some children have scabies.

It is not unusual for children to present with very low mood, have problems sleeping and eating, some are threatening a hunger strike, and even tell us that they will take their own lives unless they are moved into the local authority care.

Contact

⁴ Information obtained through a Parliamentary Question UIN 65898, tabled on 18th October 2022. Available at: <https://questions-statements.parliament.uk/written-questions/detail/2022-10-18/65898> (31st October 2022).

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Please contact Seb Klier, Parliamentary Manager (E: Seb.Klier@RefugeeCouncil.org.uk) and Kama Petruczenko, Senior Policy Analyst - Children and Young People (E: Kama.Petruczenko@RefugeeCouncil.org.uk) for further information.