

Thurrock: An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

## Hidden and Extreme Harms Prevention Committee

The meeting will be held at **7.00 pm** on **15 December 2022**

**Committee Room 2, CO3, New Road, Grays, RM17 6SL**

### Membership:

Councillors Gary Collins (Chair), Qaisar Abbas, Daniel Chukwu, Shane Ralph and Sue Shinnick

### Substitutes:

Councillors Steve Liddiard, Augustine Ononaji, Georgette Polley and Lee Watson

### Agenda

Open to Public and Press

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<b>1 Apologies for Absence</b>	
<b>2 Minutes</b>	<b>5 - 10</b>
To approve as a correct record the minutes of the Hidden and Extreme Harms Prevention Committee held on 4 October 2022.	
<b>3 Items of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
<b>4 Declarations of Interest</b>	
<b>5 Essex Police: Operation Raptor Verbal Update</b>	
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Agenda published on: **7 December 2022**

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# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

## Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

## When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

**What is a Non-Pecuniary interest?** – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

### Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

### Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

## Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
  - High quality, consistent and accessible public services which are right first time
  - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
  - Communities are empowered to make choices and be safer and stronger together
  
2. **Place** – a heritage-rich borough which is ambitious for its future
  - Roads, houses and public spaces that connect people and places
  - Clean environments that everyone has reason to take pride in
  - Fewer public buildings with better services
  
3. **Prosperity** – a borough which enables everyone to achieve their aspirations
  - Attractive opportunities for businesses and investors to enhance the local economy
  - Vocational and academic education, skills and job opportunities for all
  - Commercial, entrepreneurial and connected public services

## Minutes of the Meeting of the Hidden and Extreme Harms Prevention Committee held on 4 October 2022 at 7.00 pm

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**Present:** Councillors Gary Collins (Chair), Shane Ralph and Sue Shinnick

**Apologies:** Councillor Qaisar Abbas

**In attendance:** Les Billingham, Assistant Director Adult Social Care and Communities  
Michelle Cunningham, Thurrock Community Safety Partnership Manager  
Iyobosa Osunde, Strategic Lead Social Work Support  
Cheryl Wells, Strategic Lead Community Safety, Emergency Planning and Resilience  
Lucy Tricker, Senior Democratic Services Officer

Detective Inspector Chris Rose, Modern-Day Slavery (MDS), Human Trafficking, and Organised Immigration Crime (OIC) Team – Essex Police  
Rebekah Brant, Services Delivery Manager – South Essex Rape and Incest Crisis Centre (SERICC)  
Sheila Coates, Director – South Essex Rape and Incest Crisis Centre (SERICC)

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Before the start of the meeting, all present were advised that the meeting was being recorded and live-streamed, with the recording to be made available on-line.

### **7. Minutes**

The minutes of the Hidden and Extreme Harms Prevention Committee meeting held on 23 June 2022 were approved as a true and correct record.

### **8. Items of Urgent Business**

There were no items of urgent business.

### **9. Declarations of Interest**

There were no declarations of interest.

### **10. Essex Police: Operation Bluebird Verbal Update**

Detective Inspector (DI) Chris Rose introduced himself and gave a presentation regarding the work of Essex Police on Operation Bluebird.

The Chair thanked DI Rose for attending the meeting and giving a presentation. He also thanked Essex Police for their hard work on Operation Melrose, when 39 people were sadly found dead in a lorry. He asked if the Organised Immigration Crime (OIC) team had uncovered any firearms in Thurrock during their operations. DI Rose replied that firearms had not been found in Thurrock by the OIC team. He explained that organised immigration crime gangs usually traded in commodities such as people, money, and drugs. He stated that the team were using a holistic approach to tackle organised immigration crime gangs who were people smuggling. The Chair asked why people were trafficked into the UK. DI Rose explained that many people left their home countries due to political unrest or out of fear for their safety, for example the number of people being trafficked from Afghanistan had increased over the past year due to political unrest. He added that it was often a dangerous and expensive journey for people to make, but it was hard to identify all the push and pull factors that led to people coming to the UK.

The Chair queried why the numbers of people being trafficked into the UK increased during the winter months, and if the OIC team were working to decrease these numbers. DI Rose explained that operations were currently in place to mitigate this issue, but there were lots of human trafficking gangs, as it could be a lucrative business. He explained that many human traffickers facilitated crossings by boat across the English Channel, but the numbers of people crossing over land, for example in lorries, increased during the winter months because of the weather conditions.

Councillor Ralph questioned how many individuals had been prosecuted for people smuggling and human trafficking. DI Rose stated that Essex and UK police forces worked closely with EU forces to share intelligence, as many human trafficking gangs operated both in the UK and EU. He explained that this intelligence sharing led to more prosecutions. He added that the Modern-Day Slavery (MDS) team within Essex Police had also started Joint Investigation Teams with law enforcement agencies in other counties and countries, which ensured that MDS investigations could take place across counties and internationally. The Chair queried if Essex Police had had an issue with human organs being smuggled into the area. DI Rose commented that human organ smuggling formed part of MDS, and although had not been seen in Essex, had been seen in other parts of the world.

## **11. SERICC Data Comparison: Presentation**

The SERICC Director introduced the presentation and explained that following the last Hidden and Extreme Harms Prevention Committee meeting that SERICC had attended, they had organised a male sexual violence awareness course with Thurrock officers to highlight the risk of sexual violence against men and boys, as this had been a suggestion by the Committee. She added that many people during this training had assumed that sexual violence was linked with domestic violence, and the training session had helped to dispel this assumption. She added that the Home Office were also writing a Violence Against Men and Boys Strategy, although there was some way to go before this could be shared. She summarised and stated that violence against



women and girls was more prevalent than against men and boys, which was why the focus of the report was on violence against women and girls.

The SERICC Services Delivery Manager explained that the data presented to the Committee compared figures from between March 2020-21 and March 2021-22. She explained that figures for March 2021-22 had remained relatively static compared to the previous year, with a small increase in the number of people reporting aged between 18-24 years old and 13-17 years old, which was partly due to the end of lockdown restrictions. She added that SERICC had seen 587 incidents reported by 527 users, and these could be recent incidents or from a long time ago. She added that SERICC provided all survivors with counselling sessions, advisers, and helped victims report to the police if they chose. The SERICC Services Delivery Manager explained that in 2021/22 346 females had reported incidents to the police, which meant that the number of people not reporting had increased since 2020/21. She explained that SERICC was the only service in the UK which provided a direct referral pathway, which meant that incidents could be reported directly.

The Chair thanked SERICC for their presentation and asked if they had encountered any grooming gangs commuting from London to operate in Essex. The SERICC Services Delivery Manager explained that their data showed that no grooming gangs had been reported in Thurrock. The SERICC Director added that if a perpetrator assaulted a victim more than once, then this could be classed as grooming under the Home Office's Violence Against Women and Girls Strategy. The Chair asked why data on female genital mutilation (FGM) did not specify the ethnicity of the perpetrators. The SERICC Director explained that this demographic information was provided by the government rather than SERICC, but could be shared with the Committee.

The Chair highlighted the work on Operation Hydrant that was being undertaken by the National Police Chiefs Council regarding historic abuse. He stated that their figures showed 12,000 total victims, 8,000 of whom were boys and 4,000 of whom were girls. He stated that the perpetrators listed in Operation Hydrant were often TV personalities, sports stars, politicians, or music industry professionals. He felt that the work of Operation Hydrant should be more publicised due to the demographics of victims and perpetrators. The SERICC Director explained that she had been working with Operation Hydrant and felt that the data had to be considered in the context of historic sexual abuse that had occurred to young people who were now in their 40s, 50s, and 60s. She explained that Operation Hydrant looked at institutions such as borstals and boys' clubs which tended to focus on boys rather than girls. She added that the data was further complicated as girls were more often assaulted by family members, and during the period being considered by Operation Hydrant, this type of abuse was not usually reported. The Chair felt that there was a bias focussing more on violence against women and girls, compared to boys and men, and felt more should be done to enable both genders to come forward if abused.

Councillor Ralph felt that even a small increase in the numbers of incidents was concerning, and asked if the data was amended if a report was found to

be a false allegation. The SERICC Services Delivery Manager stated that the police did not refer people who had made false allegations to SERICC, and highlighted that only 3 allegations out of 3,500 in 2021/22 had been found to be false. Councillor Ralph felt that false allegations could be common in custody cases, which were then passed onto social services. The SERICC Director explained that SERICC worked with complex victims, most of whom were not involved in social services or family court.

Councillor Shinnick questioned how many prosecutions came from those cases that were reported to the police. The SERICC Director highlighted that conviction rates were currently at an all-time low due to COVID delays and barrister strikes. She explained that a victim could wait between 2 and 5 years for their case to go to court, during which time many victims withdrew their case. She explained that even if a perpetrator was found guilty, they could wait between 2 and 9 months to be sentenced. She added that this issue made it difficult to track data as the court system was running so far behind reporting. The SERICC Services Delivery Manager added that there was currently a backlog of around 10,000 cases, and current court dates for 2025 were being offered. The Chair asked if Essex had been part of the Nightingale Courts trial to reduce court backlogs. The SERICC Services Delivery Manager explained that Essex fell under the Eastern Crown Prosecution Service (CPS) area, which had not received a Nightingale Court. She added that a new pilot scheme had begun on 1 October 2022 across the country to reduce the backlog. She explained that the first court involved in the trial was in Snaresbrook, and both Basildon and Chelmsford courts could be included in the fourth or fifth tranche of the pilot.

The Chair and Committee thanked SERICC for their attendance and presentation.

*The SERICC Director and SERICC Delivery Manager left the meeting at 7.57pm.*

## **12. Modern Day Slavery and Human Trafficking Update Report**

The Strategic Lead Social Work Support introduced the report and stated that it had last been presented to the Committee in 2021. She explained that the Committee had requested a standalone Modern Day Slavery statement, rather than being included in the Violence Against Women and Girls (VAWG) Strategy, and both the Adult Social Care and Children's Social Care had worked together to build the strategy.

The Strategic Lead Social Work explained that since the last meeting, the team had worked to develop the Modern-Day Slavery statement, and had completed the following achievements:

1. Information on how to spot the signs of MDS had been shared on Thurrock's social media pages.
2. A training session on the MDS Pathway for Thurrock's first responders had been arranged for the end of October.

3. A list of resources on MDS and human trafficking had been uploaded to the Council's website.
4. A pop-up event would be held in Grays High Street to publicise the anti-slavery campaign.
5. A partnership event on MDS was being arranged for early 2023 to discuss how to tackle MDS, increase awareness, and how to successfully share information with colleagues and frontline staff.
6. A regular training programme had been developed in partnership with Justice and Care, and Essex Police, and had been delivered to 64 people including staff members in Adult Social Care, Community Safety and Children's Social Care.
7. A guide on MDS had been developed with Southend City Council and Essex County Council.
8. The team were working with small businesses to tackle MDS and highlight the signs.

The Strategic Lead Social Work asked if Members had any suggestions on how to promote MDS and human trafficking. The Chair highlighted point 2.10 of the report and asked how this scheme would be delivered to businesses. The Thurrock Community Safety Partnership Manager explained that the charity Stop the Traffic had designed a toolkit and guide on how to spot MDS and human trafficking, and this had been delivered to businesses through the Business Buzz. She explained that some businesses had already signed up to the MDS Statement, but this was not currently a statutory duty. She added that the team were working with the communications team to encourage businesses to write their own MDS pledge, or sign-up to the Council's MDS pledge, which they could put in their window. She felt that this could encourage consumers to choose businesses who were committed to stopping MDS and human trafficking. The Chair sought clarification on training outlined in 3.1.1 of the report, and asked if this was targeted specifically at council officers. The Strategic Lead Social Work explained that the training was offered to council officers, the voluntary sector, and frontline staff.

Councillor Ralph felt it was good to see the MDS Strategy was now standalone and not included in the VAWG Strategy. He asked how residents and members of the public could get involved. He also felt concerned that the 'It Could be Your Daughter' picture, only focussed on women and girls. He felt that boys were also affected by MDS, as 24 out of the 39 people found dead in the lorry were men. He also felt pleased to see places such as car washes and farms were being monitored for MDS and human trafficking incidents. The Strategic Lead Social Work stated that she would review the 'It Could be Your Daughter' photograph. The Thurrock Community Safety Partnership Manager added that the version of the of the Strategy on the website would not show photos to ensure there would be no bias. She added that 18 October 2022 was 'Anti-Slavery Day' and an event would be held on 14 October, in conjunction with Hate Crime Awareness week, to highlight the signs of MDS and human trafficking. She asked if Members could promote this event with colleagues and residents. Councillor Ralph asked if a member of the team could attend the Stanford-le-Hope Community Forum, as areas such as Stanford-le-Hope, Corringham and Fobbing were more rural, and

many temporary farm workers lived in the area who could be vulnerable to MDS. The Thurrock Community Safety Partnership Manager agreed that she would look into this meeting, and asked if Hidden Harms Committee Members would also like to undertake training. Members agreed that training on MDS would be useful.

Councillor Shinnick asked if the Anti-Slavery and Hate Crime Awareness pop-up event could be held in other areas across Thurrock, such as Ockendon and Aveley. The Assistant Director Adult Social Care and Communities explained that local area co-ordinators had been appointed within the Adult Social Care team who would be setting up talking shops in every area of the borough.

**RESOLVED:**

- 1. Members approved the 3-year approach and delivery plan.**
- 2. Members agreed to champion the MDS agenda and act as key stakeholders in being the eyes and ears of our communities, and continue to raise awareness of the issue.**

**13. Work Programme**

The Committee asked if an update on anti-terrorism could be added to the agenda.

**The meeting finished at 8.21 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

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<b>15 December 2022</b>	<b>ITEM: 6</b>
<b>Hidden and Extreme Harms Prevention Committee</b>	
<b>Unaccompanied Asylum Seekers: Annual Update Report</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> N/A
<b>Report of:</b> Luke Froment, Service Manager Children Looked After	
<b>Accountable Assistant Director:</b> Janet Simon, Assistant Director, Childrens Social Care and Early Help	
<b>Accountable Director:</b> Sheila Murphy, Corporate Director, Children’s Services	
<b>This report is</b> Public	

## Executive Summary

This report updates committee members on Unaccompanied Asylum Seeking (UASC) children looked after by Thurrock Council. Corporate Parenting responsibilities are inclusive of UASC who are a subset of the Children Looked After. Good corporate parents, just like all parents, need to understand and know what is happening to their children and young people.

UASC are particularly vulnerable to exploitation given that they may have had contact with an organised criminal gang as part of their journey into the UK and will likely not have an established support network in the country.

Members should be aware the number of Unaccompanied Asylum-Seeking Children in Thurrock, the presenting issues and that the number of children allocated to Local Authorities has been increased by central government. For Thurrock this increased our threshold from 31 children to 45 children. This is to ensure a fair distribution nationally of unaccompanied children. As of the 30 November 2022, there were 34 unaccompanied children looked after by Thurrock Council.

- 1. Recommendations:**
  - 1.1 That Members of the Committee are advised of the potential harms faced in relation to Unaccompanied Asylum-Seeking Children presenting to Thurrock and the work done to safeguard them**
  - 1.2 Members are aware that Corporate Parenting Responsibilities extend to UASC.**
- 2. Introduction and Background**

- 2.1 Unaccompanied Asylum-Seeking Children (UASC) arrive in the United Kingdom often following a long and dangerous journey where they may have been at risk of distinct types of abuse and exploitation, which can often leave them traumatised. A UASC is a person below the age of 18 who arrives in the UK seeking Asylum who has no adult with responsibility for their care. This includes minors who are left unaccompanied when they have entered the UK and is a person who:
- a) is under 18 years of age when the asylum application is submitted.
  - b) is applying for asylum in their own right; and
  - c) is separated from both parents and is not being cared for by an Adult who in law or by custom has responsibility to do so.

A child who is outside his/her country of origin and separated from their Primary carer may:

- be on their own
- have come with a relative who abandons them
- have been sent away by parents for their own safety
- have been trafficked

- 2.2 Local Authorities across the country have the task of receiving these children, identifying who they are, their specific needs and ensuring that appropriate support is offered to keep them safe. Local authorities support young people with their legal and immigration status and help them to settle into their new circumstances, achieve in education or training and reach their potential.
- 2.3 Appendix A contains a fuller description of the relevant processes Thurrock follows in respect of unaccompanied asylum-seeking children

### **3. Issues, Options and Analysis of Options**

#### **3.1 Increased National Quotas:**

There continues to be sparse numbers of UASC entering Essex ports. This has continued to be the case since August 2020 as the preferred route is through Dover with high number of Asylum seekers crossing the channel on small boats. Information shared by police colleagues suggest that the success rate for an asylum seeker coming into the UK via small boat is thought to be around 50%. Success rates for Asylum seeker entering via Lorry's is thought to be around 10%. This has increased the number of arrivals nationally with most arrivals occurring in Dover.

- 3.2 For equitable distribution of UASC arrivals Central Government have implemented the National Transfer Scheme (NTS). At the end of August 2022, the thresholds for the number of UASC that each Local Authority is responsible for were increased from 0.07% to 0.1% of the child population.

This means that the previous maximum number of UASC Looked After by Thurrock has risen from 31 Children to 45 Children. This has some

implications:

- An increase in Thurrock's CLA population with an additional 14 Unaccompanied children.
- An impact on caseloads in the Children Looked After Teams and for Personal Advisors in the Aftercare Team as most young people are aged 16+.
- Additional pressure on our placement resources within the context of a national shortage of placements.

3.3 Given established transport links, unaccompanied asylum-seeking children are more likely to enter the country through a limited pool of Local Authorities. Thurrock is one such point of entry due to its geographical location, two established ports and busy motorway services. There has been a reduction in the number of UASC entering Essex Ports during 2022 as the preferred route has been through Kent via small boats. For equitable distribution of UASC arrivals Central Government have implemented the National Transfer Scheme (NTS). Thurrock are currently receiving transfers from other Local Authorities under the NTS. This is a relatively new development.

#### 3.4 **Trafficking and exploitation:**

One of the risks to UASC when they arrive in the UK is from organised trafficking and exploitation. In some cases, children may have been supported to journey to the UK by organised gangs for a fee or possible exploitation and involvement in criminal activity.

3.5 A lot of emphasis is placed on initial relationship building and engagement with new arrivals in Thurrock. There is a comprehensive package of support including:

- ▶ Direct work and follow up visit within 24hrs and again within 1 week.
- ▶ Initial needs assessment – to help understanding the young person's needs
- ▶ An education offer comprising of:
  - Personal Education Plan paperwork to progress into education
  - e-learning resource list
  - commissioned online learning resource
  - A minimum of 5 hours online tuition per week

3.6 The impact for children from this model of practice can be seen in the reduction of cases with missing or exploited UASC. Thurrock have recently presented this model of practice as an example of good practice at an Ofsted training event.

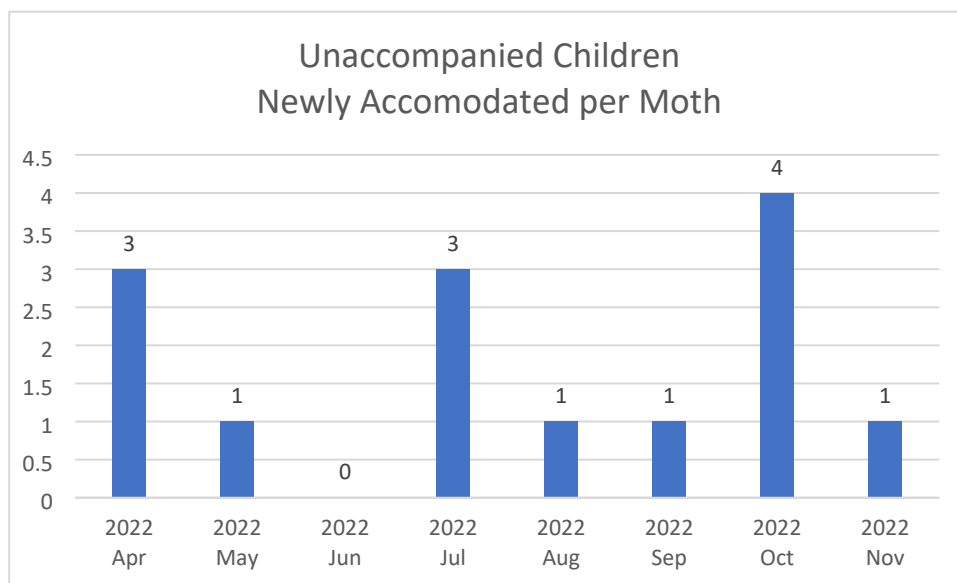
#### 3.7 **Multi Agency Safeguarding**

An important aspect to the work to address issues of exploitation is joint working and sharing of information with the Police and Border-Force colleagues. Information shared in the Organised Immigration Crime meeting

helps us to understand and address current trends such as the high number of Albanian children coming into the UK on small boats who go missing very quickly. This kind of information helps to inform our plans and risk assessment, and that social workers and carers are aware of this trend so that they can be vigilant. Engagement in this forum has helped us to advocate on behalf of Thurrock’s missing children with focus on challenge, joint planning and disruptive actions to prevent episodes for children who might be at risk of repeat missing episodes.

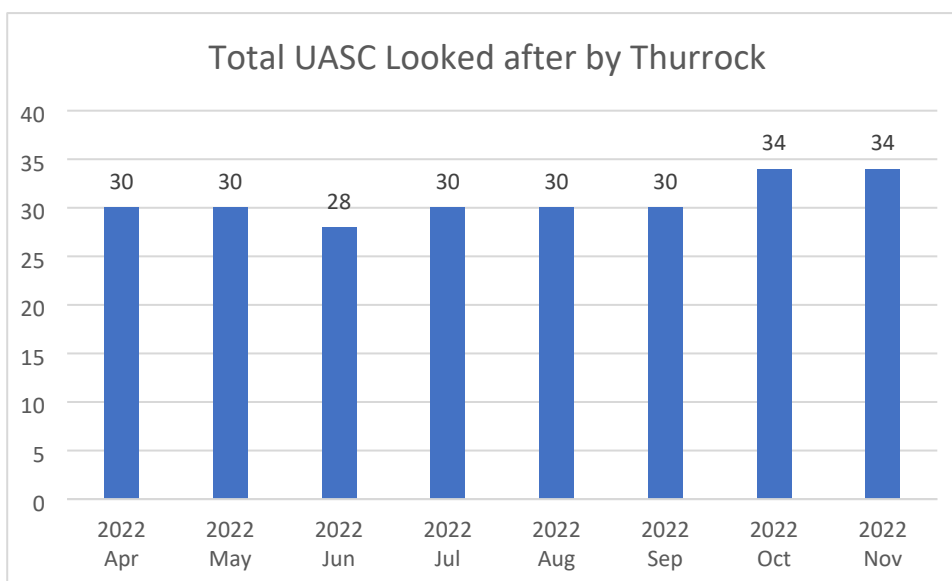
### 3.8 Performance Data on Unaccompanied Asylum-Seeking Children (UASC)

Between 1 April 2022 and 30 November 2022, there were 14 new UASC arrivals into Thurrock.



3.9 The total population of UASC open to Thurrock on the 30 November 2022 was 34 children. It is expected that this will increase in the coming months to 45 children as per the new national thresholds. This will take some time as some of our existing cohort turn 18 and fall outside of the threshold of 45. Given the sparse numbers of new arrivals into Thurrock it is likely that this new cohort of children will be transferred from Kent where there is significant pressure due to the high number of new arrivals:





### 3.10 Missing UASC

Between 1 April 2022 and 31 October 2022, there were 11 missing UASC episodes, these episodes were made up of 3 young people. There are currently no UASC that are in the category of “long term” missing. When UASC looked after by Thurrock go missing this is for short periods of time and followed up with our robust missing procedures including the Police and Safeguarding partners. Of these 3, two were Sudanese and one Eritrean. All 3 were of male gender between the ages of 16 to 18 years. This is a reduced number of children going missing for short periods compared to the previous report and our follow up work has found no evidence of exploitation in respect of these missing episodes. These relate to young people choosing to stay out late beyond their curfew or staying with friends without our prior agreement.

3.11 A return to home interview was offered after each missing episode (to consider the reasons why they were missing and any support that could reduce the risks of future missing episodes). Two young people accepted return home interviews and one declined.

### 3.12 Budget supporting UASC

Thurrock Council receives a grant for caring for UASC and Care Leavers who are seeking asylum and will receive grant funding per person per night of £143. The cost of supported accommodation placements for UASC ranges from approximately £800 per week to £1,000, and the forecast costs for the fiscal year 22/23 are gross £1.259m.

3.13 As of the 30 November 2022, the After Care Service is supporting at total 251 care experienced young people. Of the 251 young people, 95 are formerly UASC and are being supported by the service. Our current forecast in relation to Care Leavers who do not have their asylum claims resolved is £212k for the

financial year 22/23. These services and costs are in line with our statutory duties as a Local Authority.

### 3.14 **Concluding Comments**

While UASC nationally are at an increased risk of harm in the form of Organised Immigration, crime and other forms of exploitation, there is little evidence of this in regard to the UASC cohort in Thurrock. We believe this is due to the effective strategies implemented within Children's Services and by partner agencies. Missing episodes are low in number, relate to a small number of young people and are for short periods of time.

## 4. **Reasons for Recommendation**

4.1 Members to note and comment on the work with UASC.

## 5. **Consultation (including Overview and Scrutiny, if applicable)**

5.1 N/A

## 6. **Impact on corporate policies, priorities, performance and community impact**

6.1 None noted.

## 7. **Implications**

### 7.1 **Financial**

Implications verified by: **Michelle Hall**  
**Senior Management Accountant**

The Home Secretary on 24th August made the decision to increase with immediate effect the operational thresholds for each local authority from the current levels of 0.07% to 0.1% of a local authority's general child population. This change means that Thurrock could receive an additional 14 UASC in the coming months, an increase from 33 to 47.

To reflect this increase in UASC, any local authority supporting UASC at or above 0.07% of their general child population at 31 March 2022 will receive the higher rate contribution of £143 per child per night for each UASC instead of £114, this will continue for any child transferred under the scheme.

In addition, local authorities will be provided with an additional £2,000 per month for each child who is transferred from a hotel within 5 working days to local authority care. This funding will only be provided for 3 months.

The position as of Period 6

**£m**

Number of UASC 33	
Spend to date	0.588
Grant received to date	(0.049)

The reported forecast in period 6 is an overspend of £0.016m. When more children are received, the additional rate and £2,000 for 3 months will assist in the management of the overspend.

## 7.2 Legal

Implications verified by: **Daniel Longe**  
**Principal Solicitor, Children, Adult and Education**

Unaccompanied asylum-seeking children will almost always be 'children in need' pursuant to section 17 of the Children Act 1989 and therefore entitled to be provided with various services by the local authority, usually including accommodation. Where there is a need for accommodation, s 20 of the Children Act 1989 also imposes such a duty to accommodate.

The National Transfer Scheme is mandated by central government pursuant to the National Transfer Scheme Protocol for Unaccompanied Asylum-Seeking Children. 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.

The council under a statutory obligation to participate in the NTS Scheme.

### **National Transfer Scheme (NTS)**

The National Transfer Scheme Protocol for Unaccompanied Asylum-Seeking Children provides guidance on the operation of the NTS and the way in which local authorities can transfer unaccompanied children to another local authority in accordance with the Immigration Act 2016, s69. The changes announced on 10th June 2021 including the rota will come into effect as soon as possible and are as a result of a joint Home Office and DfE consultation with local authorities across the UK.

### **Independent Child Trafficking Guardians (ICTGs)**

The Interim Guidance for Independent Child Trafficking Guardians provides interim guidance to the Additional Sites where ICTGs, both ICTG Direct Workers and ICTG Regional Practice Coordinators, were introduced in May

2021. This interim guidance will be in place prior to the commencement of the Modern Slavery Act 2015, s48 and before the provision of regulations supporting section 48. This interim guidance is published under the Modern Slavery Act 2015, s49.

This interim guidance describes specific legislative functions and duties and provides guidance in relation to children who have been trafficked. It is expected that public authorities give due regard to ICTG Direct Workers and ICTG Regional Practice Coordinators' functions, as would be required by regulations made under section 48 (6) (e) (i) and Section 48 (6) (e) (ii) of the Modern Slavery Act 2015.

### **Age Assessments**

In order for an age assessment to be valid, it must comply with the findings of *R (B) v Merton LBC [2003] 4 All ER 280* (or what is commonly referred to as the age assessment being "Merton Compliant"), where the Court provides guidance as to the conduct of an age assessment.

Currently, the Care of Unaccompanied Migrant Children and Child Victims of Modern Slavery – Statutory Guidance for Local Authorities provides that where the age of a person is uncertain and there are reasons to believe that they are a child, they are presumed to be a child in order to receive immediate access to assistance, support and protection in accordance with the Modern Slavery Act 2015, s51

The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (the 2020 Act) included a statutory obligation to review legal routes to the UK from the European Union (EU) for protection claimants, including publicly consulting on the family reunion of Unaccompanied Asylum-Seeking Children (UASC). The consultation has led to a proposed reform the system for carrying out age assessments for UASC's by enabling the use of currently prohibited "scientific methods", such as dental x-rays, to help determine age.

The new system of age assessment would be overseen by a National Age Assessment Board, which would set out the criteria to be followed, review local authority assessments and carry out age assessments itself when necessary.

### **National Referral Mechanism**

The Statutory Guidance Modern Slavery: How to Identify and Support Victims, published under the Modern Slavery Act 2015, s49(1) is guidance for those who make decisions on whether or not an individual is a potential victim/victim of modern slavery for the purpose of the NRM.

## **7.3 Diversity and Equality**

Implications verified by: **Natalie Smith**

## **Strategic Lead for Community Development and Equalities**

Childrens Social Care, along with partner agencies, are committed to child centred practice which takes account of the traumatic experiences for UASC. These children and young people are claiming asylum and, in some cases, this will be because they have experienced discrimination as a result of their gender, culture, religion and other characteristics which result in persecution in their country of origin. Social workers seek to provide a compassionate response enhancing the UASC's sense of security and creating safety for these young people.

- 7.4 **Other implications** (where significant) – i.e., Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children

N/A

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

N/A

9. **Appendices to the report**

Appendix A – UASC processes

### **Report Author**

Luke Froment Service Manager Children Looked After and Aftercare  
Dan Jones, Strategic Lead, Children Looked After, Aftercare  
Childrens Social Care.

## **Appendix A – UASC Processes**

Previous reports to the committee have set out Thurrock's response to UASC, for ease of reference they are set out gain below

### **Brief Enquiry**

When an unaccompanied minor child enters the UK seeking asylum, some will have their age disputed by the authorities, and will be subject to an age assessment.

Almost all these children have no form of identification. They have no way of proving their age with documentary evidence. In some cultures, they do not celebrate birthdays and birthdays are not considered an important milestone.

It is important that social workers have considered the cultural background of the individual child and that the ordeal to which these children are subjected could 'age' them more than a child of their age not subjected to these circumstances.

At point of entry all UASC individuals are subject to a 'brief enquiry to age'. This is a brief assessment in accordance with the guidance for assessing age. Anyone claiming to be a child but whose physical appearance and demeanour strongly suggests that they are significantly over 18 (i.e. information suggests they are 25 years old or over) will be treated from that point onwards as an adult. The brief enquiry to age is undertaken by a qualified social worker and with the use of an interpreter.

### **Age Assessments**

Full Merton compliant age assessments are undertaken on any UASC where there is a dispute about their age. In order for an age assessment to be valid, it must comply with what is commonly referred to as the age assessment being "Merton Compliant". These guidelines were devised by Judge Stanley Burnton in the case of B v Merton LBC which was subject to Judicial Review (JR) and relates to a case in which the local authority had determined that a young person claiming asylum was aged at least 18. On that basis, he was not a child and the local authority owed him no duty under the Children Act 1989.

The guidelines state that in a case where age is not clear, and no reliable documentary evidence exists, the credibility of the applicant, physical appearance and behaviour must be assessed. The assessment must also include general background of the applicant, including ethnic and cultural considerations, family circumstances, education and history over the past few years.

When making a decision to undertake an assessment of age, it is important to establish whether it is absolutely necessary to complete an assessment. Statutory guidance on the care of unaccompanied children states that an

assessment should be carried out only where there is significant reason to doubt that the claimant is a child. An age assessment should not be a routine part of a Local Authority assessment of unaccompanied or trafficked children and should be limited to the minimum necessary to ensure that the child/Young Person receives the appropriate services and educational support for their age and development.

Home Office policy is to apply the age assessment policy in such a way as to guard against the detention of children generally, including accidental detention of someone believed to be an adult but subsequently found to be a child. Detention can have a significant and negative impact on a child's mental or physical health and development and can be extremely frightening. The effect of not being believed and being detained can be stressful and demoralising and there are serious safeguarding risks detaining UASC alongside adults.

The Home Office as part of the relaunch of the NTS are supporting Local Authorities to complete age assessments making experienced staff and training available to social workers. Childrens Services can also commission Age Assessment training for social workers, as necessary, to ensure there is a small pool of social workers able to undertake age assessments.

### **Managing Human Trafficking and Child Exploitation**

Modern Slavery is defined as the recruitment, movement, harbouring or receiving of children, women or men through the use of force, coercion, and abuse of vulnerability, deception or other means for the purpose of exploitation. It is a crime under the Modern Slavery Act 2015 and includes holding a person in a position of slavery, servitude forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after.

Modern Slavery involves the exploitation of Humans for commercial gain. Modern Slavery is where people are controlled and become entrapped making clothes, serving our food, picking our crops, working in factories, harvesting drugs or working in houses as cooks, cleaners or nannies.

In recognition to the Modern Slavery Threat, 'Operation Innerste', a national, good practice, multi-agency response, is in place to improve the safeguarding of unaccompanied migrant children. Thurrock are working with Essex Police, Border Force and Immigration to implement the Operation Innerste model locally since September 2020. The overall aim is to maximise the effectiveness of professionals and their initial meeting with UASC. Professionals should be focused on building early rapport and recording the young person's identity information, prior to referral onto Childrens Social Care. It recognises and emphasises the importance of the positive early interactions with professionals in reducing the influence of traffickers. Operation Innerste is key to reducing the likelihood of young people being re-trafficked or going missing once in the care of the Local Authority.

As noted above there are currently no missing UASC open to Thurrock and this would suggest that the practice upon initial contact and engagement with young people is working well. Before any child comes into the care of Thurrock, biometrics (fingerprints and photographs) are taken for each child by the Police or Immigration. This is done for a number of reasons but primarily it ensures that should they go missing then the likelihood of them being identified and safeguarded is increased; this also acts as an inhibitor to traffickers. A biometrics record makes the child less appealing to potential exploiters as the child has a footprint within the UK intelligence systems. The ethos of Operation Innerste is to consider that all UASC are potential victims of trafficking and placed under Police Powers of Protection. This has crucially meant that arresting young people is avoided and those initial foundations of a trusting relationship have been created.

In Thurrock, Children's Social Care, we recognise the importance of forming a sincere relationship to create trust and ensuring that all UASC are provided with a place of safety from which they can express themselves and allow for their needs to be addressed. This provides an environment to support disclosure about their potential trafficking experiences. All UASC are assessed by a social worker, so that they can be appropriately accommodated. A follow up visit is undertaken by the social worker within 48 hours as part of the ongoing assessment process. Social work intervention focuses on UASC being recognised as vulnerable children and young people who may be subject to Modern Slavery as a result of being trafficked.

### **Multi Agency Partnership**

There is significant partnership working across Thurrock Childrens Social Care, Police, Border Force and Home Office Immigration representatives with a regular monthly Organised Immigration Crime (OIC) Meeting which reviews the issues in relation to illegal immigration, sharing information to reduce organised immigration crime and trafficking.

The OIC Meeting is supplemented with a six weekly UASC Missing Meeting which specifically reviews all those young people who have gone missing since they became looked after, and where a formal decision has been made within a multi-agency strategy meeting that, "all local lines of enquiry" have been exhausted.

In the Ofsted inspectors have noted the good practice in relation to the management of missing young people:

*'When unaccompanied young people go missing for prolonged periods, they are kept under review. In line with good practice, staff continue to make efforts to trace their whereabouts and follow up on any sighting leads. Checks are carried out with the National Referral Mechanism, the Home Office and other local authority areas, and new intelligence considered until their whereabouts are known'.*

p.3 Ofsted Focused Visit to Thurrock 2021<sup>1</sup>



## **National Referral Mechanism**

A referral to the National Referral Mechanism is required where there is suspicion of Modern Slavery. This is a Government service to ensure information is collated on Modern Slavery which can be analysed and used to prevent and disrupt human exploitation.

## **Independent Child Trafficking Guardian Offer**

Independent Child Trafficking Guardians (ICTGs) are professionals who ensure there is independent support for those children who have potentially been trafficked. They work with professionals to support them in recognising and responding to exploitation and trafficking, offering individual case consultation for professionals who are in direct contact with the child, focusing on safeguarding within the context of exploitation; they will also support in referrals to the National Referral Mechanism.

ICTG's work alongside Thurrock social workers in cases where there may be a risk of exploitation. A representative from the ICTG also attends the regular strategy meetings held in relation to the long-term missing Unaccompanied Asylum-Seeking Children this supports a joint approach where a child may come to the attention of professionals (police, health, other local authorities and Home Office representatives), following a prolonged period of missing. Where new information becomes known the allocated social worker along with the ICTG take steps to make contact with and meet the young person at the earliest opportunity.

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# Work Programme

**Committee:** Hidden and Extreme Harms Prevention Committee

**Year:** 2022/23

**Dates of Meetings:** 23 June 2022, 4 October 2022, 15 December 2022, 21 February 2023

Topic	Lead Officer	Requested by Officer/Member
<b>23 June 2022</b>		
Communications Strategy in Relation to Prevent (Counter Terrorism and Extremism)	Michelle Cunningham	Members
Unaccompanied Child Asylum Seekers: Verbal Update	Janet Simon	Officers
Work Programme	Democratic Services Officer	Standard Item
<b>4 October 2022</b>		
Modern Day Slavery and Human Trafficking Update Report	Iyobosa Osunde	Officers
Essex Police: Operation Bluebird Verbal Update	Michelle Cunningham/Essex Police	Members
SERICCC Data Comparison: Presentation	Sheila Coates/Michelle Cunningham	Members
Work Programme	Democratic Services Officer	Standard Item
<b>15 December 2022</b>		
Unaccompanied Asylum Seekers: Annual Update Report	Daniel Jones	Members
Essex Police: Operation Raptor Verbal Update	Essex Police	Members

## Work Programme

<b>Topic</b>	<b>Lead Officer</b>	<b>Requested by Officer/Member</b>
Work Programme	Democratic Services Officer	Standard Item
<b>21 February 2023</b>		
Final Prevent Strategy	Michelle Cunningham	Members
Work Programme	Democratic Services Officer	Standard Item

**Clerk:** Lucy Tricker

**Updated:** 22<sup>nd</sup> November 2022