



INTERAGENCY PROTOCOL **VULNERABLE CHILDREN AND YOUNG PEOPLE** **ARRIVING IN ESSEX**

Introduction

This protocol has been agreed between Southend LSCB, Immigration Service, (*Customs*), and Essex Police. It should be read and actioned in conjunction with the Southend, Essex and Thurrock (SET) Child Protection Procedures.

It has been developed to address concerns about accompanied and unaccompanied children and young people arriving in Essex for whom there are concerns about safety. This might be because they have arrived with false or no documentation, because there are concerns about those arriving to meet them, or because they fit the agreed profiles for children who may be at risk of trafficking/exploitation.

Where concerns about migrant children arise that were not been identified at the port of entry, the SET procedures (5.11) should be followed.

For additional information on child victims of trafficking see also SET Procedures (10.18).

How are children brought to the UK?

There are two ways a child may enter the UK; either accompanied by adult/s or as unaccompanied minors.

Accompanied children:

Very little is known about accompanied children, some of whom will have travelled either legitimately or illegitimately with their parents. Others may be

brought in by adults either purporting to be their parents or stating that they have the parents' permission to bring the child. There are many legitimate reasons for children being brought to the UK, such as economic migration with their family, education, re-unification with family or fleeing a war-torn county.

To curb illegal migration and improve children's safeguards, new global visa regulations were introduced in February 2006. Safeguards have been introduced and now a photograph of the child is required on the visa, together with the passport number of the adult/s who have been given permission to travel with the child.

For children who have been trafficked, some accompanied children may apply for asylum claiming to be unaccompanied. This may be after being told by their trafficker that by doing so they will be legally granted permission to reside in the UK and be entitled to claim welfare benefits.

Unaccompanied children:

Unaccompanied children may come to the UK seeking asylum, or they may be here to attend school or join family, close or extended. They may be the subject of a private fostering arrangement. More is known about the groups of unaccompanied children as they often come to the notice of the immigration authorities.

If the child is unaccompanied and not travelling to be with his or her customary care giver, or if there are some concerns over the legitimacy or suitability of the proposed arrangement for the child's care in the UK, they must be referred to local authority children's services by immigration.

Some groups of children will avoid contact with authorities as instructed by their traffickers. For example, it is well documented that some children 'disappear' into their ethnic communities once they arrive in the UK. It is also believed that some traffickers insist that the child applies for asylum as this gives the child legitimate right of temporary 'leave to remain' in the UK.

Purpose of protocol

- a) To provide a framework for joint working between immigration, (customs), divisional police, Southend Borough Council Children's Services and Youth Offending Teams to identify and protect children and young people arriving through points of entry within the County of Essex who may be at risk of significant harm including trafficking and exploitation.
- b) To prevent the disappearance from 'care' of vulnerable children / young people from abroad by disrupting any organised activity to exploit children / young people.

- c) To share information with a view to tracing children / young people from abroad who have disappeared from 'care'.

Principles

The key principle underpinning practice within all agencies in relation to unaccompanied children and young people from abroad or those accompanied by someone who does not hold parental responsibility are:

- Children / young people from abroad are children first - this can often be forgotten in the face of legal and cultural complexities.
- Children / young people arriving from abroad who are unaccompanied or accompanied by someone who is not their parent should be assumed to be children in need unless assessment indicates that this is not the case.
- Assessment of need should include a separate discussion with the child or young person in a setting where, as far as possible, s/he feels able to talk freely.
- Assessing the needs of these children and young people is only possible if their legal status, background experiences and culture are understood, including the culture shock of arrival in this country.
- The need to actively seek out information from other sources.
- An avoidance of 'interrogating' the child /young person.
- Safeguarding and promoting the welfare of these children / young people must remain paramount for all agencies in their dealings with this group. (SET Procedures 5.11.6)
- The term 'Child' in this document describes a person of under 18 years of age,

Protocol

Identifying children at the port of entry

1. Immigration Officers and other professionals who have contact with children and young people at points of entry within the County of Essex will alert the appropriate local authority Children's Services (appendix 1) whenever, following their assessment, they have concerns about the future safety of children or young person under the age of 18 years arriving at points of entry within the County of Essex. This may be for the following reasons;

- a) the person designated to collect the child or young person is neither a relative or friend of the child or their parents; The possibility that these children and young people are, in fact privately fostered¹ should be borne in mind and, referred to the appropriate local authority Children's Services.
 - b) the child or young person has false papers;
 - c) the child or young person meets the agreed risk profile for a child victim of trafficking. (SET Procedures 5.11.22)
2. Immigration will arrange for a screening interview. This involves taking colour photographs of the child or young person and finger prints. This is in order to help safeguard the child and aid identification. A Home Office Border and Immigration Agency check should be completed to clarify status of the child/ren and the adult/s caring for them.

In the case that the child or young person is reported missing the photographs and fingerprints will be passed to the police force dealing with the missing child.

Where Immigration staff are concerned about children they suspect might have been trafficked they should act quickly and resolutely following the Border and Immigration Agency (BIA) guidelines. (see also trafficking toolkit www.crimereduction.co.uk/toolkits).

- Professional interpreters, who have been approved and CRB checked should be used. It is not acceptable to use a family member or sponsor.
- When an interview is considered necessary, every care will be taken to conduct it in the light of the child's circumstances and understanding. This will consider the child's age, health, (including mental health) and ability. In most circumstances the interview will be conducted by a specially trained officer with knowledge of child protection issues.

Referral and information gathering

3. The local authority Children's Services will determine on the basis of information supplied from immigration and their own assessment of the

¹ A private fostering arrangement is when a child under 16 years (or under 18 if disabled) is to reside for more than 28 days in the care of someone who is not a parent, close relative, or someone with parental responsibility (close relatives are defined by the Act as step-parents, siblings, siblings of a parent and grandparents). Parents and private foster carers are required to notify the local authority of a private fostering arrangement (at least 6 weeks before, otherwise immediately, but certainly within 48 hours, of the child arriving to stay. Staff or volunteers in an agency who have concerns that a child may be privately fostered should contact local authority children's social care, who can investigate under their statutory duties in relation to private fostering.

needs of the child whether or not there are grounds to look after the child. (see SET Procedures 5.11.14 for details of assessment)

4. The local authority Children's Services will need to assess whether there are grounds to accommodate the child or young person under section 20 of the Children Act 1989 i.e. the child or young person is lost or abandoned; that there is no person with parental responsibility for the child; or that the person who has been caring for the child or young person is prevented from providing suitable accommodation or care, or that if aged 16+ the young person is considered to be vulnerable.
5. If the child has claimed asylum the social worker should check to see if the child is registered on the National Register of Unaccompanied Children (NRUC) and, if not to make arrangements for the child's details to be placed on the system. If the child has claimed asylum they will have an Application Registration Card (ARC) in their possession which will contain their photo and other relevant details.
6. As the child may have no documented identification, or their documents could be forgeries, it is essential that a photograph of the child be taken and attached to their file.
7. Where a child or young person has an address to go to the social worker should verify that the child is living at the address as soon as possible and should check if the carer or guardian or other members of the household and the residential address is known to the Police: Child Abuse Investigation Unit (CAIU) or local authority children's social care.
8. Where appropriate and possible, steps will be taken to make contact with the child's parents in the country of origin, (Immigration may be able to assist with this) to find out what plans they have made for their child and to seek their views. It will be important to take steps to verify the relationship between the child and those thought to be their parent.
9. An assessment of the child or young person's needs will begin immediately, undertaken jointly by the carer/residential worker and the social worker.
10. This will include establishing relevant information from the child or young person about their background and their understanding of the reasons for coming to this country. (SET procedures 10.18.20) This should be carried out in a sympathetic manner and is intended to contribute to an assessment of need and not a determination of rights to enter the country. Interpreters must be engaged where needed

11. Anyone approaching the local authority and claiming to be a potential carer, friend, member of the family etc. of the child, should be investigated by the social worker, the police and immigration service. Only if the supervising manager is satisfied that all agencies have completed satisfactory identification checks and risk assessments can the child transfer to their care.
12. Where concerns are identified by any agency about a child or young person who has entered the country and is living outside of Essex and not looked after by Southend, Essex or Thurrock a referral must be made to the local authority social care area in which the child or young person is living.
13. The social worker should advise the referrer of their decision about which plan is to be put in place. In the case of all children with immigration issues BIA should be informed to co-ordinate the immigration processes with the recommended protection plan.

Action after initial information gathering

Significant harm

14. If there is reasonable cause to believe that the child is suffering or likely to suffer from significant harm, consideration should be given as to how the child's welfare can be safeguarded including the use of an Emergency Protection Order or Police Powers of Protection.
15. The SET child protection procedures will be followed and a strategy meeting / discussion held within two working days of the child becoming looked after.
16. The purpose of the strategy meeting / discussion is
 - a) to share information with the police child abuse investigation unit, the immigration service and any other relevant professionals
 - b) To develop a strategy for making enquiries into the child or young person's circumstances, this will include consideration to undertake an interview with the child or young person in accordance with 'Achieving Best Evidence' (2001).
 - c) To develop a plan for the child or young person's immediate protection. This plan will include supervision and monitoring arrangements and will form part of the child's care plan, it will be reviewed at regular intervals. The strategy meeting will decide what information can be given about the child or young person to any person that enquires and how the child should be supported.

Looked after children

17. Whenever a child is looked after because of concerns for their future wellbeing. Essex police must be informed of the child's arrival into accommodation and all available information passed onto the police for checking.
18. Every effort will be made to place the child or young person within one of Southend, Essex or Thurrock approved accommodation providers or foster homes.
19. The location of the child or young person will not be divulged to any enquirers until they have been interviewed by a social worker and their identity and relationship/connection with the child established.
20. The Port Health Authority will have carried out initial health screening by a doctor to screen out any urgent needs and this should be followed by an initial health assessment as required for all Looked After Children. The type of health needs which will need attention are infectious illnesses, parasitical illnesses, long standing medical conditions which may have been inherited or arisen from poor health care or starvation. Dental health, optical health and immunisation status should be considered. If the young person gives a history of abuse or is sexually active, potential pregnancy or screening for sexually transmitted illnesses may need to be offered. This screening has to be handled sensitively and offered if appropriate. Consideration should also be given to whether any recent physical injuries have been investigated and if appropriate treated.
21. It should be recognised by the social worker that emotional pressure and or threats may have been placed upon the child or young person not to take to the authorities. Any telephone numbers or addresses in the child or young person's possession should be passed to the police for checking.
22. The child or young person will be appropriately supervised whilst in the placement and as far as possible their communications (telephone or internet use) will be monitored for their own protection. It is permissible to take reasonable steps to safeguard the welfare of the child related to their age and vulnerability and any assessment that indicates that the child or young person may be at risk of harm, including abduction from an unidentified person.
23. Approved accommodation providers and foster carers will remain vigilant about anything unusual, e.g. cars waiting outside of the premises, telephone enquiries. All such information will be passed to the field social worker who will ensure that the police child protection team is informed.

24. Any carer or relative contacting the department should not be provided with information until Immigration staff have been informed and they have been interviewed by a social worker.
25. If the young person goes missing the carers will immediately inform the allocated social worker or EDS, and the divisional police who will inform Special Branch. The social worker will inform immigration and Essex police. The Southend LSCB Joint Protocol 'Children and Young People Missing from Home and Care' should be followed.

Actions for all organisations where concerns arise

26. It is the responsibility of all organisations to work together to safeguard and promote the welfare of children. Wherever staff or volunteers come into contact with a child who has arrived unaccompanied in the country and is not in contact with local authority children's social care, or a child who is accompanied, but for whom they have concerns regarding their welfare or safety, they should consult and follow the guidance set out in the SET Procedures (www.southend.gov.uk/lscb).

Health services

Children who need healthcare may be seen at Accident & Emergency services, Walk-in Centres, minor injury units, Genito-Urinary Medicine (GUM) clinics and by primary care services. Reception staff should be alert to inconsistencies in addresses, deliberate vagueness and children or carers being unable to give details of next of kin, names, telephone numbers etc.

When children or their carers give addresses in other countries, staff should always record the current holiday address as well as the home address in their own country.

Education services

Children may be registered at a school for a term or so, before being moved to another part of the UK or abroad. Schools therefore need to be alert to this pattern of registration and de-registration. Schools need therefore to be alert to the possibility that a child who goes missing from school, may be, or has been, a trafficked child who is living with or is running away from an exploitative situation.

Youth Offending Teams

Staff working in Youth Offending Teams (YOTs) may encounter children from abroad or others who have been trafficked. Children who have been trafficked may be reluctant to disclose the circumstances of their exploitation or arrival into

the UK for fear of reprisals by the trafficker, owner or 'pimp' or misplaced loyalty to them. There are cases when children have been charged with criminal offences. Social workers and probation officers should be particularly alert to these issues when preparing Pre-Sentence Reports (PSRs) or during the assessment process.

YOT's may also provide services to Courts where a young person has been charged with false documentation.

Appendix 1 – contact numbers

LOCAL

Social Care Access Points

Southend

Normal telephone enquiries/referrals: 01702 534495

By post to: First Contact Team, Southend Borough Council Department of Children and Learning, PO Box 59, Queensway House, Essex Street, Southend on Sea, Essex. SS2 5TB

By fax to: 01702 611478

Custodian of the Register: 01702 534539

Essex

Normal telephone enquiries/referrals: 0845 603 7627

Where there are concerns about the immediate welfare or safety of a child/young person: 0845 603 7634 (all callers) OR 0845 606 1212 (office hours number for professionals only)

By email to: socialcaredirect@essexcc.gov.uk

By post to: Social Care Direct, Essex House, 200 The Crescent, Colchester, Essex. CO4 9YQ

By fax to: 0845 601 6230

Custodian of the Register: 01245 430832

Thurrock

Normal telephone enquiries/referrals: 01375 652802

By post to: IRT, Civic Offices, New Road, Grays, Essex. RM17 6TJ

By fax to: 01375 652891

Custodian of the Register: 01375 652912

Out of hours (Southend and Essex)

5.30pm – 9.00am Mon – Thurs, 4.30pm Fri – 9.00am Mon & Bank holidays: 0845 606 1212

Out of hours (Thurrock)

5.30pm – 9.00am Mon – Thurs, 4.30pm Fri – 9.00am Mon & Bank holidays: 01375 652468

Essex Police Child Abuse Investigation Units

Essex Police Headquarters 01245 502110

Chelmsford 01245 490608

Colchester 01206 762412

Rayleigh 01268 771919

Brentwood 01277 262412

Harlow 01279 641211

Dangerous Offenders Unit 01245 491491 ext. 54223

Outside of office hours contact should be made to the Information Room 01245 491491 who will refer directly to the relevant CAIU Section Officer on Duty or the on call Duty Inspector.

NATIONAL

Child Exploitation and Online Protection Centre (CEOP)

CEOP www.ceop.gov.uk provides a 24/7 single point of contact for law enforcement, industry, non government organisations and the public for reporting instances of child abuse or potential abuse in the UK – 0207 238 2628/2629

Children From Abroad (sources of information)

The Foreign and Commonwealth Office: Tel. 0207 008 1500

The appropriate Embassy or Consulate: The London Diplomatic List, ISBN 0 11 5917721 can be obtained from the Stationery Office on 0870 600 5522, or from FCO website www.fco.gov.uk. It contains information about all the Embassies based in London.

International directory enquiries – dial 155, if address abroad known

International Social Service of the UK, Cranmer House, 3rd floor, 39 Brixton Road, London. SW9 6DD. Tel: 0207 735 8941/4 Fax: 7582 0696

Forced Marriage Unit

Community Liaison Officer at the Forced Marriage Unit (0207 008 8706 / 0230 / 0135) provides confidential advice to victims and professionals.

NSPCC has set up a child trafficking information and advice line (to become operational by summer 2007 : <http://www.nspcc.org.uk>)

United Kingdom Human Trafficking Centre (UKHTC)

UKHTC, PO Box 4107, Sheffield. S1 9DQ

E-mail: intelligence@ukhtc.pnn.police.uk

Tel: 0114 252 3891