

Looked After Children and the EU Settlement Scheme

Date: 9th June 2021

Report of: Head of Democratic Services

Report to: Scrutiny Board (Children and Families)

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- Previously, with free movement, EU nationals could visit or live in the UK without needing a visa. All this has changed. EU nationals already living in the UK must now take the proactive step of applying to the EU Settlement Scheme (EUSS) and securing either pre-settled (if they have been in the UK for less than 5 years) or settled status. This includes children.
- The Children's Society has brought this matter to the attention of the Chair of the Children and Families Scrutiny Board, raising concerns that many EU national children or the children of EU nationals will find themselves without status come 1 July 2021, focusing particularly upon looked after children and care leavers, as many may not be able to depend upon their parents to apply on their behalf or will be reliant upon a local authority to do so.
- The Director of Children and Families has therefore been invited by the Chair to provide an overview of the current position in Leeds for the Scrutiny Board's consideration.

Recommendations

Members are requested to consider the information presented and discuss whether any further scrutiny work is warranted.

Why is the proposal being put forward?

1. The Children's Society has approached the Chair of the Children and Families Scrutiny Board to bring to his attention recent research undertaken by The Children's Society which found that less than 40% of the looked after children and care leavers identified as needing to secure status have in fact made applications to the EUSS, therefore raising concerns that many of these children and young people could become undocumented once the EUSS closes on 30th June 2021.
2. An update document for local authorities on this matter has been published by The Children's Society, which outlines examples of best practice already taking place within local government, and recommendations for immediate actions which local authorities can take regarding the EUSS and looked after children/care leavers. This document has been appended for Members' information (see Appendix 1).
3. The Children's Society also references the EU Settlement Scheme – Home Office looked-after children and care leavers survey 2021. From 8 February to 23 April 2021, the Home Office undertook a follow up survey of Local Authorities in England, Wales, Scotland and of Health and Social Care Trusts in Northern Ireland to provide an update on the estimated number of looked after children and care leavers eligible to apply to the EU Settlement Scheme (EUSS). The latest survey results, last updated on 13th May 2021, are published on the Gov.UK website¹.
4. The Children's Society has highlighted that, according to the recent survey results, there are still 13 children in care or recently leaving care in Leeds who are eligible and yet to apply to the EUSS. Furthermore, 21 children who have applied for the EUSS have had their applications not result in status, which represents a little under half of all applications made by Leeds City Council. With the deadline for EUSS closing on 30th June, concerns have been raised that many of these children and young people will become undocumented.
5. In view of the above, the Director of Children and Families has been invited by the Chair to provide an overview of the current position in Leeds for the Scrutiny Board's consideration. A briefing paper has been provided by the Director and is appended to this report for Members' information (see Appendix 2).

What impact will this proposal have?

Wards affected: All

Have ward members been consulted?

Yes

No

6. The information presented to the Scrutiny Board will assist Members in determining what, if any, further scrutiny work is warranted.

What consultation and engagement has taken place?

7. The Director of Children and Families will be attending today's meeting to present the appended briefing paper and contribute to the Board's discussion regarding looked after children and care leavers in Leeds who are eligible to apply to the EUSS.

¹ <https://www.gov.uk/government/publications/eu-settlement-scheme-home-office-looked-after-children-and-care-leavers-survey-2020/eu-settlement-scheme-home-office-looked-after-children-and-care-leavers-survey-2021>

What are the resource implications?

8. This report has no specific resource implications.

What are the legal implications?

9. Local authorities have a responsibility to identify European children who are in their care or have recently left care, and to ensure they have made applications to the EUSS to secure their future status.

What are the key risks and how are they being managed?

10. As the EU Settlement Scheme closes on 30th June 2021, the risk management process in place for looked after children and care leavers in Leeds who are eligible to apply to the EUSS will be explained further by the Director of Children and Families.

Does this proposal support the council's three Key Pillars?

- Inclusive Growth Health and Wellbeing Climate Emergency

11. One of the eleven priorities set out with the Leeds Children and Young People's Plan is ensuring that the most vulnerable are protected.

Appendices

12. Appendix 1 – Published document by The Children's Society on Looked After Children and the EU Settlement Scheme. An update for local authorities.
13. Appendix 2 – A briefing paper from the Director of Children and Families which provides an overview of the current situation regarding looked after children and care leavers in Leeds who are eligible to apply to the EUSS.

Background papers

14. None.