



Corporate Parenting Committee
28 April 2021

**Report from the Strategic Director,
Children and Young People**

**Update on European Union Settlement Scheme for Looked After
Children and Care Leavers**

Wards Affected:	All
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	N/A
Background Papers:	N/A
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1. Purpose

To brief the Corporate Parenting Committee in relation to the activities undertaken to assist looked after children and care leavers with their applications to obtain European Union Settled Status (EUSS). The paper draws attention to

the current challenges in making EUSS applications and the actions taken to mitigate these.

2. National Context

2.1 The EUSS was launched in 2019 by the Home Office to process the registration of EU citizens resident in the United Kingdom prior to its departure from the European Union. Successful applicants receive either 'Pre-settled status' or 'Settled status', depending on the length of time they have been resident in the United Kingdom. The EUSS covers children and young people who are European Union (EU), European Economic Area (EEA) or Swiss citizens who need to make an application to obtain settled or pre-settled status in the United Kingdom. Pre-settled status is usually granted for children and young people who have not been in the UK for more than 5 years.

2.2 Local Authorities, health and social care trusts received central government guidance in April 2020 regarding the EUSS and how it relates to looked after children and care leavers. The roles and responsibilities of local authorities are:

- To identify adequately trained resource to manage and make applications;
- To identify eligible children including all looked after children including those the authority has parental responsibility (PR), care leavers and any other children in receipt of local authority support, for example children in need;
- To identify signposting responsibilities and ensure signposting takes place;
- To determine if the authority will make an online application on behalf of children for whom the authority has PR;
- To keep an adequate record of each application made including relevant correspondence;
- To record plans for monitoring of the child's status, including future actions with deadlines and ensuring to incorporate these plans into children's care or pathway plans.

2.3 The UK immigration status granted to eligible applicants under the scheme will enable them to continue living in the UK after 30th June 2021. All applications must have been made before that deadline.

3. Brent's Position for LAC and Care Leavers

3.1 Achieving EUSS for Brent's children in care and care leavers has been a priority. Looked after children and leaving care teams within CYP are fully aware of the above mentioned duties. There have been multiple discussions at management meetings, within staff supervision sessions and at LAC Review Meetings, emphasising the urgency around resolving EUSS for relevant children and young people. A number of managers and practitioners within the

LACP Service have attended workshops arranged by the Home Office to receive the required level of training.

- 3.2 Since the start of the EUSS 14 looked after children have been supported to make an application to the Home Office. As at 31st March 2021, 10 of these cases have been positively resolved with the remaining 4 children's cases awaiting a decision by the Home Office. There were 6 looked after children who had not made their applications by that date. Brent has parental responsibility for 2 of these children as they are subject to Care Orders under Sec 31 of the Children Act 1989. Four children are looked after through parental consent pursuant to Section 20 of the Children Act 1989. All six children's cases are well known to senior leaders in CYP and plans are in place to resolve EUSS on their behalf before the deadline.
- 3.3 In relation to care leavers, as at 31st March 2021, 19 care leavers had been identified as eligible to apply for EUSS. Out of this group, 9 care leavers now have settled status and 2 have pre-settled status. Of the remaining 8 care leavers, 2 have submitted their applications with 6 outstanding. Out of this group of 6, 4 are in the process of submitting their applications with the remaining two being strongly encouraged by their Personal Advisors to progress this.
- 3.4 Brent CYP leadership has maintained management scrutiny and oversight of progress in ensuring EUSS applications for looked after children and care leavers are made. Regular reporting to the Strategic Director, Children and Young People has occurred. Service management within the LACP service continues to have oversight of all cases, receiving updates on progress made and undertaking checks on case files.
- 3.5 On the 5th February 2021, several managers including the Head of Service (LACP) met with two officers from the Home Office Vulnerability Programme, EUSS team. All cases where there were challenges to submitting applications were discussed and agreed plans made for individual case resolution.
- 3.6 The Head of LAC and Permanency has audited each case of children for whom an application for EUSS should be made. This activity resulted in an action plan recorded on each electronic case file. It was reassuring to see evidence on the case files that Independent Reviewing Officers had been monitoring the relevant children's EU settled status as part of their regular care or pathway plan reviews.
- 3.7 The current challenges in making applications for looked after children are mainly due to difficulties in obtaining identification documents such as passports or birth certificates, mainly from Eastern European countries such as

Poland, Romania and Slovakia. In these countries both parents' consent is required for identity documents to be released for children. Conflicts between parents or where one parent's location is unknown is proving a challenge to resolve.

3.8 The social work teams are in touch with relevant embassies and seek assistance from Brent's Legal Department when required. Additionally, such cases are raised with the Resolution Team within the Home Office to establish any support that is needed. The Brent Registration Office provides support to practitioners for relevant applications that can be made online on behalf of children for whom Brent has PR. Since the meeting with the Home Office in February 2021, it has been possible to initiate paper-based applications for those children and young people for whom we do not have the necessary identity documentation.

3.9 In order to expedite the process of applications for EUSS for looked after children and care leavers, the Council has provided additional financial support to allow recruitment of a part-time business support officer to ensure completion of applications prior to the deadline.

3.10 As the deadline approaches, some countries such as France have now issued guidance to their citizens residing in the UK around the support available to resolve their status and offered support to local authorities if it is required.

Report sign off:

GAIL TOLLEY

Strategic Director, Children and Young People