

Wales Strategic
Migration Partnership

Partneriaeth Mewnfudo
Strategol Cymru

Asylum Seekers, Refugees and Migrants
Ceiswyr Lloches, Ffoaduriaid a Mudwyr



Review of Child Care Pilot UK Border Agency Regional Office Wales & South West

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Executive summary

1. Introduction

Since September 2007, the UK Border Agency (UK BA) has allowed for the provision of child care for the children of asylum applicants whilst they have their substantive immigration interview at their regional office for Wales and the South West (in Cardiff). This review of the child care provision does the following:

- Provides an overview of why and how the service came to be provided, given the fact that Wales and the South West is the only immigration region to provide this service.
- Provides detailed information on the service itself a year from implementation of the service.
- Makes recommendations for implementing the provision at UK BA regional offices elsewhere in the UK.

In 2008, the Wales Strategic Migration Partnership (WSMP) began a review of the child care provision in consultation with a number of key stakeholders including UK BA, Save the Children UK Wales programme and the Office of the Children's Commissioner for Wales (for full details of stakeholders involved, see Review page 15). These stakeholders have been involved in drawing up the recommendations of this Review.

Thanks are due to the Home Office for agreeing to implement and fund this service in Wales.

2. Benefits of child care provision

The child care service has a number of benefits, but it should be highlighted that a pure cost/benefit analysis is not possible given the nature of the provision; there are benefits to the children of claimants in not having to be present when their parent(s) recount details about the reasons why they have claimed asylum, and this benefit cannot be quantified. Parent(s) are reassured knowing that their children are being looked after in a sensitive and professional manner.

There are a number of benefits of providing child care for UK BA (and asylum applicants) which have been identified in this review of the child care pilot:

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- a) Shorter interview time as there is less need to reschedule interviews.
- b) Compliance with equalities legislation (gender duty).
- c) Compliance with the requirements of a 'personal interview' as set out in the EU Procedures Directive.¹
- d) Better quality disclosures from asylum applicants (due to lack of interruptions from children).
- e) Less chance of asylum claimants requesting a judicial review and claiming they had not had the opportunity to disclose full details of their claim and/or mounting a legal challenge regarding rescheduled interviews.
- f) Asylum Casework Directorate is better able to meet their business targets of concluding asylum cases within 6 months.
- g) A relatively small financial investment in the child care provision can produce a number of benefits and the cost of the childcare provision can be offset against the savings created by more efficient interviews.
- h) Less risk of harm to children either through accident in the interview setting or in witnessing parents in distress.
- i) A representative of UK BA (Wales/South West) has stated that Wales and the South West region have the highest percentage of concluding cases within six months. Factors involved in this include the fact that interviews are not cancelled and re-scheduled and are therefore 'in time'.
- j) Money for the service goes to a community organization.

3. Success factors

The issues identified below were the key issues identified by stakeholders as having contributed to the project benefits identified above.

- a) Positive working relationship with the NAM team in Wales and having a NAM lead who recognized the advantages to UK BA and asylum applicants of having a child care provision.
- b) Willingness of stakeholders in Wales to work with UK BA on this issue and make the case for provision.
- c) Willingness of UK BA staff to work with stakeholders in Wales to maintain and improve the provision.
- d) Availability of appropriate service deliverer in the region.

¹ See a summary of responses on the Border and Immigration Agency's paper on *Implementation of Council Directive 2005 2005/85/EC of 1st December 2005 laying down minimum standards on procedures in Member States for granting and withdrawing refugee status*. UK Border and Immigration Agency. December 2007. p.7.

4. Recommendations

- a) UK BA should commit to funding the child care pilot provision in Cardiff on a long term basis and confirm that the provision is no longer a 'pilot'.
- b) All UK BA Regional Directors should carry out a needs analysis in their region to determine the need for child care.
- c) Organisations should carry out as much background work as possible and present a case to their UK BA Regional Director for implementing child care provision. This work should include the following elements:
 - i) Investigating which organisations locally could make appropriate provision and what the cost would be.
 - ii) Gather statistics on numbers of asylum seekers and identify trends in order to forecast costs.
- d) Instigate a dialogue with regional UK BA Asylum Lead/Regional Director about what they see as inhibitors to the provision (circumstances may differ in each region).
- e) Consult with other regional stakeholders and raise awareness of the provision and how it has worked in Cardiff.
- f) Consider what needs to be built into the provision so that the service can be evaluated by all parties: the service user, UK BA, children, service provider, parents. For example:
 - i) Ask the parent(s) what they think of the service, were they happy with the service, did the child settle, was the child happy with the equipment, the play workers? Any other comments?
 - ii) Ask the children and young people to feedback on the service using a child friendly questionnaire.
- g) Ensure the availability of more detailed data on gender of applicants, how many of the total had the child care facility, if not why not, etc. in order to evaluate the service and monitor trends.
- h) Talk to local CSSIW equivalent about the legal requirements.
- i) Involve external stakeholders such as Chairs of Local Safeguarding Children Boards/Heads of Children's Services in establishing child care provision.
- j) Ask the parent(s) what they think of the service and were they happy with the service, did the child settle, child happy with the equipment? Any other comments?
- k) Ensure the recording of relevant data by both the UK BA regional office and the child care providers, for example, on the gender of applicants, how many of the total had the child care facility, if not why not, etc. in order to evaluate the service and monitor trends.

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- l) Ensure that child protection and relevant childcare standards are built into and monitored as part of any service contracts.

Child care provision at the asylum interview

1. Need for child care provision

Background

In February 2007 the Welsh Consortium for Refugees & Asylum Seekers, now the Wales Strategic Migration Partnership (WSMP), wrote to the UK Border Agency about the implementation of the New Asylum Model (NAM). The letter sought to emphasize the opportunities that the development of the NAM presented for improving the asylum system and the willingness of stakeholders in Wales to work with the Home Office in order to ensure the smoothest possible implementation of the NAM process in Wales. In particular, the WSMP felt that the implementation of the NAM presented an ideal opportunity for the Home Office to embed their own Asylum Policy Instruction on Gender Issues in to the new policies and procedures.

The letter to UK BA outlined the view of the WSMP seeking to clearly establish the need for child care provision. I stated that, given that asylum applicants would have to bring their dependants/children to the initial interview for documentation purposes, child care provision should be made available at the UK BA regional office and that this provision would benefit both the asylum case owner and the applicant. At the time almost 50% of asylum applicants in Wales were women with dependant children. The WSMP referenced a paper published by the Refugee Women's Stakeholder Group (RWSG) entitled *Why the Home Office should provide child care* (See Appendix A) summarized below:

- Having been in the country for a relatively short period of time, claimants will not have had the opportunity to build social and child care networks. Cost and language barriers would also act as inhibitors to accessing child care provision.
- Having children present at an interview inhibits claimants from disclosing full details about their experiences – particularly with regard to gender based persecution.
- Child protection considerations: the provision of child care will prevent the children of applicants from potential trauma arising from hearing their parents give details of persecution they have suffered.
- Equal opportunities: claimants with children may feel unable to disclose full details of their experiences whilst children are present. This means they are disadvantaged in relation to those without children who are more able to reveal the reality of their experience at their substantive asylum interview.
- Compliance with gender equality duty: in April 2007 it became the responsibility of all public bodies to demonstrate that they will promote equality for women and men and that they will take steps to eliminate

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sexual discrimination. In child care terms, the inequality of opportunity arising from a lack of child care provision at substantive asylum interviews has a gendered impact – women are more likely to suffer disadvantage than men.

The response to the WSMP letter stated that UK BA recognized that the presence of children during asylum interviews or reporting events may be inappropriate, cause disruption, and may create difficulties for both the claimant and caseworker/case owner. The letter stated that the UK BA did not have any plans or funding at present to make this provision possible but promised to look into how the UK BA could *help* provision to be made.

At the same time, other stakeholders from Wales wrote to UK BA voicing their support for child care provision to be made available in Wales. As a result of this correspondence and ongoing dialogue between the WSMP and UK BA NAM lead, we managed to secure the provision in Cardiff and a suitable organization to deliver the service was sourced. It should be acknowledged here that from the outset, the UK BA NAM lead for Wales/South West was supportive of our request and recognized the all round benefits of making this provision.

2. The child care providers

- a) Earlier negotiations with one potential provider had not proved fruitful, in the main for logistical reasons, and at the same time South Riverside Community Development Centre (SRCDC) was identified as a possible provider and approached to give costings and details of the service they could provide in June 2007.
- b) SRCDC is a registered charity with a successful track record in direct provision of a wide range of community projects. The Centre has a Young Children and Parents Project, which aims to develop play and child care services in the area. SRCDC were considered appropriate service providers because of their background in developing play services.
- c) Agreement between SRCDC and UK BA: there is no formal contract between UK BA and the SRCDC, though there is a letter from UK BA to SRCDC confirming the start date for the service, the costs for the play workers and for start up equipment. The letter confirms the 'Pilot' status of the service. SRCDC began delivering this service in September 2007.

3. The child care service

Play workers

- a) The play workers are considered by SRCDC as providers of 'therapeutic child care'; they recognize that some of the children's experiences may have been traumatic and there is a need to work sensitively and therapeutically with them. The play workers provide an environment where a child is able, through play, to 'work out' their feelings. This type of play helps the child navigate their way around some of their past experiences and make sense of the world around them (SRCDC).
 - SRCDC identified some specialist training for staff working with asylum seeking children, so that their workers are trained to deal with any 'unusual' behaviour they might see from the children.
 - The play workers attended short day courses in 'therapeutic play' delivered by an organization named 'Stepping Stones' and this training involves a short one day course about Child Therapeutic Counselling.
- b) The play workers have the following qualifications: Council for Awards in Child Care, Health, and Education (CACHE) Level 3 in Early Years, Childcare & Education (CACHE) Level 3 in Play Work.
- c) The play workers have experience in working with children and have received training in Child Protection, First Aid, Food Hygiene, Health & Safety, 'Managing Children's Behaviour'. They possess a current enhanced level Criminal Record Bureau Check.
- d) The SRCDC play workers at UK BA speak a range of languages including Arabic, Hungarian, Hindi, Urdu, Gujarati and Swahili. This has obvious benefits when dealing with children who can speak these languages. However, SRCDC play workers state that their experience has indicated that because 'play' is universal it transcends language differences and so far language barriers have not been particularly problematic.
- e) SRCDC and UK BA staff have made every effort to make the room 'child friendly'. SRCDC keep two play workers free on Tuesdays. The service can accommodate up to eight children in one day from different families:
 - Children under eight years old: there is a 1:8 play worker ratio.
 - Children under three years old: there is a 1:3 play worker ratio.
 - If there are more than four children there must be two play workers.
 - Children may stay in the care of the play workers for up to four hours during an asylum substantive interview. However, if children are in the care of play workers for more than two hours then the SRCDC should be registered with the Care Standards Inspectorate Service Wales (CSSIW) (See Appendix B).

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- UK BA case owners and workflow managers know in advance when single parents come in and can therefore plan interviews for when they know child care will be available.
 - Applicants are told at their first reporting event (NAM) that there are child care facilities on a Tuesday. Some parents have initially been apprehensive about the service but once they have seen the facility they are happy.
 - Applicants are told by the Initial Accommodation team that they have a right to choose a male or female case owner.
 - If asylum applicants request a male or female interpreter UK BA will try to accommodate them.
- f) The majority of the time family interviews will be done on a Tuesday except for the occasional circumstance. Note that the UK BA in Cardiff confirmed that interviews using interpreters via video conferencing commenced on 12th May 2008. Families have successfully used this facility and it has enabled more children to use the child care service on a Tuesday, due to an increase in the availability of interpreters on that particular day.
- g) UK BA is happy to reschedule interviews with parents for a Tuesday appointment, which may mean missing a target. This may be a problem given that UK BA case owners have increasingly higher targets to meet.

Child protection procedures

- a) SRCDC play workers are allocated a separate adjoining room to the actual interview room. Currently, if a child is visibly upset, a play worker will keep the case owner and parent informed, or stop the interview for parents to settle the child. There have been no such occurrences yet. The review panel will look at protocols for such behaviour in line with CSSIW standards. There are mechanisms for the play workers to feed back to the project manager following play sessions.
- b) If a child discloses anything or shows signs of abuse the play workers will assess the situation, and contact the SRCDC Project Manager. This is in line with the child protection policy of SRCDC. The Project Manager may then need to liaise with the Home Office to see whether the matter should be taken further.
- c) When there are breaks in the asylum interview the parent will see their children (nursing babies can be fed) in the child friendly/crèche room. The play workers are able to interrupt the interview process if a child does not settle and is becoming upset. The parent then has time with the child before the interview reconvenes.
- d) If a child or parent makes an allegation against a staff member from SRCDC, they would follow SRCDC's formal internal complaints procedure.

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Health and Safety

- a) SRCDC staff have a diary and they record the sex and age of any child before they go into their care.
- b) SRCDC staff are trained in First Aid and if there are any health and safety incidents, SRCDC staff will record them in their own accident book which is kept at UK BA.
- c) SRCDC also have an 'incident' book which is also kept at the UK BA and they know where the First Aid kit is located.
- d) SRCDC have been inducted into the fire evacuation and Health and Safety procedure at UK BA regional office.

**4. Registration with Care and Social Services
Inspectorate Wales (CSSIW)**

The CSSIW regulates over 6,000 social care and early years services across Wales. Their role is to assess whether social care and early years services are of the required quality. SRCDC is working with the CSSIW to ensure compliance with the Care Standards 2000 Act and in the meantime they are allowed to continue to provide the service through the registration process. They encourage providers to achieve the appropriate standards and levels of quality and act to safeguard the interests of service users. The CSSIW makes sure that the requirements of the Care Standards Act 2000 and its associated regulations are met.

SRCDC is working with the CSSIW to ensure compliance with the Care Standards 2000 Act and in the meantime they are allowed to continue to provide the service through the registration process.

5. Statistics

There is a gender divide of applicants. The profile of asylum seekers in Wales has changed over recent months, with increasing numbers of men – currently there is general ratio of 80:20 male to female applicants. It is mostly single parents using the service.

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Table: number, age & gender of children who have used the child care service each month.

Year	Month	No. of Female children	No. of Male children	Age of Children (in years unless stated as <i>months</i>)	Total
2007	September	3	2	13, 11, 8, 5m, 18m	5
2007	October	2	3	13, 8, 3, 1, 18m	5
2007	November	3	2	4, 2, 1, 1, 18m	5
2007	December	2	5	11, 9, 7, 3, 3, 2, 11m	7
2008	January	0	1	2	1
2008	February	5	3	8, 6, 5, 4, 4, 3, 2, 2	8
2008	March	2	1	5, 4, 3	3
2008	April	7	3	16, 13, 7, 5, 3, 3, 1, 1, 10m, 10m	10
2008	May	2	2	8, 6, 2, 2	4
2008	June	5	2	9, 8, 3, 3, 2, 11m, 2m	7
2008	July	5	3	12, 10, 8, 5, 5, 3, 2, 3m, 2m	8
2008	August	2	7	12, 10, 8, 5, 5, 3, 2, 1, 3m	9
Total		38	34		72

Costs

UK BA contributed £1,000 for start up equipment which was chosen by the SRCDC. A quality child care service can be costly, but SRCDC charge a reasonable rate for their play workers. Costs are subject to review. SRCDC are paid if the applicant does not appear for his/her interview as they have to keep their staff free to provide this service on a Tuesday.

Evaluation

The child care provision did not incorporate any distinct forms of monitoring at the implementation pilot stage. It is recognized that more thought should be given to monitoring and evaluation going forward (see recommendations).

6. Other perspectives on child care provision

The Home Office has stated that there is no national policy on child care provision at the substantive asylum interview and it is a matter for individual UK BA Regional Directors to decide. A number of organizations have recognized the issues around child care and asylum interviews and are advocating that UK BA make provision at all substantive asylum interviews.

a) **Barnardo's**

The issues inherent in having children present at the substantive asylum interview were recognized in a recent Barnardo's report.²

b) **11 MILLION**

The children's charity organisation 11 MILLION wrote a response to a Government consultation regarding the implementation of Council Directive 2005/85/EC of 1st December 2005. This Council Directive laid down minimum standards on procedures in Member States for granting and withdrawing refugee status. Article 13 of the Directive was pertinent in the view of 11 MILLION:

"13.1. A personal interview shall normally take place without the presence of family members unless the determining authority considers it necessary for an appropriate examination to have other family members present.

13.2 A personal interview shall take place under conditions which ensure appropriate confidentiality.

13.3. Member states shall take appropriate steps to ensure that personal interviews are conducted under conditions which allow applicants to present the grounds for their applications in a comprehensive manner."³

In the response to the Government consultation, in particular the requirements for a personal interview (Article 13), 11 MILLION stated that:

"Article 13(1) requires that the personal interview should not normally take place in the presence of family members unless necessary for an appropriate examination of the claim. We take this to include the child or children of an adult asylum applicant. Article 13(2) requires that a personal interview shall take place under conditions which ensure appropriate confidentiality. These two mandatory requirements mean that no asylum seeking parent should have to proceed with a personal interview in the presence of

² John Reacroft. *Like Any Other Child? Children and Families in the Asylum Process*. (2008) Barnardo's p. 27-8

³ Official Journal of the European Union. *Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status*. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:326:0013:0034:EN:PDF>

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*their child unless the child's presence is necessary for a proper examination of the claim. Currently, this is a very live issue at BIA's regional offices (where personal interviews are conducted). The regional offices do not always have sufficient facilities or capacity to meet these requirements. **We welcome the decision to provide for changes to the Rules to accommodate these provisions and recommend that BIA accelerate the provision of child care facilities at its regional offices accordingly**".⁴*

- c) **The Refugee Women's Resource Project (RWRP)** is continuing to coordinate a campaign to implement child care provision at each UK BA regional office. The RWRP pointed out a number of measures that should be put in place regarding gender based issues, including the provision of child care at asylum interviews.⁵

Keeping Children Safe from Harm?

The RWRP is advising other NAM regions trying to establish a child care service that they should look at the **UK BA Code of Practice for Keeping Children Safe from Harm**.⁶ This code reinforces the need for child care provision at the asylum interview in order for UK BA to meet the standards set in their own Code of Practice.

The former Minister of State for Nationality, Citizenship and Immigration, Liam Byrne, in the foreword to the *UK BA Code of Practice* states that the test of the Code "will lie in the extent to which it helps shift the Agency's culture – its attitude and behaviour towards children".⁷

- d) **Immigration Law Practitioners' Association (ILPA)**

The ILPA agreed with the suggested changes to the wording of the Rules and recommended that the BIA accelerated the provision of child care facilities at its regional offices in order that this part of the Directive could be fully complied with.⁸ (See section 7, page 12 for further information on the Code of Practice.)

- e) **United Nations High Commissioner for Refugees (UNHCR)**

The UK BA summary of responses to the consultation stated that the UNHCR also "welcomed the provisions that required personal interviews to be conducted without the presence of other family members, unless necessary for examination of the claim and for these interviews to take place in conditions which ensure confidentiality". UNHCR emphasised

⁴ A summary of responses on the Border and Immigration Agency's paper on *Implementation of Council Directive 2005/85/EC* of 1st December 2005 laying down minimum standards on procedures in Member States for granting and withdrawing refugee status, UK Border and Immigration Agency, December 2007, p.23.

⁵ Ibid

⁶ UK BA *Code of Practice for Keeping Children Safe from Harm*. December 2008. http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/consultations/close_dconsultations/keepingchildrensafe/

⁷ Ibid. p.3. Liam Byrne.

⁸ Ibid

that where dependants were interviewed this should also take place in the absence of other family members.⁹

f) **Refugee Council**

A Refugee Council report into the New Asylum Model, published in January 2008 stated:

*"We are very concerned about issues about child care. The speed of process means that people do not have good enough contacts to ask friends to look after their children during interviews and the children are not at school. We regard this as a major flaw in the system because the disadvantages are heaped on women, particularly single mothers."*¹⁰

The report made several recommendations on how to improve the NAM process, including stating under its recommendations that '*Child care should be provided by BIA as standard for when clients attend their substantive interview*'.¹¹

7. UK BA Draft Immigration & Citizenship Bill & Code of Practice - Keeping children safe from harm

In January 2008, UK BA undertook a consultation on their *Code of Practice for keeping children safe from harm*. The *Code of Practice* outlines the safeguarding duties which apply to UK BA in its interaction with children in the United Kingdom, and will be equivalent to the duty contained in Section 11 of the Children Act 2004, which places a statutory duty on key people and bodies to make arrangements to safeguard and promote the welfare of children and that this must be a primary consideration in all UKBA's dealings with children.

The Draft Immigration & Citizenship Bill 2008 (Clause 189) outlines this duty relating to the welfare of children i.e. those under the age of 18. This clause replaces the duty to issue a code of practice (UK Borders Act 2007, Section 21).

Furthermore, it states that any function of the Secretary of State (or designated official) in relation to immigration or nationality must have "*regard to the need to safeguard and promote the welfare of children who are in the United Kingdom*". This also applies to any related service providers – generally those under contract.

The *Code of Practice* came into force on 6th January 2009. The Code itself makes it clear that it creates no new or overriding duty which will interfere

⁹ Ibid

¹⁰ *Asylum seekers' experiences of the New Asylum Model. Finding from a survey with clients at Refugee Council One Stop Services*. Refugee Council research report. January 2008.

¹¹ Ibid. p. 9.

with the UK BA's primary function, namely to 'uphold the integrity of the immigration control system, and in doing so, to apply the immigration legislation, the immigration rules and the relevant policies of the Secretary of State'.¹²

Draft illustrative immigration rules on Protection Specific sections on children's applications:

Section 13 considers children's applications. It advises that "close attention should be given to the welfare of the child at all times" and that priority and particular care is to be given to unaccompanied children. However specific examples are not given to support these statements.

Section 19 states that dependents of an applicant will not usually be present at the personal interview. (However, child applicants will be interviewed in the presence of an appropriate adult).¹³

8. Conclusion

There is anecdotal evidence that suggests that UK BA case owners previously tried to avoid interviews where children would have to be present and it is more likely now that interviews can be completed without having to re-schedule due to interruptions etc. The following statement from a case owner gives an indication of the problems encountered when carrying out an interview with children present, and the benefit of the child care provision to the case owners:

"I have conducted two interviews where children were present. On both occasions the children were under five and subsequently were not willing to sit at the table whilst the interview was being conducted. ... On the one occasion I had to abandon the interview and rebook it when there was another case owner willing to sit with the child. This would not be an option now as we are all too busy. On the second occasion, I finished the interview early and concluded it on a day when the play worker was available.

Obviously with our current workload and targets it is vital that we are able to conclude an interview at one sitting and that this is a fully effective interview. Asylum seekers are often reluctant to discuss the more distressing aspects of their claim with their children in the room, and it is not good for the children if the mother becomes distressed. Our job would be very difficult without this

¹² <http://www.irr.org.uk/2009/january/bw000006.html>

¹³ Draft Immigration Rules, Section 19.

www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/immigrationandcitizenshipbill/

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*child care facility, and it would mean that mothers and children would be under greater pressure during the interview process.*¹⁴

The UK BA Regional Director for Wales and South West is in favour of the child care service continuing. However, as far as we are aware, no other UK BA region has implemented the child care provision although Scotland have agreed in principle and are currently working towards provision.

RECOMMENDATIONS

- a) UKBA should commit to funding the Childcare Pilot provision in Cardiff on a long term basis and confirm that the provision is no longer a 'Pilot'.
- b) All UK BA Regional Directors should carry out a needs analysis in their region to determine the need for child care.
- c) Organisations should carry out as much background work as possible and present a case to their UK BA Regional Director for implementing child care provision. This work should include the following elements:
 - i) Investigating which organisations locally could make appropriate provision and what the cost would be.
 - ii) Gather statistics on numbers of asylum seekers and identify trends in order to forecast costs.
- d) Instigate a dialogue with regional UK BA Asylum Lead/Regional Director about what they see as inhibitors to the provision (circumstances may differ in each region).
- e) Consult with other regional stakeholders and raise awareness of the provision and how it has worked in Cardiff.
- f) Consider what needs to be built into the provision so that the service can be evaluated by all parties: the service user, UK BA, children, service provider, parents. For example:
 - i) Ask the parent(s) what they think of the service, were they happy with the service, did the child settle, was the child happy with the equipment, the play workers? Any other comments?
 - ii) Ask the children and young people to feedback on the service using a child friendly questionnaire.
- g) Ensure the availability of more detailed data on gender of applicants, how many of the total had the child care facility, if not why not, etc. in order to evaluate the service and monitor trends.
- h) Talk to local CSSIW equivalent about the legal requirements.

¹⁴ UK BA case owner.

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- i) Involve external stakeholders such as Chairs of Local Safeguarding Children Boards/Heads of Children's Services in establishing child care provision.
- j) Ask the parent(s) what they think of the service and were they happy with the service, did the child settle, child happy with the equipment? Any other comments?
- k) Ensure the recording of relevant data by both the UK BA regional office and the child care providers, for example, on the gender of applicants, how many of the total had the child care facility, if not why not, etc. in order to evaluate the service and monitor trends.
- l) Ensure that child protection and relevant childcare standards are built into and monitored as part of any service contracts.

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AGENCIES INVOLVED IN THE REVIEW

Wales Strategic Migration Partnership
Save the Children UK
Office of the Children's Commissioner for Wales (Observer)
Welsh Refugee Council
South Riverside Community Development Centre
UK Border Agency
Care and Social Services Inspectorate Wales

For further information on this review, please contact:
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Appendix A

Refugee Women's Stakeholder Group.

Why provide child care?

Unless child care is provided by the Home Office at asylum claim interviews, claimants with children are extremely unlikely to be able to find alternative child care provision themselves. This is due to cost, lack of informal support networks, lack of information, and language difficulties. Claimants therefore have to bring their child/ren in with them to their interview with the Home Office. This situation presents major difficulties both for the claimant and the interviewer/Home Office. Providing an on-site crèche at asylum interviews is simple, cost-effective, and brings major benefits both to the claimant and to the Home Office.

Outlined below are the major advantages of providing childcare for asylum claimants at interviews:

- **Reduction in interview duration**

Currently, claimants with children have to bring them in to the interview room as no childcare is provided. The claimant thus has to attend to their child/ren at the same time as being interviewed. This is distracting for both the claimant and the interviewer, and can lead to disruptions during the interview. Providing childcare will ensure there are no disruptions to the interview and that the claimant is not distracted, thus speeding up the interview.

- **Better quality decisions**

Currently, claimants with children are forced to disclose information about their case to the interviewer in front of their child/ren. However, this potentially inhibits claimants from disclosing full details about their experiences – particularly with regard to gender based persecution – because the claimant may not want to give details of being subject e.g. to rape in front of their child/ren due to the distressing nature of the subject matter. Providing childcare would remove this inhibition and help to ensure all relevant information is disclosed at the earliest stage – thus ensuring good quality decisions and preventing delays occurring from 'late disclosure' of important factors in an asylum claim.

- **Child Protection**

Providing childcare will help to protect the children of applicants from potential trauma arising from hearing their parent recant distressing details of persecution. Furthermore, there are health and safety risks associated with children being in the interview room. The parent's full attention will not be on the child if they are being interviewed, thus increasing the potential for accidents.

- **Equal Opportunities**

Claimants with children may feel significantly inhibited about disclosing key information regarding their experiences due to the

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presence of their child/ren at the interview. They are therefore disadvantaged with respect to those without children in gaining a decision from the Home Office that accurately reflects the full gravity and reality of their experiences.

- **Gender Equality Duty**

As of 7th April 2007 all public authorities will be required to demonstrate that they are promoting equality for women and men and that they are eliminating sexual discrimination. With respect to childcare, it is predominantly women who have primary childcare responsibilities both within refugee communities and within UK society as a whole. Therefore, the inequality of opportunity arising from a lack of childcare provision at asylum interviews has a gendered impact – women are more likely to suffer this disadvantage than men. Providing childcare alongside asylum interviews would rectify this situation and ensure compliance with the Gender Equality Duty.

How to provide childcare at interviews

The provision of an *on-site crèche* at asylum interview centres is the simplest and most cost effective method of childcare provision.

- One room at the centre would be allocated for the crèche. If the crèche is inspected and approved by Ofsted, the crèche can be held in the room for any duration. If the room is not Ofsted registered, the room can be used as a crèche for up to two hours at a time.
- Mobile crèche workers can be employed to come to the centre on a sessional basis to provide the childcare. It is not usually a requirement that parents need to pre-register with the crèche workers. They can just turn up on the day and fill in a personal details form for the crèche workers.
- The number of children that can utilise the crèche depends upon the size of the room, and the ages of the children present. (The ratio of children per crèche worker varies according to the age of the children.)
- There are various options for the opening hours of the crèche at the asylum interview centre. For example, the crèche could be open at all the times interviews are taking place, or the crèche could be open on particular days and/or particular times. Obviously the most suitable option would depend on how many claimants would be using the crèche and the feasibility of arranging interviews according to any pre-restricted crèche opening hours.

NB: The number of childcare places that would need to be provided would depend upon the time of day the interview takes place. If the interview is during school hours childcare will usually only need to be provided for children under five.

Providing an on-site crèche is preferable to a policy of reimbursing individual claimants for childcare they have sourced independently or

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providing an 'off-site' crèche (i.e. not at the venue of the interview). This is because:

- There are multiple barriers to claimants sourcing and arranging their own childcare, including language difficulties and a lack of information on childcare options.
- By providing an on-site crèche the Home Office can ensure the crèche workers are Ofsted registered, thus complying with the Care Standards Act 2000.
- Claimants are not used as a third party to pass on Home Office money to the childcare provider they have personally sourced.
- If multiple children are utilising the on-site crèche at the same time this is far more cost effective than reimbursing childcare individually for each claimant.
- Childcare would only need to be provided for the duration of the interview. If the childcare was off-site, additional childcare would need to be provided for the length of time it took the parent to travel to and from the interview centre to the childcare provider.

New Asylum Model Teams: Information on local Children's Information Services and mobile crèche providers

Glasgow

Glasgow Childcare Strategy & Information

Nye Bevan House

20 India Street

Glasgow

Scotland

G2 4PF

Helpline: 0141 287 8307

Fax Number: 0141 287 6786

Mobile crèche providers:

- Maryhill Mobile Creche: sally@mmcreche.fsnet.co.uk / 0141 945 1888
- North Glasgow Mobile Creche Service: 0141 564 1492
- Greater Govan Mobile Creche (LEA): 0141 445 5244
- Kidcare Ltd Mobile Creche: kidcare@oneplus.org / 0141 564 1150 / 07974 790877
- East End Mobile Playteam: eempt@eastend.org.uk / 0141 550 7338
- One Plus Mobile Creche: 0141 5881596
- Carnwadric/Arden/Kennishead Creche and Mobile Creche: 0141 620 0199
- Garnethill Mobile Creche (LEA): 0141 333 9470
- East Pollokshields Mobile Creche: 0141 424 0099

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Leeds

Children's Information Service:

<http://213.210.8.133/>

Leeds Children's Information Service

6th Floor East

Merrion House

Merrion Way

Leeds

LS2 8DT

Tel: 0113 247 4386

E-mail : cis@leeds.gov.uk

Mobile crèche provider:

- Eduplay (Sonija Pollard 0113 2706903 ext 24)

Liverpool

Children's Information Service

Municipal Buildings

Dale Street

Liverpool

L2 2DH [[map](#)]

Tel: 0800 085 20 22

Fax: 0151 225 4918

Email: lcis@liverpool.gov.uk

- Mobile minders: 07949363572

Solihull

Keeper's Lodge

Chelmsley Road

Chelmsley Wood

Solihull

England

B37 7RS

Helpline: 0121 788 4288

Fax Number: 0121 788 5341

Email: Childrensinfo@solihull.gov.uk

Wales

Cardiff Children and Young People's Information Service

2nd Floor

Alexander House

Excelsior Road

Western Avenue

Cardiff

Wales

CF14 3AT

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Helpline: 029 2052 0100
Email: cyis@cardiff.gov.uk
Website: www.ifanc.org.uk

- Happy Hours Mobile Crèche: 01492 513650 or 07967216201

Hounslow

Hounslow Childcare Information Service

Early Years and Childcare Section
Smallberry Green Primary School

Turnpike Way

Isleworth

England

TW7 5BF

Helpline: 0800 783 1696

Fax Number: 020 8583 2740

Email: childcare.information@hounslow.gov.uk

Website:

www.hounslow.gov.uk/index/education_and_learning/childcare.htm

- Family & Community Team hold a crèche register: 020 8570 3624.

London

The London Teams will be based in central and west London.

Appendix B

Care and Social Services Inspectorate Wales (CSSIW)

CSSIW Service Regulation and Inspection regulates over 6,000 social care and early years services across Wales. The equivalent in England is the Office for Standards in Education, Children's Services and Skills (Ofsted) and the Care Commission in Scotland.

To ensure that regulatory decisions and requirements are applied at a local level and that its service is responsive and accessible across Wales we operate through four regions (North Wales, South East Wales, Mid and South Wales and West Wales). Our role is to assess whether social care and early years services are of the quality that the citizens of Wales have a right to expect. We then encourage providers to achieve the appropriate standards and levels of quality and act to safeguard the interests of service users.

CSSIW regulate:

- Care homes for adults - including care homes with nursing facilities.
- Domiciliary care agencies.
- Adult placement schemes.
- Nurses' agencies.
- Children's homes.
- Day care services for children - child minders, full day care, sessional day care, out of school care, crèches and open access play.
- Public sector and independent fostering agencies.
- Public sector and voluntary adoption agencies.
- Boarding schools, residential special schools and further education colleges which accommodate students under 18.
- Residential family centres.

Using the regulations and national minimum standards set by the National Assembly for Wales and the Welsh Assembly Government, CSSIW regulate through:

- Registration - we decide who can provide services.
- Inspection - we inspect those services and publish reports.
- Complaints - we investigate and deal with complaints (if they cannot be dealt with by the providers' own complaints procedures).
- Compliance - we support compliance with the regulations.
- Enforcement - we take enforcement action to make sure that the requirements of the Care Standards Act and its associated regulations are met.

<http://new.wales.gov.uk/cssiwsite/cssiw/Aboutus/serviceregs/?lang=en>