Scrutiny Review: Support to Children from Refugee Families

A Review by the Children and Young People's Scrutiny Panel 2017/18

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CHAIR'S FOREWORD

It is imperative that children from refugee families are able to adjust well to life in the UK and effective support is crucial to this. The vast majority of children are likely to be allowed to remain in the UK so they should therefore be seen as a long-term priority. How they are received and supported initially can have a considerable influence on their development. Hostile treatment on arrival can cause trauma and may have lasting implications for their future health, well-being and prospects as well as for the communities within which they live.

There are limitations to the support that can be given to some groups of families due to budgetary constraints, the legal framework and government policy. However, the fundamental principle that should underpin all of the Council's activity is that it should be humane. Safeguarding also needs to be given the same very high level of priority as for other children. The role of the voluntary sector is crucial due to their links to communities and expertise. It is therefore very important that relationships are improved quickly and a culture of working in partnership with them is developed.

Supporting families with No Recourse to Public Funds (NRPF) presents particular challenges to the Council due to the lack of any grant funding. However, the needs of children must be paramount and the Council's duty of care fulfilled. Finding solutions quickly so that families are able to support themselves through working or receipt of benefits and no longer require local authority support needs to be a high priority. Access to good quality immigration advice is fundamental to this and action should be taken to better assist families in finding it. In some cases, it may be cost effective for the Council to assist families financially if it speeds the progress of their case.

NRPF cases are often complex and require specific expertise to resolve effectively. In Islington, social care staff assess the needs of families whilst a small separate team address issues relating specifically to NRPF status and eligibility. This may provide a stronger focus on resolving the immigration status of cases quickly than current arrangements in Haringey and thus have the potential to deliver savings. It would also allow social care staff dealing with children from NRPF families to concentrate purely on addressing their needs.

Subsistence levels for NRPF families do not compare well with other London boroughs and are lower than those that advice suggests is appropriate. There also appears to be no clear rationale for how they have been set. Levels should be reviewed so that they are based on clear and justifiable principles.

Schools are in the forefront of providing support to children from refugee families. There needs to be a system for sharing information with schools so that they are aware of the refugee status of children before they arrive and can prepare support. However, information first needs to be obtained from families so that it can be acted upon. Some families may also be reluctant to share such information for fear of it being shared with immigration authorities. Their trust needs to be obtained and this will be dependent on them receiving assurances that information will not be passed on without their consent.

Training is necessary for schools to assist them in supporting children from refugee families so that they are better aware of issues relating to immigration status and



external sources of support, particularly those provided by local voluntary sector organisations and charities. There also needs to be greater clarity over how long families with school age children are likely to stay in temporary accommodation so that they are able to maintain school places.

Mental health is a particular issue and voluntary sector organisations dealing with refugee families need to be made better aware of the support that is available, including the fact that they are able to make referrals to CAMHS.

Finally, I would like to thank all of those who assisted the Panel with this review by giving evidence.



Councillor Kirsten Hearn Chair – Children and Young People's Scrutiny Panel



RECOMMENDATIONS:

Children from Families with No Recourse to Public Funds (NRPF)

- 1. That Council be requested to formally appoint a Member to act as a Trustee to the Haringey Migrant Support Centre (*Paragraph 3.26*).
- 2. That, as part of the future work plan for Overview and Scrutiny, the Panel receive updates on progress with implementing the improvements identified as required by the practice audit that was undertaken of the NRPF Team and that relevant voluntary sector organisations be requested to provide feedback as part of this process (3.28).
- 3. That subsistence levels for NRPF families be reviewed so that they are based on a clear and justifiable rationale and comply with levels that relevant advice suggests are appropriate (3.30).
- 4. That, where there are disputes with other local authorities on responsibility for the support of specific families with NRPF, addressing and meeting their needs be prioritised and dealt with before such issues are addressed (3.36).
- 5. That a report be made to a future meeting of the Panel on how families with NRPF are assisted in accessing good quality immigration advice so that they are better able to resolve their status quickly (3.41).
- 6. That action be taken to improve the information available from front facing services on sources of support and advice for NRPF families (3.42).
- 7. That, in order to provide a stronger focus on resolving the immigration status of families, specific consideration be given to splitting responsibility for the support of NRPF families between a small team to address issues relating specifically to NRPF and mainstream social care services (3.44).
- 8. That the Panel be informed of whether an application has been made for Control in Migration funding and, if not, consideration be given to rectifying this (3.45).

Education

- 9. That the Children and Young People's Service establish a system to collect information on the refugee status of children applying for school places where this is known for sharing with schools so they are able to make the necessary plans for support in advance of the arrival of children at school (4.8).
- 10. That social care staff supporting children from refugee families be made aware of the importance of including the refugee status of children applying for school places on school admissions application forms (4.8).
- 11. That clarification be provided to schools regarding the extent of their responsibilities for sharing information on the immigration status of individual children (4.8).



- 12. That action be taken through Networked Learning Communities to establish the feasibility of establishing English language classes for the parents/carers of children from refugee children (4.12).
- 13. That action be taken through Networked Learning Communities to establish the feasibility of establishing English language classes for the parents/carers of children from refugee children (4.13).
- 14. That schools be reminded of the availability of training for staff by CAMHS on mental health issues, including trauma (4.16).
- 15. That consideration be given to extending access to support from the Virtual School to children from NRPF families (4.18).
- 16. That training be offered to schools on the provision of support for children from refugee families including issues relating to immigration status and external sources of support (4.21).

Mental Health and Trauma

- 17. That schools be reminded of the availability of the Anchor Project to provide support for schools in dealing with pupil behaviour, including trauma (5.5).
- 18. That Haringey CCG be requested to take specific action to increase the awareness of the referral processes for CAMHS services amongst voluntary sector organisations, including those dealing with children and young people from refugee families (5.8).



1. Background

Introduction

- 1.1 As part of its work plan for 2017/18, the Overview and Scrutiny Committee agreed to set up a review that would look at support that is provided to refugee and asylum seeking children arriving in Haringey. In doing this, it would seek to identify areas where there were gaps or challenges and current arrangements could be enhanced, as well as risks and opportunities. The areas that the review would look at would include:
 - Relationships with local community organisations and how they are involved:
 - Support for children in schools as well as for schools themselves;
 - Trauma and mental health issues and how these are addressed;
 - What happens when refugee children reach the age of 18;
 - Families with no recourse to public funds (NRPF);
 - Resource implications; and
 - How expertise and learning is shared
- 1.2 In the UK, a person officially becomes a refugee when they have their claim for asylum accepted by the government. People become refugees for a wide range of reasons but the main ones are to escape from war and persecution. They are distinct from economic migrants. Children of refugees will not necessarily have the same immigration status as their parent(s)/carer(s).
- 1.3 The review mainly focussed its attention on the main two groups children from refugee families who come into contact with the Council;
 - Unaccompanied Asylum Seeker Children (UASC), covered in section 2 of this report; and
 - Children from families with no recourse to public funds (NRPF), covered in section 3.

Terms of Reference

1.4 Further to the scope agreed at the outset of the municipal year, the terms of reference that were approved for the review were as follows:

"To consider and make recommendations to the Council's Cabinet on how support that is provided by the Council and its partners to assist with the settling of refugee and asylum seeker children arriving in Haringey may be enhanced."

Sources of Evidence:

- 1.5 Sources of evidence were:
 - Interviews with officers from the Council, partner organisations, other local authorities and voluntary organisations;
 - Research and policy documentation; and



- Performance information.
- 1.6 A full list of all those who provided evidence is attached as Appendix A.

Membership

1.7 The membership of the Panel was as follows:

Councillors: Kirsten Hearn (Chair), Mark Blake, Sarah Elliott, Toni Mallett, Liz Morris and Reg Rice.

Co-opted Members: Ms Uzma Naseer and Ms Luci Davin (Parent Governor representatives) and Ms Y Denny (Church representative).



2. Unaccompanied Asylum Seeker Children (UASC)

Introduction

- 2.1 An unaccompanied asylum seeking child (UASC) is defined by the Home Office as 'a person under 18 years of age or who, in the absence of documentary evidence establishing age, appears to be under that age' who 'is applying for asylum in their own right; and is separated from both parents and not being cared for by an adult who by law or custom has responsibility to do so'.
- 2.2 The number of UASC that are currently looked after in England has more than doubled from 2,050 on 31st March 2014 to 4,210 on 31st March 2016 and continues to increase. The increase has been influenced by a range of factors including wars, persecution, human rights abuse and civil unrest.

National Transfer Scheme

- 2.3 The National Transfer Scheme was launched in July 2016 in order to ensure a fairer distribution of UASC between local authorities. It is a voluntary arrangement between local authorities that aims to encourage all local authorities to volunteer to support UASC. London boroughs had previously been making a disproportionate contribution to looking after this group of children and were responsible for 45% on 31 March 2015. Each region is now expected to take 0.07% of its general child population.
- 2.4 If a child presents in a Council area with low numbers of UASC within it, the expectation is that they will remain in that area. If the area already has a high number, the child is transferred within the region. If the region already has high numbers, the expectation is that they will be transferred to a region with lower numbers. The majority of London boroughs are part of this coordinated approach to supporting UASC as they arrive in the UK.

Support

- 2.5 UASC are eligible for support from the local authority where they have been granted refugee status, humanitarian protection or leave to remain until their 18th birthday. There is a general duty on local authorities under Section 17 of the Children Act 1989 to safeguard and promote the welfare of children who are in need in their area. UASC are deemed to fall within this category and there is therefore a duty to assess such children. They are nearly always accommodated as Looked After Children (LAC), under Section 20 of the Children Act 1989.
- 2.6 Where an assessment identifies that an UASC is in need of services, they are provided with exactly the same services as any other LAC. The child's care pathway plan will outline how the young person's immigration status is to be addressed.
- 2.7 When young people first arrive in the UK, they are usually granted UASC Leave that lasts until they are 17½. They can then apply for further leave in a different category or make a fresh claim to remain. Such young people are eligible to



claim state benefits until they receive an "All Rights Exhausted (ARE)" decision or granted refugee status, some form of humanitarian protection or form of extended leave to remain. If no decision is made on their initial application, they are not entitled to state benefits.

Haringey Cohort

2.8 Sarah Alexander and Emma Cummergen, from the Council's Children's Service, reported that that Haringey is committed to meeting the 0.07% threshold, which equates to 42 UASC. This is monitored closely with regular updates given to the Council's Corporate Parenting Advisory Committee. There were 40 UASC being looked after by the Council in September 2017. In addition, there were a further 58 care leavers who had been UASC and were aged between 18 to 25 years old. The demographics of the current cohort were as follows:

	Gender		
Age	Female	Male	Total
17	1	19	20
16	1	12	13
15		4	4
14		1	1
13		1	1
12		1	1
11		1	1
Grand Total	2	38	40

Nationality

Afghani 6

Albanian 12

Egyptian 2

Eritrean 7

Ethiopian 2

Information not yet obtained 3

Iranian 1

Iraqi 3

Other white European 1

Vietnamese 3

Grand Total 40

2.9 There were 18 UASC referrals in 2015-16, 24 in 2016-7 and 13 in 2017-18 to date. All bar one of this years referrals were male. Ethnic origin was as follows:

Afghanistan; 2 Albanian; 2

Egyptian; 1

Ethiopian; 1 Eritrean: 4

Further enquires being conducted; 2



- 2.10 The Council is able to claim grant funding from the government for UASC, including care leavers. The total amount of grant received in 2016/2017 was £1,102,233.86. However, total expenditure was £2,051,550.44.
- 2.11 The majority of Haringey UASC's present from the age of 16 but there are a small proportion under the age of 16. They may only be supported beyond the age of 18 where the local authority considers that this is necessary to prevent a breach of their Human Rights. Only those still in education are likely to qualify for any further support following such an assessment. Those who become destitute are referred to the National Asylum Support Service.
- 2.12 The Panel noted that Haringey currently had 8 care leavers whose asylum applications were still pending. If they are refused leave to stay, they can appeal but there is no longer any entitlement to Legal Aid and this has placed additional cost pressures on the Council. The cost of a straightforward application is approximately £190 plus VAT plus solicitors fees. However, it can be difficult for care leavers to find solicitors willing to assist with applications as this work is not lucrative. Appeals can be challenging for young people as they are asked to recall events that may have happened a long time ago and trauma can affect their ability to remember.
- 2.13 Reviews by the Council of cases need to take place before the age of 21 due to the availability of grants. In such circumstances, care leavers can make further applications to the Home Office if there is fresh and new information but Legal Aid does not cover the cost of these and they are required to travel to Liverpool as there is no other office designated for this. Such young people are also barred from the right to work in the UK and many educational and training opportunities. Those with limited leave to remain or granted five years leave to remain need to make a further application for indefinite leave before their leave to remain lapses. The granting of refugee status is highly dependent on the situation in their home country.
- 2.14 The Panel noted that there were currently:
 - 7 care leavers with Indefinite Leave to Remain (ILR):
 - 10 with Limited Leave to Remain; and
 - 4 with Humanitarian Protection, which provides protection to those who do not qualify for protection under the Refugee Convention. It covers situations where someone may be at risk of serious harm if they return to their country of origin but are not recognised as refugees because the risk is not of persecution for a reason covered by the Convention.
- 2.15 The remainder of Haringey's UASCs and those over 18 either have pending applications, some form of UASC or discretionary leave to remain or are classed as over stayers and need to consider what type of further application to make. The Panel noted that an early decision on immigration status by the Home Office alleviates many of the problems and enables considerable savings in professional time to be made.
- 2.16 Sometimes young people who have exhausted all their rights of appeal go missing as they are concerned that they will be deported. The Panel noted that



there were 8 former UASCs who were missing and believed to have gone underground. This can make them targets for exploitation. All the Haringey care leavers who are in this position were older than 18 and have been reported as missing. Checks are made with the Home Office safeguarding team and Police every three months to identify whether any further information has come to light or whether they have been deported. If they represent at any time, they will receive a full leaving care service until they reach the age of 21 or 25 if in education or until they are deported.

Placements

- 2.17 The Panel noted that there were 25 UASCs in foster placements and a further 15 UASC's in semi-independent living or 24-hour provision. 18 care leavers were now living in permanent accommodation. In terms of the older cohort, eight were at university, a small proportion were in "staying put" arrangements with former foster carers and the majority were in semi-independent provision in or local to Haringey.
- 2.18 The Council's placement service has developed a preferred list of semi-independent providers who have experience in working with and supporting UASC. Efforts are also made to connect children and young people with their own communities. The service tries to place children and young people from the same countries of origin together wherever possible to reduce feelings of isolation and ensure peer support.
- 2.19 The Panel noted that UASC children are a complex group with complex needs. Caution is exercised when placing them with foster parents as the complete history of many of them is not known. Some young people have remained in touch with foster parents after leaving care and some have stayed with them. They are treated like other foster children and entitled to the same range of services until they were 21.
- 2.20 The Council is currently supporting eight former UASC's who are at University. Only those young adults that have refugee status are entitled to a student loan. If a young person has been refused asylum but granted leave under humanitarian protection, they will not qualify for a student loan unless they have been lawfully in the UK for three years. Unfortunately, the further education fees and living costs of only a small number of former UASCs can be funded by the Council due to budgetary pressures.

How Expertise is Shared

2.21 Links have been developed with the Coram Centre, which provides help to vulnerable children and young people and their families. It provides support staff to develop, deliver and promote best practice when supporting asylum seeking young people and young migrants making the transition to adulthood. In particular, Coram shares its expertise in supporting migrants to regularise their immigration status. It provides a half day of training annually to the Young Adults Service in order to assist the service to keep abreast of changes in legislation.



They also provide regular newsletters, have updates on their websites and run seminars throughout the year. There are also links with the Refugee Council who also provide on-going training and development to both social worker and personal advisors.

2.22 The Young Adults Service also subscribe to the London Asylum Seeking Consortium, which is a local government forum who provide up to date training in human rights assessments theory and practice, trafficking procedures, age assessment forum and changes to immigration law. In addition, a lawyer has been commissioned to deliver Human Rights theory and conducting Merton compliant age assessments to social workers in the Young Adult's Service. The Young Adults Service provides support to other teams on age assessments.



3. Children from Families with No Recourse to Public Funds (NRPF)

Introduction

- 3.1 Families with no recourse to public funds (NRPF) are prohibited from claiming welfare benefits and social housing. However, they may be eligible for some assistance from local authorities if they have children. Due to their circumstances, children from such families are particularly vulnerable. However, there is no government grant available to authorities for their support and no provision within the Council's base budget. The need to balance these issues is a considerable challenge.
- 3.2 The Home Office relies on the safety net that is provided by local authority social care services as it enables them to argue that human rights legislation is being complied with. Despite this, efforts by local authorities to get money from the government to assist in the support of NRPF families have been unsuccessful. The clear priority therefore needs to be finding solutions for families; either the granting of status or return to their home country. This needs to be a high priority because of the cost. However, it is also clear that a child who is destitute is a child in need and the Panel feels that, first and foremost, provision should be humane.
- 3.3 The Panel heard from Council officers on the support that is provided, community organisations representing families with NRPF and the co-ordinator of the NRPF Network, who provide advice, guidance and support for local authorities who deal with NRPF families.

The Local Authority's Responsibilities

- 3.4 Local authorities have a general duty to provide assistance to families under Section 17 of the Children Act 1989, "where there is a child in need in it's local area and it is the Local Authority's determination that it should use its power to provide accommodation and/or financial support to promote the well-being of that child". In exercising its duties, "local authorities should promote the child's upbringing by their family, and consequently offer support to the whole family, where this is consistent with safeguarding and promoting the child's welfare".
- 3.5 Local authorities must also have regard to the Department for Education's statutory guidance 'Working Together to Safeguard Children' when assessing the needs of children and articles within the European Convention on Human Rights, namely Articles 3 (the prohibition of torture or inhuman or degrading treatment or punishment) and 8 (the right to respect for private and family life).
- 3.6 A European High Court ruling on situations where persons from a non-EEA (European Economic Area) state are awarded the right to live in the UK to care for a child who is British and the subsequent exclusion in 2012 of such "Zambrano carers" from eligibility for the majority of state benefits has effectively expanded Section 17 duties to include situations where these carers become



destitute. Local authorities are now required to undertake a needs assessment to ensure that the child and the carer have their needs properly met.

Support for NRPF Families

- 3.7 The Panel noted evidence from the NRPF Network which aims to promote good practice amongst local authorities and work with government departments to reduce local authority spend in this area that NRPF caseloads and spend on London have remained stable in the last year. Weekly spend across the 25 London boroughs that are part of the Network on accommodation and subsistence was £623,000 at the end of quarter 3 of the financial year. 674 households were taken on as new cases for support over the last year, which was less than the number of cases that were closed, which was 786 households.
- 3.8 Only 28% of referrals were recorded as accepted for support. This represented 674 households in the last 12 months, compared to 2370 referrals in the same period. This shows that it can be challenging to obtain support. A significant percentage 32% of cases that are local authority supported have not been resolved by the Home Office for over 1000 days. The national figure is 30%. 66% of local authority supported cases were closed on account of the grant of status which awarded access to welfare state support and employment. 77% of all families were eventually granted a form of leave enabling access to employment and benefits.
- 3.9 The Panel noted that there are a number of issues that are increasing pressures on local authorities. These include:
 - Granting of leave to remain with NRPF; This is part of the "hostile environment" policy that the government has brought in. It particularly affects single parents who are unable to earn enough from employment alone to fund their housing and living costs. Children from such households are excluded from free school meals and some government funded childcare provision;
 - Barriers to regularising stay. This includes high application fees and lack of legal aid for non-asylum matters;
 - Extension of NHS health charging for most non-primary health services.
 Changes will include extending the scope of charging to most non-primary care NHS funded services, the requirement to record overseas visitor status against patient records and up front charging for non-urgent treatment. There is no exemption for local authority supported migrants.

Haringey NRPF Team

- 3.10 Current expenditure by the Council on support for people with NRPF amounts to £635,000 per annum. Following a Child in Need assessment, a child and their family may be provided with subsistence and accommodation by the local authority. Children will always be entitled to access education (not including free school meals). To be eligible for a service, a child must be physically present in the borough at the time that their need for support and services arises.
- 3.11 There is a NRPF team within the Children and Young People's Service. Where a child or young person is identified as being at risk of significant harm and a



- safeguarding issue is identified, support is provided through the mainstream Safeguarding and Support teams regardless of their family's immigration status.
- 3.12 The NRPF team is staffed by one Team Manager, four case holding social work practitioners and, until recently, an Immigration Officer from the Checking and Advice Service of the Home Office. When the Panel received evidence regarding their work, the team was working with 155 children in 90 families. In the past year, 254 children and 155 families have been assisted. Most of the families known to the team originate from Africa (particularly Ghana and Nigeria), the Caribbean, Europe and Asia.
- 3.13 The Panel noted that the number of referrals to the Haringey team has increased. This was attributed by officers to a number of factors, including the limited use of the voluntary return services and enforced removal by the UK Border Agency. The changes in the ability of EEA nationals to access welfare benefits since 2014 have also meant that additional families are presenting as destitute and in need of support. In addition, the impact of austerity and the economic climate has meant that some families with leave to remain but no access to public funds, who were previously able to support themselves by working, are now unable to find regular employment and support themselves independently.
- 3.14 Where an assessment determines that there is an entitlement to support, local authorities have powers to provide a range of services. Whilst the majority of requests are for financial support and accommodation, many families presenting will have experienced stress and trauma. There are few restrictions placed on the support made available to them to promote well-being.
- 3.15 The Panel noted that Early Help works with the NRPF team to help families to access charitable support, such as food banks. Support is also available to get parents into work if they are eligible and there are workers from the Department for Works and Pensions attached to the Early Help Service to assist. Early Help support is also available to parents to address trauma, particularly if this is affecting their parenting capacity.
- 3.16 A family stops receiving support from the Council when there is a change in their immigration status that means they are able to access public funds or if they are returned to their country of origin. Cases are open to the team for an average of 18 months. When cases are settled, families are given a period of notice to allow benefit claims to be made.
- 3.17 There are a small number of families who become ineligible for further support from the Council. In such situations, the NRPF team explore options with the family, including a voluntary return to the country of origin. The family is signposted to an immigration adviser to explore this. Consideration can also be given as to whether an application for asylum or a Human Rights Application to the Home Office is appropriate to the family's circumstances. The latter option may mean that the family then qualify for ongoing support from the team or for asylum support from the National Asylum Support Service.



- 3.18 As people with NPRF are not eligible to claim Housing Benefit, they are therefore with accommodation from the social housing Accommodation provided by the NRPF team is from providers commissioned by the NRPF team directly. The team aims to place families requiring accommodation within Haringey and neighbouring boroughs. Consideration is given to the suitability of the accommodation, the circumstances of the household, the size and location of available properties, the availability of support networks in the area, health factors, proximity to schools and services and any other special circumstances that may be put forward by the family. Due to an acute shortage of housing locally and increasing rental costs, some families are placed outside the borough. Although the majority reside in Haringey and neighbouring boroughs, there are some currently placed in Essex, Kent, Clactonon Sea, Woking and Wolverhampton.
- 3.19 The NRPF Team has developed links with several local, London wide and national agencies and voluntary sector organisations supporting migrant families, including the Haringey Migrant Support Centre (HMSC), which is often able to access additional resources for NRPF families. It has been increasing its expertise by using specialist charities to inform and develop its work. Talks have taken place with various organisations and consultation with families who have previously been provided with a service. The exercise was aimed at understanding the experience of families who have been supported to determine if the team has developed fully the technical knowledge and resources to make good decisions and if there are any areas that need to be addressed. Consultation is ongoing and discussions have already been held with families, Project 17, North East London Migrant Action group and Home Office colleagues.

Community Views

- 3.20 The Panel received evidence from Jude Lancet from Haringey Migrant Support Centre (HMSC) and Eve Dickson from Project 17. HMSC provide a drop in advocacy service to up to approximately 50 people per week, some of who are responsible for children. Project 17 work specifically with people who are classified as NRPF and provide outreach services across London, including at HMSC. They provide advice and support and make regular referrals to Haringey's Children's Services. Ms Lancet and Ms Dickson both raised concerns regarding the support provided by the Council for NRPF families.
- 3.21 Ms Dickson stated that Project 17 had been unhappy with the support provided by the NRPF Team and had submitted a formal complaint on a range of issues. A practice review had been set up by the Council in response to the issues raised. They had not had any good experiences in their dealings with the NRPF team and felt that there had been no improvements, even after meetings had taken place with the service to raise concerns.
- 3.22 Ms Lancet reported that HMSC had advised families that had fed their experiences into the complaint. She felt that a negative culture had developed, where families were viewed with suspicion and there was also a strong anti fraud focus. A number of trends had been identified, including "gate keeping".



Families could be turned away at the door of the service unless they were accompanied by a volunteer from HMSC, including ones with children. HMSC had therefore tried to get volunteers to accompany families and those that had been to the service with them had witnessed their treatment. HMSC had needed to force the NRPF team to engage with families and had no option but to engage a solicitor, which had serious cost implications for them. Despite this, they were anxious to work more effectively with the Council.

- 3.23 Ms Dickson stated that the process tended to focus primarily on the finances of parents and their status rather than the welfare of children. There was no access to early years services and the regular moves and travelling that they may have to undertake due to lack of permanent housing could seriously disrupt the education of children. There were concerns that families could be preyed upon if refused help and, in some cases, mothers forced into prostitution. The experience could be very traumatic for children. Families were likely to remain in the UK and, in particular, children were likely to become British citizens eventually. Cases where there was no basis for them to stay were rare. The treatment of families with NRPF was likely to have cost implications for services later on.
- 3.24 Ms Lancet stated that families could be sent to safe public spaces such as Police stations, churches or hospitals if they were not provided with support by the Council. They did not like sending clients to the Police but there was sometimes no option. She was concerned that safeguarding concerns did not appear to be paramount for children from such families. Ms Dickson reported an example of a child that had been traumatised by hearing an officer say to a parent/carer that their children could be taken away if the family did not find somewhere to live
- 3.25 Ms Dickson stated that they would like the service to treat families well, comply with its statutory duties and ensure that the welfare of children was paramount and that they had enough to live on. She felt that that Islington provided a very good service for families. The NRPF Network was based there, the subsistence rates that they offered were better than elsewhere and staff were well informed.
- 3.26 Ms Lancet stated that HMSC would welcome the appointment of a Councillor to its Board of Trustees. The Panel feels that this assist with improving links with them and voluntary sector organisations concerned with supporting migrants in general.

Recommendation:

That Council be requested to formally appoint a Member to act as a Trustee to the Haringey Migrant Support Centre.

3.27 The Panel noted evidence from Ms Alexander that some of the concerns raised by HMRC and Project 17 had been shared by the management of the service and two audits had been commissioned in response in order to obtain a clearer



- picture of practice. The most recent one had shown practice to be compliant but had also made some recommendations for improvement.
- 3.28 Summaries of the two audits referred to above were shared with the Panel at a late stage of the review. The audit that looked at practice issues within the team highlighted a number of areas where improvements were required. The Panel would like to be updated on a periodic basis on progress with implementing the improvements. Relevant voluntary sector organisations should be asked for their feedback as part of this process.

Recommendation:

That, as part of the future work plan for Overview and Scrutiny, the Panel receive updates on progress with implementing the improvements identified as required by the practice audit that was undertaken of the NRPF Team and that relevant voluntary sector organisations be requested to provide feedback as part of this process.

Subsistence

- 3.29 The Panel noted that there were significant variations in the levels of subsistence provided by boroughs. They were at the discretion of each local authority to determine and they all had different rates. Ms Dickson felt that Haringey did not currently compare well with other boroughs, although it was not the worst. Ms Alexander reported that the amount payable was £65.75 per family but this did not include housing. There was no set amount and what is currently paid is lower than the £73.90 that advice suggested was appropriate. She was not aware as to why this level had been set. Whilst it would be possible to review the amount payable, any increase would have a significant impact on the budget and there was no provision for this.
- 3.30 Whilst the Panel is mindful of budgetary issues, the fact that subsistence levels for NRPF families do not compare well with other London boroughs and are lower than advice suggests is appropriate should not be overlooked. In addition, there also appears to be no clear rationale for how levels have been set.

Recommendation:

That subsistence levels for NRPF families be reviewed so that they are based on a clear and justifiable rationale and comply with levels that relevant advice suggests are appropriate.

NRPF Network

3.31 The Panel received evidence from Henry St Clair Miller, who co-ordinates the No Recourse to Public Funds (NRPF) Network as well as managing the NRPF service in Islington, which Haringey and most London boroughs belong to.



- 3.32 The Network provides the following services for local authorities:
 - The NRPF Connect database, which is used by 50 local authorities to reduce costs and manage caseloads;
 - Practice guidance for local authorities endorsed by the Local Government Association and the Association of Directors of Children's Services;
 - A web tool Support for Migrant Families that was developed in partnership with Oxford University and which recently won an award for promoting the integration of migrants; and
 - Training, policy and legal updates, telephone and email advice and taking forward local government policy concerns with central government.
- 3.33 Mr St Clair Miller stated that caseloads held by individual authorities could fluctuate. Some boroughs had reduced their expenditure by making it more difficult for people to obtain support. Embedding a Home Office officer in the NRPF service assisted in this process as it could deter people from seeking support at that particular local authority but it normally just meant that they went elsewhere. The NRPF Connect system provided a secure database link to the Home Office and a central point of contact. The Home Office flagged cases from Connect on their systems. Connect also enabled local authorities to hold the Home Office to account if they are dissatisfied with progress on cases.
- 3.34 Where NRPF Connect was in use, Home Office case-working teams were able to prioritise local authority supported cases effectively through fee waiver, change of condition and immigration application processes. Mr St Clair Miller reported that it was important that local authorities kept data that was accurate. Only financially supported cases are treated as a priority by the Home Office. If they were not included on the Home Office endorsed system, it was difficult to push for policy concessions at a strategic level.
- 3.35 The Panel noted evidence from Ms Alexander that the Home Office officer within the Haringey NRPF team had been commissioned to undertake immigration tests, support social work staff and analyse data. It also noted that the presence of a Home Office officer within teams can act as a deterrent for families seeking support. Ms Lancet commented that the Home Office representative within the Haringey team was often the first person that families saw and that this could be very intimidating for them. We also heard that the NRPF Connect system, which the Council subscribes to, can provide an effective way of liaising with the Home Office on cases. The Panel has noted that the arrangement in Haringey finished in November 2017 and it has now been decided not to renew it.
- 3.36 Mr St Clair Miller reported that the rules regarding support to NRPF families were clear and it was possible to benchmark performance against other authorities using the Connect database. Performance in Haringey appeared to be average for most London authorities. Where there were disputes between authorities regarding responsibility for specific families, he felt that their needs should be met first before these were addressed. It was possible for authorities to share costs sometimes. The Panel would concur with this view.

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That, where there are disputes with other local authorities on responsibility for the support of specific families with NRPF, addressing and meeting their needs be prioritised and dealt with before such issues are addressed.

3.37 He felt that voluntary return should be raised with people seeking support as a matter of course. There was government funding available to assist families who decided to return. Whilst it might be necessary to be robust if people were not going to be able to stay, the needs of the vulnerable also needed to be prioritised and a way identified to get them off local authority support.

Legal Advice

- 3.38 The Panel noted the importance of good quality immigration advice as a lack of this can result in large numbers of families needing to appeal and delays, which could be costly for local authorities. In some circumstances, it may be cost effective for the Council to assist families financially in circumstances where it speeds up the resolution of their case.
- 3.39 Legal advice can be obtained from community based organisations but these tend to be very over stretched. Mr St Clair Miller stated that one option would be to tender for legal advice. Part of the cost of this could come from central government through the legal aid budget. Islington currently provide a grant to the local law centre to provide advice. A tender that covered a wide range of issues could provide savings.
- 3.40 He emphasised the importance of local authorities working in partnership with community organisations. Better relationships could be established if cases supported by experienced and reputable organisations were dealt with in a sympathetic manner. Due to their crucial role in providing immigration advice which local authorities could not do it was very important that close links were nurtured.
- 3.41 The priority for the Council should be finding solutions quickly and access to good quality legal advice is essential to this. The Panel therefore feels that action should be taken to better assist families in finding this. As this can only be provided by the voluntary sector, better working relationships with them must be developed.

Recommendation:

That a report be made to a future meeting of the Panel on how families with NRPF are assisted in accessing good quality immigration advice so that they are better able to resolve their status quickly.

3.42 Mr St Clair Miller felt that, as a matter of good practice, all front facing teams should be furnished with relevant guidance on NRPF, such as legal advice, returning home, charities and social care. The Migrant Families web tool provided useful guidance but it was necessary to know the immigration status of



families before using this. The Panel is of the view that action should be taken to improve the information available from front facing services on sources of support and advice for NRPF families. This will require close working with voluntary sector bodies such as the Bridge Renewal Trust.

Recommendation:

That action be taken to improve the information available from front facing services on sources of support and advice for NRPF families.

- 3.43 Mr St Clair Miller stated that there was a need to be robust but also proactive in resolving cases. Staff also needed to be confident in explaining issues. It was important to have a good analysis of next steps for cases and key to this was having someone who was able to put in applications and provide legal advice. The NRPF team at Islington was not a social work team and were based in the housing service. They liaised with caseworkers in adult and children's social care. Mr St Clair Miller felt that the split worked well as they were able to challenge assumptions. Social workers were not necessarily experts in these issues. The NRPF team were committed to reducing costs but aimed to do this humanely and in keeping with Islington's values. The Panel noted that Islington spends £1.23 million on housing and subsistence for NRPF families.
- 3.44 The Panel notes that NRPF cases are often complex and require specific expertise to resolve effectively. We therefore feel that adopting a similar model of service to Islington, where social care staff assess the needs of families whilst a small separate team address issues specific to NRPF status and eligibility, may be of benefit. In particular, it may provide a stronger focus on resolving the immigration status of cases quickly then current arrangements in Haringey and thus have the potential to deliver savings. It could also enhance in-house expertise on NRPF issues and immigration status and enable social care staff to focus purely on assessing needs.

Recommendation:

That, in order to provide a stronger focus on resolving the immigration status of families, specific consideration be given to splitting responsibility for the support of NRPF families between a small team to address issues relating specifically to NRPF and mainstream social care services.

3.45 The Panel noted is possible for local authorities to apply for Control in Migration funding from the DCLG, which is available for areas particularly affected by migration. It would like details of whether Haringey has applied for such funding and, if not, would recommend that this be rectified if possible.

Recommendation:

That the Panel be informed of whether an application has been made for Control in Migration funding and, if not, consideration be given to rectifying this.





4. Education

Introduction

- 4.1 Schools are in the forefront of providing support to children from refugee families and can have a major impact on their development. Such children can face challenges in adjusting to life in their new school and achieving high levels of attainment as they may have had their schooling disrupted and, in addition, some may also have experienced a degree of trauma. The Panel received evidence on these issues from Daniel Kerbel, the Headteacher of Earlham Primary School Haringey Primary who spoke on behalf of the Haringey Primary, Early Years and Special Schools Headteachers Association, and officers from the Council's Children and Young People's Service. We also received the views of Sharon Easton, Headteacher of St Paul's and All Hallows Church of England Primary School.
- 4.2 The evidence that the Panel received form Ms. Easton highlighted the living conditions of some refugee families. She stated that they have had children at the school who were living under the arches on the North Circular road and in tents on Tottenham marshes. She outlined the efforts that the school community had made to ensure that children were fed, with parents setting up a food bank. The school could also provide children with a breakfast but they found it difficult to afford to provide lunches for children from NRPF families, who were not entitled to free school meals. Parents had also provided school uniforms and coats for children when necessary.

Admissions

- 4.3 The Panel noted that that children from refugee and asylum seeker families are considered as vulnerable by schools. However, we heard from both Mr Kerbel and Ms Easton that schools do not necessarily know that children are from refugee families in advance of them arriving at school and often have to conduct their own enquiries. A significant number are late admissions. Mr Kerbel felt that if schools were able to have access to information regarding children before they arrived at school, it would allow them to prepare support for them in advance.
- 4.4 The Panel received clarification on whether there are any legal constraints limiting the collecting and sharing of information on the refugee status of families with schools. The DfE School Admissions Code does not prevent the local authority from sharing information with schools about the children they are admitting but restricts what it is permitted to ask families when they apply for a place. It states that only information that is relevant to ranking under the oversubscription criteria can be requested. However, whether a child is from a refugee family may well be of relevance to this and therefore information in respect of it can be and is requested.
- 4.5 Of particular relevance is the fact that the top two priorities in the Admissions Criteria for the borough's schools are:
 - 1. Children in Care/ Looked After Children; UASC would qualify under this



criteria. The application form asks whether children are looked after or previously looked after and also allows the applicant to give reasons regarding their application. If a social worker or carer provides this information, then the child is prioritised under this criteria.

- 2. Social/Medical; The social/medical criteria is something which refugee families could apply under and the application form asks parents/carers whether they would like to do this. Evidence to support it would need to be provided though, such as a note from a social worker or health professional. However, it is the decision of the carer whether to apply under this criterion.
- 4.6 In addition, the in-year application form asks the family to provide information about their reasons for seeking a school place. It specifically asks families whether they are refugees or asylum seekers. If they state that they are, they are categorised as being vulnerable. This qualifies them for consideration by the In Year Fair Access Panel, which is a panel of headteachers that seeks to ensure an even distribution of vulnerable children across schools. However, families cannot be compelled to provide this information and usually do not.
- 4.7 Children from refugee and asylum seeker families who apply in-year are placed as quickly as possible. Children of primary school age can be placed very quickly as there is currently a surplus of places. There are very few children from refugee and asylum seeker families at the age where they were seeking a reception class place.
- 4.8 The Panel feels that there needs to be a system for sharing information with schools so that they aware of the refugee status of children before they arrive and so can prepare in advance. Refugee status has a direct bearing on the level of priority that they are given under the admissions criteria so there should be no impediment to this information being collected. However, information first needs to be obtained from families so that it can be acted upon. It is therefore important that social care practitioners ensure that application forms are filled in containing this information. Some families may also be reluctant to share such information for fear of it being shared with immigration authorities. Their trust needs to be obtained and this will be dependent on them receiving assurances that information will not be passed on without their consent.

Recommendations:

- That the Children and Young People's Service establish a system to collect information on the refugee status of children applying for school places where this is known for sharing with schools so they are able to make the necessary plans for support in advance of the arrival of children at school;
- That social care staff supporting children from refugee families be made aware of the need to include the refugee status of children applying for school places on school admission application forms; and
- That clarification be provided to schools regarding the extent of their responsibilities for sharing information on the immigration status of individual children.



Support

- 4.9 Mr Kerbel reported that a lot of time could be taken up with establishing what, if any, support was required and how this might be provided. Some families had Family Support Workers, which could be of assistance. Despite the adversity that many children from refugee families could face, there were successes.
- 4.10 The level of support that was required depended on their age, how much prior schooling they had received and how quickly they acquired English language skills. Older children tended to have a greater experience of trauma and were better able to understand about what might have happened. They might have also missed more school than younger children.
- 4.11 Children from refugee families could often have limited previous experience of school. If they had previously been to school, the approach taken could be different. Most children were not familiar with English and had to be taught it as an additional language. They generally learnt very quickly but there are no specific resources to provide it, except the Pupil Premium.
- 4.12 The Panel noted that although language lessons could be provided for children, it was no longer provided free for parents by schools. It feels that there is a clear need for language classes for parents and not just children. It also noted the view of Eveleen Riordan, Joint Assistant Director for Schools and Learning, that this would probably best be taken up through Networked Learning Communities.

Recommendation:

That action be taken through Networked Learning Communities to establish the feasibility of establishing English language classes for the parents/carers of children from refugee children.

4.13 The Panel noted that housing was a very big issue. Families placed in temporary accommodation did not know how long they would be staying at schools. There was often a lack of stability around placements and this could make it necessary for children to move schools, which could mean them having to start again. Sometimes they travelled long distances so that children could stay at the same school, which could put a lot of strain on them. Work has been undertaken with housing services to minimise the distance that families are moved but this is proving difficult to achieve. The Panel is of the view that families would benefit from greater clarity regarding timescales and how long that they were likely to be in temporary accommodation.

Recommendation:

That the Children and Young People's Service be requested to work with accommodation providers to establish greater clarity for families with school age children on the length of time that they are likely to remain in temporary accommodation so that they are better able to maintain school places.



Mental Health and Trauma

- 4.14 The Panel noted that teachers are not given any specific training on working with children from refugee families and had to "learn on the job". Mr Kerbel stated that there was a good relationship between schools and the Council's School Improvement service, who worked with them to identify solutions. He felt that schools would welcome specific training on dealing with trauma.
- 4.15 Heulwen Rees, School Improvement Adviser from the Children and Young People's Service, reported that social and mental health issues were dealt with in initial teacher training but this is not enough to cover them adequately. Some schools had fortnightly visits from CAMHS services, who can also hold specific training sessions for staff. Special Educational Needs and Disability Services can be used by schools and provide access to an educational psychologist where required. In Haringey, support is "needs led" but there is currently less available than previously.
- 4.16 The Panel feels that officers from the Children and Young People's Service should work with schools to ensure that they are aware that CAMHS services are able to arrange specific training sessions for staff on mental health issues, including trauma.

Recommendation:

That schools be made aware of availability of training for staff by CAMHS on mental health issues, including trauma.

Virtual School

- 4.17 The Panel noted that it may be appropriate for some children to start in a lower school year than their chronological age. The Council's Virtual School would support this plan when it meets the needs of the young person. Where there are delays in being offered suitable full-time schooling, such as where there is an age dispute, the Virtual School can provide a time-limited individual tuition programmes. They can also support the young person to learn English and to begin to identify any additional learning needs. Some young people attend college courses to follow ESOL programs as an alternative to mainstream school. In some circumstances, the Virtual School is able to offer additional support in the form of the Pupil Premium to enable an individualised learning programme to be put in.
- 4.18 The Virtual School has a clear role in supporting the learning of UASC. However, the Panel feels that consideration should be given to extending access to this support to children from NRPF families, who may face similar educational challenges.



Recommendation:

That consideration be given to extending access to support from the Virtual School to children from NRPF families.

NRPF

- 4.19 Mr Kerbel reported that, although there were links between schools and Early Help and Family Support, there was no support for them in working with NRPF families and they had to deal with them on a case-by-case basis. Relationships were good but they were not systemic.
- 4.20 Schools often emphasised presentation and pride in appearance and this could put huge pressure on NRPF families, who struggled to find the money to buy school uniforms. In addition, such children from such families were not entitled to free school lunches. The Panel noted that, although children from NRPF families were not entitled to free school meals, many schools nevertheless provided for them.
- 4.21 The Panel is of the view that training is necessary for schools to assist them in supporting children from refugee families so that they are better aware of issues relating to immigration status and external sources of support, particularly those provided by local voluntary sector organisations.

Recommendation:

That training be offered to schools on the provision of support for children from refugee families including issues relating to immigration status and external sources of support.



5. Mental Health and Trauma

Introduction

5.1 The Panel heard that some children and young people from refugee families can experience issues with mental health and trauma due to their experiences. It received evidence from Haringey CCG and Baobab, a voluntary sector organisation that works specifically with refugee communities.

Haringey CCG

- 5.2 Ms Swaile reported that Haringey CCG commissions specific services to address trauma and mental health issues amongst children from refugee and asylum seeker families from the Tavistock and Portman NHS Trust, who provide a service across the five north central London boroughs. Support is also available from Baobab, which children and young people from Haringey can access but is not commissioned.
- 5.3 She stated that children from refugee families access Child and Adolescent Mental Health Services (CAMHS) through the normal triage process, in the same way as all other children. If children have conditions that are linked specifically to them being from refugee families, they are referred to the Tavistock and Portman. There was also counselling available for adults who might be suffering for depression due to their experiences as refugees or asylum seekers. Standard pathways are used in cases not directly linked to children being from refugee families
- 5.4 The Panel noted that the Anchor Project has been set up to provide support for schools in respect of pupil behaviour and includes a Haringey wide approach to dealing with trauma. It is a traded service for schools, which means that they can buy it in, and is partially funded through social care budgets. In the light of the evidence that it received from Mr Kerbel that training for schools on dealing with trauma would be welcome, it feels that schools should be made more aware of its existence.

Recommendation:

That schools be reminded of the availability of the Anchor Project to provide support for schools in dealing with pupil behaviour, including trauma.

5.5 All of these services are provided by the NHS. Looked after children, which includes UASC, have access to the First Step programme. This is a psychological screening programme and provided by the Tavistock and Portman. Referrals to CAMHS can be made through schools and GPs. In addition, the Choices service can be accessed through self-referral and provides help on a range of mental health issues. Awareness of whether children and young people are from refugee families is dependent on them identifying themselves as such when applying for assistance.



- 5.6 Ms Swaile stated that schools had a duty of care towards children and young people. If they notice that one is struggling, they can refer them to relevant services. She stated that it was hard to know if children and young people were failing to access services. Churches were most likely to refer people to GPs for help in the first instance as they were not best placed to make referrals.
- 5.7 The Panel particularly noted evidence from Ms Swaile that voluntary sector organisations can also make referrals to CAMHS. It is of the view that many voluntary sector organisations dealing with children, including those from refugee communities, may not be aware of this. It would therefore recommend that this be more widely publicised amongst voluntary sector organisations by the CCG.

Recommendation:

That Haringey CCG be requested to take specific action to increase the awareness of the referral processes for CAMHS services amongst voluntary sector organisations, including those dealing with children and young people from refugee families.

Baobab

- 5.8 Mr Perkins reported that he and Ms McCarthy were volunteer psychotherapists with Baobab. All of the work that Baobab undertook was funded voluntarily and the vast majority of staff were volunteers. The prime remit of the service was support for unaccompanied asylum seekers up to the age of 25. Very few of their clients had family. There was often a discussion about their age when they arrived in the UK and some of their clients were age disputed.
- 5.9 Baobab operated as a non-residential therapeutic community. The young people that they dealt with often led chaotic lives and this could make it difficult for them to engage with services. Baobab tries to bring services together. Individual and group psychotherapy is offered and this is on a long-term basis. There were also a range of psychotherapeutic groups, including ones for music, football and philosophy. These enabled young people to build relationships and become less isolated. Advocacy and case work on asylum and immigration issues is also offered. There is also outreach in schools and colleges. There were 100 clients on their books and 72 of these were active.
- 5.10 They aim to provide a holistic and integrated approach. All of their clients have suffered some sort of human rights abuse. They seek to enable clients to become more resilient. An outreach approach is used to engage with them. The majority find it difficult to maintain diaries and the concept of keeping appointments can be culturally alien. There was a need for flexibility in approach and they therefore did not have a rigid model.
- 5.11 Ms McCarthy stated that many young people had witnessed horrifying things and some had been subject to physical and sexual abuse. Their journey to Europe would often have been a repetition of this abuse and neglect. Their arrival in the



UK was often the start of a period of uncertainty for them due to their immigration status. Their stories were frequently challenged and doubted by government officials. There could be a sense of disconnection from family members and a reluctance to seek to make contact. This could be for fear of putting family members at risk.

- 5.12 The trauma that they had experienced can be reinforced by negative experiences in this country. For example, some young people could find themselves held in detention centres due to their age being disputed. They could find the abrupt change in circumstances hard to adjust to. In addition, some were also trying to deal with massive loss and bereavement.
- 5.13 Fractured family ties can lead to difficulty in engaging with foster parents or social workers. Their experiences can also interfere with their normal social development. There were a number of symptoms of post-traumatic stress disorder including flashbacks, nightmares, anxiety and depression. There could also be physical symptoms, including psychosomatic illnesses. The risks were suicidal thoughts, aggression and self-harm. Timely and appropriate treatment was important and was very cost effective as it saved money further down the line.
- 5.14 Mr Perkins highlighted the fact that legal advice on immigration matters is not always of good quality. In addition, a fresh submission to the Home Office now has to be made to an address in Liverpool and the cost of travelling there for appointments could be prohibitive for young people. He felt that good legal advice was often lacking and this could mean that cases dragged on. Quicker resolution would save services money. However, the pool of legal advisers who were available has been reduced by the cuts in Legal Aid.
- 5.15 Mr Perkins reported that there are services that provide counselling, such as the British Refugee Council. However, mainstream clinic appointments could take up to six months to be arranged and provision is time limited. Baobab also ran a monthly free consultation group for professionals and held seminars. In addition, there was a mentoring group and they had met with caseworkers at the Home Office.



Appendix A

The Panel received evidence from the following:

Sarah Alexander; Assistant Director for Safeguarding and Social Care

Emma Cummergen; Deputy Head of Service for Safeguarding and Social Care

Jude Lancet; Haringey Migrant Support Centre

Heulwen Rees; School Improvement Adviser

Eveleen Riordan; Joint Assistant Director for Children's Services

Carlo Kodsi; Team Leader for Admissions.

Eve Dickson; Project 17

Daniel Kerbel; Haringey Primary, Early Years and Special Schools Headteachers Association

Sharon Easton Headteacher of St Paul's and All Hallows Church of England Primary School

Henry St Clair Miller; Co-ordinator of the No Recourse to Public Funds (NRPF) Network and Manager of Islington NRPF Team

Catherine Swaile; Vulnerable Children's Joint Commissioning Manager, Haringey Clinical Commissioning Group

Brigid McCarthy and Kevin Perkins; Baobab.

