

Appendix 1. GMIAU Report

The pledge

On 4 March 2020 Manchester City Council pledged its commitment to all children in care and care leavers in Manchester affected by Brexit immigration changes:

'To our children in care and care leavers affected by Brexit immigration changes

In Manchester our looked after children and care leavers will not become part of the next Windrush generation because of Brexit immigration changes.

We will:

- *Identify all our looked after children and care leavers affected by Brexit*
- *Connect them with legal advice so they can make the most appropriate immigration applications*
- *Support those who are eligible to apply for British citizenship'*

The context

The UK's first lockdown began two and half weeks after Manchester City Council's pledge was signed, and the pandemic continues to define the context in which the pledge is being delivered. COVID-19 has unequivocally hindered Manchester's children and young people securing status through the EU Settlement Scheme. However many of the problems we have seen were pre-existing flaws in the Scheme, only exacerbated by the pandemic.

Since the pledge, we've supported Manchester's Director of Children's Services and his team to explore at a corporate level the systems, structures and specialist legal advice needed to fulfil the Council's commitments. The learnings and models of best practice developed through this partnership work have been of interest to voluntary and statutory sector organisations nationwide. We've also worked with the Department for Education and the Home Office, using our experience in Manchester to show how children and young people are being left behind.

By autumn 2020, a [Home Office survey of local authorities](#) across the UK found only 46% of children in care and care leavers identified as affected by Brexit immigration changes had applied to the EU Settlement Scheme. Only 820 had successfully applied for Settled Status.

Despite the data, the acknowledged difficulties brought by COVID-19, and persuasive arguments made in parliament about the [need for automatic status](#), the Home Office continues to hold the line. ***Manchester's children and young people affected by Brexit immigration changes who have not made successful applications by 30 June 2021 will be in the UK unlawfully.*** [Assurances made by Ministers](#) about late applications leave all the risk on children and young people. This side of the deadline they are also untested and are not an effective safeguard.

Support for Manchester's children

The key protection for Manchester's affected children and young people is to make an application and secure status within the next four months. Action now will determine the size of Manchester's population of children in care and care leavers without status in July 2021. The next four months must see an all-out push to:

Commitment One: 'Identify all our looked after children and care leavers affected by Brexit'

- The process of identifying affected children and young people is key. It needs to keep being reviewed and must continue after the June deadline.
- Children and young people with (temporary) Pre-Settled Status need identifying and supporting to make applications for Settled Status as soon as they have evidence of five years' residency in the UK.
- Identifying affected young people accessing leaving care services is particularly urgent so that they don't face the full range of hostile environment policies when they turn 18.
- Specific attention must be given to the complex task of identifying children and young people who are not EEA nationals but who have their immigration status affected by Brexit immigration changes.

Commitment Two: 'Connect them with legal advice so they can make the most appropriate immigration applications'

- Children and young people should continue to be referred for legal advice to assess their most appropriate immigration application and to challenge refusals, for example where young people have applications rejected because of youth offending.

Commitment Three: 'Support those who are eligible to apply for British citizenship'

- Support with citizenship applications should be embedded in the Council's permanency policies and rolled out through care planning.

Manchester's leadership role

Flaws in the EU Settlement Scheme mean that despite best efforts some of Manchester's children and young people will miss out. They will join Manchester's existing group of children in care and care leavers with insecure immigration status. At 18, they will face a raft of hostile environment policies, limiting their access to benefits and services, employment or higher education, putting them at risk of detention or deportation.

Against this backdrop, the Local Government and Social Care Ombudsman has found against local authorities in [London](#) and the [West Midlands](#) for failing in their duties towards children in care with insecure immigration status. In 2020 [Ealing Council](#) faced significant criticism for failures towards Darrell and Darren Roberts – London-born twins facing deportation to two different countries because citizenship applications were not made when they were in care.

Manchester has a leadership role to play in stepping up for its children and young people where the government fails to do so. The commitments in the pledge have

resulted in good work that is getting nationwide attention as a model of best practice. There is a strong understanding within the Migrant Children's Team that the measures embedded to protect children and young people affected by Brexit also protect those with broader immigration issues.

We would like to see the Council update its pledge commitments, building on its learning from supporting the 'Brexit generation'. After the EU Settlement Scheme deadline, these children and young people will still be the Council's responsibility, regardless of their immigration status. An updated pledge would reflect this while also providing an opportunity for Manchester to demonstrate national leadership and voice on behalf of its children in care and care leavers. We would encourage the Council to commit:

'To our children in care and care leavers, learning from our support to children and young people affected by Brexit immigration changes, we will:

- *Identify all our looked after children and care leavers with insecure immigration status*
- *Commission legal advice so they can be supported to make the most appropriate immigration applications and challenge immigration refusals*
- *Support those who are eligible to apply for British citizenship*
- *Continue to provide access to leaving care services'*