

'I just want to be safe'

Coram Children's Legal Centre's response to the Department for Education Consultation on Unregulated Accommodation, June 2020

This is a consultation response produced collaboratively with young migrants and refugees involved in Coram's youth programmes, including the Young Citizens (an ambassador programme for young people from migrant and refugee backgrounds aged 16 to 25) and the Youth Rights Trainers (young people with experience of the UK immigration or asylum systems, who design and deliver training courses). The purpose of this response is to engage meaningfully with the policy proposals behind the measures in the Department for Education's consultation on unregulated accommodation.

CCLC is a member of the Refugee and Migrant Children's Consortium (RMCC). Although we do not make any recommendations in this consultation response, we strongly support the recommendations made in the RMCC submission. We also support the submissions from Article 39 and the work being done by Coram Voice and others to ensure that the voices of looked after children and care leavers are heard in this consultation process.

There were 5,070 unaccompanied asylum-seeking children in local authority care in England on 31 March 2019. However, despite these children forming only 6% of the looked-after population, they form 43% of the children living independently and 36% of those in semi-independent accommodation.¹ We thus chose to seek out and amplify the views of migrant and refugee care leavers because of the disproportionate impact these measures would have on this broad demographic group. However, during the interviews young people raised interesting perspectives on the interplay between care placements and their language, culture, nationality, ethnicity and immigration status to which we hope that the Department for Education will give careful consideration.

This submission is based on in-depth interviews with nine young migrants, refugees and asylum seekers who have recently left care. We did not follow the question structure of the consultation paper, but rather used a set of questions developed by Article 39 amended to capture some of the specific experiences of this group of care leavers. Those interview questions are annexed at the end of this response. For the sake of clarity, we have also included (in red) the questions we used below when grouping responses and linking them to the themes raised in the consultation paper. Where we have no relevant responses to consultation questions from our interviews this is noted below.

In some cases pseudonyms have been used to protect the privacy of the young people who collaborated on this consultation response.

¹ Department for Education, 'Use of unregulated and unregistered provision for children in care Research to understand the increase in use of unregulated and unregistered provision for children in care and care leavers, and concerns about quality', February 2020, at <https://www.gov.uk/government/publications/use-of-unregulated-and-unregistered-provision-for-children-in-care>

- 1. We are proposing legislating to ban the placement of children under the age of 16 in independent and semi-independent settings. This would prohibit the placement of under-16s in any setting that is not a regulated setting, such as a children’s home or a placement in foster care. Please set out any positive and/or negative impact you think this change would bring about, and the areas we should consider to ensure it is effectively implemented**

Coram Children’s Legal Centre supports the banning of children under the age of 16 in independent and semi-independent settings. **We asked young people who had been in care prior to the age of 16 about whether they agreed with the proposed ban on unregulated placements for under-16s**, and all who were asked agreed with the ban but expressed concern that it was not enough:

“The new under 16 rule is probably not enough. Age 16 is a very tender age. Any young person who feels like they have been caged, they are going to take whatever freedom you give them and run with it. They will not call you because they have if anything too much freedom, then they don’t contact the local authority until they hit rock bottom.” Aisha

“I agree with recommendation about under 16s. But I don’t think that there is a big difference between being aged 16 and 20, to be honest. I don’t think drawing a line at under 16 is enough. Young people need more structure and rules. Just because young people think they want to live by themselves doesn’t mean they should be allowed to. Structure is really important.” Hakeem

Coram Children’s Legal Centre agrees with these assessments. Our support for this proposed measure derives from the fact that we do not think any child in care should receive accommodation without care and support.

We sought to gauge the opinions of young people about the support (or lack of support) they received while in different placements as looked after children. The young people interviewed had experience of a wide range of placements, including foster care, staying put arrangements, children’s homes, shared semi-independent accommodation with and without resident keyworkers, hostels, night shelters, a mother and baby unit, and independent council housing.

We asked: **Where you live or lived in the past, is there a support worker provide help for you?**

- If yes, what kind of help do you get? Do you think this help was necessary for you at that time?**
- If no, do you wish you had more help? If so, what do you wish you had help with?**

Answers to these questions spanned a broad range of topics, some of which are covered elsewhere in this consultation response. Primarily answers during interviews fell into several themes:

- Loneliness
- Asking for help, how difficult that can be, and the cultural specificity of our relationship to asking for help
- The connection between placements and other support structures
- Access to education and healthcare (covered under q.8 below)

Loneliness

“In temporary accommodation you feel very cut off from the community of children in care. There is an element of forgetting how to make positive relationships and friendships. In temporary accommodation you are alone. With all of the emotional baggage you bring from going into care,

you begin to think that is the way you are supposed to be. It's recognising that young people tend to feel very alone, and you can get into the habit of keeping your emotions to yourself. This can have a really detrimental effect on young people. Friends don't have to be your age, they could be a youth worker. I wanted support creating positive relationships. I wanted more integration with young people who are also in care, trying to build positive relationships with them to help all young people recognise that they are not alone." Aisha

"The best thing about a support worker is that he helps young people make friends. In supported accommodation they see if a young person is lonely. They can help." Taj

Difficulty in asking / reluctance to ask for help

Several young people interviewed expressed a concern that some young people are less likely than others to ask for help. Some young people named culture or nationality as a reason why they would or do not ask for help if they need it:

"It's a 'you don't ask, you don't get' culture in children's services. If you can't ask, then you have a problem." Abdullah

"There is no equality between young people. Some young people move from a hostel to live on his own, and others not. I don't know how their decisions work. If you shout at them and disrespect them they will move you, but if you respect them they will ignore you. I would never shout at someone, even if that meant I lived in this hostel for the rest of my life. [...] I know this is not my country, and I know my social worker is not my mum, and I can't ask for everything I want. If I need something I ask for it just one time. If they don't help me, I won't ask again." Talal

"In my culture you don't ask what you need because everybody needs something. You don't compare yourself to others and you don't complain." Ahmed

The connection between placements and other support structures

One young person, a refugee, pointed out that unaccompanied asylum-seeking children lack support structures which might make otherwise difficult placements sustainable:

"British people who live in hostels have parents. If they are bored or want to visit their parents, or friends or families they can go there and stay for a few days then come back. So they don't care about hostels. But refugees don't have anyone to visit." Ahmed

However, other young people who had grown up in the care system also noted that the interplay between poor quality placements and the home a child had come from when entering the care system, and pointed out the negative implications of this.

"After that when I was 17 I lived in a flat with another looked after young person. The flat was very messy always and very dirty because of the other resident and the dog. There was often dog poo everywhere inside, all over the bathroom. Eventually I left and stayed with a friend for a while. While I was supposed to be living there I went to my mum's a lot more. I felt like I needed to get away from that flat." Aisha

"The thing about temporary versus 'planned' placements is that councils create short-termism by trying to wash their hands of young people. They are trying to send people home, even when home is where you left in the first place." Hakeem

2. Please share your examples of good practice [of local authorities dealing with emergency placement]

The most positive responses we had from young people in interviews about where they were placed when first arriving in the UK or coming into care related to foster care, even where the foster care placement was only short term.

“When I first went into care I went to a foster carer. [...] She was amazing. When there was food that I liked that she couldn’t make she got recipes and learned to cook it with me. She was very honest with me about the care process. She took a real interest in my culture. I think even if a young person doesn’t respond to this straight away, they will still appreciate the willingness to learn.” Aisha

3. Do you agree that we should introduce a new requirement for local authorities to consult with relevant local police forces when they place a child out of area in independent and/or semi-independent provision?

4. Please explain your answer, including any positive and/or negative impact you think this change would bring about

CCLC are members of the Refugee and Migrant Children’s Consortium and fully endorse and support the RMCC position. We did not consult with young people on this specific proposal.

5. Do you agree that we should amend legislation to define ‘care’ in order to provide clarity on what amounts to ‘other arrangements’ i.e. ‘unregulated’ provision, and what constitutes ‘unregistered’ provision?

Coram Children’s Legal Centre is opposed to the development of a new legal definition of ‘care’ defined by its absence. We believe that the existence of poor-quality unregulated provision is not a reason to lower the expectations we have of placement providers. Instead, it is a clear demonstration that care standards need to be improved across the board. Further delineating placement types, and removing the ability of those that are classified as ‘other arrangements’ to provide ‘care’ will have the effect that the group most likely to be placed in those arrangements will suffer.

6. Please explain your answer, including any positive and/or negative impact you think this change would bring about.

One young man we interviewed was moved between eight ‘temporary’ placements, some lasting many months, between the ages of 16 when he came into care and 18. The first placement – when he was aged 16 – was a mother and baby unit. None of these eight placements had any kind of key-work support linked to the placement. Most were bed and breakfast accommodation. When telling us about these placements, he noted that:

“Young people have no idea where accountability lies in some of these placements. If something goes wrong there is no authority to turn to apart from the local authority, who arranged the placement in the first place. There’s a clear conflict of interests.” Hakeem

Asked about what might have helped him when he was 16 and being moved from unsuitable placement to unsuitable placement, he said:

“It must all start with giving young people information about what they are entitled to, at the point at which they come into care.” Hakeem

Coram Children’s Legal Centre agrees. We also cannot see how removing any responsibility for the provision of care within some placement settings could ever benefit a young person in the situation in which Hakeem was placed as a child. Indeed, we fear that the suggested changes could make experiences like Hakeem’s more common by penalizing unregulated placement providers caught providing ‘care’.

In light of this, we sought to explore the possible implications of the removal of ‘care’ from accommodation placements. We asked: **Do you feel safe where you live?**

- **If no, how does your housing make you feel unsafe?**
- **What would help you to feel safe?**

A common theme in interviews was that young people did not feel safe because of the people they were living with, or living near. Some commented on the way the support workers tied to the placements reacted to and put an end to trouble, but others wished residential staff would do more to help:

“I do not feel save in my accommodation because of anti-social behaving neighbours. Regular cheeks on the communal areas and more responsive management would help to make the accommodation safer.” Abdullah

“The people I used to live with were always fighting, and loads of drugs were circulating in the house. They would smoke in the toilet. It would affect my health, and that’s why I wanted to leave. They smoked so much in the toilet sometimes I got high if I used it after them. I used to go to my friend’s house if I wanted to use the toilet. I didn’t feel safe living in that house. That house was one of the most horrible things that’s happened to me in this country. I lived there for five months without heating – into the winter. Someone came to fix it but it broke straight away again. No one would listen. In the end it only got fixed because I made a complaint to the management of the borough council. At this time I never saw my social worker. It would be four or five months and I wouldn’t see her.” Moussa

“This place is for people who are bad or who are drinking. Living with those people was absolutely bad. They made problems and I didn’t want to fight with them. Sometimes you get in fights, young people carry knives. One guy always carried a knife and it felt very dangerous. He always tried to fight with me. We had CCTV cameras but no one did anything. I complained to the support workers and they moved me to another place. If there had been no support workers I would have been in a very bad place.” Ussri (on the hostel he was moved to soon after he arrived in the UK)

One young person noted that their placements had 24 hour support, but that this was more like having a receptionist than having a care worker.

“There were 24 hour staff. [...] But the staff workers wouldn’t do anything about [the fights between antisocial neighbours]. I don’t know why. I feel safer where I live now even though there is no support worker because the people I live with are more mature so we can speak to each other if there is something we need.” Moussa (discussing his long-lasting issues with anti-social flatmates)

We also asked: **Do you know anyone (e.g. a friend) who is in care who feels very safe or very unsafe where they live? Would you tell me about their experience?**

“I had another friend [...] they gave her a place in a shared house when she was 17. But the people there were not good people. I didn’t feel safe visiting her there. They would play very loud music and have fights. It was young people with young people and no adults helping them. And they caused a lot of trouble for each other and others. She used to call me to ask me to come round because she was scared or lonely but I didn’t want to go there. After her social worker saw how bad it was they helped her move to a place of her own.” Djamilia

“I had a friend, young people lived in a house with him. They sold weed. They used to just come into his room and once they stole his TV [...] the house was really terrible for him.” Taj

Coram Children’s Legal Centre has also represented children and young people who have been put at considerable risk through a local authority’s choice of placement.

One young person, still a looked after child, was groomed and criminally exploited in two hostels to sell drugs across country lines when he was 16 years old. He has a positive reasonable grounds decision following a referral to the National Referral Mechanism for victims of trafficking and modern slavery. Despite this, following his release from a YOI for the above drug offences, he was placed by his local authority back into one of the hostels where the grooming and exploitation had occurred.

Another young person who claimed asylum in the UK as an unaccompanied child aged 15, and who had PTSD and significant trafficking indicators which were not picked up by his local authority, was moved between at least 11 placements while looked after, several of which were catastrophic for his mental and physical health. One early placement was terminated after the child was offered money for sex by the landlord at the property. A later placement, in which the young person (then aged 16) was living alone, saw a child protection referral from the Ambulance Service after the young person was treated for – among other things – drug use, malnutrition and TB. At this time he had had no more than 10 hours key work support per week for a year, and had no care linked to his placement.

7. Do you have any suggestions for areas where we might go further? In making your suggestions, please provide any supporting evidence or information you have.

Several overriding topics emerged from our interviews which are not covered elsewhere in this consultation response. They are also issues that are not wholly incorporated in existing national standards and so also left out of the proposed new national standards the Department for Education proposes to draft for unregulated accommodation. These topics are:

- The need to do more to meaningfully consult children and young people on their wishes and feelings in relation to where they live
- The need to do better in addressing the mental health needs of asylum-seeking, migrant and refugee children

Do more to consult young people on their wishes and feelings – many young people have strong views on where they want to live and why.

CCLC notes that one of the quality standards outlined in the Children’s Homes (England) Regulations 2015 is the children’s views, wishes and feelings standard – and that there is no equivalent standard in the proposed ‘new national standards’. We asked young people about whether or not their wishes and feelings were taken into consideration, using the questions: **Did you choose to live where you live? Were you given different choices of places to live? Did you feel that you were listened to about what kind of place you wanted to live?**

Unfortunately, the majority of the young people we interviewed felt that their wishes and feelings were taken into account when accommodation placements were found:

“I did not choose to live there, and I was not given another choice. I was told [to] leave my previous (semi-independent accommodation) as that had been assigned for another care leaver. If had rejected their offer I would have been put into intentionally homeless list.” Abdullah

“No one has ever given me a choice about where to live. They just say ‘pack your bags and let’s go’. I have lived in 6 places in less than three years.” Ussri

“I didn’t know that social workers were supposed to ask how you felt or what you think. But at that time my English wasn’t so good so maybe they asked and I didn’t understand.” Talal

“No one ever asked where I wanted to live, who I wanted to live with. When I came to Coram I learned about foster carers. I asked my social worker whether I could live with a foster carer. The social worker said no. They really knew what I wanted, but they knew I didn’t know my rights.”
Taj

“I was never given a choice [about where I lived] – they had a problem with the landlord and they had to move me urgently. It has never been discussed whether I lived in foster care. I would love to. I didn’t used to get along with the people I lived with, and wanted to learn English. I thought living with a family would help me learning English. I spoke to my social worker about this once and she said I had to stay [where I am].” Moussa

“My social worker said ‘you do not have a choice’ ‘there are three hostels in [local authority] – choose one.’ But I said ‘I have been in hostels for two years. I do not want to be in a hostel anymore.’ I thought I would be able to leave [the hostel] aged 18 but the council said I had to stay, then I had to stay until 19, then 20. At 20 I told them I really needed to leave that place.”
Ahmed

One young person suggested that age played a part in whether or not a child’s wishing and feelings were seriously considered:

“They are better at listening to younger children, for older teenagers there’s a sort of a sense that you’re getting to leave to care so you have to just get used it to. It’s easier to listen to a little child crying. When you’re going through puberty, with boys it’s about pretending you have no emotions and with girls it’s ‘a woman gets through things’. I still feel like [my local authority] hates me because I asked a lot of their service – I asked them to listen to me. Now I don’t want to contact them at all because I’ve been made to feel I asked too much.” Aisha

However, one young person said she felt she was listened to:

“Now I am living in shared house, private accommodation. There’s just two people sharing. I got to choose where I lived. [...] At first when I arrived my friend was telling me to be careful because some foster carers are not nice. I thought about asking for my own place. My social worker told me she could not keep me my only place because I was too young. Now I think that she was right.” Djamila (describing conversations that happened when she first arrived in the UK aged 15)

Do more to address the mental health needs of migrant and refugee children, and acknowledge the key impact accommodation placements and the support they can bring can have (both positively and negatively):

Several young people shared with us that they had experienced mental health crises while in care in the UK:

“First when I came [to the UK] I stayed with the police for three days before they took me to CAHMS [Child and Adolescent Mental Health Service]. Then I think emergency foster carer for 5 days. Then there was a shared house. My memories of this time are confused, I wasn’t sure if I was in the UK or not. I didn’t know anyone. I had no contact with anyone and didn’t have a phone. I was so bored, no one to talk to, just police staff. Sometimes I felt so scared – I didn’t know if they will take me back or something. I wasn’t trusting anyone. I didn’t know whether to trust the people in my house, or the police. [...] Sometimes for days I was just remembering all the scenes from my home, my journey. I couldn’t sleep.” Taj, describing arriving in the UK aged 15

“Arriving in the UK if I had come straight to [current hostel] I do not think they would have referred me to a psychologist. I would have still been in pain, still been self-harming. [...] When I arrived in this country I had a psychologist that my first hostel referred me to. [...] We did something called lifeline, you talk about where you were born and the time until now. Stones represent bad things, and flowers represents good moments. And my lifeline was full of stones. Maybe five flowers and the rest was stones. I was blaming myself, I felt like I was trapped. But [my psychologist] said ‘no, you don’t have nothing to do with this.’ That made me reborn, refreshed.” Talal

“There is a general lack of information about how to keep yourself healthy. Mental health is something that needs to be explained to all young people in care. I get panic attacks when I go outside. I never knew why. Someone needs to take the time to say ‘it is OK not to be OK. It is OK to feel overwhelmed, even when you don’t know why.” Aisha

Some young people suggested in their interviews that their accommodation placement had had a profound impact on their mental health – both negatively and positively:

“Living alone I have changed a lot, mentally and physically. If you live with people and you don’t trust them, this gives you a new mental problem. Now I have my flat and I have my keys and it is safe. I can cook myself, I can sit with myself. I am different now. I study a lot. I can travel and come back. But when I was in the hostel there are so many limits to what you are able to do.” Ahmed

8. Please set out any positive and/or negative impact the introduction of new national standards would have

Nothing from our interviews with young people or our experiences of advising and representing children in care and care leavers has led us to believe that the current national quality standards for children’s homes, found in The Children’s Homes (England) Regulations 2015, need to be amended to be suitable for other forms of placement. However, interview responses suggest that there is significant room for improvement in the way the standards are implemented.

Two of the quality standards in the 2015 Regulations which are not included in the proposed ‘new national standards’ are: the education standard, and the health and well-being standard. To explore the implications of this, we asked young people: **Do you have access to access to healthcare? Do you have access to education? Does your housing have an impact on your access to education or healthcare?**

Access to education

None of the young people interviewed had positive experiences about the support they had received relating to their education from their accommodation placements. But it was often difficult to separate these positive experiences from other kinds of care and support received. Where a placement provided support with education they often seemed to provide other forms of pastoral support as well:

“Sometimes in the [children’s home] (once or twice a month) they did cooking classes. This is because it was run by a charity and not just a hostel. There was a teacher once a week. They helped with homework or your language or something.” Ahmed

“In [my first hostel] they helped a lot. There was a drama programme, someone to help with drawing, playing football, taking us to the cinema – entertaining us and helping us be happy. But now [in new hostel] every resident just sits in their room and there is never any activity to bring them together. Nothing to participate in. Which is really boring.” Talal

However, others had far more negative experiences centred around not receiving any support at all:

“In [my new hostel] no one helped me with college. Just once the manager from [the hostel] went with me to college because they asked her to come, because they wanted to give me an award for being a good student.” Talal

“When I used to live in the hostel, most people there don’t study. But for me as a person, I study and I want to study. If you have a good keyworker or social worker you can study. But when I used to live in the hostel I didn’t have internet. I asked a lot (my social worker and my keyworker) but there was never any help. We had to pay for it ourselves to fix it.” Ahmed

“My accommodation [has had] a negative impact on my education; the long distance from my accommodation and college as well as the unsuitability of the accommodation had hindered me from achieving my predicted A- Level grades. This problem [is] still existing, while now I am going to university.” Abdullah

The young people we interviewed who had experienced foster placements were positive about the impact fostering had had on their education:

“My foster carer was very involved in my life, in my education and my health – more even than my social worker. When I moved to her house I didn’t speak any English. She came to talk to me and helped me write. She gave me some advice about focusing on my education. She fought for me to have a laptop because my social worker didn’t want me to. I tried to ask myself but it didn’t work, but when she got involved it worked.” Djamila

Young people told us repeatedly that accommodation and the proximity and intensity of care provided fed into their understanding of not just the English language but English systems and ways of doing things. Young people reported that what they felt they needed to learn upon arrival included a broad and profound sweep encompassing language, what is respectful and polite, what systems of support and care were available, humour, and what was expected of them by differing professionals and how these expectations were coloured by their age, their experiences and their status.

“Young refugees need support more than British young people. It’s not just language. It’s knowing how the systems work here. It’s different to France, it’s different to the whole world. Support workers can tell when a young person is not looking after himself.” Taj

“If young people just came to the UK and went to their own flat that would be very dangerous too. You need help to come to a different country and learn how they live.” Ahmed

“I really found living with other people including British people helpful, it is good for learning the language. If you are really lucky you have friends, and British friends in the house. That is really helping, you can learn how to use the TV, which UK movies. After that you are going to have more language. You will learn how people think, who is good, who is bad. It helps to make friends.” Taj

However, the feeling that temporary and unsupported placements led to gaps in a young person’s life education was also echoed by a young person who had grown up in the UK, suggesting that this is a more universal experience:

“There is an expectation that children in care will be independent, without being taught independence.” Aisha

Access to healthcare

Several interviews touched upon health concerns. All of the young people who brought up this topic in their interviews had the same analysis: that significant help is needed for young people who have limited English to have meaningful access to healthcare.

“I have told them many time I have a broken ankle. My social worker went with me to two appointments but then said I had to go by myself after that. My ankle hurt much more in the winter, it hurt too much for me to sleep. I went to the doctor and he said I had old broken bones. He said we couldn’t do surgery because it costs a lot. It was my dream to play football but that dream is over now.” Ussri

“There is a new young person [in my hostel] who just arrived in the UK. He needs help because he has a disease in his stomach and it causes lots of trouble for him. The staff do not help him – he needs translation when he speaks to his doctor but they do not help. He’s from my country, and people from my country do not ask for help a lot because they feel like a beggar or something.” Talal

“I have a friend, he came when he was 15. The social worker put him in [a studio flat] but for him it was hard. He used to tell me that I was lucky for finding a nice foster carer. He told me that he had appointments with the dentist, GP, but that he had to do that by himself. His accommodation was so far from his social worker’s office that they could never come. But he didn’t speak English, and so he said ‘I don’t want to go because I know I will not understand anything and I will just say yes but not understand anything’. He used to call me with questions and I would ask my foster carer, [...] and she would help him too. When I went to appointments someone always went with me, I can’t imagine doing this by myself.” Djamila

“My teeth hurt too. I went to the dentist they gave me a filling but they are still hurting. I told my social worker about this but they said I still have to go to appointments by myself. I don’t want to be annoying so I won’t try to talk to them again.” Ussri

9. Please set out any other areas you think should be covered in the new national standards

We spoke with young people about whether or not, in their experience, young refugees and migrants were generally treated differently to young people who were British by the care system. No young people argued that they were treated the same. Several, however, had examples of the ways they thought they were treated differently

“Some support workers treat refugees differently. When I did a minor thing the support worker would escalate the problem and they would shout at me. But when a British person did something they wouldn’t say anything.” Moussa

“You don’t have any choice if you are a refugee. Sometimes young people have to move from A to B to C before they find you a place. Only if you have very high support needs they will help you.” Ahmed

Worryingly, one young person suggested that young migrants and refugees are less likely to complain because they are concerned that doing so will jeopardise their immigration status or alter their treatment from the Home Office:

“Asylum seekers get treated differently because they are less likely to know their rights. And they sometimes think that if they ask about their rights, the government might not be kind to them anymore.” Abdullah

Finally, several young people had thoughts on why such differences come about:

“People have their judgements, and it’s very important for care workers to shut their personal judgements away from them work. Regardless of what you think about a country or a culture, it is not a child’s fault. If you don’t understand something about a way that a child is behaving, you need to sit down and ask how you can help. Not judge them for behaving in ways you don’t understand, especially when that behaviour is culturally learned. [...] This is what I was up against.” Aisha

“This is a cultural issue. I, for example, was born in Jamaica. Children in third world countries develop faster. I moved to UK aged 6, before that I lived with my grandparents, and while living with them I was helping in a shop. So [local authority] saw me as a person who was responsible and didn’t need to be looked after. [...] Maybe this is an issue of relatability – keyworkers just not being able to relate to some young people.” Hakeem

10. We are inviting views on how we might implement the standards:

- 1. Changing the regulations, to make the standards mandatory for local authorities: We would require local authorities to only place children in provision that meets the standards.**
- 2. Legislating to introduce a new quality and inspection regime: This would require all providers of independent and semi-independent provision to register with Ofsted and be inspected against the new standards.**

How effectively do you think either option 1 or 2 would raise the quality of independent and semi-independent provision?

- 11. Please set out the consequences and implementation challenges that should be considered when introducing new standards**
- 12. Do you agree that we should clarify statutory guidance, to ensure that IROs undertake visits to a placement to be able to assess whether it is meeting the needs of the child or young person and that they must send a report to the local authority to inform their decision making process about next steps for the individual child or young person?**
- 13. Please explain your answer**
- 14. Do you agree that we should legislate to give Ofsted powers to issue enforcement notices to illegal unregistered providers before proceedings with prosecutions?**
- 15. Please explain your answer**

CCLC did not consult with young people on issues directly relating to the proposals contained in questions 10 to 15 and so will not comment directly. However, CCLC are members of the Refugee and Migrant Children's Consortium and fully endorse and support the RMCC position and recommendations therein.

Recommendation:

The Department for Education produced a simplified summary of its consultation paper for young people. It is only right that the DfE consults directly with looked after children and care leavers on proposals which could have a profound impact on their lives. In light of this, we hope the DfE will consider also responding to young people directly before any changes are implemented.

Annexe: interview questions

- How old are you?
- Could you tell us about where you have lived in the UK since coming into care, and how old you were when you lived in each place?
- What kind of housing do you live in now? Who do you live with? When did you start living there?
[you can answer the questions below about any placement/s you have lived in while in care]
- Did you choose to live there? Were you given different choices of places to live? Did you feel that you were listened to about what kind of place you wanted to live?
- Where you live, does anyone provide help for you?
 - If yes, what kind of help do you get? How did it help you to have someone providing that support?
 - Do you wish you had more help? If so, what do you wish you had help with?
- Do you have access to access to healthcare? Do you have access to education? Does your housing have an impact on your access to education or healthcare?
- Do you feel safe where you live?
 - If no, how does your housing make you feel unsafe?
 - What would help you to feel safe?
- Do you know anyone (e.g. a friend) who is in care who feels very safe or very unsafe where they live? Would you tell me about their experience?
- Based on your experience, do you think there is a difference (or not) between housing for refugee and asylum-seeking young people and the housing for British young people in the care system?