

Unaccompanied young person presents to LA either making contact themselves or by referral

Young person states they are under 18, they are unaccompanied and are in your area.
Immigration status does not matter at this stage - they **do not** have to have claimed asylum yet

In all cases prioritise
Anti-discriminatory practice
and
Trauma informed practice

Treat as a **safeguarding referral** as this is **potentially a child at risk**
Working Together highlights that "No child or group of children must be treated any less favourably than others in being able to access effective services which meet their particular needs."
Decision needs to be taken the same day

Is there any **significant** reason to doubt their age?
Can you articulate it, is it reasonable? Do they have documents?
You must record your decision and the reasons.

Yes

No

Age assessment is not necessary, they must not be done routinely. **The child should be taken into care.**

Has there been a previous age assessment by another Local Authority or the NAAB?
NB Can you get a copy **quickly**, review and make sure it is compliant? Otherwise proceed as if it does not exist, until you can obtain it.
NB age decisions by a border official are NOT age assessments for the purposes of social care law. Decisions at the border are made quickly, under stressful circumstances, and do not follow full age assessment procedures. They should not be relied on or given significant weight. When a young person is allocated an adult DOB at the border they have the right to approach a LA for an assessment of age (see Assessing age - GOV.UK).

No

An age assessment has not been done

Yes

An assessment has been done previously. You must review it and ensure it is compliant with case law and guidance. If it is not then you must proceed as if there is no prior age assessment.

Under 18 – child is in care elsewhere – you must take responsibility for the child's safety until the LA responds and has arrangements in place for them.

Over 18 – advise the young person about their rights and how to obtain help/legal advice. Consider other duties and vulnerabilities*

Conduct a brief enquiry

This is required in order to make an **initial decision** about whether to accommodate a potential child and therefore should be done on the **same day**.
The **duty to accommodate** a separated child (particularly those in unsuitable/adult accommodation) **cannot be put off pending longer enquiries.** (ref case of AB v Brent)
For further guidance on completing a brief enquiry see Initial presentation guidance - JRS & BRC

If initial enquiries result in the view that 1) the young person is a child or 2) the reasons to doubt are not sufficient and the young person should be given the benefit of the doubt:

Record the information gathered and the decision.

Inform the Home Office, providing an outline of how you have reached this decision, using headings covered in the Merton template where possible.

If the Home Office and LA continue to disagree follow the dispute resolution process in the joint working guidance - Age assessment process and joint working: caseworker guidance - GOV.UK

If the Home Office maintain their dispute the child will need to be supported to get legal advice from a community care/public law solicitor.

If are there strong reasons to doubt the young person's age but they are not believed to be significantly over 18

OR

There is no reason to doubt they are under 18, but reason to believe they may be younger or older than they say

The young person should be taken into care, Merton compliant age assessment to be completed in accordance with ADCS guidance

If there are strong reasons to doubt their age and it is very clear the young person is well over 18:

Give the young person your decision in **writing, with reasons.**

NB This decision is still an assessment of age even if it is in an abbreviated form. If it is not possible to make this decision with considered rationale in an 'exceptionally short' period of time the young person will need to be taken into care until it can be done (ref case of AB v Brent)

Advise them how to get help and that they can **challenge** your decision, including how long they have to do this.

*Consider whether they have **other vulnerabilities** that you have **responsibility** towards as a Social Worker (eg victim of trafficking, homelessness). Maintain professional standards around promoting rights and wellbeing.