

# FIRST ANNUAL EVALUATION REPORT OF THE WORK OF THE SCOTTISH GUARDIANSHIP SERVICE PILOT

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DECEMBER 2011



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*Diana*

Princess of Wales Memorial Fund  
THE WORK CONTINUES

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## Definition

*A Guardian is someone who accompanies children and young people when they claim asylum and are cared for by health, education and welfare services.*

*A Guardian will help a child or young person to be actively involved in decisions that affect their life and to get the help they need, when they need it.*

*A Guardian is on the child's side, can explain what is happening to them, will listen to their views and experiences and speak up for them when needed.*

*A Guardian will also help a child or young person to plan their future, whether in the UK or elsewhere.*

This definition was agreed by the Scottish Guardianship Service Pilot Project Advisory Group on 15 November 2011.

## Acknowledgments

We would like to thank the following:

- The young people who took time to take part in the evaluation;
- All staff at the Scottish Guardianship Service, for their openness in sharing data, information and their time with us;
- Staff at Scottish Refugee Council and Aberlour who have developed and managed the Service;
- Members of the Project Advisory Group, whose expertise has been informative and valuable;
- All policy makers, service providers and practitioners in Scotland who have commented on their experience of the Service;
- The Diana, Princess of Wales Memorial Fund for funding the evaluation.

We are very grateful to you all for your reflections on the evolution of the Service, and your measurements of its actual and potential benefit to separated young people seeking asylum in Scotland.

## About the evaluators

**Professor Heaven Crawley** is Director of the Centre for Migration Policy Research (CMPR) at Swansea University. She has considerable experience of undertaking policy-oriented research into the experiences of separated asylum-seeking young people that aims to have an impact on policy and practice and has undertaken research into the detention of separated children for Save the Children, on the experiences of young people in the asylum determination process, and on age disputes and the process of age assessment (for the Immigration Law Practitioners' Association).

**Professor Ravi Kohli** is a qualified Social Worker and much of his research engages directly with social work professionals and local authorities that work with migrant children. His research has focussed on professional practice within the arena of child and family welfare, particularly on migrant communities. He has published extensively in relation to social work practice when working with unaccompanied asylum-seeking children in England, and is engaged in working with major stakeholders in giving a full account of how refugee children's lives can be safeguarded.

# INTRODUCTION

This is the first annual report on the evaluation of the Separated Children in Scotland Guardianship Pilot. The report sets out the context of the evaluation, the conceptual and methodological approach we have taken and the outcomes and measures of success against which the pilot's progress has been assessed.

The main body of the report is devoted to the findings and implications of the evaluation at the end of the first year in which the Separated Children in Scotland Guardianship Pilot (henceforward 'the Scottish Guardianship Service')<sup>1</sup> has been in operation.

## Background and context

Over recent years there has been growing concern among those working with children and young people seeking asylum about variations in the quantity and quality of support. There is evidence that separated young people are often insufficiently prepared for entering the asylum determination process, that they sometimes misunderstand the purposes of the screening and substantive interviews and are not always provided with appropriate care (Smith 2003; Bhabha and Finch 2006). This is reflected in demands at the local, national and international levels for systems of guardianship to be established to ensure that separated children and young people are provided with support to access appropriate protection and care. The UN Convention on the Rights of the Child specifically recommends that separated children should be provided with a Guardian and has called for the UK government to introduce a statutory guardianship scheme for all separated children (Scottish Refugee Council and

Aberlour Child Care Trust 2009). Save the Children has similarly called on the government "to establish a system of guardianship for all separated children who arrive in the UK and are subject to immigration control, for example, children seeking asylum and children who have been trafficked" (Save the Children 2008:4). UNHCR's guidelines on international protection state that "an independent, qualified Guardian should be appointed immediately, free of charge, for all separated children" (UNHCR 2009, para. 69).

In the UK context specifically, the Children, Schools and Families Committee has expressed its support for the idea of appointing Guardians for separated asylum-seeking children, to ensure that they are properly supported through the asylum process, and that swift access to services such as education is arranged on their behalf (House of Commons 2009). In this context the Scottish Guardianship Service is an important initiative, not just for separated children and young people seeking asylum in Scotland but for wider debates about the value of establishing independent guardianship systems, the role of Guardians in protecting the rights and interests of separated children and young people seeking asylum and about how they can best operate in the context of inter-agency working.

Several countries (including Canada, Finland, Norway, France, Switzerland and the Netherlands) now require the appointment of legal counsel as well as a Designated Representative (DR) to safeguard the interests of the child (Ali et al., 2003). Existing evidence on the care and resettlement of separated children and young people seeking asylum suggests, however, that where provisions for guardianship have been established, these vary considerably between countries (Alikhan and Floor 2007). Because guardianship systems have developed through custom and practice rather than via systematic evaluations of effectiveness, the structures and processes currently in place for the support of separated children are, for the most part, locally

specific and patchy. None is exemplary, although elements exist in many that are replicable across different countries. Few take into account the experiences and views of children and young people seeking asylum about whether they have benefited from the system of guardianship provided.

In this context, learning from the Scottish Guardianship Service will feed into the work of a number of European research initiatives intended to improve what is known about guardianship across EU Member States. These include the ENGI project - *Towards a European Network of Guardianship Institutions* - implemented by the NIDOS Foundation from the Netherlands and Refugium from Germany. In the view of the ENGI-partners: *A system of guardianship is the best guarantee for good care of separated asylum-seeking children, and the project aims to provide insight and recommendations for improvement of guardianship systems in the EU Member States through the exchange of information on existing good practice.*<sup>2</sup> In addition, another European research project entitled *Closing a Protection Gap: Core Standards for Guardians of Separated Children in Europe* aims to develop core standards with a focus on the qualifications of Guardians based on the views of separated children in relation to their rights according to the Convention on the Rights of the Child and EU directives. Eight member states are involved in the project – Ireland, The Netherlands, Belgium, Denmark, Germany, Slovenia, Sweden and Italy – each of which has undertaken in-depth research seeking out the opinions of separated children and young people across Europe.<sup>3</sup> The research focuses on the role of the Guardian, the relationship between guardians and other service providers and the experiences and understanding of children and young people. A series of national reports has recently been published on the findings of the project in the countries engaged in the project (see, for example, Irish Refugee Council 2011.)

## **The development and launch of the Scottish Guardianship Service**

The development of proposals for a Scottish Guardianship Service was a response to growing concerns among advocates and service providers that separated children and young people seeking asylum in Scotland were unable properly to understand the asylum process, nor actively participate in it, and that as a result they were unable to secure access to international protection and to appropriate care and support. At that time, up to five young people were arriving independently in Scotland each month and claiming asylum. There were more than 160 separated young people in Glasgow, with around 20 known others scattered across Scotland (Scottish Refugee Council and Aberlour Child Care Trust 2009). Some of these children and young people were presenting with indicators to suggest that they had been subject to trafficking.

A paper outlining a proposal for guardianship of separated children and young people was circulated by the Scottish Government in March 2008. This outlined why guardianship was needed, a framework for a pilot project and the broad role and duties of Guardians in the Scottish context. In November 2008 the Scottish Government convened a round-table discussion at the Scottish Refugee Council with key statutory and voluntary sector stakeholders. The aims were to discuss openly gaps in service-provision, catalogue the issues separated children and young people in Scotland are facing, and seek a range of solutions. There was consensus on many of the issues raised, including the problematic high speed of the asylum process, the system being process- rather than child-centred, and separated children and young people being largely unaware of their rights and having difficulty in understanding concepts such as welfare and social work. Many stakeholders recognised the need for a distinct, holistic and independent professional to support separated children and young people to understand

and steer a course through the complexities of the welfare and immigration systems. It was also acknowledged that a consistent point of contact was required for the young person from the moment of their arrival in Scotland.

Consultations with separated asylum-seeking young people confirmed the need for a Guardian. A series of meetings facilitated by the Scottish Refugee Council provided opportunities for young people to describe their experiences of the asylum system and of living in Scotland -- including directly to senior civil servants, local government directors and voluntary sector senior managers. In all of these consultations, the responses of the young people towards the system as it stood ranged from confusion and bewilderment to isolation and a sense of injustice. Young people also expressed enthusiastic support for the concept of a Guardian, whom they described as an 'asylum teacher', which they felt they needed throughout their stay in Scotland (Scottish Refugee Council and Aberlour Child Care Trust 2009).

A proposal for a three-year pilot for a Scottish Guardianship Service was submitted to the Big Lottery Fund by the Scottish Refugee Council and Aberlour Child Care Trust at the end of 2009 and funding was secured in 2010. Additional financial support is being provided by the Scottish Government and the Paul Hamlyn Foundation. The Diana, Princess of Wales Memorial Fund is funding this evaluation of the Service. The funding is for five posts in total – a Guardianship Service Manager, three Guardians and a Service Administrator. Staff were recruited at the beginning of 2010 and premises secured in Glasgow. The project is overseen by a Joint Management Group made up of senior managers and policy officers from the two organisations. It is supported by a Project Advisory Group (PAG) and an Operational Steering Group, both of which meet on a regular basis to provide information about how the Service is working and being experienced on a daily basis and to consider broader policy and practice implications.

The Scottish Guardianship Service was launched at an event held in June 2010. The event was well attended and included a speech from Michael Russell, Cabinet Secretary for Education and Lifelong Learning in the Scottish Parliament. The Service began to take referrals from 1 September 2010. It works with young people who arrive in Scotland as a separated child under 18 years of age, are a new presentation to the authorities after 1 September 2010, are seeking asylum or have been trafficked from outside the EU. At present the Service also works with anyone who is being treated as a child under 18 but is age-disputed and is undergoing an age assessment. Referrals to the Service can be made from any local authority or agency in Scotland.

Information about the Scottish Guardianship Service, including eligibility criteria, is available online.<sup>4</sup> The aim of the Scottish Guardianship Service, as specified on the website and in project documentation, is “to improve separated children’s experience and understanding of the immigration and welfare processes and to ensure they receive services appropriate to their needs and entitlements.” Young people are allocated a Guardian to assist them to understand, participate in and navigate the complex immigration, legal and welfare processes, to act as a link between all services and professionals that are involved in their life, to help them to understand the roles and responsibilities of these professionals and to advocate on their behalf and ensure that their voices are heard within the various systems. The original role for the Guardian outlined in the funding proposal was as follows:

*[Guardians] would support separated children to understand and steer a course through the complexities of the welfare and immigration systems. [Guardians] would occupy the spaces between all the other agencies supporting the child, consciously avoiding encroaching on any other professional role. From their unique, independent viewpoint, they would develop a complete overview of the child’s*

*experience. They would be a consistent point of professional contact ensuring that the child's best interests are taken into account in all decision-making affecting them.*

The detailed elements of the Guardian's role, and how this role relates to that of other key individuals involved in a separated child's life, most notably social workers, were not specified in the original project documentation. This reflected a desire to maintain flexibility and to 'test out' various models of guardianship during the lifetime of the project and as the relationship between different agencies and individuals involved in the process developed. Instead a 'Day in the Life' document was produced outlining how the Guardian would interact at all stages of the asylum process with young people and key external agencies. This document was shared with stakeholders (UKBA and social workers) in November 2009 and formed the starting point for subsequent discussions and negotiations around the Guardian's role and responsibilities. The absence of a precise role

and definition of a Guardian from the original project documentation has had significant implications for the way in which the Service has operated and been experienced during Year 1. This is discussed in our evaluation (sections 4 and 5).

### Our approach to the evaluation

The Scottish Guardianship Service has been designed to deliver the following outcomes:

#### Outcome 1

- To ensure that each unaccompanied minor has a **significantly improved experience of the immigration and welfare processes**, evidenced by the child's informed participation and their receiving services and responses appropriate to their needs and entitlements

#### Outcome 2

- To develop a child-centred model of practice that promotes inter-agency working and provides better information upon which to base immigration decisions

The work of the evaluation is divided between the evaluators to reflect our particular areas of expertise. Professor Kohli leads on evaluation activities related to **Outcome 1**, primarily focussing on the direct work of Guardians with young people, and engaging with both parties to understand and report on their day-to-day experiences. Professor Crawley leads on **Outcome 2** activities, primarily focussing on service providers and stakeholders and on service structures and policies guiding practice. Together and separately, during the lifetime of the evaluation, issues of structure, process and outcomes for children and young people and services are being examined simultaneously from these two linked perspectives. An outline of the types of questions that we are asking in order to evaluate whether the Scottish Guardianship Service has successfully delivered Outcomes 1 and 2 is provided in Annex 3.

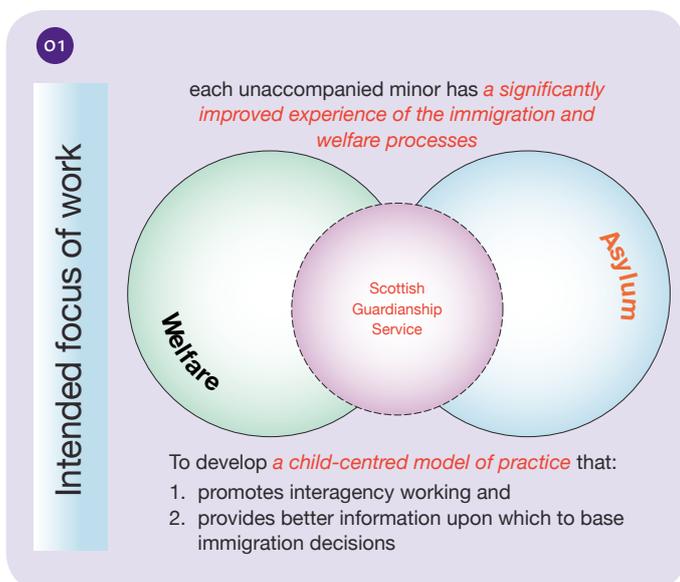


Figure 1: The intended focus of the work of the Guardianship Service

In addition, while we have worked with Outcomes 1 and 2 as defined by the architects of the Pilot, we note that there are some conceptual and logistical weaknesses in the ways that they have been articulated. For example, at the start of the Pilot there was little, if any, baseline data against which to **measure improvements of immigration and welfare processes or better information upon which to base immigration decisions**. Nor is there (for ethical reasons) a control group of separated young people against which to compare the experiences of those who are provided with a Guardian. We are therefore reliant on data that has been generated from the start of the Pilot, and on the perceptions and opinions of stakeholders, including the young people themselves, about the parameters of effectiveness that the two Outcomes point towards.

### Parameters of effectiveness

It has been important during the course of the first year to set clear parameters for the effective development of a Guardianship Service. We did this early on in the life of the Service, and when we did so, we acknowledged that the parameters were formative and non-exhaustive. While they remained interdependent, they were not sequential. We anticipated that they could change during the life of the Service, as Guardians worked with providers, stakeholders and young people to define, refine and prioritise their work operationally and strategically. Overall, we consider that progress towards Outcomes 1 and 2 is likely to be shown when:

- There is a clear definition from the service user perspective of a Guardian, and how young people's needs, wishes, feelings and rights are incorporated into the thinking of service providers and made palpable in accordance with their definition;
- Guardians are seen to be committed to young people in terms of safe and sustaining relationships;
- Thresholds of successful interventions by Guardians are clearly defined by and for young people by which they can say whether a Guardian has been helpful;
- There is a clearer understanding of how and why difficulties in the relationship between the Guardian and a young person arise, and how these are minimised or resolved over time;
- There is some evidence of the ways Guardians work to grow informal networks of care and support for young people, including those with known family members and communities of origin;
- There are examples of effective UK resettlement practice, and good practice in relation to preparing young people for their removal from the UK;
- There is a clear and shared specification of the Guardian's qualifications, skills and functions;
- There are clearly identified hub and spoke links between the Pilot and referring agencies as reflected in good communication and information sharing;
- All stakeholders can assist Guardians to work 'in the space between all agencies that support the child' so that they operate effectively in a conflicted context, for example, in stakeholders' protectionism;
- There is an emergent and identifiable pattern of practice and strategies used by Guardians and others that generate the best outcomes for young people;
- There is a clear understanding among stakeholders of what does not work in the best interest of young people, allied to conflict resolution strategies co-constructed by all stakeholders;

- Stakeholder perceptions of the quality of decision making are higher (qualitatively and in terms of the sustainability of decisions) in cases involving Guardians than in those cases where Guardians are not involved; and
- Clarity is established around Guardian training, supervision and support needs over time and clear protocols exist to performance manage Guardians and their interventions.

### Data collection and analysis

Our evaluation utilises a reflexive research methodology and a mixed methods approach based on a series of evaluation events and activities. Separately and together we have undertaken a total of 16 evaluation visits during Year 1. These visits have allowed meetings and focus groups with the Guardians and the Service Manager and with young people using the Scottish Guardianship Service. They have also allowed us to interview UKBA case owners, social workers and service managers and a range of other stakeholders about their experiences of the Service. One focus group, consisting of Guardians, UKBA case owners and social workers has been conducted thus far.

The evaluation visits have provided an opportunity to analyse both the paper and electronic case files of the young people who have been allocated a Guardian. Separately or together, we have attended all of the Advisory Group Meetings that have taken place over the course of the first year of the Guardianship Service's operation and Professor Kohli has also attended Operational Steering Group meetings on a regular basis.

In addition we have been in email, Skype and telephone contact with the Scottish Guardianship Service and many stakeholders over the course of the first year and have been provided with data and other information on the operation of the services from a range of sources.

In consultation with the Scottish Refugee Council and Aberlour Child Care Trust, we established a framework for the timely delivery of key data relating to young people allocated a Guardian, as well as background information and other relevant documentation about the delivery of the Guardianship Service and its relationship with other stakeholders. The dates for the delivery of this data and information were timed to coincide with the work that we needed to undertake for the evaluation.

Data relating to young people who have been allocated a Guardian is now being systematically collected and recorded in both paper and electronic formats and has been analysed as part of our evaluation process. An online survey of stakeholders has also been undertaken (See Annex 2).

The data and information on which the analysis in the report is based includes the following:

- Baseline data relating to the population of all separated asylum-seeking young people in Scotland and on the experiences of separated asylum-seeking young people in Scotland prior to the introduction of the pilot guardianship scheme;
- Quantitative data provided by the UK Border Agency (UKBA) on asylum applications made by separated young people prior to the commencement of the Scottish Guardianship Service (1 August 2009 - 31 July 2010) and in the year since the Service has been in operation (1 August 2010 – 31 July 2011);
- Quantitative data provided by the Scottish Guardianship Service on young people who have been referred to the Service and have been given a Guardian (1 September 2010 – 31 August 2011);
- Responses to an online survey sent to all UKBA case owners, legal representatives, social workers and residential staff and service providers who

have had experience of working with the Scottish Guardianship Service. The survey was completed by 37 respondents, three quarters of whom were from UKBA, social services or residential services (22%, 24%, and 27% respectively). The remaining respondents included legal representatives, NGOs and advocacy and support services. No responses were received from health and education services;

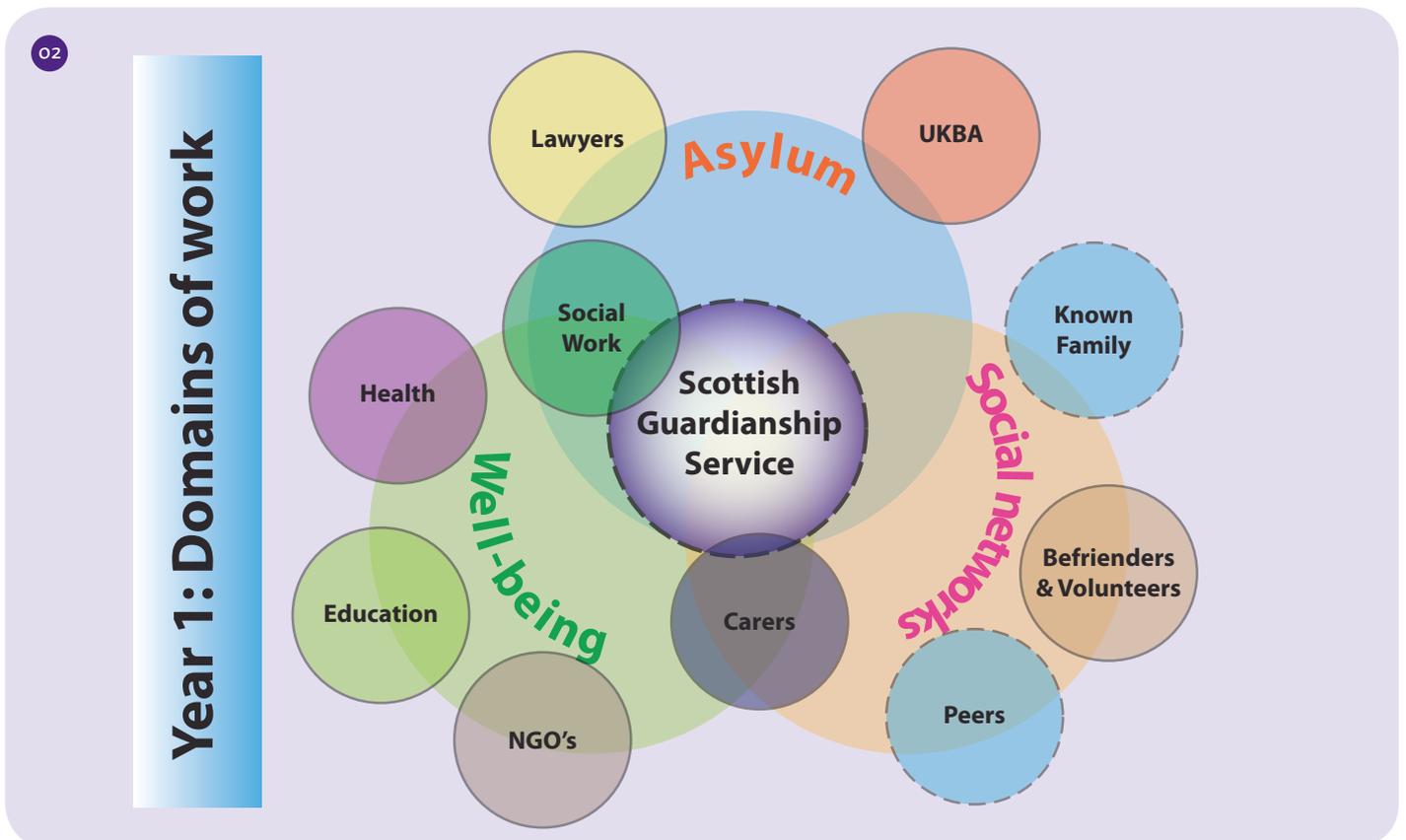
- An analysis of 29 case files to explore the experiences and outcomes for separated young people who have been provided with a Guardian;
- Focus group discussions with UKBA minors trained case owners and social service staff (separately and together);
- Focus groups and semi-structured interviews ('conversations') with separated young people;
- Focus groups with Guardians and the Service Manager, plus Skype conversations about cases;
- Interviews with 16 stakeholders (including social workers and managers, legal representatives, UKBA caseworkers, policy makers, residential care workers and voluntary sector organisations) who are responsible for providing a service to separated children or otherwise have an interest in the work of the Scottish Guardianship Service. A list of organisations consulted during the course of the first year of our evaluation is provided in Annex 1.
- Vignettes and other information about the day-to-day activities of the Scottish Guardianship Service and the relationship between those working with the Service, and provided by the Service itself and by other stakeholders and service providers; and
- An on-going review of policy documents and relevant literature.

# THE SCOTTISH GUARDIANSHIP SERVICE IN YEAR 1

This section provides an overview of the work of the Scottish Guardianship Service during Year 1 (1 September 2010 – 31 August 2011). It outlines what is known about the work of the Service with separated asylum-seeking young people in terms of three domains: the asylum determination process; the well-being of young people (the impact of the provision of welfare) through care arrangements, education and health; and the growth of social networks.

Figure 2 provides a representation of the work of the Scottish Guardianship Service in liaison with a number of key stakeholders including social workers, UKBA case owners, and legal representatives in the process of asylum determination, as intended. Moreover, links and bridges were established with providers of accommodation, education and health services, again, as intended. In addition, there is some evidence to show that the Service is working with more diffused elements of social support through concentrating on peer based social activities, with the intention of growing social networks. Our conclusions about these domains of work are drawn in large part from two sources of information: a Scottish Guardianship Service dataset of key information on 47 cases, dated 28 August 2011; and an analysis of 29 case files undertaken on 1 August 2011.

Figure 2: Domains of work



On the basis of the data made available to us through the Scottish Guardianship Service, we are able to say the following in relation to Year 1:

- There were 47 referrals. Five cases were closed during this period, leaving a total of 42 active cases in August 2011;
- Referrals were received on average at 4 per month, ranging from 1 referral in December 2010 to 9 referrals in August 2011;
- Referral sources were primarily Social Services, the Scottish Refugee Council, Voluntary Sector agencies and Legal Representatives. Young men represented about 75% of all referrals, and young women 25%;
- The young people came from 14 countries, though some countries were represented more often than others. 25% were Afghani (12 cases), 17% were Nigerian (8 cases), and about 9% from each of Gambia, Iran and Vietnam (4 cases each);
- 23 were noted as Muslim in origin (49%), 6 as Christian with a variety of denominations (13%). For 18 young people (38%), their faith or origin was not recorded, or in a minority of instances they were noted as 'non-religious';
- Close to 70% of young people were between 16-17 years of age, the youngest of all cases being aged 14, and the oldest 19. In all, just five young people (11%) appeared to be noted as age-disputed within the Guardianship Service dataset although the case file analysis indicated that questions of age determination had arisen for about 50% the young people in the sample. This may reflect the ways the two sets of information display the experiences of young people differently, with a **process** record in case files indicating problems, and an **outcome** record in the dataset, where some age disputes may have been resolved, indicating unresolved disputes only;
- Data is also collected by the Service on ad hoc cases with which it comes into contact. As of 1 September 2011, 14 young people had been provided with an ad hoc service. They have not been allocated a Guardian either because they arrived in Scotland before the Service started to take referrals, or because they are at the end of the asylum process when they come into contact with the Service or because their stated age is disputed and they are being treated as an adult following an assessment of their age by social services. Nearly three quarters of these young people are male (71%). They come from Pakistan (5), Afghanistan (4), Somalia (2), Democratic Republic of Congo, Kenya and Angola. Although they are not provided with a Guardian, efforts have been made to provide information and support where appropriate and if resources permit. For example, some of the young people attend the Young Survivors Group or have been put in touch with other organisations such as the Campus Project or the Children's Rights Officer. Some (limited) support has been provided in relation to the asylum process, for example, attending an appeal hearing with the young person or advice on options for the future, including possible return.

In terms of the young people provided with a Guardian, it is possible to say the following in relation to the **asylum domain**:

- 41 of the young people had legal representatives known to the Scottish Guardianship Service (87%). No information was noted for the remaining six young people;
- By the end of August 2011 29 of the 41 young people had been through a screening interview, including those 24 who had been through both a screening and a substantive interview;
- 26 young people (55% of the Service dataset) had not yet received an asylum decision, six had received Discretionary Leave, 11 had

been granted Refugee Status (23%), and four had had their asylum claim refused;

- 13 young people (27%) are noted by the Scottish Guardianship Service under 'Trafficking indicators', with a range of concerns related to domestic servitude, drugs trafficking and sexual exploitation;
- The case file analysis indicates that the Service is not yet conversing systematically with young people about resettlement or return, based on the outcomes of asylum claims. It may be too early in the life of the Service to have definitive and detailed conversations with young people about such matters. Conversations about planned returns are particularly difficult for welfare professionals. However, evidence does need to accrue over the second year of the Service that opportunities are being made with young people to plan solidly for the future in the context of different asylum outcomes.

In addition to the information gathered directly from the Scottish Guardianship Service, we have also been provided with statistical data by the UK Border Agency (UKBA) relating to the separated children and young people claiming asylum in Scotland in the year before the Guardianship Service began (1 August 2009 - 31 July 2010) and during the first year of the project (1 August 2010 - 31 July 2011)<sup>5</sup>. A summary of the information gathered is provided in Table 1 (opposite). There was a similar number of applications in Scotland from separated asylum-seeking children and young people in the year prior to the Service and in the year since it has been in operation. Although there are some shifts in the nationality of young people, most notably a decline in the number arriving from Afghanistan, there remains a broad range of backgrounds and languages. The proportion of male and female applicants is almost identical across the years and consistent with the gender of applicants referred to the Scottish Guardianship Service.

Two issues are, however, worthy of note. Firstly, the number of young people provided with a Guardian is significantly higher (25%) than the number of asylum applications made by separated children and young people in Scotland. This does not include cases where ad hoc advice is provided. Some, but not all, of this difference can be attributed to anomalies in the data (see endnote 5). However, an analysis of the nationality of applicants indicates that there are some young people who have claimed asylum but who have not been referred to the Service, for example the young people originating from Bangladesh, Russian Federation, Pakistan, Senegal and Uganda. Conversely, some young people have been provided with a Guardian but do not appear to have claimed asylum according to the UKBA data set: for example, there are two young people from Morocco in the Service dataset but only one in the UKBA dataset. Over the course of Year 2 we intend to work with both the Service and UKBA to understand better whether these discrepancies are administrative or reflect failings in current procedures for referral.

Based on information provided to us by the Scottish Guardianship Service we note the following in relation to the **well-being domain**:

- 28 of the young people (60%) were living in residential units, in foster care (13%) or supported accommodation (11%). Placement moves were few, with 16 young people (34%) moving only once to either more supportive or more independent accommodation. The Service did not appear to influence the provision of accommodation, given the central role played by Social Work in procuring such provision;
- The Service Manager and the Asylum Assessment Team Manager work well together. No information was available, however, within the Scottish Guardianship Service database to indicate whether the young people had social workers, or when and for how long a social worker

	2009-2010	2010-11
<b>Applications</b>	36	35
<b>Nationality</b>	Afghanistan 47% (17 cases)  China, Pakistan, Somalia, Vietnam 5.5% (2 cases each)  Democratic Republic of the Congo, Guinea, Iraq, Kenya, Kuwait, Malawi, Nigeria, Sierra Leone, South Africa, Uganda and Tanzania (1 case each)	Afghanistan 29% (10 cases)  Iran 14% (5 cases)  Somalia 11% (4 cases)  Gambia, Vietnam 8.5% (3 cases each=6)  Azerbaijan, Bangladesh, Eritrea, Iraq, Morocco, Nigeria, Pakistan, Russian Federation, Senegal and Uganda (1 case each) (10)
<b>Gender</b>	28 male (78%)  8 female (22%)	27 male (77%)  8 female (23%)
<b>Asylum outcome<sup>1 2</sup></b>	Granted asylum and LTE/LTR 25% (9 cases)  Refused asylum, granted DL 50% (18 cases)  No decision <sup>3</sup> 25% (9 cases)	Granted asylum and LTE/LTR 34% (12 cases)  Refused asylum, granted DL 37% (13 cases)  No decision 29% (10 cases)

had been allocated to a young person. This information could usefully be collected in future;

- 23 young people (49%) were recorded in the Service dataset as receiving some form of educational support in local schools and colleges, or via specialist resources, aimed in many instances at improvements in English, prior to starting more formal studies. However, 24 young people (51%) were without educational support

Table 1: Asylum applications made by young people in Scotland (data provided by UKBA)

- This is the outcome at the time that the data was collected i.e. at the end of each year. We will be requesting updated information on outcomes over the lifetime of the Service.
- The categories presented have been simplified to enable comparison between years to be more easily made.
- The majority of cases are those where no decision has yet been made. However, this category also includes young people who have withdrawn their application or have absconded.

or their record did not show any educational provision at all. The case file analysis indicated that the Service offered practical assistance and advice where necessary to young people in terms of their educational engagement;

- 17 young people (36%) were noted as having physical or mental health difficulties, ranging from anxiety shown through psychosomatic symptoms (limbs aching, headaches, broken sleep, unpredictable moods, loneliness through isolation), to Post Traumatic Stress. The majority had no record of health difficulties. The case file analysis indicated that the Service seldom referred directly to health providers, but that the Guardians were active in monitoring distress and symptoms of withdrawal, discussing these with other professionals and the young people themselves in relation to organising treatment that was necessary, bespoke and timely;
- Finally, the Guardianship Service has made efforts to obtain data from all 32 local authorities in Scotland regarding the number of separated asylum-seeking young people known to be living in their areas, the majority of whom will be in their care. This information is needed to ensure that we are aware of all separated children and young people living in Scotland, some of whom may not be in the asylum process or receiving appropriate care and support. More than half of local authorities (59%) did not respond to a request for information made shortly after the Service started to take referrals. It is not clear why. Of those local authorities that have responded, only three are aware of separated asylum-seeking young people living in their area, the vast majority of whom (127) are living in Glasgow. It would be extremely helpful to the work of the Scottish Guardianship Service and to the evaluators if information about separated asylum-seeking children and young people could be provided by all local authorities in Scotland. We encourage COSLA to persist

in its efforts to encourage local authorities to collect and share this information.

In terms of the **domain of social networks**, we note that this domain is beginning to be defined in Year 1, and that:

- The Service provides bi-weekly gatherings for young people (the Participation Group and Young Survivors Group), which broadly have a social focus, for dance, games, music, and art work. These groups appear to give young people who are otherwise isolated from social contacts, a chance to meet others. The Service takes care to provide food from a variety of countries at such social gatherings;
- The Service takes some pride in witnessing the young people's achievements and successes, by Guardians taking time to attend prize-giving classes and public performances by the young people. A record of the hopes, talents and interests of the young people is being generated through such activities;
- Plans are being made to use volunteers and befrienders to link and bridge the young people to informal networks of care and protection. These intentions are commented on below;
- The focus on 'ordinary lives' is very much in the present, with little looking back. For example, life story work, considering the young person's life before forced migration, was not much evident in the case files. Nor was there evidence of using the 'Toolkit' that the Service is developing. Allied to the absence of conversations about futures, over the second year of the Service evidence needs to accrue of the ways Guardians are assisting young people to retrieve those elements of the good past that they are able to reach, and of the things that they enjoy about being who they are and what they bring to Scotland.

## THE YOUNG PEOPLE'S EXPERIENCES OF THE SERVICE

**At the heart of the Service is a note to young people seeking asylum, saying that their views and wishes, rights and entitlements, are central to the way the Service will respond, strategically and operationally. We interviewed 10 young people, with and without interpreters, and held a focus group with 12 of them, to find out what they thought about the Service. All were conducted without Guardians present.**

The 10 interviews were constructed to narrowly replicate the views and experiences sought via the stakeholder survey, so that we could, when appropriate, give an account of the similarities and differences of views held by the young people in comparison to their service providers. The focus group covered a broader range of topics, including first memories of meeting a Guardian, defining a Guardian, what they wanted more or less of within the existing Service, and what a Guardian could do to make their quality of life better.

Only young people who were willing to talk to the evaluators were interviewed or invited to be part of the focus group. A small fee for attendance and participation was paid to each young person. While a fair sample of views was gathered by these means, we are clear that they may or may not represent the views of all of the young people currently in the Service, and that there is inevitably some bias contained within an approach based on self-selection. We expected and looked for variability of views, seeking to find positives, neutrals and negatives about the work of the Service.

However, the views of the young people were more or less uniformly positive, some glowing. Unsurprisingly, given how valuable some good people are seen to be for asylum-seeking young people in unfamiliar territories, the Guardians were regularly described as being like friends, family members, trusted and reliable companions, trouble-shooters, connectors, diary organisers and guides. They helped reduce bewilderment and loneliness, particularly just after arrival, when they told young people about Scotland, other agencies and services, and the rules of asylum and welfare. They kept their promises. They were prompt about keeping to appointments, and were prepared to wait, undisciplined in young people who were late. They understood privacy, and the need to be left alone sometimes, and would 'check in' by texts, to make sure that the young person was aware of their continued attention to their well-being at times of withdrawal or silence. They would take time and make time, perhaps a commodity less available to other service providers.

Apart from many examples of Guardians helping them with their asylum claims, the young people were also clear that the Guardians helped them to get the welfare, health and education services they needed, or at least make attempts to get them. They also emphasised the importance of social and cultural activities organised by the Guardians, such as a Photography Project with the Red Cross, as well as the regular group gatherings that took place in the Guardian Offices. The Guardians' coming to see them at prize-giving events was clearly valued. In all, asylum, welfare, and the Guardians' assistance in the growth of informal networks of support were three dimensions that the young people commented on as positive aspects of the Service. These are examples of what they said <sup>6</sup>:

*I am shy and really scared. We don't know nobody because it is first time. She explained me her job, and after a couple of meetings I*

*began to understand how she help me.*

*I was happy, she was so nice, so nice about everything, we go to different appointments together. She calmed me down when I was upset. After the appointment she and I would meet and talk together about what happened, and she advised me. She was more than a worker for me, because she was someone I could talk to. My Social Worker, I have met for 3 hours in 9 months. We are like strangers when we talk together. But with my Guardian, I talk to her, she puts me at my ease, even personal issues, I talk to her.*

*Even if I don't say anything she understands me. Even sometimes I've tried to upset her on purpose just to test how far I can go, but she doesn't let go and that is good. She helps me to know myself better. She endures with me.*

*The relationship with the Guardians is strong, with all the Guardians. I can trust them. They are polite and kind and always friendly. I trust them more than my Social Worker and the staff that I stay with.*

*A Guardian makes your life better and makes you understand who you are in this country, and what we can do in this country.*

*Big interview in Home Office. My Social Worker is not come. My Guardian go with me. It was hard questions. Big interview. She help me to find break time, and explain big questions to me.*

*The first time I met her, she told me that everything I say is confidential, so no information is shared with anybody without my permission and that gave me confidence. But trust was not there the first time, it built up gradually. I did not talk much at first, I have some kind of temperament, and sometimes I did not want to talk, but she did not take it personally.*

### **Within these expositions are some key elements in the role of the Guardian.**

Firstly, there is a comment about style and the young person's appreciation of clarity and kindness as a way of communicating.

Secondly, the young people often say that repetition is needed - explaining once is just not enough, and a Guardian taking the time to go over information, at the young person's rate of absorption, really helps. Breaking complex things down into simpler parts becomes part of the Guardian's skilled use of a toolkit of understanding.

Thirdly, there is a sense of containment provided by the Guardian at times of trouble, partly through debriefing after tough meetings (and in some instances prior to important meetings).

Fourthly, young people cite the Guardians' capacity to understand silence, and to go on being companionable when they are 'testing' them.

Fifthly, in relation to trust, they cite the Guardian's willingness to do things with their consent as being a marker of someone 'being on their side' and respecting the boundaries they want to maintain.

Finally, there is an elasticity about the role, with a sense that other service providers are stiffer, and likely to be experienced within clearer formal boundaries as less available, and as a consequence, more distant.

Clearly, the young people value availability, which observed from the vantage point of other services, appears, as we note in this report, as a sense of the Guardians being too ready to step forward, and be over-involved in young people's lives.

In individual interviews, the young people's responses about the Service can be compared to service providers' survey responses in the following examples in the table opposite:

Comments:	Young People n=10	Service Providers n=37
Definitely clear about what a Guardian does	70%	34%
Probably clear about what a Guardian does	30%	28%
Strongly agree that a Guardian acts in a young person's 'best interests'	90%	28%
Somewhat agree that a Guardian acts in a young person's 'best interests'	10%	41%
Totally satisfied with the Guardianship Service	80%	11%
Very satisfied with the Guardianship Service	20%	26%
Somewhat or very dissatisfied with the Guardianship Service	0%	33%

The responses from the young people tended to cluster narrowly along the positives for clarity of role, perceptions of 'best interests' and overall satisfaction, much like their views in the focus group and some answers they gave in the interviews themselves. There was a much greater spread from positive to negative among service providers (as discussed in detail under Outcome 2, page 24-37). The differences in perception illuminate the ways perspectives can differ according to 'inside out' or 'outside in' positions. Using different methodological approaches to data collection may also influence perspectives. Yet the comparison above serves to illustrate that if a Service were to be built according to the wishes and views of these asylum-seeking respondents as service users, then as one young woman said,

*The best Guardianship Service is like it looks now. I think they are good enough. Nothing extra to do. They have a good heart.*

Table 2: Interviews with young people compared to service provider survey responses  
In each instance these young people's response = 100%

# OBSERVATIONS IN RELATION TO OUTCOME 1

## Defining a 'Guardian' within a Scottish context

The Guardianship Service began its life with the following definition:

*A Guardian is an independent person who will support a separated child to improve their knowledge and understanding of the asylum, trafficking, legal and welfare processes and will assist them to actively participate within these processes. A Guardian will advocate on a young person's behalf, will ensure their needs are being met and will assist a young person to parallel plan for their future to prepare the young person for whatever the outcome, either integration or return.*

During the course of Year 1 we noted, in dialogue with the Service Manager, that this definition required improvement, principally in terms of clarity and lack of ambiguity. We consider it essential for all stakeholders (including young people) that a definitive, absorbable definition is used, in order to quell ambiguity and enhance clarity. We offered the Service two further versions of a definition, which were considered by the Operational Steering Group, prior to the emergence of the current definition which was agreed by the Project Advisory Group in November 2011 and cited at the beginning of this report, namely:

*A Guardian is someone who accompanies children and young people when they claim asylum and are cared for by health, education and welfare services. A Guardian will help a child or young person to be actively involved in decisions that affect their life and to get the help they need, when they need it. A Guardian is on the child's side, can explain what is happening to them, will listen to their views and experiences and speak up for them when needed. A Guardian will also help a child or young person to plan their future, whether in the UK or elsewhere.*

At this stage of the Service's evolution, we recommend that this definition remain unaltered, and be used in all publicity material about the Service, both in print and electronically. Any suggestions for amendment or addition are to be brought to the Project Advisory Group for review, if needed.

## Guardians' commitment to the young people

*Being with them day in day out, seeing one person all the way through their process, and seeing their ups and downs ... gives a greater understanding of how difficult life can be for them to comprehend; even if something is explained to them many times – they still might not understand...*

We have used this quote from a Guardian to illustrate what Guardians see as an essential component of their role and its associated tasks. The Guardian conveys a sense of constancy and companionability, alongside a capacity to witness the young person's day-to-day movement, as well as their eventual course. In many ways, through conversations in focus groups or individually, the Guardians have generated a culture of commitment to the young people that is truly valued by the young people themselves.

We note that the Guardians appointed to the Service appear to us to be talented, hard working, kind and clearly committed to the well-being of young people. They take care to build trust, and don't give up. They endure. Their capacities to see the world from young people's eyes, and to see through some of the complexities that the young people face, are an asset to the Service. They come to the Service with relevant experience of working in refugee contexts, particularly the Scottish Refugee Council. All carry a caseload, and take part in group work activities (Young Survivors Group and the Participation Group, which together allow social interaction, information sharing, creative workshops, rights based activities, etc.)

Evidence has accrued of Guardians as ‘sense-makers’ for the young people, and as translators of their new environments: explaining systems, processes, laws, obligations and rights in systematic ways. As one stakeholder has noted in discussing the Service with us:

*When they arrive here they are accompanied by a Guardian. They know why they are here and they are much more involved in the decision to join the course. The Guardian seems to have an important coordinating role. If the Guardian wasn't there she wouldn't have had the support needed to engage with me at all. No one would have done this work otherwise. I'm sure her life would have been completely different if she hadn't had a Guardian. The ones that arrive with a Guardian will undoubtedly be more supported. I'm not sure they would come to us otherwise.*

This confirms one of the original objectives of the Service -- to help young people effectively traverse the complicated territory they are in. The Guardians appear to invest sizeable amounts of time in each young person, making the young person visible to other service providers, and helping them to show and tell their stories in ways that are manageable and purposeful. These acts of explaining, bridging, advocacy and companionship show that the Guardians stick by and stick up for the young people, and shelter them from bewilderment and loneliness. During this first year, we note that the Guardians, through expressing a broad and deep commitment to fairness for the young people, continued to provide good evidence of ‘added value’ beyond the services provided by other agencies.

However, time has been a precious gift in the first year of the Service's life. Arguably, a comparatively time-rich Service can bring young people closer to it, and bond with them. Yet if the number of young people coming in exceeds the numbers leaving the Service, then there is a danger of the Service being

stretched if time management is not attended to as the volume of work grows. At present, some of the strains are beginning to show in terms of patchy record keeping. The complexity of the Guardians' work -- individual casework, record keeping, other administration, travel and group work -- takes up significant amounts of time and attention. We think that correct steps are being taken by the Service Manager to reduce sizeable note-keeping and monitor the tasks which Guardians are spending their time on. The Guardianship Service may wish to consider whether workload management schemes that exist in other services offer models of effective management of time and resources.

Overall, the Service may need to introduce workload management to monitor how time is allocated, spent and managed in order to preserve the evident commitment to young people, and avoid impoverishing the quality of existing responses.

### **What ‘success’ looks like in relation to the young people's experiences of their Guardians**

Overall, the Service has been successful in many respects, certainly from the point of view of the young people who are benefiting by its existence. Success, from the Guardians' perspectives too, is partly based on process – that is, helping young people claiming asylum to engage more successfully with asylum and welfare systems, preparing and improving the clarity and precision of statements from their points of view, opening educational opportunities, explaining entitlements, and generally orientating them to the Scottish context. By some measures, the young people appear to have faith in their Guardians as good and reliable companions who do their best to help. As one young woman, who had initially said she was younger than she was, finally admitted her age (“*when I told the truth*”) the attitudes of many of those involved in her care changed for the worse, but the Guardian remained

constant, not regarding her negatively. As she said during her interview with us:

*First me scared when (the Guardian) come to me, my English then not good, but she do so many things for me...she make me talk to friends, go with me to appointment, and when me come to this place, me like one music, African music, and (the Guardian) play it for me on the internet. Me just not feel happy, but (the Guardian) understand me, she encourage me, tell me about the law, take me out, help me...the lawyer and (the psychologist) help too. If me frighten, I tell (the Guardian) and she tell (the psychologist). Some things just come in and me think too much....me not able to stop thinking. Me start to cry, then me tell (the Guardian). She always smiling and talk soft, not hard....*

*For me everything OK with the Guardians. Because they do so many things for me until now...No Guardian, nobody to talk to, me just go crazy thinking, fall down and die.*

The Guardians themselves, through focus group interviews, claim that part of the measure of their success is that over time they help young people to build knowledge about asylum, both in general terms as well as bespoke, depending on individual circumstances. Through this knowledge building they say they ensure that young people have a greater understanding of what is happening to them, and how to improve the quality of their statements and the limited choices that they face, including where they are interviewed for asylum purposes.

This is not, however, without difficulties. The Service considers it necessary that young people feel comfortable and safe in order to be able to relay the details of their experiences in the context of the substantive asylum interview and there have been discussions with UKBA to allow the Service's offices (or those of the young person's

legal representative) to be the default location for all substantive asylum interviews. There is much frustration in the Service about UKBA's perceived position of not being prepared to interview young people in the Guardianship offices, and the Service Manager's attempts to use the offices as a relatively safe and familiar environment have not yet yielded the success that the Service wishes for. This issue is discussed further in relation to Outcome 2.

In terms of other measures of success, the Guardians consider themselves to be effective in learning and translating technical language into common English that young people can digest. They have experienced themselves as being trusted advisors, for important as well as 'silly' questions from the young people about a range of things that generate uncertainty and confusion. This attitude of 'nothing is too trivial, nothing too daft to ask about' ensures a level of acceptance of the mundane and the substantive that the young people struggle with on a day-to-day basis. Similarly, in reaching out beyond Glasgow, the Guardians are beginning to act as ambassadors for the Service, comfortable in their status of being independent of statutory services when advising and assisting young people further afield.

The Participation Group and the Young Survivors Groups have been helpfully sustaining for young people, particularly those deprived of any informal networks of care. The Service has, as part of a purposeful engagement with the need to re-grow the everyday, ordinary aspects of living, tried to think beyond young people's engagements with the mechanics of asylum and welfare services. It has created space and times that allow organic growths of friendships, dependencies on each other, fun times, and creative activities that can showcase the young people's talents and interests, successes and achievements. The young people's own testimonies are beginning to show that these efforts by the Service are of great importance to them, because the relief at being able to be within 'a space that generates community' as one Guardian put it, is plain

to see. By creating a space that helps young people feel part of something, located somewhere they like, and focussed on their enjoyment, feels like a balm.

We recommend that the Service further develops and seeks resources to support those social aspects of life that the young people say they find important, particularly those related to trips and outings, and the availability of computers through which they can access their interests and hobbies online.

### The management of difficulties

The difficulties of working with some young people are not to be underestimated. Yet in Year 1, there is little evidence to indicate insoluble difficulties arising within the young person's relationship with the Guardian, though we are aware of some young people moving out of the orbit of the Service. It has not been possible to speak to these young people about their reasons for not wanting a Guardian. As the work progresses there may be instances where young people themselves will prove to be difficult to work with, and throw light on ways that the Guardians are responding to such difficulties. As noted above, when young people have been asked to consider their views in the round - good, indifferent and bad, of the Service – there has really been nothing thus far that has been cited as being bad.

### Working with informal networks of care and protection

Given the very child-focussed and agency-driven nature of the Service so far, we are not yet in a position to appraise how well the Guardians are coordinating and using informal networks of care and protection, where these are available to young people. We will comment on this issue in subsequent reports, perhaps as prospects of using adult volunteers and befrienders emerge over time, and young people seek to contact families and extended family networks, difficult as this might prove to be

(see Outcome 2 overleaf).

### The future: resettlement or return

*Me no even like that topic, no...me kill me-self than go back, truly.*

We have noted throughout Year 1 that the Guardians' practice in relation to final outcomes for young people is nascent, though resettlement and return are clearly significant in a young person's trajectory. We understand from the Service Manager that Refugee Action will be consulted in developing practices that involve the removal of young people from the UK, and that further guidance will be developed for Guardians. In future reports we will evaluate the development and implementation of these guidelines. In the meantime, all the young people interviewed were clear that no one had talked to them about their future lives, should these be in or outside the UK, and some were clearly very reluctant to talk about these themselves, finding the prospect of return frightening. Some young people had been assisted by their Guardian in preparing for an appeal against the refusal of asylum, but nothing beyond this.

We recommend that the Service undertakes more focussed work in Year 2 on how Guardians can assist young people in their transition to independent living in, or after removal from the UK, and that Guardians do some focussed work on considering how best to prepare themselves as well as the young people practically and psychologically to move on.

# OBSERVATIONS IN RELATION TO OUTCOME 2

## The role of the Guardian in relation to other service providers

It was noted in Section 1 of this report that the detailed elements of the Guardian's role, and how this role relates to that of other key individuals involved in a child's life were not specified in the original project documentation. Instead a 'Day in the Life' document was produced outlining how the Guardian would interact at all stages of the asylum process with young people and key external agencies. The absence of the precise role and definition of a Guardian has had significant implications for the way in which the Service has operated and been experienced during Year 1.

At the outset of the evaluation process, and throughout the first year that the Service has been in operation, we have met with a range of service providers including social workers, UKBA case owners and residential workers together with the Guardians themselves to discuss their understanding of the role of the Guardian both in relation to the asylum determination process and in relation to the roles and responsibilities of others. It was evident from the outset that whilst stakeholders have a general sense of the Guardian's role, there was less clarity around the details of the role and where boundaries lie. As the comments below suggest, this is partly because the role of the Guardian needs to be 'fluid' to be able to respond to the needs of particular young people and the willingness and ability of others to intervene:

*The Guardian's role is to chase people to check that they are doing their job, not to do the jobs of other people.*

*The role of the Guardian should be fluid. They can't replicate the exact same thing for every child. They will need to identify the child's needs by working with social workers.*

Since the Scottish Guardianship Service has been established there have been efforts to clarify the role and tasks of the Guardian, particularly in relation to

that of the social worker. For example, a Protocol was drafted between the Guardianship Service and Glasgow City Council Asylum Assessment Team which aims to clarify who is responsible for the key tasks when working with separated asylum-seeking young people and the procedures involved in ensuring that the tasks are carried out effectively. The Protocol will be revisited throughout the life of the Service at a minimum of six-monthly intervals. We have reviewed the Protocol and provided the Guardianship Service with some suggestions as to how its content could be further improved.

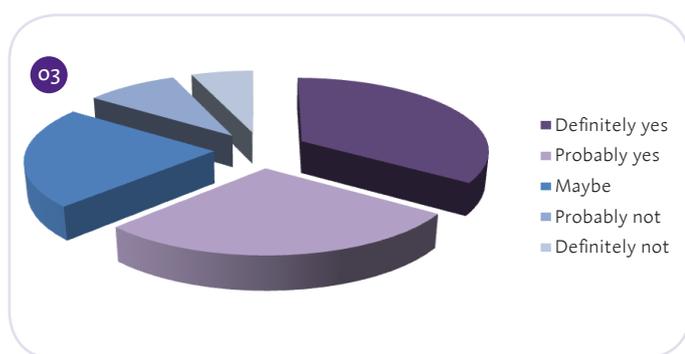
The existence of the Protocol is a welcome development in 'firming up' the understanding of service providers about the role of the Guardian. It is unfortunate that such a Protocol was not in place at the time that the Scottish Guardianship Service was established as we understand that the circumstances under which it was eventually produced were difficult and may have had an impact on young people. It is also unfortunate that whilst UKBA was invited to comment on the Protocol, neither UKBA Managers nor Case Owners were included in the drafting process. It is also clear to us that the 'Day in the Life' document that was circulated prior to the Service being established has been problematic for a number of reasons, not least because the service providers for whom various roles and responsibilities are specified were not adequately consulted or involved in its production.

We recommend that, in future, UKBA and other key stakeholders should be actively involved in the process of drafting protocols and briefings setting out the role and responsibilities of Guardians in relation to other professionals and the asylum determination process.

Our survey of service providers and other stakeholders specifically asked respondents to reflect on the role of the Guardian at the end of Year 1 of the Service. The findings of the survey

suggest that whilst the role of the Guardian is indeed being clarified through day-to-day experience of the Service and through increased inter-agency working, there is room for further clarification and improvement. Stakeholders were asked whether they are clear about what a Guardian is or does. The responses to this question are provided in Figure 3.

Figure 3: Are you clear about what a Guardian is and does?



The majority (62%) of survey respondents said that they are definitely or probably clear about what a Guardian is or does and provided examples of what they understand the role to be in their written comments:

*[The Guardian] acts as a befriender, advocate and advisor to young people who are seeking asylum.*

*They travel with them on their journey through the legal and social care system. [The Guardian] acts as an advisor and facilitator for the key role agency with regard to legal and cultural issues.*

*The worker whom I met with gave a clear introduction and overview of what the Guardianship project is and does and also the role of a Guardian. It was clear and informative for both myself as a professional but more importantly for the young person whom I was referring.*

*My understanding is that they are asylum teachers. Their role is to make sure the young person understands the asylum process, prepare them for each stage and support them through it.*

*We have daily experience working with Guardians who support the young people who are our clients. Guardians attend legal meetings with us and help us to communicate directly and indirectly with our clients. We therefore have had opportunity to explore directly with Guardians what type of assistance they can provide to the young people we work with.*

However, although only a small proportion of respondents (15%) expressed uncertainty about the role of the Guardian, the written responses to this question suggest that there continues to be anxiety or confusion about the role, both in terms of what the roles and responsibilities of the Guardian are, and in terms of the Guardian’s role in relation to other service providers, most notably social workers:

*There is a great deal of overlap and duplication of the job requirements of a Guardian and social worker.*

*I have an understanding of the priorities of the role but am confused about the diversity of it and its effectiveness.*

*I do not fully understand the differences between a Guardian and a social worker. There appears to be a great deal of overlap between the two roles.*

*Initially the role of the Guardian was not defined and this continued after the start of the pilot for a considerable period. This was continuously highlighted to the Guardianship Service and it took considerable effort on the behalf of other stakeholders for this to be actioned. However, even with the role being defined this is not being*

*followed and is a continuous problem especially between social workers and the Guardians and is leading to confusion with other stakeholders and conflict between social workers and Guardians.*

Some respondents gave specific examples of situations or cases to illustrate this uncertainty:

*It is currently open for debate as to what the remit of the Guardians actually is as they are involved in every area, from supporting the young person through the asylum system and maintaining contacts with various agencies to welfare issues such as accompanying young people to health appointments etc. There has been one incident where Guardians have interjected to make comments about how other bodies conduct specific parts of their job such as age assessments. It is not clear as to whether this is within their remit to do. Therefore their role is not clearly defined.*

As evaluators, we note that part of the Service's success lies in entering a context that contains territorialism, where people and services protect their borders and power. We hear from the Service and from some stakeholders (particularly legal representatives) that sometimes young people have been perturbed by the fracture and turbulence between various agencies, as they would be with any parental figures arguing. This is unsurprising and often the case in the context of service provision for asylum seekers. The fluidity in the role of the Guardian noted above can be uncomfortable but it also allows flexibility, enabling Guardians to link, bridge and coordinate services and resources for the young people in ways that reflect the particularity of their individual circumstances and aspirations. We recognise that the Guardian's role is an evolving one that should be flexible to the needs of young people and the organisations and bodies with whom they come into contact but we also consider that in the interests of inter-agency working and cooperation

(discussed below) further work should be undertaken to 'firm up' and agree the role of the Guardian. Importantly, the work of the Guardian should both act as a check on the work of others and add value. It seems to us that this is the only way forward in the absence of a statutory footing on which the Guardian's role is based.

During the course of Year 1 we suggested that it would be helpful to produce a one-page briefing for all professionals in order to provide a framework within which some basic agreements can emerge about the Guardian's role and specific tasks. Although information about the Service is now available on the Aberlour website <sup>7</sup> and a leaflet has been produced for young people who might be interested in accessing the Service, there is not yet a leaflet or short document setting out the role of the Guardian in relation to other service providers. Moreover, there continue to be some differences of view about what the role of the Guardian is or should be, for example, in relation to particular issues or events, such as the substantive interview and the process of age assessment.

In Year 2 of the Service, we recommend that a workshop be held for key stakeholders (social workers, UKBA case owners, residential workers and legal representatives) to discuss the role of the Guardian, to reach consensus about what has worked well and less well over the course of Year 1 and to establish agreement on the most effective and appropriate use of the Guardians' time, knowledge and commitment to the young people with whom they work.

### **Hub and spoke links with referring and other agencies**

During the course of our evaluation in Year 1 we have been acutely aware of the importance of inter-agency working and communication between the Guardianship Service and the wide range of service

providers and stakeholders with whom it necessarily works. It has been clear to us that there needs to be deliberate, regular and detailed discussions at both the operational and strategic levels, so that all dimensions of the shifting space within which the Guardianship Service is operating are considered. The development of the Guardianship Service during Year 1 has, inevitably, brought agencies involved in providing services for separated young people into increasing contact with one another. There are arrangements in place for formal discussion between the Service and other agencies through the Project Advisory Group and Operational Steering Group. There have also been some deliberate attempts to bring together key individuals responsible for the provision of services to separated asylum-seeking children and young people. Notably these efforts have mostly been in the context of problems or disagreements that have arisen.

It is clear from the survey of stakeholders that most have become aware of the Service directly through their work with young people that the Guardian is supporting (in other words, as service providers) and through associated exchanges of information relating to the young person's asylum application or social care. Around a third (29%) of those who responded to the survey had very frequent contact with the Guardianship Service (two to three times a week) and 11% had daily contact. Some of these interactions have been extremely positive for all of those involved, including the young person, others less so. We also asked respondents to provide us with examples of situations in which the Guardian had worked effectively with the young person and had added value to existing processes:

*I have conducted a number of asylum interviews with Guardians present and have found them to be supportive of the young person but not intrusive in the interview process.*

*The Guardian set up a social/cultural meeting for the young person with other young people and*

*facilitated this contact. She communicated with us frequently, shared appropriate information and was able to build a good relationship with the young person relatively quickly. She ensured that his legal rights as an unaccompanied child were being met and was able to accompany him to meetings with his solicitor and UKBA.*

*When the child and I were explaining his circumstances to the solicitor we mentioned a number of facts to enable him to form a clear picture on which basis asylum should be sought. However, I forgot to mention that the child resided at my home under a Section 73 Residence Order which the Guardian picked up on and related to the solicitor. This information proved to be vital and had it gone unmentioned could have impacted on the claim.*

*A couple of times the Guardians have been able to work in a longer and more meaningful way with a couple of clients who had to prepare their statements and take [them] to the lawyer who was then able to submit (in the lawyer's own words) good, concise and informative statements to UKBA on behalf of the client. I would never have had the time to spend doing this.*

*We have worked with the Guardians on a range of cases, so it is difficult to choose a single example, but our observation is that Guardians are most effective when working with young people who receive only limited support from the social work department, as these young people have greater need of the services the Guardians can provide.*

Survey respondents were also asked about any negative experiences of working with the Scottish Guardianship Service. A range of examples was provided, some of which are presented below.

Many of these examples relate to a perception that Guardians are interested primarily in securing refugee status for the young person (i.e. that they are less interested in the quality of the process itself). There is also a perception that Guardians are 'overly sensitive' to the needs and wishes of young people and are not sufficiently 'objective'. Some respondents expressed concern that the Guardians can be 'overly-protective' towards the young people who use the Service and that this may be disempowering for them in the longer term:

*I have conducted an interview at their office and, while they were pleasant, they essentially create an atmosphere of 'them and us', rather than acting as neutral (in terms of the actual asylum claim). They definitely go too far in building the young person towards a positive outcome when that may not happen.*

*Many times I feel the Guardians, instead of helping young people do something for themselves that they are not capable of doing themselves, do things for young people that the young people could and should be doing themselves. This therefore allows the young person to avoid the consequences of their actions or creates a dependency on the enablers as someone who always validates their actions, secure in the knowledge that no matter how much they engage in unacceptable or dangerous behaviour, somebody will always be there to rescue them from any consequences.*

Other service providers and agencies expressed concern that Guardians become involved in issues that are (or are perceived as being) beyond their remit, and that Guardians have a lack of knowledge and understanding of the roles, responsibilities and limitation of others working with separated asylum-seeking young people:

*The Guardian had no understanding of the services that social work services offer. Their expectations of social work services were unrealistic and often unhelpful. The Guardian on several occasions made decisions about the young person without discussion or consultation with the case manager or the authority. I found working with the guardianship service very difficult and hope that I do not need to use their service again in the future. I did not see any benefit to the young person; the young person was very confused about the role of the Guardian and social worker. It is my view this occurred due to the Guardian making decisions that were those to be made by social work services. The Guardians clearly see their future as taking over the asylum duties/task/case management from social work services and try at every point to undermine social work services.*

*Where the guardianship service is assisting a young person who is also closely supported by various professionals and/or there are various issues in contention at the one time... there can on occasion be duplication of effort and/or an over-concentration on one issue (such as the legal process) by various professionals, to the detriment of other issues such as welfare/support matters. The Guardians could play a more active role at minimising any potential duplication and indeed maximising and occasional awkwardness in negotiating the roles of the various professionals involved in the process for the best interests of the young person.*

Nearly half (40%) of respondents do not consider that the Guardian understands and respects their work with the young person. A third of respondents also told us that they do not consider that the Guardian appreciates how their work with young

people helps them to help the young person or helps the young person to understand the role and tasks of other service providers.

We do not underestimate the amount of effort that all of the agencies providing services and support to separated asylum-seeking children and young people in Scotland have put into ensuring that there is effective inter-agency working. It is clear, however, that whilst most agencies have 'bought in' to the Scottish Guardianship Service at a strategic level, **further work is needed at the operational level to ensure that this translates into good working practice on a day-to-day basis.** A number of incidents have tested the ability of agencies to work together and we are aware of some incidents associated with a breakdown in communication between agencies which has undermined their ability to work together effectively. Ultimately this is to the detriment of the young people who are using the Service. Whilst some of these issues will hopefully be resolved through increased interaction over time, greater clarity about the role of the Guardian (discussed above) together with further improvements in communication (discussed below) will be also be necessary to improve inter-agency working.

Going forward we recommend that consideration be given to further focussing the role so the Guardian can more effectively 'add value' to the work of others already engaged in this territory. This means securing explicit agreement between all parties about the responsibilities of the Guardian in relation to both the asylum process and systems of care and support, and being clear that the role of the Guardian is not to be neutral or independent but rather to advocate on behalf of a young person.

In addition we have some concerns about the ability of the Project Advisory Group to provide strategic support and direction for the Service. The stated purpose of the Project Advisory Group (as set out in

its Terms of Reference), is to "assist the management teams and relevant staff of the Scottish Refugee Council and Aberlour Child Care Trust in the overall development of the Scottish Guardianship Project, and to obtain and disseminate learning from it."

Given that the success or otherwise of the Service is, ultimately, dependent upon the willingness of those whose interests are represented on the Group to work with the Guardians, we recommend that the Project Advisory Group takes on a more strategic role and that issues of importance to the effective functioning of the Service are discussed and agreed by Project Group members. Consensus at a strategic level will be vital for ensuring the consensual and mutually supportive delivery of Guardianship on a day-to-day basis.

### Communication and information-sharing

It is important that there is timely and effective internal and inter-agency communication between the Guardianship Service and other professionals involved in a young person's life. It is also important that information about the Service is communicated externally to other stakeholders who may need to make referrals and to young people themselves.

In the period since the Service was launched there have been efforts on the part of both the Service itself and the Scottish Refugee Council to ensure that practitioners and policy makers are aware of its existence and make referrals where appropriate. A series of outreach events have been held with local authorities and other service providers in Scotland and presentations on the work of the Service have been made at meetings, events and conferences in the UK and Europe.

The evidence in relation to inter-agency communication associated with Guardianship is mixed. Some of those with whom we spoke expressed a view that there are very effective lines

of communication between the Guardians and other service providers:

*The Guardians are sharing information and working in partnership. There is a total lack of defensiveness. They're far more consultative than we have been in terms of developing services. The Guardians have been very open and that's brave. It would have been easy not to be open.*

Others, by contrast, do not consider that communication is as effective as it could or needs to be:

*Things might be better if they communicated with us more. Communication is still a large issue.*

During the course of our evaluation we were provided with information about a situation where inter-agency communication appears to have broken down when a young person went missing. Although this situation arose early in the life of the Guardianship Service, it reinforces the need to ensure that information is communicated in a timely fashion, particularly where communication channels are newer and outside the zones where agencies have historically been more comfortable working. Where one professional (Guardian, social worker, case owner, legal representative) is concerned that another has behaved inappropriately or has failed to share information, this should be discussed between the parties involved at the earliest possible opportunity in order that communication channels are maintained and developed.

It is not obvious to us that the Operational Steering Group provides an effective channel for open and effective communication about the day-to-day work of the Guardianship Service because, for reasons that are unclear, it does not provide a forum for open and honest discussion. This in turn means that issues remain unresolved and can escalate to the detriment of service providers and young people themselves.

We recommend that the role, structure and membership of the Operational Steering Group are revisited at the earliest opportunity.

In terms of broader communication about the work of the Scottish Guardianship Service, a number of steps have been taken during Year 1 of the project to ensure that agencies and organisations working with separated asylum-seeking children and young people in Scotland and beyond are aware of the Service. As noted earlier in this report, a website has now been established which sets out the aim of the Service and what it is able to offer. A number of 'roadshows' have been undertaken to introduce local authorities to the Guardianship Service. A leaflet aimed at separated asylum-seeking young people has also been produced and has been made available to social workers, UKBA and other stakeholders for dissemination to the young people with whom they come into contact. A Learning Event is planned for February 2012 at which information about the work of the Scottish Guardianship Service and our findings in relation to the effectiveness of the project to date will be shared with stakeholders, including local authorities and agencies working with children and young people in Scotland and the rest of the UK. We look forward to contributing to this event and hope that it will further improve communication between agencies working with separated asylum-seeking children and young people.

### **Issues of eligibility and access**

Referrals to the Guardianship Service can be made by any local authority or agency in Scotland. A referral form has been devised for this purpose and is available on the Aberlour website. To date, young people have been referred by the Scottish Refugee Council, Glasgow City Council Asylum Assessment Team, other local authorities and legal representatives. As far as we are aware there have been no referrals from the Police or UKBA.

The characteristics of those currently being provided with a Guardian, together with comments made by a number of stakeholders, raises some issues around eligibility and access. Our understanding is that all young people who arrived in Scotland after 1 September 2010 are eligible for a Guardian. In practice, many of those who were referred to the Service in the early stages of the project arrived in Scotland some time ago. We note that over time this has become less of an issue and that there is greater clarity at the end of Year 1 about who is, and is not, entitled to access the Service. We are aware that the Service provides support on an *ad hoc* basis in some cases and have some concerns that there will be increasing requests to give advice and support to these young people, especially where they have been refused asylum and are approaching 18.

Given that the Guardianship Service is unable to provide a full service to all young people (notably those who are age-disputed) who have arrived in Scotland since it became operational, and given that the workload of the Guardians will inevitably increase over time, we have previously advised against the provision of a service for those arriving before 1 September 2010. We realise that this is difficult given that the needs of this group of young people are clearly significant but there is a danger that resources will, inevitably, be taken away from the main target group and undermine the quality of the service. Moreover the provision of any kind of a service, even an evening drop in, will inevitably raise expectations among this group of young people and potentially create further confusion among both young people and service providers about who is, and is not, entitled to receive support from the Guardianship Service.

We recommended that discussions are held with other organisations as to what might be done to provide an appropriate level of support to separated asylum-seeking young people who were living in Scotland prior to the start of the Service.

In addition there has been some confusion during Year 1 of the Service around whether young people who are age-disputed are or are not, eligible for the Service. According to the eligibility criteria, the Guardianship Service will work with young people who *“are currently being treated as a child under 18 but are age-disputed and are undergoing an age assessment”*. This raises important issues about what happens to those young people who have been assessed as being over 18 years of age but who want to challenge the assessment. As was noted in Section 2, we have had some difficulties in understanding how many of the young people currently being provided with a service have been age-disputed. In all, just five young people (11%) appeared to be noted as age-disputed within the Guardianship Service dataset yet the case file analysis of 29 cases indicated that questions of age determination had arisen for about 50% the young people in the sample. We are also aware that some of these young people have been allocated a Guardian even though they came to the attention of the Service *after* receiving a negative assessment in relation to age. The Guardianship Service has become very involved in challenging the age assessment that has been undertaken in some of these cases.

Stakeholders are clear that age-disputed young people have the greatest need for a Guardian because they have no allocated Social Worker. They are confused about whether or not they are able to make a referral in these cases. This is partly because of a lack of understanding of the process of age assessment: stakeholders do not know that they can make a referral for an age-disputed young person *before* an age assessment has been undertaken but not subsequently (this is our understanding of the current eligibility criteria). However, it is also because there is some inconsistency in the approach that the Service is currently taking to this issue.

We recommend that further consideration is given to the role of the Scottish Guardianship Service in relation to age disputes and the age assessment process. This issue should be discussed within, and agreed by, the Project Advisory Group so that there is strategic consensus going forward. The decision that is taken about eligibility needs to be clearly communicated to stakeholders.

Two further issues of eligibility should also be raised here. Firstly, there are some concerns about the extent to which young people who have been trafficked are included in the work of the Service. According to the information provided on the Aberlour website, the Scottish Guardianship Service will support separated asylum-seeking children and trafficked children and young people. Although all of the young people for whom trafficking indicators have been identified are currently claiming asylum (and are therefore eligible for the Guardianship Service), it is not clear that the asylum process will be an appropriate route for all young people who are identified as (actual or potential) trafficking victims. We are aware that there is growing concern about the issue of child trafficking, particularly in the Scottish context, but the original proposal for the Service did not explicitly include reference to trafficked children. Secondly, it is important that the Guardianship Service is clear about what happens to young people when they turn 18. It is our understanding that these young people will still be entitled to a Guardian and we understand that this is important in terms of the continuity of care. This does, however, raise important issues about the ability and capacity of Guardians to provide an appropriate post-18 service, not least because they will be brought into contact with service providers and organisations who have not been involved in discussions about the Scottish Guardianship Service to date.

Further consideration should be given to whether or not children and young people who have been trafficked to Scotland but are not seeking asylum should be provided with a Guardian. Consideration also needs to be given to the situation of those who turn 18. Care is needed to ensure that the Scottish Guardianship Service does not take on responsibility for a potentially large number of separated young people who have significant and indisputable needs but who fall outside the original eligibility remit.

We understand that the Service has considered engaging volunteers and befrienders to bridge the gap in support roles, particularly for young people who are not eligible for a Guardian. Whilst this is a potentially useful strategy, it is important to recognise that this approach may further confuse the role of the Guardian and will need to be carefully managed.

Any decision to include volunteers and befrienders within the Service in an effort to increase capacity will need to be accompanied by a very clear delineation of roles and responsibilities from the outset.

### **The quality of the decision making process**

As was noted in the introduction to this report, there are concerns that separated asylum-seeking children and young people find it difficult to negotiate the asylum process in the absence of a Guardian (Smith 2003; Bhabha and Finch 2006). In this context one of the specific aims and objectives of the Scottish Guardianship Service is to help young people to navigate and feel supported and empowered throughout the asylum process, to help them access the help they need when they need it and help them to make informed decisions about their future. The role of the Guardian will help the young person to present their case in their claim for asylum, advocate on their behalf to ensure that their voice is heard

and ensure that other professionals are taking appropriate and timely action in relation to the asylum claim.

It is clear from interviews with Guardians and the Service Manager and from the analysis of case files that a significant proportion of the Guardians' time during Year 1 has been spent in assisting young people to pull together relevant narrative and documentary information about the basis of the asylum claim. Much of this work has involved explaining to young people, often repeatedly, what the asylum process involves and the importance – and purpose - of speaking about their experiences. In many cases it has often been necessary to reassure young people about their safety and to help them cope with anxieties about both the process itself and reliving difficult and painful experiences, including experiences of being separated from family, friends and familiar contexts. Some of the young people who have been provided with a Guardian are uneducated, do not read or speak English and are unfamiliar with formal processes and procedures. Others are highly educated and very articulate but nonetheless struggle to express themselves in the context of the asylum process.

The evaluation has provided some evidence about the ways in which the Guardian can contribute to quality of the decision process by ensuring that young people have access to a legal representative: according to the data provided by the Service, the majority (87%) of young people had access to a legal representative. There is also evidence that Guardians assist the process of information gathering both prior to and following the substantive asylum interview. Of the 29 case files examined, six young people had been referred to the Service after a screening interview had taken place. Of the remaining 23 cases, 14 (61% of those cases) showed evidence of Guardians undertaking pre-screening interview preparatory work with young people. The Guardians were recorded as present at the screening interview in seven cases, and there were six case

file records of debriefing with the young person following the screening interview. In relation to substantive interviews, records of preparatory work prior to interview existed in 100% of cases where there was evidence of such an interview having occurred or being anticipated.

There was also some evidence from those interviewed during the course of our evaluation that Guardians make a positive contribution to the quality of the decision-making process. There is most scope for a positive contribution when the young person's social worker is taking a less active role. Examples include supporting the young person to understand the roles of the professionals involved and the legal process more generally, providing emotional support to young people both during meetings with the legal representative and in the substantive asylum interview, helping the young person to think about and make decisions regarding other issues relevant to the asylum claim (for example, whether or not to meet with health professionals to secure medical evidence in support of the application), helping the young person to build trust in, and interact with, other professionals involved in the case thereby facilitating disclosure. The comments below made by a legal representative reflect this:

*I would say that the support is generally of a high quality, by which I mean both that the approach appears to be genuinely friendly and child-centred, and that the interventions taken (e.g. liaising with other professionals, and referring/signposting), appear to be well-planned, useful and appropriate. There is, inevitably, some variation in the prior experience of these guardians with the asylum process, but their particular expertise will necessarily grow over time...I would say there is no question that each of the guardians I have worked with has improved the quality of the experience for the children they are supporting and that the improvement is tangible.*

There is evidence that Guardians have intervened to secure the support of other professionals and that they have worked with UKBA case owners when they have considered it necessary to request an extension to the submission of the Statement of Evidence Form or substantive interview to ensure that the young person is able to put forward his or her case. Whilst not all of these interventions have been welcomed by UKBA, in part because they can lead to delays in the decision-making process which are not always beneficial, it is clear from our analysis of the case files that the actions of the Guardian have been undertaken from the perspective of a genuine and informed concern about the welfare of the young person concerned.

In terms of the outcome of the application for asylum it was noted earlier in this report that 11 of the young people provided with a service in Year 1 were granted asylum and Leave to Enter (LTE) or Leave to Remain (LTR) and a further six had received Discretionary Leave. The overall grant rate is somewhat higher than the national average but it is important that these figures are treated with caution as the numbers involved are very low. Over the course of Year 2 we will be gathering further information on asylum outcomes to establish whether this is a trend and, if so, what the contributing factors might be. These may include external factors such as changes in the nationality of young people claiming asylum in Scotland or in UKBA policies. Or the trend may relate to the existence of a Guardian who can guide and support the young person through the asylum process, for example, by securing access to good quality legal representation, assisting the young person to articulate his or her experiences, providing evidence in relation to age disputes and ensuring that the young person has access to appropriate welfare support.

Although the evidence on the contribution of the Service to the quality of the decision-making process is generally positive, it is important to acknowledge that there remain some significant

differences of view about the contribution made by the Guardian and even about the Guardian's role in this context. As was noted earlier in this section, there is a perception among some of those whom we interviewed during the evaluation that Guardians are interested only in securing refugee status for young people regardless of whether this is an appropriate outcome and in the young person's best interests. This is reflected in worries that the Service is not yet conversing systematically with young people about the possibility that they will have to return to their country of origin if their application for asylum is unsuccessful. There is also uneasiness that the Guardian may, in some way, give the young person an 'unfair advantage' in the asylum process, for example by 'coaching' a young person on the most important aspects of his or her claim and that the presence of the Guardian may conflict with the role of the social worker. This is reflected in serious disagreements about the role of the Guardian in relation to various aspects of the asylum process. Early in the life of the Service there was disagreement over whether the Guardian or the social worker should be present in the substantive asylum interview as the 'responsible adult'. This issue was resolved through the introduction of a Protocol setting out the roles and responsibilities of the Guardian and social worker. It was agreed that the social worker would attend the substantive interview with the young person although in practice the Guardian often takes on this responsibility. This is often because the social worker is unavailable or because the young person requests that the Guardian be present because the relationship is more established: the young person feels confident that the Guardian understands the circumstances of the application and will advocate on their behalf if appropriate and necessary.

More recently the location of the substantive asylum interview has served as a 'flashpoint' in this respect. Although there was initially an agreement that substantive interviews could be held in the

offices of either the Scottish Guardianship Service or legal representative if appropriate, an agreed in advance with UKBA, there has subsequently been disagreement about when this is appropriate and possible. The Service considers that young people are more able to articulate their experiences in a context which is familiar and feels safe. UKBA by contrast is concerned about the integrity of the asylum process, particularly where the interview needs to be recorded. At the time of writing, this issue remains unresolved.

We recommend that the Project Advisory Group, with strategic representation from key stakeholders (UKBA, social workers, legal representatives), reviews the issue of the location of substantive interviews in Year 2 of the Service, with a view to determining what lies in the best interests of young people.

### **The skills, qualifications and supervision of Guardians**

*Guardians need to have a primary background in child development. They need to know what we would be looking for in terms of child development. Guardians will also need training in cultural awareness, cultural competence. They need to have a high level of awareness and sensitivity. They need to know about child protection and abuse. They need to know about trafficked children and children who are sent to live with a relative. The bottom line though is what the legal position is so there needs to be a legal underpinning to everything the Guardians do. Guardians need to know what children in Scotland are entitled to and they need to be clear about the interface between Scottish law and UK law. People [who are Guardians] will need to have an extreme knowledge of the range of resources that are around and they will need*

*the experience to be able to differentiate between services that are potentially available to a child. They will need a track record of engaging with vulnerable people. The Guardian's role and its complexity should not be underestimated. They need to be able to deal with all of these issues and also with a level of pressure and stress.*

It is clear to us that the job of being a Guardian is not an easy one. The wide knowledge and understanding required of Guardians should not be underestimated. And because the role is not yet fully defined and has no statutory footing, the Guardians and the Service Manager constantly find themselves having to negotiate (and sometimes re-negotiate) their position in order to assist the young people with whom they work. In this context it is particularly important that there are appropriate mechanisms and procedures in place for recording the work that the Guardians undertake in relation to young people, for ensuring that Guardians are well supervised and managed and for ensuring that they have appropriate skills and training to undertake the work required of them.

There are clear and transparent procedures in place for the recruitment of Guardians. These procedures were introduced at the outset and have been further improved during Year 1. The following requirements have been identified by the Service as being central to the Guardianship role:

- A good understanding or experience of the asylum and trafficking processes;
- Excellent advocacy skills are essential. The ability to challenge other professionals when necessary whilst maintaining relationships, ensure young people's views are heard and they can participate in decisions which affect them;
- Experience in partnership working; a good team worker with an ability to be supportive, flexible and responsive to crisis;

- Ability to develop a rapport with young people and build trusting relationships;
- A good communicator with an ability to express herself or explain information clearly to young people using child friendly language or tools which meet the young person's level of need and understanding;
- A knowledge and understanding of trauma, resilience, attachment, child development;
- A knowledge and understanding of relevant legislation i.e. UNCRC, Refugee Convention, Humanitarian Protection, Children Scotland Act;
- An ability to balance the 'best interests' of the child with the young person's right to be heard and express their own view;
- A positive attitude, motivated with a genuine interest in the field of work, empathetic, reflective, non-judgemental, able to take constructive feedback to improve practice, creative;
- A social work qualification is desirable but not essential; and
- Training in relevant fields e.g., OISC, working with interpreters, trauma, resilience, child protection.

Guardians are selected by an application process (shortlisted by meeting the criteria above), an interview process which involves young people's participation and two set tasks prior to interview to test their abilities and knowledge. The tasks have included young people interviewing the candidates, a boundaries scenario question and a task which requires the candidates to explain a concept or professional's role (choosing from asylum, trafficking, social worker, legal representative.) The candidates can use a variety of materials, for example, flip chart paper, post-it notes, coloured pens, world map, photos, and then present their explanation to the panel or ideally young people. The interview

process lasts approximately one hour with a panel of three interviewers asking a series of set questions (approximately 15 questions in total). The questions cover key areas such as knowledge and experience, partnership working, quality and evaluation and working with young people.

There has been some staff turnover during Year 1 of the Service. One of individuals who was originally offered a Guardian post declined the position and the Service operated for much of the year with one full time and two part-time Guardians working three days a week, together with a Service Manager and Administrator. An additional Guardian was appointed well into Year 1 and we understand that measures were taken to ensure that the skills of this Guardian complemented the skills of the existing staff and filled some of the gaps in expertise (particularly in relation to working on life stories and participation activities). Unfortunately the new Guardian resigned just a few months after taking up her post. One of the Guardians has recently taken maternity leave but will be returning to the Service in due course.

In terms of the effectiveness of training, supervision and support, the Guardians have received a variety of inputs from the Scottish Refugee Council and Aberlour and have undertaken training on a number of issues including 'Working with separated children', 'Working with interpreters', 'Child protection training', 'Child trafficking', 'Mental health/victims of torture' and 'Age assessment awareness training'. The bulk of the training undertaken to date by the Guardians has been provided by the organisations running the project, although training has also been provided by ILPA, the Child Protection Committee, Compass Mental Health and the Medical Foundation, and Lifelink. All of the Guardians and the Service Manager have produced competence statements for the OISC. Given that the time available for training will potentially diminish as caseloads increase it will be necessary to ensure that future training is strategic and targeted. There has been some criticism from stakeholders that whilst the Guardians

are highly knowledgeable and experienced in relation to the asylum process, not least because all of them come from asylum-related backgrounds, they are less competent and knowledgeable in relation to social work procedures and practice or wider issues of child welfare and protection.

We recommend therefore that during the course of Year 2 the emphasis in terms of training should be on core issues related to child welfare and protection rather than specifically on the asylum system or on working with asylum-seeking children and young people.

We are satisfied that there are appropriate arrangements in place for the supervision of Guardians and the Service Manager. The work of the Guardians is supervised directly by the Service Manager on a regular basis. A formal supervision meeting is held with staff every 4-6 weeks. This meeting provides an opportunity to discuss development and support needs, reflect on practice, discuss and review cases, review files, and discuss administrative issues such as time keeping, absence and annual leave. The Service Manager in turn is supervised by a manager from Aberlour. There is also a Joint Management Board in place which oversees the work of the Service. Team meetings take place on a weekly basis as this is the only time when the entire team work on the same day. The information discussed at the team meetings is shared with the evaluators on a regular basis so that emergent issues can be identified.

We are pleased to see that appropriate mechanisms have been established to try to ensure consistency in the service provided to young people and in recording information. There are checklists in place for referral, the initial meeting between the young person and the Guardian, preparations for the screening and substantive asylum interviews, and to discuss the implications of the decision taken by UKBA. Appropriate confidentiality mandates

have been established and processes have been established to ensure that consent is genuinely informed. Young people who are allocated a Guardian are provided with a service letter which provides clear information about the aims of the service and about how the Guardian can be contacted. Now that these mechanisms are in place it is important that they are followed and implemented. During the case file analysis we noted that a record is not always maintained of interactions with the young people, including at the initial meeting stage. We also had some difficulties in piecing together a narrative account of each young person's experiences and their interactions with the Service because of inconsistencies in the recording of information within and across case files. These issues have been discussed with the Service Manager and we look forward to seeing further improvements in the recording of information during Year 2.

# KEY FINDINGS AND RECOMMENDATIONS

During Year 1 we have observed a great deal of goodwill across a variety of stakeholders for the Guardianship Service to succeed in terms of each outcome. The goodwill is based on many stakeholders, including the Guardians themselves, realising the shape and patterns of complexity that will ebb and flow as the work of the Service evolves.

We were initially aware of some ambiguities among stakeholders about the role and tasks of the Guardian relative to other service providers. As Year 1 has progressed, we have observed the Guardianship Service beginning to find its feet in a complex context.

During this period, we have identified emergent evidence of the Service's effectiveness in a number of key areas that safeguard and promote the well-being of separated young people as well as some areas where additional clarification has been needed and sought. During the course of our evaluation we have brought these issues to the attention of the Project Advisory Group, Operational Steering Group and Service itself on a regular and on-going basis. We remain confident that the Service will mature in value over time, as the role of the Guardians and their responsibilities relative to other service providers and stakeholders becomes clearer, and that the Service will, increasingly, come to be seen as a valid contribution to securing appropriate protection and support for separated children and young people seeking asylum in Scotland. But we also consider that this first evaluation report provides an opportunity to build on and develop some of the emerging strengths of the Service and to address some of the issues that remain unresolved and that have the potential to damage the effectiveness and reputation of the Service going into Years 2 and 3.

**Our conclusions concerning the development of the Scottish Guardianship Service during Year 1 are as follows:**

## **In relation to Outcome 1:**

1. The Guardians appointed to the Service appear to us to be clearly committed to the well-being of young people.
2. Young people wholeheartedly value the Service in relation to asylum assistance, welfare coordination, and social provisions.
3. The current definition of a Guardian has been refined over the course of Year 1. We consider it essential for all stakeholders (including young people) that a definitive, absorbable definition is used, in order to quell ambiguity and enhance clarity.
4. Given some of the complexity that the Guardians are working with, individual casework, record keeping, other administration, travel and group work take up significant amounts of time and attention. Managing an increasing quantity of work will impinge on the quality and range of work currently being undertaken and steps will need to be taken to ensure that workloads are managed effectively.
5. The Service has, as part of a purposeful engagement with the need to re-establish the everyday, ordinary aspects of living, tried to think beyond young people's engagements with the mechanics of asylum and welfare services. It has created space and times that allow organic growth of friendships, dependencies on each other, fun times, and creative activities that can showcase the young people's talents and interests, successes and achievements. These activities are valued by young people.
6. Further evidence needs to be systematically kept about how the Service is 'adding value'

to the experiences of asylum-seeking young people, and the gap between young people's perceptions and service provider perceptions should be understood more clearly with a view to closing the gap further.

7. No major difficulties have yet been reported to us in the Guardian/young person relationship. We will however, evaluate how young people are experiencing their Guardians and vice versa, during the lifetime of the Service.
8. We are not yet in a position to appraise how well the Guardians are coordinating and using informal networks of care and protection. This will be appraised in later reports.
9. Young people using the Service were clear that no one had talked to them about their future lives, should these be in or outside the UK, and some were clearly very reluctant to talk about these themselves, finding the prospect of return frightening. Resettlement and return conversations between the Guardians and young people need to be anticipated, and Guardians may require further training and assistance in having planning conversations.

#### **In relation to Outcome 2:**

1. The findings of the survey suggest that whilst the role of the Guardian is being clarified through day-to-day experience of the Service and through increased inter-agency working, there is room for further clarification and improvement. This is despite efforts to clarify the role and tasks of the Guardian during Year 1, particularly in relation to that of the social worker.
2. The lack of involvement of others with responsibility for providing services and support to asylum-seeking children and young people in

the 'Day in the Life' document has undermined a sense of shared responsibility for the Service. The Protocol between the Scottish Guardianship Service and Glasgow City Council Asylum Assessment Team was a welcome development but it is unfortunate that whilst UKBA was invited to comment on the Protocol, neither UKBA Managers nor Case Owners were included in the drafting process.

3. Although information about the Service is now available on the Aberlour website and a leaflet has been produced for young people who might be interested in accessing the Service, there is not yet a leaflet or short document setting out the role of the Guardian in relation to other service providers.
4. Whilst most agencies have 'bought in' to the Guardianship Service at a strategic level, further work is needed at the operational level to ensure that this translates into good working practice on a day-to-day basis. Greater clarity about the role of the Guardian together with improvements in communication will be necessary to improve inter-agency working.
5. The success of otherwise of the Scottish Guardianship Service is, ultimately, dependent upon the willingness of those whose interests are represented on the Project Advisory Group to work with the Guardians. We have some concerns about the ability of the Project Advisory Group to provide strategic support and direction for the Service.
6. The evidence in relation to inter-agency communication associated with Guardianship is mixed. Some of those with whom we spoke expressed a view that there are very effective lines of communication between the Guardians and other service providers, others do not consider that communication is as effective as it could or needs to be and provided concrete

examples of situations where communication has become very difficult or even broken down.

- 7.** It is not clear to us that the Operational Steering Group provides an effective channel for open and effective communication about the day-to-day work of the Guardianship Service because, for reasons that are unclear, it does not provide a forum for open and honest discussion. This in turn means that issues remain unresolved and can escalate to the detriment of service providers and young people themselves.
- 8.** On the basis that the service is not yet able to provide a full service for everyone who arrived after the beginning of the project, most notably age-disputed cases, and given that the workload of the Guardians will inevitably increase over time, we would advise against the provision of a service for those who arrived before the Guardianship Service became operational.
- 9.** There has been some confusion during Year 1 of the Service around whether young people who are age-disputed are, or are not, eligible for the Service.
- 10.** Care needs to be taken in relation to the inclusion of 'trafficking' as a significant focus of the work undertaken by the Guardianship Service.
- 11.** A significant proportion of the Guardians' time during Year 1 has been spent in assisting young people to pull together relevant narrative and documentary information about the basis of the asylum claim. There is evidence that Guardians make a positive contribution to the quality of the decision-making process by supporting the young person to understand the roles of the professionals involved, providing emotional support, helping the young person to think about and make decisions regarding other issues relevant to the asylum claim, and helping the

young person to build trust in, and interact with, other professionals involved in the case thereby facilitating disclosure.

- 12.** There remain some significant differences of view about the contribution made by the Guardian to the quality of the decision-making process. This has manifested itself most recently in conflicts over the location of the substantive asylum interview.
- 13.** The job of being a Guardian is not an easy one. The wide knowledge and understanding required of Guardians should not be underestimated. And because the role is not yet fully defined and has no statutory footing, the Guardians and the Service Manager constantly find themselves having to negotiate (and sometimes re-negotiate) their position in order to assist the young people with whom they work.
- 14.** There are clear and transparent procedures in place for the recruitment of Guardians.
- 15.** We are satisfied that there are in place appropriate arrangements for the supervision of Guardians and the Service Manager. Appropriate mechanisms have been established to try to ensure consistency in the service provided to young people and in recording information.

## On the basis of these key findings we make the following recommendations for Year 2 of the Scottish Guardianship Service:

1. The definition of a Guardian that has now been agreed by the Project Advisory Group should remain unaltered, and should be used in all publicity material about the Service, both in print and electronically. Any suggestions for amendment or addition are to be brought to the Project Advisory Group for review, if needed.
2. The Service may need to introduce workload management to monitor how time is allocated, spent and managed in order to preserve the evident commitment to young people, and avoid impoverishing the quality of existing responses.
3. The Service should further develop and seek resources to support those social aspects of life that the young people say they find important, particularly those related to trips and outings, and the availability of computers through which they can access their interests and hobbies online.
4. The Service should undertake more focussed work in Year 2 on how Guardians can assist young people in their transition to independent living in or after removal from the UK, and Guardians should do some focussed work on how best to prepare themselves as well as the young people practically and psychologically to move on.
5. UKBA and other key stakeholders should be actively involved in the process of drafting protocols and briefings setting out the role and responsibilities of Guardians in relation to other professionals and the asylum determination process.
6. A workshop should be held for key stakeholders (social workers, UKBA case owners, residential workers and legal representatives) to discuss the role of the Guardian, to reach consensus about what has worked well and less well over the course of Year 1 and to establish agreement on the most effective and appropriate use of the Guardians' time, knowledge and commitment to the young people with whom they work.
7. Consideration should be given to further focussing the role so the Guardian can more effectively 'add value' to the work of others already engaged in this territory. This means securing explicit agreement between all parties about the responsibilities of the Guardian in relation to both the asylum process and systems of care and support, and being clear that the role of the Guardian is not to be neutral or independent but rather to advocate on behalf of a young person.
8. Given that the success or otherwise of the Service is, ultimately, dependent upon the willingness of those whose interests are represented on the Group to work with the Guardians, we recommend that the Project Advisory Group takes on a more strategic role and that issues of importance to the effective functioning of the Service are discussed and agreed by Project Group Members. Consensus at a strategic level will be vital for ensuring the consensual and mutually supportive delivery of Guardianship on a day-to-day basis.
9. The role, structure and membership of the Operational Steering Group should be revisited at the earliest opportunity.
10. Discussions should be held with other organisations as to what might be done to provide an appropriate level of support to separated asylum-seeking young people who were living in Scotland prior to the start of the Service.

- 11.** Further consideration should be given to the role of the Scottish Guardianship Service in relation to age disputes and the age assessment process. This issue should be discussed within, and agreed by, the Project Advisory Group so that there is strategic consensus going forward. The decision that is taken about eligibility needs to be clearly communicated to stakeholders.
- 12.** Further consideration should be given to whether or not children and young people who have been trafficked to Scotland but are not seeking asylum should be provided with a Guardian. Consideration also needs to be given to the situation of those who turn 18. Care is needed to ensure that the Scottish Guardianship Service does not take on responsibility for a potentially large number of separated young people who have significant and indisputable needs but who fall outside the original eligibility remit.
- 13.** Any decision to include volunteers and befrienders within the Service in an effort to increase capacity will need to be accompanied by a very clear delineation of roles and responsibilities from the outset.
- 14.** The Project Advisory Group, with strategic representation from key stakeholders (UKBA, social workers, legal representatives), should review the issue of the location of substantive interviews in Year 2 of the Service, with a view to determining what lies in the best interests of young people.
- 15.** The emphasis in terms of training in Year 2 of the Service should be on core issues related to child welfare and protection rather than specifically on the asylum system or on working with asylum-seeking children and young people.

We believe that the Project Advisory Group can and should play a key role in taking forward the findings of our evaluation of Year 1 of the Scottish Guardianship Service, and trust that it will do so.

## ENDNOTES

- 1 In the original evaluation proposal and our interim reports, we referred to the Guardianship Pilot or Project. However, now that the project has become established it seems more appropriate to refer to the Scottish Guardianship Service (SGS), as this is how it refers to itself (for example, in leaflets and correspondence.)
- 2 Information about the ENGI project and network can be found at [www.epim.info/wp-content/uploads/2011/05/Achievements-of-NIDOS-Project.pdf](http://www.epim.info/wp-content/uploads/2011/05/Achievements-of-NIDOS-Project.pdf)
- 3 Links to the country reports, all of which are written in English, can be found at [www.ecpat.nl/p/43/522/mo89-mc97/english](http://www.ecpat.nl/p/43/522/mo89-mc97/english)
- 4 See [www.aberlour.org.uk/scottishguardianshipservice.aspx](http://www.aberlour.org.uk/scottishguardianshipservice.aspx)
- 5 There are inconsistencies in the start and cut off dates of the various datasets available for year 1 of the project due to the delayed start date of the Guardianship Service (which was originally due to begin on 1 August). These inconsistencies will be resolved during the second year of the evaluation.
- 6 To protect the anonymity of the young people who contributed to the evaluation, none of the quotes are attributed, and no biographical information given about any of those who took part.
- 7 See [www.aberlour.org.uk/scottishguardianshipservice.aspx](http://www.aberlour.org.uk/scottishguardianshipservice.aspx)

## ANNEX 1 LIST OF ORGANISATIONS CONSULTED

Aberlour Child Care Trust  
Barnardos (Hamilton Park)  
Children in Scotland  
Convention of Scottish Local Authorities (COSLA)  
Glasgow City Council Asylum and Assessment Team  
Legal Services Agency (LSA)  
Red Cross  
Scottish Child Law Centre  
Scottish Children's Reporter Association  
Scottish Refugee Council  
The Mongo Foundation (Campus Project)  
UK Border Agency (UKBA)  
YPeople

# ANNEX 2: THE STAKEHOLDER QUESTIONNAIRE

Dear Stakeholder

As part of evaluating the Scottish Guardianship Service we are conducting this survey so that your views can be systematically gathered and represented. Please help us by taking a few minutes to tell us about your experiences of the Scottish Guardianship Service. Your responses will remain confidential and you will not be identified, unless you choose otherwise. We appreciate that many people are willing the Service to 'succeed' and show 'added value'. We also recognise that the Service is establishing itself through replicating, complementing, joining together and sometimes conflicting with the work of other service providers. So how the Service is viewed through the lenses of collaboration and competition is of interest to us. Your honest views, backed by examples or stories from your experience, would be really valuable, not just in understanding the Scottish Guardianship Service, but in understanding how all services achieve success in working together, as they jointly 'add value' to the lives of children and young people seeking asylum.

Sincerely,

Professor Heaven Crawley

Professor Ravi KS Kohli

Co-evaluators

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**Q1 Please identify the type of service that YOU provide to children and young people seeking asylum. Underneath some of the choices you can specify your agency and role, if you wish to do so.**

- UK Border Agency (1)
- Social Services (2) \_\_\_\_\_
- Residential Services (3) \_\_\_\_\_
- Education (4) \_\_\_\_\_
- Health (5) \_\_\_\_\_
- Legal (6) \_\_\_\_\_
- Scottish Refugee Council (7) \_\_\_\_\_
- Other (8) \_\_\_\_\_

**Q2 How did you first come to hear of the Scottish Guardianship Service?**

**Q3 In your most recent experience of the Scottish Guardianship Service, how did you come into contact with a Guardian?**

- In person (1)
- By telephone (2)
- By email (3)
- By letter (4)
- Other (5) \_\_\_\_\_

**Q4 In the last month, how often have you dealt with the Guardianship Service?**

- Never (1)
- Less than Once a Month (2)
- Once a Month (3)
- 2-3 Times a Month (4)
- Once a Week (5)
- 2-3 Times a Week (6)
- Daily (7)

**Q5 Are you clear about what a Guardian is and does?**

- Definitely yes (1)
- Probably yes (2)
- Maybe (3)
- Probably not (4)
- Definitely not (5)

**Q6 Please elaborate briefly on the answer you have given above.**

**Q7 Do you agree that the Guardian(s) act in the young person's 'best interests'?**

- Strongly agree (0)
- Somewhat agree (1)
- Neither agree nor disagree (2)
- Somewhat disagree (3)
- Strongly disagree (4)

**Q8 Please elaborate on the answer you have given above.**

**Q9 In your experience a Guardian working with a young person:**

	<b>Strongly Disagree</b>	<b>Disagree</b>	<b>Neither Agree nor Disagree</b>	<b>Agree</b>	<b>Strongly Agree</b>
Was honest (1)					
Was reliable (2)					
Was clear about their role with you (3)					
Was trusted by the young person (4)					
Represented the young person's views, wishes and feelings accurately (5)					
Appeared to keep the safety of the young person in mind (6)					
Advocated effectively on behalf of the young person (7)					
Appeared to support the young person in practical ways (8)					
Appeared sufficiently knowledgeable in relation to immigration and asylum issues (9)					
Appeared sufficiently knowledgeable in relation to child welfare issues (10)					

Reassured the young person (11)					
Communicated their understanding of the young person's circumstances (12)					
Helped you to understand the young person's history (13)					
Acted in a professional manner (14)					
Helped you and your service to help the young person (15)					
Helped you to understand the young person's fears, worries and concerns (16)					
Managed time effectively and efficiently (17)					
Made sure that you knew all that you needed to know about the young person (18)					
Helped the young person to understand your role and tasks (19)					
Understood and respected your work with the young person (20)					
Appreciated how you worked with the young person (21)					

Worked collaboratively with you towards a shared goal for the young person (22)					
Managed strong negative feelings in a way that was helpful for the young person (23)					
Disagreed with you in a way that was helpful for the young person(24)					
Helped to link and coordinate formal networks of support (25)					
Helped to establish or facilitate informal networks of care (26)					
Appeared to like the young person (27)					
Worked effectively with interpreters (28)					
Ensured that good decisions were made about the young person's welfare (29)					
Ensured that the young person participated as fully as possible in the process of claiming asylum (30)					

Ensured that fair decisions were made about the young person's asylum claim, based on reliable and relevant information (31)					
Discussed the prospects of the young person remaining in the UK (32)					
Discussed the prospects of removal of the young person from the UK (33)					

**Q10** Could you give one example of a Guardian working well with you and your service?

**Q11** Could you give one example of any difficulties you have experienced with the Guardianship Service?

**Q12** What would you like the Guardianship Service to do more of to improve their work with young asylum seekers?

**Q13** What would you like the Guardianship Service to do less of to improve their work with young asylum seekers?

**Q14** Overall, how satisfied are you currently with your experience of the Guardianship Service?

- Totally (0)
- Very satisfied (1)
- Somewhat satisfied (2)
- Somewhat dissatisfied (3)
- Very dissatisfied (4)

**Q15** Please elaborate on the answer you have given above.

**Q16** If you would like to add any general comment about the Scottish Guardianship Service, then please do so below.

**Q17** If you would like to add any general comment about the evaluation, then please do so below.

Finally, thank you for your feedback. We really appreciate your thoughts and the time you have taken from a busy day to do this survey. If you have any comments or concerns about this survey please contact Ravi Kohli via [ravi.kohli@beds.ac.uk](mailto:ravi.kohli@beds.ac.uk) and Heaven Crawley via [h.crawley@swansea.ac.uk](mailto:h.crawley@swansea.ac.uk)

# KEY QUESTIONS RELATED TO OUTCOMES 1 AND 2

## Key questions related to Outcome 1

1. How do children seeking asylum define 'a Guardian' and identify what they need from a Guardian?
2. How are their views similar to and different from those of other stakeholders, and how can these similarities and differences be harmonised in service provision?
3. What are the key functions of a Guardian in terms of:
  - Direct practice with children seeking asylum (including advice, assistance, befriending);
  - Linking, bridging and monitoring activities of formal networks of care and protection in the context of inter-agency work;
  - Advocacy;
  - Mediation; and
  - Building and sustaining informal networks of care and support?
4. How do Guardians build trusting, sustainable relationships with children in contexts of silences and mistrust?
5. How do Guardians ensure that they and others keep children safe?
6. How do Guardians understand and use the talents and ambitions that the children bring?
7. How do Guardians respond effectively to worries, fears, distress and uncertainty that the children experience from time to time?
8. What constitutes 'successes', and 'failures' in the Guardian's role? How are these thresholds determined by children and other stakeholders? With what consequences?
9. What is the optimal time a Guardian is involved in a child or young person's trajectory? What and when is 'enough'?
10. How are children's requests to choose or change Guardians actioned? By whom?
11. What role do Guardians play in ensuring contact with children's families or communities of origin?
12. How do Guardians work with the children in decisions to leave the UK, in cases of voluntary or enforced return?
13. How are Guardians perceived by children and young people as acting in children's 'best interests' as defined in the UNCRC, Article 3?

## Key questions related to Outcome 2

1. What constitutes 'qualification' for a Guardian in terms of knowledge, skills, experiences, talents and attitudes, and professional status?
2. Where is the hub responsibility for a guardianship service best located?
3. What referral mechanisms work best for a guardianship service?
4. How are Guardians selected, trained, supported, supervised, and remunerated for their work in ways that define best practice?
5. What are the advantages and disadvantages of a Guardian's services being independent of other services working with children and what are the advantages and disadvantages of Guardians working in 'the space between all other agencies supporting the child'?
6. What legal or formal status/power should Guardians have in determining 'best interests' for children, and how does this impact on their efficacy?
7. How are Guardians supported in fostering cooperation between stakeholders towards mutually agreed best outcomes for children?
8. Which strategies, structures and mechanisms work best in enabling Guardians to improve inter-agency cooperation?
9. In what ways can a Guardian support a child or young person in relaying the details of the asylum claim?
10. To what extent do Guardians improve the quality of decision making in asylum cases involving separated children?
11. What forms of advocacy strategies used by Guardians appear to be the most effective in terms of safeguarding children's interests?
12. What forms of mediation strategies used by Guardians appear to be the most effective in terms of safeguarding children's interests?
13. What mechanisms, skills and practices are used by Guardians to resolve areas of conflict between stakeholders?
14. How are Guardians supported in the management of conflict between stakeholders?
15. How would Guardians who are ineffective be performance managed or de-selected?

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A partnership between Scottish Refugee Council and Aberlour Child Care Trust, the **Scottish Guardianship Pilot Service** supports separated children arriving in Scotland helping them to navigate and feel empowered through the immigration and welfare processes they face; access the help they need when they need it; and help them to make informed decisions about their future.

For further information, visit:

[www.aberlour.org.uk/  
scottishguardianshipservice.aspx](http://www.aberlour.org.uk/scottishguardianshipservice.aspx)



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