

BACKGROUND AND CONTEXT

This section provides an overview of the forced displacement contexts globally and in the UK, within which the findings of this research emerged.

Global forced displacement overview

At the close of 2022, the United Nations Refugee Agency (UNHCR) estimated that 108.4 million people worldwide were forcibly displaced from their homes because of persecution, violence, human rights violations and events seriously disturbing public order.ⁱ This figure represented a 19 million-person increase since the end of 2021 – an increase driven by ongoing and new conflicts, including in Ukraine and Afghanistan. Globally, children make up approximately 40% of forcibly displaced people.ⁱⁱ It is estimated that one in three children living outside their country of birth are refugees.ⁱⁱⁱ

Age-disaggregated data shows that children in their early years (0-4) comprise more than a quarter of all the refugee and asylum-seeking children recorded by UNHCR.^{iv} The number of children who are spending their early years forcibly displaced from their homes has grown in recent years: at the end of 2022, there were more than 3.1 million refugee and asylum-seeking children under the age of five recorded worldwide by UNHCR, representing a 35% increase as compared to the end of 2020.^v

UK displacement policy landscape

The forced displacement landscape in the UK can, at the time of writing this report and for the purposes of this research, be understood in three parts:

- The landscape for **asylum seekers**
- The landscape for **people with status granted** through asylum routes (including refugee status, humanitarian protection status, and limited leave to remain)
- The landscape for those who have been part of **UK Government schemes** (including schemes for Afghan and Ukrainian nationals).

Age-disaggregated data on refugee and asylum-seeking children in the UK is not publicly available; UK Government statistics tend to group all children together and it has not been possible to attain recent data on those in their early years. However, where possible data is provided on children. For those who have engaged with the asylum system (asylum-seekers and those who were granted status through asylum routes) data is also provided on dependants under the age of 18 (children who are dependent on adults rather than having an application in their own name) – as within these figures lie the very youngest refugee and asylum-seeking children.

Asylum-seekers

In the year ending March 2023, the Home Office recorded 75,492 asylum applications (relating to 91,047 people) – a 33% increase from the previous year. Home Office data shows that of the 91,047 people who claimed asylum between April 2022 and March 2023, 18% (16,183) were children.^{vi} Of these children, 65% (10,533) were dependants.^{vii}

While current data is not publicly available, the Refugee Council reported obtained data showing that, in 2017, 2,711 child dependant applicants were children under the age of five.^{viii} These babies and very young children made up nearly 50% of all child dependant applicants that year, and this pattern was broadly consistent for the prior three years of data (2014, 2015 and 2016) (see [Annexe 1](#)). Given this pattern, and considering global patterns set out above, it is likely that a high percentage of the 10,533 dependent asylum-seeking children recorded by the Home Office in the last year are babies and very young children.

People with protection status granted through asylum routes

In the year ending March 2023, the UK Government made 17,872 grants of protection (refugee status, temporary refugee protection, and humanitarian protection) to people who had claimed asylum, of which 27% (4,873) were made to children.^{ix} Of these children, just over half (2,580) were made to dependant applicants.^x A further 362 grants of other forms of status were made, of which 50% (178) were made for children, of which 63% (112) were dependants.^{xi}

UK Government schemes: resettlement schemes

The UK Government has, since 2004, established schemes to resettle refugees fleeing conflict or countries with poor human rights records with no hope of returning home. At present, three refugee resettlement schemes exist (excluding the Afghanistan and Ukraine schemes: the Community Sponsorship scheme; the Mandate Scheme; and the UK resettlement scheme (UKRS), which, at the start of 2021, brought together three historical resettlement schemes (the Gateway Protection Programme, the VPRS (for Syrians) and the VCRS). A total of 3,781 individuals have been resettled by the schemes outlined above since January 2020, of whom 47% (1,768) are children.^{xii}

UK Government schemes: Afghanistan and Ukraine

Following the takeover of power by the Taliban in Afghanistan in 2021, the UK Government set up the Afghan Relocations and Assistance Policy (ARAP) for Afghan citizens who worked for or with the UK Government in Afghanistan. As of the end of March 2023, the UK Government recorded 11,298 individuals under the ARAP scheme, of whom 54% (6,115) were children.^{xiii} In January 2022, the UK

Government launched the Afghan Citizens Resettlement Scheme (ACRS), with a commitment to resettle 20,000 Afghans over the coming years. As of the end of March 2023, Government data shows 9,113 individuals resettled under the scheme, of whom 51 % were children.^{xiv}

In 2022 the UK Government launched two visa routes for Ukrainians fleeing war: the Ukraine Family Scheme, which allows applicants to join family members or extend their stay in the UK, under which 100,900 visa applications were made; the Ukraine Sponsorship Scheme, which allows Ukrainian nationals and their family members to come to the UK if they have a named sponsor under the Homes for Ukraine scheme, under which 204,300 visa applications were made.^{xv} As of the end of March 2023, children accounted for 29% of all people who arrived from Ukraine since the schemes began.^{xvi}

Refugee and asylum-seeker policy

This section provides a brief overview of two policy landscapes in England: refugee and asylum-seeker policy, and ECEC funding entitlements policy. It is not intended to be an exhaustive policy analysis, but rather to provide an overview of relevant components of the two major policy landscapes that affect the youngest refugee and asylum-seeking children's access to ECEC, and that are referred to in the findings section of this report. Both systems are complicated, and for the cohort of children caught in the middle of them, compounding barriers can make navigating them an issue.

The policies outlined within this section should be considered within the context of the recently passed Illegal Migration Act 2023, which will instigate rapid changes to the policy landscape, particularly the future of asylum-seeking. Analysis is yet to be done assessing the impact of this on the very youngest refugee and asylum-seeking children, although concern has been raised about its likely impact on children's rights.^{xvii} The legislation could mean that children are unable to claim asylum in the UK and there will be a use of detention centres to house those who arrive in the UK. This changing context could therefore have a material effect on how children are treated upon their arrival and questions remain about what this means in relation to their ability to access current ECEC entitlements.

Asylum-seekers

Asylum-seekers who are waiting on an outcome on their asylum claim are generally not permitted to work.^{xviii} Recent research has found that this policy has a negative social and economic impact and makes the UK one of most restrictive European countries in terms of the right to work for asylum seekers.^{xix} Asylum-seekers are, however, generally permitted to study while awaiting a decision on their asylum claim.

Asylum-seekers can access asylum support from the UK Government if they are unable to financially support themselves. Currently there are three types of asylum

support provided under the Immigration and Asylum Act 1999: section 98 (temporary), section 95 (while waiting on an outcome on an asylum claim) and section 4 (if an asylum claim has been rejected). Section 95 support is, at the time of writing, set at £47.39 a week for each person in a self-catered accommodation, or £9.58 a week for those in catered accommodation.^{xx} There are additional payments for pregnant mothers and families with young children. This includes a weekly additional payment of £3 for pregnant mothers, £3 if families have children under three, and £5 for a baby under one.^{xxi}

The Home Office provides asylum-seekers with accommodation if they are destitute. At the end of March 2023, the UK Government recorded 108,236 individuals in such accommodation.^{xxii} Under section 98, this accommodation is often a full-board hotel/hostel that is intended to be temporary while waiting for section 95 support. Once granted section 95 support, asylum-seekers are dispersed to new accommodation elsewhere in the country. Widespread concerns have been raised about the living conditions and the unsuitability of such accommodation for families with young children,^{xxiii} which is supported by our primary research in this report.

Those granted status through asylum routes

Those who have claimed asylum may receive several outcomes. They may be granted refugee status or humanitarian protection, both of which give individuals and their families recourse to public funds, an initial five years' permission to stay in the UK, an unrestricted right to work in the UK, the opportunity to apply for a refugee integration loan, and a route to settlement for those who continue to need protection.^{xxiv} While those who are part of Government schemes, as detailed in the following section, are provided with accommodation and receive support to access services and find employment, those who have received protection status from the UK Government do not receive such support.^{xxv}

Those who have claimed asylum may be granted Limited Leave to Remain (LLR), including for private and family life reasons. This status provides a shorter window of permission to remain in the UK (2.5 years at a time) and generally does not allow recourse to public funds. It does, however, give individuals the right to work.

Individuals in government schemes

The provisions for families who have been part of Government schemes (including the UKRS and the schemes for Afghan and Ukrainian nationals) may vary but tend to have some common characteristics. This generally includes a grant of an immigration status on arrival which will provide individuals with the right to work and access to public funds. It also includes the provision of central government funding for local authorities and others to support work with individuals – which enables individuals to receive support with accommodation, integration and access to services.^{xxvi} The schemes do, however, vary in terms of the type of immigration status granted, and accommodation models.^{xxvii} With regards to accommodation, a

notable variation in recent years has been the hosting of Ukrainians in UK households via the Homes for Ukraine scheme, whereas Afghans were typically housed in hotel/hostel accommodation while waiting for more permanent accommodation.

Individuals with No Recourse to Public Funds (NRPF)

The NRPF condition relates to individuals whose immigration status prevents them from accessing public funds, and generally applies to those who are 'subject to immigration control' under section 115 of the Immigration and Asylum Act 1999. This includes those who are in the UK on a visa or have leave to remain with a condition attached (such as visitors, spouses or other dependants, and those granted limited leave to remain under private and family life rules who are not deemed to be at risk of destitution). It also includes those without an established immigration status, such as asylum-seekers and those who are undocumented.

The public funds that individuals are restricted from include Universal Credit (including support with childcare costs), child benefits and in-work benefits.^{xxxiii} These public funds are vital in supporting low-income families with childcare costs, including single parent families^{xxxix} and their absence for asylum-seeking families and those with a NRPF condition has been found to have significant social, economic and wellbeing impacts.^{xxx}

Current ECEC funding entitlements policy

In April 2023, the Government announced an expansion of the current set of entitlements, expanding access to subsidised childcare for working households.^{xxxi} However, at present, the DfE funds three entitlements to free early education and childcare in England.^{xxxii}

- **The disadvantaged entitlement:** 15 hours per week for disadvantaged two-year-olds
- **The universal entitlement:** 15 hours per week for all three- and four-year-olds
- **The extended entitlement:** an additional 15 hours per week (a total of 30 hours) for three- and four-year-olds with eligible working parents.^{xxxiii}

Government-funded ECEC is not classed as a public fund for immigration purposes, meaning that all children, regardless of their immigration status, are eligible to access the universal entitlement.^{xxxiv} The youngest refugee and asylum-seeking children are also eligible to access the disadvantaged entitlement – and the fact that those with NRPF are able to access this is a new policy development brought in during the COVID-19 pandemic.^{xxxv}

However, those with a NRPF condition – including asylum-seekers, undocumented families, and some with limited leave to remain – will be unable to access the extended entitlement. Additionally, as asylum-seekers are often not able to work, they are prevented from accessing the extended entitlement.

Table 1: ECEC funding entitlements

Funding entitlement	Age of eligible children	Free hours available	Families with protection status (including refugee status, humanitarian protection, and indefinite leave to remain)	Families with NRPF (asylum-seekers, some forms of limited leave to remain, undocumented families)
The 'disadvantaged' entitlement	2-year-olds	15 hours per week	✓ – families on a low income who are accessing Universal Credit are eligible	✓ – families on a low income but with a NRPF condition are eligible
The universal entitlement	3–4-year-olds	15 hours per week	✓ – all children are eligible	✓ – all children are eligible
The extended entitlement	3–4-year-olds	An additional 15 hours per week (a total of 30 hours per week when combined with the universal entitlement)	✓ – families who have a status that allows access to public funds	✗ – families with a NRPF condition are restricted
2023 Spring Budget entitlement expansion	9-month–2 year-olds	An additional 15 hours per week (a total of 30 hours per week when combined with the universal entitlement)	✓ – families who have a status that allows access to public funds	✗ – families with a NRPF condition are generally restricted

It is within this policy landscape that we have conducted our research with parents – the people who are experiencing the policy firsthand. This research is outlined in the next two sections, starting with the methodology.

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- ⁱ UNHCR, Global Trends: Forced Displacement in 2022 (2023), 2.
- ⁱⁱ UNHCR, Refugee Data Finder, <https://www.unhcr.org/refugee-statistics/>, accessed August. 2023.
- ⁱⁱⁱ UNICEF, Child Displacement, <https://data.unicef.org/topic/child-migration-and-displacement/displacement/#:~:text=Children%20make%20up%20less%20than,less%20than%201%20in%202020>, accessed June. 2023.
- ^{iv} UNHCR, Refugee Data Finder, accessed August. 2023. Population filters included in analysis were ‘refugees and people in refugee-like situations’, and ‘asylum seekers’, aligning to the scope of this research. Extracted data is available at: www.unhcr.org/refugee-statistics/download?url=e99QgA.
- ^v *ibid.* As above, ‘refugees and people in refugee-like situations’ and ‘asylum seekers’ were applied.
- ^{vi} Home Office, Asylum and Resettlement Datasets, year ending March 2023. Analysis of ‘asylum applications, decisions and resettlement’, table Asy-D01. Age filter – under 18 – applied to totals from 2022 Q2 - 2023 Q1. (2023).
- ^{vii} *ibid.* In addition to the age filter – under 18 – being applied, ‘dependant’ was applied to ‘application type’.
- ^{viii} Refugee Council, Children in the Asylum System: 2022 (Refugee Council, 2022).
- ^{ix} Home Office, Asylum and Resettlement Dataset, year ending March 2023. Analysis of ‘asylum applications, decisions and resettlement’, table Asy-D02. Age filter – under 18 – and dependant applied to sum of totals in quarters 2022 Q2 - 2023 Q1. (2023).
- ^x *ibid.* In addition to the age filter – under 18 – being applied, ‘dependant’ was applied to ‘application type’.
- ^{xi} Home Office, Asylum and Resettlement Dataset, year ending March 2023. Analysis of ‘asylum applications, decisions and resettlement’, table Asy-D02. Age filter – under 18 – and dependant applied to sum of totals in quarters 2022 Q2 - 2023 Q1. (2023).
- ^{xii} Home Office, Asylum and Resettlement Dataset, year ending March 2023. Analysis of ‘asylum applications, decisions and resettlement’, table Asy-D02. Age filter – under 18 – applied to totals in quarters 2022 Q2 - 2023 Q1. Data for resettlement schemes does not record dependant applicants. (2023).
- ^{xiii} *ibid.*
- ^{xiv} *ibid.*
- ^{xv} Home Office and UK Visas and Immigration, Ukraine Family Scheme, Ukraine Sponsorship Scheme (Homes for Ukraine) and Ukraine Extension Scheme Visa Data, (UK Government, 2023), <https://www.gov.uk/government/publications/ukraine-family-scheme-application-data/ukraine-family-scheme-and-ukraine-sponsorship-scheme-homes-for-ukraine-visa-data-2>, accessed August. 2023.
- ^{xvi} Home Office, Statistics on Ukrainians in the UK (UK Government, 2023), <https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-march-2023/statistics-on-ukrainians-in-the-uk>, accessed August. 2023.
- ^{xvii} Children’s Commissioner, The Impact of the Illegal Migration Bill of Children: Blog (2023), <https://www.childrenscommissioner.gov.uk/blog/the-impact-of-the-illegal-migration-bill-on-children/>, accessed August. 2023.
- ^{xviii} Walsh, P., ‘Briefing: Asylum and Refugee Resettlement in the UK’, The Migration Observatory (University of Oxford, 2023).
- ^{xix} Aleynikova, E. & Mosley, M., The economic and social impacts of lifting work restrictions on people seeking asylum (National Institute of Economic and Social Research, 2023).
- ^{xx} Right to Remain, The Right to Remain Toolkit: A guide to the UK immigration and asylum system (2023), <https://righttoremain.org.uk/toolkit/asylum-support/>, accessed August. 2023.
- ^{xxi} Maternity Action, Asylum Seekers: Maternity Rights and Benefits (2023), <https://maternityaction.org.uk/advice/asylum-seekers-maternity-rights-and-benefits/#:~:text=A%20single%20parent%20with%20one,for%20a%20baby%20under%20one>, accessed August. 2023.
- ^{xxii} Home Office, Home Office, Asylum and Resettlement Dataset, year ending March 2023, table Asy-D02. Data not available for children (2023).
- ^{xxiii} Refugee Action, ‘Children in Hotels’, Refugee Action (2023). <https://www.refugee-action.org.uk/children-in-hotels/>, accessed August. 2023.
- ^{xxiv} UK Visas and Immigration, Permission to stay on a protection route for asylum claims lodged on or after 28 June 2022 (UK Government, 2023), <https://www.gov.uk/government/publications/permission-to-stay-on-a-protection-route-caseworker-guidance/permission-to-stay-on-a-protection-route-for-asylum-claims-lodged-on-or-after-28-june-2022-accessible>, accessed August. 2023. Although please note that the Illegal Migration Bill will bring with it changes to Humanitarian Protection.
- ^{xxv} All-Party Parliamentary Group on Refugees, Refugees Welcome? The Experience of New Refugees in the UK: A report by the All-Party Parliamentary Group on Refugees (Refugee Council, 2017).
- ^{xxvi} Greater London Authority, Refugee Resettlement Guidance for Local Authorities (Greater London Authority, 2023).
- ^{xxvii} *ibid.*
- ^{xxviii} Benton, E., et al., Social Cost Benefit Analysis of the No Recourse to Public Funds (NRPF) Policy in London (Greater London Authority, 2022).

^{xxix} Pinter, I., 'On the Outside: Enabling parents from migrant backgrounds to access childcare provisions could help address existing inequalities: blog', Family and Child (2023), <https://www.familyandchildcaretrust.org/on-the-outside>, accessed August. 2023.

^{xxx} Benton, E., et al., Social Cost Benefit Analysis of the No Recourse to Public Funds (NRPF) Policy in London (Greater London Authority, 2022). National Audit Office, Supporting disadvantaged families through free early education and childcare entitlement (National Audit Office, 2020).

^{xxxi} From April 2024, eligible working parents of two-year-olds will get a new offer of 15 free hours per week of free childcare. From September 2024, eligible parents will get 15 free hours from nine months until their children start school, and from September 2025, they will get 30 free hours from nine months until the start of school.

^{xxxii} National Audit Office, Support disadvantaged families through free early education and childcare entitlements in England (NAO, 2020), <https://www.nao.org.uk/wp-content/uploads/2020/03/Supporting-disadvantaged-families-through-free-early-education.pdf>, accessed September 2023.

^{xxxiii} Greater detail on eligibility criteria can be found in Annex 3.

^{xxxiv} NRPF Network, Early education and childcare: Information about who can get free early education and childcare (NRPF Network, 2023), <https://www.nrpfnetwork.org.uk/information-and-resources/rights-and-entitlements/services-for-children-and-families/early-education-and-childcare>, accessed August. 2023.

^{xxxv} Pinter, I., 'On the Outside: Enabling parents from migrant backgrounds to access childcare provisions could help address existing inequalities: blog', Family and Child (2023), <https://www.familyandchildcaretrust.org/on-the-outside>, accessed August. 2023.