

London Borough of Barnet  
2 Bristol Avenue,  
Colindale,  
London, NW9 4EW  
29 June 2022  
Our ref: 8302156

Thank you for your request received on 30 May 2022, for the following information:

**We write to make the following information request under the Freedom of Information Act 2000:-**

- 1. Please confirm the number of full assessments of age completed by your authority since 1st January 2022.**
  - a. Of these, how many positive decisions have there been, namely to accept the individual to be a child.**
  - b. On the other hand, how many negative decisions have there been, namely to find the individual to be an adult.**
  - i. Of those negative decisions, how many were overturned following legal challenge/in any subsequent reassessment process.**
- 2. Please confirm the number of initial/brief enquiry/visual screening/short form/shortened/abbreviated assessments/decisions of age completed by your authority since 1st January 2022.**
  - a. Of these, how many positive decisions have there been, namely to accept the individual to be a child.**
  - b. On the other hand, how many negative decisions have there been, namely to find the individual to be an adult.**
  - i. Of those negative decisions, how many were overturned following legal challenge/in any subsequent full age assessment process.**
  - c. If applicable, how many of these forms of assessment/decisions determined that further assessment/enquiries were necessary such that it was not possible to conclude with a finding of minor or adult status at that stage.**
- 3. Please set out the authority's process for determining whether a claimed minor approaching it/referred to it requires a full age assessment or whether to proceed with an initial/brief enquiry/visual screening/short form/shortened/abbreviated assessment/decision of age. What criteria apply for these two different assessment approaches?**

**Please provide copies of any relevant policy, internal protocol, guidance, instruction and/or practice issued to and used by social workers following the authority becoming aware of an unaccompanied asylum-seeking**

claimed minor being within its area, in terms of how that individual's age will be considered/assessed and as to when accommodation would need to be provided under s.20 Children Act 1989.

Please provide a blank copy of any standard/precedent full age assessment form and initial/brief enquiry/visual screening/short form/shortened/abbreviated age assessment form used by your authority.

We have processed this request under the Freedom of Information Act 2000.

## **Response**

I can confirm that London Borough of Barnet holds the information you requested.

However, we believe that the exemptions detailed below apply to some/all of this information and this is withheld. Please see the Refusal Notice below.

### ***1. Please confirm the number of full assessments of age completed by your authority since 1st January 2022.***

We are unable to provide this information as the numbers are too low. Please see Refusal Notice below

#### ***a. Of these, how many positive decisions have there been, namely to accept the individual to be a child.***

N/A

#### ***b. On the other hand, how many negative decisions have there been, namely to find the individual to be an adult.***

N/A

#### ***i. Of those negative decisions, how many were overturned following legal challenge/in any subsequent reassessment process.***

N/A

### ***2. Please confirm the number of initial/brief enquiry/visual screening/short form/shortened/abbreviated assessments/decisions of age completed by your authority since 1st January 2022.***

#### ***a. Of these, how many positive decisions have there been, namely to accept the individual to be a child.***

#### ***b. On the other hand, how many negative decisions have there been, namely to find the individual to be an adult.***

#### ***i. Of those negative decisions, how many were overturned following legal challenge/in any subsequent full age assessment process.***

#### ***c. If applicable, how many of these forms of assessment/decisions determined***

***that further assessment/enquiries were necessary such that it was not possible to conclude with a finding of minor or adult status at that stage.***

Please see response to Q1

***3. Please set out the authority's process for determining whether a claimed minor approaching it/referred to it requires a full age assessment or whether to proceed with an initial/brief enquiry/visual screening/short form/shortened/abbreviated assessment/decision of age. What criteria apply for these two different assessment approaches?***

In the majority of cases the need for an Age Assessment will be identified when a person is newly arrived in the UK and is claiming to be under the age of 18 years, but with no identification to confirm this. In such cases, the Local Authority in partnership with the Police will aim to follow the ethos of Operation Innerste as a response. In addition, the Local Authority will aim to complete all assessments within 28 days, and where unable to do so, need to notify the Home Office of reasons for any delay within 28 days.

***Please provide copies of any relevant policy, internal protocol, guidance, instruction and/or practice issued to and used by social workers following the authority becoming aware of an unaccompanied asylum-seeking claimed minor being within its area, in terms of how that individual's age will be considered/assessed and as to when accommodation would need to be provided under s.20 Children Act 1989.***

Children Act 1989 Guidance and Regulations - Volume 2: Care Planning, Placement and Case Review provides that in every case where someone seeking asylum claims to be a child but their age is in doubt they should be treated as the age they claim to be, unless, and until, a case law compliant age assessment – including a less prolonged enquiry carried out by a social worker in accordance with Home Office guidance 'Assessing Age' - shows them to be otherwise, or other documentary evidence of age comes to light.

Where they are claiming to be a child, the presumption that they are a child until assessed or established otherwise enables them to receive immediate assistance, support and protection in accordance with section 51 Modern Slavery Act 2015.

Assessments must be undertaken in accordance with standards established in case law and should only be carried out where there is reason to doubt that the individual is the age they claim. For further guidance see: Age Assessment Guidance published by ADCS. In all cases where a referral is received concerning an unaccompanied child, the relevant Team will carry out an Assessment in accordance with the Assessments Procedure, to determine whether they are a Child in Need.

***Please provide a blank copy of any standard/precedent full age assessment form and initial/brief enquiry/visual screening/short form/shortened/abbreviated age assessment form used by your authority.***

Please see the relevant guidance document below

[https://adcs.org.uk/assets/documentation/Age\\_Assessment\\_Guidance\\_2015\\_Final.pdf](https://adcs.org.uk/assets/documentation/Age_Assessment_Guidance_2015_Final.pdf)

## Refusal Notice

### **S40(2) identifying individuals through statistical tables (5 or less)**

Please note that we have omitted the data where the values are 5 or less. This is because in some instances, owing to the low numbers of individuals involved (5 or less) disclosing this data may make it possible for individuals to be identified. This information is therefore exempt by virtue of section 40 (2) of the Freedom of Information Act 2000 (FOIA), as disclosure of this information to the public generally, in the Council's view, would not be consistent with data protection principles in Article 5 of the General Data Protection Regulations. This is an absolute exemption and the public interest test does not apply.

### **Further information**

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

### **Advice and Assistance : Direct Marketing**

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link [www.ico.org.uk](http://www.ico.org.uk)

**For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.**

### **Your rights**

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk). Or by post to Records & Information Management Service, Assurance Group, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website [www.ico.org.uk](http://www.ico.org.uk)). There is no charge for making an appeal.

