



Janet Daby MP
Minister for Children and Families

2024-0032040

Department for Education Sanctuary Buildings 20 Great Smith Street London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/contactus/dfe

[REDACTED]
Coordinator, Schools of Sanctuary
By email: [REDACTED]

25 October 2024

Dear [REDACTED]

Thank you for your correspondence of 1 October, addressed to the Minister for Early Education, regarding the work of your organisation. I am replying as the minister responsible for this policy area.

I have also read with interest the two recent research reports about the education of children seeking safety which you attached.

We recognise that refugee children and those seeking asylum, including those who arrive in England unaccompanied by family members, can be some of the most vulnerable people in our society. As the Minister for Children and Families, I take the needs of these children extremely seriously. I am committed to working across government to ensure that these young people get the support they need. Most unaccompanied children are over the age of 16 but will be placed in the care of local authorities as looked-after children.

All local authorities must exercise their duties under the Children Act 1989 to all children in their area, regardless of immigration status. This will mean that those who are unaccompanied will be entitled to the same local authority provision as any other looked after child, including admission to schools.

Turning to children who are not unaccompanied, but who are nevertheless refugees, we do recognise that arriving in a strange country with a very different education system to the one they are used to can be confusing for children and parents. We do provide guidance on the rights of foreign nationals to access schools.

One of the reports you provided set out difficulties older refugee children experience in accessing schools. Local authorities (normally their school admission teams) are under a duty to advise parents on their choice of school. This includes refugee parents. We would welcome you considering whether there is any value you can add by working with local authorities in this space.

Let me be clear that children of compulsory school age – broadly aged 5-16 - who live in or arrive in England are entitled to a full-time education. The English education system does not take nationality or immigration status into account when determining whether a child is admitted to a school.

The system is such that parents – or the local authority in the case of unaccompanied children – will need to apply for a school place for their children. The local authority can help parents navigate the system and can advise which schools hold vacancies. Except in very limited circumstances, schools can only refuse a child admission if they are full. This includes in year 11.

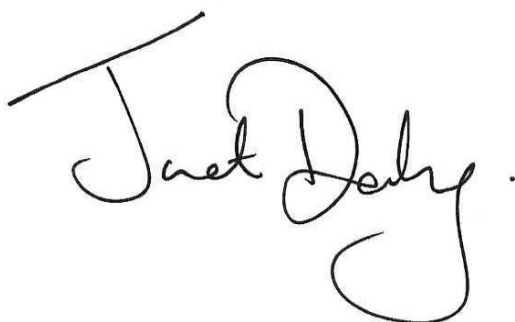
We recognise that arriving during the school year can be more problematic in terms of the places available. That is why, in England, local authorities will place asylum-seeker and refugee children who arrive during the school year using what is called their 'in-year fair access protocol' if they consider that schools near the child's place of residence are otherwise full.

We also know that many refugee children will have English as an additional language. Schools are responsible for ensuring that all their pupils – including those who are classed as having a first language other than English – can access the full curriculum and have opportunity to achieve and thrive in education.

I appreciate your kind invitation to meet. Unfortunately, due to diary commitments, we are unable to do so at present. However, Ms Sonya Hanson from the Unaccompanied Asylum-Seeking Children team and Mr Mark Earl from the school access team would be delighted to meet to discuss your work. If that would be of interest, I would be grateful if your office could contact them at Sonya.Hanson@education.gov.uk and Mark.Earl@education.gov.uk to arrange this.

Thank you for taking the time to write. I hope you find this response useful.

Yours sincerely,

A handwritten signature in black ink, reading 'Janet Daby' followed by a period. The signature is written in a cursive, flowing style.

Janet Daby MP
Minister for Children and Families