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Refugee Education UK

EDUCATION POLICY INSTITUTE

Refugee and Asylum-Seeking Children's Achievement

A policy briefing

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Executive summary

This technical policy briefing builds upon the research and policy work of the Education Policy Institute (EPI), The Bell Foundation, and Refugee Education UK (REUK), responding to opportunities in the Children's Wellbeing and Schools Bill, to set out a roadmap for improving the poor educational outcomes of refugee and asylum-seeking children.

The technical policy briefing includes:

- Evidence of the need for refugee and asylum-seeking children's education policy
- Relevant provisions of the Children's Wellbeing and Schools Bill
- Recommendations to include in the Bill and/or accompanying guidance
- Wider policy needs and recommendations.

The case for improving achievement of refugee and asylum-seeking children

- Outcomes for children who speak English as an Additional Language (EAL) are **heterogenous**: those who start school in England at the regular age of five have above-average attainment at ages 11 and 16.
- In contrast, the subset of **late arrivals who speak EAL** had GCSE English and maths grades that were **12 months behind** those of non-EAL-speaking children in 2023.
- **Unaccompanied asylum-seeking children** (a subset of looked-after children) had GCSE attainment that was **34 months behind** non-migrant children in 2017; this was lower than for all looked-after children.
- **Resettled refugees and asylum-seekers** had estimated GCSE attainment that was **17 months behind** non-migrant children; this was worse than children with a child protection plan or a history of persistent socio-economic disadvantage.
- The result is that refugee and asylum-seeking children, who receive little support, have **attainment worse than that of children in receipt of statutory services** and/or the most vulnerable subset of socio-economically disadvantaged children.

Recommendations for the Children's Wellbeing and Schools Bill

- The Children's Wellbeing and Schools Bill contains measures to strengthen children's social care and safeguarding as well as measures affecting schools.
- The most relevant parts of the Bill for refugee and asylum-seeking children concern **school admissions** (clauses 53-55), the **register of children not in school** (clauses 30-35), and the extension of **duties to promote the achievement** of vulnerable children (Clause 6).
- The proposed local authority (LA) power to direct any school to admit a pupil who has been refused admission to all reasonably-located schools should be tightened through **statutory guidance** requiring schools to promptly admit pupils pending the outcome of any appeal against a direction to admit.

- The power to direct admission builds upon local Fair Access Protocols, for which **statutory guidance** and **monitoring** is also needed, to set time limits on the process for securing a school place.
- The proposed duty on parents to report when their child is not in school to their local authority should be supported through **a further duty on LAs** to (i) undertake outreach to migrant communities about the new arrangements, (ii) provide information about school admissions in other languages, and (iii) provide a point of contact for professionals to report cases of children in a need of a school place to the register of children not in school.
- The extension of the Virtual School Head's duty to also promote the educational achievement of Children In Need (with a social worker) highlights the **discrepancy in educational duties and provisions** between refugee and asylum-seeking children and other vulnerable groups with low attainment. This **strategic duty should be expanded to include refugee and asylum-seeking children,** to make equivalent provision for this group in recognition of its average achievement being even lower than that of Children In Need.

Wider policy gaps and recommendations

- The policy gap in funding and oversight for refugee and asylum-seeking children's education, by comparison with other vulnerable low-achieving groups, should be rectified by making consistent provision to improve outcomes.
- Firstly, this should involve the **extension of resettlement grant funding** to LAs to include all refugee and asylum-seeking children, so that funding is available to cover Year 1 (post-arrival) education costs, including for special educational needs and disabilities.
- Secondly, the National Funding Formula for schools should be extended to provide at least **five years of EAL factor funding** commensurate with the time taken to become proficient in English, and to provide **uplifted funding rates for late-arriving** children who will only benefit from school funding for 1-2 years.
- Thirdly, the Department for Education (DfE) Young People's FE funding arrangements should be extended to provide **uplifted funding** for curriculum-integrated additional language support and embedded ESOL provision for those EAL-speakers who need it, and catch-up support for late arrivals.
- Fourthly, school and college accountability measures should permit **flexibility** in the age by which Level 2 and Level 3 qualifications are assessed to complete the resources and incentives needed to enable bespoke catch-up provision pathways to be developed for late arrivals. Funding and accountability systems should be adapted to **remove disincentives to offer multi-year learning aims and mixed-age provision**.

1. Background

1. Background to the technical policy briefing

1.1 Introduction

1.1a The Education Policy Institute (EPI), The Bell Foundation, and Refugee Education UK (REUK) have worked together to establish a policy-focused evidence base for the education of children who are refugees and asylum-seekers, as well as the wider group of children who speak English as an Additional Language (EAL). The Bell Foundation has established an evidence-based EAL Assessment Framework for assessing children's English language proficiency (The Bell Foundation 2017a), as well as providing free EAL teaching resources for schools (The Bell Foundation 2017b). EPI has published quantitative research on educational outcomes for children who speak EAL (Hutchinson 2018a) and for refugee and asylum-seeking children (Hutchinson and Reader 2021). REUK has published mixed methods research on educational provision for, and experiences of, late-arriving migrant children (Refugee Education UK 2024).

1.1b This technical policy briefing builds upon this work and the opportunities presented by the current Children's Wellbeing and Schools Bill to set out a roadmap to assist policymakers in improving the poor educational outcomes and experiences of refugee and asylum-seeking children in England.

1.2 Legal status for refugee and asylum-seeking children

1.2a **All children in England aged five to eighteen are legally of compulsory school age** (Education and Skills Act 2008), and must be provided with suitable education or training, whether in a school, a further education provider, or by another means.

1.2b **Local authorities have a duty to ensure educational provision** for their local populations (Education Act 1996). Places at state-funded schools and colleges are not designated as 'public funds' for immigration purposes (Home Office 2025) and therefore **children of any immigration status or none, including refugees, asylum-seekers and resettled children, are entitled to access education**.

1.2c **Schools must not check children's immigration status** as a condition of enrolment (Department for Education 2024d) and DfE funds the **same courses for 16-18 year-olds with leave to enter or remain** as it does for other young people; however from the age of 19, immigration status can affect funded adult education entitlements (Education and Skills Funding Agency 2024a).

1.2d These legal provisions are grounded in the UN Convention on the Rights of the Child, ratified by the UK in 1991. Article 22 of the Convention provides that **refugee and asylum-seeking children shall be afforded protection and assistance in securing their other rights**. Article 28 recognises the **right of the child to education** on the basis of equal opportunity, and Article 29 requires that educational provision is directed towards the

development of the child's personality, talents and mental and physical abilities **to their fullest potential** (UNICEF UK 1989).

1.3 Evidence of poor and unequal educational outcomes

1.3a The National Pupil Database (NPD) is the Department for Education's main administrative dataset covering children's enrolment in schools, their demographic information and their educational outcomes. Similar information about young people's 16-19 education records is collected in the Individual Learner Records (ILR) dataset. **Neither the NPD nor ILR datasets include information about migrant or immigration status of children and young people**, and therefore there is little quantitative research available to describe the outcomes of refugee and asylum-seeking young people. However, this information is imperfectly proxied by children's time of arrival in the English state school system.

1.3b More broadly, research has explored the attainment outcomes and educational experiences of children who speak English as an Additional Language (EAL) and late-arriving EAL pupils whose first enrolment in a state-funded school in England is after they reach compulsory school age, groups to which refugee and asylum-seeking children often belong to as a subset of the broader group.

1.3c Studies consistently emphasise the **heterogeneity of children who speak EAL**, in terms of country of birth, English language proficiency, time of arrival, first language spoken, socio-economic status, and prior educational history. This diversity results in a wide distribution of educational attainment spanning **extremely low to well-above-average results** within the EAL group. Children who arrive late in the educational phase face a **large average attainment penalty**, whereas those who speak EAL but start school in England at the regular age of five have **above-average attainment** (Lindorff, Strand, and Au 2025; Strand and Lindorff 2020; Cara 2021; Hutchinson 2018b; Demie 2018; Ashlee 2024). The key factor explaining this variation in attainment of children who speak EAL is their level of **English language proficiency** (Strand and Lindorff 2020; Hutchinson 2018a).

1.3d 'Late arrivals' have been defined as those children who are first enrolled in a school in England in Years 10 and 11 and speak EAL. **Late-arriving EAL-speakers have markedly low attainment.** Their GCSE English and maths grades that were 12 months behind those of non-EAL speaking pupils in 2023 (Tuckett et al. 2024). Late-arrivals as a group are particularly likely to include refugee and asylum-seeking children, since many arrival routes in England involve dangerous and arduous journeys that are difficult to make for young children.

1.3e Data concerning children's time of first enrolment at a school, their ethnicity, and first language are part of the National Pupil Database (NPD). Researchers have combined these with Home Office data on the number of child arrivals with refugee status or asylum claims by year of arrival, child age, and the local authority in which any Section 95 housing and financial support is received, and with information about the countries of origin in which each first

language is spoken, to create a probability of each child record belonging to a refugee or asylum-seeking child. This information was used to weight each child record according to its likelihood of representing a refugee or asylum-seeker and compute estimated GCSE attainment, school attendance, and exclusions statistics for the refugee and asylum-seeking children's group (Hutchinson and Reader 2021). Unaccompanied asylum-seeking children have NPD children's social care records that specify their status, and statistics for their outcomes were also produced.

1.3f This research (Hutchinson and Reader 2021) estimated that **unaccompanied asylum-seeking children**[1] had GCSE English and maths attainment in 2017 that was the equivalent of **34 months behind** that of non-migrant children. This placed them in the 12th percentile of attainment nationally, **lower than the full group of all Looked-After Children (LAC)** at the 23rd percentile. Accompanied children that were **possible resettled refugees or asylum-seekers in receipt of asylum support** had English and maths attainment that was **17 months behind** that of non-migrant children. This placed them at the 29th percentile nationally, just **behind children with child protection plans** at the 30th percentile and persistently disadvantaged children at the 32nd percentile. This means that refugee and asylum-seeking children on asylum support had attainment estimated to be **lower than that of children in receipt of statutory services and/or receipt of additional funding to support their attainment** through the Pupil Premium grant.

> *"There are significant issues, but we all share one conviction without a shadow of a doubt: the need is very high and we are talking about lost generation here."* ***Language Development Adviser at a Local Authority***
>
> (The Bell Foundation 2025).

1.4 Education policy in relation to refugee and asylum-seeking children

1.4a There is currently **little policy specifically to support refugee and asylum-seeking children's educational outcomes** and modest additional funding for EAL. Accountability for the attainment of this group, and of the wider EAL group, is notably unavailable.

1.4b **The Public Sector Equality Duty under the Equality Act 2010 applies to schools in their provision for children of different races**, and they must advance equality of opportunity for those under this legally protected characteristic (Government Equalities Office 2023). This means removing or minimising disadvantages suffered due to the protected characteristic and taking steps to meet the different needs of children who share that characteristic. It applies equally to children of any or no migrant status.

[1] A subset of Looked-After Children (LAC).

1.4c The National Funding Formula (NFF) for schools notionally allocates funding of £595 in each of three years for every primary pupil who speaks EAL, and £1595 in each of three years for every secondary pupil who speaks EAL in 2025-26 (Department for Education 2024b). However, to understand how the NFF differs from previous funding arrangements it is important to consider the change in funding net of all formula factors, floors and protections. Analysis of the introduction of the NFF from 2018-19 indicated that while **funding following a secondary pupil who speaks EAL for three years increased, funding following primary EAL decreased** (Hutchinson 2018b)**.** This was due to the broader tendency of the formula to **decrease progressivity of funding for more disadvantaged schools** (Hutchinson 2018b; Drayton et al. 2023).

1.4d While the NFF supports children who speak EAL for their first three years in schools in England, research consistently confirms that three years is not long enough to develop academic proficiency in English to fully access the secondary school curriculum. **Developing academic proficiency in English takes 5-7 years** (Hakuta, Butler, and Witt 2000; Demie 2013; Hutchinson 2018b; Strand and Lindorff 2020) and **other English-speaking jurisdictions have typically provided support for longer** than the NFF in England (Hutchinson 2018b).

1.4e Prior to 2011 local authorities received the Ethnic Minority Achievement Grant (EMAG). This was ring-fenced funding to support pupils from black and minority ethnic backgrounds. LAs could retain a proportion of EMAG to provide central support services, before passing on the majority to schools. Alongside an extensive annual exercise of LA and school target-setting, this created an increased focus on outcomes for these children, many of whom speak EAL. **In 2011, EMAG funds were absorbed into general school funding, ending the requirement to spend them on black and minority ethnic pupils and/or those who speak EAL**. Local authority and school target setting also ended in 2011, reducing accountability for this group's attainment.

> *"[…] we have now witnessed something that we never imagined that we would see, which is that we have made a massive retrograde step in terms of the capacity in schools to deal with multilingual classrooms, and that is against a picture of a huge rise in numbers […and] you've got literally all the resources in schools that have been taken out."* ***EAL Senior Leader at a Local Authority***
>
> (The Bell Foundation 2025).

1.4f In 2016, the Department for Education began collecting a teacher-assessed measure of English language proficiency for pupils with EAL through the school census. Schools positioned each child on a five-point scale according to a judgement of 'best fit' with briefly described categories: New to English, Early Acquisition, Developing competence, Competent, or Fluent. The Bell Foundation published a research-informed assessment framework (The Bell Foundation 2017a) designed to support schools to make a consistent interpretation of the stages, comparable with international equivalents. However, **the requirement to assess**

children's English proficiency was withdrawn two years later, removing the ability to provide reporting accountability for children's attainment according to English proficiency. Research the same year confirmed the **central role of proficiency in attainment** (Strand and Hessel 2018).

1.4g Since 2020, children with **No Recourse to Public Funds, including families in receipt of asylum support from the Home Office, have been eligible to receive Free School Meals**. This pandemic-era provision has been permanently extended (Department for Education 2024c).

2. Children’s Wellbeing and Schools Bill

2. Children's Wellbeing and Schools Bill

2.1 Background to the Bill

2.1a Part one of the bill (UK Parliament 2025) contains a series of **measures on children's social care**. These include the extension of local authority statutory duties to promote the educational achievement of looked-after children to all 'children in need' with a social worker 'needed because these children have worse educational outcomes than their peers' (Department for Education 2025a), child protection and information sharing, provisions for care leavers, accommodation for looked after children, and the social care workforce.

2.1b Part two of the bill contains **measures affecting schools**. These include breakfast clubs, uniform costs, introducing a statutory register of children not in school, strengthening independent school regulations, teacher misconduct, academies, and on-school places and admissions, which would give local authorities the power to direct an academy school to admit particular pupils in order to ensure they can discharge their duty to provide education to all children when no suitable school voluntarily offers a place.

2.1c The most relevant parts of the Bill for refugee and asylum-seeking children are those that deal with **school admissions**, the **register of children not in school and safeguarding functions of schools**, and the extension of the **duties to promote the educational achievement of vulnerable children**. For UASC, the **strengthening of 'Staying Close arrangements'** for children who have reached their 18th birthday is also relevant. These arrangements provide enhanced support for young people leaving care from children's homes to help transition into living independently. Not dealt with in the Bill, but also relevant to the same aims of promoting the safeguarding and achievement of vulnerable groups is the wider extension of **targeted educational provision** for refugee and asylum-seeking children **to promote their achievement**. These issues are examined in detail below.

2.2 School admissions and power to direct academies to admit pupils

2.2a Research has provided evidence of poor access to the entitlement to full-time suitable education for refugee and asylum-seeking children (Refugee Education UK 2024). **Young refugees can remain out of education for up to a year and face multiple barriers to participation and achievement,** including uncertainty about where they will have to live due to Home Office dispersal policy, school place shortages local to their allocated accommodation, and concerns from schools about the impact of admitting late arrivals on their GCSE performance tables results. Reported consequences of time spent out of education included **safeguarding risks, social isolation, and negative impact on wellbeing**, in addition to the obvious risk of falling behind in educational progress.

It's not about this assessment itself, but about the admissions process. It's absolutely critical […]. For me, getting the admissions process right for late arrivals is the number one thing that needs to be put in place. And if a school hasn't got that right, there's no point in even assessing them, because where does the assessment information go?" ***Independent EAL Consultant***

(The Bell Foundation 2025).

2.2b Clause 53 of the Bill places a **duty on schools and academies to cooperate on school admissions**, and not to act unilaterally against the interests of the local community. Clause 54 gives local authorities the **power to direct schools to admit a particular pupil (extending this power to academies)**. This is subject to a right of appeal by schools, and the local authority would need to show that all suitable schools within a reasonable distance had refused admission, or had permanently excluded the child, to make the direction. Clause 55 permits changes to the school admissions code to **allow directions to admit previously looked-after children and those to whom 'Fair Access Protocol' (FAP) arrangements apply**. The latter relates to in-year admissions panels for 'hard-to-place' children such as refugees (Maisuria et al. 2025).

2.2c These proposals are a significant step forward in ensuring that refugee and asylum-seeking children are not locked out of education for long periods by schools acting in their organisational interests but not those of the child. However, there are some remaining uncertainties about the operation of the appeals process in the case of directions to admit a pupil. Evidence to the Education Committee by the schools adjudicators suggests that **appeals against a direction to admit frequently cause delays to the placement of vulnerable children** (Office of the Schools Adjudicator 2025). It is therefore necessary to ensure that the admissions direction appeal process does not become a bottleneck as severe as that currently faced when the local authority has to request a direction from the Secretary of State for an academy to admit a child, on the advice of the adjudicator. This should be achieved by specifying in **statutory guidance** that schools must **promptly admit** a child they have been directed to admit, **pending the outcome of any appeal**.

2.2d In addition to limitations from the schools adjudicator appeal process, there may also be delays and obstacles to timely admission of refugee and asylum-seeking children because local FAP panel procedures vary from place to place, and there is only minimal guidance to local authorities on these (Department for Education 2021). This is likely to mean that Clause 55 comes into play frequently, as children are not placed at this earlier stage of the process before it reaches directions and appeals against directions. Research into FAPs has found that **a minority of LAs have protocols that do not specify that all local schools must participate**, that there is evidence in some protocols of conflict between the purposes of

meeting children's needs and of ensuring a fair distribution of hard-to-place pupils across schools, and **in some areas the protocols appeared to sanction schools refusing to admit pupils even when the LA believed there was no legal basis for a refusal** (Crenna-Jennings and Hutchinson 2024). It is therefore necessary to ensure that the FAP process functions as intended and that schools understand their responsibilities, to minimise downstream bottlenecks in the adjudicator appeals process.

2.2e Clauses 53-55 are important steps in improving access to school places for vulnerable children including refugee and asylum-seeking children. To the extent that these steps result in a fairer distribution of children with additional needs across schools, they may also somewhat mitigate the perceived disincentives to admitting refugee and asylum-seeking children who arrive late in the secondary school curriculum. The implementation of new policy is critical to successfully providing access to school places and this means that **the FAP and direction-to-admit appeals processes must be studied and improved to ensure that admissions are prompt** and refugee and asylum-seeking children are not left waiting up to a year to access their right to education. **Better guidance is needed** to support effective and consistent processes in different local authorities, including expectations for the frequency of panel meetings, **time limits** on **reaching panel decisions,** on LAs **issuing directions** to admit, and on-schools **admitting children**. **Monitoring early compliance** is likely to improve the bedding-in of these policy aims.

2.3 Register of children not in school, provision planning and safeguarding

2.3a Research has found widespread problems for refugee and asylum-seeking young people in accessing their entitlement to education, with almost two-thirds (62 per cent) of charity and LA practitioner survey respondents reporting cases of **late arrivals who had not accessed school places for a prolonged period**, especially for those arriving during Year 11 (Refugee Education UK 2024). There is currently very limited transparency over the number of **children who are not in school**, and this is a **particular concern for refugee and asylum-seeking children** who arrive in England outside of regular school admissions ages. This group is very vulnerable, **facing various obstacles to school enrolment** that are currently unquantified.

2.3b Clauses 30-35 of the Bill would require children who are not in school for some or all of the timetable to be registered by their LA. Clause 30 concerns LA consent for certain children to be withdrawn from school to become home- educated. Clause 31 creates **a duty on LAs to maintain the register and provide support to parents of children on the register, and a duty on parents to report their child's details within 15 days of becoming eligible to join the register**. There is also a power for LAs to share data from the register with other LAs, Ofsted or other agencies for the purpose of safeguarding, and a requirement to report data to the Secretary of State. Clause 32 requires the LA to issue a **School Attendance Order (SAO) if it is not satisfied that a child is receiving a suitable education, or that it is in the best interests of the child to be educated outside of school.** It introduces an offence of failing to comply with a SAO.

2.3c Clause 34 permits the Secretary of State to issue statutory guidance on the operation of the register and SAOs. Some details of the uses of the register data and how it would interact with Clause 4 are deferred to this guidance. Clause 4 makes provision for a **single unique identifier for each child** to facilitate information sharing, and a **duty to share information where it is considered potentially relevant to safeguarding or promoting a child's interest**. Local authorities, health authorities, police, youth justice teams, and education of childcare providers are the relevant authorities for this duty.

2.3d A predictable obstacle exists to parents reporting refugee and asylum-seeking children who require a school place to be added to the register of children not in school as per Clause 31: **a lack of awareness and information** about the law and education system in England, compounded by **language barriers**, is likely to mean that many migrant parents don't know they are supposed to register within 15 days of arrival. This highlights the need to provide information in other languages and to undertake outreach work to migrant communities during the implementation phase.

2.3e The register and unique identifiers have potential to unlock the ability to understand and monitor the causes of children missing education, and to facilitate better provision of education. However, **for this to work for refugee and asylum-seeking children, they need to be included in the register whenever they need a school place upon arrival in a new area**, which may happen several times due to Home Office dispersal policy and accommodation shortages. This could be resolved if the Home Office provided a **regular data-feed listing children in the immigration system to LAs** to assist in their planning for educational places, children's social care services, language support, and accommodation. This approach has been used to good effect in the Homes for Ukraine scheme. An alternative or supplementary approach would **require LAs to undertake outreach in migrant communities and with voluntary organisations, and public services such as GPs and hospitals**. In the case of healthcare providers, this could be solved by using the unique identifiers and duty to share safeguarding and welfare information to **require professionals to report to the LA when children who may need to be added to the register are encountered**. In the case of voluntary organisations and migrant communities, this is likely to require **some staffing and resources** for translating information, manning telephone reporting systems, and active efforts at outreach in places migrant families are likely to be.

2.3f For many families affected by immigration controls, the sharing of data between education and safeguarding partners and the Home Office under safeguarding arrangements is a matter of concern and their consequent fears may result in efforts to avoid becoming 'traceable' to the authorities. This has clear risks for safeguarding of children and promoting their welfare through access to education. A solution would be to establish **clear purpose limitation for the use of data** gathered through the register and single unique identifier clauses, preventing their use for immigration enforcement purposes.

2.4 Strategic duty to promote the achievement of refugee and asylum-seeking children

2.4a The Children's Wellbeing and Schools Bill's **extension of Virtual School Heads' (VSH) duties to promote educational achievement means that Children in Need (CIN, who have a social worker) will fall under a 'strategic duty'**. This means that while the VSH will not have a duty to promote the educational achievement of *individual* CIN, they will have a duty to take steps to promote this *for the group as a whole*. **The strategic duty towards CIN is a lesser duty than that for Looked-After Children (LAC)**, for whom the duty *does* include the promotion of their individual educational achievement through Individual Education Plans (IEPs).

2.4b The rationale for the extension of the lesser duty to CIN is their low educational achievement (Department for Education 2025a). This is sensible and proportionate, but it does further highlight the discrepancies in provision between refugee and asylum-seeking children who have equally low estimated attainment, and children who are vulnerable for different reasons. Since exactly the same rationale as that stated for the CIN strategic duty applies to refugee and asylum-seeking children, this **strategic duty should be extended to refugee and asylum-seeking children too**.

2.5 Staying Close arrangements for care-leavers

2.5a Staying Close arrangements provide for some ongoing support to care-leavers after they turn 18, including an adviser to support them with accessing housing, education and healthcare. However, the current arrangements have not resolved **problems of heightened risk of homelessness and other adverse life outcomes for refugee and asylum-seeking** for care-leavers (Department for Education 2025b).

2.5b Clause 8 of the Bill introduces requirements for LAs to publish their local **offer for Staying Close** including details of their **planning and provision for accommodation needs**. This affects educational access for UASC and other care leavers because they often have to **leave accommodation mid-way through an academic year following their 18th birthday** and are affected by local shortages and waiting lists for council homes. This may mean they have to move long distances disrupting their further education or simply become homeless and unable to engage with education at a critical age for completing qualifications.

2.5c As with the power to direct schools to admit a pupil, Clause 8 is directed at an area where change is needed, and targets important outcomes for refugee and asylum-seeking children (specifically, UASC). Again, effective implementation will be critical to its success, and it would benefit from **compliance monitoring** and **explicit guidance** to LAs about what it looks like to effectively meet the aims of Clause 8, including for the particular needs of children whose **accommodation requirements change due to asylum claim decisions** and/or **the Home Office dispersal system**.

3. Targeted Educational Provision

3. Targeted educational provision to promote achievement

3.1 Resettlement schemes grant funding for accompanied children

3.1a Provision under the UK Resettlement programmes is available to support families arriving under the UK Resettlement Scheme (covering a range of conflict regions), the Syrian Vulnerable Persons Resettlement Scheme (closed to new arrivals), the Vulnerable Children's Resettlement Scheme (closed to new arrivals, covering Middle East and North African regions), the Gateway Protection Programme (closed to new arrivals, covering a range of countries with conflict and human rights abuses). **No provision is made for refugee and asylum-seeking children who were not resettled under the named schemes**, having arrived under Family Reunion, or independently and made a claim for asylum. In addition to accommodation and other integration costs for two years, LAs can reclaim educational expenses for resettled refugee children aged 3-18 for providing **Year 1 (of resettlement) school and college funding**, assessment and provision for **Special Educational Needs and Disabilities (SEND)**, and **exceptional social care costs**. This is funded at £4,500 for 5-18 year-olds and £2,250 for 3-4 year-olds (UK Visas and Immigration 2023).

3.1b Provision under the Children and Young People's Resettlement Fund is available to support children arriving through the bespoke visa schemes for Ukraine, Afghanistan, and Hong Kong. The purposes of this fund include **supporting children with mental health and trauma, recovery from displacement, and community and cultural integration**. LAs and voluntary organisations bid for funding for specific support interventions under competitive tender. Examples of provision include therapeutic interventions, **trauma-informed education and SEND support, school-based support, EAL language skills support, and support for post-16 educational and employment transitions**. The competitive nature of it meansthe funding is **ad-hoc and does not support provision that every child under the named visa schemes will receive** and there is no standard funding rate (Department for Levelling Up, Housing and Communities 2023).

3.1c Educational provision for Unaccompanied Asylum-Seeking Children (UASC) encompasses the provisions that apply to all Children Looked After (CLA). This is provided under the **LA's statutory duty under the Children's Act 1989 to promote a looked-after child's educational achievement, organised under local Virtual School Heads (VSHs)** that oversee Individual Education Plans (IEPs) and control the funds from the **Pupil Premium Grant's CLA eligibility category**. The funding rate for 2025-26 is £2,630 per child. **This funding and duty is not available to accompanied refugee and asylum-seeking children, whether resettled, or making an asylum claim on arrival** (Department for Education 2018).

3.1d Accompanied asylum-seeking children in receipt of asylum support are eligible for Free School Meals (FSM), and through that, the **Pupil Premium Grant's FSM eligibility category** at a rate of £1,515 per primary school pupil and £1,075 per secondary school pupil, allocated to the school they attend. **The FSM category funding does not have to be spent on the child it**

is allocated to and there is no duty to support an individual child (Department for Education 2025c).

3.1e The above schemes encompass a **patchwork of varying support provided under three government departments, and using funds administered by LAs, voluntary organisations, and schools**. Even those funds administered by LAs may be managed by multiple separate teams within a local authority, which contributes to **inconsistencies in provision types and levels for children on the basis of how they arrived in the UK and where they arrived from**, as well as the more pertinent consideration of whether they are accompanied or unaccompanied. These factors often do not correspond to the educational needs of the children, resulting in **confusing and uneven support among a group with very low estimated educational achievement**, even among accompanied children (Hutchinson and Reader 2021).

3.1f The net result of the above arrangements is that **some refugee and asylum-seeking children receive funding for their first year of education, whereas others do not**, and this creates financial pressures on schools, since the regular school funding under the **Dedicated Schools Grant operates on a lagged basis using data on children enrolled from the previous year** (Education and Skills Funding Agency 2024b). Dispersal arrangements may mean that some local areas (and by extension some individual schools) have multiple unfunded children on the roll for up to one year each, whereas others are rarely affected. This, combined with inadequate funding to support children's English language acquisition (Hutchinson 2018b), contributes to the finding that **late-arriving refugee and asylum-seeking children remain out of education for up to one year, often because schools are reluctant to admit them** (Refugee Education UK 2024).

> *"Any child who enters into a school has to have somebody who's looking at a long-term plan for that child. When it comes to children who are in crisis or who are new to English, it often becomes a day-to-day plan. What do they need today? There might be nobody thinking what this child wants to do in five years' time, so somebody has to have a flight plan in mind for that child when they are out in the world and how they are going to become the people that they have the potential to be."* ***EAL consultant at a MAT***
>
> (The Bell Foundation 2025).

3.1h An evidence-informed policy for refugee and asylum-seeking children would recognise their low educational achievement as a rationale to ensure that **funding is always available to meet their arrival year educational costs**, to adequately **meet their need for English language learning support**, and to **make school provision available for vulnerable children who have experienced disruption to their education, and often psychological trauma**. Models exist within the patchwork of current provision for making timely grant funding available and upholding duties – but these could be improved by applying them

consistently for all refugee and asylum-seeking children. Achieving this would require extensions to (i) the schools National Funding Formula to **increase the duration of the EAL factor** to match the 5-7 years needed to reach academic language proficiency, and to **uplift funding to a higher rate** for late arrivals who only have 1-2 years in school, and (ii) grants received by LAs to cover Year 1 funding and integration costs to extend these **to all** refugee and asylum-seeking children.

> *"It's all about making decisions with the child and the effort is always to try and go for the most successful outcomes possible and then scale it back if needed. So rather than meeting a child with no English and saying they can't be entered for anything, start from the top and pull backwards if needed."* ***Associate Assistant Head & EAL Coordinator***
>
> (The Bell Foundation 2025).

3.2 Further education provision and funding for refugee and asylum-seeking children

3.2a The DfE **provides further education providers with funding to pay for full-time education for 16-19 year-olds**. There is an opt-in option to provide further education spaces for 14- to 16-year-olds however not all colleges offer this provision. If colleges do provide an offer for 14- to 16-year-olds, this is typically Alternative Provision or Direct Entry provision. The Education and Skills Funding Agency formerly provided this service but was absorbed into the DfE from 31 March 2025. Given capacity, funding, and accountability incentives in schools, and the finding that late-arriving refugee and asylum-seeking children wait up to one year for admission to education places, **LAs seeking to meet their duty to provide education sometimes use this route to make provision for late arrivals in the secondary education age range**. This funding was set at £4,843 covering at least 580 hours of learning in 2024-25 (Education and Skills Funding Agency 2024c), but as with the Dedicated Schools Grant, there is a catch for in-year arrivals**. Students who do not enrol by 1 November of the academic year are ineligible for direct funding that year, and their LA must pay 'transfer funding'** to the college for their provision for the year (Department for Education 2024a). This assumes they will have been enrolled at another funded provider or school, which does not hold true for new arrivals, hence **the LA does not always have its costs met through resettlement funding due to the limitations of those schemes**.

3.2b **Further education funding for 16- to 19-year-old young people** is provided at the same rate as that for 14-to 16-year-olds, and with the same **November enrolment deadline** to be eligible for direct funding. The entitlement permits **up to three years of funding to enable young people to reach Level 3 qualifications should they be accepted to courses at that level**. The funding is currently extended to age 25 by exception for young people with an Education, Health and Care Plan (EHCP) for severe Special Educational Needs and Disabilities (SEND). However, **there is no extra funding for young people who speak EAL, and ESOL courses must be funded from within the standard funding rate** (Education and Skills

Funding Agency 2024c). Interrupted education histories and English language proficiency needs can be a key obstacle for refugee and asylum-seeking young people to achieving meaningful qualifications such as **Level 3 and/or attain the necessary qualifications to pursue Higher Education** (Refugee Education UK 2024). Non-recognition of overseas qualifications and lack of familiarity with the complex array of post-16 routes, levels and courses can **disadvantage those who are recently-arrived in making the most of their entitlement** (McPherson et al. 2022).

3.2c The Adult Skills Fund picks up **provision from age 19**, but unlike young people's funded further education, this comes with **eligibility restrictions** based on a three-year residency rule, documentation requirements, and a completion-before-visa-expiry rule (Education and Skills Funding Agency 2025). Refugee and asylum-seeking young people are explicitly exempt from the three-year residency requirement but may find themselves having to **find a course that accepts adults aged 19+ which matches with the course they undertook under 16-19 funding, in order to complete a qualification** (such as a BTEC Level 3 Extended Diploma which spans two years, and is broken into two one-year learning aims). Where colleges have a high degree of certainty that a learner intends to renew their visa, refugee and asylum-seeking young people can also be exempt from the age 19+ completion-before-visa-expiry rule. Adult Skills funding is partially devolved locally, which means **rules vary from place to place and are confusing to navigate** for young people.

3.2d The combination of transition between funding systems at age 19, restricted eligibility, complex rules and entitlements, and the absence of any premium funding to meet the additional needs of refugee and asylum-seeking young people (unless they are eligible through a resettlement funding scheme) means that **it is challenging for young people who arrive at the 'wrong age' to access provision that leads to meaningful qualification packages**. Adult Skills funding has also been cut by 6 per cent this year, meaning fewer FE spaces will be available in September. Kafkaesque catches in the system could be eased by **removing the lagged funding model for in-year admissions to ensure colleges are able to access funding for these learners in a more timely manner**. This could be complemented by **making Adult Skills funding more generous** to ensure that young late arrivals can access a Level 3 qualification package and have time to increase their English language proficiency.

3.2e By easing some of the limitations on resettlement grants, the Home Office could ensure **Year 1 funding** reaches schools and colleges in an efficient manner. Providing a consistently accessible **late arrivals premium to support young people's needs of either curriculum-integrated language support or embedded ESOL provision** through DfE education and skills funding , and catch-up support for late arrivals, would go a long way to **removing disincentives to admit or enrol** refugee and asylum-seeking young people, assisting in improving their access and participation. A late arrivals uplift to the DfE Young People's FE funding arrangements, alongside the extension of grants received by LAs to cover Year 1

funding and integration costs to **all** refugee and asylum-seeking children, would support schools and colleges to provide a **full academic offer** to this group.

3.2f **Accountability measures could also be adjusted** to allow for **targeted flexibility** around age 16 qualifications. For example, measures of **achievement by ages 16, 19, 21, and 25** could be modelled on the current Level 2 and Level 3 at age 19 measures to focus accountability on **long-term aspirations and employment prospects of young people** rather than their life circumstances at age 16 to19. This would also benefit other disadvantaged groups such as children with special needs and those who have to take some time out of education due to physical or mental illness. Importantly, it would further improve the incentives for schools and colleges to craft **bespoke packages of provision** that meet the unique needs of refugee and asylum-seeking children (as well as packages that meet the needs of other vulnerable groups that need longer to complete education) and mitigate their currently low achievement.

> *"I have kids that come in and they are naturally interested in something and they show an attitude and a willingness to do the work. I can think of two young men who were keen to do design and technology. [The teachers] said they were [hesitant] initially [and said] they they've missed so much [education], how are they going to get what we are doing at this stage? I would say that both of them became like the favourite people of those design teachers […] because they're brilliant. 'I'll have another two like these, because they just love it. So that's always nice because obviously teachers don't want to see their results go down. And it's not just that, but we're all human beings and you're under pressure to produce results every year. I'm making it difficult for teachers, by going, here's a young person who has never been in school, and I'm putting them with you."* ***Admissions Officer at a MAT***
>
> (The Bell Foundation 2025).

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