



**Virtual School for  
Looked After and previously looked After Children**

*Raising aspirations – Changing attitudes*

**Designated Teacher / Designated Lead handbook for children in  
care and previously looked-after children  
2020-2021**

# Introduction

The role of the **Virtual School for Children in Care** is to champion the needs of Telford and Wrekin's looked after children and previously looked after children wherever they may be placed. This is achieved through support and challenge to schools and other education providers, the local authority, and any other relevant partners to ensure they have the best possible education.

Telford and Wrekin Local Authority Virtual School is located within the Pupil Support Service as part of the Corporate Parent. The team is based at Darby House, Telford. The Virtual School holds a full list of all the Designated Leads and Teachers for all early years' provisions and schools where Telford and Wrekin Children are on roll, both within Telford and out of county.

As the Designated Teacher/Lead your leadership in respect of inclusive practice, expertise on attachment and determination to raise attainment and diminish the difference is also reflected in the aims and ambitions of the Virtual School for Children in Care.

We want to ensure you have support and advice when needed, the partnership between the Virtual School for Children in Care and designated leads/teachers is core to improving outcomes. As part of this, the handbook is designed to give you a quick reference to key information that you will need in your role as designated lead/teacher. However, we will always respond promptly if you need information which is not contained within this document, our contact details can be found on the next page.

**Michelle Salter - Virtual School  
Head Teacher**

## Virtual School Team Structure 2020-21

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## **Key points for Designated Teachers**

**In Early Years Settings the lead staff member for Children in Care may be referred to as the Designated Teacher or the Designated Lead.**

- The new guidance from the DfE (February 2018) sets out the roles and responsibilities of governors, head teachers and designated teachers to raise the attainment of looked after children and previously looked after children, this is a change from previous guidance which was specific to looked after children.
- The addition of previously looked after children is in recognition of the early childhood experiences which can impact on attainment. The designated teacher will need to gather evidence from parents to satisfy themselves that the child has previously been looked after.
- The designated teacher is a statutory role in school to ensure that effective practice becomes universal. The designated teacher should support staff and develop practice across the school.
- The governing body and head teacher need to consider if the designated teacher has the appropriate seniority, experience, leadership, training and information to challenge and advise others to influence the teaching and learning needs of looked-after and previously looked-after.

- Governing bodies and designated teachers will have regard for any guidance issued by the secretary of state.
- The governing body of a maintained school and the proprietor of an academy must ensure that the designated teacher undertakes training that is appropriate to carry out this duty.

### **High aspirations and high expectations**

It is important to have appropriate and high aspirations and expectations for looked after children and previous looked after children to support their future success.

Having good education attainment provides an opportunity for positive life outcomes. It is essential that looked after children are surrounded by adults who invest and support them with their education, empowering them to progress forward, equipped with tools to benefit themselves and others.

Often looked after children have had limited opportunities and experiences, so may require additional support to engage with events and activities such as theatre, trips, travel, visiting a diverse range of employers and having work experience opportunities.

Looked after children and previous looked after children benefit from clearly defined and often short-term support to overcome individual hurdles to learning. They should be offered support to catch up, especially when they may have missed a key building block to progressing forward in learning. Too much of a focus on what they struggle with or find hard, is detrimental to supporting future success.

Celebrating achievements in a specific and meaningful way and giving constructive feedback supports a feeling of safety, and a belief in their own abilities and understanding of themselves.

## **Looked-after children (LAC)**

Different terms are used to describe children/young people in care. The term 'children in care' (CiC), or 'children looked after' (CLA), is also used to refer to looked after children. Telford & Wrekin have adopted the term Children in Care (CiC) after consultation with Voice Care council.

**In law, any reference to a child who is looked after by a local authority is a child who is:**

A child 'looked-after by a local authority' is one who is looked after within the meaning of section 22 of Children Act 1989 or Part 6 of the Social Services and Well-being (Wales) Act 2014;

**Looked after Children include the following:**

- Children who are accommodated under section 20 by Children's Services when the parent(s) is unable to care for a child. This must be with the consent of the parent(s) or, if over 16, with the young person's own consent (section 20, Children Act 1989).
- Children who are the subject of a Care Order (section 31, Children Act 1989) or Interim Care Order (Section 38, Children Act 1989). Care orders can only be made by the court.
- Children who are the subject of emergency protection order (section 44 and 46, Children Act 1989).

- Children who are compulsorily accommodated through the criminal courts, usually the youth court. This includes children remanded to children's services or subject to a criminal justice supervision order with a residence requirement. (Section 21 – Children Act 1989).
- Unaccompanied asylum-seeking children (UASC) are children under the age of 18 who arrive in the country without a parent or a guardian. Many of these children will enter the care of Children's Services as looked after children. This will be on a voluntary basis under section 20 of the Children Act 1989.

### Previously looked-after children

A previously looked-after child is one who is no longer looked after in England and Wales because s/he is the subject of an adoption, special guardianship or child arrangements order which includes arrangements relating to with whom the child is to live, or when the child is; and

A child is in 'state care' outside England and Wales if s/he is in the care of or accommodated by a public authority, a religious organisation or any other organisation the sole or main purpose of which is to benefit society.

**Post LAC - Special Guardianship Order (SGO);** Special Guardianship was introduced as a permanence option for children in December 2005. It provides a legally secure foundation for building a permanent relationship between the child and their special guardian, while preserving the legal link between the child and their birth family. The order ceases when the child turns 18.

**Post LAC - Child Arrangement Order (Residence Order)** the granting of a residence order to someone automatically gives him or her parental responsibility for the child if they do not already have it. Parental



responsibility obtained as a result of a residence order will continue until the order ceases or until the child is 16 unless the circumstances of the case are exceptional, and the court has ordered that it continue for longer.

**Post LAC – Adoption;** Adoption is a way of providing new families for children who cannot be brought up by their biological parents. It is a legal procedure in which all parental responsibility is transferred to the adopters. Once an adoption has been granted, it cannot be reversed. An adopted child loses all legal ties with their birth parents and becomes a full member of the adoptive family, usually taking the family’s name.

**The Educational progress of looked-after children in England:**

Key factors contributing to the low educational outcomes of young people in care in secondary schools in England. The analysis reveals that, controlling for all factors, the following contribute to the educational progress of young people in care:

**Linking Care and Educational Data, November 2015**

<b>Time in care</b>	Young people in care who have been in longer term care: (a) do better than those ‘in need’ but not in care, and (b) better than those who have only been in short term care. So it appears that care may protect them educationally.
<b>Placement Changes</b>	Each additional change of care placement after age 11 is associated with one-third of a grade less at GCSE.
<b>Placement Type</b>	Young people living in residential or another form of care at age 16 scored over 6 grades less than those who were in kinship or foster care.
<b>Feeling secure and cared for</b>	Young people can engage with learning better when they feel secure and cared for in a placement
<b>School Changes</b>	Young people in care who changed schools in Years 10 or 11 scored over 5 grades less than those who did not.

<b>School Absence</b>	For every 5% of possible school sessions missed due to unauthorised school absences, young people in care scored over 2 grades less at GCSE.
<b>School Exclusions</b>	For every additional day of school missed due to fixed term exclusions, young people in care scored one-sixth of a grade less at GCSE.
<b>School Type</b>	Young people in special schools at age 16 scored over 14 grades lower in their GCSEs compared with those <b>with the same characteristics</b> who were in mainstream schools. Those in PRUs <b>with the same characteristics</b> scored almost 14 grades lower.

The research was funded by the Nuffield Foundation, and jointly undertaken by the University of Bristol and the Rees Centre, Department of Education, University of Oxford.

<http://reescentre.education.ox.ac.uk/research/educational-progress-of-looked-after-children>

## Admissions

The schools should give looked-after children and previously looked-after children the highest priority on their admission arrangements. “Such children **must** take precedence over those on a waiting list and **cannot** be refused a place because of challenging behaviour.”

**Local authorities may issue a direction to a maintained school and ask the secretary of state to direct academies to admit looked-after children.**

**Guidance:** School Admissions Code. Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels. December 2014

## **Attainment**

To support good life long outcomes, it is vital that the attainment of looked after children is a focus. All those connected to looked after children should provide support and help them to have high aspirations for themselves and an ability to contribute to society. It is important that progress is monitored and evaluated with rigour. This can inform targets, actions and provide an opportunity to celebrate success. Looked after children are more likely to have low prior attainment due to their personal circumstances. We must always challenge targets based on low prior attainment, and the default position should be that pupils can and will achieve expected standards as a minimum.

## **Attainment national expectations**

To document and capture all attainment and targets of Children in Care the PEP either, working below, Age related and above.

## **Attachment and Trauma informed schools**

Telford & Wrekin Virtual School has an ambitious three year plan, whereby all education establishments are accredited through ARC- Attachment Research Community as Attachment & Trauma Informed schools.

The initial step is for the school to sign up to ARC

- Complete online SEF self-evaluation framework document
- Generate an action plan
- Meet with the VSH/ VST case worker to discuss how this is can be achieved.
- Attend the three tier approach training offer
- Compile evidence file and submit to VSH for sign off
- Become a leading school as an Attachment and Trauma informed , share evidence of good practice with other education establishments
- Participate in research projects to further support CIC and raise aspirations.

**<https://the-arc.org.uk/>**

**The Belonging strategy** was implemented in April 2019, all schools have received a copy and it is the first in the country to whole a council wide approach -target vulnerable children to ensure all YP have a sense of belonging linked to five priority

areas: Sense of belonging, SEMH and wellbeing, Transition and additional support to prevent breakdown in the sense of belonging in any learning environment. Please contact the virtual school directly if you require additional copies.

## **Monitoring the attendance of T&W Statutory School Age Children in Care**

**Attendance** – We pride ourselves as a virtual school that the attendance of all CIC is consistently above national since 2018– even during the COVID pandemic our CIC attendance was in the top quartile nationally. Research demonstrates better outcomes are produced when attendance is above 95%.

Attendance must be reported to the Virtual School regularly. Schools are to utilise the Telford and Wrekin School Portal to record attendance daily or at least weekly. **If you require a user being set up with an account access rights. Please provide [kerriann.hughes@telford.gov.uk](mailto:kerriann.hughes@telford.gov.uk) with a name and work email address.** Attendance reports are run weekly and any anomalies are followed up with schools via the CIC Tracking Officer. This ‘real time’ data assists with tracking patterns of attendance and exclusions and in turn enables the Virtual School to tackle underachievement where it is linked to poor attendance. If attendance is below 95% then an attendance target is set at the termly PEP and a clear action plan is devised by the school to improve attendance. Attendance reporting is also linked to the allocation of termly PPG+ funding allocation.

Schools should follow their school attendance policy for children in care as they would any child and engage the support of the attendance service where appropriate.

**Exclusions** – should only be used as a last resort and if all other methods have failed.

Like our attendance data collectively exclusions are significantly below national and this is achieved through the following: Close working partnerships with schools, early identification, assessments and effective intervention to prevent situations reaching crisis point. All our CIC are allocated a VST case worker, every CIC are RAG rated weekly.

Our expectations are very clear, in that schools communicate with the Virtual School in the first instance if any of our CIC are experiencing any difficulties as there are a variety of support, training and intervention available to prevent exclusions linking to our belonging strategy.

- **Fixed Term Exclusions-** Ideally if a school is considering to issue a FTE to a CIC in the first instance please can the Designated Teacher/ School contact the Virtual School to discuss.
  - Historically pre 2018-2019 the number of FTE issued to CIC was significantly higher compared to other regions for CIC, however the pattern for the past two academic year demonstrates that there has been a positive downward trend of exclusions resulting in now being below national figures.
  - If a FTE is issued there is an expectation that the local authority is informed immediately, please can a copy of FTE letter be sent to [accessandinclusion@telford.gov.uk](mailto:accessandinclusion@telford.gov.uk) and the virtual school copied in [virtualschool@telford.gov.uk](mailto:virtualschool@telford.gov.uk)
  - [The VS will also be expected to be informed and attend any re-integration meeting with the school following any FTE issued.](#)
  
- **Modified Timetables** - whatever the nature of a proposed MT, this should be in consultation with the virtual school and regularly reviewed.
  - All modified timetables require a parental signature, for Children in Care this would normally be the Social Worker, but there is an expectation that the Virtual School agrees this prior to a Social Worker signing. The VSH has complete oversight of any MTT and any CIC who is placed on a MTT is reviewed weekly. The expectation is this is for short period of time maximum 6 weeks
  - Pupils who are not accessing full time education and are on part time timetables then again, this is something that needs to be in consultation with the virtual school, and reviewed weekly (modified timetables reviewed weekly is an expectation that has been shared by Ofsted). This is the responsibility of school which the CIC is on roll to liaise with the VS regarding number of hours currently received, assurances that safeguarding requirements are met if CIC are not accessing full time education. An agreed plan for increasing the hours, which is reviewed weekly and shared with the Virtual School Team Caseworker & VSHT

The VS does not authorise holidays being taken in term time- Only the school can give permission for carers to take a child out of school during term time for a holiday, but please talk to the Virtual School for Children in Care if you are considering a request. Previously looked-after children – guardians and parents are responsible for monitoring attendance and school should follow usual procedures for all pupils.

## **Role of the Designated Teacher**

From 1 September 2009 the governing body of all maintained schools have been required under the Children and Young Persons Act 2008 (Section 20) to appoint a designated teacher to promote the educational achievement of looked after children who are on the school role. (Duty also applies to Academies and Free Schools through their funding arrangements. Statutory Guidance for Local Authorities 2018)

**The Designated Teacher for Looked after Pupils Regulations 2009** (England) the regulations require that the person designated is:

- a qualified teacher who has completed the appropriate induction period (if required) and is working as a school (Regulation 3(2)) or
- a Head teacher or Acting Head teacher of the school (regulation 3(3))

From September 2018 the governing body of maintained schools and proprietors of academy schools are required following amendments in the 2017 Act to the 2008 Act and Academies Act 2010 to appoint a designated member of staff to have responsibility of promoting the educational achievement of previously looked-after children.

Looked-after children on the school role could be the responsibility of another local authority. Children remain 'looked after' by the local authority where they came into care even if they move out of authority. Only in exceptional cases do children move into the care of another local authority. If you need support in contacting the home local authority, Telford & Wrekin Virtual School will be happy to signpost you to the appropriate contact.

Previously looked-after children on the school role are the responsibility of the school and parents/guardians. The virtual school in the local authority where the child is educated has a duty to support and advise the parents/guardians and Designated Teachers.

## **Role of the Designated Teacher**

The Designated Teacher for looked-after children and previously looked-after children. Statutory guidance (February 2018)

- The DT needs to understand the role of social workers, VSHs and carers, and how the function of the PEP fits into the wider care planning duties of the authority which looks after the child; and
- For previously looked-after children, the DT must understand the importance of involving the child's parents or guardians in decisions affecting their child's education and be a contact for parents or guardians who want advice or have concerns about their child's progress at school.

### **Get to know the children on care on the school role**

- Keep a register, home local authority and key contact details.
- Ensure appropriate staff are aware on a need to know basis.
- Advocate for looked after children; liaise with school staff, social worker and outside agencies to ensure there is consistent and strong communication within the network.
- Identify a key worker to 'hold them in mind' and support them as appropriate.

### **Know the previous looked-after children as identified by parents/ guardians (parents/guardians are not required to disclose)**

- Keep a register of previously looked after children.



## **Role of the Designated Teacher**

- Ensure they are added to January school census, so they have access to the pupil premium plus.
- Ensure appropriate staff are aware on a need to know basis.
- Advocate for previously looked-after children; liaise with school staff and outside agencies to ensure there is consistent and strong communication within the network.
- Identify a key worker to 'hold them in mind' and support them as appropriate.

DTs can access support via the DT Network meetings available from T&W Virtual School as well as speaking with the PEP lead to access some 1-1 training.

### **Designated teacher should ensure that:**

- School policies reflect the needs and approaches to support the inclusion and attainment of looked after children and previously looked-after children.
- Whole school approaches are in place to raise attainment.
- Be a source of advice for teachers and school staff.
- Work directly with carers, parents and guardians and be part of a supportive network.
- Keep up to date with government policy implications for looked-after children and previously looked after children including recent research and training opportunities.

## **Role of the Designated Teacher**

- monitor how research and training to raise the attainment of looked after children is impacting on school culture and practice and feedback to senior leaders and Governors, and work to strengthen this across the school.
- Report to Governors providing an 'Annual Report to Governors'; recognised as good practice and helpful as evidence during Ofsted.

## **Ensure that looked-after children and previously-looked after children:**

- Looked after children only have a current ePEP. Ensure information about targets is shared with colleagues in school as appropriate.
- Are set high expectations by school staff.
- Benefit from generic school based and additional interventions, funded by the pupil premium plus.
- Have accurate assessment data and if necessary initial diagnostic assessments are completed.
- Are assessed and receive timely and appropriate support by outside agencies, as needed.
- Have access to good quality extra-curricular activities

## Role of governors

- To appoint a designated teacher in accordance with the regulations (section 20 of the 2008 Children and Young People's Act and regulations) to promote the educational attainment of looked-after children including those aged 16-18 who are registered at the school.
- Designate a staff member to have responsibility for promoting the educational achievement of previously looked-after children in accordance with the amendment in the 2017 Act, section 20A of the 2008 Act and section 2E of the Academies Act 2010.
- The designated teachers should be given the appropriate level of support to fulfil the role and be up to date even if they currently do not have looked after children on roll.
- Governors in partnership with the head teacher ensure that the designated teacher has the opportunity to undertake appropriate training.
- The governing body and the designated teacher must have regard to this guidance and any other relevant guidance issued by the Secretary of State.
- Ensure there are appropriate monitoring arrangements in place.
- Ensure that the designated teacher:
  - contributes to a deeper understanding of looked after children and previously looked-after children in the school and the resource implications to support them in their role.
  - Is a member of teaching staff with appropriate seniority and skills to work with the school leadership team.
  - Has appropriate professional experience and status to provide leadership, training, information, challenge and advice to others.

**Guidance:** The designated teacher for looked-after children and previously looked-after children. Statutory guidance on their roles and responsibilities. February 2018

## **Personal Education Plan (PEP)**

A PEP is the **statutory document** used when planning for the education of looked after children. All looked after children must have a PEP as part of their overall care plan. When a young person comes into care a PEP will be held within 20 days. For any school move a PEP will be held in 20 days, regardless if a PEP has already been held in the term.

The PEPs feed into the statutory care planning framework, in collaboration with the social worker, independent reviewing officer, carer and other relevant professionals.

- The PEP includes information to help with conversations, planning and the delivery of strategies required to ensure the child gets the support and provision needed to succeed.
- The views of the child/young person must be evidenced and used to inform the setting of targets.
- Targets should be child specific, measurable, achievable, realistic and have clear timescales attached to them (**SMART**)
- The designated teacher leads on how the PEP is used as a tool in school (living document) and monitor the progress towards education targets.

### **A child must have a PEP reviewed three times a year (termly)**

- A care plan is incomplete without a PEP and a health plan.
- At PEP meetings, the previous PEP should be reviewed where relevant a PEP should occur alongside an EHCP review.
- Looked after children should benefit from school-based interventions.
- Where pupils have had turbulent schooling, there will be gaps in understanding that must be identified and addressed in order to succeed.
- Looked after children should be making progress at least in line with other pupils at the school and nationally.
- Many looked after children need to make more progress than their peers to 'diminish the difference' and attain at least expected standards.
- Any transition can be difficult for looked after children & should be planned for and actions documented.

- Always consider which adults the child has a trusting relationship with at school, considering opportunities to facilitate contact.
- Always focus on life-long outcomes; how today's decisions will impact on a young person at the age of 25, recognising that education impacts positively on the life chances of children and young people.

### **Telford & Wrekin ePEP**

PEP forms used for T&W Looked after Children are electronic (ePEP), web-based.

Social workers and designated teachers with T&W looked after children are provided with user name and passwords to access the ePEP system. For further information, please see the ePEP guidance from the Virtual School.

### **Targets**

- Targets for ePEP's should be child specific, measurable, achievable, realistic and have clear timescales (**SMART**) attached. The targets need to be aspirational and relevant. At least three targets should be recorded;
- Targets can be drafted before the meeting takes place and can be informed from work scrutiny, progress and attendance and behaviour records. Academic targets can also include issues surrounding transition and career aspirations. One target can be based on the social, emotional needs of the child – it is vital this is child centred and reflects their views.
- Each target must explain the specific actions required to achieve it, then who is responsible, the timescale, expected outcomes and if relevant, how the pupil premium plus will be used to support the target.
- The targets must be achievable before the next PEP or contribute to a medium or long term target.
- Targets will be reviewed at each PEP and stipulated whether achieved or to continue.

There is a robust quality assurance model in situ and all termly PEPS are quality assured by the individual VST caseworker. In addition the PEP Lead and VSH complete monthly dip testing and reports are produced and shared with wider stakeholders including Corporate Parenting Strategic group. We expect as a minimum all CIC to have a termly PEP- 100% completion rates- which have been consistent term on term for the past two academic years. 95% PEPS collectively to have SMART targets. PEPS are rag rated and if a PEP is graded as RED then the VST caseworker will have further discussion with the Designated Teacher and support is available to ensure PEPS are graded as green.

## **Pupil Premium Plus**

The Pupil Premium Plus was introduced in 2011 to provide additional support for looked after children and previous looked after children. The DfE funding is allocated on a financial year basis. The extra funding is made available to schools to narrow the attainment gap and support education success. Pupil Premium allocation is linked and monitored through completion of SMART targets on the ePEP.

### **Children in Care**

Telford & Wrekin Virtual School from September 2019 will be to allocate £500 each term on completion of the PEP which has been QA'd as green. The Virtual School recognise that, on occasions, exceptional funding would provide additional support. Should this be the case, please speak in the first instance to Virtual School Head. For additional information please see the T&W pupil premium policy available on the virtual school website.

### **Previously looked after children**

A separate allocation of pupil premium plus is in place for children adopted from care or who have left care under a Special Guardianship Order (SGO) on or after 30th January 2005 or children who left care under a Residence Order (RO) or Child Arrangement Order (CAO) on or after 14th October 1991. The children must be recorded in the January school census or the alternative provision census with permission from the parent to disclose status. This funding is not overseen by the Virtual School for children in care and is given to schools directly.

### **Schools should use the funding to:**

- Deliver key actions for the child agreed in the PEP.
- Identify and narrow specific gaps in attainment/raise attainment.
- Provide additional or enhanced support and/or interventions, to improve educational outcomes.
- Provide support to extra-curricular or out of school hour's educational opportunities that will benefit the child's ability, interests and motivation to learn.

**NB:** A separate allocation of Pupil Premium Plus is in place for children adopted from care or who have left care under a Special Guardianship Order (SGO). The children must be recorded in the January School Census or the alternative provision census with permission from the parent to disclose status. This funding is not overseen by the Virtual School for looked after and previously looked after children.

## **Preparing for future success**

### **Transitions**

Any transition can be challenging for looked after children due to their previous experiences and separation from family. During a child's education life there will be a number of significant transitions that need to be planned for, (ideally over at least a 6-month period)

### **Career planning**

It is essential that looked after children have access to career planning and are encouraged to take up opportunities to engage in work experience to broaden their world view and see the possibilities available to them.

### **Extra-curricular school opportunities**

Looked after children should be prioritised for programmes and opportunities available at school.

### **University visits**

Many Universities in the UK now offer specific programmes and interventions for looked after children in year 7 and up. Schools should support looked after children to engage in programmes offered by the school to raise aspirations.

### **Access to culture and leisure activities**

The engagement in positive culture and leisure activities has been shown to impact on the educational attainment of looked after children. Involvement in clubs, sports, arts and specific activities contributes to confidence, working with others and developing new skills.

## **Whole school approaches**

Adopting whole-school approach which support mental health and well-being, benefiting not only looked-after or previously looked-after children but all pupils and staff in school.

## **Voice of the Child**

As part of the PEP process it is very important that the voice of the young person is heard and captured in planning and decision making for their future. The views of the child/young person must be evidenced in the PEP and used to inform the setting of targets.

## **Local authority duty and role**

The 2018 guidance sets out the framework through which local authorities discharge their statutory duty under 22(3A) of the **Children Act 1989 to promote the education of looked after children and previously looked-after children** (added by section 4 of the Children and Social Work Act 2017).

The guidance incorporated the requirement for each local authority to appoint an officer employed by that local authority or another in England to ensure that the duty to promote the education looked after children is discharged. This officer is referred to as the Virtual School Head (VSH). **Children and Families Act March 2014 (99)** Addition of (3B) & (3C) to Children Act 1989 section 22 after (3A). **The Children and Social Work Act 2017** extended the role of virtual school heads and designated teachers to promote the education attainment of certain previously looked-after-children. Local authorities to appoint an officer to role of Virtual School Head.

## **Looked-after children (Children in Care)**



- Local authorities (LA) have a duty to promote the education attainment of looked after children wherever they live or are educated and give attention to the education implications of any decision about welfare.<sup>[L  
SEP]</sup>
- Duty should also be applied to eligible children and those placed for adoption before a court hearing.
- Expectation that LA workers and departments work together to ensure that education provision is arranged at the same time as care placement and relevant staff should work together
- All looked-after children should have a Personal Education Plan (PEP) which is part of the care plan or detention placement plan.  
The PEP should include the VSH contact details.
- LA has a duty to support care leavers up to 25 as outlined in Children and Young Person's Act 2008

### **Previously looked-after children**

- Virtual school head to be a source of advice and information to help parents to advocate as effectively.
- Duty applied to children who are in early years provision (secured by LA) and throughout compulsory education where child is in provision full or in part funded by the state.
- Virtual school head to promote the educational attainment of previously looked-after through provision of advice and guidance to relevant parties such as education provisions including early years.

**Guidance** Promoting the Educational Achievement of looked-after children and previously looked-after children: Statutory Guidance for Local Authorities February 2018

## **Social care service**

Recently adopted children will be classed as looked after until the final court hearing (usually 6 months after placement in new family). Adopted children will remain the responsibility of the placing local authority for 3 years from the date of the adoption order. After 3 years adopted children are the responsibility of the residing local authority.

To meet the needs of adopted children school needs to recognise the impact of early life experiences. Having a key adult in school will allow for good communication between home and school.

## **Adults around looked-after children and previously looked-after children**

<b>Key Worker</b>	A social care worker employed within residential settings. They will often be the “link person” for the child between their placement and other agencies – including schools.
<b>Children’s Guardian</b>	An officer appointed by the court to represent the views of the child during care proceedings and in private law proceedings.
<b>Social Worker</b>	A qualified social care professional who holds a registration with the HCPC. It is a legal requirement that Looked After Children’s cases are allocated to a qualified, registered Social Worker, who is accountable for case management decisions.
<b>Supervising Social Worker</b>	A HCPC approved worker, working specifically with foster carers, in both private fostering agencies and within local authorities. Supervising social workers offer support for carers, ensuring training/development and good care.

<b>Adoption social worker</b>	A HCPC approved worker. Adoption social workers specifically working with Adopters, recruiting and supporting them during the process and as required after adoption order.
<b>Independent Reviewing Officer</b>	An HCPC approved professional with responsibility for conducting statutory reviews of care plans. An IRO will need to be consulted on placement moves and all major decisions regarding a child's care plan.
<b>Independent Fostering Agency</b>	These agencies are based outside of the local authority and are privately run. They assess and support their foster carers directly and feed back to the local authority.
<b>Personal Advisor</b>	Individuals employed by the LA to work with care leavers to support them with their preparation for adulthood. The PA role is a statutory role.

### **Early years**

In Early Years Settings the lead staff member for Children in Care may be referred to as the Designated Teacher or the Designated Lead for Children in Care. T&W Virtual School for Children in Care has an Education Advisor for early years and primary to offer to support all internal and external partners working with T&W's Children in Care. T&W VSCIC's aim is to promote the best quality outcomes for all pre-school and primary-aged looked after children through high quality PEPs and careful transition planning.

Telford PEP meetings should begin when a child in care starts to attend an early year's educational setting and should take place once a term. From January 2020 an e-PEP account will be set up, when a child enters care or once the Virtual School has

been notified of their confirmed educational setting. The EY Education Advisor will work alongside both the child's social worker and designated lead to complete the PEPs.

Early years PEPs should focus on identifying learning and development gaps and setting SMART targets, with the aim of 'plugging' those gaps to support the child to reach age related or above age expectations and development goals, when eligible, Early Years Pupil Premium should be used to support with this process.

Children between the ages of 3 and 4 attending early years' settings are eligible for EYPP. A child qualifies for this funding, if they have been in local authority care for 1 day or more in England or Wales. As part of the Personal Education Plan process the Virtual School would expect providers and social care, to identify in the targets section, how the EYPP will be used to benefit the child's educational attainment or development needs.

**Besides PEPs and transition planning the Virtual School early years and primary advisors can also offer support with:**

- Home learning for foster carers.
- Quality and inclusion issues for looked after children in schools and early years settings, (including childminders)
- Guidance for educational settings around the use of the Early Years Pupil Premium and Pupil Premium Plus.
- The role of Children's Centres in supporting looked after children and their carers.
- Early development and educational issues for social care professionals.
- Information, advice and guidance about the educational needs of previously looked after children.
- Managing transitions for previously looked after children including those placed for adoption.

## Previously looked after children

The remit of the VSCIC has been extended by recent legislation to include information, advice and guidance for children who have been previously looked after, i.e. children adopted from care, and who have left care under a Special Guardianship Order or a Child Arrangement Order.

Given that adoptions for looked after children usually take place during their early years, EY Advisor is also responsible for Previously Looked after Children (PLAC) who can offer advice on the attachment issues and complex trauma these children may have experienced. They can signpost schools and settings to sources of information and expertise to meet such needs and offer guidance on how Pupil Premium and Early Pupil Premium can be used to benefit previously looked after children.

## Post 16 education

### Children in Care

T & W Virtual School for Children in Care has an Education Advisor for Post 16 to offer to support all internal and external partners working with T&W's Children in Care. T&W VSCIC's aim is to promote the best quality outcomes for all post 16 children in care through high quality PEPs and careful transition planning.

**16-19 bursary:** Looked after children attending Post 16 education are entitled to a 16-19 bursary worth £1200. It is often based on attendance and paid pro rata for part-time courses. Applications need to be made directly to the college or Post 16 education provider. Money is paid into young person's bank account and is intended to be used for travel and equipment to support education progress. Young people need to decide to declare their care status to access the bursary.

**University and Higher Education funding:** Applications for courses are made via UCAS and finance applications by university student finance. Care leavers are entitled to the HE bursary of £2000 over the duration of course from their local authority.

A large number of universities will offer a non-repayable bursary specifically to students who are care leavers. Check out individual university websites. Young people should be encouraged to tick the care leaver box on the UCAS form to access university support.

**Staying put (England only):** Local authorities have a duty to provide ‘staying put’ arrangements for care leavers to continue to live with foster carers or in residential placements until the age of 21. The local authority will monitor the arrangement and provide advice and support with a view to maintaining the arrangement.

**Pathway plan:** To support the transition into adulthood, young people in care are supported by a social worker and/or personal advisor (PA) to plan for their future and access appropriate provision through a pathway plan, this includes access to education, employment and training.

**Access to education support to 25:** Young people who have been care leavers are able to request support from the LA to engage in education up until their 25th birthday, even when they have had no contact with the service for a number of years.

### **Special Educational Needs and Disability - SEND**

SEN professionals must work closely with other relevant professionals involved in the child’s life to ensure that the child’s **Education Health Care** plan works in harmony with his/her **Looked After Children Care Plan** and **Personal Education Plan** so that it adds to, but does not duplicate, information about how education, health and care needs will be met. When referencing information contained within the EHC plan should only include relevant information to the child’s SEN from the looked after children care plan. Where a child in care is being assessed for SEND it is vital to take account of information set out in their looked after children care plan and personal education plan. The Virtual School will also liaise directly with the SEND team and support in writing educational advice in relation to request for EHCP in addition to schools providing educational advice reports.

### **Belonging regulations**

‘Belonging Regulations’ refers to the Education (Areas to which Pupils and Students Belong) Regulations 1996 and are underpinned by DCSF guidance 2009. The SEN Code of Practice 2015 can be confusing as it cites that the area where the child is ordinarily resident has responsibility for the EHC plan and this is not strictly true for looked after children.

Where a child or young person is in foster care, the LA where they reside will assume the administrative responsibility for the EHC plan, the local authority where the child entered care retains financial responsibility. If a child or young person is in residential care, administrative responsibility may be retained by the LA where the child or young person entered care. If you have any queries about the 'belonging regulations', please contact T&W Virtual School for Children in Care in the first instance.

### **Unaccompanied Asylum Seeker Children (UASC)**

Unaccompanied minors are children and young people who enter England alone without family members. Their knowledge of English and prior access to education can be varied. It is important that on entry to school their education needs are assessed including written and oral skills. As they settle into school it is important to consider how they are processing experiences and trauma both externally and internally and how school can be a 'safe' place for them.

#### **School interventions**

- Ensure staff are supported and trained to teach children with (English additional language) EAL and to differentiate their work and homework.
- Place the child in the appropriate year group and arrange an appropriate timetable.
- Offer the child a pupil 'buddy' and a staff 'mentor' to help them orientate and ask questions or seek help etc.
- Provide the child with a place to pray if required, and accommodate requirements the child's diet and changing for PE etc.

#### **Pupil premium intervention ideas**

- Facilitate educational interventions such as catch up literacy and maths sessions, specific time-limited subject support in class, focused one to one EAL lessons, and access to EAL computer programmes such as Rosetta Stone or the Learning Village.
- Provide a bi-lingual dictionary for the child and ensure they receive additional provision in exams where needed.
- Provide a laptop for older children and access to Google translate in the early stages of learning English (via the laptop, tablet or iPad) to support communication with teachers and peers.

- Additional tutoring, sports club memberships, music lessons to build knowledge, skills and promote social integration.

The virtual school team, are available to offer advice and signpost support including assessment on entry to school. Please contact the virtual school for more information.

## **Exclusions**

Schools should seek to avoid the exclusion of children in care and previously looked-after children. Should a CIC or previously looked-after child be at risk of exclusion schools must liaise at the earliest opportunity with the designated responsible staff within the school and the child's local authority to consider all possible options. **The virtual school should be informed at the earliest opportunity.**

### **A school can only permanently exclude:**

- a. In response to serious breach or persistent breaches of the school's behaviour policy; and
- b. Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

An exclusion must be lawful, rational, reasonable, fair and proportionate and must be in accordance with the school's published behaviour policy and the statutory guidance on exclusion.

If a period of exclusion is unavoidable, for a fixed period of more than 5 days schools have a statutory duty to arrange suitable full-time education for any pupil of compulsory school age. This provision must begin no later than the 6th day of the exclusion. However, the 2017 DfE guidance states that 'the school and the local authority should work together to arrange alternative provision from the first day following exclusion' for Looked after Children (Section 5 paragraph 50).



Schools should engage proactively with parents in supporting the behaviour of pupils with additional needs. In relation to looked after children, schools should co-operate proactively with foster carers or children’s home workers, the local authority that looks after the child and the local authority’s virtual school head.

If exclusion is unavoidable, the head teacher must, without delay, notify the carer and person holding parental responsibility of the period of the exclusion and the reason(s) for it. Ideally, notification should be in person or by telephone in the first instance.

### **Mental health and well-being**

Children in Care and previously looked-after children are more likely to experience the challenge of social, emotional and mental health issues (as identified in Special Needs and Disability Code of Practice 0-25 years) than peers. They may struggle with executive functioning skills, forming trusting relationships, social skills, managing strong feelings (shame, sadness, anxiety and anger) sensory processing skills and coping with transitions and change. All of which can impact on educational attainment. Designated Teacher statutory guidance. DfE 2018.

Designated teachers are not expected to be mental health experts; however, they have an important role in working with other staff in school who link with mental health services ensuring they and other school staff can identify signs of potential issues and understand where the school can draw on specialist services, such as CAMHS and educational psychologists.

- Understand the impact trauma, attachment disorder and other mental health issues can have on looked after and previously looked-after children and their ability to engage in learning.
- Support the school to become “attachment aware”, i.e. ensuring that the school understands. Attachment theory and the impact of attachment disorders on a child’s emotional development and learning and adopts a whole school approach to identifying and supporting pupils with attachment difficulties.

### **Strengths and difficulties questionnaire**

All children in care are assessed using the Strengths and Difficulties Questionnaire (SDQ). It includes versions for parents and carers, teachers and self-evaluation for children aged 11-17. Schools may be asked to complete the teacher version for specific children at the request of the social worker.

### **Attachment, trauma and resilience**

**Attachment** theory began to take shape in the 1950's with the work of John Bowlby and Mary Ainsworth. Bowlby's premise was that the relationship between infant and the primary caretaker is responsible for; shaping all future relationships; shaping an ability to focus, an awareness of feelings, an ability to calm and the ability to rebound from misfortune.

**Trauma** can be as a result of a single event or a number of repeated stressful events, such as impersonal (e.g. hurricane), interpersonal (e.g. assault) and attachment trauma (e.g. physical, sexual and psychological abuse).

In addition to any identified therapy, key contributors to supporting children to overcome some of the difficulties as a result of an insecure attachment and multiple traumas include:

- Positive, secure and stable relationships
- Being able to express what has happened – create a narrative
- Feeling safe and secure emotionally and physically

Successful intervention is based on providing a structured environment with firm boundaries and nurturing empathic relationships. From this secure foundation other areas – developing social skills, self-esteem, emotional literacy, autonomy and self-identity can be developed. This in turn creates a readiness to learn.

**Resilience** is the process of adapting well in the face of adversity, trauma, tragedy, threats or significant sources of stress. People commonly demonstrate varying levels of resilience, being resilient does not mean that a person doesn't experience difficulty or distress. Resilience is not a trait that people either have or do not have. It involves behaviours, thoughts and actions that can be learned and developed in anyone.

Guidance: Mental health and behaviour in schools. Departmental advice for school staff. DfE, March 2016

### **Legal terminology**

#### **Children on remand – care status**

Children remanded into custody who are not looked after, become looked after until they are sentenced. Whilst remanded into custody they are entitled to all the support and statutory duties as other looked-after children. Children subject to care orders who offend and receive custodial sentences remain looked after. Where a young person has previously been accommodated under section 20 of the 1989 Act and is detained in custody they do not remain looked after. However, they may resume looked after status on release.

#### **Exit from care**

Children and young people can exit care for a number of reasons; including returning home to their family, being placed with a family member or put under a post care order; e.g. adoption, special guardianship

#### **Section 20**

A voluntary arrangement which can be terminated at any time by the parent(s) and parental responsibility remains with them.

#### **Section 47**

Section 47 of the Children Act 1989 places a duty on LAs to investigate and make inquiries into the circumstances of children considered to be at risk of 'significant harm' and, where these inquiries indicate the need, to decide what action, if any, it may need to take to safeguard and promote the child's welfare.

### **Case conference**

A child will be made subject to a child protection plan at a child protection case conference if the child is at risk of significant harm.

### **Looked After Children Care Plan**

Care Plans set out what services will be provided to a looked after child and their family. The Care Plan will say what the council and other agencies will do to meet the child's needs around health, education, religion, culture and hobbies and sets out the longer-term plan for the child's future.

### **Private fostering**

Private fostering is when a child under the age of 16, (under 18 if disabled) is cared for by someone who is not their parent or a 'close relative'. This is a private arrangement made between a parent and a carer, for 28 days or more. T&W Council have to be told about a child's living arrangements.

### **Corporate Parent**

The council, elected members, employees, and partner agencies are 'corporate parents' who have a responsibility for providing the best possible care and safeguarding for the children who are looked after by the local authority. A child in the care of the local authority looks to the whole council to be the best parent it can be to that child. Every member and employee of the council has the statutory responsibility to act for that child in the same way that a good parent would act for and for their child.

### **Parental responsibility**

If the child is being accommodated by the local authority under voluntary measures, the parent(s) still retain full parental rights. If the child is subject to a compulsory supervision order or an order of the court, the parent(s) retain full parental

rights, although these may be limited by the children's hearing or the court. If the local authority has a permanence order for a child, the parent(s) do not have the right to have the child living with them or to control where the child lives. Parental responsibility should be clarified during the PEP meeting and the social worker should invite the relevant people to the meeting. Schools should ensure that they hold the correct contact information for the person(s) holding parental responsibility as advised by the social worker.

### **Legal parent**

During Adoption Parental Responsibility for a child is transferred from their birth parent or other person with Parental Responsibility to their adopters, it is a legal procedure. An adopted child loses all the legal ties with their original parents it is a significant legal order and is not usually reversible. When an adoption order is made in respect of a child, the child becomes a full member of their new family, taking the family name, and assumes the same rights and privileges as if they had been born to the adoptive family including the right of inheritance.