

# Looked After Children Policy

Version 4

**This policy applies to all NCLT institutions.**

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## **1.0 Introduction**

1.1 New Collaborative Learning Trust's (NCLT) policy for supporting Looked After Children takes into account statutory guidance provided by the Department of Education. These duties and responsibilities, as set out within the Education Act 2002 section 175 (Duties of LEAs and governing bodies in relation to the welfare of children), the Role and Responsibility of the Designated Teacher, Statutory Guidance for School Governors (2009), DfE Statutory Guidance Keeping Children Safe in Education, Working Together to Safeguard Children and Promoting the Education of Looked After Children and Previously Looked After Children.

## **2.0 Definition**

2.1 This Policy refers to young people who are Looked After as defined by the Children Act 1989. That is those learners who are under the age of 18 and are

- The subject of an interim or full time care or emergency protection order;
- Unaccompanied minors who are asylum seekers;
- Accommodated by a local authority with the agreement of their parent(s) or legal guardian;  
Compulsorily accommodated as a result of criminal proceedings.

2.2 A Previously Looked After Child (PLAC) is one who is no longer looked after in England and Wales because they are the subject of an adoption, special guardianship or child arrangement order which includes arrangements relating to with whom the child is to live, or when the child is to live with any person, or has been adopted from 'state care' outside of England and Wales

## **3.0 Background**

3.1 Children looked after by the local authority experience a number of interlocking educational disadvantages. Some are "external" – the experience of frequently disrupted schooling, the lack of opportunities to acquire basic skills. Others are "emotional" – experience of trauma, low self-esteem, attachment issues.

3.2 Nationally Looked After Children and Previously Looked After Children significantly underachieve and are at greater risk of exclusion compared to their peers. Their academic and social progress is likely to be affected by their experiences, and compounded by instability in their personal circumstances. 75% of LAC and PLAC leave education with no formal qualifications. Only 12% go on to further education compared with 68% of the general population.

3.3 Without additional support and interventions Looked After Children may experience;

- poor exam success rates in comparison with the general population.
- poorer attendance and higher exclusion rates.
- a high level of disruption and change in educational placements.
- lack of involvement in extra curricular activities.

- inconsistent or no attention paid to Directed Independent Learning.
- underachievement in further and higher education.

It is therefore essential the Trust promotes the achievement and wellbeing of such vulnerable students, who may also face additional barriers due to their race, ethnicity, religion and beliefs, sexual orientation or because they are disabled.

#### **4.0 Definitions around Children Looked After by the Local Authority**

4.1 The term “in care” now refers solely to children who are subject to Care Orders (a court order committing the care of a child to a local authority). Children who are cared for on a voluntary basis are “accommodated” by the local authority. Both these groups are said to be “Looked After Children” (LAC) or Children in Care (CIC). The term LAC has a specific legal meaning linked to the Children’s Act whereas CIC is a term that has been adopted by professionals working with these children.

4.2 Accommodated children also include those in receipt of respite care – if it exceeds 20 days on one episode or over 120 days a year.

4.3 It is important not to confuse a young person’s legal status with their living arrangements. For example a child on a Care Order can be living with:

- foster carers.
- in a children’s home.
- in a residential school.
- with relatives or even with parents – under supervision of Children’s Services.

4.4 Similarly, an “accommodated” child can be living:

- in foster care.
- in a children’s home.
- in a residential school.

4.5 A private foster carer is someone other than a parent or a close relative who cares for a child for a period of 28 days or more, in agreement with the child’s parent. It applies only to children under 16 years, or under 18 if they are disabled. A private fostering arrangement is not when a child is looked after by the local authority or placed in any residential home, hospital or school.

4.6 If students are subject to a private fostering arrangement they are not recorded as looked after within the Trust; they will be viewed as potentially vulnerable by virtue of their living arrangements and will be monitored in the same way as other vulnerable children including those on a Special Guardianship Order .

4.7 More information relating to private fostering can be viewed via the links below.

Wakefield

<http://www.wakefield.gov.uk/Documents/schools-children/fostering/private-fostering.pdf#search=private%20fostering>

Doncaster

<http://www.dscb.co.uk/private-fostering-2>

Bradford

<https://www.bradford.gov.uk/children-young-people-and-families/private-fostering/private-fostering/>

Rotherham

<https://www.fosteringrotherham.com/private-fostering>

Hull

<https://www.hull.gov.uk/children-and-families/fostering/private-fostering>

East riding of Yorkshire

<https://www.eastriding.gov.uk/living/children-and-families/fostering/private-fostering/>

East Lincolnshire

[Private fostering – What is private fostering? - Lincolnshire County Council](https://www.lincolnshire.gov.uk/adoption-fostering/private-fostering)  
<https://www.lincolnshire.gov.uk/adoption-fostering/private-fostering>

Leeds

[Types of fostering \(leeds.gov. https://www.leeds.gov.uk/foster4leeds/types-of-fosteringuk\)](https://www.leeds.gov.uk/foster4leeds/types-of-fosteringuk)

## **5.0 Previously Looked After Children**

5.1 Previously looked-after children are:

- no longer looked after by a local authority in England and Wales (as defined by the Children Act 1989 or Part 6 of the Social Services and Well-being (Wales) Act 2014) because they are the subject of an adoption, special guardianship or child arrangements order; or
- adopted from 'state care' outside England and Wales. 'State care' is care provided by a public authority, a religious organisation, or any other organisation whose sole or main purpose is to benefit society

5.2 It is important to recognise that children who are post-LAC may have similar needs to those of a Looked After Child. Although the statutory framework with social care may not be in place, the Trust and its colleges recognise the need for additional support and will review each case individually and ensure support is available.

## **6.0 Special Guardianship Order**

- 6.1 Special Guardianship Orders (SGOs) provide a permanent home for a child who can no longer live with their parents. An SGO formally recognises one or more people as a 'special guardian' of the child.
- 6.2 Although the child maintains links with their birth family their special guardians have the majority of parental responsibility for them. Unlike an adoption order, the child maintains strong ties with their birth family.
- 6.3 This arrangement provides legal security and enables the child to maintain their identity.

Special guardians have almost complete responsibility for caring for the child and can make major decisions about their upbringing without the involvement of the county council.

They also have responsibility for the day-to-day decisions about the care and upbringing of the child or young person. However, they should consult with the birth parents on important decisions, such as which school a child attend.

There are some decisions special guardians cannot make without the birth parent's consent or permission from a court. They include:

- changing a child's surname
- removing a child from the United Kingdom for more than three months
- very serious decisions where the law states that the consent of all those with parental responsibility is required, such as circumcision.

Students who are have a Special Guardianship Order in place will be treated the same as Previously Looked After Children (PLAC)

## **7.0 The Role of the Designated Teacher for Looked After Children**

- 7.1 (parts taken from the designated teacher for looked after and previously looked after children 2018). Full guidance can be obtained from

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/683561/The\\_designated\\_teacher\\_for\\_looked-after\\_and\\_previously\\_looked-after\\_children.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683561/The_designated_teacher_for_looked-after_and_previously_looked-after_children.pdf)

- 7.2 Every school/college must have a Designated Teacher for Looked After Children.
- 7.3 The Designated Teacher has a leadership role in promoting the educational achievement of every Looked After Child within each of the colleges/school. The culture of the Trust ensures that Looked After Children believe they can succeed and

aspire to their next step should this be higher education, apprenticeships or employment.

7.4 The Designated Teacher for Looked After Children should have the lead responsibility for helping staff in within the Trust to understand the things which can affect how Looked After Children can learn and achieve.

7.5 Everyone involved in helping Looked After Children achieve should be supported by the Designated Teacher to;

- have high expectations of Looked After Childrens' involvement in learning and educational progress;
- be aware of the emotional, psychological and social effects of loss and separation from birth families, the reasons for the separation and that some children may find it difficult to build relationships of trust with adults because of their experiences;
- understand the reasons which may be behind a looked after child's behaviour, and why they may need more support than other children, however this should not be an excuse for lowering expectations of what the child is capable of achieving;
- understand how important it is to see Looked After Children as individuals rather than as a homogenous group but not publicly treat them different to their peers;
- appreciate the importance of showing sensitivity about who else knows about a child's looked after status;
- appreciate the central importance of the child's Personal Education Plan (PEP) in helping to create a shared understanding between teachers, carers, social workers and most importantly, the child and what everyone needs to do to help in order for them to achieve their potential;
- have the level of understanding they need of the role of the social workers, virtual school in local authorities and how education and the function of the PEP fits into the wider care planning duties of the authority which looks after the child.

7.6 The Designated Teacher has a key role in making sure there is a central point of initial contact within the Trust who can manage the process of how the Trust engages with others (eg social services, virtual school heads), works in a joined up way and minimises the disruption to the child's education.

## **8.0 Role of All Staff**

- have high aspirations for the education and personal achievement of LAC, as for all students
- work to enable LAC and PLAC to achieve stability and success within college
- promote the self esteem of all LAC and PLAC
- be aware that a large proportion of LAC and PLAC students encounter bullying during their education

- respond promptly to the Designated Teachers' request for information.
- have an understanding of the key issues that affect LAC and PLC

## **9.0 Role of College/School**

- to provide a safe and secure environment, where education is valued and there is a belief in the abilities and potential of students.
- to support our LAC and PLAC and give them access to every opportunity to achieve their potential and enjoy learning.
- To fulfil the Trust role as corporate parents to promote and support the education of our LAC and PLAC.

## **10.0 Role of the Board of Directors in Supporting Looked After Children**

10.1 The appointment of a Designated Teacher in accordance with the regulations is a core function of the Board of Directors.

10.2 The Board of Directors should, in partnership with the Principals/Headteacher, ensure that through their training and development, the Designated Teacher has the opportunity to acquire and keep up to date the necessary skills, knowledge and training to understand and respond to the specific teaching and learning needs of Looked After Children.

10.3 The Designated Teacher should be given the appropriate level of support in order to fulfill their role. The Board of Directors and the college leadership teams should also make sure that the Designated Teacher role contributes to the deeper understanding of everyone within the trust who are likely to be involved in supporting Looked After Children to achieve.

10.4 The Board of Directors, in partnership with the Principal, is responsible for monitoring how well the role is working. Achievement will be monitored closely throughout the year and appropriate interventions will be put in place as required when a looked after child is not fully achieving their potential.

## **11.0 The Voice of a Looked After Child**

11.1 The Designated Teacher for Looked After Children should act as an advocate for Looked After Children. The views of Looked After Children should be heard and opportunities should be provided for these to be voiced privately, via 1:1 meetings as well as informally. Looked After Children need to be clear that all staff will support them and act on any concerns as their advocate and be the link with outside agencies including their social worker and carer.

11.2 Looked after Children should always contribute to the PEP process and should attend review meetings wherever possible.



## **12.0 Exclusions and Looked After Children (Post 16 only)**

12.1 Every college does its best to avoid excluding children and in the case of Looked After Children it is even more important. Designated Teachers in partnership with others in college and the Advisory Group, as necessary should:

- be involved in any discussions related to decisions about potential exclusions of Looked After Children
- make sure the authority which looks after the child and the child's carer are involved in such a decision
- ensure all formal interventions have been implemented prior to an exclusion.

12.2 Data for exclusion rates within the colleges as a whole will be reviewed by the Designated Teacher for Looked After Children to identify any trends in respect of Looked After Children.

12.3 Where appropriate and depending on the nature of the exclusion, as a Trust we will aim to try to avoid exclusions of LAC students and instead adopt an inclusion approach.

## **13.0 Additional Support**

13.1 The Designated Teacher and SENDCo should make sure that Looked After Children are prioritised in any selection of students who would benefit from interventions and that they will have access to academic focused study support.

13.2 Referrals to other agencies, e.g. counselling services, will be made with the child, carer and social worker.

13.3 Children, carers, social workers and the Virtual School will be involved in all SEND reviews, which if possible will be combined with PEP reviews.

## **14.0 Communication Around Looked After Children**

14.1 It is important that all teaching staff within the Trust who are in contact with the child are aware that they are being looked after by the local authority. This will be done through notification of the "LAC Flag" on Cedar and these children will be identified as 'LAC' on CPOMS within school. Once placed on, staff will receive a formal notification through email. This will be the responsibility of the safeguarding lead.

14.2 Good communication is essential between professionals. It is important to exchange information in-between formal reviews if there are significant changes in a young person's circumstances, e.g. if there is a change of course (post 16 only) or request to

transfer school, there is a change of care placement or there are significant issues such as behaviour and attendance. The Designated Teacher and or the Progress Tutor will be the central point of contact.

14.3 The Trust and social workers within Children's Services should endeavour to co-ordinate their review meetings, e.g. to have an Annual Statement or Education Health Care Plan Review and a Personal Education Plan or PEP meeting or review. This is necessary to ensure the child does not feel overwhelmed by the number of meetings and the same information is not having to be repeatedly shared. PEPs must reflect the high aspirations of the Trust, the child and other professionals involved.

14.4 The Designated Teacher for Looked After Children will be responsible for providing reports on the progress and attendance of all children in care to the virtual school and Board of Directors as requested.

### **15.0 Transition and Admission**

15.1 All Looked After Children who apply to NCLT colleges will be offered transitional visits in addition to being able to attend open day/evenings. The Designated Teacher will lead and arrange all visits as necessary. All Looked After Children who attend Wingfield Academy will be offered a bespoke package of transition support led by key staff and personnel.

15.2 Looked After Children will have dedicated on-going support through a Progress Tutor/Form Tutor, Pastoral Leaders and Teaching Head of Year, who will be their first point of contact throughout their time at college/school.

15.3 Once enrolled, records will be requested from the student's previous school. This will provide information to inform the PEP. Contact arrangements will be clarified at this meeting including who to call first in an emergency.

15.4 When Looked After Children leave the college/school, either due to progression into Further/Higher Education or transfer to another educational provider, contact will be made with the new educational establishment.

### **16.0 Careers Advice and Progression Planning**

16.1 All students are able to receive careers guidance within their college and 1:1 appointments can be made throughout the year for further support. Looked After Children, as all other students, will have a dedicated Progress Tutor who will support them with their progression planning, HE applications and also employability skills. All Looked After Students in Year 11 are supported by the Academy's Careers and Guidance Officer. Chaperoned pre, and transition visits are facilitated by academy staff

and a high-level of bespoke support and scaffolding is in place to support all / any needs Looked After Children may present with in Y11.

16.2 Destinations will be monitored and reported at the end of every academic year.

### **17.0 Financial Support**

17.1 All Looked After Children will receive the guaranteed bursary of £1200 which is paid across the academic year. This will be subject to acceptable levels of attendance and the stage of formal interventions which are in place during the academic year. In school, the allocated funding for Looked After Children is accessed to support a raft of interventions and activities all of which are signed off via and within the PEP process. Funding is used creatively to support the individual needs of students.

### **18.0 Record Keeping and Information Sharing**

18.1 The Designated Safeguarding Lead will co-ordinate record keeping for all Looked after Children in College. Looked After Children status will be appropriately “flagged” on Cedar. In school, Looked After Children are clearly identified within CPOMS. All staff have access to appropriate levels of information in order to maximise the support offer.

18.2 Sensitivity is a priority in sharing information with members of the Trust staff. We are guided by best practice and on the “need to know”. Wherever possible students’ wishes are taken into account in sharing information within the staff team.

### **19.0 Partnership Working**

19.1 NCLT values the views of parents/carers. We firmly believe in developing strong partnerships with carers, parents and residential care workers to enable students to achieve their full potential.

19.2 We recognise the essential contributions that external support services make in assisting Looked after Children and we are committed to developing positive partnerships with all involved.

### Policy Status

<b>Policy Lead (Title)</b>	Trust Safeguarding Lead	<b>Review Period</b>	Annual
<b>Reviewed By</b>	Trust Executive Team/ Board of Directors	<b>Equality Impact Assessment Completed (Y/N)</b>	N

### POLICY AMENDMENTS

Version	Approval Date	Page No./Paragraph No.	Amendment	Audience	Plan for Communicating Amendments
Version 1	03/07/2019				
Version 2	TET 04/05/2021 BoD 17/05/2021	Page 3/ para 2.1	Updated definition	NCLT College Staff and Students, public, prospective students, general public	Uploaded onto Moodle and staff notified in HR newsletter
		Page 3/ para 2.1	Addition of definition of PLAC		
		Page 3/ para 3.2	Additional info on LAC and PLAC		
		Pg. 12	Review cycle changed from 3 years to annual		
Version 3	TET 01/03/2022 BoD 09/5/2022	Page 6/ para 6.3	Addition of 'DSL'	NCLT College Staff and Students, public, prospective students, general public	Uploaded onto Moodle
		Page 7/ para 7.0	Addition: •Ensure contact home is made if there are concerns regarding a LAC or PLAC •Ensure all interventions/information is recorded on Cedar (Teaching Staff/Progress Tutors)		
		Page 9/ para 12.4	Addition of 'DSL'		
Version 4	TET 20/09/2022 BoD 20/10/2022		WFA LAC policy incorporated into Colleges LAC policy to form Trust LAC policy. References updated throughout to make applicable to school.	NCLT Staff and Students, public, prospective students, general public.	Uploaded onto shared drives and NCLT website.