

Looked After Children Policy

Version 6

This policy applies to all NCLT education settings.



Wingfield Academy



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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 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 periods 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/pupils 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

https://www.wakefieldscp.org.uk/wp-content/uploads/2021/12/OMG-Private-Fostering-updated-Oct_-2023-3.pdf

Doncaster

<https://dscp.org.uk/professionals/private-fostering/>

Bradford

<https://www.bradfordcft.org.uk/children-in-our-care/private-fostering/>

Rotherham

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

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 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 most of the 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 will 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 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

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 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 Children's 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 differently 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 (e.g. 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

8.1 All staff should:

- 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
- 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

9.1 Each college/school has a responsibility:

- 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 be informed by the principal/headteacher that 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 Board of Directors will provide oversight of how well LAC students are performing and where required request information around what is in place to support LAC students academically.

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 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 will be the central point of contact.
- 14.2 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.
- 14.3 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 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.

15.2 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.

15.3 When Looked After Children leave the college/school contact will be made with the new educational establishment.

16.0 Personal Education Plan (PEP)

16.1 All LAC must have a care plan; PEPs are an integral part of this care plan.

16.2 The PEP is an evolving record of what needs to happen for a student/pupil to enable them to make the expected progress and fulfil their potential.

16.3 The PEP will reflect the importance of a personalised approach to learning which meets the identified educational needs of the child.

16.4 The school/college, with other professionals and the child's carers, will use the PEP to support the child's educational needs, raise the child's aspirations and improve their life chances.

16.5 All relevant bodies, such as the LA, the designated teacher and carers, will involve the child in the PEP process at all stages.

16.6 The PEP will address the student's/pupil's full range of education and development needs, including:

- Access to nursery provision that is appropriate to the child's age.
- On-going catch-up support, which will be made available for children who have fallen behind with work.
- Suitable education provided by the LA, where the child is not in school because of suspension or exclusion.
- Transitional support where needed, such as if a child is moving to a new school.
- School/college attendance and behaviour support, where appropriate.
- Support to help the child meet their aspirations, which includes:
- Support to achieve expected levels of progress for the relevant national key stage and to complete an appropriate range of approved qualifications.
- Out-of-school hours learning activities, study support and leisure interests.

17.0 Financial Support

17.1 All Looked After Children within the colleges will receive the guaranteed bursary which will support with travel to and from college and provide them with access to the

necessary equipment and resources for their studies. 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. 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 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.