# Looked After Children Policy

Version 7

**This policy applies to all NCLT education settings.**

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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. This policy should also be read alongside the Trust Child Protection and Safeguarding Policy, SEND Policy, Behaviour for Learning Policy, Attendance Policy, Suspension and Exclusion Policy and Information Sharing procedures.

## 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.

2.3 The Trust recognises the increasingly used term 'care experienced' child or young person. Whilst statutory guidance primarily uses the terms Looked After Child (LAC) and Previously Looked After Child (PLAC), the Trust acknowledges that many children and adults prefer the term care experienced and will use language that reflects the wishes of the child or young person wherever possible

## 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. . National data continues to demonstrate a significant attainment, attendance and wellbeing gap between looked after children and their peers. The Trust recognises that many looked

after and previously looked after children have experienced trauma, loss, separation, instability and adverse childhood experiences which may impact educational engagement and achievement.

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

- Poor exam and assessment 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.

3.4 The Trust recognises that Looked After and Previously Looked After Children may also be disproportionately affected by:

- Special Educational Needs and Disabilities (SEND)
- Social, Emotional and Mental Health (SEMH) needs
- Developmental trauma
- Attachment difficulties
- Attendance challenges
- Child exploitation
- Online harms
- Mental health difficulties

Support will therefore be delivered using an holistic, child-centred approach

## 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 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

7.2 Every school/college must appoint a suitably qualified Designated Teacher for Looked After and Previously Looked After Children in accordance with statutory guidance. The Designated Teacher should be a qualified teacher or headteacher

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 The Designated Teacher will promote trauma-informed and attachment-aware practice across the Trust and ensure staff understand the potential impact of adverse childhood experiences on learning, behaviour, attendance and relationships.

7.6 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.

7.7 The Designated Teacher, in each setting,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.

7.8 The Designated Teacher will work closely with the Designated Safeguarding Lead (DSL), SENDCo, Virtual School Head, social workers, carers and other professionals to promote educational achievement, welfare and safeguarding.

## 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
- All staff should understand that looked after and previously looked after children are amongst the most vulnerable groups of children and may have additional safeguarding and welfare needs

## 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 recognise and support the local authority's corporate parenting responsibilities and work collaboratively to promote the educational achievement, attendance, safeguarding and wellbeing of looked after children.

## 10.0 Role of the Board of Trustees in Supporting Looked After Children

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

10.2 The Board of Trustees 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 Trustees provides oversight of how well LAC students are performing and where required request information around what is in place to support LAC students academically.

10.4 The Board of Trustees should receive sufficient information to enable them to monitor the educational progress, attendance, suspensions, exclusions, safeguarding concerns and wellbeing of looked after and previously looked after children whilst maintaining confidentiality.

10.5 The Board of Trustees should seek assurance that the Trust complies with statutory safeguarding duties and that designated staff receive appropriate training and support.

## 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 The Trust will actively seek and record the wishes, feelings and lived experiences of looked after and previously looked after children and ensure these inform planning, intervention and decision making.

11.3 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 The Trust acknowledges that Looked After and Previously Looked After Children are significantly more likely to have SEND and emerging mental health needs. Assessments, interventions and referrals should therefore be considered promptly where concerns arise.

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

13.4 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 Record keeping and information Sharing Around Looked After Children

14.1 Information sharing 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 Information sharing will take place in accordance with Information Sharing Duty 2026, Working Together to Safeguard Children 2026, Keeping Children Safe in Education 2026, data protection legislation and relevant safeguarding procedures.

14.3 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.

14.4 Sensitivity is a priority in sharing information with members of the Trust staff. We are guided by best practice. Wherever possible students' wishes are taken into account in sharing information within the staff team.

14.5 The Trust will share relevant safeguarding and welfare information promptly where this is necessary to protect a child or promote their welfare, recognising that effective information sharing is a key component of safeguarding practice.

14.6 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.

14.7 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 Trustees 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.

15.4 The Trust will prioritise educational stability and will work closely with the placing authority, Virtual School Head and receiving or previous educational settings to minimise disruption to education wherever possible.

## 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 PEPs should include clear academic, attendance, wellbeing and wider developmental targets together with identified actions, responsibilities and timescales.

16.6 The impact of Pupil Premium Plus funding should be clearly identified and regularly reviewed through the PEP process.

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

16.8 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.

17.2 Funding for Looked after Children, including Pupil Premium Plus where applicable, will be used strategically to address identified barriers to learning and improve educational outcomes.

## 18.0 Children in Kinship Care and Children with a Social Worker

18.1 The Trust recognises that children with a social worker and children living in kinship care arrangements may face many of the same educational barriers as looked after children.

18.2 The Trust will work collaboratively with Virtual School Heads, social workers and carers to identify barriers to learning and ensure appropriate support is available

## 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.

## Equality Impact Assessment (EIA)

## Name of the policy: - Looked After Children Policy

### Date of Review: - October 2026

This **EIA** is completed to assess the impact of a policy, procedure or practice on people with protected characteristics and to demonstrate that the Trust has considered the aims of the Public Sector Equality Duty (PSED).

Could the policy have a differential impact on stakeholders with protected characteristics?
The **Protected Characteristics** are:

- Sex
- Race
- Religion or Belief
- Sexual Orientation
- Pregnancy and Maternity
- Age
- Disability
- Marriage and Civil Partnership
- Gender Reassignment; or
- Other potentially vulnerable groups.

| Protected Characteristic | Impact (P = Positive, N = Negative) | Reason |
|---|---|---|
| **Sex** | **P** | **The policy applies equally to all looked after and previously looked after children regardless of sex. It promotes equitable access to education, safeguarding, wellbeing support and positive outcomes.** |
| **Race** | **P** | **The policy recognises that some children may face additional barriers linked to ethnicity, culture or language and promotes inclusive practice, equality of opportunity and the removal of barriers to achievement.** |
| **Religion of belief** | **P** | **Individual care planning, identity, religious beliefs and cultural needs are respected through personalised support and effective partnership working. No aspect of the policy disadvantages any faith group.** |
| **Sexual orientation** | **P** | **The policy promotes safeguarding, inclusion and wellbeing for all children. Its child-centred approach supports children who may experience discrimination, stigma or additional vulnerabilities linked to sexual orientation.** |
| **Pregnancy and maternity** | **P** | **The policy provides individualised support and safeguarding arrangements for looked after children who are pregnant or young parents, helping them maintain engagement in education and access appropriate support.** |
| **Age** | **P** | **The policy is specifically designed to support children and young people and includes age-appropriate educational planning, safeguarding arrangements and transition support.** |
| **Disability** | **P** | **The policy recognises that looked after children are disproportionately likely to have SEND, additional learning needs or mental health difficulties. It promotes assessment, reasonable adjustments, multi-agency working and early intervention.** |
| **Marriage and civil partnership** | **N/A** | **This protected characteristic is generally not applicable to children covered by the policy. No differential impact has been identified.** |
| **Gender reassignment** | **P** | **The policy promotes dignity, inclusion, safeguarding and personalised support for all children. It seeks to remove barriers and ensure vulnerable children receive appropriate advocacy and support.** |
| **Other potentially vulnerable groups** | **P** | **The policy is specifically intended to improve outcomes for looked after children, previously looked after children, children with a social worker, children in kinship care, unaccompanied asylum-seeking children and those experiencing trauma, attachment difficulties, SEND, SEMH needs or social disadvantage.** |