



No 49. Cared for Children policy

CARED FOR CHILDREN POLICY

Status: statutory. This policy is linked to a wide range of legislation, which is listed below.

Governor Responsible: **Andrew Ferrier**

Designated Lead: **Mrs Debbie Torpey**

Definition

'Cared for' is a term that refers to children for whom the Local Authority is sharing parental responsibility. This can happen either with parental agreement or when a Court makes a Care Order. The child may be living with foster carers, in a residential unit, with family members or sometimes with their parents. These children are therefore subject to corporate parenting.

This policy includes requirements set out in "Statutory guidance on the duty of local authorities to promote the educational achievement of children under section 52 of the Children Act 2004" and associated guidance on the education of Cared for Children.

Further general legislation affecting Cared for Children

- The Education (Admission of Looked After Children) (England) (Regulations) 2006 set out when an admissions authority for a maintained school must give priority in its oversubscribed criteria to a 'relevant looked-after child'.
- The Education and Inspections Act 2006 gives further protection to Cared for Children by acknowledging the right of a parent to state their school preference. The admissions authority must comply with this preference. However, if one of a number of statutory exceptions applies, the parent's application can be refused. The parents have a right of appeal.
 - Where a child has been permanently excluded from two or more schools, however, if the parent's application is refused, there is no appeal for a period of two years. Under the Act, if an LA wishes to admit such a child to a school for which it is the admissions authority (that is, a community or voluntary controlled school) it must give notice of the decision to the governing body. The governing body may, within seven days, refer the matter to the schools adjudicator claiming that admission of the child would cause serious prejudice to the provision of education or use of resources.
 - If the adjudicator agrees with the school, the decision to admit the Cared for Child is annulled. The adjudicator may decide that another school must admit the child provided that he/she has not already been excluded from that school.
 - In the case of schools which are their own admissions authority, the LA can give a direction to admit a Cared for Child to any school in England, other than a school for which the LA is the admissions authority or a school from which the child has been excluded.
 - The LA has to consult the admissions authority for the school specified in the direction. The admissions authority needs to inform the LA within seven days whether it is willing to admit the child. Again the school can refer the matter to the adjudicator on 'serious prejudice' grounds.

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- The admissions priority given to Cared for Children also applies to academies. Under the Admissions Code 2012, academies can choose to give admission priority to children on pupil premium, which category may include looked-after children. The Education (Infant Class Sizes) (England) (Amendment) Regulations 2006 add LAC as a category of 'excepted pupil' when dealing with infant class size admissions.
- Personal education allowances for LAC: statutory guidance for LAs 2008. These allowances are intended to provide additional, personalised support to LAC who have been identified as at risk of not reaching expected standards of attainment.
- Promoting the educational achievement of Cared for Children: statutory guidance for LAs 2010 underlines the fact that it is the duty of the LA to act as a corporate parent and support their educational achievement.
- Care planning for Cared for Children and care leavers 2011 increases the emphasis on more effective care planning for looked-after children.
- The Admissions Code 2012 confirms the 'accepted' status of Cared for Children and the fact that they are a first priority group in oversubscription criteria in schools, (other than secondary grammar schools that admit students using a selection test). The criterion also now applies to adopted children who were formerly in care.
- The SEN Code of Practice came into force in 2014 and in many cases applies to Cared for Children.
- The Children and Families Act 2014 amended the Children Act 1989 to require LAs in England to appoint at least one person for the purpose of discharging the LA's duty to promote the educational achievement of its looked-after children wherever they live or are educated. The person, the virtual school headteacher (VSH) must be an officer employed by the LA or another LA in England.

Hayes School recognises that all pupils are entitled to a balanced, broad-based curriculum and aims to promote the educational achievement and welfare of pupils in public care. The school and the governing body welcomes Cared for Children (CFC) who may be looked after by our local authority or those who may be in the care of another authority but living in Torbay.

Hayes School's approach to encouraging and supporting the educational achievement of Cared for Children is based on the following principles:

- Ensuring an appropriately trained Designated Teacher is appointed, who will be responsible for all Cared for Children.
- All Cared for Children will have a Personal Education Plan (PEP) drawn up between the school, the child, and the child's social worker, which will identify the child's individual needs and the support they require.
- Having high expectations for the child and ensuring equal access to a balanced and broadly based education.
- Recording, monitoring, and improving the academic achievement of the child in addition to their health and wellbeing.
- Achieving stability and continuity.
- Prioritising reduction in exclusions and promoting attendance.
- Promoting inclusion through challenging and changing attitudes.
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- Promoting good communication between all those involved in the child's life and listening to the child.
- Maintaining and respecting the child's confidentiality wherever possible.
- Ensuring staff awareness of, and sensitivity to, the difficulties and educational disadvantages of Cared for Children.

Rationale

Many children and young people who are in care have suffered abuse or neglect. Despite having as broad a range of abilities as their peers, Cared for Children are particularly vulnerable to underachievement. Nationally, Cared for Children (CFC) significantly underachieve and are at greater risk of exclusion compared with their peers. Their academic and social progress is likely to be affected by their experiences, compounded by instability in their personal circumstances.

75% of Cared for Children leave education with no formal qualifications. Only 12% go on to further education compared with 68% of the general population. Helping Cared for Children succeed and providing a better future for them is a key priority in our school.

Hayes School recognises that Cared For Children can experience specific and significant disadvantages within a school setting, and is committed to ensuring that they reach their potential in all areas. We are aware that Cared For Children may have specific difficulties in transport and attendance, doing homework, getting parental consent for activities, obtaining funding for extra activities, obtaining correct uniform and equipment, as well as stigma about their circumstances. Hayes School recognises that Cared For Children may have very specific needs and may be coping with trauma, abuse or rejection, and are likely to experience personal distress and uncertainty.

Hayes School believes that the educational experience of all children should be positive and powerful and aims to provide a learning environment in which every Cared for Child can be successful. We believe that this school has a major part to play in ensuring that CFC are able to be healthy, stay safe, enjoy, achieve, make a positive contribution to society and achieve economic wellbeing.

Responsibility of the Head teacher

- Identify a Designated Teacher for Cared for Children, whose role is set out below.
- It is essential that another appropriate person is identified quickly should the Designated Teacher leave the school or take sick leave.
- Ensure that procedures are in place to monitor the admission, progress, attendance and any exclusion of Cared for Children and take action where progress, conduct or attendance is below expectations.
- Report on the progress, attendance and conduct of Cared for Children to all parties involved.
- Ensure that staff members in school receive relevant training and are aware of their responsibilities under this policy and related guidance.

Responsibility of the Governing Body

- Ensure that all Governors are fully aware of the legal requirements and guidance on the education of Cared for Children:
- The Education (Admission of Looked After Children England) Regulations 2006. Relevant DfE guidance to Governing Bodies (Supporting Looked After Learners: A Practical Guide for School Governors).
- Ensure the school has an overview of the needs and progress of Cared for Children.
- Allocate resources to meet the needs of Cared for Children.
- Ensure the school's other policies and procedures support their needs.
- Ensure that the school has a Designated Teacher, and that the Designated Teacher is enabled to carry out his or her responsibilities as below.
- Support the Head teacher, the Designated Teacher and other staff in ensuring that the needs of Cared for Children are recognised and met.

Receive a termly report setting out:

1. The number of looked-after pupils on the school's roll (if any).
2. Their attendance, as a discrete group, compared to other pupils.
3. Their Teacher Assessment, as a discrete group, compared to other pupils.
4. The number of fixed term and permanent exclusions (if any).
5. The destinations of pupils who leave the school.
6. The information for this report should be collected and reported in ways that preserve anonymity and respect the confidentiality of the pupils concerned.

The role of the Designated Teacher

- Ensure a welcome and smooth induction for the child and their carer, using the Personal Education Plan to plan for that transition in consultation with the child's social worker and arrangements are put in place to ensure their needs are identified and met.
- This may include providing basic equipment and resources if necessary and providing appropriate support in meeting uniform requirements if needed.
- Ensure that a Personal Education Plan is completed with the child, the social worker, the foster carer and any other relevant people, at least two weeks before the Care Plan reviews.
- Maintaining an up-to-date record of the Cared For Children in school, including those in the care of other authorities and ensuring all necessary information is passed to other staff as required
- Ensure that each Cared for Child has an identified member of staff that they can talk to. This need not be the Designated Teacher, but should be based on the child's own wishes.
- Track academic progress and target support appropriately
- Co-ordinate any support for the Cared for Children that is necessary within school liaising with teaching and non-teaching staff in school, including the person responsible for Child Protection as well as pastoral and subject staff to ensure they are aware of the difficulties and educational disadvantage CFCs may face.
- Establish and maintain regular contact with home, statutory and voluntary agencies.

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- Ensure confidentiality for individual pupils, sharing personal information on a need to know basis.
- Promote inclusion in all areas of school life and encourage Cared for Children to join in extracurricular activities and out of school learning.
- Act as an advisor to staff and Governors, raising their awareness of the needs of Cared for Children
- Set up meetings with relevant parties where the pupil is experiencing difficulties in school or is at risk of exclusion.
- Ensure the rapid transfer of information between individuals, agencies and if the pupil changes school - to a new school.
- Be proactive in supporting transition and planning when moving to a new phase in education.
- Be aware that 60% of Cared for Children say they are bullied, so will actively monitor and prevent bullying in school by raising awareness through the school's anti-bullying policy.
- Ensure that attendance is monitored.
- Attending training as required to keep fully informed of the latest developments and policies regarding Cared for Children.

The responsibility of all staff

- Have high aspirations for the educational and personal achievement of Cared for Children, as for all pupils.
- Maintain Cared for Children's confidentiality and ensure they are supported sensitively.
- Respond promptly to the Designated Teacher's requests for information.
- Work to enable Cared for Children to achieve stability and success within school.
- Promote the self-esteem of all Cared for Children.
- Have an understanding of the key issues that affect the learning of Cared for Children.
- Be aware that 60% of Cared for Children say they are bullied so work to prevent bullying in line with the School's policy.

The pupil premium

- All Cared for Children who have been in care for at least one day and are aged 4 to 15 at 31 August, as recorded in the latest CFC data return, are eligible for the pupil premium grant (PPG).
- Although the Government allocates a set amount per child, at the Torbay Virtual School they allocate PP+ according to need, so there is not an actual amount. They feel this best meets the needs of all Cared for Children. Some children are settled at home, engage well with school and progress academically, so may not need as much funding as others who need a great deal of intervention and support to meet their potential.
- LAs will pass on to schools the PPG for each of their eligible looked-after children.
- LAs can decide whether to make this payment on an annual or a termly basis in response to targets submitted through the PEP process.

SEN

- Over 70% of cared for children have some form of SEN. Under the new SEN code of practice 2014, a significant proportion of these children will have an Education and Health Care Plan (EHCP). The school should have an annual review meeting for each looked-after child that looks at all aspects of the EHCP.
- LAs will have particular responsibilities for these children and will act as a ‘corporate parent’ which means that everyone working for the LA has a shared responsibility for safeguarding and promoting their welfare.
- The Children and Families Act 2014 requires every LA to have a VSH (see above) who leads a virtual school team which tracks the progress of children looked after by the LA as if they attended a single school. School SEN departments should work closely with the VSH to ensure that LAs have effective processes in place for meeting the SEN of Cared For Children.

Confidentiality

Information on looked after children will be shared with school staff on a “need to know” basis. The Designated Teacher will discuss what information is shared with which school staff at the PEP meeting. Once this has been agreed with the social worker, carer, young person, and other parties, complete confidentiality is to be maintained.

Record keeping and information sharing

The Designated Teacher will keep an up-to-date record of Cared for Children and Young People in school and ensure that relevant information is made known to appropriate staff.

A Personal Education Plan will be initiated within 20 school days of the Cared for Child or Young Person starting at the school or being taken into care and will be reviewed regularly and as necessary and appropriate to meet the needs of the CFC/YP. The PEP will provide a regular opportunity to review progress, note any concerns and ensure that all relevant parties are informed accordingly.

Copies of reports and appropriate documentation will be sent to authorised carers and agencies involved with the child as well as any receiving school at point of transition.

It is vital that the Cared for Child or Young Person is aware of information being recorded, in what circumstances and who will have access to it. How this is shared with them will depend on their age and level of understanding.

Exclusions

Hayes School recognises that Cared for Children are particularly vulnerable to exclusions.

Where a CFC is at risk of exclusion the school will try every practicable means to maintain the child in school. A multi-professional meeting will be arranged, bringing together all those involved with the young person to discuss strategies to minimise the risk of exclusion.

The child or young person’s Personal Education Plan will reflect strategies to support the child and where relevant those employed in the Pastoral Support Plan. All relevant measures and resources will be considered to provide support and provide alternative educational packages to prevent an exclusion from happening.

Please refer to the school’s Behaviour Policy for more information.

Staff development and training

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Arrangements will be made to ensure that the Designated Teacher is kept up to date with developments relating to the education and attainment of Cared for Children.

Other staff will receive relevant training and support to enable them to work sympathetically and productively with Cared for Children, including those who are underachieving or at risk of underachieving or who have additional needs. These may include EAL, or having learning or physical needs.

Teachers with responsibility for Special Educational Needs provision will be informed of those Cared for Children who have particular gifts, talents or learning needs and will work with them appropriately.

Support and resources

The Governing body will ensure that the school allocates resources, including professional time and expertise, to support appropriate provision for Cared for Children, meeting the objectives set out in this policy.

Home-school liaison

The school recognises the value of a close working relationship between home and school and will work towards developing a strong partnership with parents/carers and care workers to enable Cared for Children to achieve their potential. Parent meeting evenings as well as PEP and Care Plan review meetings provide opportunities to develop this partnership working.

Admission arrangements

We recognise that due to care arrangements CFC may enter school mid-term and that it is important that they are given a positive welcome and where appropriate additional support and pre-entry visits to help them settle.

The school recognises that Cared for Children are an 'excepted group' and will prioritise Cared For Children in the school's oversubscription criteria following the DfE Admissions Code (Admissions of Looked After Children (England) Regulations 2006).

Links with other agencies

The school recognises the value of working together with other agencies and organisations and will work closely with colleagues from services involved with the Cared for Child or Young Person including Social Care teams; Educational Psychologist; Health Services, CAMHS; Youth Offending Teams.

Racial Equality & Equal Opportunities Statement

All children have equal access and inclusive rights to the curriculum regardless of their gender, race, disability or ability. We plan work that is differentiated for the performance of all groups and individuals. Hayes School is committed to creating a positive climate that will enable everyone to work free from racial intimidation and harassment and to achieve their full potential.