

## Guidance for Schools on the Education of Children Looked After (CLA) or Previously Looked After (PLA)

This guidance is designed to stand alongside the school policy for children looked after (CLA) and children previously Looked After (PLA) to provide the detailed guidance for the school to work effectively with this vulnerable group. It is intended to help inform school practice, improve planning and provision, strengthen multi-agency working and secure better outcomes for Hertfordshire CLA. This guidance relates to the education of children looked after and where relevant, those that are post-CLA. There is no requirement to hold Personal Education Planning meetings for PLA. PLA students were looked after but left care and fall into the following 3 categories:

- under a Residence Order (Child Arrangement Order) on or after 14 October 1991 (under the Children Act 1989);
- under a Special Guardianship Order on or after 30 December 2005 (under the Children Act 1989);
- adopted from care (under the Adoption and Children Act 2002).

The 'model' School Policy aims for CLA and PLA are laid out in the model school policy. The aims link to the Hertfordshire County Council 'Outcome Bees' for children looked after by Children's Services with the purpose of:

- ensuring consistency in monitoring and delivery of services to children and their families,
- promoting a common language in the professional workforce,
- engaging partners in a multi-agency outcome-focused approach:

### **be healthy**

eg. helping learners to adopt healthy lifestyles, build their self-esteem, eat and drink well and lead active lives

### **be safe**

eg. keeping learners safe from bullying, harassment and other dangers

### **be ambitious**

eg. enabling learners to make good progress in their work and personal development and to enjoy their education

### **be resilient**

eg. ensuring that learners understand their rights and responsibilities, are listened to, and participate in the life of the community

### **be independent**

eg. helping learners to gain the skills and knowledge needed for future employment



## Who is a 'Child Looked After'?

Under the Children Act 1989, a child is looked after by a local authority if he or she is in care or is provided with accommodation for more than 24 hours by the authority. They include:

- (i) children who are accommodated by the local authority under a voluntary agreement with their parents (section 20)
- (ii) children who are subject to a care order (section 32(1)) or interim care order (section 38)
- (iii) children who are the subject of emergency orders for the protection of the child (section 44)

## The difference between being "accommodated" or on a care order?

Children are accommodated when:

- (i) there is no person who has parental responsibility for them
- (ii) the child is lost or abandoned
- (iii) the person who has been caring for them is prevented from providing them with suitable accommodation or care.

Children are subject to a care order:

If the local authority believes that the child has suffered, or is likely to suffer "significant harm" if they remain with their birth family, the local authority can apply to the courts for a care order to assume parental responsibility

*(Ref: The role and responsibilities of the designated teacher for looked after children – statutory guidance for school governing bodies, Nov '09)*

\*unaccompanied minors can also be accommodated under Section 20 or 17. Section 17 means they are not a CLA.

**It is important to note that** children who are receiving respite care only, are **not looked after**. A child is allowed up to 120 nights of respite in any rolling 12 month period. If they exceed this limit they must become a full 'Child in Care'. This would usually apply to children with a disability.

## The Statutory Document when planning for the Education of Children Looked After is the Personal Education Plan (ePEP).

**The school must ensure that every CLA on roll has a minimum of 3 Personal Education Planning meetings every year, as part of the statutory care planning framework, and in collaboration with the social worker, carer and other relevant professionals. The school Designated Teacher will be allocated a personal log-in to the Welfare Call system to carry out this task.**

### The School must:

- ensure that every CLA on roll has an up to date ePEP within the statutory timeframe:
  - within 14 school days of an emergency move into care
  - termly thereafter
  - a PEP will be called outside this timeframe if there is a change of care or educational placement, or if there are any concerns about their education
- liaise with the child's Social Worker and other professionals, as appropriate, to arrange an ePEP meeting date
- complete the ePEP as set out in the flowchart (*see appendix 1*) and ensure that it is signed off on the Welfare Call system to activate the plan
- lead on the setting of ePEP targets which have high expectation of rapid progress
- promote CLA accessing 'culture and leisure' activities
- ensure that copies of the ePEP targets are distributed to school staff who work with the child
- ensure that the ePEP is 'actioned' by school staff from the date of the meeting
- ensure that the comprehensive written feedback given by the assigned Education Adviser is used to improve the effectiveness of the ePEP as necessary
- ensure that there is coordination between the PEP and all other education plans, including Personal Education Plan, EHCP, Transition Plan, Pastoral Support Plan, as appropriate. It will also be central to the care plan

**The Headteacher and Governing Body should promote improved educational life chances for CLA by ensuring that:**

- a Designated Teacher for CLA (with qualified teacher status) is appointed who has appropriate leadership status within the school and relevant experience to perform this important statutory role (*DCSF Guidance for Children in Care, '09*)
- every CLA on roll has a minimum of 3 Personal Education Planning meetings every academic year within the statutory care planning framework and in collaboration with the social worker, carer and other relevant professionals
- any issues raised in the Designated Teacher's Annual Report to Governors/CLASEF, or at any other time during the year, are considered, discussed and acted upon, as appropriate
- a 'CLA-friendly' culture is established and maintained at school to support this group
- all relevant personnel receive appropriate training
- appropriate levels of support are in place for staff who are managing children who may have complex emotional and/or behaviour needs; alongside this, they may also be managing complex issues with foster and birth families, for which they may need support
- staff have time to complete tasks and fulfil responsibilities for CLA
- strong systems of communication are established and maintained, both within the school and with other agencies
- appropriate assessment, reporting and monitoring procedures are established and maintained

**The Designated Teacher for CLA and PLA will promote improved educational life chances by ensuring that they: (see also Designated teacher for looked-after and previously looked-after children Statutory guidance for local-authority-maintained schools carrying out duties for looked-after and previously looked-after children).**

**For CLA only:**

- maintain a register of all CLA (this includes children looked after by Hertfordshire Local Authority and those looked after by other authorities, (COLA).

This will include:

- who should be contacted in an emergency, including names and contact details, e.g. carer, social worker, key worker (for those in a children's home) or parent (if they are looked after by the Local Authority and living at home)
- care status e.g. full or interim care order; accommodated under section 20
- any restrictions on who is allowed to have contact or collect the young person from school
- type of placement e.g. foster, respite, residential, kinship, at home with parent
- name and contact details of Social Worker (SW), SW Manager, SW Team and Independent Reviewing Officer
- child protection / disability information, shared on a 'needs to know' basis
- relevant health information
- all educational test results and assessments, including baseline assessments and the latest SDQ score
- complete a minimum of three ePEPs every academic year, within the statutory care planning framework, and in collaboration with the social worker, carer and other relevant professionals
- attend CLA Statutory Reviews on individual children, or delegate this task to a colleague with appropriate expertise and seniority, if they are unable to attend
- prepare a written report for the CLA Statutory Review that provides current educational attainment data, information regarding the child's social and emotional development, including any behaviour issues (if appropriate), interventions in place, and promote the continuity and stability of their education
- inform key staff, on a 'need to know' basis, of any restrictions on who is allowed to contact or collect the young person from school
- contact the Social Worker regarding any concerns about the child
- actively engaging CLA and their foster families in the school community
- follow the school's child protection policy, if there are any safeguarding concerns for a CLA (see 'Safeguarding' section, for more information)

## For CLA and PLA:

- identify a special, trusted adult at school who is able to take time to listen to the young person; this could be anyone with a good relationship with the child: DT, Head of Year, Class Teacher, Teaching Assistant, Learning Mentor etc
- liaise with carers, parents or guardians (as appropriate) and social workers on a wide variety of educational and care issues
- advocate for CLA and PLA while challenging colleagues to have high expectation of each child's potential
- coordinate educational planning and multi-agency working, always insisting that education remains the central focus at school
- include CLA and/or PLA in school-based interventions, even if they do not meet the criteria, and actively promote their best interests (*DCSF Guidance for Children in Care, '09*)
- include CLA and/or PLA in 'culture and leisure' activities whenever possible, and encourage them and their carers to ensure they access activities within the school offer, and in the community
- support carers to encourage educational achievement, learning at home and to improve attendance
- hold the contacts of named officers within the local authority (LA) who manage issues such as attendance, transition and exclusion at LA level
- attend relevant training to develop expertise, and deliver training to all school staff, as appropriate
- advise school staff about the particular issues which affect CLA, and lead the development of a 'CLA and PLA -friendly' school culture that is attachment aware and trauma-informed
- develop an awareness in staff of the variety of issues that may undermine the young person's ability to engage in the learning process, including poor attachment, feelings of loss, rejection, isolation, confusion, low self-esteem, possible unresolved feelings the young person may have about their own families and siblings, in addition to insecurity over their current homes and carers
- influence the setting up of a supportive and non-judgemental staff culture where staff can discuss their feelings about troubling situations with the Designated Teacher and possibly other senior managers, dependent on the level of challenge and distress; this is essential in order to contain strong emotions sometimes aroused in staff when working with this group
- establish criteria which provides teaching and support staff with a threshold above which they need to refer a situation on to the Designated Teacher, and when the Designated Teacher needs to refer on to the Headteacher. By sharing information with senior staff, and involving outside agencies early, as appropriate, the school hopes to avoid a situation developing into a crisis (*The larger the school, the more important this becomes*)
- submit an annual report to Governors using the CLASEF, a document that outlines the educational progress of this group and any training, time or resource issues which impact on them
- regularly update Governors throughout the year, in addition to the annual report/CLASEF, highlighting the rapid progress of CLA and where appropriate, children who are PLA

## All staff must promote improved educational life chances for CLA and PLA by ensuring that they:

- work in partnership with parents, carers, guardians, social workers and other agencies
- celebrate the achievements of CLA, sharing positives within and between schools (at times of transition), and with carers, social workers, and outside agencies
- have high expectations of the young person, encouraging achievement and ambition, and ensuring that the child makes accelerated and rapid progress (*Designated teacher for looked-after and previously looked-after children Statutory guidance for local-authority-maintained schools carrying out duties for looked-after and previously looked-after children*)
- include CLA and PLA in school-based interventions, even if they do not meet the criteria, and actively promote their best interests (*Designated teacher for looked-after and previously looked-after children Statutory guidance for local-authority-maintained schools carrying out duties for looked-after and previously looked-after children.*)
- contribute to effective school-based assessment, recording and reporting practices, and understand that these have particular significance for raising the attainment of CLA
- are sensitive to the young person's needs and, in consultation with the Designated Teacher, provide a key, trusted adult at school who is able to take time to listen to them
- have an awareness of the impact that being, or becoming, a CLA or being PLA has on a child, and take account of this when managing their learning, behaviour, social and emotional needs

- are sensitive to the young person's wishes over what is known, and by whom, regarding their care status
- know when to seek advice from the Designated Teacher and understand the criteria for triggering an automatic referral to the Designated Teacher who may go on to discuss it with the Headteacher, Child Protection Officer or other members of the senior management team
- become actively engaged in training to understand the particular needs of CLA
- actively encourage and support the engagement of CLA and PLA in 'leisure and cultural' activities, and understand its importance for this particular group
- actively work with CLA and PLA and their families to help them to become part of the school community, in recognition of their particular needs

## **Attendance**

### **School procedures to ensure that all CLA and PLA have good attendance:**

- communicate the significance of good attendance and punctuality with Foster Carers
- where attendance is a concern, a first day of absence procedure will be established with the foster carer, parent, guardian and social worker as appropriate
- when a child looked after is absent for three consecutive days or more, the social worker will be informed via email, text or phone call
- ensure that the school's attendance officer communicates with agencies who contact the school for CLA attendance data; for Hertfordshire CLA 'Welfare Call' obtain attendance data
- acknowledge 'attendance' in all education meetings, celebrating success and setting realistic targets if it is a concern

## **Admissions/Transitions**

### **School procedures to support CLA and PLA during admission and transition:**

- ensure that, on admission, information is requested from the previous school if it is not forwarded promptly
- ensure that a peer 'buddy' and adult mentor is identified to support a CLA and PLA on admission to our school
- when a child is at risk of becoming CLA a key adult who is close to the young person will begin to establish a closer relationship at school to support them through the transition into care and beyond
- ensure that there is a structured 'goodbye', including a goodbye card, photographs, farewell party; the young person may want to give something to the class to leave a 'legacy'
- ensure all education plans, especially the Personal Education Plan, are forwarded promptly to the receiving school at the point of transition
- ensure that CLA and PLA receive additional support to mainstream children at the points of transition between classes, and phases of education, especially if it involves a change of school
- every effort will be made to provide continuity of schooling and educational experience
- CLA and PLA will be prioritised within the school's own admissions procedures and are admitted as quickly as possible, recognising the particular importance of re-establishing school stability for this vulnerable group of learners. Please see the Admissions Guidance on the Virtual School website ([www.hertfordshire.gov.uk/virtualschool](http://www.hertfordshire.gov.uk/virtualschool))

## **Additional Educational Needs**

### **All Staff need to work towards securing accelerated and rapid progress for CLA and PLA who have additional educational needs by:**

- having high expectations so that they achieve the progress expected and set out in their ePEP
- challenging suggestions that a child's emotional needs are greater than their learning needs and that they 'just need time', as this results in poor outcomes for CLA and PLA
- following structured assessment procedures to avoid mis-diagnosis of Special Educational Needs (SEN), which can have a negative impact on progress due to the impact on self esteem
- ensuring, through the school assessment procedures, that CLA who do have special educational needs are progressed onto the school SEN register to receive appropriate assessment and support
- ensuring that CLA or PLA whose rate of progress is below average, but who do not have SEN, are supported within the school's universal offer, and additional educational needs provision

- ensuring that CLA or PLA with additional educational needs are prioritised for additional learning, behaviour, social and emotional support informed by the latest SDQ score, as appropriate. This is in recognition of their long-term need, and the very high level of disadvantage which being CLA represents
- ensuring that any programmes run by teaching/learning assistants have teacher oversight. The teacher will: structure the programme; train staff; perform baseline/final/on-going assessments; discuss progress and next steps; facilitate transfer of group work to their classroom practice

### **Special Educational Needs**

**All Staff need to work towards securing accelerated and rapid progress for CLA or PLA who have special educational needs by:**

- for CLA, having high expectations so that they achieve the standards as set out in their ePEP and the CLASEF
- early identification of need through structured assessments which inform teaching
- ensuring that they access school-based targeted support that is 'additional to and different from' the universal and additional educational needs provision (*SEN Code of Practice*)
- ensuring that they are prioritised for high levels of learning, behaviour, social or emotional support, in recognition of their long-term need, and the very high level of disadvantage being CLA or PLA represents
- for CLA, ensuring that personal education plans/pastoral support plans /annual review minutes are attached to the ePEP reports section, so that all plans are linked and work is coordinated
- ensuring that any programmes run by teaching/learning assistants have teacher oversight to: structure the programme; train staff; perform baseline/final/on-going assessments; discuss progress and next steps; facilitate transfer of group/individual work to their classroom practice (*Lamb Report, Dec '09*)
- for CLA, ensuring that information from the personal education plans, pastoral support plans and/or Annual Review of the EHCP feeds into the CLA Statutory Review

### **Safeguarding**

**School staff must to be vigilant for any safeguarding issues which can impact particularly on CLA and PLA by:**

- being sensitive to the child's likely wish to keep their CLA or PLA status confidential, and avoid the risk of bullying
- being careful not to single the young person out with special treatment or different provision that raises difficult questions from peers and could lead to bullying
- speaking privately to the young person about confidentiality, to reduce their fear of becoming known as a CLA or PLA, reducing the fear will free their minds to learn
- monitoring for signs of excessive risk-taking
- monitoring for signs of them becoming at risk of exploitation by peers, older children or adults, mixing with older children, coercion into illegal activities/sexual exploitation
- monitoring their attendance, any truanting patterns or exclusion risks
- following the school's child protection policy if there are any safeguarding concerns for a CLA or PLA
- informing the Social Worker of any concerns, so that they are also managed through the care planning process
- being mindful of and fully implementing the following guidance

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

### **Exclusion**

**The school needs to make every effort to avoid excluding a CLA and PLA. This is in recognition of the increased risk exclusion poses in terms of them becoming quickly disengaged from the school due to their early experience of broken attachments and loss. If there is no option other than exclusion, then they need to make every attempt to keep the number of days of the exclusion to a minimum.**

**School procedures to reduce the risk of exclusion of CLA and PLA:**

- arrange systems to identify early any CLA who is at risk of exclusion and contact the Social Worker, Foster Carer, Parent, Guardian and Virtual School Education Adviser or Virtual School of the child's

home local authority, and other relevant professionals, to convene a Pastoral Support Planning meeting and agree proactive strategies to avoid loss of days from school

- to involve the local DSPL in planning and reviewing a programme to manage any behaviour concerns, and identify further support
- if a CLA or PLA has a EHCP/SEN need and, despite the implementation and review of a PSP, is still at risk of exclusion, the school will call for an early Annual Review of their EHCP. *Please be mindful of Regulation 4(1)(c) of the Equalities Act 2010, means is that a head teacher could only lawfully exclude a child for a reason relating to their disability, even a disability that results in the child having a tendency to physical abuse, if reasonable adjustments have been made.*
- to identify creative alternatives to exclusion, wherever possible. This could involve time limited 'internal exclusion' (seclusion), and other arrangements agreed with the Virtual School Education Adviser and the young person concerned
- if exclusion is unavoidable the carer **and** person holding parental responsibility will be informed verbally **on the day of the incident**
- if the school exclude, the school will make arrangements for provision from **day one**
- the school will inform key people in writing within one day of the exclusion, specifying: the period and reasons for the exclusion; date of return; outline of the rights of the carers to make representations to the governing body, where appropriate; details of arrangements made to enable the excluded pupil to continue their education. Key people include the carer, social worker and the Virtual School Adviser or the Virtual School Head of the child's home local authority.
- if a CLA or PLA is involved in repeated exclusions, despite multi-agency planning and reviewing of the PSP, the school will work to facilitate a managed move to another local school and avoid permanent exclusion. Please see the guidance on the Virtual School website ([www.hertfordshrie.gov.uk/virtualschool](http://www.hertfordshrie.gov.uk/virtualschool)) - it is our policy to avoid the permanent exclusion of CLA and PLA
- the school will make every effort to ensure that any arrangements for provision alternative to daily attendance at school will be an agreed part of the overall Personal Education Plan for the student, be full time (25 hours) or contribute to full time attendance and be of high quality.

#### **Alternative Provision:**

**If it is agreed that the educational programme for the student will be best met using an educational setting other than at school, every effort will be made to ensure that arrangements for provision alternative to daily school attendance will promote educational progress.**

#### **The School should ensure that:**

- the provision is in the best interests of the student to promote future life chances
- there is a plan that will retain the CLA or PLA on the roll of the school or clarify in writing which educational establishment will be responsible for essential reporting and accountable for the PP+
- the plan is an agreed part of the overall Personal Education Plan for the student
- the provision is full time (25 hours) or contribute to full time attendance and be of high quality
- the provision will meet the documented educational needs of the CLA or PLA
- the provision will provide the opportunity to make rapid progress in the course of study provided by the setting
- the provision will be monitored regularly and that Personal Education Planning meetings (ePEP) will include the school and the alternative provider
- the provider for the alternative provision will meet all safeguarding measures

#### **Multi-Agency Working:**

**School staff must make every effort to make strong links with colleagues from other agencies. They need to facilitate the work of colleagues to successfully and positively impact on the education and wider needs of CLA and PLA. A culture of mutual respect is essential.**

#### **The School should:**

- for CLA, lead on educational planning and provision particularly in relation to the ePEP
- fully respect the specific qualities and expertise that colleagues from other agencies bring to the work, providing them with the educational information they need, and so empowering them to successfully fulfil aspects of their roles which positively impact on education

- for CLA, liaise with colleagues from other agencies to complete the ePEP, which serves as a 'collective memory' about the child's educational history and achievements
- liaise closely with carers, parents, guardians and social workers on a variety of issues, including homework, equipment, timetable, attendance, attainment, behaviour and social skills
- clearly define the roles and responsibilities of school staff in relation to the young person and other professionals
- link with agencies to deliver a well-planned and coordinated approach to meeting the young person's educational and social needs, including the prevention of potentially disruptive changes that will negatively impact on school
- for CLA, be sensitive to the appropriate role of the birth parents in liaison with the social worker
- make school-based statistical information available to the local authority on request, and ensure that it is returned on time
- support the young person to participate fully in planning and decision-making, or set up systems which allow them to attend only part of the meeting and keeps them informed, if they do not want to be fully involved
- share positive perceptions and high expectations of the young person with other professionals. For CLA, nomination for a HERTS Award may be considered
- encourage and facilitate the young person, in conjunction with colleagues from other agencies, to access 'cultural and leisure' activities in recognition of the positive impact on self-esteem and learning
- For CLA, support the planning by completing the SDQ screening before the annual health assessment when requested by the social worker.

#### The Hertfordshire Virtual School for Children Looked After

- *Website:* [www.hertfordshire.gov.uk/virtualschool](http://www.hertfordshire.gov.uk/virtualschool)
- *Twitter:* @VS\_HCC
- *Email:* [virtualschool@hertfordshire.gov.uk](mailto:virtualschool@hertfordshire.gov.uk)
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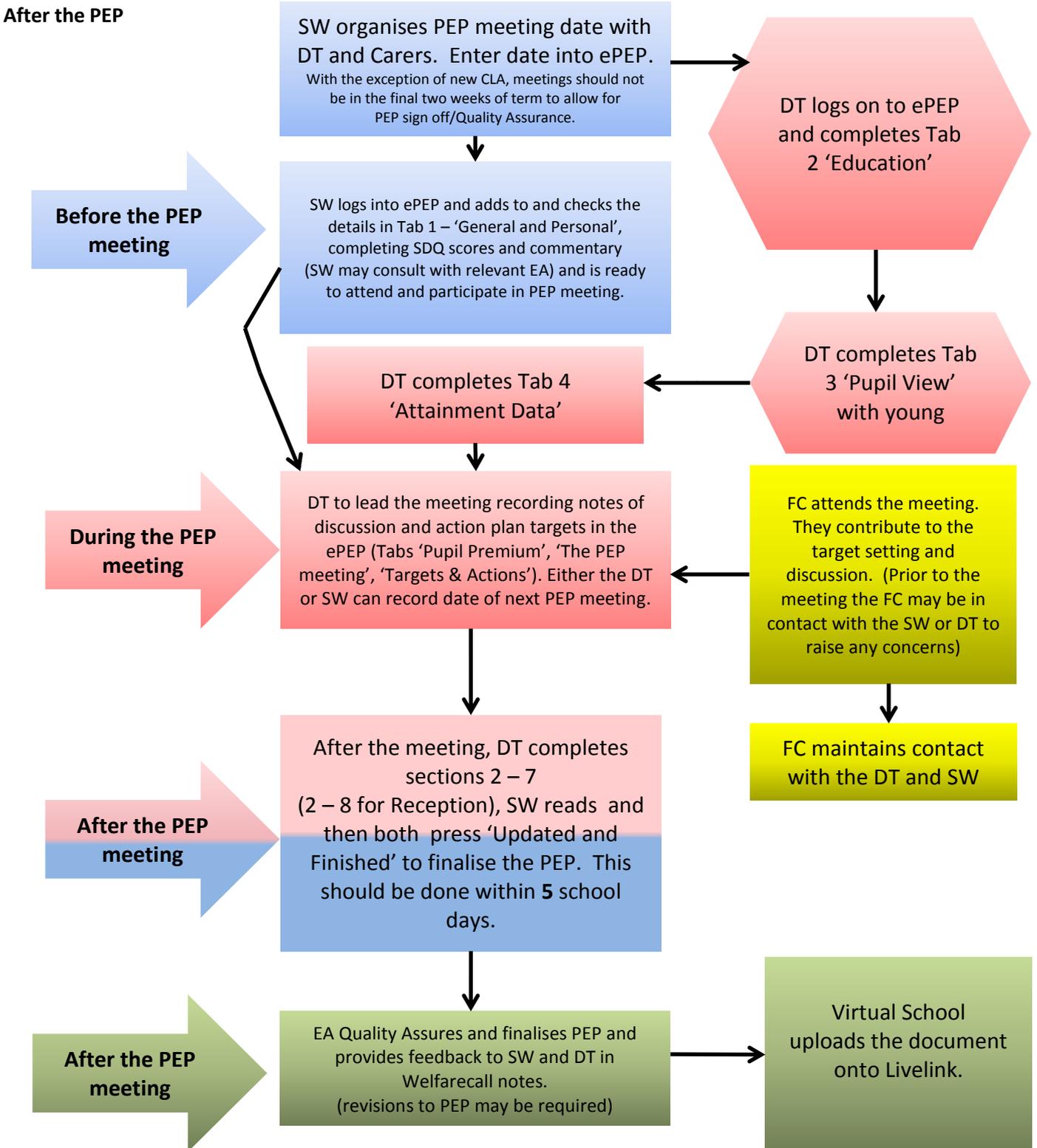
# PEP COMPLETION PROCEDURE

## KEY FOR RESPONSIBILITIES:



### NB PRESS 'SAVE' AFTER EVERY PAGE

After the PEP



**IMPORTANT**

**TARGETS ARE TO BE SET AT THE PEP MEETING**

**PEP MUST BE REVIEWED EVERY TERM, PEP document produced termly**

