



# The Milford Academy Child in Care and Previously Looked After Children Policy

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## The Milford Academy

### Child in Care and Previously

### Looked After Children (LAC) policy

#### Designated teacher – SENCo

#### Trustee with responsibility for Child in Care (CIC) / previously Looked after Children (LAC) – D Dickinson

The Milford Academy recognises that all pupils are entitled to a broad and balanced curriculum and aims to promote the educational achievement and welfare of Children in Care and previously looked after children. The Milford Academy and the board of trustees endorse Nottingham City Council policy and welcomes children in care who may be looked after by our local authority or those who may be in the care of another authority but living in Nottingham City; and previously looked after children both from Nottingham City and other local authorities.

This policy includes the requirements set out in section 52 of the Children Act 2004 for children in care and in sections 4 and 5 of the Children and Social Work Act 2017 for previously looked after children. This policy also includes the requirements set out in the statutory guidance on the duty on local authorities and schools to promote the educational achievement of children in care and previously looked after children in the following documents:

- *The designated teacher for looked-after and previously looked-after children; Statutory guidance on their roles and responsibilities* (February 2018)
- *Promoting the education of looked-after children and previously looked-after children: Statutory guidance for local authorities* (February 2018).

#### A child in care is:

a child who is looked after by a local authority is a reference to a child who is:

- (a) in their care; or
- (b) provided with accommodation by the authority in the exercise of any functions “accommodation” means accommodation which is provided for a continuous period of more than 24 hours.  
(Children Act 1989).

#### A previously looked after child is:

- A) a child who was looked after by the local authority or another local authority in England or Wales but ceased to be so looked after as a result of:
  - (i) a 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;
  - (ii) a special guardianship order, or;
  - (iii) an adoption order within the meaning given by section 72(1) of the Adoption Act 1976 or section 46 of the Adoption and Children Act 2002, or
- B) A child who appears to the local authority:
  - (i) to have been in state care in a place outside England and Wales because he or she would not otherwise have been cared for adequately, and;
  - (ii) to have ceased to be in that state care as a result of being adopted (Child and Social Work Act 2017).

The Milford Academy's approach to encouraging and supporting the educational achievement of children in care and previously looked after children is based on the following principles:

- Prioritising education set within an inclusive context which makes reasonable adjustments to ensure a personalised curriculum to maximise educational, social, and emotional outcomes;
- Listening to the child in care or previously looked after child;
- Working closely with parents, carers, voluntary and statutory agencies;
- Promoting attendance through a programme of early intervention, reducing exclusions and promoting stability within a positive learning environment;
- Identifying need, including social and emotional as well as learning needs or gifted and talented skills and abilities;
- Targeting support, including accessing resources from other agencies as well as provision from school resources;
- Having high expectations.

### **Rationale**

Many children and young people who are in care or have previously been in care have suffered trauma and adverse childhood experiences. Despite having as broad a range of abilities as their peers, looked after and previously looked after children are particularly vulnerable to underachievement. Barriers to their progress include a high level of disruption and change in school placements and a lack of motivation or involvement in extra-curricular activities. Most children will have experienced high levels of trauma and stress which means that children will easily dysregulate. Many children will display attachment difficulties and we recognise that this impacts greatly on children's readiness for learning.

The Milford Academy believes that the educational experience of **all** children should be positive and powerful, and aims to provide a learning environment in which every looked after and previously looked after child can be successful.

### **Admission arrangements**

We recognise that due to care arrangements children in care and previously looked after children 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 children in care are an 'excepted group' and will prioritise looked after and previously looked after children in the school's oversubscription criteria following the DfE School Admissions Code (December 2014).

### **Support and resources**

The Board of Trustees will ensure that the school allocates resources, including professional time and expertise, to support appropriate provision for children in care and previously looked after children, meeting the objectives set out in this policy, and that the school's behaviour policy is sufficiently flexible to respond to the potentially challenging behaviours of children in care and previously looked after children.

## **Role and Responsibilities of the Designated Teacher**

The duties of the Designated Teacher will include:

- Ensuring that children in care and previously looked after children are welcomed into the school, necessary meetings are held 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;
- Maintaining an up-to-date record of children in care and previously looked after children in school, including those in the care of other authorities and ensuring all necessary information is passed to other staff as required;
- Promote a culture of high expectations and aspirations for children. Monitoring and tracking the progress of children in care and previously looked after children in school and intervening if there is evidence of individual underachievement;
- Monitoring/ tracking of children in care and previously looked after children's emotional well-being and development;
- Holding a supervisory brief for all children looked after and previously looked after and acting as an advocate for the looked after and previously looked after children in 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 children in care and previously looked after children may face;
- Establishing and maintaining regular contact with home, statutory and voluntary agencies;
- Ensuring PEP review meetings are held regularly for children in care and information passed to all those concerned, including the local authority;
- Attending training as required to keep fully informed of latest developments and policies regarding children in care and previously looked after children;
- Providing a termly report to the governing body via the named governor in school;
- Submitting Pupil Premium Plus, education progress grant and additional funding request applications to the relevant local authorities as required within local authority deadlines;
- Ensuring that Pupil Premium Plus and other funding is spent, as specified, for the benefit of the children in care and previously looked after child;
- Acting as a source of advice and guidance to all staff within the school working with children in care and previously looked after children.

## **What Trustees need to know**

Trustees need to know

- The number of Looked After Children on roll;
- How well they are performing compared to other young people in their school;
- That there are national and local targets for children around end of keystage tests;
- The name of their school's Designated Teacher;
- How the school specifically supports this group of young people;
- That the attendance of this specific group is closely monitored.

The Local Authority offers training to school governors interested in finding out more about their responsibilities regarding Looked after Children and Young People.

## **Record keeping and information sharing**

The Designated Teacher will keep an up -to-date record of children in care and previously looked after children in school and will ensure that relevant information is made known to appropriate staff according to GDPR regulations. Additional guidance on this can be obtained from school's data protection officer (DPO) as necessary.

A personal education plan (PEP) will be initiated within **20** school days of the child in care 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 children in care every 3 months initially and then every 6 months. The PEP will provide a regular opportunity to review progress, note any concerns and ensure 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 child 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.

At transition, the Designated Teacher should contact the Designated Teacher of the receiving school.

## **Exclusions**

The Milford Academy recognises that children in care and previously looked after children are particularly vulnerable to exclusions and will take all possible steps to avoid both fixed term and permanent exclusions.

Where a child in care or previously looked after child 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 child to discuss strategies to minimise the risk of exclusion.

The child's personal education plan (PEP) 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 perhaps alternative educational packages to prevent an exclusion from happening. The Designated Teacher will contact the relevant Virtual School at the earliest opportunity when a child in care is identified at risk of exclusion either fixed term or permanent.

### **Staff development and training**

The Designated Teacher will ensure that they are kept up to date with developments relating to the education and attainment of children in care and previously looked after children including those events run by the Virtual School such as training on the Designated Teachers' role and responsibilities regarding promoting the educational achievement of looked after children and Designated Teacher network meetings.

The Designated Teacher will ensure that staff will receive relevant training and support to enable them to work sympathetically and productively with children in care and previously looked after children, including those who are underachieving or at risk of underachieving, or who have additional needs. These may include EAL, being able, gifted and talented or having learning or physical needs.

Teachers with responsibility for special educational needs and disability provision and for children who are able and/ or gifted and talented will be informed of those children in care and previously looked after children who have particular gifts, talents or learning needs and will work with them appropriately.

The Designated Teacher will deliver whole school training on children in care and previously looked after children where required. This forms part of the school's CPD package. In addition to this, staff who work in close connection with looked after and previously looked after children will attend additional child-specific training.

### **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 all parents and carers to enable children in care and previously looked after children to achieve their potential. The Designated Teacher should make themselves known to the parents and carers of this group of young people.

At The Milford Academy, we understand that some adoptive parents will be first time parents and may require additional support for school and the agencies who work with them. We also recognise that siblings may need additional support when a new foster child or adoptive child joins the family home and that this could impact on them emotionally and therefore academically. In these circumstances, class teachers and teaching assistants will liaise closely with families to provide siblings with appropriate support.

Consultation evenings as well as PEP and Care Plan review meetings provide opportunities to continue to develop this partnership working.

### **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 children in care and previously looked after children including social care teams; community educational psychologist; health services, CAMHS; Youth Justice Service, Autism Team, Learning Support Team, and Sensory Team.

The school has an agreed process for communicating with other agencies e.g. any communication with an outside organisation about a children in care or previously looked after child must go through the Designated Teacher in the first instance.

### **Register of Looked After Children**

Each education establishment is required to maintain a register of children in care. This should include up -to-date information about their care status, details of their Personal Education Plans, if they are on the Gifted and Talented register, if their first language is not English or if they have any SEN needs as well as a record of those working with the child. This will be available to Local authority Officers, Ofsted and Comprehensive Area Assessment Inspectors together with pertinent academic records comparing this discrete group with the rest of the school population. It is part of the role and responsibility of the Designated Teacher to maintain this record and ensure that staff in school are familiar with any relevant information.

### **ELSA Support**

To help with the emotional health and well -being of our children in care and previously looked after children, our school counsellor provides ELSA sessions if required.

### **PEPs - Personal Education Plans**

*What is a PEP?*

The Personal Education Plan (PEP) is an important document which has formed part of the official school record for Children and Young People in Care (LAC/YP) since 2005. It should be a continuous record of their achievements, identification of their educational and developmental needs, clear attainment targets and long -term plans and aspirations.

Its purpose is to clarify what is needed by the child to ensure progression. It is important that social workers and the Designated Teacher work together to ensure that children, young people and their carers are involved in the planning of PEPs and that their views are heard and their interests represented. A PEP is not a substitute for a good relationship between the designated teacher and the social workers and other professionals to work together to put in place appropriate teaching support for the child.

### ***Who does what and when?***

The people involved in a PEP will vary according to the age, needs and circumstances of the child. Carers, young people, social workers and school staff, in particular the Designated Teacher, will all be involved and for older ~~Looked after~~ Young People in care representatives from Futures and workplace learning provisions may also be involved. Many children will work with a named trusted adult in school, who may be a learning mentor, key worker or teaching assistant.

This person may provide social and emotional support and be instrumental in supporting the young person to reach agreed targets.

The PEP is initiated by the child's social worker, but the school's Designated Teacher should play a key role in the design and review process, alongside the child and the carer. A key aspect of the Designated Teacher's role is involvement in the design and delivery of PEPs.

A PEP should be put in place for all children in public care (looked after) or statutory school age:

- When a child enters public care, the social worker will inform the school and the local authority. The social worker is responsible for initiating a PEP.
- The PEP should be agreed as soon as possible and at least within 20 school days of entering care or of joining a new school. The PEP is normally reviewed concurrently with the Care Plan at the 28 day review, three (3) month and six (6) month review and then at a minimum of every six (6) months. Provision should be made to ensure that the Care Review and concurrent PEP review are not scheduled to take place during school holidays when school staff will not be available.

### ***How do you make sure a PEP is good and effective?***

The PEP should:

- Recognise, record and celebrate strengths and successes;
- Identify academic and developmental needs;
- Provide an effective starting point for identifying gifts and talents as well as needs and developing provision which matches those abilities;
- Set SMART (Specific, Measurable, Attainable, Realistic, Time -limited) personal and academic targets which are challenging and practical;
- Set out what is needed to ensure the progression of each child or young person in care;
- Articulate short, medium and long-term aspirations and plans;
- Agree specific timescales and responsibilities (who will do what and by when);
- Explore and identify appropriate teaching and learning styles;
- Identify strategies for the school to implement;
- Identify how the pupil premium funding is allocated;
- Ensure the child has their full entitlement to support including EPG and 1:1 tuition which is regularly reviewed and updated.

### ***Prompts to help develop an effective PEP:***

- How does the plan contribute to raising the aspirations of the child/ young person?
- How is the development of the PEP used to facilitate strong relationships between staff, pupil and carers?
- How many different criteria are considered when identifying learning strengths and abilities?
- Is the school confident that no gifts and talents or additional needs are being masked? How do you know?
- Does the pupil have a central role in developing the PEP? e.g. has a one-page profile been created in collaboration with the child to identify what the pupil's interests and ambitions are?

- Is specialist mentoring which supports learning appropriately, or specifically develops gifts and talents, available and, where appropriate, does this include first language support?
- What account has been taken of experiences, achievements and abilities demonstrated in previous placements or schools? Are these experiences and achievements fully incorporated into the development of future provision?
- Is the development of the PEP used to identify opportunities for celebration of achievement both within and outside school?
- Does the PEP detail opportunities for the social and emotional aspects of learning which could overcome barriers to learning or support access to provision for gifts and talents?
- Does the plan detail access to appropriately diverse role models, including from different social and cultural backgrounds, for Gifted and Talented pupils in care or those with additional needs?
- Is the range of intervention opportunities (where appropriate such as out-of-school/recreational/extra-curricular/family) culturally sensitive? Do they match the child's experience and maturity?

### **Pupil Premium Plus (PPP)**

Pupil Premium Plus is determined at specific points throughout the year.

- PPP requests run within the financial year, so a PPP to fund additional tuition would need to be considered at the first PEP review meeting of the year to allow time to arrange the tuition and reviewed at PEP meetings or otherwise if circumstances change;
- Should provide additional personalised support to the child;
- Should pay for activities or resources which support learning and development of children additional to those a parent would usually be expected to fund for a child not in care;
- Should support improvement to child's educational attainment;
- Should link to educational objectives outlined in PEP e.g.
  - extra 1:1 tuition;
  - out of school learning and development to raise self-esteem and confidence;
  - personalised educational trips and visits not organised by school as part of the curriculum;
  - learning resources not covered by fostering allowances or children's homes fees;
  - wider activities to help learning and development;
  - additional support for vocational training.
- Is not ring-fenced;
- Should be used to prevent children from falling behind or if they are already behind to help them catch up;
- Additional, not instead of, services already provided e.g.
  - EHCP requirements;
  - Things covered by fostering allowances/ children's homes fees;
  - School trips;
  - Basic equipment;
  - Alternative provision for children who are excluded from mainstream school.

## **Transport**

Children in care may have changes of foster or community care placement which will affect their journey to school. It is often felt that it is more important for the Looked after Child to continue to attend the same school which provides consistency, stability and continuity, rather than transfer to a local school. This is especially true when the placement is known to be a short-term care arrangement or the Child or Young Person is soon to take exams or leave school.

*Paragraph 3.10 of Nottingham Home to School Transport Policy – Children in Care*

Placements states:

“For children in foster or community homes, the designated school is one assigned to the home. Any exceptional circumstances will be considered on an individual basis. This may include short-term foster or care placements. Where a child who is in public care and “Looked After” by the Authority moves home and it is decided that it is in the child’s interests to continue to attend the same school, the Authority may decide to provide travel assistance to ensure continuity of education for the child. In these instances, consideration will be given to the distance from home to school and the length of time the child is scheduled to attend the school.”

## **Governance**

The school has a named child in care and previously looked after trustee (Mr David Dickinson) who monitors the duties of the Designated Teacher, and reports annually to the local governing board and provides updates. The children in care and previously looked after children governor must provide support and challenge to the Designated Teacher where necessary.

## **GLOSSARY OF TERMS**

### **Accommodated**

Children who are accommodated under voluntary agreement with their parents (Section 20).

Parents continue to have primary responsibility but the local authority acts as a corporate parent. The person who has parental authority is fully involved in all decision-making and can take the child away from local authority accommodation at any time.

### **Advocate**

Someone who provides independent help and support of children and young people in care.

### **Care order**

A care order is made by a court when it considered to be in the best interests of a child who has suffered or is likely to suffer significant harm. The local authority shares parental responsibility with the parents. The care order can last until the child is aged 18 or until an alternative order, such as adoption, is made or until the order is discharged.

### **Care plan**

Arranged by the social worker, this includes the child or young person in care's details, background, needs, strategies to meet the needs and is compulsory for every child/young person in care. It has to be reviewed regularly at the Care Plan Review meeting.

### **Care Plan Review**

There is a statutory requirement (Children Act 1989) that all children and young people have regular, independent reviews held within 28 days of the start of a placement, then within three months and every following six months. This should include consultation with all those involved in the care and education of the child and should be attended by the child/young person, their family and carer, the social worker. Wherever possible this should coincide with the PEP review meeting.

### **Child**

Anyone under 18 years of age.

### **Child in need (CIN)**

A child who is "unlikely to achieve or maintain...a reasonable standard of health and development without the provision of services by a local authority..." (Children Act 1989).

### **Futures**

Organisation which provides information and guidance for all young people aged 13–19.

### **Contact Order**

A court order setting out contact arrangements for LAC/YP with other person named in order (usually family member/s).

### **Designated Teacher**

A qualified teacher with sufficient authority to enable appropriate provision and support in school to meet identified needs of children in care and act as an advocate on their behalf.

### PPP

Pupil Premium Plus which can be applied for through the Virtual School.

### Foster Carer

A person who looks after children in care on behalf of local authority.

### Leaving Care Service

A service which provides advice and support on accommodation, benefits, employment, training etc for 16 -17 year olds leaving care.

### Looked after Children/Young People CIC/YP

Those who are either subject to a care order or who are accommodated.

Parenting order – court order requiring parents to attend guidance sessions

Pathway Plan – Child or young person leaving care at 16 -17 have Pathway Plan to help them plan their future and to find accommodation, claim benefits, find suitable employment or training

Personal Education Plan (PEP) – a statutory document initiated within 20 school days of a child going into care or changing educational setting. It should be reviewed regularly (every six months at least), ideally at the same time as the care plan review. The PEP records progress to date as well as details of child, carer etc and identifies achievements as well as areas where support is needed in school. Strategies and resources, including access to services, to support the child/ young person reach short and long-term goals are identified and necessary arrangements made.

Residential care/Children's Home – a residential home run by the local authority approved agency where a Looked after Child/Young Person is placed

Respite care – short-term accommodation placements to support family

