



WORCESTERSHIRE
VIRTUAL SCHOOL

Previous Looked After and Looked After Children Policy

Education of Looked After Children

Contents

Scope of this policy.....	3
1. Key Responsibilities: Duty to Promote the Educational Achievement of Looked After Children..	4
2. The key responsibilities of the Virtual School Head.....	6
3. When a child first becomes Looked After	10
4. The Personal Education Plan (PEP)	10
5. The First Personal Education Plan & PEP Content	10
6. Reviewing the PEP, identifying recommendations and agreeing actions.....	13
7. Pupil Premium Plus (PP+).....	14
8. Securing Appropriate Education.....	15
9. When a Child Moves to a New Local Authority.....	17
10. Avoidance of Disruption in Education	19
11. Celebrating and recording a Child’s Achievements.....	Error! Bookmark not defined.
12. When a Child is absent from School.....	20
13. School Exclusions.....	20
14. Alternative provision	22
15. Part-Time Educational Arrangements	22
16. Pregnancy	22
17. School Transport.....	22
18. Children and Young People with Medical Conditions	23
19. Training for those Involved in the Care and Education of Looked After Children	23
20. Information Sharing.....	23
21. Escalation Process	24
Annex A: Virtual School Contacts	25
Annex B: Useful Resources and Further Reading.....	26

Scope of this policy

This Policy applies to all Looked After Children and Previously Looked After Children¹. It must be read in conjunction with the following government guidance documents:

- Promoting the Education of Looked After and Previously Looked After Children, Statutory Guidance for Local Authorities (DfE, February 2018)
- The Designated Teacher for Looked After and Previously Looked After Children, Statutory Guidance on their roles and responsibilities (DfE, February 2018)
- Keeping Children Safe in Education (DfE, 2018)
- Special Educational Needs and Disability Code of Practice: 0 to 25 years: Statutory Guidance for Organisations who work with and Support Children and Young People with Special Educational Needs and Disabilities (DfE, 2015)
- Exclusion from Maintained Schools, Academies and Pupil Referral Units in England: A Guide for those with Legal Responsibilities in Relation to Exclusion (DfE, 2017)
- Ensuring a Good Education for Children Who Cannot Attend School because of Health Needs (DfE, 2013)
- Supporting Pupils at School with Medical Conditions: Statutory Guidance for Governing Bodies of Maintained Schools and Proprietors of Academies in England (DfE, 2014)
- Children Missing Education Statutory Guidance (2016)
- Elective Home Education; Guidelines for Local Authorities (2013)
- Alternative Provision (DfE, 2013)

¹ S22 Children's Act 1989

1. Key Responsibilities: Duty to Promote the Educational Achievement of Looked After Children

1. Under section 22 (3A) of the Children Act 1989, local authorities have a duty to promote the educational achievement of **Looked After children**. Section 22 of the Children and Families Act 2014 imposes a requirement for a named officer within the Local Authority to be appointed to discharge this duty; this Officer will be referred to as a 'Virtual School Head ('VSH')².
2. This duty also extends to 'eligible'³ children.
3. Looked-after and previously looked-after children start with the disadvantage of their pre-care experiences and, often, have special educational needs. VSH's have a key role to ensure these children have the maximum opportunity to reach their full educational potential - an important part of why this role was made statutory.
4. For looked-after children, as part of a local authority's corporate parent role, the VSH needs to be the educational advocate that parents are for others.
5. For previously looked-after children, the VSH and Senior Education Adviser for Vulnerable Learners will be a source of advice and information to help their parents to advocate for them as effectively as possible. VSHs are not acting as part of the corporate parent role in these circumstances, but are there to promote the educational achievement of these children through the provision of advice and information to relevant parties listed in *Previously looked after-children*.
6. Local authorities have a duty under the Children Act 1989 to safeguard and promote the welfare of a child looked after by them. This includes a specific duty to promote the child's educational achievement, wherever they live or are educated. The authority must, therefore, give particular attention to the educational implications of any decision about the welfare of those children.
7. Social workers, VSHs, Independent Reviewing Officers (IROs), school admission officers, and Special Educational Needs and Disability (SEND) departments should work together to ensure that, except in an emergency, appropriate education provision for a child is arranged at the same time as a care placement.
8. All looked-after children should have a Personal Education Plan (PEP) which is part of the child's care plan or detention placement plan. The broad areas of information that must be covered in the PEP are specified in Schedule 1 (paragraph 2) of the Care Planning, Placement and Case Review (England) Regulations 2010 as amended. The PEP must include the contact details of the VSH for the authority that looks after the child.

Previously looked-after children

9. Local authorities have a duty under section 23ZZA of the Children Act 1989 (inserted by section 4 of the Children and Social Work Act 2017) to promote the educational achievement of previously looked-after children in their area by providing information and advice to any person that has parental responsibility for the child;

² In the absence of the Virtual School Headteacher the Senior Education Adviser for Vulnerable Learners will be known as the Acting Virtual School Head under the direction of the Assistant Director for Education

³ An 'eligible' child is a child who is looked-after, aged 16 or 17 and has been looked after by a local authority for a period of 13 weeks or periods amounting in total to 13 weeks, which began after they reached 14 and ended after they reached 16.

10. Previously looked-after children are those who 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
 - were 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.
11. The duty applies to children who are in early year's provision (secured by the local authority under section 7(1) of the Childcare Act 2006) and continues throughout the compulsory years of education where the child is in provision funded in part or in full by the state.
12. VSHs are integral to ensuring that local authorities discharge their duty to provide suitable advice and information for the purpose of promoting the educational achievement of previously looked-after children. They can also undertake any activity they consider appropriate where that activity will promote the educational achievement of such children in their area.

The Local Authority as Corporate Parent

13. As leaders responsible for ensuring that the local authority discharges its duty to promote the educational achievement of their Looked After Children, Directors of Children's Services and Lead Members for Children's Services must ensure that:
 - The Priorities for Looked After Children are clearly outlined and supported in the Children and Young People's Plan 2017-21
 - The authority's Corporate Parenting Board regularly addresses the educational experiences raised by Looked After children and is able to respond effectively to such issues.
 - Closing the attainment and progress gap between Looked After children and their peers and creating a culture of high aspirations for them is a top priority;
 - Looked After children have access to a suitable range of high quality education placement options and that commissioning services for them, takes account of the duty to promote their educational achievement;
 - VSHs are in place and have the resources, time, training and support they need to discharge the duty effectively;
 - Virtual School have robust procedures in place to monitor the attendance and educational progress of the children their authority looks after.

Definition of parent

14. For the purposes of education law, section 576 of the Education Act 1996 defines a 'parent' as:
 - all natural (biological) parents, whether they are married or not;

- any person who, although not a natural parent, has parental responsibility for a child or young person (this could be a step-parent, guardian or other relative);
 - any person who, although not a natural parent, has care of a child or young person.
15. A person has care of a child or young person, if they are the person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child.

2. The key responsibilities of the Virtual School Head

16. The Virtual School Head must ensure that there are effective systems in place to:
- Ensure every school has a Designated Teacher for Looked After Children, who is a qualified teacher
 - Maintain an up-to-date roll of its Looked After children and monitor their education placement, attendance and educational progress;
 - Inform Head Teachers and Designated Teachers in schools if they have a child on roll who is Looked After by the VSH's local authority;
 - Ensure that social workers, Designated Teachers and schools, carers and IROs understand their role and responsibilities in initiating, developing, reviewing and updating the child's PEP and how they help meet the needs identified in that PEP;
 - Ensure up-to-date, effective and high quality PEPs that focus on educational outcomes and that all Looked After children, wherever they are placed, have such a PEP;
 - Ensure the educational achievement of children Looked After by the authority is seen as a priority by everyone who has responsibilities for promoting their welfare;
 - VSH reports regularly on the attainment of Looked After children through the authority's corporate parenting yearly structures and VS Governing Body on a termly basis.
 - Ensure children are in receipt of suitable, full-time education unless there are exceptional circumstances which have been agreed in conjunction with the (VSH).

Role of the Governing Board

17. Governing Boards must be made aware of their statutory duties in relation to making available appropriate and relevant information with staff in school having regard to the child's Wider Care Plan, General Data Protection Regulations (2018) and Confidentiality. This must include:

- Identified contact arrangements with birth parents and/or those with Parental Responsibility⁴
 - Levels of authority delegated to the carer.
 - Having a named Designated Teacher for Looked After Children who acts as the first point of contact with the Virtual School and Social Workers
18. Governing boards should, through the designated teacher, hold the school to account on how it supports its looked-after and previously looked-after children (including how the PP+ is used) and their level of progress. In some schools, designated teachers do this by providing the governing body with a regular report. The patchy nature in the numbers of looked-after and previously looked-after children in any one school means it would be best to have a flexible approach to providing such a report.

The Role of the Designated Teacher

19. The designated teacher should be a named senior member and qualified teacher of the school to act as central point of contact. This helps to make sure that the school plays its role to the full in making sure arrangements are joined up and minimise any disruption to a child's learning. The most effective designated teachers have a leadership role in promoting the educational achievement of every looked-after and previously looked-after child on the school's roll. This involves, working with VSHs to promote the education of looked-after and previously looked-after children and promoting a whole school culture where the personalised learning needs of every looked-after and previously looked-after child matters and their personal, emotional and academic needs are prioritised.
20. Designated teachers must take lead responsibility for ensuring school staff understand the things which can affect how looked-after and previously looked-after children learn and achieve and how the whole school supports the educational achievement of these pupils. This means making sure that all staff:
- have high expectations of looked-after and previously looked-after children's learning and set targets to accelerate educational progress;
 - are aware of the emotional, psychological and social effects of loss and separation (attachment awareness) from birth families and that some children may find it difficult to build relationships of trust with adults because of their experiences, and how this might affect the child's behaviour;
 - understand how important it is to see looked-after and previously looked-after children as individuals rather than as a homogeneous group, not publicly treat them differently from their peers, and show sensitivity about who else knows about their looked-after or previously looked-after status;
 - appreciate the central importance of the looked-after child's PEP in helping to create a shared understanding between teachers, carers, social workers and, most importantly, the child's own understanding of how they are being supported

⁴ Any person deemed to have parental responsibility in accordance with the Children and Families Act 2014 and 576 Education Act 1996.

- have the level of understanding they need of the role of social workers, VSHs and carers, and how the function of the PEP fits into the wider care planning duties of the authority which looks after the child; and for previously looked-after children, understand the importance of involving the child's parents or guardians in decisions affecting their child's education, and be a contact for parents or guardians who want advice or have concerns about their child's progress at school.
21. Designated teachers must also have a more direct and day-to-day role in promoting the educational achievement of looked-after and previously looked-after children, either directly or through appropriate delegation. This can be achieved by:
- having lead responsibility for the development and implementation of looked-after children's PEP within school in partnership with others as necessary
 - Contributing to the development and review of whole school policies and procedures to ensure that: they do not unintentionally put looked-after and previously looked-after children at a disadvantage;
 - there is effective induction for looked-after and previously looked-after children starting school, new to the school and new to care;
 - there are effective procedures in place to support a looked-after child's learning;
 - particular account is taken of the child's needs when joining the school and of the importance of promoting an ethos of high expectations about what s/he can achieve;
 - transition to the next phase of a child's education are supported effectively to avoid children losing ground – e.g. moving schools from primary to secondary school or because of a change in placement or exclusion;
 - thought is given to the future, careers advice and guidance, and financial information about where appropriate further and higher education, training and employment;
 - when enrolling at the school, parents and guardians of previously looked-after children are reminded that they need to inform the school if their child is eligible to attract Pupil Premium Plus (PP+);
 - there are no barriers to looked-after children accessing the general activities and experiences the school offers to all its pupils (e.g. taking into account possible transport difficulties and the arrangements for looked-after children to attend meetings).
22. Designated Teachers must adopt a culture where the educational achievement of children Looked After and previously looked-after children is promoted. This will be achieved by;
- Enabling pupils to discuss their progress and be involved in setting their own targets, have their views taken seriously, and are supported to take responsibility for their own learning;
 - Prioritising in any selection of pupils who would benefit from one-to-one tuition, and that they have access to academic focused study support;

- Ensuring pupils are encouraged to participate in school activities and in decision making within the school and the care system;
 - Ensuring pupils believe they can succeed and aspire to further and higher education or highly skilled jobs; and
 - Creating an environment where pupils feel confident to discuss difficult issues (such as SEN, bullying, attendance)
23. Designated Teachers should ensure they are the 'expert' within the school to provide information, advice and guidance to staff about:
- differentiated teaching strategies appropriate for individual pupils who are looked-after or previously looked-after children; and
 - the use of Assessment for Learning (AfL) approaches to improve the short and medium term progress of looked-after and previously looked-after children, and help them and their teachers understand where they are in their learning (including any knowledge gaps), where they need to go, and how to get there.
 - promote good home-school links;
 - support progress by paying particular attention to effective communication with carers, parents or guardians;
 - ensure carers, parents or guardians understand the potential value of one-to-one tuition and are equipped to engage with it at home;
 - ensure carers, parents or guardians are aware of how the school teaches key skills such as reading and numeracy; and
 - safeguarding concerns regarding looked-after and previously looked-after children are quickly and effectively responded to by the Designated Safeguarding Lead.
24. When supporting previously looked-after children, designated teachers should be aware that the Previously Looked After Advisor is available to provide information and advice to parents, carers and designated teachers on how to meet the needs of these children. This may be general information, including training opportunities or advice that is child specific. The designated teacher should fully involve parents and guardians in decisions affecting their child's education.

Worcestershire Looked After Children

25. In Worcestershire, Babcock Prime's Virtual School Education Co-ordinator (VSEC) is responsible for the coordination of the Wider Virtual School and the completion of Personal Education Plans under the direction of the VSH.
26. VSH, VSEC, Social workers and any other professional will work effectively together to ensure that, except in an emergency, appropriate education provision for a child is arranged at the same time as a care placement.
27. The VSH and VSEC will jointly monitor and regularly review the register of children who are looked after.

3. When a child first becomes Looked After

28. As soon as a child becomes looked after (if not before), the Social Worker will notify Children's Services Business Support Team, within 24 hours of the child becoming Looked After, to ensure the child's details are accurate on both Frameworki and ONE.
29. The child's social worker **must** notify the VSH and VSEC.
30. If the child has an Education, Health and Care Plan or is under assessment, the social worker must ensure the relevant SEND Caseworker is notified.
31. The child's social worker must also inform the Designated Teacher for Looked After Children at the child's school as soon as the child's placement is known. In the case of an emergency this must be no less than 24 hours of the child becoming looked after. The Babcock PEP Coordinator, or in the case of a child placed out of Worcestershire, the Learning Advocate, must arrange a PEP within 20 days.

4. The Personal Education Plan (PEP)

Looked After Children

5. The First Personal Education Plan & PEP Content

32. The Personal Education Plan **must** be initiated by the Education Coordinator and PEP Coordinator in Babcock Prime (in County) and Area Learning Advocate (Out of Borough) within **10 days** of the child becoming Looked After or, if subject to a Care Order, it **must** be completed prior to the child being placed by Worcestershire County Council.
33. The Personal Education Plan (PEP), which must form part of the child's wider care plan, is a legal requirement for every child of compulsory school age and must set out clearly what the child's circumstances and needs are in the short, medium and longer term to ensure appropriate arrangements are in place for the child to promote their educational achievement at every stage of their life.
34. All looked after children of compulsory school age **must** have a PEP, whether or not currently in education. There is also a commitment from the Local Authority to ensure that a PEP is completed for Looked After Children who are pre and post compulsory school age.
35. The quality of the PEP is the joint responsibility of the local authority that looks after the child and the school. Social workers, carers, VSHs, VST, designated teachers and, as appropriate, other relevant professionals will need to work closely together. All of those involved in the PEP process at all stages should involve the child (according to understanding and ability) and, where appropriate, the child's parent and/or relevant family member.
36. The Local Authority uses ePEP to ensure every service including, PEP Coordinators, Area Learning Advocates, Designated Teachers within School, Social Care and carers understand and can contribute to the PEP by having immediate access to appropriate/up to date information and to intervene at the earliest opportunity where there are concerns or changes required.

37. The overall responsibility of the PEP is that of the Social Worker; however, the Designated Teacher, or other relevant person in the case of children who are not of compulsory age lead on how the PEP is developed and used in school to make sure the child's progress towards education targets is monitored. This is monitored by Wider Virtual School Team on behalf of the VSH.
38. The views of the child are imperative and therefore services working with the child must ensure that opportunities for the child's voice are encouraged throughout the process. Consideration should also be given to the impact of involving the child's birth parents and/or any other family member.
39. Where it is not appropriate to seek the views of the child, parents or other family members, the Virtual School Headteacher must be notified and the reasons must be documented and reviewed on a regular basis. Consideration must be given different ways of obtaining the views of the child appropriate to the child's communication skills for example, in writing, storyboards, separate meetings etc.
40. The PEP is an evolving record, and arrangements for the flow of information to develop, review and update the PEP must be in place to ensure the Virtual School, Designated Teacher, carer and, where appropriate, child and parent have a copy of the latest version of the document. The Virtual School Head, in conjunction with Babcock Prime and Area Learning Advocates must make arrangements for PEPs to be reviewed each school term.
41. The PEP must include details of any actions and arrangements should a child's educational and/or residential placement need to change either in an emergency or planned circumstances. This must include:
 - Arrangements for applying for a new school place
 - Interim educational arrangements to ensure the child does not lose days to education such as education offsite, dual registration and alternative provision
 - Any support that the child may need for education, health and care
42. In order for the PEP to be purposeful and have a positive impact on the child it must set clear objectives and SMART targets for the child which have due regard to the following:
43. Chronology of education and training history which provides a record of the child's educational experience, progress and attainment, including information about educational institutions attended and the reasons for leaving, attendance and conduct record, academic and other achievements, any special educational needs, an indication of the extent to which the child's education has been disrupted before entering care or accommodation;
44. Existing arrangements and assessment of impact for education and training (this must outline details of any special educational provision and any other provision in place;
45. How the PEP relates to other plans such as, Education Health and Care Plan, Individual Education Plan, Pastoral Support Plan etc.
46. Any planned changes to existing arrangements and provision to minimise disruption;

47. The child's leisure interests;
48. Role of the appropriate person and any other person who cares for the child in promoting the child's educational achievements and leisure interests;
49. The effective use of the Pupil Premium Plus and application for any bursary must be discussed as part of PEP Meetings;
50. Identify developmental and educational needs (short and longer term) in relation to skills, knowledge, subject areas and experiences. This must have regard to health or educational assessments that have been completed or are may be required in the future;
51. Include SMART short-term targets, including progress monitoring of each of the areas identified against development and educational needs;
52. Include SMART longer-term plans for educational targets and aspirations. These must, according to age and understanding, typically focus on public examinations, further and higher education, managing money and savings, work experience and career plans, young person's strengths and aspirations.
53. Careers advice and guidance and financial information about further and higher education, training and employment. Discussion about longer term goals should start early and ideally, well before Years 9 at school.
54. Identify actions, with time scales, for specific individuals intended to support the achievement of agreed targets and use of any additional resources (e.g. the pupil premium) specifically designated to support the attainment of looked after children;
55. Identify access to effective intervention strategies and how this will make/has made a difference to achievement levels.
56. Details of who will take the plan forward, with timescales for action and review;
57. The PEP must also include the contact details of the Virtual School Head for the authority that looks after the child.
58. The child's social worker must arrange a meeting to draw up the first PEP which must include the Virtual School Education Coordinator, PEP Coordinator/Area Learning Advocate, Designated Teacher at the school (where the child has a school place), the residential staff/carer and any other relevant professionals; and must involve the child and parents as far as is appropriate and possible.
59. Where the child has an EHCP the relevant SEND Caseworker must be invited.
60. Where the child has no school place, the Virtual School Education Coordinator must provide information about the availability and appropriateness of school places to contribute to the completion of the LAC Education Transfer Form. In the case of an emergency change of care placement an educational placement must be secured within 20 school days.
61. The completed PEP must be distributed to the child, parents, staff/carers and all others invited to the meeting. A copy must also be sent to the child's Independent Reviewing Officer.

62. Any child looked after or previously looked after, who still has a statement of SEN must have an EHCP conversion arranged as a matter of priority.
63. The provision of education for pupils with an Education Health and Care Plan can only be changed if the child's EHCP has been amended at an annual/interim review.

6. Reviewing the PEP, identifying recommendations and agreeing actions

64. The PEP must be reviewed after 3 months of the child coming into care then every term⁵ thereafter. This will be coordinated by the Virtual School Education Coordinator for children in Worcestershire Schools. Those children placed Out of Borough will be coordinated by ALA.
65. **Second and subsequent PEP's must correspond with the Looked After Review cycle and** PEP decisions and recommendations must be available to the child's Independent Reviewing Officer at the Looked After Review.
66. Where there is an imminent need to change to the child's educational provision or arrangements the PEP must be reviewed as soon as the change is known (see Section 8).
67. Progress against the targets and impact of Pupil Premium Plus must be clearly evidenced.
68. The child's social worker must ensure that the PEP review meeting takes place on time.
69. The participants must agree what action they will each undertake to achieve the improvements in the child's education that they have identified through the consultation/preparation process.
70. Proposals that would lead to significant changes in arrangements (e.g. a change of school, a request for an Education, Health and Care Needs Assessment) and/or to increases in expenditure (private tuition, a jointly-funded placement) must be made in the form of recommendations to the Looked After Review.
71. The child's social worker must work with the child's school between Looked After Reviews (involving the Virtual School if necessary) to ensure that up-to-date PEP information is fed into those reviews, and ensure that all relevant information about the child's educational progress and support needs is up-to-date and evidenced before the Looked After Child Review.
72. IROs must ensure that the PEP's effectiveness is scrutinised in sufficient detail as part of the Looked After Review and at other times if necessary. Where a child has Special Educational Needs, the IRO must ensure that the PEP review is linked with any review of those needs.

The first PEP in a new school must:

- Identify the child's immediate and priority needs (e.g. English as an additional language, literacy support, behaviour management);

⁵ A statutory requirement is every 6 months (Promoting the Education of Looked After Children (2014))

- Establish contact between residential staff/carer, school staff and social worker - the basis of a working partnership;
- Identify a named person for the day to day management of the PEP and agree who contacts whom about what;
- Establish boundaries of confidentiality;
- Share important information - perhaps including the Placement Information Record;
- Ensure records are forwarded from the previous school and/or carer;
- Agree a date for the next PEP review meeting and how and when the next full PEP is going to be drawn up (this needs to take account of the Looked After Review cycle because the PEP has to be ready before or at the Review; but also term dates, parents' evenings, school target setting days, Individual Education Plan reviews, annual reviews of Education, Health and Care Plans etc.)

Previously Looked After Children

73. There is no requirement for previously looked after children to have a PEP; however, schools and the Local Authority must be able to demonstrate how they promote the outcomes of vulnerable groups through use of the Pupil Premium. It would therefore be strongly recommended that the Designated Teacher for Looked After Children routinely monitors the progress of these children in line with the children who are currently looked after.

7. Pupil Premium Plus (PP+)

74. Both VSH and schools manage their PP+ allocation for the benefit of their cohort of looked after or previously looked after children and according to children's needs. This is additional funding is provided to help improve the attainment of looked-after children and close the attainment gap between them and their peers.
75. The PP+ can be used to facilitate a wide range of educational support for looked-after children. It is important that interventions supported by pupil premium should be evidence-based and in the best interests of the child.

Looked After Children

76. The VSH retains the allocation of PP+ for Looked After Children and will allocate directly to schools on receipt of a completed PEP which clearly evidences SMART targets and assessment of impact.
77. The VSH also has considerable flexibility in the use of PP+ funding in order to maximise its impact for individual looked-after children as well as the whole looked-after cohort.
78. The PP+ can be used to facilitate a wide range of educational support for looked-after children. VSH should seek the input of the school's designated teacher and carers when deciding on how to use PP+ to support a child. It is important that interventions supported by pupil premium should be evidence-based and in the best interests of the child.
79. PP+ funding is additional funding provided to help improve the attainment of looked-after children and close the attainment gap between them and their peers. Local authorities receive a PP+ grant allocation based on the number of children looked after for at least one day and aged 4 to 15 at 31 August, as recorded in the latest looked-after children data return.

Previously Looked After Children

80. PP+ funding for previously looked after children is allocated directly to and managed by their school.

8. Securing Appropriate Education

81. Every child residing in Worcestershire is entitled to free, good quality education.
82. Every parent⁶ has a duty to provide their children with a suitable education⁷ once they reach compulsory school age.
83. Every child in the care of the Local Authority is expected to have a school place applied for at the normal point of entry (the academic year in which the child reaches 5).
84. The choice of school requires skilled working between relevant people. It must be based on a discussion between the child's social worker, Virtual School, their carers and, if appropriate, birth parents. The VS Education Coordinator (In County) or ALA (Out of Borough) must be consulted in advance to avoid choosing a school that is unlikely to meet the child's needs.
85. In circumstances where a child's educational placement needs to change the Local Authority must ascertain the views of the parent, and where appropriate those of the child
86. Where a child has an Education, Health and Care Plan the Local Authority's SEND Services, who maintains the EHCP is responsible for securing appropriate provision. A review of the EHCP **must** be completed.
87. For children in Key Stage 4, consent from the VSH must be obtained prior to moving a child, unless in the case of an emergency placement. The IRO must also be notified of this.
88. For children who have been permanently excluded; have medical needs preventing from attending school or there are other circumstances where the child will not receive a suitable education the Senior Education Adviser for Vulnerable Learners is responsible for making suitable arrangements.⁸
89. Any change to a child's educational placement must trigger a review of the arrangements set out in the PEP within 24 hours of making the decision to change a child's placement.
90. The Virtual School must conform to the interim arrangements identified in the PEP and wider care plan to minimise days lost to education prior to changing placement where practicably possible to so. A decision must be made as to whether the child can attend or access education arranged by the school they are currently registered

⁶ S576 Education Act 1996

⁷ S7 Education Act 1996

⁸ S19 Education Act 1996

If not, then the VSH and Senior Education Adviser for Vulnerable Learners must be immediately notified.

91. Looked After and previously Looked After children have been given the highest priority within school admission arrangements. It is therefore expected that all options regarding the child's education have been considered, so that the school being applied to, can confidently meet the child's 'assessed' needs. The Virtual School Headteacher will not tolerate drift or delay as a result of protracted negotiations and will initiate the direction process where the school being applied to is considered to best meet the child's needs but refuses to admit.
92. Schools judged by Ofsted to be 'good' or 'outstanding' must be prioritised for Looked After children in need of a new school. Unless there are exceptional evidence-based reasons, Looked After children must never be placed in a school judged by Ofsted to be 'inadequate'.
93. School's details and agreed start date must be immediately amended on the electronic record and the PEP.
94. The new school must be provided with all the relevant information to enable the school to make an informed decision as to whether it can offer the child a place in accordance with their Admissions Policy and to ensure the child's welfare is safeguarded. However the transfer of the child's file should only occur once a place has been offered and a start date has been agreed.
95. Information about School Admissions is provided to parents by the Babcock Prime School Admissions Team and SENDIASS.

<http://www.worcestershire.gov.uk/schooladmissions>

www.SENDworcestershire.co.uk

Looked After Children

96. Where a child is of preschool age, Foster Carers and Residential Settings should be strongly encouraged and supported by social workers, the VS Education Coordinator and Early Years Team to send the children they are looking after to a registered Early Years provision.
97. Where a child is of post compulsory school age, Social Workers and the VS Education Coordinator and Careers and Advice Team and where relevant Foster Carers and Residential Settings will support the child in securing further education, employment or training.
98. Any provision being applied to must be supported by the Looked After Child Education Transfer Form and states clearly why they feel the school being applied to best meets the child's assessed needs.
99. The Local Authority, as corporate parent has a duty to ensure that Foster Carers comply with the duties placed upon them in securing suitable education for the children they are looking after.
100. Where Foster Carers and Residential Settings do not act in the best interests of the child this must be immediately reported to the Virtual School Headteacher

101. Social workers, with advice from the Virtual School Education Coordinator, must work closely with Foster Carers to ensure they are supported when applying for a school place.
102. In the case of an emergency, a new educational placement must be secured within 20 school days.
103. The Education Coordinator will notify any child who has not secured a school place within 10 days to the VSH;
104. The VSEC must notify the VSH of any child who has not been offered a place within 7 days from the date of the application.

Previously Looked After Children

105. For the purpose of the School Admission Code any child previously in the care of the Local Authority has the same priority in the School Admissions Code as children currently in the Care of the Local Authority.
106. Where a previously Looked After Child is without a school place it is expected that the Child Missing Education Officer coordinates the application process with the parent in line with the principles set out for Looked After Children
107. Where a child previously in the care of the Local Authority has difficulty securing an educational placement within 7 days of making an application the case must be referred to the Senior Education Adviser for Vulnerable Learners.

9. When a Child Moves to a New Local Authority

Looked After Children

108. If a child is placed in the area of a different local authority but continues to attend a school in Worcestershire then VSEC in Babcock Prime will oversee the PEPs under the direction of the VSH.
109. Where a child is attending a school out of county the PEPs will be managed directly by the Area Learning Advocate under the direction of VSH.
110. If the child is to be placed in the area of a different local authority and will need a new school in that area, efforts to obtain a school place must begin well before s/he moves to a new placement (unless it is an emergency placement) and where possible the social worker, in consultation Area Learning Advocate and VSH should ensure familiarity of that Local Authority's Admissions Procedures.
111. Where a new placement is not immediately available the interim arrangements for the child's education must be put in place in accordance with the child's PEP and wider care plan; any changes to this **must** be discussed with the VSH and Senior Education Adviser.

Previously Looked After Children

112. Where a previously Looked After Child moves to another Local Authority the Children Missing Education Officer must immediately notify the Children Missing Education

Officer where the child is residing. Once the Children Missing Education Officer for the residing authority has confirmed residency of the child in the area, that Local Authority retains full responsibility for ensuring parents are compliant with their duties to provide a suitable education.

10. Avoidance of Disruption in Education

Looked After Children

113. It is imperative, regardless whether the child is on roll or not at the time of initiating the first PEP, that the educational arrangements are set out clearly where a child's educational placement needs to change, usually in case of an emergency for example exclusion, change of care placement, illness or in other circumstances.
114. Such arrangements must be reviewed at every PEP. Where a change of educational placement and/or arrangements are required an emergency review of the PEP is required and the Local Authority's Admission's Protocol for Looked After Children (2016) must be followed.
115. Other than in Key Stage 4, in which instance consent from the Virtual School Head is required, where the Local Authority proposes making any change to the child's placement that would have the effect of disrupting the arrangements made for education and training, they must ensure that other arrangements are made for education or training that meet the child's needs and are consistent with the PEP.
116. Where a child's needs have changed that suggest a reduction in the child's education is required and or Alternative Provision is to be arranged the Virtual School Headteacher must be consulted prior to making any changes. There must be a suitable Pastoral Support Plan in place which must be reviewed in conjunction with the PEP.

Previously Looked After Children

117. Parents who are seeking to change schools do not need to follow the process for Looked After Children; however, where a school place is required the Children Missing Education Officer will assist the parent in applying for a school place and refer the matter to the Senior Education Adviser for Vulnerable Learner, if a school place has not been secured within 7 days. The Children Missing Education Officer will be responsible for ensuring the Looked After Child Education Transfer Form is completed.

Pupils with Education, Health and Care Plans

118. A change of school at any time needs the agreement of the relevant local education service maintaining the Education, Health and Care Plan. This needs to be planned for as early as possible as it can cause long delays.
119. The child's social worker must ensure that they are aware of the current position with regard to the Plan, including any additional support provided and by who is going to provide the support.
120. Any change to the child's provision must be authorised by the SEND Services for the area in which the child is resident. This also includes any placements subject to dual registration.
121. The completed PEP must be distributed by the Social Worker to those invited to the meeting; the child's Independent Reviewing Officer and the VSH responsible for the child.

11. Celebrating and recording a Child's Achievements

122. Children's educational (and other) achievements must be acknowledged at one or more of the following times: at Looked After Reviews; in the PEP, at school-based meetings; in school reports; and after exams. A Looked After Child's educational attainments at all Stages must be recorded, including on the electronic record and in the ePEP. The Virtual School Head will hold annual celebration events for Looked After children and staff working with Looked After children, who have been nominated under the different categories.

12. When a Child is absent from School

123. There should be clear communications in place in order to safeguard the child and this should be evidenced and reviewed on a regular basis. This must be in conjunction with the child's wider care plan and local and national guidance.
124. The school must notify the carers/social worker if a child is not in school no later than the close of register (or agreed time) for the relevant session.
125. If the child has planned absence then this must be shared and agreed with in advance and with relevant professionals.
126. If the child has gone 'missing' the police must be immediately notified by the person who has first discovered the missing episode and this must be in accordance with the wider care plan.
127. Any child who has gone missing must be offered a Missing Person's Return Interview.
128. Where the absence is unauthorised there must be an immediate meeting with all relevant persons, including the child should then be convened to address:
 - The reasons for the absence;
 - How to ensure the child returns to education as soon as possible;
 - What additional support the child may need.
129. Where the child has been absent for 10 consecutive days or more the school must inform the Local Authority via the Children's Services Portal.

13. School Exclusions

130. Where a school has concerns about a Looked After child's behaviour, the VS Education Coordinator must be informed and, where necessary, involved at the earliest opportunity. This is to enable the Virtual School Education Coordinator and VSH, working with other professionals to help the school decide how to support the child to improve their behaviour and avoid exclusion being necessary. Schools **cannot informally send children home if they are presenting challenging behaviour**. VSHs should be proactive in building relationships with head teachers, designated teachers, school's pastoral and behaviour leads, the special educational needs co-ordinator (SENCO) and carers to enable this.
131. Consideration must be given to any additional assessment and support (such as additional help for the classroom teacher, one-to-one therapeutic work or a suitable alternative placement) to meet the needs of the child

132. Additional arrangements must be identified within the child's PEP actions taken if the child is at risk of exclusion to minimise any disruption to the child's provision and to ensure it remains suitable.
133. Where a looked after child is excluded from school, the child's social worker must inform the child's Independent Reviewing Officer.

Fixed term exclusions

134. Head Teachers must, as far as possible, avoid excluding any looked-after child. Exclusion from school must be a last resort for children who are looked after; therefore it is important to work with the school and carers to intervene as soon as a child's behaviour becomes a cause for concern.
135. Where a child is excluded from school for a fixed period, the school will provide work for the child for the first five days of the exclusion. The social worker must liaise with the residential staff/carers about suitable arrangements for supervising the child doing the schoolwork during the day and ensuring the child does not go out during school hours. With effect from the sixth day the school must provide a place for the child to be educated.
136. The school will communicate the reasons for the exclusion to the residential staff/carer and the social worker. Whoever is the most appropriate one to do so, will discuss this with the child. The social worker must inform the parents, if appropriate.
137. The social worker, in consultation with the child and parents, must seek advice as to whether to appeal against the decision to exclude the child.
138. If the child is in primary school and receives a fixed term exclusion or is in secondary school and is excluded for more than five days, the social worker must ensure a reintegration meeting is held within the five days to discuss his/her return and how best this can be supported.

Permanent exclusions

139. When a child is permanently excluded but is remaining in the same foster or residential placement, the social worker will liaise urgently with the local education service in which the child is living to find an alternative school placement. Again, for the first five days of the exclusion the school will provide work and the child must not be out unaccompanied in public during school hours. From the sixth day the local authority will arrange for a place for the child to be educated.
140. In the case of permanent exclusion or where a fixed term exclusion exceeds 15 days or more per term, the Governing Board of the school must be held within fifteen days to review the decision made by the Head Teacher to exclude the child. If the Governing Board decides to uphold the decision to permanently exclude, an Independent Review can be made within fifteen school days. The request for review can be completed by a foster carer or anyone who has Parental Responsibility for the child as determined in the Children's Act 1989 and Education Act 1996.
141. Further information, advice and guidance about exclusions can be sought from the Senior Education Adviser for Vulnerable Learners and Babcock Prime Exclusions Officer

14. Alternative provision

142. The use of alternative provision must only be used in the following circumstances;
- to improve behaviour (Direction to off-site provision to modify behaviour does not require consent of parents/carers under s29A Education Act 2002 or in the case of an academy their general powers in their Articles of Association).
 - to add value to the child's existing provision (in such cases it is expected that the child will be attending their home school for a set subjects).
143. In each case there must be effective monitoring arrangements in place by schools to ensure attendance is regular and the child is progressing as well, or better than expected to be. Reviews of the provision must be no less than 30 school days.
144. The objectives of the provision, days/times of attendance and duration of provision must be clearly set out from the start as part of the PEP review.
145. Those persons responsible for arranging the provision must ensure that the provision is compliant with regulations underpinning 'illegal schools' and that there are appropriate safeguards in place.

15. Part-Time Educational Arrangements

146. Part-time education as a whole is illegal, as children are expected to be in full-time (25 hours per week); however, there are exceptional circumstances where a short-term reduction may be appropriate. Where a school plans to reduce a child's timetable an immediate review of the PEP is required, and as corporate parent consent from the Virtual School must be sought prior to initiating the arrangement.

16. Pregnancy

147. Becoming pregnant is not in itself a reason to stop attending school, nor to cease education; however, the young person's and baby's health is paramount and regular advice from health professionals must be sought to ensure existing and future arrangements are paramount.
148. Where a young person becomes pregnant, the social worker must ensure that the young woman remains in education if at all possible and arrange for her to receive support from the education authority for the area in which she lives and/or the school she attends.

17. School Transport

149. In order to maintain continuity of school, those with responsibility for school transport must be approached to provide assistance with transport. A decision will be made taking into account the child's age and the distance from the child's address to the nearest suitable school.
150. Where the child does not qualify for transport in accordance with the Local Authority's Education Transport Policy consideration should be given to other possibilities e.g. funding from other agencies etc.

151. Educational establishments which are not easily accessible should not be chosen. Where they are, transport arrangements and assessment of viability must be completed on a regular basis.

18. Children and Young People with Medical Conditions

152. From 1 September 2014, Governing Boards have a statutory duty to make arrangements to support pupils at school with medical conditions. For more information see Supporting Pupils at School with Medical Conditions (2014): Statutory Guidance for Governing Board of Maintained Schools and Proprietors of Academies in England (DfE).
153. Where Governing Boards are unable to make suitable arrangements the Local Authority has a duty to intervene if a child is to miss 15 days or more regardless of whether this is consecutively or not.
154. The Senior Education Adviser for Vulnerable Learners is the named Officer responsible for identifying children with medical needs who wouldn't otherwise receive a suitable education, unless alternative arrangements are made for them.

19. Training for those Involved in the Care and Education of Looked After Children

155. The Virtual School must ensure that there are appropriate arrangements in place to meet the training needs of those responsible for promoting the educational achievement of Looked After children. This includes carers, social workers, Designated Teachers and IROs.
156. Such training, among other things, must include information about school admission arrangements; Special Educational Needs; attendance and exclusions; homework; choosing options; managing any challenging behaviour in relation to education settings; promoting positive educational and recreational activities and supporting children to be aspirational for their future education; training and employment, and the importance of listening to and taking account of the child's wishes and feelings about education and the PEP process.
157. The VSH must ensure that school governing Board understand the importance of specific professional development for, as a minimum, their senior leaders and Designated Teachers in supporting the achievement of Looked After Children.

20. Information Sharing

158. Virtual School must have access to a secure email account that enables them to exchange information securely with other Virtual School's in whose area they have placed children.
159. Arrangements for sharing reliable data must be in place, particularly in relation to the tracking and monitoring of attainment data and notifications of where children, including those placed out-of-authority, are being educated, and must set out:
160. Who has access to what information and how the security of data will be ensured;
161. How children and parents are informed of, and allowed to challenge, information that is kept about them;

162. How carers contribute to and receive information;
163. Mechanisms for sharing information between relevant local authority departments and schools;
164. How relevant information about individual children is passed promptly between authorities, departments and schools when young people move. Relevant information includes the PEP, which as part of the looked after child's educational record must be transferred with them to the new school.

21. Escalation Process

165. For complaints regarding schools please refer to the Worcestershire County Council website;
http://www.worcestershire.gov.uk/info/20062/schools/31/registering_a_complaint_about_a_school
166. The complaints process against the Local Authority can be found on the Worcestershire County Council website;
http://www.worcestershire.gov.uk/info/20003/council_democracy_and_councillor_information/924/council-wide_services_-_complaints_procedure

Annex A: Virtual School Contacts

Email: primevirtualschoolteam@babcockinternational.com

Helpline: 01905678149

Virtual School Head Teacher

Gwen Fennell: gfennell@worcestershire.gov.uk

Senior Education Adviser for Vulnerable Learners (Previously Looked After Children)

Kate Clegg: kclegg1@worcestershire.gov.uk

Previously Looked After Children Adviser

Jade Busby: jbusby@worcestershire.gov.uk

Out of Area Learning Advocates (Out of County only)

Steven Judd: SJudd@worcestershire.gov.uk

Sarah Winwood: swinwood@worcestershire.gov.uk

Virtual School Coordinator

Anne Griffin: Anne.griffin@babcockinternational.com

Personal Education Plan Coordinators (PEPCos)

Alison Clifford: alison.clifford@babcockinternational.com

Jill Peplow: jill.peplow@babcockinternational.com

Jane Townsend: Jane.Townsend@babcockinternational.com

Fiona Eades: fiona.eades@babcockinternational.com

Early Years

Becky White: rebecca.white@babcockinternational.com

School Improvement

David Townsend: david.townsend3@babcockinternational.com

Colette Maynard: colette.maynard@babcockinternational.com

Admissions

Tracey Wilson: tracey.wilson@babcockinternational.com

Education Psychology

Anna Carter: anna.carter@babcockinternational.com

Education Welfare & School Attendance Team Lead

Donna Parker: Donna.Parker@babcockinternational.com

Attendance

Jane Devereux: jane.devereux@babcockinternational.com

Exclusions

Gethin Howells: gethin.howells@babcockinternational.com

Special Educational Needs

Helen Pretty: helen.pretty@babcockinternational.com

Careers Advice & Guidance

Jessica Francis: jessica.francis@babcockinternational.com

Jane Barr: jane.barr@babcockinternational.com

Useful resources and external organisations

- *A good practice guide for parents: meeting the needs of adopted and permanently placed children* (Adoption UK)
- *A good practice guide for schools: understanding and meeting the needs of children who are looked-after, fostered, adopted or otherwise permanently placed* (PAC, 2013)
- Become (formerly The Who Cares Trust)
- *Framework and evaluation schedule: children in need of help and protection and care leavers and Local Safeguarding Children Boards* (Ofsted 2017)
- National Association of Virtual School Heads
- National Network for the Education of Care Leavers - Higher education activities and resources for care leavers, children in care and those who support them
- The National Children's Bureau

Research

- *The impact of virtual schools on the educational progress of looked after children* (Ofsted, 2012)
- *Education Matters in Care: A report by the independent cross-party inquiry into the educational attainment of looked-after children in England.*
- Information on attachment awareness for schools – Bath Spa University
- *The Educational Progress of Looked After Children in England: Linking Care and Educational Data* – Rees Centre
- *Looked after children: good practice in schools* (Ofsted report 2008)

Practice Tools

- Education Endowment Foundation (EEF) teaching-learning-toolkit

This provides useful information and evidence on effectiveness of types of support which can be facilitated by pupil premium funding.

National Consortium for Examination Results (NCER): VSH management information tool. The NCER NOVA CLA Reports is a new national system to measure the educational performance and progress of children and young people whilst in care at Key Stages 1, 2 and 4. The system matches social care and educational data from the 2016 SSDA903 national database and National Pupil Database; and reports on some of the factors that are shown to make the most difference in improving the outcomes of children in care. The tool operates across local authority boundaries to ensure that children placed in one local authority and educated in another are included in the reporting functionality.

Mental Health

- Adoption Support Fund (ASF)

The ASF was established to help pay for essential therapeutic services for adoptive families as and when they need it. It is available for children up to, and including, the age of 21 (or 25 with an EHC Plan) who have been adopted from local authority care in England or adopted from Wales, Scotland, Northern Ireland but living in England. From 1 April 2016, the Fund became available for intercountry adoptions (once the placement has been made and the child is in England) and for Special Guardians who care for children who were looked-after immediately prior to the Special Guardianship Order.

- *Children's attachment: attachment in children and young people who are adopted from care, in care or at high risk of going into care* (NICE guideline, 2015)

This guideline covers the identification, assessment and treatment of attachment difficulties in children and young people up to age 18 who are adopted from care, in special guardianship, looked after by local authorities in foster homes (including kinship foster care), residential settings and other accommodation, or on the edge of care.

- *Mental health and behaviour in schools* guidance (Department for Education, 2016)
- Strength and Difficulties Questionnaire

Information for researchers and professionals about SDQs.

- MindEd

Online training materials on mental health for families and professionals working

- *Transforming Children and Young People's Mental Health: a Green Paper*

A green paper setting out measures to improve mental health support for children and young people.