

## Promoting the Education of Looked After Children and Young People in Criminal Justice System Policy

### 1. INTRODUCTION

The King's School believes that, as Corporate Parents and in partnership with key stakeholders, we have a legal, moral and professional duty to safeguard and promote the education of Looked after Children (LAC).

*The terms 'looked-after children' and 'children in care' include children placed by a local authority with family members, foster carers or in a residential care home. They also include those placed in care through a care order under section 31 of the Children Act 1989 or by a voluntary agreement with the child's parents under section 20 of the Act. The terms can also be used to refer to children entered into police protection and those involved in the youth justice system.*

We know that a secure and successful education is a major factor in improving the life chances of LAC and Care Leavers. We also recognise that nationally, pupils in care have significantly underachieved compared with their peers. Through implementing this policy, our intention is to work toward closing that achievement gap.

We promote the inclusion, well-being and achievement of looked after children in our school. In pursuance of this we will hold ourselves and our partners to account by asking the question, 'Would this be good enough for my child?'

### 2. Background legislation

This policy is based on the following legislation:

1. *Section 20 of the Children and Young Persons Act 2008 ("the Act") and The Designated Teacher (Looked-after Pupils etc.) (England) Regulations 2009.*
2. *The Local Authority statutory duty under 22(3A) of the Children Act 1989 to promote the educational achievement of looked after children – see link below.*
3. *The Children and Families Act 2014, which requires every local authority in England to appoint an officer to make sure that its duty is properly discharged - referred to as the Virtual School Head.*
4. *The ASCL Act 2009, which places a duty on local authorities to promote a person's learning potential while in custody and on release.*

<https://www.gov.uk/government/publications/promoting-the-education-of-looked-after-children>

### **3. How will the impact of the policy be evidenced?**

The impact of the policy will be seen through improvements in the following key outcomes for Looked After Children:

- ✓ Reduction or zero rate in school exclusions
- ✓ Improved school attendance
- ✓ Improved attainment at statutory assessment stages
- ✓ Improved and maintained rates of progress and attainment
- ✓ Improved quality of Personal Education Plans (PEPs)
- ✓ The views of children & young people (as recorded in PEPs and captured through the Children in Care Council (CiCC) and wider consultation
- ✓ Ultimately, an increase in LAC and Care Leavers and young people in the criminal justice system aged 16+ who are in Education, Employment & Training (EET) and numbers of Care Leavers accessing higher education (HE)

### **4. Partnership working**

We will work together with key local authority departments including the Virtual School Head (VSH) and Corporate Parenting & Education (COPE) team, along with education providers and other relevant agencies, to enable the best possible outcomes for looked after pupils through flexible and proactive partnership working.

### **5. The Governing Body**

The governing body will:

- Ensure that there is a named designated member of staff for LAC (Student Welfare Officer - Mrs.T.Badger) and that she/he is enabled to carry out her/his responsibilities in line with statutory guidance (see link below)
- Support the Principal, designated member of staff and other staff in ensuring that the progress of LAC is prioritised and supported in line with statutory responsibilities
- Nominate a governor ( Carol Davies) for Looked after Children. The nominated governor will take a leading responsibility for the challenge and support of the school in raising achievement for LAC pupils and attend relevant training. The Nominated Governor should have a termly meeting with the designated member of staff, with a clear agenda to address school improvement issues related to LAC. They will also ensure that an annual report (as a minimum) is provided to the governing body by the designated member of staff. The nominated governor will present this report to the wider governing body in partnership with the designated member of staff

### **6. The Senior Leadership Team**

The Principal and Senior Leadership Team will:

- Ensure that LAC are prioritised in school policy & procedure and in the allocation of resources, in line with Ofsted and DfE guidance to ensure that LAC access the best of what the school has to offer
- Ensure that LAC are given top priority in school admissions, in line with national statutory guidance and Wolverhampton Admissions policy. The school must ensure that the provision is right for the child and, if there are issues, school will meet with social care the

Virtual School Head (VSH)/COPE /YOT and other key partners as appropriate, to resolve these issues

- Consider every possible alternative to a temporary or permanent exclusion, in line with national, local and school admissions policies, due to the disproportionate effect that exclusion can have on Looked after Children. Instead, we will work together proactively with all key partners including the local authority, using every resource in our control (including alternative provision where appropriate), to solve problems.
- In the event of a serious issue, which might otherwise lead to permanent exclusion, the child may be placed on a fixed-term exclusion and an emergency review of the PEP and other relevant plans / provision will be called and attended by key personnel, e.g. the child's carer, social worker and (where appropriate) representatives from COPE, 5-18 Early Help Service and/or Youth Offending Team, to resolve the issue
- If we feel that we are unable to meet the child's needs, we will work with external agencies to ensure that any special educational needs, including social emotional and mental health needs, are assessed in accordance with the SEN/D Code of Practice (2015). This should include, where appropriate, referral for a statutory education, health and care needs assessment
- On occasion, by shared agreement and in the best interests of the child, a move to another provision may be considered in order to avoid a permanent exclusion.
- Where a modified timetable may be in the best interests of the child, this will firstly be discussed and (if appropriate) agreed in a review of the Personal Education Plan, thereby taking into account the views of the child, carer and social worker. If the pupil is not looked after but is in the criminal justice system then any timetable modifications will firstly be discussed with YOT case manager and /or YOT Education Officer
- Take a proactive approach to sourcing the DfE-recommended first day provision for fixed term exclusion for LAC, in view of the additional pressures that exclusion can put on care placements and extend this principle to pupils in the criminal justice system
- Be aware that looked after children are more likely to have special educational needs than most, work proactively to identify any SEN affecting Looked after Children, and make appropriate provision in accordance with the SEN/D Code of Practice (2015)
- Ensure that LAC have an appropriate 25-hour offer of education, other than for a fixed period which has been agreed with carer and social worker and /or YOT case manager as being in the child's best interests (such as part of a transition plan) and recorded / reviewed in the PEP
- Make our school "attachment aware" and fully able to meet each child's learning, health & wellbeing needs, by ensuring that key staff keep up-to-date with relevant policy and legislation and attend relevant training, such as that provided by the Virtual School Head (VSH) / COPE and Educational Psychology Service. We will ensure that key staff are aware of statutory guidance in this area (see link below).

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/413368/Promoting\\_the\\_health\\_and\\_well-being\\_of\\_looked-after\\_children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/413368/Promoting_the_health_and_well-being_of_looked-after_children.pdf)

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#### 8. The Designated Member of Staff

We will have a Designated member of staff for LAC and pupils in the criminal justice system who is able to affect changes in policy and procedure where appropriate. The Designated member of staff will:

- Be an advocate for all children in this school who are in care or in the criminal justice system ensuring that their voice is heard and acted upon
- Ensure confidentiality for individual children and only share personal information on a need to know basis and in line with school safeguarding and information-sharing protocols.
- Maintain an up to date record of all Looked after Children and pupils in the criminal justice system who are on the school roll
- Provide the Virtual School Head/Cope Team with termly data on the performance, attendance and attainment of Wolverhampton LAC
- Provide YOT with information on performance, attendance and attainment and other relevant information on pupils in the youth justice system as required and appropriate
- Be a central point of contact, working with any previous educational settings to ensure a smooth induction and transition into school
- Liaise with the child, carer & social worker and /or YOT case manager to ensure that for LAC a high-quality Personal Education Plan (PEP) is completed and reviewed within statutory timescales (and more often if necessary) with SMART targets to support accelerated progress. For young offenders who are not looked after the DT will support joined up working with the YOT case manager and YOT Education Officer
- Ensure that Pupil Premium and other allocated funding is used in the most appropriate way to support each Looked after Child's individual learning targets, as agreed in their PEP meeting with the child's carer, social worker and (where appropriate / necessary) VSH/COPE / YOT representative - see the following link for further information:  
<https://www.gov.uk/pupil-premium-virtual-school-heads-responsibilities>
- Contribute to LAC reviews, YOT intervention plans SEND reviews and other meetings as required & appropriate
- Fulfil school safeguarding protocols, be alert to any child protection issues, and know what action to take.
- Inform the child's carer and social worker when a child in care is absent from school without notification or excluded
- Attend relevant training on safeguarding and Looked after Children, youth offending keep up to date with relevant legislation & guidance and cascade to school staff as appropriate (see links in sections 2 & 6 of this policy)
- Provide in-school training for school staff around attachment, trauma and recovery and its implications for behaviour management.
- Provide support and CPD to staff, with a knowledge of the emotional impact that who are looked after can have on trusted adults, including their class-based staff.
- Meet with the Nominated Governor or Chair of Governors termly and report to the Governing Body annually, as a minimum, on the performance of their Looked after pupils, and pupils in the criminal justice system without naming individual children
- Ensure well planned and informed transitions when a child changes school, with timely information sharing.
- Ensure that the statutory guidance on the role of the Designated member of staff is embedded within practice

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/269764/role\\_and\\_responsibilities\\_of\\_the\\_designated\\_teacher\\_for\\_looked\\_after\\_children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269764/role_and_responsibilities_of_the_designated_teacher_for_looked_after_children.pdf)

## 9. All School Staff

All school staff will:

- Ensure a safe & secure environment in which vulnerable pupils are able to flourish and grow and high aspirations are encouraged
- Seek advice from designated teacher regarding induction, own CPD and any interventions, classroom environment adaptations etc.
- Be sensitive to the needs of LAC, including confidentiality issues
- Support the local authority in its statutory duty to promote the educational achievement of Children in Care and young people in the criminal justice system

## 10. Arrangements for Review

This policy will be reviewed as to its effective implementation on an annual basis and updated as appropriate.

Approved by	Resource & Finance Committee
Date	