

## Children Looked After Policy & Guidance

### Policy

To ensure the promotion of educational achievement and welfare of Children Looked After (CLA) and young people who have previously been Looked After, St John’s College will support the Responsible Local Authorities statutory corporate parenting of this vulnerable group, ensuring all required responsibilities are fulfilled.

### Purpose

To promote the educational achievement and welfare of CLA and young people who have previously been Looked After after within St John’s College.

### Rationale

CLA are one of the most vulnerable groups in society. The majority of CLA have suffered abuse or neglect and for all, becoming looked after is likely to have been a distressing experience. It is nationally recognised that considerable educational underachievement exists across this group when compared to their peers.

### Aims of the Guidance

‘Corporate Parenting’ emphasises the collective responsibility of the whole local authority to achieve good parenting. We recognise that we are an essential partner in this process and as such, we aim to-

- Act as an effective advocate for any young person in, or who has been in public care, attending our College.
- Implement the relevant statutory elements of the Guidance.
- Have high expectations of young people in public care attending college.
- Develop and implement effective inclusive strategies.
- Intervene early and appropriately to support any young person in public care who is experiencing difficulties, liaising promptly with other professionals.
- Work in partnership with parents, carers and social workers to gather and share information to plan and monitor achievement.
- Listen to the young person and/or closely observe and aim to understand their behaviour and its communicative intent or function, respecting their rights of confidentiality.
- Support the statutory review process by providing reports and attending review meetings.

### Equal Opportunities and Valuing Diversity

We believe that young people are or have been in public care are individuals, with distinct identities and needs shaped by their racial origins, religious beliefs, their sex identification and sexuality and, whether or not they are in any way disabled, they all have the right to achieve their potential and an equal right to succeed.

### National and Local Context

The number of CLA in England has increased steadily over the last eleven years. For November 2022 there were 82,170 CLA, up 2% from the previous year. In 2022 30,010 children started to be looked after, up 9% from the previous year. For most children care is intended to be time limited with the aim of returning home as soon as possible. Although there are many reasons why children are looked after by local authorities, they are all likely to have undergone distressing experiences. It is important that schools, the Local Authority, health providers, carers and parents (where appropriate) work together, and intervene

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early on to support these particularly vulnerable children to achieve their educational potential, thus improving their life chances.

## Definitions

### Children Looked After (CLA)

Under the Children Act 1989, a young person is 'looked after' by a local authority if he or she is in their care or provided with accommodation for more than 24 hours by the authority. They fall into four main groups:

- Young people who are accommodated under a voluntary agreement with their parents (section 20).
- Young people who are the subjects of a Care Order (section 31) or Interim Care Order (section 38).
- Young people who are the subjects of emergency orders for their protection (sections 44 and 46).
- Young people who are compulsorily accommodated – this includes young people remanded to the local authority or subject to a criminal justice supervision order with a residence requirement (section 21).

### Children In Care

The term 'In Care' refers only to young people who are subject to a care order made by the Court under Section 31 of the Children Act 1989 - they may live with Foster Carers, in a Children's Home, in a Residential College, with relatives or with parents under supervision.

### Accommodated Children

Young people who are cared for on a voluntary basis are 'accommodated' by the local authority under Section 20 of the Children Act 1989– they may live in foster care, in a care home or in a residential college.

All these groups are said to be 'Looked After Children' (LAC). They may be looked after by one Local Authority but may be living in another authority.

### Adopted Children

**In 2022 2,950 Children Looked After were adopted. Once a child has been adopted, while the Local Authority may provide some financial or other support, the child is no longer "In Care" and all of the normal parental responsibilities are the right and responsibility of the adoptive parent(s).**

### Legislation and Guidance

The Keeping Children Safe in Education includes previously looked after children as a vulnerable group. Part 2 – The management of Safeguarding states 'A previously looked after child potentially remains vulnerable and all staff should have the skills, knowledge and understanding to keep previously looked after children safe.

Under section 52 of the Children Act 2004 (November 2005), local authorities have a duty to promote the educational achievement of the young people in their care. In order for them to implement this duty successfully, they will need the active co-operation of colleges. College governing bodies have a major responsibility for helping young people to succeed: they can champion their needs and raise awareness.

### Potential Barriers to Success

The Social Exclusion Unit's report 'A Better Education for Children in Care' (SEU 2004) identified five key reasons why looked after young people underachieve:

- Their lives are characterised by instability.
- They spend too much time out of college.

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- They do not have sufficient help with their education if they fall behind.
- Primary carers are not expected or equipped to provide sufficient support and encouragement for learning and development.
- They have unmet emotional, mental and physical health needs that impact on their education, Key Elements of Guidance to Local Authorities and Colleges (2005/06).

## Requirements

- Every college must have a designated teacher to act as an advocate for young people in care, at St John’s College this is the Head of Campus (for detailed responsibilities see Appendix 1).
- Every Local Authority must have a Virtual Head Teacher for Looked After Children. [Promoting the education of looked-after children and previously looked-after children \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- Each looked after young person must have a Personal Education Plan.
- Local Authorities must have a protocol for sharing information.
- Care placements are only to be made when education is secured - except in emergency situations
- All young people in public care must have educational arrangements in place within 20 days of entering care.

## College Governing Body responsibilities

Statutory guidance for college governing bodies, (2018), states that:

The way in which the role of the designated teacher will be carried out will vary from college to college. It will depend on the number of looked after children or previously looked after children on roll and their individual needs as well as. If, for example, a college had a significant number of previously looked after children on roll the Governing Body may decide to designate more than one qualified teacher, perhaps with one responsible for pre-16 and a second for post-16 learners.

The designated teacher should be given the appropriate level of support in order to fulfil their role. Some colleges may never have had a looked after child on roll and the designated teacher may not, therefore, be familiar with some of the issues and processes they need to know about.

The Governing Body should, in partnership with the Principal of College, ensure that, through their training and development, the designated teacher has the opportunity to acquire and keep up-to-date the necessary skills, knowledge and training to understand and respond to the specific teaching and learning needs of looked after children.

Governing bodies and the College Leadership Team should also make sure that the designated teacher role contributes to the deeper understanding of everyone in the college who is likely to be involved in supporting looked after children to achieve.

## College Responsibilities

### Designated Teacher

In the statutory guidance of roles and responsibilities of the designated teacher for looked-after and

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previously looked after children it states that all colleges must designate a teacher for young people in public care. This teacher must understand about care and its impact on education; they should preferably be a senior member of staff who will act as an advocate for looked after children, and who will be critical to tackling underachievement. They should ensure that the college contributes effectively to the statutory review process. The designated teacher at St John's College is the Head of Campus.

### **Personal Education Plans (PEPs)**

It is a statutory requirement that every looked after child has a Personal Education Plan, this forms part of their statutory Care Plan. The young person's Social Worker should initiate the PEP working with relevant teachers/education professionals. It is a record of what needs to happen for the young person to enable him/her to fulfil their potential and it reflects any existing education plans, such as a statement of special educational needs and Individual Education Plan (IEP). The young person should be involved in this process and the PEP should be reviewed regularly.

### **Attendance**

The college will ensure that all learners attend regularly; continuity and stability are known to promote educational success for young people in public care.

Often college can be a lifeline when care placements are changing. However, where non-attendance is identified, early intervention is essential. Working in partnership with the Social Workers, Foster Carers, residential placements, Education Welfare Officers, and/or ECPC, the college will take positive action quickly to avoid unauthorised absences.

### **Raising Achievement**

The college sets challenging targets for looked after children and has high expectations of them, both with regard to attainment and also participation in broader college activities. It recognises however that there are often additional hurdles for them to surmount because of their early life experiences; support will be offered where appropriate to help them achieve their potential. Teachers recognise that sensitivity is needed in dealing with aspects of the curriculum which deal with family values and experiences which are likely to either rekindle distressing memories or put the spotlight on the young person.

### **Links with other College Policies and Legislation**

These guidelines are translated into action through other policies and procedures, e.g.

- Behaviour policy
- Adult at Risk Safeguarding and Protection Policy and Procedure
- Child Protection and Safeguarding Policy and Procedure
- PSHE and RSE Policy
- Exclusion Policy
- Anti-bullying Policy
- Equality, Diversity and Inclusion Policy
- Admissions policy

## **Appendix 1**

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The role of the designated teacher for Children in Public Care (LAC, CLA), who for St John's College is Emma Shiel, Designated Safeguarding Lead:

- To maintain a register of young people in public care
- To act as an advocate for the young people within college
- To attend any relevant training on young people in public care and their needs, and passes on key messages to other college staff
- To ensure that each young person has a Personal Education Plan
- To encourage colleagues to have high expectations of the young people, while also being aware of possible obstacles to achievement
- To ensure good liaison with Social Care and other agencies
- To ensure there is an induction meeting for every young person, in order to support their transition
- To ensure that the college provides appropriate reports for statutory reviews and staff with a good knowledge of the young person attend the meeting when invited.
- To ensure educational information is passed on promptly between colleges/agencies with relevant personal information being shared sensitively and with the young person's knowledge
- To promote good communication between teachers and carers
- To promote sensitivity in choice of curricular topics and approaches for young people not living with their birth families
- To ensure that the young person is encouraged and supported to access the full range of activities in and outside college that are appropriate to his or her needs
- To ensure that the young person has a member of staff with whom they can communicate their needs, e.g. their key worker

Further information on the role of the Designated Teacher can be found in the statutory guidance on the role and responsibility of The Designated Teacher for looked-after and previously looked-after children February 2018.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/683561/The\\_designated\\_teacher\\_for\\_looked-after\\_and\\_previously\\_looked-after\\_children.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683561/The_designated_teacher_for_looked-after_and_previously_looked-after_children.pdf)

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