



Education of Young  
People in Public Care

**Guidance**

# Guidance on the Education of Children and Young People in Public Care

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Underlined sections refer to areas either to which effect is given by way of statutory guidance, or for which primary legislation is proposed. For SSDs, this means that those sections (specifically paragraphs 5.17., 6.17., 10.3., and 10.5.) are issued under section 7 (1) the Local Authority Social Services Act 1970, which requires local authorities in the exercise of their social services functions to act under the general guidance of the Secretary of State. By issuing as s7 guidance, insofar as they relate to SSD functions, SSDs are expected to follow those parts, unless there is good reason not to do so. Primary legislation will be needed to place complementary duties on LEAs and schools, and to give statutory force to paragraph 5.34. The Government intends to introduce such legislation when possible.

The numbered references appearing after regulations, reports and other documents, mentioned in the guidance, relate to details listed in Appendix A.





# 1 Introduction

- 1.1** Children in public care are our children. We hold their future in our hands, and education is the key to that future. This guidance is to ensure they get the education they need and deserve.
- 1.2** The purpose of the guidance is to assist local authorities in their role as corporate parents to safeguard and promote the education of children and young people in public care\*. It is intended to bring these young people's educational attainment closer in to line with those of their peers, enabling them to achieve their full potential. 'Educational attainment' refers to performance in academic assessments and tests. However 'education' in this guidance refers in the broadest sense to the education and personal development of the whole child.
- 1.3** The guidance builds upon and replaces Circular 13/94.<sup>11</sup> A list of the relevant circulars and reports to which it relates are set out in Appendix A.
- 1.4** For too long the education of young people in public care has been characterised by fragmentation and unacceptable levels of failure. The underachievement of children in public care, and the failure of agencies to work together in meeting their needs, is well documented and has been re-visited in research and numerous reports. While no national statistics have before now been collected on the educational outcomes of young people in public care, leaving care studies reveal unacceptable levels of underachievement: 75 per cent of care leavers leaving formal education with no qualifications, and between 12 per cent and 19 per cent going on to further education compared with 68 per cent of the general population.<sup>50</sup> Action is now urgently required to improve the quality of corporate parenting and the educational experiences and achievements of children in residential and foster care.

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\* This guidance refers to children and young people 'in public care' throughout rather than the technical term 'looked after children', introduced in the Children Act 1989<sup>1</sup> (see paragraph 3.2 below for a definition of 'looked after' as used in the Act). The two terms are interchangeable but we have used the term "public care" as a result of consultation.



## Case Study

### Raising the educational achievement of children and young people in public care in Kirklees through joint working

Kirklees has developed an initiative focusing initially on young people in care and young people in residential care. It was jointly developed by a partnership between service managers from Education Access, the Education Social Work Service, Social Services Children and Families Department, and Routeways to Success, a single regeneration budget-funded project in Kirklees.

#### **Objectives and progress to date:**

##### ● **To establish joint working at all levels:**

- joint funding supports the initiative;
- joint reports are currently submitted to Education and Social Services Committees and will be submitted to the Council's Policy Committee in the new municipal year;
- a steering group has been established which includes representatives from Education, Social Services, Libraries and the voluntary sector.

##### ● **To ensure that data is accurate, useful and shared by Education and Social Services:**

- Management Information Services from both services have produced a joint database which allows for transfer of information;
- the data base is managed by the ESW, is frequently updated and includes pupil data on both social services and education matters;
- data is beginning to be used more actively to map trends, monitor achievement and plan future action.

##### ● **To establish effective procedures and ensure that practice follows the agreed procedures:**

- an inter-agency group worked together to produce a comprehensive *Guidelines* document setting out roles and responsibilities of different services and sources of support within the authority. All schools and units have contact lists for both services;
- a development group has been established to support initiatives with residential units;
- changes are being made to some problematic procedures, e.g. transport and travel.

##### ● **To provide advocacy and support for young people and their carers experiencing difficulties in accessing education:**

- networking and negotiation has obtained school placements or alternative educational provision for young people;
- partnerships with the Careers Service and training providers have been developed,
- support has been given to carers and young people in attending meetings, introducing young people into new placements and offering support in the initial stages.

- **To offer training for Education and Social Services staff:**
  - joint training courses and events have been provided for schools, Social Services and Education Access staff;
  - a training course has been run for school governors;
  - a regular briefing meeting has been established for teachers and residential staff.
- **To raise the profile of education for children and young people in public care amongst Social Services and Education staff, governors and elected members and to promote a positive attitude towards children and young people in care:**
  - inputs to meetings and events for a range of local authority staff and elected members have been used to raise awareness;
  - an annual celebration of achievement has been established and a successful first event has been held and publicised;
  - the first edition of a newsletter for wide circulation has been produced;
  - a high-profile summer school is being planned.

Action towards achieving these objectives included the setting up of an Education Support Team for children and young people in public care. This consists of one Education Social Worker, one teacher co-ordinator and one full-time equivalent support worker.

**Critical factors:**

- commitment to joint approaches in principle and financial terms from senior managers in Education and Social Services;
- an anchor person to ensure that plans are put into practice and that pace is maintained;
- a balance of grass-roots work with young people and professionals, and work at a strategic and policy level;
- an emphasis upon building networks and working relationships;
- a high profile for the principle of corporate responsibility.

**Contact:** Kirklees Education Support Team for Looked After Children and Young People  
Tel: 01924 326625

- 1.5 Getting it right for young people in public care is about getting it right for all children – especially those who at some time may lack an effective advocate. The ways in which children in public care are supported is a test of the effectiveness of the general policies and practices of a local authority. This is not simply because they have difficult problems to resolve, but because their experiences highlight how robust and inclusive policies and practice really are.

- 1.6 *The Government's Response to the Children's Safeguards Review*<sup>45</sup> has made clear that it is a 'joined up' issue requiring 'joined up' solutions. That is why this is joint guidance and why the emphasis is on the steps that must be taken to ensure effective collaborative action at a local level. It forms part of the government-wide strategy to raise educational standards for all pupils and address the causes of social exclusion.
- 1.7 The Inter-Agency forum convened by the Department for Education and Employment to 'advise ministers on the range of actions central Government needs to undertake,' advised that revised statutory guidance to local authorities was needed to assist them in ensuring that young people in public care gain maximum life chance benefits from educational opportunities.
- 1.8 The local authority has a duty under S22(3) of the Children Act<sup>1</sup> to safeguard and promote the welfare of **all** children and young people who are looked after. One critical dimension of their welfare is their education.
- 1.9 This document provides background to the educational experiences and circumstances of children in public care and sets out the essential measures local authorities must take to ensure that young people in public care gain maximum life chances from the educational opportunities on offer.
- 1.10 Section 2 sets this guidance in the context of policy and research and practice development. Section 3 summarises information about children and young people in public care and their circumstances. Sections 4 – 16 describe the action that needs to be taken by local authorities.

## Key Message

- *It is the duty of local authorities to promote the educational attainment of young people in public care*

## 2 Current policy on children and young people in public care

### Government policy

- 2.1 Children in public care have been and remain at the centre of Government initiatives and legislative changes to transform the quality of children's services. Broad policy themes across Government, of particular relevance to young people in public care, include:
- raising educational standards and tackling underachievement;
  - the recognition that particular groups are at risk of social exclusion; addressed by a range of policy initiatives aimed at promoting inclusion;
  - an emphasis upon planning and target setting;
  - an integrated approach to service provision;
  - delivering efficient services which represent value for money.
- 2.2 Together they create a climate which is conducive to achieving measurable improvements for young people in public care. But if young people in public care are to benefit from the Government's wide-ranging measures, local authorities – their corporate parent – must be an effective champion and ensure that they gain access to and benefit from the opportunities on offer.
- 2.3 The Government's *Review of the Safeguards for Children Living Away from Home*, undertaken by Sir William Utting in 1996 and reported on in *People Like Us* (1997),<sup>47</sup> drew attention to the continuing educational under-achievement of young people in public care, identifying education as a critical dimension of their 'welfare' as defined by the Children Act.<sup>1</sup>
- 2.4 *The Government's Response to the Children's Safeguards Review* (1998)<sup>45</sup> was unequivocal: 'The Government is convinced that the quality of the public care system in which children are looked after by local authorities is unacceptably low.' The Response set out a major programme of reform including specific objectives aimed at improving educational outcomes for children and young people in public care.
- 2.5 In September 1998 the Secretary of State for Health launched 'Quality Protects',<sup>32</sup> a major three year programme to overhaul children's services. He set out its overarching

objectives: 'It will tackle problems of attitudes, standards, management, service delivery and training and ensure the tax-payer gets value for money.'

- 2.6** The Quality Protects programme sets out eleven key national objectives for improving children's services. Objectives 3.0 and 4.0 focus upon improving educational outcomes for children in need and children looked after and within the latter there is a particular focus on looked after children from black and ethnic minority groups:

Objective 3.0

'To ensure that children in need gain maximum life chance benefits from educational opportunities, health care and social care.'

Objective 4.0

'To ensure that children looked after gain maximum life chance benefits from educational opportunities, health care and social care.'

and under Objective 4.0, sub-objective 4.4

'To ensure that children looked after from black and ethnic minority groups gain maximum life chance benefits from educational opportunities, health and social care.'

(See Appendix C for more details on relevant Quality Protects objectives and sub-objectives.)

- 2.7** Under the Quality Protects programme social services departments are required to produce Management Action Plans (MAPs) to be endorsed corporately by the whole local authority. They set out how the local authority plans to improve the life chances of *all* young people in public care, with particular reference to their educational attainment, health and levels of offending. A Children's Services Special Grant is payable over three years (1999/00 – 2001/02) depending on evidence of satisfactory progress in relation to Quality Protects key objectives.

- 2.8** In September 1998 the Department of Health issued *National Priorities Guidance for Modernising Health and Social Services*,<sup>35</sup> setting out specific objectives and targets. The lead priority for children's welfare is: 'To promote and safeguard the welfare of socially excluded children, and particularly of children looked after by local authorities.' The associated target is to: 'Improve the educational attainment of children looked after, by increasing to at least 50% by 2001 the proportion of children leaving care at 16 or later with a GCSE or GNVQ qualification; and to 75% by 2003.'

- 2.9** The work of the Social Exclusion Unit on *Truancy and School Exclusion* (1998)<sup>42</sup> emphasised the need for joined up solutions, especially for children in public care, and recommended that 'effective education should be considered a key outcome of

relevant social services work involving school age children'. It established an overarching target of reducing by one third the numbers of permanent and fixed term exclusions by 2002, and a similar reduction in the time lost to truancy. *The Social Inclusion: Pupil Support*<sup>13</sup> guide provides advice and good practice examples to assist local authorities in meeting this target.

- 2.10** The School Standards and Framework Act 1998<sup>5</sup> places a duty on local education authorities to promote high standards and produce Education Development Plans (EDPs) setting out key targets and how they will be met. These include the National Priorities Guidance target for young people in public care, and similarly require collaboration at a local level.
- 2.11** The Schools Standards and Framework Act enabled the introduction of the Standards Funds.<sup>12</sup> The most relevant grant to assisting young people in public care is the Social Inclusion: Pupil Support grant (19). The Standards Funds allows the Government to specify the sums to be spent on particular initiatives or programmes. In 2000/01 a minimum of £5m has been ring-fenced for the education of young people in public care; authorities may spend more. Each year the Government will review the need to ring-fence and the amounts to be ring-fenced.

## **Research and practice development**

- 2.12** Changes in the policy context have been informed by practice and research developments since Circular 13/94<sup>11</sup> was issued.
- 2.13** Circular 13/94 was itself informed by research and a high level of concern that the education of children and young people in public care had been neglected. It was, in part, a response to two Government reports, the Utting Report (*Children in the Public Care*<sup>46</sup>) and the Warner Report (*Choosing with Care*<sup>39</sup>), just as this guidance is, in part, a response to *The Review of the Safeguards for Children Living Away from Home*.<sup>47</sup>
- 2.14** The publication of Circular 13/94 was immediately followed by the findings of a joint SSI/Ofsted inspection, *The Education of Children Who Are Looked After by Local Authorities*.<sup>44</sup> This provided an important official description of the standard of corporate parenting in relation to the education of children in public care. The report concluded: 'If the standards of achievement of the children are to be improved, individual schools have to assume, in conjunction with the LEA, a greater responsibility for fostering and maintaining the partnership with the social services department and developing strategies which promote the achievements of the children.'
- 2.15** There are noteworthy examples of effective local authority practice from which much has been learned, but there is little evidence of the spread of sustained good practice. Recent initiatives have involved highly successful partnerships, led by the voluntary

sector in collaboration with local authorities, and supported by charitable foundations and central Government. Many of these initiatives have been introduced through the Quality Protects programme. The emphasis of most of these initiatives has been on developing a whole authority approach to improving educational outcomes for children in public care, and practical strategies for multi-agency working – the principles of which are built upon in this guidance.

**2.16** The most recent evidence of the progress made by LEAs in addressing the concerns and recommendations set out in Circular 13/94 and the joint SSI/Ofsted<sup>44</sup> report is set out in a study carried out in 1997 by the National Foundation for Educational Research<sup>54</sup> (NFER). Lessons from research and practice suggest that:

- successful intervention cannot be achieved without a truly corporate effort – political ownership and leadership from senior management are essential;
- much innovative and effective practice fails to become embedded in policy, practice and base funding because it is time-limited and project-based;
- factors contributing to the success of those who have been in care include: stable and consistent care, early reading, regular school attendance, support from well informed foster carers, having a mentor, understanding the importance of education for future life chances and financial support for further and higher education.<sup>59</sup>

## Key Messages

- *Be aware of Government policy promoting the quality of services for young people in public care and the targets for their educational attainments*
- *Learn from good practice how a corporate parent can help the children in its care – through corporate ownership and senior level commitment*



## 3 Who is in public care and why?

### Who is in public care?

- 3.1** The last statistical analysis showed 55,300 children and young people being looked after by local authorities in England,<sup>30</sup> three per cent more than one year previously. Sixty-five per cent live in foster placements, and the rest live in residential provision or with their families with social work support. Approximately 6,300 are looked after in children's homes – a much lower proportion (12%) than in the past. The proportion of boys in care has risen in recent years, as has the number of younger children. At 31 March 1999, twenty-one per cent of all children in public care were under 5 years old.
- 3.2** The term 'looked after' was introduced by the Children Act 1989<sup>1</sup>, and refers to children who are subject to **care orders** and those who are **accommodated**. Sixty-two per cent of all children currently looked after are subject to care orders. Whether children are subject to a Care Order or are accommodated, the local authority, wherever possible, should be working in partnership with parents – this is a principle of the Children Act<sup>1</sup> 22(4) (b). Parents retain primary parental responsibility for their children when they are accommodated though the local authority still has responsibilities as corporate parent. Many children and young people in public care retain strong links with their family, and return home to them after long and short periods in care.
- 3.3** Like young people everywhere, children who are in public care are individuals. They are not a homogenous group. They have distinct identities, aspirations and particular needs, which are influenced and shaped by their racial origins and religious beliefs, their gender and their sexuality, and whether or not they are in any way disabled. Their experiences of care, and of separation from their families and communities, will in turn be affected by these important dimensions of their identity. They all have the potential and the right to succeed.

### Why are children in public care?

- 3.4** Children enter public care for a variety of reasons. Many will have been affected by distressing and damaging experiences, including physical and sexual abuse and neglect. Some will be in public care because of the illness or death of a parent or because their families are in some way unable to provide adequate care for them. The majority of young people in public care come from families who experience hardship and are separated from them because of some form of family upheaval or breakdown. Less than two per cent of young people are in public care because of offences they have committed.<sup>30</sup>

## **What does care feel like?**

- 3.5** Very few children want to be in care even though they may understand that they cannot live with their families. Despite the legal requirement to ascertain their wishes and feelings, they often feel that they are not involved in the major decisions which are taken about their lives. Uncertainty about the immediate and long-term future is a major worry.
- 3.6** Some young people feel safer and well cared for in foster care and residential care, but all have to cope with significant losses – of family, friends, and in some cases of identity and familiar neighbourhoods and communities. For some the most acute sense of separation is from brothers and sisters, who may have remained with their original family or be in care somewhere else. Some feel that they receive little help with their feelings about the experiences and events which led to separation from their family. They have ‘unmet needs’.
- 3.7** They have a lot of changes to cope with: new carers, new surroundings and new ways of doing things; and perhaps no-one who is familiar to them. A child from an ethnic minority background, for instance, may be placed with carers from a different ethnic background. Many children experience numerous and sometimes unplanned moves of home. Each move may also mean a change of school.
- 3.8** A confident and competent adult would need considerable personal resources and robust support networks to withstand what young people in public care routinely experience. Yet many of the basic consequences of being taken into public care – rejection, loss, change and uncertainty – are not acknowledged or responded to once a young person is ‘looked after’. Instead the stigma associated with public care often means that they feel excluded from normal activities and opportunities, and are assumed to be troublesome. Although there is often significant mental trauma associated with the experience of public care the general lack of support means there is a high level of unmet need.
- 3.9** A move of school for a child in a settled family with supportive parents can be a huge ordeal, involving loss of friends, familiar teachers and surroundings. Usually a caring parent will smooth the way and a school’s normal admissions and pastoral and peer support systems will assist the child. For the child in public care, who may have suffered abuse or harm in his or her own family, the change of school may be sudden, following an emergency placement, part-way through a school term. Other pupils want to know ‘where you’re from’. There may be no information about the child’s circumstances given to the school; the class teacher may know nothing about what being in public care means; carers may have no record of the child’s educational history. Changing schools is just one illustration of where careful planning and communication can make a critical difference to the educational progress of children and young people in public care.

## What are the barriers to educational success?

**3.10** Young people's accounts of their care experiences throw a very harsh light on the inclusiveness of services designed to meet their needs, including schools. For them the biggest barrier to succeeding remains one of attitude. Some key factors identified in research, practice and inspection include:

- children experience numerous, and often unplanned, moves of home;
- they experience unnecessary moves of school or are out of school for prolonged periods;
- making and sustaining relationships with peers can be particularly difficult due to lack of continuity in care and schooling;
- lack of continuity in care providers and teachers means that young people in public care cannot rely upon familiar adults who they trust to advocate for their needs;
- low self-esteem, and perhaps a justifiable mistrust of adults from pre-care and care experiences, can act as a barrier to enjoyment of schooling and educational success;
- some children experience bullying, racial abuse or harassment;
- social services departments, LEAs and schools do not gather and share information that would help them to plan effectively;
- local authorities do not monitor the educational progress or needs of young people in public care individually or as a discrete group;
- social services and LEAs, individual schools, carers, social workers and teachers are unclear about their respective roles and responsibilities;
- those responsible for the day-to-day care of young people in public care do not place sufficient value on education;
- schools and carers display lower expectations of young people in public care, which can contribute to underachievement and failure;
- schools and social services do not act quickly and sensitively to help pupils in public care catch up when their education is disrupted;
- pupils in public care are over represented amongst pupils excluded from school;
- the special educational needs of some young people in public care are not identified or addressed;
- the needs of black and ethnic minority children are not always adequately considered in the care placement or educational placement.

## **Key Messages**

- *Understand what public care means for children and young people*
- *Help young people cope with change*
- *Identify and overcome barriers to success*

## 4 Towards better corporate parenting

### What is corporate parenting?

- 4.1** Responsible parents hold together many strands in their children's lives: they care about their safety and their health, their education and their leisure interests, their friendships and their futures. They have continuous knowledge of their children's development, and what their particular talents and achievements and needs and problems are. They listen and talk to their children so that they are aware of their needs and concerns. For children who are in public care, just as for children in settled families, care, health and education are closely linked. If you are settled and supported you have a greater chance of taking advantage of the educational opportunities on offer.
- 4.2** Parents play an extremely important role in the education of their children. The serious underachievement of children who are without continuous parental advocacy is testimony to this. Committed parents express preferences for schools and appeal against decisions which they feel will harm their children's future chances; they attend parents' evenings and sports days; they expect to be consulted and involved if their child has special educational needs. Parental partnership and robust home-school links are equally vital for children and young people in public care.
- 4.3** 'Corporate parenting' emphasises the collective responsibility of local authorities to achieve good parenting. In broad terms, we expect a corporate parent to do at least what a good parent would do. Once a local authority has taken the profound and difficult decision to remove a child, short-term or long-term, from his or her family, it is the duty of the whole local authority to 'safeguard and promote his welfare' (1989 Children Act1 S22(3)(a)). The 'whole authority' includes the education department as well as social services, and schools also have a key role to play. The responsibility of the corporate parent continues at least until the age of 21 and up to the age of 24 if the young person is still being supported in higher education or training.
- 4.4** The range of individuals and agencies involved in practice in delivering corporate parenting is diverse and, from the point of view of the child, potentially overwhelming. They include: elected members, senior officers and managers of the LEA and social services department; representatives of the Health Trust/Authority; headteachers; school governors; social workers, residential social workers and foster carers; education social workers; teachers and learning support assistants; educational psychologists and education support personnel; Career Advisers; Personal Advisers:

fostering/family placement managers, and parents. A local authority may also have a Children's Rights Officer, Independent Visitors, Mentors and Guardians *ad Litem* involved in the lives of children and young people in public care.

- 4.5** The extent of the involvement of these professionals will vary according to the needs and circumstances of the child. Some will more directly influence a young person's educational opportunities than others. All need to be aware of the importance of education and the need to support and improve educational progress. It is essential that the actions and efforts of all those involved are articulated in such a way that corporate parenting translates into 'good parenting', and that children and young people receive as seamless a service as possible. Lack of co-ordination can dramatically impair the educational outcomes of children and young people in public care.
- 4.6** The Government's expectations of the local authority as corporate parent have been set out within the Quality Protects framework, and sent by the Secretary of State for Health to local authority Councillors. (See Appendix B). Department of Health in partnership with the LGA also published '*Think Child*' (1999) a guide for all elected members to help them in the vital task of improving the lives of children and young people, which includes young people in public care.
- 4.7** The Government has issued draft guidance on promoting the health of looked after children (6 December 1999). It is important that all those working with young people in public care take account of both sets of guidance (on education and health) as part of an overall strategy to improve the quality of care, raise standards and improve outcomes for young people in public care.
- 4.8** Many local authorities have begun to address their corporate parenting responsibilities in relation to education, some by working in partnership with the voluntary sector to establish policy and procedures and develop training. There is established good practice in a small number of authorities, especially where support services have been allowed to 'mature'. But recent research confirms that for most authorities such developments have been left to chance. This guidance as part of the national policy context is aimed at ensuring that the entitlement to education of young people in public care will be upheld by vigorous corporate parents applying principles of good parenting.

## Corporate parenting education principles

### *Prioritising education*

- 4.9 Education matters to all children and young people, including those in the care of local authorities. It is their entitlement. School is an important part of everyday life for them: somewhere to develop self-confidence and skills, to receive praise and encouragement, to learn about and build relationships, and to achieve.

## Case Study

### Additional funding for children and young people in public care

As part of developing strategies to support the education of children and young people in public care Surrey Local Education Authority has allocated additional funding for children in the care of the authority through a change in the LMS formula. From 1 April 1999, 150 young people in public care in secondary schools received an additional weighting of £500. This allocation will occur on an annual basis. This policy change will help to raise the profile of young people in care and the authority's commitment to improving their education, as well as provide opportunities for joint education and social service planning.

The funding will provide supply cover for approximately 4 days per year for the nominated teacher in school. Suggestions for good use of this time are to:

- maintain an up to date register of looked after pupils;
- liaise with social services;
- formulate and disseminate termly individual education plans;
- provide induction for new pupils;
- provide counselling if appropriate;
- attend an annual half-day Surrey conference and other training;
- keep abreast of good practice, both locally and nationally;
- raise the profile of looked after pupils in their school.

**Contact:** Educational Psychology Service 0181 541 9563

- 4.10 Valuing and supporting the education of children in public care is one of the most important contributions a corporate parent can make to their lives, because it is about investing in and caring about their future, and recognising that education is their passport to better chances in life.



### **High expectations – raising standards**

- 4.11** Research has identified that those involved in corporate parenting have lower aspirations for, and expectations of young people in public care, both in terms of achievement and behaviour. This stems from well intentioned assumptions that children who have endured traumatic events in their lives simply cannot take advantage of learning opportunities. It is also a reflection of the low priority accorded to education in care planning. The Government is committed to raising standards for all children. Higher expectations of children in public care, and of service providers in supporting them, are essential.
- 4.12** Quality Protects demands that local authorities have higher expectations in their role as corporate parents. This must translate into consistently high expectations on the part of all those with day-to-day contact with young people in public care. These high expectations need to translate into action: ensuring regular attendance, securing a school place without delay, homework and study support, and behaviour support where appropriate. It is about the mutual high expectations of all parties involved in corporate parenting, so that the shared objective of raising the attainments of children is achieved.
- 4.13** High expectations of achievements need to be communicated to each individual child enabling them to meet their full potential. Each and every success should be rewarded and celebrated. This is what a good parent offers to their child.

### **Inclusion – changing attitudes**

- 4.14** Changing and challenging negative attitudes about young people in public care is critical to changing their educational experiences and improving outcomes.
- 4.15** School is potentially a place to be ‘like everyone else’, and can provide much needed continuity. Corporate parents need to ensure that young people in public care have equal **access** to educational provision and opportunities, and that the needs of individual pupils are sensitively and promptly met so that they can take advantage of those opportunities. For the vast majority of children and young people in public care this will be in their local mainstream school.
- 4.16** Young people in public care report many instances of different treatment and ‘exclusion’: bullying and name calling and intrusive questioning about their home circumstances. They also know that it takes much longer to find them a school, and some feel that they are more likely to be excluded than other pupils. Pupils need careful induction into new schools and staff need to be diligent to ensure that no one is isolated or bullied. The school’s designated teacher (referred to in 5.27. – 5.35. below) has an important role in supervising the smooth induction of young people in public care, treading a path between the child’s need for confidentiality and making the child feel welcome.

- 4.17** Corporate parents need to be confident that policies at school and at local authority level embrace the circumstances of young people in public care and do not single them out or discriminate against them in any way because they do not live at home with their birth families. Where a parental advocate is needed to access any service or support, the local authority as corporate parent must ensure that all children in their care have an effective champion. Schools, LEAs and social services departments should be confident that their anti-bullying strategies and equal opportunities policies encompass children and young people in public care.
- 4.18** As stated earlier children and young people in public care are not a homogenous group. Some will have other perceived “differences”. For example, young people from ethnic minorities are over-represented within the national population of young people in care. They are likely to experience negative stereotyping and racism from children and adults who do not share their ethnic identity. *The Government’s Objectives for Children’s Social Services*<sup>37</sup> state ‘the Government believes that the needs of black and ethnic minority children and families must be identified and met through services which are culturally sensitive and which recognise and value diversity.’
- 4.19** These children are particularly vulnerable to isolation and bullying unless there are effective policies and practices to prevent discrimination. Local authorities will need to provide appropriate support for black and ethnic minority children.
- 4.20** Of course black and ethnic minority people are themselves not a homogenous group and this needs to be taken into account especially when local authorities receive unaccompanied asylum seeking children, whether from visible ethnic minorities or not, as well as when dealing with young people from established minority groups.
- 4.21.** A disproportionate number of children and young people in care are disabled. These young people face additional prejudice, isolation and low expectations. This includes a failure by many professionals to seek their views and involve them in major decisions about their lives.
- 4.22** Local authorities – and schools – need to be alert to the likelihood of double discrimination and the impact on already vulnerable young people. As corporate parents they must be sensitive to the discrimination children experience and take action to prevent it, particularly in tackling bullying in schools and challenging other forms of social exclusion. They should also ensure that all young people have access to means of redress, complaints procedures and help in using them.
- 4.23** All those involved in corporate parenting are expected to promote achievement and actively challenge instances of less favourable or different treatment. For instance, pupils in public care should have equal access to the National Curriculum and

associated tests, and to public examinations and careers guidance. They should be encouraged and enabled to take part in extra-curricular activities and school trips and to seek additional educational support when needed. They should also be assisted to obtain suitable work experience placements.

- 4.24** Children in public care are likely to span the full range of ability. Though the effects of separation and loss associated with going into care will almost always have an emotional impact upon a child, this does not mean that all young people in public care will have emotional or behavioural difficulties that will prevent them from learning and achieving. Children in public care can and do achieve. But they are also likely to have difficult feelings to resolve and will need understanding and support. They need adults who consistently value what they are good at and stress how important their education is while offering that support.

### ***Achieving continuity and stability***

- 4.25** Continuity and stability are known to promote educational success for children in public care. There is a clear relationship between schooling difficulties and placement breakdown: either may precipitate the other. Supporting schooling as a central part of care planning and placement support is therefore preventive. Quality Protects has set targets to promote stability and reduce placement moves.

- 4.26** Meeting these objectives will reinforce effective liaison between schools, carers and social services departments.

- 4.27** Repeated changes of school and of placement are damaging, not only because of the disruption they cause, but because each change represents another ending. Some young people experience unwanted family breakdown and go on to experience the termination of placements which they do not want to end. Some find it difficult to relate to new carers or to trust them, and they and their carers do not obtain the support they need in time to prevent another crisis and eventual breakdown. Sometimes a crisis will be exclusion from school. The overall message a lot of young people receive is that they are not important enough for people to want to make things work for them, and that it is acceptable to break up relationships. As young adults they need the skills to make and sustain relationships and to engage in work. Some will become young parents. To provide stability they need to experience it.

- 4.28** School can provide the one source of continuity and stability in an otherwise turbulent and uncertain life. When consulted, children in care say that they like school and want to be there. Some describe it as a lifeline. As well as a place to acquire skills and knowledge, school is somewhere to make friends and learn about relationships, and to receive praise and encouragement. Helping to build self-confidence and self-esteem is central to good corporate parenting. Schools and individual teachers and support staff

can and do make a huge contribution to stability in the lives of young people in public care. Considerations of stability and continuity are particularly relevant to agencies working together to prevent exclusion from school or to ensure that, where a young person in public care has to move school, a suitable place is found immediately.

- 4.29** Many parents retain a strong interest in their children's education, even when they are unable to live with them. There is also evidence that children separated from their parents are nonetheless motivated by a desire to please and impress them. Schools and social services should support the continued involvement of children's families in their children's progress and achievements; however, in some cases social services will advise against contact due to the particular circumstances of a child. Areas where parental involvement might be particularly beneficial for children and young people in care are: **Early years** (Section 7); **special educational needs** (Section 9); **Admissions, exclusions and transitions** (Section 10); **Out-of-Authority placements** (Section 11); **Supporting carers** and **Training** (Section 13 & 14); **Advocacy** (Section 15); and **Young people placed in secure accommodation** (Section 16).

### **Early intervention – priority action**

- 4.30** The education of young people in public care has also been characterised by drift and delay, due to the lack of consistent and effective advocacy. Early intervention can be preventive. It also signals to the young person, and their carers, the importance of their education, and that because they are in the care of the local authority they are a priority.
- 4.31** Avoiding delay and taking positive action quickly should be a shared objective of all involved in corporate parenting. It is not acceptable for children to be out of school, except in exceptional and agreed circumstances. Young people in public care are identified as a group at risk of disaffection and exclusion and as a 'vulnerable group' in Circular 1/98.<sup>9</sup> Their care status should not mean that they are treated less favourably or that assumptions are made about their needs or behaviour. It should, however, act as a trigger for priority action by all involved in providing support services.

### **Listening to children**

- 4.32** Much of what is now known about the impact of care upon education comes from young people who have experienced the care system. They know what care feels like from the inside. Like other children they also know what interests, engages and motivates them, and what undermines their motivation. Local authorities should be routinely gathering information by consulting young people.
- 4.33** To fulfil this responsibility a special effort needs to be made to communicate with young people who are withdrawn, are less communicative, are disabled or placed outside their home authority.

- 4.34** The 1989 Children Act<sup>1</sup> and the UN Convention on the Rights of the Child require those with responsibility for children to ascertain their wishes and feelings. Good parents listen to and communicate with their children. Quality Protects demands that local authorities listen to the views of young people to help them plan and deliver services. This will include their views and ideas about their education. To this end one of the priority areas for Quality Protects expenditure is listening to children.
- 4.35** All children benefit from opportunities to participate: where they live, at school and in their neighbourhoods. This may range from contributing to discussions and decisions about how things should be run or organised where they live, to being a member of a School Council, or helping to shape new community services for all young people. Many local authorities and schools are developing such opportunities, formally and informally. Efforts should be made to ensure that these opportunities are extended to the young people in the care of the authority.

### **Key Messages**

- *A corporate parent should ensure it is a 'good parent'*
- *Be aware of the danger of discrimination, and of double discrimination against disabled children or those from ethnic minorities*
- *Aim for continuity and stability*
- *Have high expectations*
- *Listen to children and young people*

## Case Study

### Raising achievement

Hampshire County Council Education Support Service has developed a range of strategies for raising attainments of young people in care. These include:

- **Looking After Literacy Strategy** – a partnership with the National Literacy Association. The strategy for improving reading skills of children in residential and foster care is set out below:

#### Improving Reading Skills

- Literacy targets included in the Quality Protects Management Action Plan.
- Poor Literacy Levels identified by specialist support teachers for looked after young people.
- Homework clubs established in children’s homes supported by a specialist teacher.
- Additional books donated by the National Literacy Association to children’s homes and foster carers.
- A week long literacy summer school for 25 young people in care aged 10–13 years.
- A training day for carers and children’s home staff on literacy.
- A research project to raise the literacy levels of the two parallel groups of children in foster care and residential care.

- **Supporting Attendance – through a carers/children’s home education policy**  
Hampshire’s corporate approach ensures consistency through a whole local authority approach and success through wide ownership of the policy. The policy is prepared in partnership with:

- young people
- carers
- school staff
- social workers
- specialist support service

The policy sets out:

#### **Carers’ commitment to schools:**

- to ensure that education is given the highest priority;
- to prepare an Education Plan within 7 days of a young person becoming looked after;
- to provide clear lines of communication;
- to maintain daytime routines that support education;
- to recognise and reward educational achievement;
- to establish an education day for looked after young people who are not attending school;
- to support and encourage young people in completing coursework and homework;
- to develop resources that support young people’s education;
- to attend meetings and events at schools.

**Carers' expectations from schools:**

- to contribute to, and maintain, an Education Plan;
- to feed back positive achievements as well as concerns;
- to develop an increased awareness of the needs of looked after young people;
- to understand and support young people with temporary difficulties;
- to establish a clear communications structure between school and home;
- to provide the carers with written information and school policies;
- to supply work for young people excluded from school;
- to attend key meetings held by social services.

**Contact:** Hampshire Social Services Children & Families Commissioning Team  
Tel. 01962 841841



## 5 Effective co-operation between agencies

### Policies, structures and people

- 5.1 Best Value, Children's Services Plans, Education Development Plans (EDPs), Quality Protects Management Action Plans (MAPs) and Connexions service strategy together should provide a corporate framework which safeguards the interests of young people in public care. However, the educational history of young people in public care suggests that effective multi-agency collaboration does not just happen. There needs to be someone providing the link between agencies and implementing joint objectives.
- 5.2 Authorities currently have a variety of arrangements for meeting their corporate parenting responsibilities. Quality Protects<sup>32</sup> requires social services departments to nominate a lead officer, at either Director or second tier level, to take forward the MAP, liaise with other agencies and report back to elected members. Some authorities have Children's Planning Officers or other designated roles which involve some level of multi-agency co-ordination.
- 5.3 The case for multi-agency working should no longer need making. The Children Act,<sup>1</sup> the *Code of Practice on the Identification and Assessment of Special Needs*<sup>20</sup> and *Behaviour Support Plans Guidance (Circular 1/98)*<sup>9</sup> all require inter-agency consultation and co-operation. However, different agencies continue to operate different definitions and criteria of need. The co-ordination demanded by corporate parenting requires a skilled senior officer with a clear remit to establish and enforce joint procedures and protocols and provide a **permanent** resource for all involved in corporate parenting: **a champion for young people in public care.**
- 5.4 The potential benefits of such a resource extend far beyond the immediate need to improve educational outcomes for young people in public care.
- 5.5 Joint decision-making structures at committee level are also more likely to promote effective inter-agency collaboration and joint funding possibilities.

## **Case Study**

### **Developing multi-disciplinary groups at local authority level**

From 1996-1999 social services and education departments in Buckinghamshire, Oxfordshire, Surrey and Wokingham worked with the National Children's Bureau (NCB) to develop multi-disciplinary groups of staff. Their core aim was to improve the educational opportunities of children in public care.

Each group, which met regularly, included teachers, social workers, foster carers, residential social workers, educational psychologists, education welfare officers/ education social workers, care leavers, careers advisers and youth workers.

The group's main aims were:

- to identify what each agency felt helped or hindered the children they were supporting, to achieve their educational potential;
- to devise and pilot practical, effective and co-ordinated strategies which supported young people's education;
- to advise and assist managers in raising awareness and implementing best practice across their respective authorities;
- to help the NCB produce joint training materials for use nationally.

Particularly valued by group members was the opportunity to learn directly about other agencies' perspectives: the terms and language they used, their roles and processes.

Crucial factors in the success of multi-disciplinary staff development were:

- Education and Social Services managers were committed to its importance and valued the practical suggestions which emerged;
- facilitators (e.g. educational psychologists and/or social services training officers) understood the issues and were clear about the purpose of each session;
- group members acknowledged gaps in their knowledge and understanding which helped motivate and sustain the groups;
- care was taken to consult on and identify the best time, place and duration for sessions as agencies have different operational constraints;
- effective communication through newsletters, minutes, invitations to events, phone calls to remind members of forthcoming sessions, and consultation on materials produced;
- policies and procedures developed by the groups took account of related policy developments at a national and local level.

The main purpose of developing joint training for staff was to improve educational outcomes for the children in the care of local authorities. However, the benefits proved to be much wider. Improvement in inter-agency understanding and the establishment of better collaborative working methods is beneficial to a wider range of vulnerable children with whom the various staff work. Also multi-disciplinary groups, although established for this particular purpose, can continue to provide a valuable resource for other initiatives requiring partnership activity.

(This project was funded by the Department of Health and the participating local authorities, and the training materials have been published as 'Care About Education'<sup>73</sup> NCB 1999).

**Contact:** National Children's Bureau Tel: 0171 843 6000.

## **Policies and plans**

- 5.6** All involved in corporate parenting should have a clear shared understanding of the local authority's commitment to improving educational experiences and outcomes for young people in public care and how they aim to achieve it. This should be set out in a policy endorsed both by local authority Departments and Council Members, signalling authority wide ownership. Different agencies within the authority may have policies and protocols which include or refer to young people in public care and their education, but which do not make the links explicit, for instance Leisure Services. A partial understanding of the authority's position can lead to fragmentation and impede joint working.
- 5.7** A policy on the education of young people in public care should set out the entitlement of children and young people in public care to full-time education in mainstream schools, wherever possible, and the mechanisms by which young people in care and their carers can access support, including support to meet special educational needs. It should set out the respective roles of social workers, residential and foster carers, LEA and social services and the role of designated teachers (refer to 5.27. – 5.35. below). It should set out national targets for young people in public care and any additional targets reflecting local priorities and aspirations. It should set out the authority's arrangements for children who are placed outside the authority and how the educational progress of children in those placements will be monitored.
- 5.8** Planning is important at a **strategic** and **individual** level to help children and young people in public care succeed at school and make successful transitions post-16. Education Development Plans, Quality Protects Management Action Plans and Children's Services Plans should set out the corporate vision for children's services and specific goals, including educational ones, for children in the care of the authority. The National Priorities Guidance target for the education of looked after children and the Quality Protects targets, plus any additional local targets, will form part of the strategic planning for young people in public care.

**5.9** The importance of educational planning and support for young people in public care should be included in:

- Children's Services Plans
- Educational Development Plans
- Quality Protects Management Action Plans
- Care Planning and Reviewing policies
- Post-16 policies
- Family placement policies
- Children's Homes policies
- Whole school behaviour policies including anti-bullying strategies
- LEA Behaviour Support Plans
- Early Years Development Plans
- School admissions and exclusions policies
- Partnership agreements with the Careers Service
- Equal opportunities policies
- Spiritual Moral and Cultural Policy
- Special Educational Needs policies

### **Individual care plans and education planning**

**5.10** The 1989 Children Act<sup>1</sup> emphasises the importance of assessment and planning, and reviewing of plans, for children and young people who are looked after by the local authority. It is a statutory requirement that every child looked after has a Care Plan and a Placement Plan drawn up by social services as set out in the *Arrangements for Placement of Children (General) Regulations 1991*.<sup>6</sup> LEAs must be notified by social services of the placement of the child.

**5.11** The Care Plan should take account of the child's educational history, the need to achieve continuity, and the need to identify any educational need which the child may have, or carry out any assessment in respect of any special educational need. The plan should take account of any existing Individual Education Plan (IEP) and statement of Special Educational Needs drawn up through the SEN Code of Practice.<sup>20</sup> The child, his or her family, the social worker and teacher and primary carers (foster carers or residential social workers) should all be involved in drawing up the Care Plan. The Children (Leaving Care) Bill (introduced in the House of Lords in November 1999) introduces a further plan, the Pathway Plan for young people aged 16 and 17 in or leaving care. These too will need to be co-ordinated with existing plans.

- 5.12** It is recommended good practice to amalgamate the Looked After Children Statutory Review with reviews of other relevant plans as this establishes a holistic and consistent approach to planning for the child. It also encourages all the key players to be involved in the child's long-term care, education and health. Amalgamation also reduces the possibility of young people being called away to too many planning and review meetings which might disrupt their education and potentially may mark them out as "different" in the eyes of their peers. Amalgamation does not necessitate the young person having to go to overly large and formal reviews. A two tier arrangement can be adopted so that the young person can participate with a few people that they trust and express their needs and wishes. Those few people then take on responsibility for liaison with the wider group. It is strongly recommended that this should happen if young people prefer this arrangement.
- 5.13** Quality Protects objectives require local authorities to think hard about the suitability of placements, and to do all that they can to improve the quality and choice of placements. Consideration of who can best support a child to make good progress and achieve is key to bringing about these overall improvements in the quality of children's services.
- 5.14** Continuous planning and monitoring of plans is carried out through the Looked After Children Review, as set out in the *Review of Children's Cases Regulations 1991*.<sup>6</sup> The social services department has a duty to consult with all appropriate interested agencies and individuals. Statutory Reviews should act as a very important safeguard for the child or young person. The school has a vital input to make. The year or class teacher (or designated teacher – see 5.29 below) should attend the Review where possible and appropriate, and such meetings should be arranged at times convenient to all participants. If this is not possible the school must ensure that a written report on progress towards any short or long-term targets which have been set is presented at the Review meeting. The school should also ensure that feedback is obtained from the Review, that these are discussed with social services and, where necessary, primary carers, and acted upon. It would be good practice to review the Personal Education Plan (see paragraph 5.16. – 5.26. below) at the same time or close to the time of the Review.
- 5.15** The majority of social services departments use the Department of Health Looking After Children recording materials, which include Assessment and Action Records<sup>36</sup> detailing a young person's educational progress and needs. This should provide an additional source of information to use at a strategic and individual level.

## **Personal Education Plans for children and young people in public care**

- 5.16** Care plans and statutory reviews alone, however, have not proved sufficient in promoting and prioritising the education of young people in public care.
- 5.17** Every child and young person in public care needs a Personal Education Plan which ensures access to services and support; contributes to stability, minimises disruption and broken schooling; signals particular and special needs; establishes clear goals and acts as a record of progress and achievement.
- 5.18** The PEP should be sensitive to the diverse needs of children and young people and should focus on the action that is required for them to fulfil their potential. Plans should set clear objectives or targets for the young person which relate to academic achievement as well as other personal and, if appropriate, behavioural targets, and details of who will action the plan with timescales for action and review. It will cover the following four areas: **an achievement record** (academic or otherwise); identification of **developmental and educational needs** (short and long term, development of skills, knowledge or subject areas and experiences); **short-term targets** including progress monitoring; and **long term plans and aspirations** (targets including progress, careers plans and aspirations). The latter might be broken into shorter-term, achievable goals.
- 5.19** Information about developing a PEP, which can be modified to reflect Local Authority need, can be found on the DfEE website at [www.dfes.gov.uk/incare/pep.htm](http://www.dfes.gov.uk/incare/pep.htm). Some authorities have already developed and introduced education plans for young people in public care and model plans have been produced by voluntary sector child care organisations.<sup>71</sup> In addition to providing essential information for schools and carers, education plans also encourage dialogue between social workers, carers and schools and underline the importance attached to the young person's education by all involved in corporate parenting.
- 5.20** The Personal Education Plan (PEP) should be an integral part of the Care Plan, reflecting any existing education plans, e.g. Individual Education Plan, Statement of Special needs, Careers Action Plan. Wherever possible the content of a Pastoral Support Programme or Learning Mentor Action Plan should be included in the PEP avoiding the need for duplication. PEPs will also be helpful in compiling an accurate educational record for the young person and National Record of Achievement/Progress File.

## **Case Study**

### **Personal education plans for young people in care**

Bedfordshire LEA formed a multi-agency group of officers to promote the educational achievement of young people in care. The group includes two managers from the Education Department, the Principal Education Welfare Officer, a representative from the Youth Service, the Psychologist for Looked After Children, the Children's Services Manager from Social and Community Care, the Manager of a team of teachers supporting children and young people in care, and a Management Information Systems representative from both departments.

One of the main vehicles Bedfordshire is using to enhance educational opportunities for children in public care was the Personal Education Plan. The authority acknowledges that not all young people in public care have special educational needs and that they will not all be considered under the Special Educational Needs Code of Practice. However, they are also aware that moving into the care system can be quite traumatic for children and someone is needed in each school to monitor the progress of these children. Each school is required to name a teacher who keeps a register of all young people in care in the school and a record of their achievements and needs – academic, social, emotional and behavioural – in order to be aware of any potential problems and try to intervene at an early stage to support the child, school and carer.

Each looked after child is to have a Personal Education Plan. Bedfordshire used the Personal Education Plan developed by the National Children's Bureau. Children receive a Plan as they come into the care system or one month before their care plans are reviewed. The Personal Education Plan contained all the essential information about the child from the Department of Health Looking After Children materials, and also information for both school and home about key personnel such as parents, social worker, foster carer, residential social worker, link teacher and Head of Year/Class teacher name and contact number for each of these. Wherever possible the child contributes to the completion of the plan which was based on the Education section of the DH Looked After Children Assessment and Action Records<sup>36</sup>.

The plan also requires a teacher to sit with the child and review progress, taking account of the child's views, and recording both the teacher's and the child's views where they differ. This process helps the teacher and child clarify their perceptions about what the child is achieving. The child is asked to set targets with the teacher and carer during the education planning meeting, but this is discussed with the child beforehand so that they are ready and able to contribute to the discussion. The information from the education planning meeting and the Personal Education Plan is used at the child's Care Review to provide accurate quality educational information to aid discussion and decision making. The Education Plan is reviewed termly and a new education planning meeting held, usually at the school. Any Special Educational Needs reviews can inform the Education Planning meeting and vice versa helping to give a multi-agency perspective to the two review systems.

One very useful aspect of the Personal Education Plan is that it enabled everyone involved to be clear about the child's understanding of their educational progress and aspirations. It also clearly showed who holds which responsibilities, so that at the termly review meetings progress could be clearly measured.

Bedfordshire appointed a Senior Psychologist for Looked after Children as a joint funded post with Social and Community Care. This Psychologist works to support carers of Young people in public care and also works within the Educational Psychology Team. A successful Standards fund bid has meant that another Educational Psychologist and Educational Welfare Officer will work together to support the work with children in public care during the three year project.

**Contact:** Senior Psychologist for Looked After Children,  
Bedfordshire County Council, 01234 228693

- 5.21** Initially the PEP will be a separate document, with an up to date copy kept with the Care Plan. Where an Assessment and Action record is completed the PEP should complement it. The Looking After Children records are currently being revised by the Department of Health and it is envisaged that the PEP will become a subset of the Looking After Children records along with the Health Care Plan which is likely to be developed. This will ensure that each child has one plan consisting of several key parts. The singular electronic format will reduce duplication and cut down on the overall bureaucracy of children's records.
- 5.22** When a child enters public care the Social Worker will inform the school and the LEA. (Depending on the child's legal status information should be circulated to agreed contacts on a need to know basis, see *Working Together to Safeguard Children* Department of Health December 1999, the section beginning 7.27.) The social worker is responsible for initiating a PEP in partnership with the child or young person, designated teacher, parent and/or relevant family member, carer and any other person that may be relevant (this might be an educational psychologist, learning support assistant or health professional where a young person's needs are being supported or assessed). Local Authority policies should set down who will co-ordinate any necessary action, ie. the lead person. It may not always be practicable for the social worker to be the lead person, in which case the designated teacher may be better placed to take on this responsibility. 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. Thus in the case of a child entering care the PEP should be prepared in time for the first review (the 28 day review). Where a child or young person is without a school place it would be helpful for the LEA to provide an officer to liaise with the social worker on a PEP.



- 5.23** The Social Worker will retain case management responsibility and responsibility for the statutory review process of which the PEP will form a part.
- 5.24** The PEP will normally be reviewed concurrently with the Care Plan, i.e. within 28 days, 3 months, 6 months, etc. However reviews can take place at any time in response to arising needs, relevant changes or at the request of the young person. Significant decisions about a child or young person's education should not take place without reviewing the PEP and this must involve the child or young person. The statutory review cycle is suggested in order to both underpin a minimum of 6 month reviews of the PEP and also to highlight the link between the PEP and the Care Plan. However, the logistics of this may prove impractical where for instance, the statutory reviews of a young person coincide with school holidays, especially the summer vacation. In such cases local authorities are expected to make arrangements for the PEP to be reviewed at least every 6 months and to make appropriate arrangements for the results of that review to go to the Care Plan review.
- 5.25** It is important that local authorities give a clear commitment to meet the needs flagged up in each Personal Education Plan. This commitment could be met by setting up a 'PEP Dowry Fund' based on annual estimates of numbers of young people in care and their range of needs. This enables the local authority to plan ahead and meet these educational and developmental needs. Such PEP Dowry Funds would meet the eligibility criteria for DfEE Standards Fund Grant 19 (Social Inclusion).
- 5.26** Plans and records represent a very important source of continuity for the young person and their carers. They are, therefore, crucial in improving outcomes. How a pupil's achievements and potential are recorded is especially important for pupils in public care. A record which emphasises negative or ambivalent messages about a pupil, or is inaccurate, can be challenged or countered by a pupil or his or her parents. This is less likely to happen for young people in public care though primary carers should be prepared to make such challenges (see Section 15 Advocacy). An accurate and positive educational record provides a looked after child with a 'passport' for the future.

### **Designated teachers**

- 5.27** Day-to-day schooling has the potential to improve significantly the quality of life of children in public care. In recognition of this, Circular 13/94<sup>11</sup> recommended that headteachers in primary schools and year tutors in secondary schools "hold a watching brief for all children being looked after." While some schools may have acted upon this advice, research and practice suggest that this approach has not been widespread. There are often no formal arrangements by which schools work with social services and LEAs to improve educational outcomes for children and young people in public care.

- 5.28** There is evidence that schools with inclusive policies, robust pastoral systems and clear lines of communication with outside agencies are more likely to offer effective support to any child who is 'different'. But this does not provide a sufficient safeguard for children in public care. Having a designated teacher, who understands about care and the impact of care upon education, in each school is critical to making joint working a reality. Schools will need to decide who is the most appropriate person to fill this role. It would be desirable for it to be someone with sufficient authority to influence school policy and practice.
- 5.29** A designated teacher, with sufficient authority to make things happen, is an important resource for the child, carers and parents, social workers and other teachers, school governors and support staff. She or he should be an advocate for young people in public care, accessing services and support, and ensuring that the school shares and supports high expectations for them. The designated teacher should also ensure speedy transfer of educational information between agencies and individuals, and ensure that each child has a Personal Education Plan (see paragraph 5.17) and that a Home-School Agreement is drawn up with the primary carer. This should happen even when the child's stay is thought to be only temporary as young people who are in and out of care are likely to experience disruption in their education and similar disadvantages to those who are in public care for longer periods.
- 5.30** The designated teacher might be well placed to take on a wider remit covering all children receiving assistance from social services. This might be particularly advisable in smaller schools. Some young people in care have suggested that giving designated teachers a wider remit would be a good idea, as this would make it less likely that young people would feel singled out.
- 5.31** They also would prefer to choose who they would trust to talk to, and this would not necessarily be the designated teacher. This flexible approach to supporting young people is likely to be the most effective as long as the designated teacher is available to ensure that support is properly co-ordinated.
- 5.32** The local authority should provide designated teachers with training which should cover all aspects of the care system and the impact of care upon education, responsibilities under the Children Act and associated Regulations, and the role of the school in relation to care planning and statutory Reviews.
- 5.33** A network of designated teachers would strengthen the overall role of the local authority in acting as corporate parent, by sharing expertise about tailored packages of support, preventing unnecessary moves of school or exclusion and minimising delay. Local Authorities should keep a list of designated teachers not only for their

own internal communication and networking but also to assist other authorities that have placed children within the authority.

- 5.34** To summarise, schools should designate a teacher to act as a resource and advocate for children and young people in public care. LEAs and SSDs should co-ordinate suitable training for them and maintain an up-to-date list of designated teachers in schools in their area.

## **Case Study**

### **Developing the role of the designated teacher and consulting young people**

In December 1998, as part of the Equal Chances Project, schools in Brighton & Hove were asked to nominate a 'designated teacher' for Looked After Children in line with Circular 13/94. It was left to schools to decide who to nominate, with the proviso that the designated teacher needed to be a senior member of the teaching staff and part of the management team. The role of the designated teacher is:

- to have an overview of the school's looked after population and to develop the necessary understanding, policies and resources to promote good practice within the school;
- to act as the general contact person for the LEA and SSD to develop clear communication;
- to ensure the school is meeting the needs of individual children and young people who are looked after and that they have access to someone within the school they can talk to for support, if needed.

The response was very positive and there is now a named designated teacher in every local school. All designated teachers have been offered a basic training course covering:

- the national and local context;
- the Children Act 1989;
- and the role of the Designated Teacher.

A special pack has been produced for designated teachers which contains useful information to support them in their role.

Meetings for designated teachers are being held termly to keep them up to date with developments locally and nationally and as a forum for discussing issues. Further training is planned.

### **Consultation with children and young people**

In October 1998 the Equal Chances Questionnaire for young people was sent out to all children and young people over the age of 5 years, looked after by Brighton and Hove. The questionnaire was sent directly to young people of secondary school age and to the carers of children aged from 5 to 11 years. The questionnaire asked them about their experiences of, and views on, their education.

There were lots of positive messages about their education. The majority of children and young people told us that they liked school and attended regularly. They said they had friends at school and had an adult within the school who they could talk to. Generally they felt they were not treated differently by teachers or pupils because they were looked after. Almost all of them said they had someone who was proud of their achievements. Their carers were seen as supportive of their education, helping with homework and talking to them about school and they had access to books and somewhere quiet to do their homework. Although most of them had access to after school clubs and activities, less than half actually used them.

More worryingly, over half of the respondents said that they had experienced or were experiencing bullying at school. As a direct response to this issue being highlighted by the young people a pilot, anti-bullying peer support scheme is being set up in a local secondary school. The particular school was chosen because it has more looked after pupils than other secondary schools and is in an area where young people are more at risk of becoming looked after. The scheme is not specifically targeting looked after pupils, but is for all young people within the school. The scheme will be evaluated at the end of the first year and will be extended to other schools if it is found to be effective.

All the children and young people who completed the questionnaire were invited to a feed-back meeting hosted by the mayor to thank them for their participation. From this meeting a young person's focus group was formed with a core membership of 8 young people aged 12 to 15 years. They have produced a leaflet inviting other young people to get involved. The group meets every 3 to 4 weeks in the early evening and the focus is discussions or activity around educational issues. They were able to feed into the Quality Protects Management Action Plan by contributing their views on positive ways in which the local authority can consult with young people and how information should be presented in a style that has meaning for them. Members of the group contributed their experiences for features on the education of young people in care in the national press and on national radio. The group is in the process of making a video based on their experiences of education and what they think needs to be done. They hope that the video can be used locally in training for teachers, social workers and foster carers.

**Contact:** Brighton & Hove LEA 01273 293474

**5.35** With respect to designated teachers, in paragraphs 5.27 to 5.34 above “schools” includes all maintained primary, secondary and special schools, as well as Pupil Referral Units. Where children in public care are to be educated in an independent school or a non-maintained special school, the placing authority should as part of its agreement with the school assure itself of the school’s arrangements for dealing with the needs of children in public care and for liaising with corporate parents. Where children are to be educated in a children’s home that does not have to register as a school, there should be no need for a designated teacher as all children being taught there will be in public care and there is no need to create an additional channel of communication with social services as there is in schools.

## **Curriculum**

**5.36** Young people in care, like their peers, will have full access to the National Curriculum, and achievement targets should relate to Key Stages, as for other pupils.

**5.37** However, as highlighted in the Social Exclusion Unit’s *Bridging the Gap Report*,<sup>43</sup> for some pupils, particularly older pupils, there may be a need for curricular flexibility to re-engage them or sustain them in education. For some, the school environment may be problematic or inappropriate, and a mixture of school, further education and work-related learning, in collaboration with the Careers Service, may be more suitable. Arrangements for temporary disapplication or modification of the curriculum and other flexible learning packages are set out in guidance on *Social Inclusion: Pupil Support*.<sup>13</sup> The guidance refers to disapplication of the National Curriculum, provision of a Pastoral Support Programme to help prevent exclusion and opportunities for year 10 and 11 pupils to undertake their secondary education in further education colleges. This includes the new flexibility, introduced from September 1998, allowing schools to set aside aspects of the National Curriculum at Key Stage 4 for individual pupils to undertake extended work-related learning programmes. Guidance on how the flexibilities operate is set out in a Qualifications and Curriculum Authority document.<sup>24</sup>

**5.38** Such strategies should be seen as part of the overall objective of bringing the attainments of young people in care closer into line with those of their peers, rather than as a search for alternative provision. The pupil’s Personal Education Plan should set out the proposed action and timescales for reintegrating pupils into the full National Curriculum.

**5.39** Approaches to learning and aspects of the curriculum can present difficulties for pupils whose life experiences are different from those in the majority. Such considerations are constantly borne in mind by teachers and schools in relation to race, gender, sexuality and disability. Equal sensitivity is needed in dealing with aspects of the curriculum which deal with family values and experiences which are likely to either re-kindle distressing memories or ‘put the spotlight’ on a child in public care.

- 5.40** Schools also know that some pupils live in poor families which are suffering hardship. They have sensitive arrangements for ensuring that, where additional resources are needed for a child to take part in a school or school-related activity, help can be provided. Similar policies and procedures should embrace the experience of young people in public care, but experience suggests that they do not. Procedures can be complicated and slow if you are looked after by the local authority and the involvement of social services can feel stigmatising. Designated teachers should be aware, from the young person's point of view, what is problematic on a day-to-day basis, so that they can plan with teachers to ensure an inclusive approach to the curriculum and classroom management. They should be prepared to ensure that young people in public care have access to study support, including out-of-hours support, to help them catch up with their peers.
- 5.41** Personal, social and health education and citizenship offer opportunities for pupils to discuss and understand the many ways of being 'different', of stereotyping, prejudice, discrimination and bullying and of how to respond to them appropriately. Pupils should be able to contribute their own ideas for making school life more inclusive. Care needs to be taken in planning such discussion to avoid individual pupils being put under unwanted scrutiny.

### **Key Messages**

- *Plan at a strategic and individual level ensuring joined-up working*
- *Ensure that each child has a Personal Education Plan*
- *Co-ordinate and integrate plans*
- *Ensure each school has a designated teacher and the authority keeps an up to date list of these teachers*
- *Ensure access to a balanced and broadly based education*

## 6 Records

### Gathering data

- 6.1** Lack of reliable data about the educational circumstances and outcomes of young people in public care as a discrete group, and of detailed information about their individual progress, has been one of the major obstacles to raising their attainments. The problem has been noted in research and numerous official reports, including the Social Exclusion Unit's report on *Truancy and School Exclusion*,<sup>42</sup> Sir William Utting's *Review of The Safeguards for Children Living Away from Home*,<sup>47</sup> the *Government's Response to the Safeguards Review*,<sup>45</sup> and the *Report and Proceedings of the Health Committee on Children Looked after by Local Authorities*.<sup>40</sup>
- 6.2** Evidence from small scale studies of young people leaving care and the joint SSI/Ofsted report, *The Education of Children Who Are Looked After by Local Authorities*,<sup>44</sup> has been relied upon as a benchmark of the outcomes of young people in care. (See Appendix D for more details on the Ofsted/SSI standards). The unintended consequence of this is that until recently attention has been focused on individual failure, rather than on the failure of services. At both a national and local level insufficient importance has been attached to systematically gathering evidence of the educational experiences, needs and progress of young people in public care.
- 6.3** To address the problem at a national level the Government has set the target included in the National Priorities Guidance:<sup>35</sup>
- Improve the educational attainment of children looked after, by increasing to at least 50% by 2001 the proportion of children leaving care at 16 or later with a GCSE or GNVQ qualification; and to 75% by 2003
- 6.4** As the Health Committee noted, the initial task for local authorities is to put in place systems which allow them to gather baseline statistics on children and young people in care, and on progress beyond an initial baseline. For some local authorities these targets may already have been exceeded.
- 6.5** The Quality Protects Programme<sup>37</sup> has set as one of its eleven key objectives for transforming children's services the following:
- Objective 4.0  
'To ensure that children looked after gain maximum life chance benefits from educational opportunities, health care and social care.'

## **Case Study**

### **Gathering information about young people in care**

Lack of reliable information about the educational progress and needs of children and young people in public care has been one of the biggest barriers to effective inter-agency collaboration and to improving educational outcomes for children in public care.

The Equal Chances Project, developed by The Who Cares? Trust in collaboration with the Calouste Gulbenkian Foundation, has worked with two pilot authorities – Bradford and Brighton & Hove – to model information gathering approaches which will assist local authorities in their role of corporate parent. There are four dimensions to the Project's Information gathering exercise:

- **Corporate parenting questionnaire**

Project co-ordinators have sent a questionnaire to key personnel in each authority and then interviewed them. The questionnaire aims to assess the state of the authority's knowledge about the education of the children in their care and how the authority meets those needs. It covers policy, structure and communication, management information, planning and provisions, and action.

The questionnaire is a benchmarking exercise and helps identify where the authority needs to invest resources, or use them differently, and can be used to help evaluate progress and establish performance measures.

- **Questionnaire for young people**

A questionnaire, developed with the help of young people with care experience, was sent to all young people of five and over who are looked after by Bradford and Brighton & Hove (see case study 8). The questionnaire seeks information about school, about how being looked after affects schooling, and what sort of support young people receive and would like in the future.

- **Consulting carers**

Another important source of information is carers. The foster carer questionnaire helps build a profile of carers and their experience in relation to education. It helps assess what the information, training and support needs of carers are in relation to increasing attendance and achievement of young people in their care.

- **Gathering data on individual children**

Equal Chances has piloted methods of gathering data in two authorities which provide baseline information on the achievements of children and young people in public care and also on the educational progress they make. Data collection includes schools information and type of care placement; SATs and GCSE/GNVQ scores; attendance; exclusions and statements of special educational needs.

Taken together these information gathering exercises provide the authority with a fuller picture and a rich source of information from which to plan and deliver services which will help improve educational outcomes for the children in its care.

**Contact:** The Who Cares? Trust 0171 251 3117



The sub-objective is as follows:

- 4.1

‘To bring the overall performance of children looked after, for a year or more, in National Curriculum Tests closer into line with local children generally.’

(See Appendix C for more details on Government objectives for Children’s Social Services relating to the education of young people in public care.)

- 6.6** The Management Action Plans required of every social services department are to include the methods by which national objectives will be met. Plans require local authorities to gather the following data on children and young people in care: National Curriculum Test scores; whether or not those leaving care have a GCSE or GNVQ; and the proportion of children in public care who have been permanently excluded. Local authorities are required to list baseline data and their planned improvements for children in their care. Performance will be monitored against these plans, and payment of the Children’s Special Grant<sup>34</sup> will be dependent upon developing necessary management information systems.
- 6.7** It is expected that authorities may be able to extract some of the necessary data from the Looking After Children Assessment and Action Records.<sup>36</sup>
- 6.8** The Department of Health has established a new data collection to improve knowledge at a national level of outcomes for children in public care. This comprises Key Outcome Indicators for Looked After Children including: data on educational outcomes; educational qualifications of care leavers; and information about care leavers on their 19th birthday. (See Appendix C for more information).
- 6.9** Education Development Plans<sup>15</sup> similarly include the National Priorities Guidance target for looked after children. In both MAPs and EDPs the targets are described as corporate targets.
- 6.10** It is good practice for local authorities to liaise with all appropriate agencies that need to share data related to young people in public care. For instance, the Careers Service has been asked to focus its help on those young people most in need, and therefore will need information from local authorities and other agencies. It will need to know the numbers of children in public care in years 8–11 and the number of 16–17 year olds not participating in education, training or employment. Such information will enable the Careers Service to fulfil its vital role in promoting social inclusion, and in the future will be vital to the new Connexions Service meeting its aim of connecting and reconnecting young people with learning (see paragraphs 8.21.–8.23. for more information on Connexions). Extra resource has been made available in support of this

work for the Careers Service. Details of a specific initiative – the Learning Gateway – which is at the heart of this work, are in paragraph 8.17.

## **Knowing what a good parent would know**

- 6.11** Establishing national targets helps to address the serious shortage of reliable data and signals the importance accorded to raising standards for young people in public care. National data collections contain essential information that social workers and carers need to know on a day-to-day basis to be good corporate parents. They also assist schools and teachers to raise the educational attainments of these young people.
- 6.12** Good parents are interested in much more than outcomes. They know that all sorts of decisions and actions and opportunities will influence those outcomes. They know that if their child fails to meet a personal goal or pass a public examination they will support them to try again.
- 6.13** Parents know that attending school regularly improves children's chances; and that reading to them regularly improves their confidence with all their school work. Regular contact with their children's school also helps parents provide support and ask for additional help when it is needed. Importantly, they remember the important educational milestones in their child's life, the achievements, the problems and how they were overcome.
- 6.14** This level of detail is needed in corporate parenting. It can only be achieved by schools, social services and LEAs sharing information which helps primary carers to provide the quality of day-to-day support which good parenting provides. This in turn involves knowing and asking what are the needs of young people and their carers in relation to their education. It involves establishing baseline information in addition to that which must be collected to meet national targets set out in the Quality Protects *Government's Objectives for Children's Social Services*.<sup>37</sup> For each authority this includes:
- How many children and young people are in public care?
  - What type of placement they are in?
  - How many are from ethnic minority groups?
  - How many are disabled?
  - How many care or school placement moves?
  - How many attend school regularly? ie. how many authorised /unauthorised absences? (For suggestion on 'regular' attendance see 10.7. below)
  - How many are excluded from school/PRU fixed term or permanently?
  - What are their test scores and examination results?

- How many do not have a school place?
- How many are on Special Educational Needs registers? And at what stage of the SEN Code of Practice are they?
- How many have Pathway Plans (see 8.14. below) and Career plans?
- How many have been offered/taken up work placements?
- Contact details of post 16s leaving care up to age 24
- Numbers of post 16s (both in care and care leavers) in education/training/employment up to age 21?

Relevant information about individual children must be passed on between authorities, departments and schools when young people move.

- 6.15** Authorities have a variety of data collection systems including those developed by local authorities, and the voluntary sector has produced a range of useful methods for auditing services for children and young people in public care and their individual needs. (See Appendix A, Practice materials section, references 70-78).

### Turning information into action

- 6.16** Reliable information should inform and lead to action and improvement. Practice and research have shown that the collection and publication of hard information at a local level about the position regarding the education of young people in care was often the impetus for action. 'Evidence once collected and presented is too powerful for corporate parents to ignore'.<sup>51</sup> Data will also help front-line staff to be put in the picture on the authority's performance and will help identify best practice.

- 6.17** Designated 'Corporate Parenting' officers should be responsible for assessing the **information needs** of all involved in corporate parenting and ensuring that plans and information are collated and reported to elected members. Designated teachers should be responsible for maintaining up-to-date educational information about children in public care in their school. Each local authority has a duty to establish and maintain a protocol for sharing relevant information about care, placements and education. The protocol should set out:

- who has access to what information, and how is data security ensured;
- how children and parents are informed of, and allowed to challenge, information that is kept on them;
- how carers contribute to and receive information;
- mechanisms for sharing information between social services departments, LEAs and schools.

The protocol should also cover arrangements for informing, and gaining information from other local authorities. Local authorities need both to monitor the position of children from their area placed outside the authority, and to advise other authorities who have sent children into their authority of information relating to those children. Records must move with children.

## Monitoring and reviewing

- 6.18** Improved data will assist strategic planning allowing local authorities, schools and children's homes to review policies and practice in the light of evidence. Regular reports to elected members and school governors will form part of this process. For instance, significant variation in admission difficulties or attendance and exclusion rates should be immediately investigated, as should delays relating to the identification and assessment of special educational needs.
- 6.19** Regular monitoring and reviewing are the equivalent of being an interested and vigilant parent. Local authorities are recommended to use the standards applied by SSI and Ofsted in their report *The Education of Children Who Are Looked After by Local Authorities* (1995)<sup>44</sup> as a check-list to help them measure the value of their services. (See Appendix D where these standards are listed)

### Key Messages

- *Improve data collection*
- *Establish protocol for sharing relevant information*
- *Use the data as a springboard for action*

## 7 Early years

### **The importance of the early years**

- 7.1** The Department of Health's statistics for 1999 indicated that 4% of looked after children in England were under 1 year of age and 17% were between the ages of 1 and 4 years.<sup>30</sup> The corporate parenting principles set out in Section 4 apply to the early years, particularly the emphasis on early intervention and prevention. Although in many cases children aged under five years in public care may appear to be succeeding educationally, the effects of separation and pre-care experiences upon their emotional well being may not yet be apparent.
- 7.2** Young children in public care, including those with Special Educational Needs, will benefit from access to a full range of early years experiences, including those which lead to the acquisition of the Early Learning Goals,<sup>26</sup> and which provide a secure, nurturing, consistent and non-stigmatising environment, both in care and education. As with any child, care needs to be taken in ensuring that the setting appropriately meets the needs of the child.
- 7.3** The early years are a time of rapid change and development for children and careful planning will be critical. Key transitions, such as going to a care/education setting for the first time, and the transition to school, are times when well co-ordinated support helps children to settle and to succeed in their new environment.
- 7.4** Key adults are particularly important for young children in public care because of the importance for all children of forming secure attachments in order to develop independence and to gain confidence. Where young children are subjected to a number of moves of care and early years placements they may have particular difficulties in forming such relationships. Young children also require adults to advocate on their behalf and ensure that they have access to the same life chances as their peers.

### **Current national and local initiatives**

- 7.5** The Government's early years policy makes clear a commitment to high quality early years education. Every four-year-old, where their parent or carer wishes it, has the entitlement to free part-time early education for three terms before they reach compulsory school age. Funding has also been provided to raise the proportion of three year olds with a free early education place to 66% from 2002 onwards. Places are currently being phased in and targeted on areas where there is the greatest social

need. Such strategies are particularly helpful in ensuring very young children who are vulnerable and those in public care receive high quality educational provision which matches their needs. This helps prioritise early identification and assessment of children's needs and active monitoring of young children's attainments. It also provides an opportunity for multi-agency preventive support and an opportunity for raising the educational achievement of very young children.

**7.6** Through the Sure Start programme<sup>27</sup> the Government is helping families in England with children aged under four. The aim is to invest in the crucial early years to prevent social exclusion in later life. Resources are targeted on areas of greatest social need to reach those children who, for a variety of reasons, are seriously at risk of failure.

**7.7** The planning and delivery of early education is carried out by local authorities through Early Years Development and Childcare Partnerships (EYDCPs). EYDCPs bring together all the local partners with an interest in childcare to plan early education and childcare provision. The partners include local education and social services departments, voluntary and private providers, employers, parents and other interested parties. EYDCPs are responsible for drawing up and implementing annual Plans setting out how the local authority will meet its statutory duty of providing early education and to promote equality of access and opportunity for all children receiving early years education and childcare provision. The Plans should take account of the Quality Protects programme which is designed to improve the management and delivery of children's social services. The Government has set specific objectives to be achieved for children in need including those in public care and children who are disabled. For example, local targets may be set to take into account the need for further training for all early years providers to improve the educational attainments of children in public care and, in particular, to enhance their life chances through effective multi-agency planning. The Early Years Development and Childcare Plan will ensure children in public care have equal access to good quality, early years education and assist local authorities to facilitate early learning and ensure stability for vulnerable children.

**7.8** There are a range of initiatives developing locally designed to support children in public care and vulnerable families. Home-Start<sup>28</sup> is an organisation that is supported by the Department for Education and Employment and the Department of Health. It is committed to promoting the welfare of families with at least one child under five years of age. Trained and committed volunteers from the local community offer regular support, friendship and practical help to young families under stress in their own homes, helping to prevent crisis and breakdown.

## **Training**

- 7.9** Multi-agency training is of benefit to all those with an involvement in the early lives of children. Social services staff must be aware of the importance of providing children with quality experiences in their early years as a foundation for their future learning. They need to know how services are accessed and delivered so that they are able to choose, in partnership with parents and carers, appropriate early educational experiences for children.
- 7.10** Staff in early years settings should understand the basic principles of the Children Act and associated guidance and have an understanding of how the care system works and the different routes by which young children arrive in care. They need to understand the effects of separation on very young children in public care, the importance of contact with siblings and other family members, and they need to know their role in ensuring successful planning and intervention.

## **Planning and recording**

- 7.11** Planning for individual young children should be a joint process where educational issues are considered jointly with health and care issues. Before children are placed in an early years setting, the social worker should liaise with the health visitor and the carers in the statutory review cycle. Where concerns arise, the health professionals should be involved in the usual way and without undue delay. (See 7.16 below).
- 7.12** Efforts should be made to ensure that educational goals are included in the planning process. Ideally, when young children attend early years settings they should have the equivalent of a Personal Education Plan, setting out the services and support required for the child's particular needs (see 5.16. – 5.26. above).
- 7.13** The statutory review meeting should explore how the child's educational needs can best be met within the early years setting. The Independent Reviewing Officer can play a key role in assisting with monitoring the overall care and education of young children. Where there is a designated staff member in the early years setting (see 7.15. below) they should liaise with the social worker and attend statutory review meetings.
- 7.14** Particular consideration must be given to involving the young child in this process. They will need support in understanding what is happening and the plans which are being made for them. Young children may use a range of ways to express their feelings about what is happening, for example, through language, play, drawings and through their behaviour.
- 7.15** Some local authorities may choose to designate a member of staff to act as a reference point and resource for young children, carers and parents, social workers and other professionals and early years workers.

## Special educational needs

- 7.16** Young children with special educational needs may be known to a range of professionals including paediatricians, speech and language therapists, physiotherapists, occupational therapists and educational psychologists. Where these are involved and the child is not yet in an early years setting, the social worker should ensure their involvement in the statutory review cycle.
- 7.17** Early years settings which are members of the Early Years Development and Childcare Partnership have a duty to adopt the *Code of Practice on the Identification and Assessment of Special Educational Needs* (1994).<sup>20</sup> Children identified at earlier stages will have Individual Education Plans.
- 7.18** A small minority of children with exceptional needs in the early years will have their progress monitored through the Local Education Authority Statement of Special Educational Needs. Any annual Review arrangements must be well co-ordinated, with social services and the Health Authority contributing to the setting of targets.

## Collecting Information

- 7.19** In gathering data the Local Authority should keep the following information in relation to children who are in public care:
- numbers of children aged under one year;
  - numbers of children aged under three years;
  - numbers of children aged under five years;
  - numbers attending each of the different types of setting;
  - total number of children under five years old in public care with special educational needs.

### Key Messages

- *Importance of early years*
- *Co-ordinate with other services*
- *Early identification of and response to special educational needs*



## 8 Career planning for teenagers and post-16 educational opportunities

### Post-16 educational opportunities

- 8.1** Advice set out in this document focuses upon the compulsory years of schooling. Effective planning and joint working between agencies during the compulsory years of schooling should create gateways to learning beyond 16. It should not be assumed that the safety nets created or intended through initiatives such as New Deal, New Start and the Learning Gateway are sufficient in themselves to prevent young people disengaging from education and training. Principles of corporate parenting continue up until the age of 21, and are particularly important at the critical transition to post-16 opportunities.
- 8.2** Good parents encourage their children to succeed and help them to plan for their futures. This approach needs to be reflected in corporate parenting, particularly as young people in public care approach 16.
- 8.3** However much many young people may wish to leave their care experiences behind them, it represents another ending. Outcomes for care leavers have been bleak, demonstrating a clear relationship between poor educational attainment, unemployment, vulnerability to exploitation and high levels of homelessness. Studies of care leavers reveal as few as 12–19 per cent going on to further education, compared to 68 per cent of the general population.<sup>50</sup>
- 8.4** The point at which many young people enter further education or sixth forms was, prior to the Children Leaving Care Bill, the point at which many children in public care were preparing to leave care, between the ages of 16-18. Although this transition is crucial for their future life chances, for those in public care the emphasis has been on independent living rather pursuing opportunities for further study and/or a career. Measures to improve services for care leavers have emphasised the importance of better preparation and acquisition of skills for independent living. Participation in education and training is clearly the single most effective method of preparation and the most reliable route to better life chances. Continuous support from corporate parents to access and sustain participation in education and training at this point is vital. This is particularly important for young people in public care as many of them seek help with ‘catching up’ (due to the barriers to educational success mentioned earlier (3.10.)).

## **Case Study**

### **Improving post-16 opportunities: the Bradford Moving On Project**

The Moving On Project was established in July 1997 as a partnership between Bradford Social Services, Careers Bradford Ltd., Bradford & District Training and Enterprise Council (TEC) and the three local colleges to improve opportunities in further and higher education, training or employment for young people who are looked after, have left care or are involved in the youth justice system. The project was initially supported by European Social Fund monies, but is now funded by Bradford Social Services and Bradford & District TEC.

The project was developed in response to evidence from local and national research on the failure of care leavers and disaffected young people to access adequate careers advice and identify suitable career choices. Many of the young people who became involved in Moving On had poor educational backgrounds, no qualifications and had not benefited from any advice on their future careers. Additionally, they were not receiving the sort of mainstream support which helps young people to make informed decisions about their future, such as information about benefits and accommodation.

The project provides a network of support through a partnership of the key agencies concerned with providing services for young people leaving school. This is done through the secondment of a Careers Officer into social services and good link staff in all the other agencies. The role of the Careers Officer is to offer individual help to young people and ensure they found a placement in either education, training or employment.

The project activities included: individual counselling and guidance; group drop-in sessions; access to assessment of literacy and numeracy skills; support into residential units; training for staff; access to careers information and library resources, and links with local businesses and training providers.

The project offers young people access to expert advice from the Careers Officer who has some understanding of their background and their needs. The Careers Officer is based in Social Services and offers a flexible service based on individual need. There are good links with social work staff and part of the role is to help social workers be more proactive in helping young people into education, training or employment.

The project has helped build excellent links with the local colleges, local businesses and training providers. The project has helped all agencies involved to develop a more positive image of young people in public care and care leavers and helped play a supportive role in maintaining difficult placements.

Moving On has also raised the profile of the young people and has provided some excellent outcomes. The project is able to deal with all the referrals and able to target those young people who were leaving school. The majority are found training places, go into further education or get employment. If they fail, the project will continue to work with them until they find another suitable alternative. There is extra help with literacy or numeracy if required, or help with attending the interview or with interview skills. The service is flexible in developing tailored packages to help young people achieve their potential.

Through a commitment to joint working, and by providing a flexible service which aims to meet individual needs, the project is able to support young people and help them to develop skills and confidence to make informed choices about their future.

**Contact:** Bradford Social Services Tel. 01274 752918

**8.5** The Government is committed to improving services for care leavers; to widening participation of under-represented groups in further education and training, and preventing disaffected pupils becoming disengaged from education. The emphasis of Quality Protects for instance, is to strengthen and extend multi-agency co-operation in the interests of young care leavers 'requiring their care authority to emulate something of the extended support afforded children in their own families well into early adulthood'.<sup>32</sup>

**8.6** Quality Protects<sup>37</sup> includes as one of the 11 programme objectives:

Objective 5.0

'To ensure that young people leaving care, as they enter adulthood, are not isolated and participate socially and economically as citizens'.

Sub-objectives for local authorities include:

'For young people who were looked after on their sixteenth birthday, to maximise the number engaged in education, training or employment at the age of 19.'

**8.7** An associated National Priorities Guidance<sup>35</sup> target is:

'Demonstrate that the level of employment, training or education amongst young people aged 19 in 2001/02 who were looked after by local authorities in their 17th year on 1 April 1999, is at least 60% of the level amongst all young people of the same age in their area.'

## **Careers guidance and work experience**

**8.8** Under Section 43 of the Education Act 1997<sup>4</sup> all publicly funded schools are required to provide a 'programme of careers education and guidance for pupils in years 9,10 and 11'. This should include:

- Self development – helping young people to reflect on experiences and plan ahead
- Career exploration – the opportunities available to young people in learning; either education or work based
- Career management – how to make transitions to the next phase of learning.

- 8.9** Some young people in public care do not receive the careers guidance to which they are entitled because they are not attending school when it is provided. This may be year 11 when the impact of truancy and exclusion is at its height, or it may be due to absence connected with school moves or care issues. Local authorities and other agencies with whom the young person may still be in contact, should refer these young people to the Careers Service to provide support. Primary carers can also help ensure young people in public care receive the support to which they are entitled.
- 8.10** The overall objective of the Careers Service is to help young people make successful transitions into post-16 learning, and to stay in touch with young people. In the future the new Connexions Service will build on the best practice of the Careers Service, Youth Service and other agencies, and through its network of Personal Advisers, will have a vital role in increasing effective participation in effective learning up to the age of 19. (For further information on Connexions refer to paragraphs 8.21.–8.23.).
- 8.11** All young people should make well informed career decisions. It should be the responsibility of social workers and designated teachers to ensure that all children and young people in public care get the help they need from schools and the Careers Service to make such decisions. It is important to be especially sensitive to the needs of young people with Special Educational Needs and disabled young people to ensure that they too have an effective transition into adult life.
- 8.12** Currently, schools manage careers guidance through a Partnership Agreement with the local Careers Service. Careers Advisers will be involved with young people from year 9, and sometimes earlier, and have a particular responsibility to keep track of and advise young people who are most at risk of underachieving or dropping out. Careers Advisers should therefore have access to Personal Education Plans for the young people in public care that they are assisting. For a young person with special needs the Careers Adviser will probably be involved in the transition planning process.
- 8.13** Opportunities for extended work experience and disapplication at Key Stage 4 to allow for more work related learning programmes may be a useful opportunity for some young people. Education providers, including designated teachers, will wish to work with the Careers Service in planning such opportunities. Young people and their carers should receive guidance from Careers Services to make sure that the implications are understood.

## **Current initiatives for career planning and post-16 education**

### *Arrangements for care leavers*

- 8.14** The Children (Leaving Care) Bill, introduced in the House of Lords in November 1999, includes proposals to strengthen and extend the current powers and duties of local authorities towards care leavers by requiring local authorities to assess and meet the

needs of those aged 16 and 17. The Bill provides that young people will have a Personal Adviser, who will help them make the transition to independence, and a Pathway Plan mapping out a clear pathway to independence covering a range of elements including education, training, career planning and the support to be provided by the local authority. This Pathway Plan will build on the young person's existing Care Plan and Personal Education Plan. Young people will retain a Personal Adviser and Pathway Plans until they are at least 21 and up to the age of 24 if they are still being supported through higher education or training. The new arrangements, which it is intended should come into effect from April 2001, are aimed at ensuring that young people leave care only when they are ready to do so. Multi-agency assessment and planning will be at the heart of the new arrangements, together with a new system of financial support for young people.

- 8.15** The current position whereby local authorities may provide assistance with the costs of education and training will be extended up to the age of 24, no matter when the course starts, and authorities will be under a new duty to provide vacation accommodation should it be needed for care leavers in Higher Education. (See 8.17 below).

### ***Education Maintenance Allowances***

- 8.16** Education Maintenance Allowances are being piloted in 15 authorities from September 1999 to September 2002 to promote participation and raise retention in post-16 learning of young people from disadvantaged backgrounds.

### ***Care Leavers Grant for Higher Education***

- 8.17** From the start of the 1999/2000 academic year, young people who are in full-time higher education and had previously been in care will be eligible for a grant towards their accommodation costs in the long vacation. They are also eligible for help from the Access Funds held by their institution.

### ***Learning Partnerships***

- 8.18** Learning Partnerships<sup>25</sup> will support the Government's Investing in Young People strategy by identifying gaps in provision and pulling together different strands of activity on which different partners lead, such as learning provision for 16-19 year olds thus widening participation and careers guidance and assisting care leavers.

### ***Careers Service focus***

- 8.19** The Careers Service has been asked to focus on areas of activity where it can make most difference such as on 14-16 year olds who have dropped out of school or are at risk of doing so, and on 16-18 year olds who have left education and are not continuing in learning.

### **The Learning Gateway for 16 and 17 year olds**

**8.20** An example of careers service focusing is the Learning Gateway, introduced in September 1999. The aim of the Gateway is to provide a client-centred way of encouraging disengaged 16/17 year olds to take up learning opportunities. The Careers Service will provide the 'front-end' of the Learning Gateway, including a specific point of contact – a Personal Adviser – for each Gateway client. The Personal Adviser will arrange assessment, guidance and a development plan tailored to meet the individual's needs, and will continually assess and monitor progress by the young person. A leaflet on the Learning Gateway<sup>29</sup> has been produced for social care professionals.

### **Connexions Service**

**8.21** The Connexions Service is being developed following the announcement of a new youth support service in the Social Exclusion Unit's report *Bridging the Gap* and the White Paper *Learning to Succeed*. The Service will provide appropriate advice and support to all young people aged 13–19 to help them gain the greatest possible benefit from education and training and to overcome any personal barriers to them remaining or re-engaging in learning. This will mean working with both disaffected young people who have dropped out of learning, or who are at risk of dropping out, to help them return to learning, as well as with young people in schools and colleges to assist them in making appropriate choices.

**8.22** The new Service will build on current best practice in the Careers Service, Youth Service and other statutory and voluntary services for young people. It will also build on the experience gained from the development of learning mentors and personal advisers in the Excellence in Cities and Learning Gateway initiatives. The Connexions Service will take a multi-agency approach to helping young people at risk, who often present multiple needs, working closely with organisations which have regular contact with young people in need, e.g. hostels for young homeless people, probation service etc., to develop innovative and effective ways of supporting those young people back into learning.

**8.23** The new Service will have additional obligations to meet the needs of those young people with special educational needs. (For more information on Connexions refer to the website <http://www.connexions.gov.uk>)

### **Key Messages**

- *Importance of continuity of support from corporate parents*
- *Education and career planning for every young person*
- *Be aware of the full range of post-16 initiatives*

## 9 Children and young people in public care who have special educational needs

- 9.1** Like their peers, young people in care may at some time in their education have special educational needs, as defined by the Education Act 1993<sup>2</sup> section 156 (also referred to in the Education Act 1996<sup>3</sup> at section 312).
- 9.2** It is estimated that young people in care are six to eight times more likely to have a Statement of Special Educational Needs than pupils in the general school population.<sup>44</sup> Pre-care experiences, disrupted schooling and previously unmet needs may explain why they are so over-represented. It should not however be assumed that all children and young people in public care will have special educational needs, and great care should be taken to ensure that their needs are met in a non-stigmatising way.
- 9.3** Whether they have learning difficulties or particular difficulties in accessing learning opportunities because of their care and pre-care experiences, children and young people in care need the support and advocacy of a vigorous parent – in their case, the local authority. The *Code of Practice on the Identification and Assessment of Special Educational Needs*<sup>20</sup> (presently under review) sets out the sort of parental input and multi-agency collaboration required to meet children’s needs:
- ‘the knowledge, views and experience of parents are vital. Effective assessment and provision will be secured where there is the greatest possible degree of partnership between parents and their children and schools, LEAs and other agencies’.
- 9.4** The needs of young people in care should be known to the SEN Co-ordinator, the designated teacher and their carer and social worker. Their Personal Education Plan should detail their needs and the support already provided.
- 9.5** Action should be taken according to the Code of Practice and strictly within the timescales prescribed. Designated teachers should alert the senior officer with responsibility for children with Special Educational Needs and the Corporate Parenting Officer of any delay.
- 9.6** At a strategic level authorities should know what proportion of children and young people in care have Statements, compared to other children, how many are placed in mainstream schools and how many in special schools; how many are placed in provision outside the authority, and how many do not receive full-time provision.

They should also closely monitor the attendance and exclusion rates for young people in care with special educational needs.

- 9.7** As the Code makes clear, children with special educational needs require the greatest possible access to a broad and balanced education, including the National Curriculum. The needs of most pupils are expected to be met in mainstream schools, and without a statutory assessment or statement. This applies to young people in care too. Early intervention is particularly important where children may have had unmet needs for long periods. At Stage 1 and 2 of the Code those acting on behalf of young people in care – SEN Co-ordinators, designated teachers and/or social workers – should be able to trigger priority action in terms of appropriate internal school support.
- 9.8** Local authorities must set out in their policies on the education of children and young people in public care clear lines of responsibility relating to the assessment of special needs including who will support residential and foster carers during the assessment process; and who, if necessary, will appeal to the SEN Tribunal. Refer to Section 15 of this guide for more information on advocacy.

### **Meeting emotional, behavioural and mental health needs**

- 9.9** It is inevitable and predictable that children and young people who are separated from their families will have emotional and behavioural responses to that separation and the often traumatic events which led to it. On occasions these can become severe and may at times require specialist assessment or treatment. Feelings of rejection, loss, worthlessness, anger and fear are all likely responses. Some children will have suffered long-term abuse and neglect, and it may not be possible to meet their educational needs within mainstream schools. At times they may require specialist assessment and treatment.
- 9.10** The majority of young people in public care will, however, attend mainstream schools. They need well-planned support from their corporate parents to take advantage of the opportunity to be like other children and learn alongside them. The measures needed to improve the achievements of young people in care are those most likely also to break patterns of disaffection, difficult behaviour and exclusion.
- 9.11** The effects of broken schooling, unmet emotional needs and being seriously behind with school work may all manifest themselves in behaviour at school. Corporate parenting should ensure that the school, through the designated teacher, is aware of the child's particular circumstances. When the child's needs have been assessed and actions taken to meet them, details should be recorded in the Personal Education Plan. Pupil Support Services should identify young people in care as a priority group.



- 9.12** Under Section 527A of the Education Act 1996<sup>3</sup> and *Local Education Authority (Behaviour Support Plans) Regulations 1998*, LEAs have a duty to draw up Behaviour Support Plans detailing local arrangements for the education of children with behavioural difficulties. Circular 1/98<sup>9</sup> provides guidance and stresses the importance of consultation with key local partners including the head and governing body of schools in the area, social services, Careers Service and Health Authorities. It stresses a holistic approach to children's needs and a corporate approach to meeting them. Young people in public care are listed as a 'vulnerable group' within the scope of the guidance and authorities are reminded of the importance of continuity of education for the child.
- 9.13** Concern has been expressed that children and young people in care with behavioural or emotional difficulties are less likely to have their needs met in a mainstream school or in full-time education, compared to pupils with similar difficulties who are in settled families. Officers with overall responsibility for corporate parenting should have an overview of children's particular needs and placement patterns. Achieving continuity in mainstream schooling is the goal for young people in care, including those with emotional or behavioural difficulties.
- 9.14** Many schools have robust pastoral systems and an inclusive ethos which encourages pupils to support one another. This is the environment in which children who may feel 'different' will make progress and eventually flourish. As part of their pastoral arrangements schools covered by the Excellence in Cities initiative employ learning mentors to help pupils overcome barriers to learning. Guidance issued by the Department for Education and Employment on *Social Inclusion: pupil support*<sup>13</sup> includes approaches designed to prevent disengagement and exclusion.

## **Key Messages**

- *Ensure that any special educational needs are identified and assessed*
- *Do not assume all children in public care have special educational needs*
- *Respond to emotional, behaviour and mental health needs with well planned support*
- *Promote inclusive policies within the context of robust pastoral systems*

## 10 Admissions, exclusions and transitions

- 10.1** Research has shown that one of the factors most likely to disadvantage young people in care is the school time they have lost: because no school place has been secured; because of exclusion from school; and because of poorly managed transitions or re-integration into mainstream school from out of authority placements or some form of special provision. Transition to further education can also be delayed due to lack of clarity about funding arrangements.
- 10.2** Research into high achievers who have been in care also shows, conversely, that continuity of schooling is a protective factor.<sup>59</sup>
- 10.3** Securing an educational placement is one of the main criteria which must be used in identifying a suitable care placement. This should generally be taken to mean a full-time place in a local mainstream school, commencing without delay. Other than for clear health and safety reasons, for example when a child needs a place of safety immediately, care placements should not be made unless an appropriate level of education will be provided. Too often in the past care placements have been rearranged with little consideration apparently being given to the child's education. Local authorities' education and social service departments, whether in the same or different boroughs, should work together to ensure that where placement moves are required they are carefully planned and co-ordinated. Such good working relationships and agreed protocols, should help overcome the difficulties authorities may experience in finding suitable placements.
- 10.4** It is not uncommon for young people in public care to experience gaps in their schooling of between six months and a year. This is unacceptable and would not be tolerated for children in settled families, where parents would be expected to advocate for their children and secure a school place quickly. Parents who fail to secure regular attendance of their children at school are liable to prosecution by the local authority. Parents are also expected to assess their children's particular needs and express a preference for the most suitable school and, if unsuccessful, appeal against the decision. Similarly, where a child has been excluded from school, a parent is expected to appeal on the child's behalf ensuring that all relevant facts are known and that the child has been given an opportunity to give his or her version of events. Local authorities as corporate parents are expected to act as a champion for the children in their care and advocate for their needs in exactly the same way. (See Section 15 below on advocacy.)

## Case Study

### Oxfordshire County Council Connect Project

Connect is one of a number of projects set up to improve the educational opportunities of Oxfordshire's looked-after population. It provides immediate practical help for pupils who have been excluded or are without any educational provision, in order that a long-term Education Plan can be devised.

**Methods of work:** The project can be accessed immediately by any interested party (for example, schools, carers, Education Social Workers etc.) and pupils can be of any age and come from any sector. Referrals to date have included pupils between the ages of 10 and 15 years and have come from Pupil Referral Units, EBD schools and out-of-county placements, as well as mainstream schools. It has not yet been possible to extend the project to include children involved in truancy.

Connect has been funded for one year to provide morning educational sessions for up to 6 pupils per day. Afternoon sessions consist of group work, meetings, reintegrating the pupil into school, supporting the pupil once back at school, exam support and/or other preparation deemed necessary. At the end of their involvement in the project most pupils return to an educational placement but, in any case, the minimum outcome would be five hours home tuition.

**Results:** In its first 18 months, the project worked with 59 children from foster and residential care, all of whom had a history of fixed and/or permanent exclusions and poor attendance.

Average attendance at the scheme has been 80 per cent, with all young people demonstrating significant improvements based on individual comparisons with previous attendance. No care placements broke down while the young people concerned were attending the project.

After Connect, 70 per cent of the young people were successfully re-integrated into full-time education in mainstream or special schools, and 20 per cent to pupil referral units.

The project has been instrumental in identifying problems within and between education and social services and in enabling the right resources to be accessed.

**Case examples of young people who have attended Connect:**

- 11 year-old-boy. After a brief exclusion, school has continued to have him half-time with Connect providing morning education. He has attended the Connect project for a term. The assessment done by Connect has triggered the Educational Statementing Process, as the boy has suspected Asperger's Syndrome. Both his care and school placements would have failed without Connect.
- 15 year old boy. History of 15 previous schools and many exclusions. Transferred from Connect to college in Banbury and subsequently to full-time work. A year later his care placement is stable and delinquency now behind him.
- Year 9 boy. Pupil attended Connect for one term, following fixed and then permanent exclusion. Is now placed at another school with support from a new educational project. Connect was vital to the continuation of his placement and his rehabilitation home.

**Funding:** The project is funded and managed jointly by education and social services, with premises provided by a local youth centre.

**Costs: £30,000 per annum**

Costs include: Teachers salary  
Half Time Learning Support Assistant  
Premises  
Administration and resources

**Contact:** Oxfordshire Social Services Department Tel. 01865 815005

- 10.5** The Government has set challenging targets for reducing exclusions, and guidance stresses the need for rapid re-integration of pupils who are not in mainstream provision. Similarly, the emphasis in the Quality Protects programme is upon reducing the number of care placements in order to achieve continuity. Delay and drift is damaging and results in social exclusion. The Government expects local authorities to set a maximum time limit of twenty school days within which they must secure an education placement for any pupil in public care. It will be a full-time place in a local mainstream school unless the circumstances of the child make full-time or local or mainstream provision unsuitable. There will be times when a delay is caused by the need to appeal against an adverse admission decision. In such cases the corporate parent is expected to keep any delay to the minimum and where it is clear that twenty days will be exceeded, they should provide temporary alternative education until the case is resolved. Local authorities and admissions authorities need to be able to justify clearly any delay in providing education. Admissions authorities should not fail to admit a young person because they are in public care nor should they allow any unnecessary delay in the admissions process for these young people.

- 10.6** Under the law<sup>3</sup> local authorities are treated as ‘the parent’ and they are therefore subject to the same principles of ensuring their young people in care attend school. School attendance of young people in public care should correspond to the same level as their peers (*The Education (Pupil Registration) Regulation 1995*, refer to 13-(1)). Department of Health and Department for Education and Employment will be monitoring local authorities performance through Performance Assessment Framework indicator C24, which indicates how many looked after young people are absent for more than 25 days in any school year.
- 10.7** In terms of good practice it is recommended that each local authority should have an officer who has responsibility to keep an overview of the attendance of children and young people in public care. Local authorities will want to take preventive action to prevent absence of 25 days or more arising. They should therefore set up systems for monitoring attendance with a trigger much earlier than the 25 days of the Quality Protects Performance indicator – 10 days is recommended. This will help identify children with attendance problems and will flag up the need of preventive action. The suggested 10 day trigger in no way replaces the requirement for First Day Contact<sup>13</sup> for absences. For schools to assist social workers effectively monitor absence, designated teachers will need to help co-ordinate the records and liaise with social workers and primary carers as appropriate.
- 10.8** LEAs and social services should have an overview of admissions and exclusions policies as they affect children and young people in public care. A corporate approach cannot be achieved if individual schools apply different criteria to children who are in public care. Where local authorities have Admissions Forums, these can contribute to assessing how the authority’s schools cater for young people in public care and can assist in identifying inconsistencies of treatment. Where it is found that young people in public care are predominantly placed in ‘poorly’ performing schools, local authorities will need to take action. Some schools will need the assurance of additional support packages. Provision to assist young people in public care to catch up is very important for successful inclusion. Local authorities may find ‘Dowries’ a useful resource to assist costs of reintegrating excluded pupils in to school. Funds are available for this through the Social Inclusion: Pupil Support, Standards Fund grant 19.<sup>12</sup>

## Key Messages

- *Co-ordinate care and education placements*
- *Corporate parents must secure suitable school places as quickly as possible*
- *Make sure young people attend school*
- *Use admissions and exclusions policies that will help young people in public care access the education that they need*

## 11 Out-of-authority placements

**11.1** The numbers of children placed outside the authority which has the responsibility for their care and where their families may live, vary according to placement policies and the range of available foster and residential provision. Decisions will be taken to place some children outside their original authority for their own protection or because they have specific impairments or needs which can only be met by provision distant from their home. In some cases the health authority will also be involved in placement decisions and in funding arrangements.

**11.2** In this section, to make roles clear we will refer to 3 roles of local authorities:

- that of the **'originating'** authority, that where the child was originally placed in public care and which looks after the child for the purposes of the Children Act 1989;<sup>1</sup>
- the **'housing'** authority, that where the child ordinarily lives [– if a child has a care placement in authority A, but attends a boarding school in authority B, then A is the 'housing' authority];
- and the **'educating'** authority, that where the child is educated.

The out-of-authority placements covered here are those where the 'originating' authority does not have both other functions.

**11.3** There is concern that children who are cared for in out-of-authority placements are more vulnerable to placement breakdown and interrupted schooling. Their needs should be assessed and planned for in the same way as other children, but there are logistical difficulties in how their needs and placements are supported and monitored. The result is that there is a less corporate approach to educational provision for such children once they are outside the originating authority. However, the child remains the responsibility of the originating local authority and thus effective liaison must take place between the two local authorities.

**11.4** The 'originating' authority is responsible for the decision to place the child out-of-authority. It should not place children without ensuring that their care, health and education needs will all be met in this new placement. It is therefore essential to liaise with all relevant services and agencies in the 'housing' or 'educating' authority. All arrangements, including funding, need to be settled in good time to ensure that young people are not moved before adequate care, health and education services can be provided.

**11.5** The rules that determine the basis on which payments may be made between authorities in respect of the education of the child are set out in *The Education (Inter-authority Recoupment) Regulations 1994* (the ‘Recoupment Regulations’) which are made under section 492 of the Education Act 1996.<sup>3</sup> Those regulations need to be read together with the *The Education (Areas to Which Pupils and Students Belong) Regulations 1996*<sup>3</sup> (the ‘Belonging Regulations’). Generally there is no need for an LEA (in this case the ‘educating’ authority) to recoup costs in respect of pupils who come from outside of the area as it will receive funding if the child is registered at one of its schools. However, under the Recoupment Regulations recoupment (from the ‘originating’ authority) in respect of some of the costs is *compulsory* for certain categories of pupils for whom costs are unusually high. These are:

- i) pupils with a statement;
- ii) pupils at a special school; or
- iii) pupils in hospital.

These pupils ‘belong’ to the LEA area which coincides with or includes the authority which looks after them ( the ‘originating’ authority). The ‘originating’ authority is required to pay such amount as may be agreed in respect of educational provision made by the other authority (ie the ‘educating’ authority’) (or in default, such amount as the Secretary of State may determine).

**11.6** There is no compulsory recoupment for pupils who do not fall into any of the categories i, ii or iii in 11.5. above. Where pupils continue living in their originating authority (ie the originating authority is also the ‘housing authority’) but attend a school in another authority, the two authorities may make voluntary arrangements for recoupment. The originating authority may agree to provide extra funding to the educating authority. If a child who does not fall into any of the categories in 11.5. above lives in the educating authority, then there is no provision for recoupment, either compulsory or voluntary.

**11.7** There are other possible, if less likely variations: a child who goes to school in the ‘originating’ authority but lives in a different ‘housing’ authority; or a child who is involved with 3 different local authorities, each having one of the roles set out in 11.2. above. In the latter case, if the child falls into one of the categories in 11.5, then recoupment from the ‘originating’ authority is compulsory. For other children, there is a technical case for voluntary recoupment. In the former example, we would not expect it to be used – the ‘originating authority’ would be educating a child it looks after, so should not seek funding elsewhere. In the latter example, the ‘educating’ authority could seek voluntary recoupment from the ‘housing’ authority, but such arrangements might again be unlikely.

- 11.8** Authorities receiving young people who are in public care should not treat them differently to other children who may move into the area with their parents. Children should not be refused school places because their needs mean that their education will be more costly, yet they do not fit into one of the categories for recoupment.
- 11.9** If the young person is thought to have special educational needs, the Education Act 1996<sup>3</sup> determines that the authority where the child lives is responsible for all decisions in respect of the child's special education including identification, assessment, making and maintaining a statement and ensuring appropriate provision. If the pupil looked after by the 'originating' authority is sent to live out-of-authority and has a statement or is placed in a special school or a hospital school, some of the costs of education provision will be met by the 'originating authority', under the compulsory recoupment arrangements set out in 11.5 above.
- 11.10** Local authorities which make regular arrangements for young people to go to another authority or to receive young people from another authority are advised to agree guidelines with the other authority clarifying funding, exchange of information and review procedures. Authorities should bear in mind that many young people in public care have educational needs over and above the norm besides those with Special Educational Needs statements; there are children with catching up needs as well as those at earlier stages of special educational need provision. The 'originating' authority should be satisfied that these needs will be met wherever the child is placed.
- 11.11** A number of local authorities are improving local provision so that fewer children are placed out-of-authority. This policy fully meets the Government aim to provide local placements wherever possible and where suitable. However, where local authorities intend to recall children that have been placed out-of-authority, they must place the individual child's interests above all else. A new move for a child of either care place or education place or both, must be justified in terms of benefits to the child. A settled placement in care or in school should not be disrupted unless the local authorities can show clear benefits for the child in question.
- 11.12** Corporate parents should carefully weigh educational considerations, and how educational life chances are likely to be affected by placement decisions. The responsible care authority should ensure that the same standards of care and education are applied to out-of-authority placements, and social services and education should continue to collaborate in the interests of these children.
- 11.13** Children's Services Plans, Educational Development Plans and Management Action Plans should all set out the authority's aspirations for children placed outside the authority and how agencies will secure the same standards of care and education as those placed within the authority.



## **Key Messages**

- *Recognise the potential difficulties in out-of-authority placements and make plans to overcome them*
- *Receiving authorities should not refuse school places*
- *Inter-authority agreements should cover all relevant issues*
- *The child's interests are paramount whatever the arrangements between authorities*

## Case Study

### Reducing out of authority placements

The National Teaching & Advisory Service for Looked After Children and Children in Need (NT&AS) was contacted by a local authority concerned about its high and increasing expenditure on placing children outside the borough in high cost residential provisions. The education and social services departments both recognised that their overspend was driven by a combination of the lack of in-house resources and the nature of difficulties faced by individual children. The LEA was concerned about the growing number of children without appropriate full-time provision, many of whom were statemented and some of whom were looked after. Social services managers were concerned at the extent to which problems in children's education led to breakdowns in foster placements. These breakdowns then led to children having to be placed in local authority homes or independent residential care.

The local authority referred to the NT&AS an initial group of 20 children identified by the LEA and social services department. All of these children were facing significant educational difficulties which, if unresolved would prevent their return to their families or foster carers, or, would lead to placement in high-cost external education and/or care provision. 8 of the identified group placed outside the borough were already costing the authority over £500,000 per annum.

The NT&AS worked alongside the local authority's professional staff and negotiated mainstream school placements for each child in the group. The NT&AS planned and delivered full-time teacher support. This gave schools the confidence to admit children to whom they had previously felt unable to offer placements due to the perceived difficulties the children would present to teachers and other pupils. The inclusion of children in mainstream schools provided the impetus for social workers to plan for their return to foster care or to their own families.

Of the full group, 12 were placed successfully in mainstream schools, 5 in colleges of further education, 2 in local authority special schools and 1 remained without appropriate education provision.

An example of a case history:

*John is aged ten and looked after by the local authority. At the outset of John's four previous foster placements education was a major area of concern. John had not attended school regularly for two years and had been permanently excluded from three primary schools. He had not taken up a place offered to him at the authority's school for pupils with emotional and behavioural difficulties as he had been moved by social services to new carers outside the borough.*

*It was recognised that John's educational circumstances directly contributed to placement breakdowns leading to moves which further reduced the chances of educational stability and success. John's new carers were concerned that his educational difficulties were already putting pressure on their capacity to care for him effectively. The education department were sympathetic, but considered that appropriate educational provision had been made available, but had been ineffective due to the number of times John had been moved.*

*His social worker requested funding for specialist, out of authority, residential provision with education at a cost of £75,000 per year. Application was made for joint-funding of provision with the LEA but they rejected the request, as they had met their responsibilities to John through the SEN Code of Practice and had offered a place within their EBD school. They did not wish to incur further expense as a consequence of social services moving John out of the borough.*

*The social services manager contacted the National Teaching & Advisory Service for advice on John's case. It was proposed and agreed that the NT&AS should plan and support John's induction into a mainstream primary school local to his new foster carers. His carers welcomed the programme as it provided John and his new school with full-time teacher support to maximise the possibility of success within the school and within his foster placement. John's current success in school has greatly contributed to stability in his care placement. His local authority's costs continue to reduce as support is reduced on a planned basis. John is no longer being considered for a placement outside the borough.*

**Contact:** The National Teaching & Advisory Service  
0161 232 1001 e-mail: NTASLAC@aol.com

## 12 Joint funding

- 12.1** One of the chief obstacles to effective joint working is disagreement about who pays. Border disputes about funding are often blamed for delay in securing appropriate provision for young people in care, and those with special educational needs. This can range from costly therapeutic provision where education is provided to transport costs to further education. Difficulties often arise because of different definitions of need, whether provision is educational or non-educational, and different agencies' views about the efficient use of resources. Whatever the organisational reasons, the education of the child in question suffers.
- 12.2** Arrangements should be made to ensure that there are joint-funding agreements between relevant Departments and agencies to minimise any delay in making placements. Arrangements with Health Authorities are particularly important and should reflect the spirit of partnership embodied in the programme to modernise Government. There are many young people in public care with particular health needs and therefore well co-ordinated action between the agencies will facilitate quicker and more successful placements.
- 12.3** In *The Review of the Safeguards for Children Living Away from Home*,<sup>47</sup> Sir William Utting refers to 'the impersonal harm wrought by malfunctioning systems and institutions' where other goals, 'whether of policy, management, administration or professionalism' are substituted for the primary objective of promoting the welfare of the child. He concludes that:
- 'Everything that goes on in organisations with that objective should be put to the test of whether it serves the interests of children. If it does not, either at first or second hand, it is likely to harm their interests directly or indirectly.'
- 12.4** It is this test which needs to be applied to the joint funding of provision for children and young people in care. Local authorities must work corporately to ensure that joint funding works. The best way to achieve this is through elected members, who should: consider whether current arrangements for joint funding of services for young people in public care adequately promote their welfare; consult all parties involved in corporate parenting; and draw up proposals for joint funding which support their objectives as set out in their EDPs and MAPs.

**12.5** If disputes commonly arise between internal departments where they are unclear as to which has responsibility for particular expenditures, it might be useful for the local authority to pool a joint fund, top slicing the existing budgets of the departments involved into a central fund. This would not only help resolve funding disputes quickly but also facilitate joint working. Another good practice used by local authorities is to clearly define the responsibilities of each department so that disputes rarely arise.

### **Key Messages**

- *Corporate responsibility to ensure that joint funding works*
- *Possibility of pooling resources*
- *Define respective responsibilities*

## 13 Supporting carers

### Supporting carers

- 13.1** The Children Act 1989<sup>1</sup> introduced the concept of enduring parental responsibility. Even where a child is the subject of a care order, parental responsibility is shared with birth parents. Many parents who do not live with their children retain a close interest in their education, and social services and schools should make efforts to involve birth parents in planning and progress where appropriate. Where parents are unavailable or their contact with the children has been minimised on grounds of safety etc., social services may find that other relatives can play a very useful role in supporting and motivating the child.
- 13.2** On a day-to-day basis children and young people in public care will live with and be cared for by primary carers – either foster carers or residential social workers. If they live in a children’s home they will have a key worker. Sixty-five<sup>30</sup> per cent of children in public care in England live in foster placements, and twelve per cent (6,300) live in children’s homes. It is carers who will have contact with class teachers and social workers and who will know on a day-to-day basis how a child is getting on at school, and if there are any problems. Foster care and residential care can provide young people with the stability and support to promote success.
- 13.3** In order to champion the needs of young people in their care, carers need information and support. Looking after other people’s children who may have suffered rejection and abuse is a very demanding job. Carers need to call upon more resources and knowledge than they would acquire from simply having children of their own. They may care for a wide variety of children with very different needs who attend different types of school. Some will have developed a great deal of expertise in successfully advocating for the education of children they care for.
- 13.4** Local authorities should consult carers and establish what their needs are in supporting the educational success of children for whom they care. The principles of good corporate parenting: prioritising education; providing continuity; intervening early when there are problems; listening to children; and having high expectations, all apply to the role of primary carer.

## Case Study

### Accredited training programmes for social services personnel and foster carers

An accredited qualification has been developed to help social services personnel and foster carers support the education of children and young people in public care. The qualification has a notional NVQ equivalence of level 3 and has been developed by NCFE, a national vocational awarding body. The qualification is approved by the Secretary of State under Schedule 2 (a) to The Further and Higher Education Act 1992. In 1998 it was successfully piloted by Rhondda Cynon Taff Council in South Wales and is now available in England and Wales.

Central Council for Education and Training in Social Work (CCETSW Cymru/Wales) is funding the development of two modules of this course into training materials for DipSw (Diploma in Social Work) course and practice teachers. It is hoped that the complete course will be made available at this level. Any material published will be available in Welsh and English and will refer to legislation and circulars in Wales and England. Elements of the course content are also used to inform teacher training and other social work training courses.

The main aim of the qualification is to enable carers to become more confident and effective in promoting the education of children and young in public care by examining education within that context. Course content includes:

- The requirements of the Children Act (1989); the SSI/Ofsted inspection criteria (1995); the Guidance on the Education of Children and Young People in Public Care (2000); the concept of corporate responsibility and the demands of *Quality Protects*
- Safeguarding education by addressing special educational needs, social inclusion and pupil support – defining the roles and responsibilities of all agencies and agreeing protocols
- Supporting carers to become more confident and effective in promoting educational opportunities for young people. How to involve relevant national organisations and how to celebrate achievements
- Effective transition from compulsory education to opportunities in further education, work experience, training or employment is considered in the ‘broadening horizons’ module with practical examples of how to get the support of colleges and of the business sector.

**Contact:** NCFE – Portland House, New Bridge Street, Newcastle Upon Tyne NE1 8AN  
Tel: 0191 201 3100 e-mail: [info@ncfe.org.uk](mailto:info@ncfe.org.uk) Fax: 0191 201 3101

Children in Wales, 25 Windsor Place Cardiff CF1 3BZ Tel: 01222 342434

- 13.5** For carers to be able to fulfil this broad role local authorities will need to provide appropriate training. Carers represent a very diverse group of people, their levels of knowledge and expertise greatly varying. Therefore local authorities will need to gauge existing skill and knowledge levels and provide training opportunities accordingly. Many carers respond well to being treated as professional co-workers and are very enthusiastic to further the education of their young people. There are also some carers who struggle with literacy and numeracy skills and they may need more encouragement to take part.
- 13.6** Carers should take an active part in care and education planning, and have a clear understanding of who to liaise with at school, LEA and social services level. They should be involved in monitoring and supporting the targets set out in the young person's Personal Education Plan, and should be closely involved in any assessment of special educational needs. As soon as a child they care for starts at a school they should be told who the designated teacher is.
- 13.7** Carers have primary responsibility for, and a major influence upon regular attendance. They need to have a long-term view of the child's future, even when they may only care for the child in the short-term. This means balancing immediate care needs, which may include emotional and behavioural difficulties, against the long-term benefits of continuous education and achievement. It means ensuring young people do their homework, as a good parent would, and providing a suitable environment in which to do it. This should apply whether the child is living in foster care or residential care.
- 13.8** Carers need to be aware of the demands of course work, any study support opportunities, and when public examinations and tests are to take place.

### **Home-School Agreements**

- 13.9** Home-School Agreements apply to children and young people in public care just as they do to other children. *The Home-School Agreements: Guidance for Schools*<sup>19</sup> states, 'The local authority or the voluntary organisation should be consulted and asked to sign the agreement in place of the parent.' For this agreement to be meaningful the signatory should be the primary carer, the person with most day-to-day responsibility for the child.
- 13.10** Positive home-school links are seen as enhancing educational life chances for all pupils, and it is essential that corporate parenting replicates the same benefits for young people in public care. Designated teachers should ensure that there is effective communication between school and carers; that attendance issues are pursued immediately, and that carers are fully involved in supporting agreed plans and targets



for the child, including encouraging children with homework and any after-school activities in which they show an interest. Carers should be expected to attend school events including parents' evenings unless, in agreement with the child, social services and the designated teacher, the child's parent attends.

**13.11** Social services departments must prioritise education in their assessment, recruitment and post-placement support of carers. They must ensure that every placed child has access to a room suitable for quiet study. Wherever possible social services should ensure that the children have access to suitable reading and reference material, receive support with their reading and preferably have access to a computer with suitable software.

**13.12** Information for carers should stress that supporting young people to attend and succeed at school is one of their primary tasks, and that they will be expected to undertake training in order to support young people in their education. Social services should know if carers are not able to provide the home-school support expected of them, and should take immediate measures to provide carers with the necessary expertise or information to do so.

### **Children's homes education policies**

**13.13** Children's homes should have clear, written education policies which set out the requirements for regular attendance and homework support, regular supported reading, monitoring and support of children's education plans, and liaison arrangements between schools, social services and children's homes. Managers of homes may find it useful to produce these in liaison with the LEA and social services department. And in collaboration with designated teachers and the local authority's Quality Protects Lead Officer they should also establish improvement plans which support the education objectives set out in the Management Action Plan, and which also set challenging targets for the residential unit. Social services departments should not place a child in a home without a written statement setting out the home's understanding of the required educational requirements.

### **Key Messages**

- *Train, inform, involve and support all primary carers*
- *Primary carers should participate in Home-School Agreements*
- *Children's homes should have written education policies*

## 14 Training

- 14.1** Lack of basic awareness, hard information and specialist knowledge has contributed to the poor standard of corporate parenting and consequent under achievement of young people in public care. Research and practice demonstrate that awareness raising and training within authorities can quickly lead to better corporate parenting with measurable improvements for young people in care.
- 14.2** Quality Protects objectives demand better informed and trained staff. *Joint working* – the basis of *corporate* parenting – demands a basic understanding of how different public services work; the statutory basis for each service and the responsibilities of those providing it, and an understanding of the experiences of those who receive the service.
- 14.3** Some local authorities will already provide multi-agency training for professional staff. Some will provide training for carers, but may not include training on education. All local authorities have training resources and professional and legal expertise on which to draw. There is also a range of training and development materials which has been developed by the voluntary sector in partnership with local authorities.
- 14.4** Social services personnel need to know how the Local Education Authority works, the range of services on offer, and how the law and local procedures operate in relation to choosing schools, admissions, exclusions and special educational needs. They also need to know the educational milestones in a child's life; and what the national and local educational targets for children are.
- 14.5** Teaching staff, education support staff and school governors need to understand the basic principles of the Children Act<sup>1</sup> and associated guidance; how the care system operates, and the different routes by which children arrive in care. They need to understand how care and separation affect children and young people in public care.
- 14.6** All involved in improving educational outcomes for children and young people in public care need to learn more from young people themselves about what care feels like and what would improve their schooling while they are looked after by the local authority.

### Key Message

- *Effective policy must be underpinned by training for all involved with young people in public care*

## 15 Advocacy

- 15.1** Parents act as their children's advocates from birth, recognising that certain choices, decisions and milestones will critically affect their children's life chances, and also how their children's particular needs are met. The powerful role of parents in advocating for their children's educational needs is undisputed. Local authorities and schools expect to work in partnership with parents in helping children reach their potential.
- 15.2** Much parental involvement in education is now prescribed, or is simply assumed to happen. This includes: selecting schools; supporting attendance, subject choices, homework and work experience. It also includes advocating for a child's particular or special needs and appealing against decisions which parents feel will harm future choices.
- 15.3** The same decisions, choices and milestones affect children and young people in public care on a day-to-day basis, and the local authority as corporate parent is expected to fulfil the role of advocate. (Section 4 of this guidance sets out what is expected of corporate parents.) Foster carers and residential care workers, designated teachers and social workers will have a clear role in day-to-day advocacy, in terms of accessing services and ensuring that individual children receive the support they need when they need it. In some cases parents and family will continue to advocate on behalf of their children. Local authorities should be satisfied that primary carers, social workers and teachers have the necessary training to equip them as effective advocates.
- 15.4** Local authorities may additionally have independent advocacy arrangements which young people or their carers or parents may use. This may be in the context of complaints procedures where, for instance, placement choices are challenged, or of accessing a range of services to meet special needs. The local authority may provide Independent Parental Supporters, and will provide a Parent Partnership Service to support and advise parents of children with special educational needs. Foster carers and residential link workers should be made aware of these services.
- 15.5** One area where advocacy is particularly crucial is where a young person is at risk of exclusion from school or has already been excluded. Children and young people in public care are over-represented amongst excluded pupils, and it is sometimes at such times of crisis that their particular needs are first identified and the effects of their pre-care and care experiences understood. Some of these children will be primary age pupils. Like all pupils the chances of them being excluded will be substantially reduced

if they have supportive adults prioritising their education and supporting them when things go wrong.

- 15.6** Young people in public care should not be denied access to any channel of complaint or appeal on the grounds that one part of the local authority, as corporate parent, cannot challenge the decisions of another part of the local authority, or of a school maintained by the authority. This would result in denying children and young people in care rights which are available to other children through their parents. The local authority must make clear and practical arrangements to ensure that someone acts as an advocate for the young person in cases of exclusion from school. This may be a primary carer, social worker, designated teacher or an independent person. These arrangements should be clearly set out in policies and protocols about the education of children and young people in public care, and made available to all those involved in corporate parenting, including governors and councillors.
- 15.7** Advocacy does not mean working on behalf of children and young people at the expense of working with them. There will be circumstances in which young people will prefer to advocate for their own needs or to choose the person who advocates on their behalf.
- 15.8** Effective advocacy is essential to help motivate young people in public care and show them that their corporate parent will help them access the services and opportunities that they need to succeed beyond care. It gives young people an effective voice in the decisions that make the biggest impact in their lives. Effective advocacy will minimise unnecessary moves and disruption, and decrease the chances of the young person becoming alienated from the system. It is therefore important that local authorities review their current advocacy systems and ensure that they work well.

## Key Messages

- *Effective advocacy supports inclusion of young people in public care*
- *The local authority as corporate parent is expected to fulfil the role of advocate*
- *Local authorities should ensure that primary carers, social workers and teachers have the necessary training and support to be effective advocates*

## 16 Young people placed in secure accommodation

- 16.1** Young people can be placed in secure accommodation for a number of reasons: accommodated for their own welfare; on remand awaiting trial; or given a custodial sentence. They can be held in local authority Secure Units, Young Offender Institutions, prisons or Secure Training Centres. Whatever the institution the young people need access to education and training.
- 16.2** Local Authorities should be aware of where these young people are placed and how long they are likely to be held. They will therefore need (from April 2000) to contact their Youth Offending Team (YOT) Manager who will in turn liaise with the institution. The exception is the case of young people accommodated on welfare grounds, where local authorities will liaise directly with the Secure Unit. Local authorities will need information from the institution or YOT concerning the educational progress of the young people and should plan ahead for suitable educational or training placements for the young people when they return home. In particular the local authority need to be involved with Exit Plans, ensuring that education and examination needs are met as seamlessly as possible when the young person returns home. They should refer to the Youth Justice Board's National Standards for Youth Justice and to the Board's standards for secure accommodation (when these become available). For further information the Youth Justice Board website is on <http://www.youth-justice-board.gov.uk>
- 16.3** A high proportion of young people who are admitted to these institutions enter with poor or no literacy skills. However, with skilled teaching and raised self-esteem, progress can be rapid and some of the young people say that this has been their first opportunity to acquire literacy skills. The educational ethos which is developing in local authority Secure Units, Prison Service accommodation and Secure Training Centres provides the educational experience that many of these young people rejected whilst at school. The expectation of regular attendance, the emphasis on progress and success and the growing confidence in their own achievement can change attitudes to learning and improve life chances.
- 16.4** Some of the young people in secure accommodation will have statements of Special Educational Needs. Though there is no statutory duty to meet the special educational needs of these young people, LEAs should ensure that the institutions receive

information about these needs. The institutions should endeavour to make their educational provision appropriate to the young people's needs.

### **Key Messages**

- *Liaise with Youth Offending Teams and Secure Units*
- *Local authority involvement with Exit Plans*

# Appendix A

## References and resources

The following are a selection of government circulars, official reports, research and practice materials which relate to the education of young people in public care.

## Guidance, circulars and the law

The law as it affects the education of children and young people in public care is set out in:

1. The Children Act 1989
2. The Education Act 1993
3. The Education Act 1996
4. The Education Act 1997
5. The School Standards and Framework Act 1998

Related Children Act Regulations include:

6. Arrangements for Placements of Children (General) Regulations 1991 Review of Children's Cases Regulations 1991
7. The Children Act 1989 Guidance and Regulations Volume 3: Family Placements and Volume 4: Residential Care (1993), HMSO.
8. The Education (Areas Which pupils and Students Belong) Regulations 1996 "Belonging Regulations"

## Department for Education and Employment (DfEE)

Internet [www.dfee.gov.uk](http://www.dfee.gov.uk)

9. Circular 1/98 Behaviour Support Plans
10. Circular 11/98 Target-setting in schools
11. Circular 13/94 LAC(94)11 The Education of Children Looked After by LA
12. Circular 16/99 The Standards Fund 2000–2001
13. Social Inclusion: Pupil Support Circular No. 10/99 (1999)
14. Excellence in schools Cm3681 (1997)

15. Education Development Plan Guidance 1999-2002 (1998)
16. From Targets to Action (1997)
17. Setting Targets for Pupil Achievement: guidance for governors (1997)
18. Code of Practice LEA – School Relations (1999)
19. Home-school Agreements – guidance for schools (1998)
20. Code of Practice on the Identification and Assessment of Special Educational Needs (1994) (under review)
21. National Framework for Study Support (1998)
22. Early Years Development Partnerships and Plans: Guidance 1998-99
23. Excellence in Cities (1999)
24. “Disapplication of the National Curriculum at Key Stage 4 using section 363 of the 1996 Education Act for a wider focus on work-related learning” – Guidance for Schools (QCA/98/215)
25. “Life Long Learning Partnerships” – Remit January 1999 – available from Simon Bateman, Telephone 01142 594826.
26. Early Learning Goals 10/99 Ref. QCA/99/436 – available from QCA Publications (01787 884444)
27. 2 reference documents – “Sure Start – Making A Difference For Children And Families” Ref. SSDCF  
“Sure Start – A Guide for Second-Wave Programmes” Ref SS2Wave
28. 3 reference documents “Home-start- A Friend To Parents with Young Children”  
“Home-start and family Support”  
“Support Families” Home-start UK (0116 233 9955) www.home-start.org.uk
29. Learning Gateway leaflet LG/99/02 also *The Learning Gateway for 16 & 17 Year Olds – A Guide To Relevant Practice* reference to quote: LG01

### **Other relevant DfEE and joint guidance**

Circular DFE 8/94 Pupil Behaviour and Discipline has been replaced by the SIPS Guidance Circular 10/9913

Circular DFE 9/94/ DHLAC(94)9 The Education of Children with Emotional and Behavioural Difficulties (being revised)

Circular DFE 10/94 Exclusions From School has been replaced by the SIPS Guidance Circular 10/99<sup>13</sup>



Circular DFE 11/94 The Education by LEAs of Children Otherwise Than at School has been replaced by the SIPS Guidance Circular 10/9913

Circular DFE 12/94/DHLAC (94)10/NHSE HSG (94) 24 The Education of Sick Children (being revised)

## Department of Health

Internet [www.doh.gov.uk](http://www.doh.gov.uk)

30. Department of Health Bulletin 1999/26 (7 October 1999)
31. LAC (96) 10 Children's Services Plans
32. LAC (98) 28 The Quality Protects Programme: Transforming Children's Services
33. Letter to Councillors: Quality Protects: Transforming Children's Services The Role and Responsibilities of Councillors from Secretary of State for Health (21 September 1998) (See Appendix B of this document)
34. LASSL (98) 19 Children's Social Services Special Grant: Indicative Allocations for 1999–00.
35. Modernising Health and Social Services: National Priorities Guidance 1999/00 – 2001/02.
36. Looking After Children: Good Parenting, Good Outcomes 1996. HMSO
37. The Government's Objectives for Children's Social Services. A Quality Protects publication September 1999

## Reports

38. Audit Commission (1994) *Seen but Not Heard: Coordinating Child Health and Social Services for Children in Need*, HMSO.
39. *Choosing with Care – The Report of the Committee of Inquiry into the Selection, Development and Management of Staff in Children's Homes* (1992) (The Warner Report) HMSO.
40. House of Commons, Session 1997-98, Health Committee Second Report, *Children Looked After by Local Authorities* Volume 1, The Stationery Office.
41. House of Commons Education and Employment Committee (1998) *Report on Disaffection*, The Stationery Office.
42. Social Exclusion Unit (1998) *Truancy and School Exclusion*, Cm 3957, The Stationery Office.
43. Social Exclusion Unit (July 1999) *Bridging The Gap: New Opportunities for 16–18 year Olds Not In Education, Employment or Training*. The Stationery Office (0345 12 34 74)

44. Social Services Inspectorate/ Office for Standards in Education (1995) *The Education of Children Who Are Looked After by Local Authorities*.
45. *The Government's Response to the Children's Safeguards Review* (1998) Cm 4105, The Stationery Office.
46. Utting Sir W (1991) *Children in the Public Care*, HMSO.
47. Utting Sir W (1997) *People Like Us – The Report of The Review of The Safeguards For Children Living Away from Home*, Department of Health/The Welsh Office, The Stationery Office.

## Research

48. Aldgate J, Heath A, Colton M and Simon M (1993) 'Social Work and the Education of Children in Foster Care', *Adoption & Fostering* 17, 25-34.
49. Barnardos (1996), *Too Much Too Young*, Action on Aftercare Consortium.
50. Biehal N, Clayden J, Stein M and Wade J (1995) *Moving on: Young People and Leaving Care Schemes*, HMSO.
51. Department of Health (1998) *Caring for Children Away from Home – Messages from Research*, Wiley.
52. Fletcher B (1993) *Not Just A Name – the views of young people in foster and residential care*, National Consumer Council.
53. Fletcher-Campbell F and Hall C (1990) *Changing Schools? Changing People? The Education of Children in Care*, NFER.
54. Fletcher-Campbell F (1997) *The Education of Children Who Are Looked After*, NFER.
55. Garnett L (1992) *Leaving Care and After*, National Children's Bureau.
56. Jackson S (1987) *The Education of Children in Care*, Bristol Papers in Applied Social Studies No 1.
57. Jackson S (ed) (1994) *The Education of Children In Need*, Oxford Review of Education, Volume 20 Number 3.
58. Jackson S and Martin P Y (1998) *Surviving the care system; education and resilience*, Journal of Adolescence Vol. 21 pp 569-583.
59. Jackson S (1998) *Educational success for looked after children: the social worker's responsibility*, Practice Vol. 10 No 4 pp 47-55.
60. Sinclair R (1998) *The Education of Children in Need*, Research in Practice, Dartington.
61. Shaw C (1998) *Remember my Messages*, The Who Cares? Trust.

## Organisations and resources

The following child care organisations all have an interest in improving services for children in public care, including their education. They are involved in a range of practice development aimed at reducing exclusion and disaffection; providing services for care leavers; for carers; providing training; improving corporate parenting and providing a voice for young people in care.

- |   |   |
|---|---|
| <p>62. Barnardos<br/>Tanners Lane<br/>Barkingside<br/>Ilford<br/>Essex IG6 1QG<br/><br/>020 8550 8822</p>                             | <p>67. National Youth Agency<br/>17–23 Albion Street<br/>Leicester LE1 6GD<br/><br/>01162 856789</p>  |
| <p>63. British Agencies for Adoption &amp; Fostering<br/>Skyline House<br/>100 Union Street<br/>London SE1<br/><br/>020 7593 2000</p> | <p>68. The Who Cares? Trust<br/>Kemp House<br/>152–160 City Road<br/>London EC1V 2NP<br/><br/>020 7251 3117</p>   |
| <p>64. First Key<br/>Oxford Chambers<br/>Oxford Place<br/>Leeds LS1 3AX<br/><br/>0113 244 3898</p>                                    | <p>69. A National Voice<br/>PO Box 253<br/>Leeds LS1 3RA<br/><br/>0113 242 9767</p>   |
| <p>65. National Children’s Bureau<br/>8 Wakley Street<br/>London EC1V 7QE<br/><br/>020 7843 6000</p>                                  | <p>70. Voice for the Child in Care<br/>Unit 4, Pride Court<br/>80–82, White Lion Street<br/>London N1 9PF<br/><br/>020 7833 5792 info@vcc-uk.org</p>                                |
| <p>66. National Foster Care Association<br/>87 Blackfriars Road<br/>London SE1 8HA<br/><br/>020 7620 6400</p>                         | <p>71. The National Teaching Advisory<br/>Service For Children and Children<br/>in Need<br/>Greenheys Centre<br/>10, Pencroft Way<br/>Manchester M15 6JJ<br/><br/>0161 232 1001</p> |

## **Practice materials**

Many local authorities have developed their own policies, procedures and plans relating to the education of children and young people in public care. The following materials have been developed by voluntary organisations listed above in collaboration with local authorities.

### **First Key**

70. *Education of Young People Looked After Pack* by Peter McParlin.

### **National Children's Bureau**

71. *Personal Education Plan for Children and Young People in Public Care*, Peter Sandiford, 1999.
72. *Improving Educational Opportunities for Looked After Young People – a good practice guide for residential social workers*, Peter Sandiford, 1996.
73. *Improving Educational Opportunities for Looked After Young People – a good practice guide for teachers*, Peter Sandiford, 1996.
74. *Care about Education – a joint training curriculum for teachers, social workers and carers for supporting children in public care*, Sally Morgan, 1999

### **The Who Cares? Trust**

75. *Who Cares? about Education – an action guide for young people in residential and foster care*, 1995.
76. *Who Cares? About Education – The education of children who are looked after by local authorities – A guide for school governors*, Barbara Fletcher, 1996.
77. *Who Cares? About Education – The education of children who are looked after by local authorities – A guide for elected members*, Barbara Fletcher, 1998.
78. *Equal Chances Information Pack – Finding the Facts: an audit of education of looked after children and young people*, 1999.

# Appendix B

## Department of Health

21 September 1998

Dear Councillor

### **QUALITY PROTECTS: TRANSFORMING CHILDREN'S SERVICES THE ROLE AND RESPONSIBILITIES OF COUNCILLORS**

When you were elected as a local Councillor, you took on important responsibilities for the health and well being of all children in your area. Some of you have particular responsibilities for securing the care and protection of children and ensuring that this is done effectively.

Many people underestimate how difficult these responsibilities are, and fail to recognise the good work that both local authority social services and education departments have achieved for many children over the years. But I'm sure you will agree that no-one should doubt that there are good grounds for the serious and widespread criticism of social services for children which have been made in recent years, for example by the Parliamentary Health Select Committee in its report this summer on "Looked After Children", by Sir William Utting in his report of the Children's Safeguards Review published last November and by the Social Services Inspectorate (SSI) in a number of reports which have shown serious failings in the management and delivery of children's services.

I believe that central and local government must share responsibility for this state of affairs and also for ensuring that children's social services reach the high standards required to encourage, protect and support children and to satisfy public expectations. Central government must take responsibility for providing the legislative and structural framework through which services can be delivered; for setting objectives and standards; for monitoring and inspecting services and outcomes and for ensuring that the resources are available to do the job. For your part, local government is responsible for delivering high quality services in line with national objectives and standards to meet your local needs.

We shall shortly be publishing a response to the recommendations in Sir William Utting's report. It will cover changes and improvements in the policies of those Government Departments with responsibilities for children's services. This will be followed by our White Paper on social services which will set out the Government's strategy for modernising social care. It will give details of our plans to improve service regulation, including services for children and for improving social services training with a particular emphasis on skills in working with children.

## Quality Protects

The Quality Protects programme which I have launched today is a central strand of our strategy to improve children's social services, especially the services for looked after children for whom councillors have particular responsibilities.

"Quality Protects" was an important theme of the Children's Safeguards Review Report. One of the best safeguards against abuse or harm to children who are looked after by local authorities is a high standard of management and practice in running the care system. As well as keeping children safer, higher standards will help them achieve more, and give them a much better prospect than they might otherwise have had of successful lives as adults. And the same must apply to continuing help to a young person leaving care, whether for education, training or in their first initial steps to independent living or holding down a first job.

The Quality Protects programme will be a major three year improvement programme for the management of children's services. Through the programme, the Department of Health will support and monitor the work of your council to deliver the improvements required, and we shall be identifying a team of Regional Development Workers to work with the Department's Social Care Regions to take the programme forward. Your Council will be required to submit a Quality Protects Action Plan to the Department by **31 January 1999**, using the Framework which has been launched today. Further details of the whole programme will be contained in a guidance circular which will be sent shortly to all social services authorities.

## Children in The Public Care

What I want to emphasise to all councillors, but particularly to those of you with interests in education and social services, is your important responsibility for children who need the help and protection of your council and especially for those in your council's care – for "looked after children" in the language of the legislation.

For children who are looked after, your council has a legal and moral duty to try to provide the kind of loyal support that any good parents would give to their children. Part of your council's legal responsibility is set out in the Children Act 1989 and its accompanying volumes of guidance. These can seem complex and the language which is used is often technical. But the underlying message for you as a local councillor is straightforward: you should do your utmost to make sure that children in the public care get a good start in life. **You need to be able to live up to the Government's expectations of local authorities as corporate parents which are currently being considered by the Ministerial Task Force on Safeguards for Children Looked After Away From Home and are set out at Annex A.**

The key points are that:

- children in the public care must be the primary focus for the resources and accountability of the local authority which has accepted a parenting responsibility for them;
- children who have spent a significant time being looked after by the local authority should afterwards be given the kind of support that decent and responsible parents would give to their own children;
- children in the public care and other children in need, including disabled children, should be provided with a fully rounded set of support and care services, in partnership with health and education services particularly.

## **The Role of Councillors**

Elected Councillors have a crucial role. Only you can carry it out. You can make sure that the interests of the children come first. You bring a fresh look and common sense. As councillors you set the strategic direction of your council's services and determine policy and priorities for your local community within the overall objectives set by Government. It is the responsibility of your officers to manage services and resources in order to achieve those policy objectives and to advise your council on the best way forward. Councillors and officers need to have a good dialogue to ensure that councillors clearly understand their role and responsibilities, and that officers understand the expectations of your council.

As a councillor, you need to make sure you receive the right information so that you can ask demanding questions about the services and resources for children in your community. You need to know:

- how the overall needs of children in your community, and the likely demand for services, have been estimated;
- what services are being provided and how much is being spent on them;
- how you can judge the quality and effectiveness of services and whether they achieve good outcomes for children. This is essential if you are to discharge your responsibilities to scrutinise and oversee the performance of your local services.

**A checklist of some of the basic questions you should be asking is at Annex B. You may also find it helpful to refer to the guide for councillors published by The Who Cares Trust in collaboration with the Local Government Association.**

## **Best Value**

The Government has now published “Modern Local Government In Touch with People” which sets out our commitment to modernising local government and to improving the quality of local services. All Councils will have to meet the aspirations of local people for the highest quality and most efficient services at a price people are willing to pay. Councillors are central to achieving this, and the Government’s approach is one of partnership between central and local government to ensure that citizens get the best possible deal from their council.

The Government’s policies for social services – as part of local government – will be underpinned by the Best Value regime, under which local councils will have a statutory duty to achieve economy, efficiency and effectiveness in the exercise of their functions, and to secure continuous improvements. We believe that the key principles of the Best Value approach should inform the management and delivery of children’s services. Councillors need to be able to demonstrate to local people that their council is delivering best value services for children and their families. Working in partnership with the Department of Health on Quality Protects will be a key way of achieving this.

## **The Government’s Objectives for Children’s Services**

Today I have announced a new set of Government objectives for children’s social services. They make clear the Government’s priorities and set out what we expect your council to achieve. We shall be assessing your council’s performance against these objectives through a new performance management framework, consistent with overall Best Value principles, the main elements of which will be in place in 1999/2000. We shall be consulting on more detailed proposals for performance assessment shortly.

## **The Corporate Responsibility of Local Government**

As councillors it is your responsibility to ensure that your council is delivering on these objectives. You need to know what progress is being made, what is going well and where any areas of weakness lie so that you can ensure that your council’s performance is up to standard. This is a daunting task.

To succeed you will need to work corporately as a local authority. Decisions taken on social services functions will lead the agenda, but there will need to be a wider corporate commitment to deliver the Government’s new objectives. Education, housing and leisure services will need to play their part alongside social services. Children’s Services Plans will be important in securing the necessary corporate commitment to objectives for children’s services. Our forthcoming Social Services White Paper will set out our plans for strengthening their effectiveness as real working tools.



We also want to see effective partnership between local government and the health service in a common commitment to high quality children's services. Some children have complex needs for both health and social care, and it essential that health and social services authorities work together to enable these needs to be met. The new NHS structures set out in the Government's White Paper "The New NHS" make local government a crucial partner in the new NHS structures, and councillors can do much to foster better relationships.

We will be publishing shortly National Priorities Guidance for both health and social services. This joint guidance will emphasise the interdependence of health and social services, and set out the priorities to be achieved in a programme of renewal and reform. It will also include the responsibility local authorities will have in the reform of Youth Justice which will follow the Crime and Disorder Bill. These national priorities, which include children's welfare, have been chosen as representing those areas where nationally the greatest improvement is needed and where the greatest contribution can be made to achieving the Government's vision of modernised services. Making progress will depend on effective joint working between social services, health authorities, NHS Trusts, primary care and other agencies.

These are important and serious responsibilities. You, as councillors, need to be clear that your council has the management capacity to provide the high quality, well managed services we need for vulnerable children. You need to satisfy yourselves that your council has good quality control mechanisms in place. The Social Services Inspectorate will be working with your councils to help bring about change. It is important that you know what needs to be delivered and give your active support to achieving it.

In announcing this new initiative we wish to help some of society's most vulnerable young people. We have it in our power to alter their future pattern of life for the better. We owe it to all our young people to ensure that they get the best possible start in life.

I wish you well in your task.

**FRANK DOBSON**

## **Annex A**

### **THE GOVERNMENT'S EXPECTATIONS OF THE LOCAL AUTHORITY AS CORPORATE PARENT**

The Government expects Social Services and Education authorities to:

- provide care, a home, and access to health and education and other public services to which all children are entitled according to their needs
- provide a mixture of care and firmness to support the child's development, and be the tolerant, dependable and available partner in the adult/child relationship even in the face of disagreements
- protect and educate the child against the perils and risks of life by encouraging constructive and appropriate friendships, and discouraging destructive and harmful relationships
- celebrate and share their children's achievements, supporting them when they are down
- recognise and respect their growth to independence, being tolerant and supportive if they make mistakes
- provide consistent support and be available to provide advice and practical help when needed
- advocate their cause and trouble-shoot on their behalf when necessary
- be ambitious for them and encourage and support their efforts to get on and reach their potential, whether through education, training or employment
- provide occasional financial support, remember birthdays and Christmas or annual celebrations within the individual child's religion and culture
- encourage and enable appropriate contact with family members – parents, grandparents, aunts, uncles and brothers and sisters.
- help them to feel part of the local community through contact with neighbours and local groups
- be proactive, not passive, when there are known or suspected serious difficulties.

## **Annex B**

### **QUESTIONS FOR COUNCILLORS TO ASK**

#### ***Baseline Data***

All Councillors with decision taking or scrutiny responsibilities for children's social services should receive regular reports providing basic activity and cost data, providing answers to the following questions:

#### ***Children In Need***

- How many children in need are there in your community?
- What is that figure based on?
- What is their ethnic and cultural background?
- What services are provided and how much is spent on them?
- What preventive action is your authority taking to ensure children in need, including disabled children, are not involved in offending behaviour?

#### ***Child Protection***

- How many children are on the child protection register?
- What is their ethnic and cultural background?
- What percentage are re-registrations?
- How long do children spend on the register?
- How much staff time is spent on child protection work, what does this cost and what are the outcomes?
- Have all the children on the child protection register been allocated a social worker?
- How many children run away or otherwise go missing from residential care and foster care?

#### ***Looked After Children***

- How many children are looked after by your council, whether on a care order or through voluntary arrangements?
- What is their ethnic and cultural background?
- What type of placement are they in – foster care, residential homes or secure units?
- How much is your council spending on services for looked after children?
- Do all your looked after children have an allocated social worker?
- How many placement moves have children had?

- How many attend school regularly and how many are excluded from school?
- What progress are they making and what are their test scores and examination results?
- How many children run away or otherwise go missing from residential care and foster care?
- How many children have a statement of a special educational need?
- How many children are involved in offending behaviour?
- What action is your authority taking in partnership with other agencies to reduce this?

### **Care Leavers**

- How many young people leave care at the ages of 16, 17 and 18 and where do they go to live?
- What is their ethnic and cultural background?
- How many young people who left care after the age of 16 are still in touch with their social worker, carer or other approved person?
- What sort of progress do young people make after they leave care?
- How much is spent on after care services, including direct financial assistance to care leavers?

### **Quality Protects Action Plans**

You need to agree with your Director of Social Services a format for receiving regular reports on the progress your council is making with its Quality Protects Action Plans.

You should be asking the following questions:

- Who are the children in your community that need help from social services?
- Have you a picture of the diversity of the community and its particular needs?
- What mechanisms do you have for hearing the views of children and young people about services?
- What does your council want to achieve for the children you are responsible for – for their education, health, growth and development?
- How can you deliver this and how do you know if you are achieving your objectives?
- How will you publicise your objectives and policies on who has priority for services?
- What services are required to meet the needs of children in your community and who will provide them?

- Have you developed a strategy for commissioning children's services in partnership with health, education and other local agencies?
- Is the balance of your services right? Are you giving enough priority to providing a choice of placements for children entering care, to services for disabled children and to services for care leavers?
- Are your adoption services, family placements and residential care well managed?
- Do some specialist services need to be commissioned in partnership with other neighbouring councils?
- How effective are your quality assurance systems?
- How much will the services you need cost?
- How many staff, with what skills and competencies, are needed?
- Do your political structures help officers and members work together for quality children's services?
- How are your chief officers working together to improve children's services? What is the role of your chief executive?
- How are all councillors working in support of Quality Protects?
- How do you know whether your children's services are well managed?
- What management information do you and your officers need? What needs to be done to improve the quality of management information in your council?
- Are your assessment and care planning systems in line with Department of Health requirements? How do you know if they are effective for individual children?
- Is your council's record keeping up to standard?
- Are your internal audit procedures up to standard?
- What needs to be done to improve management skills in your council?

## Appendix C

### **RELEVANT GOVERNMENT OBJECTIVES FOR CHILDREN'S SOCIAL SERVICES RELATING TO THE EDUCATION OF CHILDREN AND YOUNG PEOPLE IN PUBLIC CARE**

The Government's objectives for children's services are set out in the Department of Health paper '*The Government's Objectives for Children's Social Services*'<sup>37</sup> published in September 1999. The following extracts are taken from that publication. They are a selection of objectives, performance indicators and National Priority Guidance targets that relate to, or will have significant impact on, the education of children and young people in public care.

- 1) **Objective: to ensure that children are securely attached to carers capable of providing safe and effective care for the duration of childhood.**

**Sub-objective:**

- 1.2 To reduce the number of changes of placement for children looked after

***PAF Performance Indicator A1 Stability of children looked after: The percentage of children looked after at 31 March with three or more placements during the year.***

*National Priorities Guidance target: "Reduce to no more than 16% in all authorities by 2001, the number of children looked after who have three or more placements in one year."*

**Sub-objective:**

- 1.5 To minimise the period children remain looked after before they are placed in long term foster care.

***PAF Performance Indicator D35 Long term stability of children looked after: Of children looked after at 31 March who have been looked after continuously for more than 4 years, the proportion who have been in their foster placement for at least 2 years.***

*This will be measured through the key statistics collection.*

- 4) **Objective: To ensure that *children looked after* gain maximum life chance benefits from educational opportunities, health care and social care.**

**Sub-objective:**

- 4.1 To bring the overall performance of *children looked after*, for a year or more, in National Curriculum tests closer into line with local children generally.

***PAF Performance Indicator A2 Educational qualifications of children looked after: The proportion of those young people leaving care aged 16 or over with at least 1 GCSE at Grades A\*-G or a GNVQ.***

National Priorities Guidance target: "Improve the educational attainment of children looked after, by increasing to at least 50% by 2001 the proportion of children leaving care at 16 or later with a GCSE or GNVQ qualification; and to 75% by 2003."

***PAF Performance Indicator C24 Children looked after absent from school: Of children looked after at 30 September who have been looked after continuously for at least 12 months and are of school age, the proportion who have missed at least 25 days schooling for any reason during the school year.***

***QP Performance Indicator 7: the proportion of looked after children at each key stage attaining expected standards in National Curriculum tests, expressed as a ratio of the proportion of all children in the local authority achieving these standards.***

***Quality Protects Performance Indicator 8: the proportion of looked after children achieving 5 or more passes at GCSE grades A-C, expressed as a ratio of all children in the local authority achieving these standards.***

***QP Performance Indicator 9: the percentage of children who had been looked after continuously for at least 12 months and were of school age, who were permanently excluded from school at any time during the previous school year.***

All the information needed to inform these PIs will now be collected routinely by the Department of Health through two new collections recently introduced on outcomes for children looked after and a return on care leavers.

**Sub-objective:**

- 4.4 To ensure that *children looked after* from black and ethnic minority groups gain maximum life chance benefits from educational opportunities, health and social care.

***Quality Protects Indicator 10: the proportion of children looked after from ethnic minorities divided by the proportion of children from ethnic minorities in the local authority.***

This PI is intended to show whether the number of looked after children from ethnic minorities is in proportion with the number of ethnic minority children in the local population. We shall be looking at whether we can develop further PIs focusing on outcomes in due course.

- 5) **Objective: To ensure that young people leaving care, as they enter adulthood, are not isolated and participate socially and economically as citizens.**

**Sub-objective:**

- 5.1 For young people who were looked after at the age of 16 to maximise the number engaged in education, training or employment at the age of 19.

***PAF Performance Indicator A4 Employment, education and training for care leavers: The proportion of young people looked after on 1 April aged 16 who are engaged in education, training or are employed at the age of 19.***

National Priorities Guidance target:

Demonstrate that the level of employment, training or education amongst young people aged 19 in 2001/02 who were looked after by Local Authorities in their 17th year on 1 April 1999, is at least 60% of the level amongst all young people of the same age in their area.”

For the sake of clarity we intend to introduce an additional target each year for each cohort of young people.



## Definitions of Indicators

A1	<b>The percentage of children looked after at 31 March with three or more placements during the year.</b>
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**The denominator:** The total number of children who were looked after at 31 March. Exclude from the count any children who were looked after on that date under an agreed series or short term-placements (*under the provisions of Reg. 13 of the Arrangement for Placement of Children (General) Regulations, 1991*).

**The numerator:** Of the children defined above, the number who had three or more separate placements (as defined by SSSDA903 collection) during the year ending 31 March count all placements, regardless of duration, including placements of less than 24 hours if they form part of a longer period of care. Include all placements that were already open on 1 April at the beginning of the year, and any which were open on 31 March at the end of the year. Include all placements regarded as 'temporary'; the exceptions being the following special cases:

- temporary periods on holiday or in hospital;
- other temporary absences of seven consecutive days or less, where the child then returned as planned to the previous placement.

These exceptional categories of placement are likely to be infrequent; they are not recorded on the SSSDA 903 for the one-third sample of looked after children, and for consistency are not included in the count of all looked after children. Where a child had placements during the year separated by periods of not being looked after, count each placement, even if they were with the same carer. Count 'placed for adoption' as a separate placement, even if with the same carer as the previous placement. Do not count any placements that formed part of an agreed series of short-term placements (under the provisions of Reg. 13 of the *Arrangement for Placement of Children (General) Regulations, 1991*).

*Indicator A1 differs from the Audit Commission indicator L9c. A1 is a count of placements rather than moves and covers all placements in year rather than the latest period of care. The most significant difference is the requirement under A1 to record all placements including temporary ones, with the few special and infrequent exceptions described above.*

**A2 The percentage of young people leaving care aged 16 or over with at least 1 GCSE at grades A\*- G, or GNVQ.**

**The denominator:** The number of young people who ceased to be looked after during the year ending 31 March at the age of 16 or over. Include all those in this age group leaving care regardless of how long they had been looked after before ceasing. But do not include young people who ceased after having been looked after during the year only under an agreed series of short term placements.

**The numerator:** Of these young people, the number who on leaving care had obtained at least 1 GCSE at grade A\*- G or GNVQ. Include qualifications gained before the young person was looked after or from examinations sat while the young person was looked after, even if the results were announced after the young person ceased to be looked after. Do not include qualifications gained from examinations sat after the young person ceased to be looked after. Include GCSE short courses, part one or full GNVQs at either foundation or intermediate level, and GNVQ language units. Do not include NVQs.

**A4 The percentage of those young people who were looked after on 1 April in their 17th year (aged 16), who were engaged in education, training or employment at age 19.**

**The denominator:** The number of young people whose 19th birthday falls in the year ending 31 March of the reporting year **t**, who were looked after on 1 April year **t-2** at the age of 16, and who ceased to be looked after before their 19th birthday. Exclude young people who had been looked after on 1 April of year **t-2** under an agreed series of short term placements. Count each young person only once even if they ceased to be looked after more than once.

**The numerator:** Of these, the number who on their 19th birthday were engaged in education, training or employment, whether full-time or part-time. The responsibility for obtaining, recording and returning this information rests with the local authority that had looked after the young person before he or she ceased to be looked after. In the case of authorities affected by local government re-organisation responsibility rests with the successor authority that has taken over the responsibility for the young person.

**C24**      **The percentage of children who had been looked after continuously for at least 12 months and were of school age, who missed a total of at least 25 days of schooling for any reason during the previous school year.**

**The denominator:** The number of children looked after at 30 September who had been continuously looked after at that date for at least a year, and were old enough to receive full time schooling during the school year that ended in the previous July

**The numerator:** Of these, the number who missed a total of 25 days of education of any kind for any reason during that school year. For each child add together all full days or half days missed during the year.

**D35**      **The percentage of children who had been looked after continuously for at least 4 years, who had been in their foster placement for at least 2 years.**

**The denominator:** All children looked after at 31 March who had been looked after continuously for at least 4 years (ie for more than 1,460 days inclusive of 31 March). Excludes children looked after at any time during that period under an agreed series of short-term placements.

**The numerator:** Of these, the number who at 31 March were in a foster placement, and who had been with the same foster carer continuously at least 2 years (ie for more than 729 days inclusive of 31 March).

**QP7**      **The proportions of looked-after children attaining the target levels or better in each of the tested subjects in the National Curriculum Assessments, expressed as a ratio of the proportion of all children at that stage attaining the target level or better in the authority.**

This is a set of 11 indicators, each to be calculated and reported separately. There is one indicator for each tested subject at each of the three levels of the National Curriculum Assessments (formerly known as the SATS tests), there being 5 subjects for children in year 2, and 3 for each of the later years as listed below. These indicators cover the results of tasks and tests, not the teacher assessments.

**End of Key Stage 1** tests for children in year 2 (7 year olds):

*National target is level 2*    Reading task  
Reading comprehension test  
Writing task  
Spelling  
Mathematics

**End of Key Stage 2** tests for children in year 6 (11 year olds):

*National target is level 4*    English  
Mathematics  
Science

**End of Key Stage 3** tests for children in year 9 (14 year olds):

*National target is level 5*    English  
Mathematics  
Science

**The denominator:** For each subject at each level the proportion of all children in the authority reaching at least the target level

**The numerator:** Of those children looked after at 30 September who had been looked after continuously for at least a year and should have sat the National Curriculum Assessments for 7 (or 11, or 14) year olds during the previous school year, the proportion who achieved at least level 2, (or 4, or 5) in each tested subject. Include in this calculation children who failed to sit the test for whatever reason, including any withdrawn by the school, and who therefore failed to achieve the target level.

QP8

**The proportion of looked after children obtaining at least 5 GCSEs at grades A\*–C during the most recent school year, as a ratio of the proportion of all children in the local authority achieving these standards.**

**The denominator:** The percentage of all children in the local authority in school year 11 during the previous school year, who had obtained at least 5 GCSEs at grades A\*– C

**The numerator:** The percentage of those children who at 30 September had been looked after continuously for at least a year and were in school year 11 during the previous school year, who had obtained at least 5 GCSEs at grades A\*– C

**QP9**      **The percentage of children who had been looked after continuously for at least 12 months and were of school age, who were permanently excluded from school at any time during the previous school year.**

**The denominator:** Of these, the number who were permanently excluded from school at any point during that school year. Children excluded more than once should be counted only once.

**The numerator:** The number of children looked after at 30 September who had been continuously looked after at that date for at least a year and were old enough to receive full time schooling during the school year that ended in the previous July.

**QP10**      **The proportion of all children looked after at 31 March who were from ethnic minorities, expressed as a ratio of the proportion of all children in the local authority from ethnic minorities.**

**The denominator:** The estimated proportion of all children living in the local authority (aged under 18) who are classified as other than “white”. Data are from ONS; until figures from the 2001 Census become available figures are to be based on ONS’s ethnic categories existing before the 2001 census.

**The numerator:** The proportion of those children looked after at 31 March who are recorded as having an ethnic origin other than ‘white’ (using the 2001 Census definitions). Exclude from the count any children who were looked after on that date under an agreed series or short term-placements (under the provisions of Reg. 13 of the *Arrangement for Placement of children (General) Regulations, 1991*).

# Appendix D

## **INSPECTION STANDARDS AND CRITERIA**

The following extract is taken from an SSI/OFSTED publication called '*The Education of Children who are Looked After By Local Authorities*'. It sets out eight inspection standards, which provided a framework for an inspection they undertook in 1994 to determine the extent to which the educational needs of children who were looked after in four English local authorities were met. The standards delineate the main aspects of care and education which they considered must be reasonably met if children in public care are to achieve in schools. The standards are reproduced here as an example of good practice which Local Authorities might find useful for auditing and monitoring purposes.

## **EDUCATIONAL ACHIEVEMENT**

**Standard A: the achievements of children being looked after are commensurate with their age and ability.**

### **Evaluation Criteria**

Achievements will be judged by evaluating:

1. The evidence of pupil's progress and what she/he knows, understands and can do in the subjects of the curriculum including the National Curriculum related to the age and ability of pupils.
2. The evidence of the spiritual, moral, cultural, mental and physical development of pupils and how they are prepared for the opportunities, responsibilities and experience of adult life.

## **THE WORK OF THE SCHOOLS IN PROMOTING EDUCATIONAL ACHIEVEMENT**

**Standard B: schools have effective practices to promote the education of children who are looked after. In the schools routine practices give special attention to children being looked after. Areas of work of the school which give particular attention to children being looked after include:**

- B1 Curriculum and assessment**
- B2 Guidance, welfare and continuity**
- B3 Policy and staffing**

## **Evaluation Criteria**

### ***B1 Curriculum and Assessment***

- B1.1 Effective assessment, recording and reporting practices are established. These practices should lead to the formulation of individual education plans which contribute to SSDs six monthly review and care planning cycle. Progress is monitored and achievements and experience recorded.
- B1.2 There is access to a broad and balanced curriculum, including the National Curriculum.

### ***B2 Welfare, Guidance and Continuity***

- B2.1 Appropriate measures are taken by the school to provide personal, academic and careers guidance.
- B2.2 There is effective management of transition including preparation for working life and for leaving care.
- B2.3 The school has nominated a teacher who will provide on-going support and guidance for children who are looked after.

### ***B.3 Policies and staffing***

- B3.1 There are appropriate policies for equal opportunities, confidentiality and liaison with outside agencies, parents and carers which are implemented through effective guidance and clear operational procedures.
- B3.2 Efficient arrangements have been made to extend the knowledge and skills of teachers regarding the needs of children being looked after and the work of SSDs.
- B3.3 The school has established strategies to develop good behaviour, attendance and punctuality.
- B3.4 Special support such as educational psychologist, education welfare officer, behaviour support teacher is deployed to help meet the needs of children who are looked after.

## **THE WORK OF THE SOCIAL SERVICES DEPARTMENT IN PROMOTING EDUCATIONAL ACHIEVEMENT**

### **Assessment and Care Planning**

**Standard C1: the SSD has established assessment and care planning arrangements to which the LEA and schools have contributed which address the educational needs of children looked after.**

### **Evaluation Criteria**

- C1.1 Consideration is given in placement planning to the contribution the placement makes to meeting the child's educational needs.
- C1.2 The plan takes account of the child's educational history and the need for continuity of education.
- C1.3 Judgement made in the choice of school takes account of the child's background and interests and particular academic, athletic, artistic, cultural and religious factors.
- C1.4 The plan states accountabilities and timescales for action including identification of required resources.
- C1.5 The plan recognises any special educational needs and outline procedures for the annual review and re-assessment of these needs at 13+.
- C1.6 The preparation of the care plan has included consultation with the LEA, the child's school and teacher, and taken account of specialist advice from educational psychologists and others who could make an appropriate professional contribution.
- C1.7 The consultation took place prior to placement or as soon as possible after the placement began.
- C1.8 The SSD has written procedures to obtain the views of the child's school and teachers.
- C1.9 The child's school contributes comprehensively to the care plan and participates effectively at planning meetings.
- C1.10 The carer is informed of the child's educational achievements and contributes to continuing assessment.
- C1.11 The role of the carer contributes to an educational process designed to encourage the child's independent living skills and is clearly defined and understood. This includes knowledge of activities at school and effective two-way dialogue on progress including opportunities to discuss, influence and contribute to the focus of the child's educational programme.



## REVIEWS

**Standard C2: the LA statutory review procedures are co-ordinated to ensure effective consultation in an ordered and continuing process which addresses the educational needs of the child.**

### Evaluation Criteria

- C2.1 The SSD review procedures include consultation with schools and District Health Authorities and ensure they are informed of outcomes.
- C2.2 The SSD seeks the school's views on the child's educational progress and action to assess and/or meet any special educational need.
- C2.3 The SSD seeks the views of relevant District Health Authorities on physical or medical conditions which affect the child's educational achievement.
- C2.4 The SSD has written review procedures which actively involve the child, those with parental responsibility, carers and the child's teacher/school.
- C2.5 The review procedures include a specific focus on the educational needs of the child, and recorded review decisions identify accountabilities and timescales for action which are shared with all relevant parties.
- C2.6 The school contributes to the SSD reviews and the reviews of statements by the LEA of special educational need where this applies.
- C2.7 The SSD and carer contribute to educational reviews, multi-agency assessments of statements of SEN, the annual review of such statements and statutory re-assessments at 13+.
- C2.8 The SSD and LEA policies and procedures for review are known and understood.

## WORK WITH CHILDREN

**Standard C3: SSD staff, foster parents and those working in residential settings actively promote the education of children looked after.**

### Evaluation Criteria

- C3.1 Carers are familiar with the child's educational history and assessed educational needs.
- C3.2 There is effective regular contact and co-operation between the child's carers and her/his school.
- C3.3 An identified member of staff in the residential setting/the child's foster parents take an interest in and encourage the child's education to include attendance at school functions and meetings at school to discuss options and careers.
- C3.4 There are arrangements to ensure continuity in the person(s) who takes an active interest in the education of the child.

- C3.5 Carers are aware of and actively pursue the opportunities provided at school including facilities, events, parents meetings and guidance at strategic points in the child's educational career.
- C3.6 The child is enabled to take advantage of school facilities, outings, recreational events and options which take account of her/his background, interest, abilities and potential.
- C3.7 Carers and teachers understand their respective roles including the opportunities for complementarity.
- C3.8 Carers are actively involved at all stages in the preparation and reviews of statements of Special Education Needs.
- C3.9 The child's regular school attendance is actively encouraged and monitored by carers.
- C3.10 The child's achievements at school are appropriately acknowledged in the setting where the child is looked after.
- C3.11 The facilities where the child is looked after provide opportunities for the child to pursue her/his education including quiet space, available literature, access to information and time set aside for homework and school projects.
- C3.12 The child considers that her/his carers encourage and support the importance of her/his education and is helped by them to get the best out of educational opportunities.
- C3.13 The LA has established joint training programmes for carers, teachers and schools which address the identification of educational needs and clarify roles and responsibilities in responding to those needs.

## **WORK WITH PEOPLE WITH PARENTAL RESPONSIBILITY**

**Standard D: Those with parental responsibilities are known to the schools and contribute to effective plans designed to meet the educational needs of the child.**

### **Evaluation Criteria**

1. In all communications with those with parental responsibility, the SSD takes account of issues of race, culture, religion, linguistic background and disability.
2. The SSD makes arrangements to involve actively those who have parental responsibility in determining the child's educational needs.
3. The SSD supports those with parental responsibility to engage actively in meeting the child's educational needs by sharing information, promoting direct contact with carers and the school, and encouraging involvement in the child's educational activities.
4. Schools continue to involve actively those with parental responsibility in the education of children looked after, taking account of the legality and appropriateness of individual circumstances.

## **POLICY PROCEDURE AND MANAGEMENT**

**Standard E: the LA demonstrates commitment to joint working to meet the educational needs of children looked after. The commitment is included in departmental policies, incorporated in strategic planning, and evidenced in management and operational guidance, procedures and practice.**

### **Evaluation Criteria**

#### ***Strategic Planning***

1. The LA's strategic plans promote inter-agency co-operation in the interests of children looked after, and are subject to regular monitoring and review.
2. Schools work with the SSD in meeting the educational needs of children looked after.

#### ***Operational Policies, Procedures and Guidance***

3. The SSD has developed operational policies, procedures and guidance to address the educational needs of children looked after.
4. Operational procedures and guidance produced by the SSD and LEA refer to the educational needs of children looked after.
5. Operational procedures and guidance in the SSD and LEA are made available to and understood by staff and this is reflected in practice.
6. Educational arrangements feature strongly in documents, operational procedures and guidance concerning initial planning arrangements and any subsequent changes or moves for a child looked after.

#### ***Inter-departmental Liaison***

7. The SSD has established formal liaison arrangements with the LEA to consider issues of policy and practice.
8. The SSD has established arrangements to consider the role of grant maintained schools in meeting the educational needs of children looked after.
9. The accountabilities and responsibilities of the SSD, the LEA and schools to ensure the educational needs of children looked after are met are clearly defined and agreed.
10. The SSD monitors placements and decisions under arrangements for planning and review to ensure action is taken to meet the educational needs of children looked after.
11. The LEA monitors the school placements, attendance, exclusions and achievements of children looked after and can identify problems in access and entitlement.

## **REPRESENTATION CONCERNING EDUCATION MATTERS**

**Standard F: the SSD and schools have effective representation procedures which enable children or their advocates to make representations about educational matters.**

### **Evaluation Criteria**

1. The SSD and schools have representation procedures which are published and actively promoted to children looked after and those with parental responsibility.
2. The procedure for representations on educational matters is clearly defined.
3. The SSD ensures children looked after understand the purpose and procedure for making a representation, and can, with assistance, access educational representation procedures.

