

**Notice of a public meeting of
Corporate Parenting Board**

- To:** Councillors Looker (Chair), Runciman (Vice-Chair), Brooks, Cuthbertson, Fitzpatrick, Funnell, Gunnell and Wiseman
- Date:** Monday, 22 September 2014
- Time:** 5.00 pm
- Venue:** The Thornton Room - Ground Floor, West Offices (G039)

AGENDA

1. Declarations of Interest

At this point, Members are asked to declare any:

- personal interests not included on the Register of Interests,
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Minutes (Pages 1 - 4)

To approve and sign the minutes of the meeting held on Monday 30 June 2014.

3. Public Participation

At this point in the meeting members of the public who have registered to speak regarding an item on the agenda or an issue within the Board's remit can do so. The deadline for registering is 5pm the working day before the meeting, in this case **5pm on Friday 19 September 2014.**

Filming or Recording Meetings

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officers (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at http://www.york.gov.uk/downloads/download/3130/protocol_for_webcasting_filming_and_recording_of_council_meetings

- 4. Education of Looked After Children** (Pages 5 - 52)
The Head Teacher for the virtual school of looked after children has reviewed the education outcomes for children from Early Years, through key stages 1 to 4 and into education, training and employment. This progress report will inform members about key actions being considered to support the educational attainment for all looked after children.
- 5. Corporate Parenting Events**
There are several corporate parenting events planned both regionally and nationally during Autumn 2014. It is proposed that the council will send representation to all of the events drawn from looked after young people, elected members with Corporate Parenting roles, senior officers from the council and key staff with specific knowledge around the areas. Information about the events will be considered at the meeting.
- 6. Work Plan for 2014-15** (Pages 53 - 54)
To consider the Board's work plan for the current municipal year.
- 7. Urgent Business**
Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officers

Name: Catherine Clarke and Louise Cook (job-share)

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Telephone: (01904) 551031

Email: catherine.clarke@york.gov.uk and louise.cook@york.gov.uk

For more information about any of the following please contact the Democratic Services Officers responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

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City of York Council

Committee Minutes

Meeting	Corporate Parenting Board
Date	30 June 2014
Present	Councillors Looker (Chair), Runciman (Vice-Chair), Brooks, Cuthbertson, Fitzpatrick and Gunnell
Apologies	Councillors Funnell and Wiseman

1. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in relation to the business on the agenda or other general interests they might have had within the remit of the Board.

Councillor Runciman declared a personal non prejudicial interest in agenda item 4. Good and Safe Placements – Reports regarding the Adoption and Fostering Service as a member of the City of York Council Fostering Panel.

2. Minutes

Resolved: That the minutes of the last meeting of the Corporate Parenting Board held on 7 May 2014 be approved and signed by the Chair as a correct record.

3. Public Participation

It was reported that there were no registrations to speak under the Council's Public Participation Scheme.

4. Good and Safe placements - Reports regarding the adoption and fostering service

Members considered a report that focused on the Looked After Children's Strategy with specific reference to the achievement of good safe placements for looked after children.

The following reports were also presented for Members consideration:

- annual review of the adoption service,

- quarterly report of the fostering service for the period January to March 2014 and the
- annual report of the adoption panel Chair

The Service Manager for Placements and the Principal Adviser for Children's Social Care provided detailed information in relation to performance improvements in both the adoption and fostering services during 2013/14.

In answer to Members questions it was noted that:

Adoption

- A great deal of work was carried out with birth parents prior to adoption, e.g. pre-natal information to ensure that prospective parents had as much information as possible to ensure they could make an informed choices, however there were still no guarantees
- As adoptions often took place outside the York area, the authority became responsible for any adoption support for the family 3 years after the making of an adoption order
- It was important to separate the adoption hearing which formally confers the adoption order from the celebration of an adoption which many magistrates and judges now arrange to afford the adoption the appropriate importance.
- The issues around challenges to adoptions, being possible until an adoption was finally granted, were discussed. A legal adviser was however present at preparation courses for prospective parents to advise on this potential challenge.
- A recruitment drive was underway to increase the pool of prospective parents, with the only stipulations being that parents must be fit and healthy, over 21 years of age and with there being no upper age limit. Full assessment would always be undertaken.
- Since April 2014 it had become mandatory for all care proceedings to be completed within 6 months. It was noted that staff endeavoured to meet this time

limit however their focus was on getting the best outcome for all involved

- Performance levels for York were good overall, however performance fell in relation to the matching of children within 6 months of a court decision on adoption which reflected the challenge of finding matches
- York worked in conjunction with other local authority and voluntary adoption agencies to achieve the best and most prompt placement for York's children.
- The key function of Adoption Panels was to make recommendations on the suitability of prospective applicants to adopt and whether a child should be placed for adoption with particular adopters
- The increasing number of adoptive families being approved in the city will increase the future need for adoption support which may result in additional costs to the council and its education and health partners.

Fostering

- 41 enhanced foster carers had been retained but a further 5-10 carers were still required
- There had been 2 residential school placements for looked after children this year, it was confirmed that the quality of Ofsted judgements at these schools was checked
- Placements with independent fostering agencies had reduced, due to a lack of capacity, from 16 to 8, however this had now increased up to 14 due to local capacity of York foster carers
- A supportive network was available for older looked after young people and care leavers, following GCSE's, with trainer flats and supported living for 18/19year olds, if required
- The impact on the "bedroom tax" of looked after children and the discretions available depended on the individual circumstances of each case, the York

foster carers affected by the amendments have been supported to continue to foster

Following further discussion it was

Resolved: That the reports be received and noted.

Reason: The Corporate Parenting Board undertakes an overview of the work with looked after children. Consideration of the annual reports will enable to scope for discussion about progress and future plans.

5. Work Plan for 2014-15

Consideration was given to the Boards work plan for the 2014-15 municipal year, copies were circulated at the meeting, and attached to the online agenda. It was noted that Children's Homes inspection reports would be emailed to Members.

Resolved: That the work plan be approved subject to the following addition and amendment:

- 22 September 2014 – Briefing Session with Tricia Head and Maxine Squire, prior to inspection of Children's Services
- 2 February 2015 - Update from Service Manager and the elected Member with responsibility for visiting children's homes (bring forward to 22 September 2014 meeting)

Reason: To ensure that the Board has a planned programme of work in place.

6. Chairs Comments

The Chair confirmed that, in view of changes in Committee membership, with the agreement of all members, future meetings would commence at 5.00pm.

Cllr Looker, Chair

[The meeting started at 5.30 pm and finished at 7.15 pm].



Corporate Parenting Board**22 September 2014**

Report of the Director of Children's Services, Education & Skills

Education of Looked After Children**Summary**

1. The focus in this report is upon progress in relation to the education of looked after children. This is a major strand of the Looked After Children's Strategy for 2012-15

Background

2. Each local authority is required to appoint a senior teacher to act as a Head Teacher of the virtual school of looked after children. The Head Teacher of the virtual school works to support the education of looked after children and care leavers in their various settings. The role of head teacher of the virtual school is undertaken by Tricia Head, Head Teacher of Danesgate. A progress report about the attainment of looked after children is submitted for consideration (appendix A).

Consultation

3. The Head Teacher of the virtual school works in collaboration with all the designated teachers for looked after children in York schools and in other local authorities, for those placed out of the city. The work of each of the officers reporting to the board is undertaken with consultation with service users e.g. looked after children and care leavers foster carers, adopters,. Feedback from Show Me That I Matter and I Matter Too (representatives of all looked after children) York Area Foster Carers Association, is regularly sought and incorporated into the service development.

Options

4. There are no options for decision, as the information provided is intended to progress information sharing with the Board about the experience of looked after children.

Analysis

5. Not applicable

Council Plan

6. The Corporate Parenting Board will be ensuring that the work of partners for looked after children contributes to the aims of

- The Children and Young People's Plan
- Building strong communities
- Protecting vulnerable people

Through the positive outcomes for looked after children , the aim is for them to be able to benefit from and contribute to

- Get York moving
- Create jobs and grow the economy
- Protect the environment

7. Implications

Financial Not applicable

Human Resources: Not applicable

Equalities: Not applicable

Legal: Not applicable

Crime and Disorder: Not applicable

Information Technology: Not applicable

Property: Not applicable

Other Not applicable

Risk Management

8. Not applicable

Recommendations

9. It is recommended that the Board notes the progress report from the Head Teacher of the virtual school.

Reason: To ensure that all those involved with children and young people are collaborating to consolidate the arrangements for children's education and to improve in accordance with the Looked After Children's Strategy 2012-15.

Contact Details

Author: **Chief Officer Responsible for the report:**

Howard Lovelady, Head of Service (Resources)
Children's Social Care,
ACE

Eoin Rush, Assistant Director

Tel No. 555357

Tel no 554212

**Report
Approved**

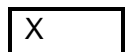


Date 11-9-14

Specialist Implications Officer(s):Not applicable

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

None

Annex:

Annex A - Education of Looked After Children Progress Report,

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Annex A**September Report to the Corporate Parenting Board****Authors: Tricia Head (Virtual School Head – VSH)****Sarah Clarke (Virtual School Assistant Head – AVSH)****Introduction and York context****1. Students in the Virtual School**

The City of York has a fluctuating cohort of school aged Looked After Children. The Virtual School is made up of the whole cohort of school aged Looked After Children where York is the corporate parent but they may live and be educated anywhere. In July that cohort was 169 5-16 year olds, 69% are educated in York with 31% in a range of schools across the country.

	Primary	Secondary	Total/%
CYC LAC (5-16)	69 (41%)	100 (59%)	169 (100%)
Educated in York	44 (26%)	73 (43%)	117 (69%)
Educated OOA	25 (15%)	27 (16%)	52 (31%)
Mainstream in York	42 (25%)	42 (25%)	84 (50%)
Mainstream OOA	22 (13%)	18 (11%)	40 (24%)
Specialist in York	2 (1%)	31 (18%)	33 (19%)
Specialist OOA	3 (2%)	9 (5%)	12 (7%)

In the past there has been a nominated Virtual School Head – starting with Joan Lupton for 2010/11 and then Sian Rees for 2011/12. In September 2012 Tricia Head was approached to take up the oversight of the Virtual School as there was an interregnum when Sian stepped down from her secondment. Tricia Head agreed to do this on a voluntary basis as she saw a lot of productive overlap with the work of The Danesgate Community.

There is much work to be done in all aspects of the Virtual School but we are in a much better place than we were a year ago. Tricia Head has produced a working School Self Evaluation and School Improvement Plan (it would be useful to discuss these with the CPB at a future date if possible) and we know what work there is to do and have identified a tight set of operational actions and strategic work-streams in order to improve the virtual school. However, the reality is – up to 1.9.14 - there has been insufficient investment in the Virtual School and so the capacity needed to make a difference to education outcomes and future life chances has been limited.

2. Staff in the Virtual School

Name	Title	Contact details
Tricia Head	Virtual School Headteacher (seconded from The Danesgate Community one day a week)	tricia.head@york.gov.uk
Sarah Clarke	Virtual School Assistant Headteacher (seconded from The Danesgate Community full time)	sarah.clarke@york.gov.uk
Anna Pearson	Tutor for Looked After Children (3 days a week) (sits in Specialist Teaching team)	anna.pearson@york.gov.uk
Paul Bent	Educational Psychologist for LAC (2 days a week)	paul.bent@york.gov.uk
Gill Clapham	Connexions Adviser for	gill.clapham@york.gov.uk

	LAC (3 days a week)	
Michelle Barker	Administrative Assistant (seconded from Danesgate for 2 days a week)	michelle.barker@york.gov.uk

Other LA colleagues give of their time to be part of the Virtual School senior leadership team – these are **Maxine Squire**, **Stephanie Windsor** (Early Years Senior Adviser), **Maxine Benson** (Early Years Consultant), **Nikki Wilson** (Children’s Rights Advocate).

National Context

In September 2013 it became statutory that LA’s should have a Virtual School Headteacher (VSH). At the same time Ofsted changed the LA inspection framework and the Virtual School came under closer scrutiny in terms of overall outcomes as well as the monitoring of progress and the quality of education planning for LAC.

By April 2014 there were two other significant developments.

One was that the DfE was working on a set of central regulations that all LA would be expected to deliver in terms of having an effective Virtual School. All VSHs nationally were part of this consultation and the final document was published in July 2014 – Promoting the Educational Attainment of Looked After Children (**Appendix B**).

The second development was that the Pupil Premium for LAC was increased from £900 to £1900. The increase in the pupil premium has been matched with a closer scrutiny of its usage and a directive from the DfE that the Virtual Head in each Local Authority should be responsible for the total pupil premium allocation and its allocation to schools. This directive was clearly laid out in the DfE document – **Pupil Premium and the role of the Virtual School Head 2014-15: Frequently asked questions** – also attached to this report for CPB members to read – **Appendix C**.

EDUCATIONAL OUTCOMES FOR YORK'S LOOKED AFTER CHILDREN

Please see a detailed breakdown attached (**Appendix A**).

The Personal Education Plan (PEP)

A PEP is a document which summarises educational provision for a LAC and, crucially, highlights targets for the year and additional support needed. Improving the quality and completion of PEPs was an Ofsted action point from May 2012 inspection. The current PEP completion rate is 80% but in June 2014 we had reached 92%. We expect this to rise as people return to normal working practices as term starts.

Paul Bent, Sarah Clarke and Anna Pearson are in the process of re-writing the PEP document to meet the new Special Educational Needs and Disability (SEND) code of practice. It is hoped this will be a better designed and more child centred document and will match more closely to the My Support Plan and Education, Health and Care Plan (EHCP) thus making it more workable for all professionals to use. Sarah Clarke hopes to take a child and young person centred explanation of PEPs to the November Show Me That I Matter Group to get user involvement with the wording and lay-out of the document to ensure it meets their needs.

2014/15 Priorities for the Virtual School

The School Improvement Plan for 14/15 details all the work planned for this year and it is all aimed at raising achievement and improving progression. It would be very helpful to have a longer slot to talk through the School Plan if the CPB feel this is appropriate to the role of the CPB. It will be looked at in detail at Multi Agency Partnership (MALAP) level in any case.

However, we feel we must bring to your attention two key issues.

Attendance monitoring. There is no systemic process in the LA for collecting attendance information on LAC. This is a serious issue and one that has been flagged up previously. We have managed to get a

free trial this month of a commercial system called 'Looked After Call'. This may be too expensive to do in future but we are hoping we can use the trial to set up our own system. We are investigating an Integris data storage system. Integris is one of the school management systems available to schools. The cost of a license is a modest £500 and although there would need to be an investment in time to input the data at the start it should generate a much more flexible and pragmatic system that can hold attendance, achievement exclusion information.

LA funding for Virtual School. Tricia Head consulted with all schools on the broader use of the Pupil Premium and in July 2014 all schools agreed that the £1900 Pupil Premium Plus would have a top slice of £300 for general benefit to the Virtual School. However, this money is for resources to improve achievement and so cannot be spent by the LA on the leadership of the Virtual School now that the role is a statutory duty of the LA. Tricia Head has a meeting on 23.9.14 with Jon Stonehouse, Eoin Rush and Maxine Squire to discuss this so this is in hand.

Tricia Head, Sarah Clarke. 11.9.14

Appendices (attached)

Appendix A– Educational Outcomes for Looked After Children

Appendix B – Promoting the Education of Looked After Children (DfE publication June 2014)

Appendix C – Pupil Premium for LAC

<https://www.gov.uk/pupil-premium-information-for-schools-and-alternative-provision-settings>

<https://www.gov.uk/pupil-premium-virtual-school-heads-responsibilities>

Abbreviations

AVSH	Virtual School Assistant Head
DfE	Department for Education
EHCP	Education, Health and Care Plan
LAC	Looked After Children
MALAP	Multi Agency Partnership
PEP	The Personal Education Plan
SEND	Special Educational Needs and Disability
VSH	Virtual School Head

York LAC Outcomes (Sept 2014)**Early Years Foundation Stage – NOT AVAILABLE YET****Key Stage 1****Level 2+ Reading results**

Year	2008 (8)	2009 (4)	2010 (5)	2011 (8)	2012* (3)	2013 (9)	2014 (7)
York LAC	38%	25%	100%	50%	33%	44%	33%
National LAC	61%	63%	63%	65%	67%	70%	Not validated
All York CYP	86%	90%	88%	87%	88%	90%	
All National	84%	84%	85%	85%	87%	89%	

Level 2+ Writing results

Year	2008 (8)	2009 (4)	2010 (5)	2011 (8)	2012* (3)	2013 (9)	2014 (7)
York LAC	25%	25%	80%	50%	67%	56%	28%
National LAC	54%	55%	56%	57%	58%	62%	Not validated
All York CYP	84%	86%	84%	82%	82%	85%	
All National	80%	81%	81%	81%	83%	85%	

Level 2+ Maths results

Year	2008 (8)	2009 (4)	2010 (5)	2011 (8)	2012* (3)	2013 (9)	2014 (7)
York LAC	63%	25%	80%	75%	67%	56%	33%
National LAC	68%	70%	68%	71%	73%	73%	Not validated
All York CYP	92%	92%	91%	91%	89%	91%	
All National	90%	89%	89%	90%	91%	91%	

There was a small group of 9 looked after children who were in the Key Stage 1 cohort for 2013 and they achieved lower than their peers. However, the results do fluctuate year-on-year due to the small cohort size and pupil contextual factors. It is perhaps useful to compare 2008, 2011 and 2013 when looking for trends as the cohort size is similar (although the statistical value of this is debateable due to actual size of cohort). We can see that the gap in the L2+ writing results has improved significantly when compared with National LAC figures and the York LAC writing results show an up turn even though the whole York differential to National has declined.

Cohort information: 60% male, 40% female, 50% in area schools and 50% out of area schools. No pupil in specialist setting.

Future development. Areas for further scrutiny and improvement planning are Reading and Maths. The 13/14 improvement plan shows specific actions that respond to this issue. Work is in hand to track progress in this area more carefully and to encourage the LA's York Challenge Partners to deliver reporting that is more focused in this area.

Key Stage 2**Level 4+ English results**

Year	2008 (10)	2009 (9)	2010 (10)	2011 (9)	2012* (9)	2013 (-)
York LAC	30%	56%	30%	67%	56%	-
National LAC	45%	45%	45%	50%	60%	-
All York CYP	85%	81%	84%	83%	85%	-
All National	81%	80%	80%	82%	85%	-

Level 4+ Reading results

Year	2008 (10)	2009 (9)	2010 (10)	2011 (9)	2012* (13)	2013 (10)	2014 (15)
York LAC	-	-	-	-	-	50%	
National LAC	-	-	-	-	-	63%	
All York CYP	-	-	-	-	-	86%	
All National	-	-	-	-	-	86%	

Level 4+ Writing results

Year	2008 (10)	2009 (9)	2010 (10)	2011 (9)	2012* (13)	2013 (10)	2014 (15)
York LAC	-	-	-	-	-	60%	
National LAC	-	-	-	-	-	54%	
All York CYP	-	-	-	-	-	84%	
All National	-	-	-	-	-	83%	

Level 4+ Maths results

Year	2008 (10)	2009 (9)	2010 (10)	2011 (9)	2012* (9)	2013 (10)	2014 (15)
York LAC	40%	56%	30%	56%	67%	40%	
National LAC	43%	44%	44%	48%	56%	60%	
All York CYP	79%	80%	83%	83%	85%	84%	
All National	79%	79%	79%	80%	84%	85%	

English. The 2013 L4+ English data collection is different to the previous years but it is still useful to look for trends by comparing 2008, 2010 and 2013 as cohort (although statistically very small) is similar in all three years. English at L4+ increased significantly for York LAC between 2008 and 2010 compared to National LAC. However, the 2013 information that separates Reading and Writing shows that although we are outperforming National LAC in writing we are still behind National LAC peers for Reading. Once again we are going against the York trend by showing a greater improvement in Writing compared to National.

Mathematics. Once again the trend is that we are doing less well in Maths at L4+ compared to National LAC peers.

Future area for scrutiny and development for KS2 is the same for KS1 – Reading and Mathematics. Our response to narrowing this gap can be seen in the 13/14 school improvement plan but will continue to be a priority for 14/15 plan.

Cohort information: 40% male, 60% female, 50% in area schools and 50% out of area, 20% well below ARE in KS1 and in specialist setting in Y6.

2014 LAC outcomes KS4 Analysis:

All Y11s (excluding Applefields)

Total	5+A-Ciem	5+A-C	5+A-Giem	5+A-G	1+A-G	Any qual L1 or above
20	5	6	12	12	18	19
100%	25%	30%	60%	60%	90%	95%

Commentary

- This is the first year we have ever been able to do such detailed analysis so promptly. Last year part of cohort information was missing.
- The analysis shows that the 5A-CIEM headline figure is well above National LAC figures from previous year (which was 15% 5A+-CIEM).

This is good but there is still a gap between LAC and all York pupils which was 67% 5A-CIEM last year.

- It is hard to compare year on year due to missing data last year (we reported 38% 5A-CIEM but only 13/25 Y11 LAC results were able to MIS by end Sept compared to full set this year by end of first week in Sept) .
- The 1+A-G % has gone up significantly from 56% .

For improvement plan over this year (as it relates to data tracking part of school improvement plan) we need to :

- Establish a LAC Integris database for pupil level data so the VS has a database system that is fit for purpose and matches what schools use
- Add in names of pupils to reflect DfE requirements – have been LAC for at least 6months in Y11 – would this have made a difference this year?
- Embed tracking points (in same way non-virtual schools do school improvement) so that we can intervene where performance is dipping with more tactical use of LAC tutor and newly appointed AHT for LAC.

For information:

5+A*-Cs including English and Maths historic data set (health warning – there were different DfE rules about which LAC results were included and so cohort size not necessarily full cohort compared to 2014 methodology).

Year	2008 (10)	2009 (12)	2010 (18)	2011 (17)	2012 (8)	2013 (13*)	2014 (20)
York LAC	NA	0%	6%	24%	13%	38%	25%
National LAC	9%	10%	12%	13%	19%	15%	n/a
All York CYP	54%	59%	59%	62%	63%	67%	n/a
All National	48%	50%	54%	59%	58%	60%	n/a

*should have been 25 which would have made a difference to the final %

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Department
for Education

Promoting the education of looked after children

Statutory guidance for local authorities

July 2014

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Summary

About this guidance

This is statutory guidance from the Department for Education. It is issued under section 7 of the Local Authority Social Services Act 1970. This means that it **must** be followed unless there are exceptional circumstances that justify departing from it.

This guidance sets the framework through which local authorities discharge their statutory duty under 22(3A) of the Children Act 1989 to promote the educational achievement of looked after children. That includes those children placed out-of-authority. The Children and Families Act 2014 amends section 22 of the Children Act 1989 to require every local authority in England to appoint an officer employed by the authority, or another authority, to make sure that its duty to promote the educational achievement of its looked after children is properly discharged. For the purpose of this guidance that officer is hereafter referred to as the Virtual School Head (VSH).

This guidance replaces *Promoting the Educational Achievement of Looked After Children* published in March 2010.

Expiry or review date

This guidance will be reviewed in 2016 but will only be revised if it is no longer considered fit for purpose.

What legislation does this guidance refer to?

- The Children Act 1989 as amended by the Children and Families Act 2014.
- The Care Planning, Placement and Case Review (England) Regulations 2010 as amended by the Care Planning, Placement and Case Review (England) (Miscellaneous Amendments) Regulations 2013 and the Adoption and Care planning (Miscellaneous Amendments) Regulations 2014.

Who is this guidance for?

This guidance is for:

- Local authority officers, in particular Directors of Children's Services; VSHs; social workers; officers carrying out a local authority's function as a school admission authority; special educational needs departments; Independent Reviewing Officers (IROs); personal advisers; care leaving services and Lead Members for Children's Services

A brief description of these roles can be found in Annex 1.

Key points

- Local authorities have a duty under the Children Act 1989 to safeguard and promote the welfare of a child looked after¹ by them. This includes a particular duty to promote the child's educational achievement, wherever they live or are educated. The authority must therefore give particular attention to the educational implications of any decision about the welfare of those children.
- This duty also applies to 'eligible'² children. It also applies to those who have been placed for adoption until the court makes the adoption order giving parental responsibility to the adoptive parents.
- The Children and Families Act 2014 amended the Children Act 1989 to require local authorities in England to appoint at least one person for the purpose of discharging the local authority's duty to promote the educational achievement of its looked after children, wherever they live or are educated. That person (the VSH) must be an officer employed by the authority or another local authority in England.
- Social workers, VSHs and IROs, school admission officers and special educational needs departments should work together to ensure that - except in an emergency - appropriate education provision for a child is arranged at the same time as a care placement.
- All looked after children should have a Personal Education Plan (PEP) which is part of the child's care plan or detention placement plan. The broad areas of information that must be covered in the PEP are specified in Schedule 1 (paragraph 2) of the *Care Planning, Placement and Case Review (England) Regulations 2010* as amended. The PEP must now include the contact details of the VSH for the authority that looks after the child.

¹ A child who is looked after by a local authority (referred to as a looked-after child) as defined in section 22 of the Children Act 1989 means a child who is subject to a care order (or an interim care order) or who is accommodated by the local authority.

² An 'eligible' child is a child who is looked-after, aged 16 or 17 and has been looked after by a local authority for a period of 13 weeks or periods amounting in total to 13 weeks, which began after they reached 14 and ended after they reached 16.

Supporting all looked after children

High-level responsibilities

1. Parents want their children to have the best start in life and to reach their full potential. As corporate parents, local authorities should have equally high aspirations for the children they look after.

2. As leaders responsible for ensuring that the local authority discharges its duty to promote the educational achievement of their looked after children, Directors of Children's Services and Lead Members for Children's Services should ensure that:

- closing the attainment and progress gap between looked after children and their peers and creating a culture of high aspirations for them is a top priority
- looked after children have access to a suitable range of high quality education placement options and that commissioning services for them takes account of the duty to promote their educational achievement
- VSHs are in place and that they have the resources, time, training and support they need to discharge the duty effectively
- VSHs have robust procedures in place to monitor the attendance and educational progress of the children their authority looks after
- the authority's Children in Care Council (CiCC) regularly addresses the educational experiences raised by looked after children and is able to respond effectively to such issues

3. The VSH should be the lead responsible officer for ensuring that arrangements are in place to improve the educational experiences and outcomes of the authority's looked after children, including those placed out-of-authority.

4. Most parents take a keen interest in their child's educational progress. VSHs should ensure the educational attainment and progress of children looked after by the local authority are monitored and evaluated as if those children attended a single school.

5. The VSH should ensure that there are effective systems in place to:

- maintain an up-to-date roll of its looked after children who are in school or college settings and gather information about their education placement, attendance and educational progress
- inform headteachers and designated teachers in schools if they have a child on roll who is looked after by the VSH's local authority
- ensure social workers, designated teachers and schools, carers and IROs understand their role and responsibilities in initiating, developing, reviewing and updating the child's PEP and how they help meet the needs identified in that PEP

- ensure up-to-date, effective and high quality PEPs that focus on educational outcomes and that all looked after children, wherever they are placed, have such a PEP
- ensure the educational achievement of children looked-after by the authority is seen as a priority by everyone who has responsibilities for promoting their welfare
- report regularly on the attainment of looked after children through the authority's corporate parenting structures

Implementing the duty

Giving the child a voice

6. The VSH should ensure that there are arrangements in place to:
 - promote a culture that takes account of the child's views according to age and understanding in identifying and meeting their educational needs
 - help others, especially IROs, social workers, carers and schools, understand the importance of listening to and taking account of the child's wishes and feelings about education and the PEP process and how the VSH can help facilitate that process

Working with others

7. The VSH should ensure that there are effective arrangements in place to work with a range of professionals who will play a role in supporting the education of looked after children. This should include:

- encouraging and supporting social workers and carers to have high expectations in helping looked after children to achieve their full potential in education from pre-school to post-16 education, employment and training
- helping IROs and social workers understand the importance they need to place on education as part of care planning
- ensuring that whenever a child is likely to move schools that there is an informed discussion about the choice of school that will best meet their needs
- ensuring, through commissioners, that:
 - providers of fostering services and residential care have a robust evidence base that demonstrates they prioritise the educational achievement of looked after children and help them to achieve their full potential
 - when commissioning education services for a looked-after child from independent providers, commissioning decisions are based on the quality of the educational support provided and its ability to meet the needs of each individual
- ensuring there is timely communication and effective co-operation with the VSH from other local authorities, particularly in relation to possible education placement changes, school admissions, achievement and exclusions
- ensuring there are arrangements in place to support children looked after by the authority who are in custody. More information about looked after children in custody is provided in Annex 2

Supporting schools

8. To implement effectively their duty to promote the educational achievement of the children they look after local authorities should work closely with schools. To this end the VSH should ensure that:

- schools in their authority and their governing bodies understand a local authority's duty as a corporate parent to promote a looked after child's educational achievement and the main reasons why, as a group, looked after children underachieve
- school governing bodies understand the importance of specific professional development for, as a minimum, their senior leaders and designated teachers in supporting the achievement of looked after children
- schools understand the powerful role they can play in significantly improving the quality of life and the educational experiences of looked after children
- an up-to-date list of designated teachers is maintained to assist with their own internal communications and networking but also to assist other authorities that have placed children within the authority
- where a looked-after child attends school, that the child's social worker makes the designated teacher aware that the child is looked after and that the designated teacher has an up-to-date copy of each child's PEP on admission and after each statutory review of the care plan

9. The VSH should be aware of the requirements on school governing bodies to appoint a designated teacher for looked after children. They should have an understanding of the policies that schools in their area have in place to support the education of looked after children.

10. The VSH should make schools aware of their responsibility to ensure that designated teachers have had the appropriate training to undertake their role as set out in the statutory guidance for governing bodies on the role of the designated teacher for looked after children.

11. The VSH should offer training and advice to schools. This should enable schools to understand that looked after children, including those who remain looked after but have been placed for adoption, are not a homogenous group and that their individual needs will be different.

Pupil premium

12. Looked after children are one of the groups of pupils that attract pupil premium funding. Local authorities receive a pupil premium grant allocation based on the number of children looked after for at least one day and aged 4 to 15 at 31 August as recorded in

the latest looked after children data return³. This is additional funding provided to help improve the attainment of looked after children and close the attainment gap between this group and their peers.

13. VSHs, working with education settings, should implement pupil premium arrangements for looked after children in accordance with the latest conditions of grant published by the department and any supplementary departmental advice it issues.

Information sharing

14. The VSH needs to be aware of their duties regarding the sharing of information under sections 10, 11 and 12 of the Children Act 2004. VSHs should have access to a secure email account that enables them to exchange information securely with other VSHs in whose area they have placed children.

15. Appropriate and specific arrangements for sharing reliable data should be in place to ensure that the educational needs of looked after children can be understood and met. This is particularly important in relation to the tracking and monitoring of attainment data and notifications of where children, including those placed out-of-authority are being educated. The arrangements should set out:

- who has access to what information and how the security of data will be ensured
- how children and parents are informed of, and allowed to challenge, information that is kept about them
- how carers contribute to and receive information
- mechanisms for sharing information between relevant local authority departments and schools
- how relevant information about individual children is passed promptly between authorities, departments and schools when young people move. Relevant information includes the PEP, which as part of the looked after child's educational record should be transferred with them to the new school

Training for those involved in the care and education of looked after children

16. The VSH should ensure that there are appropriate arrangements in place to meet the training needs of those responsible for promoting the educational achievement of looked after children. This includes carers, social workers, designated teachers and IROs.

17. Such training, among other things, should include information about school admission arrangements; special educational needs; attendance and exclusions;

³ The SSDA903 data return for children looked after by local authorities in England year ending 31 March

homework; choosing GCSE options; managing any challenging behaviour in relation to education settings; promoting positive educational and recreational activities and supporting children to be aspirational for their future education; and training and employment.

Supporting individual children

Securing appropriate education

18. When a child becomes looked after his or her local authority will arrange a suitable placement. In doing so, the child's allocated social worker should do everything possible to minimise disruption to the child's education, whatever the child's age but particularly at key stage 4, and this should involve the VSH⁴.

19. If it is not possible to maintain the child's existing education placement, the child's new education placement should be arranged in consultation with the VSH at the same time as the care placement. The VSH has primary responsibility for ensuring that there is suitable education in place for all children looked after by the local authority. Their views should be given appropriate weight as part of decisions on placement moves. There should also be appropriate consultation with the VSH in another local authority where out-of-authority placements are planned and made.

20. In the case of an emergency placement, the authority that looks after the child, should secure a suitable new education placement within 20 school days.

21. In arranging a school placement the child's social worker (working with the VSH and other local authority staff, where appropriate) should seek a school or other education setting that is best suited to the child's needs. That could be a selective, non-selective, maintained or independent, boarding, day or alternative provision.

22. The following principles should apply:

- educational provision should mean a full-time place
- schools judged by Ofsted to be 'good' or 'outstanding' should be prioritised for looked after children in need of a new school. Unless there are exceptional evidence-based reasons, looked after children should never be placed in a school judged by Ofsted to be 'inadequate'
- the choice of the education setting should be based on what any good parent would want for their child. It should be based on evidence that the setting can meet the educational needs of the child and help them make the maximum progress
- the child's wishes and feelings should be taken into account and the suitability of the education setting tested by arranging an informal visit with the child. Where a looked-after child would benefit from attending a boarding school, either in the state or independent sector, VSHs and social workers should be proactive in considering this option. This decision is usually based on the care placement needs of the child and the boarding school's ability to meet these needs

⁴ The Care Planning, Placement and Case Review (England) Regulations 2010 – Regulation 10, avoidance of disruption in education.

- the VSH should ensure that social workers, IROs, admission officers for the schools maintained by the local authority and Special Educational Needs and Disability (SEND) departments understand and comply with the requirements in:

the School Admissions Code about the priority admission arrangements for looked after children to maintained schools and academies⁵: <https://www.gov.uk/government/publications/school-admissions-code>

- statutory guidance on school exclusion:

<https://www.gov.uk/government/publications/school-exclusion>

the special educational needs and disability code of practice 0 to 25 years: <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

School admissions

23. Looked after children have been given the highest priority within school admission arrangements. The admission requirements for looked after children are set out in the School Admissions Code. This Code applies to maintained schools and academies, including free schools⁶.

24. It is the responsibility of the VSH to ensure that:

- admission authorities understand that Fair Access Protocols do not apply to looked after children and that they are 'excepted pupils' in relation to infant class size regulations
- the local authority, as a corporate parent, does not tolerate drift and delay where children the authority looks after are without an education placement that is appropriate to their assessed needs. This includes using their powers of direction in a timely way rather than delay issuing a direction as a result of protracted negotiation

25. The choice of school requires skilled working between relevant people. It should be based on a discussion between the child's social worker, their carers and, if appropriate, birth parents. The VSH should normally be consulted to avoid choosing a school that is unlikely to meet the child's needs. Delegated authority about choice of school should be addressed explicitly in the child's permanence plan, which is part of their wider care plan.

⁵ Academies include free schools.

⁶ A 'maintained school' means community school, foundation school, voluntary aided school, voluntary controlled school, community special school, foundation special school or maintained nursery school.

26. If social workers are unsure of how school admissions work in relation to looked after children they should discuss this with their VSH or someone else who can provide the correct information.

School exclusions

27. Local authorities and schools must have regard to the Department's statutory guidance *Exclusions from maintained schools, academies and pupil referral units in England*⁷. In line with that, headteachers should, as far as possible, avoid excluding any looked-after child. VSHs should ensure that carers and social workers know where to seek advice about their role and responsibilities.

28. Where a school has concerns about a looked-after child's behaviour, the VSH should be informed and, where necessary, involved at the earliest opportunity. This is to enable the VSH, working with others, to:

- consider what additional assessment and support (such as additional help for the classroom teacher, one-to-one therapeutic work or a suitable alternative placement) needs to be put in place to address the causes of the child's behaviour and prevent the need for exclusion
- make any additional arrangements to support the child's on-going education in the event of an exclusion.

Special educational needs

29. The majority of looked after children have special educational needs. Of those a significant proportion will, subject to transition arrangements resulting from changes introduced by the Children and Families Act 2014, have a statement of special educational needs. From 1 September 2014 statements are being replaced by Education, Health and Care (EHC) plans. In these circumstances the VSH should ensure that:

- the special educational needs and disability code of practice 0 to 25 years, as it relates to looked after children, is followed; and,
- the child's statement or EHC plan works in harmony with his or her care plan to tell a coherent and comprehensive story of how the child's needs are being met. Professionals should consider how the statement/EHC plan adds to information about how education, health and care needs will be met without the need to duplicate unnecessarily the information that is already part of the child's care plan.

30. Some children may have undiagnosed special needs when they start to be looked-after. As part of the PEP process there should be robust arrangements in place to

⁷ <https://www.gov.uk/government/publications/school-exclusion>

ensure that any undiagnosed special educational needs are addressed through the SEND framework⁸ as soon as possible.

The Personal Education Plan (PEP)

31. All looked after children must have a care plan, of which the PEP is an integral part.
32. All of those involved in the process of developing the PEP should use it to support the personalised learning of the child.
33. The PEP (pre-school to age 18) is an evolving record of what needs to happen for looked after children to enable them to make expected progress and fulfil their potential. The PEP should reflect the importance of a personalised approach to learning that meets the identified educational needs of the child, raises aspirations and builds life chances.
34. The quality of the PEP is the joint responsibility of the local authority that looks after the child and the school. Social workers, carers, VSHs, designated teachers⁹ and, as appropriate, other relevant professionals will need to work closely together. All of those involved in the PEP process at all stages should involve the child (according to understanding and ability) and, where appropriate, the child's parent and/or relevant family member.

PEP content

35. The range of education and development needs that should be covered in a PEP includes:
 - access to a nursery or other high quality early years provision that is appropriate to the child's age (e.g. pre-school playgroups) and meets their identified developmental needs
 - on-going catch-up support for those who have fallen behind with school work (including use of effective intervention strategies)
 - provision of immediate suitable education where a child is not in school (e.g. because of temporary or permanent exclusion)
 - transition support needs where needed, such as when a child begins to attend a new school or returns to school (e.g. moving from pre-school, primary to secondary school or following illness or exclusion) or when a child has a plan for

⁸ <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

⁹ Section 20 of the Children and Young Persons Act 2008 requires the governing body of a maintained school to designate a member of staff (the 'designated teacher') to have responsibility to promote the educational achievement of looked-after children who are registered pupils at the school. The governing body must ensure that the designated teacher undertakes appropriate training. The designated teacher must be a qualified teacher, a headteacher or acting head teacher of the school. Through their funding agreements, designated teacher requirements apply to academies and free schools.

permanence (e.g. placed for adoption) and may change schools as part of that plan;

- support needed to help the child realise their short and long-term academic achievements and aspirations. This includes:
 - support to achieve expected levels of progress for the relevant national curriculum key stage and to complete an appropriate range of approved qualifications
 - careers advice and guidance and financial information about further and higher education, training and employment
- out-of-school hours learning activities, study support and leisure interests
- school attendance and, where appropriate, behaviour support

Initiating, developing and reviewing the PEP

36. Wherever the child is placed, their social worker, supported by the authority's VSH, should take the lead to:

- initiate a PEP even where a looked-after child is without a school place. This includes meeting with appropriate education providers and the carer;
- ensure that where a child is placed in an emergency the PEP is initiated within 10 working days of their becoming looked after, wherever they are placed;
- ensure, with the support of others, including the VSH, that the PEP contains a summary of the child's current attainment and progress;
- ensure the PEP is effective and is available for the first statutory review meeting of the care plan; and,
- ensure the PEP gives details of who will take the plan forward and specifies timescales for action and review.

37. The designated teacher leads on how the PEP is developed and used in school to make sure the child's progress towards education targets is monitored.

38. VSHs should have a quality assurance role in relation to PEPs. To be an effective and high quality PEP it should:

- be a 'living', evolving, comprehensive and enduring record of the child's experience, progress and achievement (academic and otherwise) and inform any discussion about education during the statutory review of the child's wider care plan;
- be linked to, but not duplicate or conflict with, information in any other plans held by the child's education setting;

- identify developmental (including any related to attachment) and educational needs (short and longer term) in relation to skills, knowledge, subject areas and experiences;
- include SMART¹⁰ short-term targets, including progress monitoring of each of the areas identified against development and educational needs;
- include SMART longer-term plans for educational targets and aspirations. These should, according to age and understanding, typically focus on public examinations, further and higher education, managing money and savings, work experience and career plans and aspirations
- identify actions, with time scales, for specific individuals intended to support the achievement of agreed targets and use of any additional resources (e.g. the pupil premium) specifically designated to support the attainment of looked after children
- highlight access to effective intervention strategies and how this will make/has made a difference to achievement levels

39. Arrangements for the flow of information to develop, review and update the PEP should be in place to ensure the VSH, designated teacher, carer and, where appropriate, child and parent have a copy of the latest version of the document.

40. The VSH and social worker should work together to ensure that monitoring arrangements are in place so that actions and activities recorded in the PEP are implemented without delay. This involves working in a joined-up way with the child's school (usually through the designated teacher) and other relevant people and agencies (for example educational psychologists or the Child and Mental Health Service) where necessary.

41. VSHs should make arrangements for PEPs to be reviewed each school term. This is to ensure that the story of the child's educational progress is current and continues to meet the child's educational needs. It is also to ensure that information from the PEP is available to feed into the next statutory review of the wider Care plan. The nature of these arrangements and who to involve are for the VSH to decide in partnership with others.

42. The social worker with responsibility for the child should:

- not take significant decisions about a looked-after child's education without reviewing the PEP in consultation with the child, the child's school, carer, VSH, IRO and, where appropriate, their parent(s)
- alert the IRO to any significant changes to the child's PEP such as the breakdown or change of an education placement so that the IRO can decide whether a review of the care plan is required

¹⁰ SMART means specific, significant, stretching, measurable, meaningful, motivational, agreed, achievable, action-orientated, realistic, relevant, results-orientated, time bound, tangible, trackable.

- work with the child's school or other education setting between the statutory reviews of their care plan (involving the VSH if necessary) to ensure that up-to-date PEP information is fed into those reviews, which are chaired by the child's IRO¹¹;
- ensure that all relevant information about the child's educational progress and support needs is up-to-date and evidenced before the statutory review meeting; and,
- act on any changes required to meet the child's education needs identified by the IRO.

43. IROs should ensure that the PEP's effectiveness is scrutinised in sufficient detail as part of the statutory review and at other times if necessary. Where a child has special educational needs, the IRO should ensure that the PEP review is linked with any review of those needs.

44. The IRO should raise any unresolved concerns about a child's PEP or education provision with social workers and the VSH.

Supporting transitions from care

45. The duty to promote the educational achievement of a looked-after child extends to looked-after young people aged 16 or 17 preparing to leave care. These are referred to in the Children Act 1989 as 'eligible children'.

46. Local authorities should ensure that:

- the PEP is maintained as part of the preparation and review of the pathway plan¹² and builds on the young person's educational progress;
- each pathway plan review scrutinises the measures being taken to help the child prepare for when he or she ceases to be looked-after by considering:
 - the young person's progress in education or training; and,
 - how he or she is able to access all the services needed to prepare for training, further or higher education or employment.
- links are made with further education (FE) colleges and higher education (HE) institutions and that care leavers are supported to find establishments that understand and work to meet the needs of looked after children and care leavers;
- each eligible care leaver knows about the 16-19 Bursary Fund;¹³

¹¹ Statutory reviews of care plans take place at a meeting chaired by the IRO. The care plan must be reviewed after 20 working days from the point at which the child becomes looked after, 3 months from the first review, six months after the second review and the third and subsequent reviews.

¹² The Children Act 1989 requires that a pathway plan is prepared for all eligible children. Eligible children are looked-after, aged 16 or 17 and have been looked after by a local authority for a period of 13 weeks, or periods amounting in total to 13 weeks, which began after they reached 14 and ended after they reached 16.

- receives a bursary of £2,000 when going on to study a recognised HE course and that arrangements for the payment of the bursary are agreed by the young person as part of the overall package of support that a local authority provides to its care leavers.¹⁴

¹³ This is a bursary to help with education related costs for 16 to 19 year olds who are studying at school or college (not university) in England or on a training course. More information is available at:

<https://www.gov.uk/1619-bursary-fund>

¹⁴ Section 21 of the Children and Young Persons Act 2008 added to the duties that a local authority owes to its former relevant children by amending section 23C of the 1989 Children Act.

Annex 1

This annex gives a brief summary of the main roles mentioned in this guidance.

Role	Brief description
Director of Children's Services (DCS)	DCSs have professional responsibility for the leadership and strategic effectiveness of local authority children's services.
Lead Member for Children's Services (LMCS)	The LMCS is a member of the Council Executive and has political responsibility for the leadership, strategy and effectiveness of local authority children's services.
Independent Reviewing Officer (IRO)	Every looked-after child must have a named IRO who is appointed to participate in case reviews, monitor the local authority's performance in relation to a child's case.
School admission authorities	Local authorities are the admission authority for community schools and voluntary controlled schools
Special Educational Needs Departments and SENCOs	The SEN Coordinator (SENCO), in collaboration with the head teacher and governing body, plays an important role in determining the strategic development of the SEN policy and provision in the school in order to raise the achievement of children with SEN.
Designated teachers	All maintained schools, academies and Free Schools are required to appoint a designated teacher to champion the educational attainment of looked after children and act as a source of information and advice about their needs.

Annex 2

Custody

1. If a young person who has previously been accommodated under section 20 of the 1989 Act is remanded in custody he or she is no longer looked after under this section of the 1989 Act. This is because the child is no longer being voluntarily accommodated by a local authority. However, looked after status may need to be resumed on release or, depending on the child's age, he or she may be a 'relevant' care leaver. Prior to release, the authority that will be responsible for the child's future care, along with the assigned young offenders institution (YOI), should:

- make arrangements with the local authority secure children's home (LASCH), secure training centre (STC) or YOI to ensure that the child's needs have been re-assessed to inform arrangements for their future accommodation and care
- ensure that the assessment includes up-to-date information about the child's educational needs so that the PEP can be revised as part of the new care/pathway plan

2. Under section 104(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPOA), children remanded to youth detention accommodation become looked after children. During the period of remand the child will have a detention placement plan. That plan should include information about:

- the arrangements made by staff in the youth detention accommodation for the child's education and training. This should include the name and address of the educational or training institution the child was attending immediately prior to detention and details about the local authority that maintains any statement of special educational needs or EHC plan
- the name of the VSH responsible for discharging the local authority's duty to promote the educational achievement of the children looked-after by the authority

3. Children who offend and receive custodial sentences remain looked-after if they were under a care order immediately prior to conviction. The authority therefore has a continuing responsibility to review their PEP as part of the care plan and to ensure the child's access to education and training is consistent with their statutory entitlements. In these cases the local authority should:

- have procedures in place to know where these young people are placed and how long they are likely to be held
- have access to information about the child's educational progress
- plan ahead in sufficient time so that a suitable educational or training placement can be arranged wherever the child will live following release from custody

- work with their LASCH, STC or YOI, in partnership with the YOT supervising officer, to ensure:
 - that care planning reviews are continued and facilitate access to education while the young person is detained
 - information on a child's education and training needs is passed to the STC/LASCH or YOI, usually through the most up-to-date PEP, as quickly as possible
 - ensure that the learning needs of the individual are being met
 - that there is proper planning to maintain the continuity of education and/or training experience once the young person is released from custody

4. Where a looked after child is placed in secure accommodation for their own welfare (section 25 of the 1989 Act) local authorities should liaise directly with the secure unit to ensure that they meet their statutory responsibilities to promote the educational achievement of the child.

Further information

Useful resources and external organisations

- The Who Cares? Trust: <http://www.thewhocarestrust.org.uk/>
- The National Children's Bureau: <http://www.ncb.org.uk/>
- Attachment Aware Schools programme: a new partnership between Bath and North East Somerset Council and Bath Spa University: <http://attachmentawareschools.com/>
- Strength and Difficulties Questionnaire: <http://www.sdqinfo.com/>
- The impact of virtual schools on the educational progress of looked after children (Ofsted report 2012): <http://www.ofsted.gov.uk/resources/impact-of-virtual-schools-educational-progress-of-looked-after-children>
- Education Matters in Care: A report by the independent cross-party inquiry into the educational attainment of looked after children in England: [http://www.thewhocarestrust.org.uk/data/files/Education Matters in Care September 2012.pdf](http://www.thewhocarestrust.org.uk/data/files/Education_Matters_in_Care_September_2012.pdf)
- Framework and evaluation schedule for the inspection of services for children in need of help and protection, children looked after and care leavers (single inspection framework) and reviews of Local Safeguarding Children Boards: <http://www.ofsted.gov.uk/resources/framework-and-evaluation-schedule-for-inspection-of-services-for-children-need-of-help-and-protectio>
- Looked after children: good practice in schools (Ofsted report 2008): <http://www.ofsted.gov.uk/resources/looked-after-children-good-practice-schools>

Other relevant departmental advice and statutory guidance

- Care planning, placement and case review guidance: <https://www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review>
- Planning transition to adulthood for care leavers: <https://www.gov.uk/government/publications/children-act-1989-transition-to-adulthood-for-care-leavers>
- The IRO Handbook: <https://www.gov.uk/government/publications/independent-reviewing-officers-handbook>
- SEN and Disability Code of Practice 0 to 25: <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

- Directors of children's services: roles and responsibilities: <https://www.gov.uk/government/publications/directors-of-childrens-services-roles-and-responsibilities>
- School Admissions Code: <https://www.gov.uk/government/publications/school-admissions-code>
- School exclusions guidance: <https://www.gov.uk/government/publications/school-exclusion>
- Pupil premium conditions of grant: <https://www.gov.uk/government/publications/pupil-premium-grant-2014-to-2015-conditions-of-grant>
- Improving the attainment of looked after children in primary schools: <https://www.gov.uk/government/publications/improving-the-attainment-of-looked-after-children-in-primary-schools-guidance-for-schools>
- Improving the attainment of looked after children in secondary schools: <https://www.gov.uk/government/publications/improving-the-attainment-of-looked-after-children-in-secondary-schools-guidance-for-schools>
- Mental health and behaviour in schools: departmental advice: <https://www.gov.uk/government/publications/mental-health-and-behaviour-in-schools--2>
- Careers guidance and inspiration in schools: <https://www.gov.uk/government/publications/careers-guidance-advice-for-schools>

Other departmental resources

- Academy admission request form for looked after children: <https://www.gov.uk/government/publications/academy-admission-request-form-for-looked-after-children>
- Outcomes for looked after children by local authorities: <https://www.gov.uk/government/publications/outcomes-for-children-looked-after-by-las-in-england>



Department
for Education

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Department
for Education

Pupil Premium and the role of the Virtual School Head 2014-15

Frequently asked questions

March 2014

What changes have been made to the conditions of grant for the Pupil Premium for looked after children in 2014-15?

The conditions of grant state the following:

Basis of the allocations to the local authority

16. The Department will allocate a provisional allocation of £1,900 per child for the number of children looked after for at least one day as recorded in the March 2013 Children Looked After Data Return (SSDA903) and aged 4 to 15 at 31 August 2012. This allocation will be updated and finalised in October 2014 based on the number of children looked after for at least one day as recorded in the March 2014 Children Looked After Data Return (SSDA903) and aged 4 to 15 at 31 August 2013.

Use of the Looked After Children Premium

17. The grant allocation for Looked After Children must be managed by the designated Virtual School Head in the authority that looks after those children to be used for the benefit of the looked after child's educational needs as described in their Personal Education Plan (PEP). The Virtual School Head should ensure there are arrangements in place to discuss with the child's education setting – usually with the designated teacher – how the child will benefit from any pupil premium funding. The local authority is not permitted to carry forward funding held centrally into the financial year 2015-2016.

The conditions of grant for the pupil premium arrangements in 2014-15 are published on the Department's website and can be found

here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/283193/Pupil_Premium_CoG_2014-15.pdf

What are the changes to the pupil premium arrangements for looked after children in 2014-15?

There are three main changes:

Firstly, looked after children attract a pupil premium of £1900, more than double the amount they attracted in 2013-14.

Secondly, the cohort of looked after children who attract the pupil premium is bigger and includes children looked after from the first day of care rather than, as previously, only those who had been looked after for six months or more.

Thirdly, for 2014-15 the pupil premium for looked after children must be managed by the virtual school head¹ in the authority that looks after them. Unlike in previous

¹ The Children and Families Act 2014 requires all local authorities to have someone (called the virtual school head) who will carry out the duty of the authority to promote the educational achievement of the children it looks after.

years, there is no requirement for an authority to pass the funding onto the school where the child is on roll to contribute towards meeting the needs identified in their Personal Education Plan. The presumption, however, is funding is passed to the school and this is strongly encouraged.

Why have the arrangements for managing the pupil premium for looked after children changed for 2014-15?

The Department has changed the conditions of grant regarding how the pupil premium is managed for looked after children to reflect more effectively the particular challenges of supporting their education. Now that virtual school heads will be statutory they will be responsible as part of the corporate parent role to promote the educational achievement of the children looked after by their authority. Ministers therefore want them to have a greater role in working with schools to ensure that duty is fulfilled. And now local authorities attract pupil premium for children from the first day of care giving the virtual school head management of the looked after pupil premium is administratively less bureaucratic.

Does the virtual school head have to manage the budget or can this be delegated to a local authority finance team?

The conditions of grant for 2014-15 states clearly that the pupil premium grant allocation must be managed by the designated virtual school head for the children looked after by the authority. This has statutory force. It is a virtual school head rather than a local authority finance team who is best placed to know how to use pupil premium to maximise the benefits to looked after pupils. Virtual school heads should consult finance teams about the best way to distribute funding to schools.

Can the Director of Finance dictate that the pupil premium funding is passed directly to schools?

The conditions of grant state that virtual school heads should manage pupil premium funding. It is therefore for the virtual school head to decide how the pupil premium for looked after children is managed. That is an important part of how the virtual school head complies with the duty under the Children Act 1989 to promote the educational achievement of the children looked after by the authority.

Does the virtual school head have to give the money to schools?

There is no requirement to do so. There is, however, a strong expectation that virtual school heads will pass on pupil premium funding onto a child's education setting to be used to meet additional needs set out in his or her Personal Education Plan. That can be passed to the school on a termly or annual basis. Any funding not passed down to schools by the end of the financial year will have to be returned to the Department.

Does the virtual school head have to give £1900 to schools or can they give a higher or lower amount?

The conditions of grant state that grant allocation for looked after children must be managed by the virtual school head. It is for the virtual school head to decide whether to provide £1900 to a school for a looked after child or a higher or lower amount. They can also decide on whether to pay termly or annually. They can also link allocation to the content of the Personal Education Plan as agreed with the school.

Can the virtual school head pool funding for some of the authority's looked after children?

The Department expects virtual school heads to manage the pupil premium to ensure that it promotes the educational achievement of all the children looked after by the authority. It may be appropriate to pool some pupil premium for activities to benefit the authority's looked after children more holistically. For example, it might be appropriate to use this funding to provide training for a group of designated teachers across the authority or a group of Teaching Alliance schools.

Equally, a virtual school head might negotiate with a school regarding pooling pupil premium funding for looked after children with the school's pupil premium to provide an enhanced and more intensive package of support for disadvantaged children generally.

Does the pupil premium for looked after children need to be passed to non-mainstream schools?

There is no requirement to do so. There should be a discussion about what provision is being delivered and what would be provided in addition to that in accordance with the child's Personal Education Plan, if the pupil premium funding was passed on to the non-mainstream education setting.

Can the pupil premium for looked after children fund a post in the virtual school?

Pupil premium is additional funding provided to raise the achievement of looked after pupils and close the achievement gap. It is not intended to fund posts that should be the responsibility of local authorities as a corporate parent.

There may be instances where some pupil premium funding can be used to support the work of a person where it can be very clearly demonstrated that their role has a significant contribution to promoting the educational achievement of the children looked after by the authority. That role could, for example, involve working with schools to raise the quality of learning targets in a child's Personal Education Plan.

Can some of the pupil premium for looked after children be spent on providing other central services that support their education?

Pupil premium funding is additional funding provided to support schools to raise the achievement of disadvantaged pupils, including looked after children. It should not be used to fund central services that would reasonably be expected to be funded by local authorities, to comply with their duty to promote the educational achievement of the children they look after. As stated above, however, virtual school heads are responsible for managing the efficient use of pupil premium funding for the purpose it has been provided. They will therefore need to demonstrate a direct link between spending and raising standards of achievement for the children looked after by their authority, wherever they are placed.

Are virtual school heads accountable for the use and impact of the pupil premium on the achievement of looked after children, in the same way as head teachers?

Virtual school heads are responsible for making sure there are effective arrangements in place for allocating pupil premium funding to benefit children looked after by their authority. That means:

- making sure that pupil premium funding for looked after children is spent effectively and fully, given any underspend needs to be returned to the Department at the end of the financial year;
- being able to demonstrate how pupil premium funding managed by the virtual school head is linked to raising achievement for looked after children and closing the gap between their achievement and that of their peers; and
- having arrangements in place to engage with the looked after child's school (usually with the designated teacher) about how pupil premium funding allocated to the school is contributing to meet the needs identified in his/her Personal Education Plan.

Schools are accountable for the educational attainment and progress of all disadvantaged pupils who attract pupil premium on their roll, through Ofsted inspections and KS2/KS4 school performance tables. Virtual school heads and others involved in Personal Education Plans will want a constructive dialogue with schools about how best to support looked after children using the pupil premium.

The Ofsted framework for the inspection of children looked after services states that, as part of the performance information required, the inspector will ask for the annual report of the virtual school head. We would expect that to include information about how the pupil premium has been managed and the impact it has made.

But to whom is the virtual school head accountable within their local authority?

That depends on the line management arrangements in individual local authorities. Ultimately, however, the virtual school head is accountable to the Director of Children's Services and/or the Chief Executive and the Lead Member for Children.

How should the funding be allocated for looked after children in 2014-15 when the funding is based on one-year old data in the SSDA903?

It is important to distinguish the basis on which funding is allocated to local authorities from SSDA903 data and how that funding is managed by the virtual school head to support those children who are looked after during the 2014-15 period.

The provisional allocation is based on the number of children looked after for at least one day and aged 4 to 15 at 31 August 2012, as submitted in the SSDA903 in March 2013. This allocation is updated and finalised in October 2014, based on the number of children looked after for at least one day and aged 4 to 15 at 31 August 2013, as submitted in the SSDA903 in March 2014.

This funding should be managed by the virtual head teacher so it is used to support those children looked after by the local authority for one day or more during the 2014-15 period. This needs to take account of the fact that children move in and out of care.

How should virtual school heads give schools funding for children who have been looked after for a very short period?

It is up to virtual schools heads to manage pupil premium funding for looked after children during the 2014-15 period. Although £1900 is allocated for each looked after child, irrespective of how long they have been in care, this does not necessarily mean that virtual head teachers are expected to manage the funding on the same basis to schools. Virtual head teachers can therefore manage the funding to take account of the length of time in care, as well as other factors, if they wish. The funding, however, should always be to support the educational achievement of the looked after child, as described in their Personal Education Plan.

Can the virtual school head carry over pupil premium funding to 2015-16?

No. Any pupil premium funding that has not been passed to schools or spent by 31 March 2015 must be returned to the Department.

Can we give foster carers the pupil premium to spend rather than give it to schools?

The virtual school head manages pupil premium funding to support the education of looked after children, as set out in the Personal Education Plan. The expectation is that this funding is passed to schools unless there are clear reasons not to do this. It should not be used for activity that the local authority should normally be expected to fund as the corporate parent, such as support for foster carers. Foster carers, however, have an essential role in supporting the education of the children for whom they care. Foster carers can therefore make a valuable contribution, such as with the Personal Education Plan.

Does the pupil premium for 2014-15 work in the same way as personal education allowances did?

No. The pupil premium is not a replacement for the personal education allowance. The pupil premium is much more focussed on support to improve the educational achievement of looked after children and close the gap between looked after children and their peers.

Can virtual school heads impose conditions on how schools use the pupil premium for looked after children?

We want local authorities to have a constructive and meaningful dialogue with the schools on the most effective use of the funding and not impose conditions. The funding should support children's Personal Educational Plan, overseen by the designated teacher in the school.

Can a school insist that they get £1900 for a looked after child on roll?

It is up to the virtual school head to decide how the funding is managed, including how funding is distributed to schools. Although £1900 is allocated for each looked after child, irrespective of how long they have been in care, this does not necessarily mean that virtual head teachers are expected to manage the funding on the same basis to schools. Virtual school heads should also work closely with schools about how best to meet the needs identified in a child's Personal Education Plan with support provided through the pupil premium.

Can an amount be held by the virtual school head to administer the grant?

Pupil premium funding is additional funding provided to support schools to raise the achievement of disadvantaged pupils, including looked after children. It should not be used to fund central services such as the virtual school head to administer the funding. The pupil premium should be used to provide additional support for looked after children in order to raise the achievement of looked after children.

What tips have virtual school heads got to share about how they have worked with schools up to now in how the pupil premium is used?

Talk to other virtual school heads in your area through the virtual school head regional structures.

Department for Education

**Corporate Parenting Board
Work Programme for 2014-15**

Meeting Date	Work Programme
30 June 2014	<ul style="list-style-type: none"> • Good and Safe placements - Reports regarding the adoption and fostering service
22 Sept 2014	<ul style="list-style-type: none"> • The Education of Looked After Children • Taking it to the Next Level
24 Nov 2014	<ul style="list-style-type: none"> • Independent Reviewing Officers Annual Report - update on issues • Health of Looked After Children • Update from Service Manager and the elected Member with responsibility for visiting children's homes
2 Feb 2015	<ul style="list-style-type: none"> • Update from Service Manager and the elected Members with responsibility for visiting children's homes. • Feedback from the Glen in the wider context of short breaks.
27 April 2015	<ul style="list-style-type: none"> • Profile of Looked after Children in the City and the proactive steps being taken in reducing numbers • Promoting a positive sense of identity for all children

Forward agenda

- Members of Board to meet with foster carers (outside of formal meeting)
- Members of Board to meet with members of the Show Me That I Matter Panel (outside of formal meeting)

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