

Briefing for Schools: December 2005

<p>Statutory Guidance: Duty On Local Authorities To Promote The Educational Achievement of Looked After Children. (Section 52 of the Children Act 2004)</p>
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Introduction

This paper has been produced to help schools respond to Section 52 of the Children Act 2004.

The Children Act 2004 has five main parts. The main thrust of the act is a response to the Laming Inquiry into the death of Victoria Climbié. The Act seeks to enact the proposals made in the Green Paper, "Every Child Matters" which was part of the government's response to that Inquiry. Section 52 of the Children Act comes into force on July 1st 2005. It replaces The Guidance on the Education of Children and Young People in Public Care (May 2000). A consultation to the statutory guidance finished in the summer and the final document was published on 5th December 2005.

The Act places a duty on local authorities to promote education for this group. Schools are expected to comply with this which is reflected in parts of the School Evaluation Form (SEF). From September 2005, under the new OFSTED inspection framework, schools will be expected to show that they are working towards the five outcomes for children under Every Child Matters. These are:

- Being Healthy.
- Staying Safe.
- Enjoying and Achieving (through learning).
- Making a Positive Contribution (to society).
- Achieving Economic Well-being.

These areas will be particularly applicable to vulnerable children in the school, including Travellers, Looked After Children, Asylum Seekers and other groups. How well does the school work with other professionals and understand the exceptional needs of these groups? How are they identified? What strategies are in place for supporting them? How is child protection addressed?

Section 52 revolves around the five key reasons for looked after children's underachievement identified by the Social Exclusion Unit (SEU) in "A Better Education for Children in Care" (SEU July 2003). These are:-

- They spend too much time out of school.
- Their lives are characterised by instability.
- They do not have sufficient help with their education if they get behind.

- Carers are not equipped to provide sufficient support for learning and development.
- They have unmet emotional, mental and physical health needs that impact on their education.

These factors are common issues for a large proportion of vulnerable children and many of the actions suggested below can be incorporated into work with other groups.

Local authorities will be expected to take particular account of the educational implications for every decision they take with regard to the children they are responsible for (for example, not moving a looked after child until appropriate education is secured).

As far as schools are concerned there is no distinction between children looked after by other authorities and Croydon's own LAC.

There is no extra money!

Questions for schools

What strategies are used to support looked after children, to promote their education and life chances and keep them safe and healthy?

Are there a range of extra curricular activities, or extra help with homework?
Are LAC children encouraged to go these?

Do all staff understand the issues that surround the education of looked after children? Are they able to recognise the signs of children in distress, and know what procedures to follow to deal with this?

Does the school have clear rules regarding confidentiality?

Are looked after children given priority in terms of admissions?

How well does the school work with other agencies such as social workers and foster carers?

Are a wide range of strategies used to prevent exclusion? Perhaps identifying children as early as possible who are at risk?

Do staff have high expectations of looked after children?

Do looked after children have a member of staff that they feel they can trust and will advocate for them (This may or may not be the Designated Teacher)?

How well does the school know each looked after children in terms of social emotional behaviour issues, as well as academic attainment and progress?
How well does the school cater for individual need?

Specific Issues for schools

School Policy

Schools will be expected to have a school policy with regard to looked after children. A model policy is available from Mike Johnston, manager of the LACE team by e-mailing michael.johnston@croydon.gov.uk

A link Governor

It is expected that governing bodies are aware of the needs of looked after children and how the school is meeting those needs. In the draft section 52 document it is recommended that the LEA elected governor takes a lead on looked after children in the school. They need to ensure that the school has an effective and trained designated teacher, that there is a school policy on looked after children, and that the school is cooperating with the local authority in regard to the education of LAC. They need to have regular updates on the progress of the school's looked after children (no children's names used in reports).

I would recommend that a governor is appointed as a link for LAC who liaises with the Designated Teacher and reports back to the governing body at regular intervals.

Designated Teacher for Looked After Children

Are they trained and understand their role and responsibilities as outlined in the school policy?

Do they monitor all looked after children in their school, with regard to welfare, Personal Education Plans (PEPs), and attendance?

Do they work effectively with other agencies, and initiate early contact with social workers and carers when issues arise?

Do they challenge social workers and others when decisions are taken with regard to looked after children that will adversely affect their education?

Do they ensure that confidentiality is maintained and shared with staff only on a need to know basis?

Do they make sure that new LAC are made to feel welcome at the school and have a smooth induction?

Do they promote extra- curricular activities for looked after children?

Do they attend the Designated Teachers network meetings in Croydon to update their policy and practice, and complete LEA returns on LAC?

Personal Education Plans (PEPs)

All looked after children should have a PEP in place. With Croydon children the format is found in the "Joint Guidance on the Education of Looked After Children", or e-mail Mike Johnston for an electronic one. Other authorities have their own format. There is an early years PEP available for children aged 3-5.

It is the social workers duty to inform the school as soon as possible that a child is looked after, and initiate a PEP but the school needs to be pro-active in contacting social workers where this has not been done, and the child is known to be looked after. PEPs need to be completed ready for every statutory review (28 days, three months, then six monthly). The PEP should be completed within 14 days of being placed in the care system.

Looked after children should have educational targets recorded in the PEP, but the targets will often be taken from other plans the child has (IEPs for example). Don't give a child another set of targets when they exist in other places. The child should have input into the PEP as appropriate to age and ability, and should record their long term goals and aspirations as well as short term goals.

The PEP form in Croydon will be updated in the autumn - please include the UPN on the PEP form.

Admissions

It is expected and will be statutory to give priority to looked after children in terms of admissions. Schools who admit looked after children should do so as early as is practicably possible to avoid gaps in schooling.

Further help

If further help or clarification is needed please contact:-

Mike Johnston
Manager, Looked After Children's Education Team (LACE)
Purley Oaks Primary School
Bynes Road
Croydon CR2 OPR
Phone/Fax: 020 8686 9370
E-mail: michael.johnston@croydon.gov.uk

Mike Johnston December 2005