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# Education of Looked After Children Policy

January 2019

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## 1. Scope

This document applies to all looked after children (LAC). It should be read in conjunction with the following guidance documents:

- Looked After Children with Special Educational Needs (SEN)
- PEP Guidelines for Schools and Settings
- School Admissions Policies
- Special Educational Needs Code of Practice: 0 to 19 years: Statutory Guidance for Organisations who work with and Support Children and Young People with Special Educational Needs (2017). Relevant areas include references 7.66 and 8.1 – 8.14
- Positive Behaviour, Exclusions and the use of Part-time Timetable Policy
- Attendance Policy
- Educational Visits: Policies and Procedures

The above Jersey documents can be accessed at [www.gov.je/educationpolicies](http://www.gov.je/educationpolicies)

## 2. Duty to Promote the Educational Achievement of Looked After Children

This policy document outlines schools and settings duty to promote the educational achievement of Looked After Children (LAC).

According to the current Jersey Inclusion register, 80% of LAC in Jersey have emotional and behavioural difficulties and a significant number have school related problems. A small number of LAC in Jersey have a Record of Needs, which requires an annual review to ensure the child's ongoing educational needs are being addressed.

Educational outcomes for LAC in Jersey are extremely poor. Including those placed off-island, just 4.2% of LAC over the past three years have attained 5 A-Cs at GCSE (including English and Maths). In terms of LAC, this means Jersey is one of the lowest performing jurisdictions (local authorities) in England.

While there is currently no statutory requirement for a Virtual School Head (VSH) in Jersey, maintained nursery settings, schools and colleges must appoint a designated teacher (DT) to promote the educational achievement of children who are looked after and to ensure that this person has appropriate training. This will be a member of staff of sufficient seniority to be an effective advocate for all LAC within the school or setting, and ensure their access to identified services and support.

An up-to-date list of DTs should be maintained to assist with communications. It is the **responsibility of schools to ensure they make the VSH aware of who is responsible for carrying out this role.**

As leaders responsible for ensuring that the States of Jersey discharges its duty to promote the educational achievement of their LAC, senior officers in the Department for Children, Young People, Education and Skills should ensure that:

- closing the attainment and progress gap between LAC and their peers and creating a culture of high aspirations for them is a top priority
- LAC have access to a suitable range of high quality education placement options and that services (commissioned or otherwise) take account of the duty to promote their educational achievement
- the VSH is in place and has the resources, time, training and support they need to discharge the duty effectively
- the VSH has robust procedures in place to monitor the attendance and educational progress of all LAC

The VSH should be the lead officer responsible for ensuring that arrangements are in place to improve the educational experiences and outcomes of the States of Jersey LAC, including those placed off-island.

The VSH should ensure the educational attainment and progress of children looked after by the States of Jersey are monitored and evaluated as if those children attended a single school.

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

- maintain an up-to-date roll of its LAC who are in nursery, school or college settings and gather information about their education placement, attendance and educational progress
- inform head teachers and DTs in schools and settings, including off island, if they have a child on roll who is looked after by the States of Jersey
- ensure that social workers, DTs and schools, carers and Independent Reviewing Officers (IROs) understand their role and responsibilities in initiating, developing, reviewing and updating the child's Personal Education Plan (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 LAC, wherever they are placed, have a PEP
- ensure the educational achievement of children looked after by the States of Jersey is seen as a priority by everyone who has responsibilities for promoting their welfare
- report regularly on the attainment of LAC through the State's corporate parenting structures.

Social workers, the VSH, IROs, school admission officers and Special Educational Needs teams 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.

Governing bodies (where these apply), should ensure that appropriate staff have the information they need in relation to a child's looked after legal status (whether they are looked after under voluntary arrangements with consent of parents or on an interim or full Care Order), and contact arrangements with birth parents or those with parental responsibility (PR). They should also have information about the child's care arrangements and the levels of authority delegated to the carer. The designated safeguarding lead, through the DT for LAC, should have details of the child's social worker and the name of the VSH.

The VSH should promote a culture that takes account of the child's views according to age and understanding in identifying and meeting their educational needs.

### 3. The Personal Education Plan (PEP)

The Personal Education Plan (PEP) allows the social worker, residential staff/carer and DT at the child's school/setting or, where the child has no school place, the Education Department, in conjunction with the child, to set out what needs to happen to meet the educational needs of the child.

The first PEP should be initiated as part of the Care Plan before the child becomes Looked After (or within 10 working days in the case of an emergency placement), and be presented to the first Looked After Review meeting. Subsequently, the PEP should be reviewed termly.

All LAC from the age of 3 to 18 years must have a PEP, whether or not currently in education. It provides essential information to ensure that appropriate support is in place to enable the child to achieve the targets set. It is also a record of the child's leisure interests and educational achievement. The DT chairs the PEP meetings and leads on how the PEP is developed and used in school to make sure the child's progress towards education targets is monitored, with the VSH having a quality assurance role. Whilst it is acknowledged the VSH will not be able to attend all PEPs, the social worker should liaise with the VSH and school to decide when to hold it.

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.

The PEP is an evolving record, and arrangements for the flow of information to develop, review and update the PEP should be in place to ensure the VSH, DT, carer and, where appropriate, child and parent have a copy of the latest version of the document. The social worker is responsible for making sure arrangements are in place for PEPs to be reviewed each school term.

The PEP should set clear objectives and targets for the child, covering the following:

- chronology of education and training history which provides a record of the child's educational experience and progress, including information about educational institutions attended and the reasons for leaving, attendance and conduct record, academic and other achievements, any special educational needs, an indication of the extent to which the child's education has been disrupted before entering care or accommodation
- existing arrangements for education and training, including details of any special educational provision and any other provision to meet the child's educational or training needs and promote educational achievement
- any planned changes to existing arrangements and provision to minimise disruption
- the child's leisure interests

- the role of the appropriate person and any other person who cares for the child in promoting the child's educational achievements and leisure interests
- the effective use of the Jersey premium in relation to the specific child's needs should be discussed as part of PEP Meetings. The VSH should make sure the Jersey premium funding for the LAC is **fully accounted for and allocated** to help meet the needs identified in the child's PEP
- details of who will take the plan forward, with timescales for action and review

The PEP should:

- identify developmental (including any related to attachment) and educational needs (short and longer term) in relation to skills, knowledge, subject areas and experiences
- include SMART 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 Jersey premium specifically designated to support the attainment of LAC)
- highlight access to effective intervention strategies and how this will make/has made a difference to achievement levels

The PEP must include the contact details of the VSH.

## 4. Avoidance of Disruption in Education

There is a need for all services for children to work together to promote continuity of care and education for LAC. In so doing, care and education provision needs to be considered together, recognising that secure integration into school life is a major contributing factor to the maintenance of placement stability and the healthy development of personal identity and friendships. The Children's Service will strive to ensure that a child in its care does not experience unnecessary placement changes. For those who cannot return home, it will endeavour to find a permanent placement and appropriate school enrolment for each child as soon as practically possible.

The child's wishes and feelings must have been ascertained and given due consideration. These should sit alongside expectations as follows:

- in the case of an emergency and/or where the placement is terminated because of an immediate risk of serious harm to the child or to protect others from serious injury. In those circumstances, appropriate arrangements must be agreed to promote the child's educational achievement as soon as reasonably practicable
- the wishes and feelings of the parent(s) have been ascertained where the child is accommodated (where possible) and where appropriate when the child is subject to a Care Order

- the proposed educational provision will promote educational achievement and is consistent with the PEP
- the IRO has been consulted
- the DT at the child's school has been consulted

Specific consideration should be given to the need to maintain a consistent and stable school experience for LAC and in particular in KS4, which is a pivotal period for ensuring successful progression to post 16 opportunities.

## 5. When a Child First becomes Looked After

*Notification* - As soon as a child becomes looked after (if not before), the child's social worker must notify the education service where the child is placed.

If the child is known to have a Record of Need (if in Jersey) or an Education, Health and Care Plan (England) or to be under assessment, the social worker should ensure the relevant SEN team is informed. The VS will send a 'PEP due' email to the **child's social worker**, who must then inform the DT at the child's school within 48 hours of the child becoming looked after and arrange a PEP meeting. Regular liaison should then be maintained. The social worker should make sure the DT downloads the empty PEP document from Mosaic (or if this is not yet possible, must forward an empty PEP) and fully completes relevant sections in preparation for the PEP meeting. This is particularly important for off-island schools.

*The First Personal Education Plan* - The first PEP should be in place as part of a Care Plan within 10 school days of a child first becoming looked after.

The child's social worker should arrange a meeting to draw up the first PEP which should include the VSH and DT at the school (where the child has a school place), the residential staff/carer and any other relevant professionals; and should involve the child and parents as far as is appropriate and possible.

Where the child is excluded from school, the head teacher should be invited. Where the child has no school place, the relevant education officer should be invited and asked to assist in identifying a school place. A member of the SEN team should also be asked to assist as appropriate.

The first PEP should:

- identify the educational and social factors that may have caused or may cause in the future a detrimental effect on the child's educational achievement
- identify the support required to reduce the impact of these factors
- identify the child's immediate and priority needs and targets, (e.g. to maintain the current school place, make transport arrangements, find a new school, obtain short-term interim education)
- incorporate any individual education plan or other school-based plan
- identify a named person for the day to day management of the PEP and establish lines of communication between the staff/carer, school/education staff and social worker - the basis of a working partnership
- establish boundaries of confidentiality

- agree a date for the next PEP review meeting and how and when the next (full) PEP is going to be drawn up

The completed PEP should be distributed to the child, parents, staff/carers and all others invited to the meeting. A copy should also be sent to the child's IRO.

NB. The provision of education for pupils with Education, Health and Care Plans (EHCP)/a Record of Needs (RoN) can only be changed if the child's ECHP/RoN has been amended at an annual review.

## 6. When a Child Moves Off-island to a New Local Authority

If the child is to be placed in the area of a different local authority and therefore needs a new school, efforts to obtain a school place should (unless it is an emergency placement) begin well before s/he moves to a new placement. The relevant Education Officer and, if appropriate, a member of the SEN team, should be provided with a full educational history and asked to assist in the search for a school place. Whenever possible a child should not be moved to a new placement until s/he also has a school place.

Where the child does not have a school place - see Section 8.

### *Pupils with a Record of Needs*

Where a child has a RoN, it must be transferred – according to the Jersey Code of Practice. The Department for Children, Young People, Education and Skills must send a representative to attend annual reviews of all LAC placed off-island to confirm that the arrangements outlined in a RoN are being delivered and that the pupil is making satisfactory progress. Wherever possible, annual reviews will be arranged to take place at the same time as other meetings (e.g. PEP reviews).

## 7. When a Child Needs or Joins a New School

The choice of school requires close 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 be consulted to avoid choosing a school that is unlikely to meet the child's needs. LAC have been given the highest priority within school admission arrangements in Jersey. The VSH, working with education settings, should ensure the school/setting has implemented individual Jersey premium arrangements for LAC.

Schools judged to be 'good' or 'outstanding' should be prioritised for LAC in need of a new school. Unless there are exceptional evidence-based reasons, LAC should never be placed in a school judged by Ofsted to be 'inadequate', or 'requires significant improvement' (the Jersey equivalent as outlined in the Jersey Peer Review Framework).

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.

Changes of school should be minimised to avoid disruption to the child's education and should not take place in the middle of a school year or in years 10 and 11, unless this is unavoidable - see Section 3 above: Avoidance of Disruption in Education.

School details will need to be amended on the electronic record.

*Notification* - At least one member of staff in the school (the DT or the head teacher) must be informed by the social worker within 48 hours that the child is looked after and be provided with a copy of the child's current PEP. Other members of staff who need to know should be identified at the PEP meeting, taking into account the child's wishes concerning confidentiality.

*Pupils with a Record of Needs* - A change of school at any time should be discussed and agreed with the Head of Special Educational Needs. This needs to be planned for as early as possible.

In discussion with either the school or the SEN team, the child's social worker should ensure that he/she is aware of the current position with regard to the RoN, including any additional support provided and by whom.

*The first PEP in a new school* - A meeting should be held at the new school as soon as practicable. A new or updated PEP should be in place within the first 10 school days of a child joining a new school. Subsequent PEPs should correspond with the LAC review cycle.

The first PEP in a new school should:

- identify the child's immediate and priority needs (e.g. English as an additional language, literacy support, behaviour management)
- establish contact between residential staff/carer, school staff and social worker - the basis of a working partnership
- identify a named person for the day to day management of the PEP and agree who contacts whom about what
- establish boundaries of confidentiality
- share important information
- ensure records are forwarded from the previous school and/or carer
- agree a date for the next PEP review meeting and how and when the next full PEP is going to be drawn up (this needs to take account of the looked after review cycle because the PEP has to be ready before or at the review; but also term dates, parents' evenings, school target setting days, IEP reviews, annual reviews of the Record of Need etc.)

The completed PEP should be distributed to those invited to the meeting and the child's IRO.

## 8. When a Child has No School Place

Finding a school place is primarily the social worker's responsibility but may be delegated to or shared with others.

*PEPs* - Children without a school place should still have an up-to-date PEP. It should address the child's immediate educational needs and the longer-term planning.

*Children Placed within the States of Jersey* - The LAC will be prioritised for allocation of a non-fee paying primary school place. This is based on a set criteria with priority given to pupils who have a special educational need and therefore must access a specific school and/or are Looked After.

Where the child does not have a school place because mainstream school is not appropriate to his or her needs, the child's social worker should notify and seek assistance from the SEN team. The child will be placed in the most appropriate provision according to his/her needs.

*Children Placed off island in a different local authority* - Where the child does not have a school place because one cannot be found, or the child has been placed at very short notice, the child's social worker should notify the local authority in the area where the child is placed and request that a school is identified for the child as soon as possible. The assistance of the local authority (and the local SEN adviser if appropriate) should also be sought. The local VSH will be a key professional key in such circumstances. Unless the section Pupils with a RoN applies, the local authority (local to the placement) should identify a school place within 20 working days at the latest and should be asked to provide alternative education if a school place cannot be found immediately or is not appropriate.

*Pupils with a RoN or Education, Health and Care Plans* - Applications for school places for pupils with a RoN or Education, Health and Care Plan should be made through the special needs section of the local education service maintaining the statement, not directly. This needs to be planned for as early as possible as it can cause long delays.

See [www.gov.je/educationpolicies](http://www.gov.je/educationpolicies) - Safeguarding - Special Educational Needs Code of Practice.

## 9. Celebrating a Child's Achievements

A child's educational (and other) achievements should be acknowledged at one or more of the following times: at looked after reviews; in the PEP; at school-based meetings; in school reports and after exams.

### *Recording a Child's Achievements*

A LAC's educational attainments at Key Stages 1-3, GCSE, A Level and GNVQ should be recorded, including on the electronic record and in the PEP.

## 10. Reviewing and Updating PEPs

The child's social worker **must ensure the PEP review meetings take place on time.**

Second and subsequent PEPs should **take place termly** and where possible, correspond with the looked after review cycle and PEP decisions and recommendations must be available to the child's IRO at the looked after review. It is

expected the social worker arranges a review if there is a change of carer (assuming the school place remains the same) as it is essential to 'join' the new carer into the PEP process and how he/ she can support this. If the change of care placement coincides with a new school, a new full PEP should be initiated (see section 5 above). Additional PEP reviews may take place in line with school's reporting and assessment calendar to be better informed regarding the child's educational progress and any other factors that may affect it. If the school has any concerns with regard to a LAC's progress, the DT should contact the social worker and VSH to suggest a PEP review.

Children in different school years may require a review at different times to best plan for educational achievement e.g. year 11 (GCSE year) may have a PEP in the early autumn and a review in early spring as GCSE exams approach.

For a child with Special Educational Needs, the Individual Education Plan (IEP) review should take place alongside the PEP review to ensure the targets/ priorities are shared. The DT may need to liaise with the school's Special Needs/ Inclusion coordinator to ensure this is planned

**PEP Decisions** - The participants should agree what action they will each undertake to achieve the improvements in the child's education that they have identified through the consultation/preparation process. This means that the PEP meeting should be used to decide what extra support is required and how the school's **LAC Jersey premium funds** should be used. The PEP action plan should record this.

It is the social worker's responsibility at the end of the PEP meeting to ensure that the completed PEP paperwork is sent out as soon as possible following the meeting.

Foster carer attendance at the PEP is essential and non-attendance should be followed up. In more serious cases social workers may need to make their team managers aware so that this can be addressed through Foster carer supervision.

**PEP Recommendations** - Proposals that would lead to significant changes in arrangements (e.g. a change of school, a request for an exceptional action assessment possibly leading to a RoN) should be made in the form of recommendations to the Looked After Review.

The child's social worker should work with the child's school between looked after reviews (involving the VSH if necessary) to ensure that up-to-date PEP information is fed into those reviews, and ensure that all relevant information about the child's educational progress and support needs is up-to-date and evidenced before the looked after review.

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

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

## 11. When a child is absent from school

The residential staff/carer must notify the school and the child's social worker immediately if the child does not attend school for any reason.

In any case where the child has been absent from school for more than 10 days, the social worker should liaise with the school, the child, residential staff/carers and any other relevant person to address:

- the reasons for the absence
- how to ensure the child returns to education as soon as possible
- whether and how the child can be helped to catch up on what s/he has missed

Where necessary, the *Children Missing from Care* Procedure must be followed - see the Jersey Policy and Procedure for Safeguarding Children.

## 12. School Exclusions

The suspension of a LAC requires serious consideration since suspension may have a significant impact on their home lives and in some circumstances lead to a change in placement because of additional pressures on carers.

Where a school has concerns about a LAC'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

Where a LAC is excluded from school, the child's social worker must inform the child's IRO.

If a LAC has escalating behaviours, the DT should schedule a multi-agency meeting, which includes the VSH, within 5 working days to explore possible causes and solutions. This should allow partners the opportunity to review the PEP and minimise risks. In most cases it will be appropriate to work through the risk assessment process.

*Suspensions* - Head teachers should, as far as possible, avoid suspending any LAC. Exclusion from school should be a last resort for children who are looked after, therefore it is important to work with the school and carers to intervene as soon as a child's behaviour becomes a cause for concern.

The school will communicate the reasons for the exclusion to the residential staff/carer and the social worker. Whoever is the most appropriate one to do so will discuss this with the child. The social worker should inform the parents, if appropriate.

When a LAC is suspended, schools must provide the keyworker support to ensure the pupil's continued access to statutory education. **The pupil remains the**

**responsibility of the mainstream school and will be provided with a base at La Sente.**

The social worker, in consultation with the child and parents, must seek advice as to whether to appeal against the decision to exclude the child.

If a LAC is suspended for **up to 2 days**, schools are required to arrange a 'return to school' interview **no later than the morning of their return date**. If suspended for 3 days or more, the 'return to school' interview **should take place within the period of suspension**.

*Permanent exclusions* - A Head teacher cannot permanently exclude a looked after child. Instead, a multi- agency meeting including the LAC's social worker and carers, VSH, IRO, representatives from Inclusion and Early Intervention Service and other agencies should be convened and a plan agreed and alternatives considered.

### 13. When a Young Person becomes Pregnant

Becoming pregnant is not in itself a reason to stop attending school, nor to cease education.

Where a young person becomes pregnant, the social worker must ensure that the young person remains in education if at all possible and arrange for her to receive support from the States of Jersey/ local authority for the area in which she lives and/or the school she attends.

### 14. School Transport

In order to maintain continuity of school, those with responsibility for school transport should be approached to provide assistance with transport. A decision by the Education Department's admission team will be made taking into account the child's age and the distance from the child's address to the nearest suitable school.

### 15. Children and Young People with Medical Conditions

Chronic or long term illness can be defined as a long lasting and/or reoccurring illness or condition which is impacting significantly on a child or young person's school attendance. The illness/condition should be professionally diagnosed by a paediatrician or other appropriate health care professional. When a child is thought to be experiencing chronic or long term illness, appropriate education/ health plans informed by relevant professionals (school nursing; Education Welfare Officer) should be agreed. These measures will consider the health needs of the child or young person, as well as their learning needs which may be affected by high levels of school non-attendance.

## 16. Training for those Involved in the Care and Education of LAC

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 LAC. This includes carers, social workers, designated teachers and IROs.

Such training, among other things, should include information about attachment and trauma; Special Educational Needs; attendance and exclusions; 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 the importance of listening to and taking account of the child's wishes and feelings about education and the PEP process.

The VSH should ensure that school governing bodies (where appropriate) understand the importance of specific professional development for, as a minimum, their senior leaders and designated teachers in supporting the achievement of LAC.

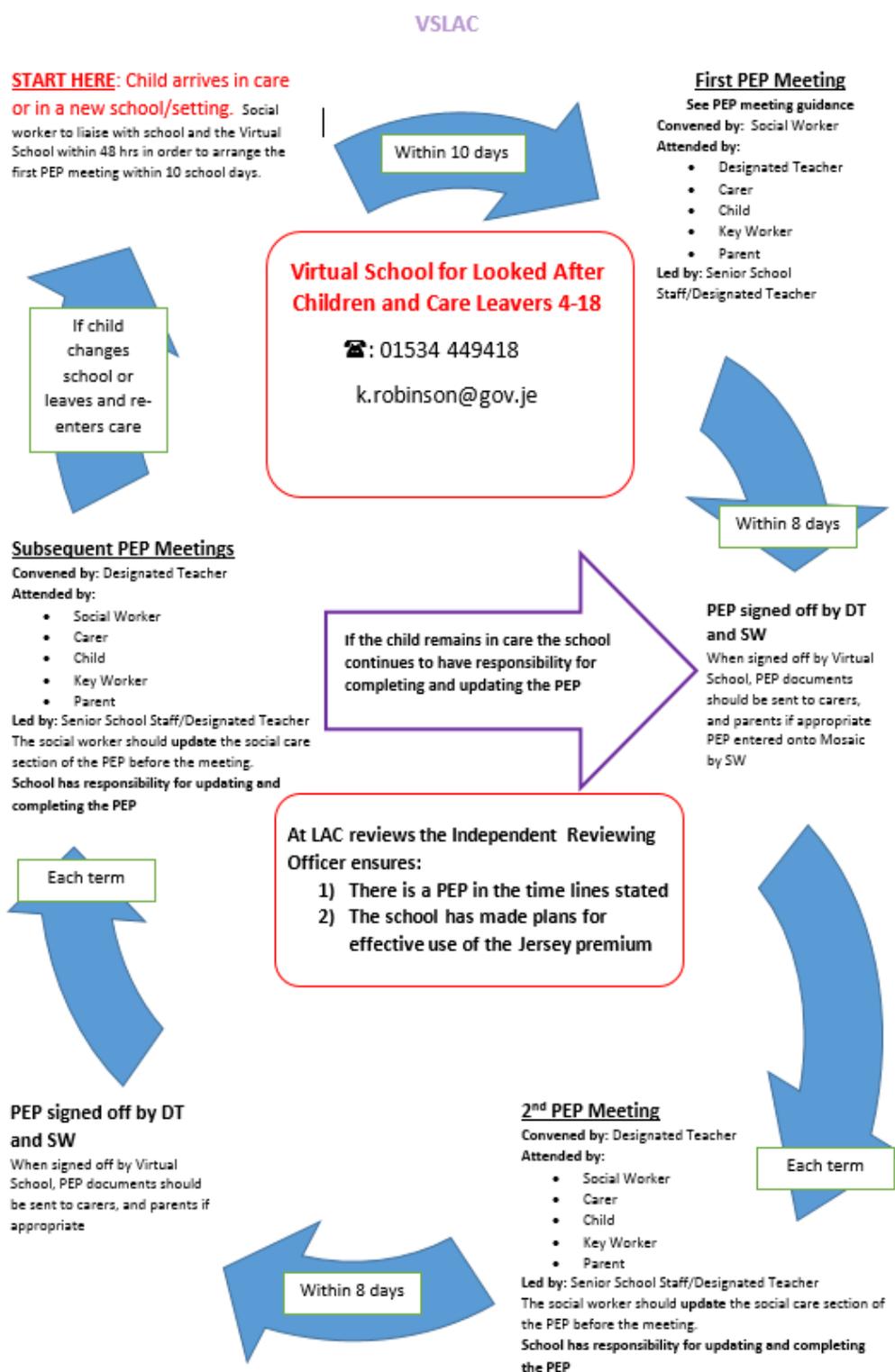
## 17. Information Sharing

VSHs should have access to a secure email account that allows them to exchange information securely with other VSHs in areas where children have been placed.

The Department for Children, Young People, Education and Skills will establish, develop, and maintain systems which facilitate shared access to all relevant information necessary for the promotion of educational attainment of LAC, as well as quality planning.

The school's DT will provide information on all LAC. This will include: attendance figures, periods of suspension/exclusion, alongside evidence of any academic and social progress made. This information will be collated by the VSH to assist in providing annual statistics which will be shared and reviewed annually with the SMT of the Department for Children, Young People, Education and Skills.

## 18. Process Map



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