

# Looked-after and Previously looked-After Children Privately Fostered Children

‘Children may enter care for all sorts of reasons. But many enter because they have been abused or neglected. These experiences can leave children with complex emotional and mental health needs, which can increase their vulnerability to abuse’ (Bazalgette, Rahilly, and Trevelyan, 2015; Luke et al, 2014).

<b>Approved by:</b>	M. Calen	<b>Date:</b> September 2021
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## 1. Introduction and Context

The Royal College of Paediatrics and Health states that 'More than 93,000 children in the UK are in care, 70,000 in England. Most are taken into care over fears of abuse or neglect. They are vulnerable to health inequalities, and exhibit significantly higher rates of mental health issues, emotional disorders (anxiety and depression), hyperactivity and autistic spectrum disorder conditions.

The NSCPP states that: 'Looked after children come from a range of different backgrounds and have varied experiences of care. Each child has their own different and specific sets of needs. However, research can give us an insight into how their experiences before and during care makes them a particularly vulnerable group of young people'.

### Previous experiences of abuse

Children may enter care for all sorts of reasons. But many enter because they have been abused or neglected. These experiences can leave children with complex emotional and mental health needs, which can increase their vulnerability to abuse (Bazalgette, Rahilly, and Trevelyan, 2015; Luke et al, 2014).

### Placement instability and disrupted relationships with caregivers

Many children move repeatedly in and out of care, or between placements. Placement breakdowns can have a detrimental impact on a child's emotional wellbeing and mental health. It can also prevent them forming stable relationships with the adults who could help protect them (Rahilly and Hendry, 2014).

### Peer violence and abuse

Many looked after children have previous experiences of violence, abuse or neglect. This can lead to them displaying challenging behaviour and having problems forming secure relationships. Some find it hard to develop positive peer relationships.

The care system can struggle to provide effective management and interventions to address these problems (Bazalgette, Rahilly, and Trevelyan, 2015).

### Going missing

Looked after children are more likely to go missing than their peers. Children may run away from care for all sorts of reasons. These include:

- wanting to return home to their family
- being unhappy or bored in their care placement
- feeling like they didn't have enough control over their own lives.

Children who go missing are at greater risk of physical abuse, grooming and sexual exploitation (Coffey and All Party Parliamentary Group for Runaway and Missing Children and Adults and All Party Parliamentary Group for Looked after Children and Care Leavers, 2012).

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## Comparisons with other groups of children

Research suggests that when looked after children are compared with children in the general population, they tend to have poorer outcomes in a number of areas such as educational attainment and mental and physical health (Rahilly and Hendry, 2014).

However, this is not necessarily the case when they are compared with other groups of children who are likely to have had similar experiences, such as children in need. One study, which analysed Government data, found that looked after children who were continuously in care in England had better educational attainment than children in need (Sebba et al, 2015).

Key information in section 1 is taken from: <https://learning.nspcc.org.uk/children-and-families-at-risk/looked-after-children>

## 2. Legislation and Statutory Guidance

This policy is based on the Department for Education's statutory guidance on the designated teacher for looked-after and previously looked-after children.

This policy takes into account

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/683556/Promoting\\_the\\_education\\_of\\_looked-after\\_children\\_and\\_previously\\_looked-after\\_children.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683556/Promoting_the_education_of_looked-after_children_and_previously_looked-after_children.pdf)

It also takes into account section 20 and section 20A of the Child and Young Persons Act 2008.

It also takes into account section 2E of the Academies Act 2010.

It also takes into account: Children (Private Arrangements for Fostering) Regulations 2005

## 3. Definitions

**Looked-after children** are registered pupils that are:

- In the care of a local authority, or
- Provided with accommodation by a local authority in the exercise of its social services functions, for a continuous period of more than 24 hours

**Previously looked-after children** are registered pupils that fall into either of these categories:

- They were looked after by a local authority but ceased to be as a result of any of the following:
  - A child arrangements order, which includes arrangements relating to who the child lives with and when they are to live with them
  - A special guardianship order
  - An adoption order
- They appear to the school to have:
  - Been in state care in a place outside of England and Wales because they would not have otherwise been cared for adequately, and
  - Ceased to be in that state care as a result of being adopted

**Personal education plan (PEP)** is part of a looked-after child's care plan that is developed with the school. It forms a record of what needs to happen and who will make it happen to ensure the child reaches their full potential.

**Virtual School Head (VSH)** is a local authority officer responsible for promoting the educational achievement of their authority's looked-after children, working across schools to monitor and support these pupils as if they were in a single

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school. The VSH is also responsible for providing information and advice to schools, parents and guardians in respect of previously looked-after children.

**Private Fostering and Kinship Arrangements:** 'Kinship care is the care given to a child whose parents are unable to provide the care and support for a child and this responsibility is taken on by a family member such as a grandparent, aunt, uncle, sibling or other connected adults to the child such as godparents or close friends of the family. For these associations Kinship Care can also be termed as 'Family and Friends' care or 'Connected Persons' care. (Fosterline)

A Kinship carer is a person who is looking after a child of a relative or friend on a full time basis; this can also be a temporary or permanent arrangement and can also be on a formal or informal basis. The placement of a child with an unrelated person by their parent(s) is known as Private Foster Carer'.

Private fostering is an arrangement whereby a child under the age of 16 (or 18 if the child has a disability) (**S.66 Children Act 1989**) is placed for 28 days or more in the care of someone who is not the child's parent(s) or a 'connected person'.

A connected person is defined as a 'relative, friend or other person connected with a child'. The latter is likely to include person(s) who have a pre-existing relationship with the child, for example, a teacher who knows the child in a professional capacity.

Private foster carers can be from the extended family, e.g. a cousin or a great aunt, **but cannot be a relative** as defined under the **Children Act 1989, section 105**:

*'A relative under the Children Act 1989 is defined as a 'grandparent, brother, sister, uncle or aunt (whether full blood or half blood or by marriage or civil partnership) or step-parent'.*

### **Our Commitment**

As a Trust and group of schools we recognise the complex and challenging situations that children who have been in care may face. We are committed to working collaboratively to safeguard in the very broadest senses children who are in care, have been in care or who are in forms of private fostering arrangements. We will establish a network of Designated staff for those who are LAC, post-LAC and in private fostering arrangements. We will work together, using research and external agencies, to promote a 'best practice' approach across our schools.

## **4. Identity of our Designated Teacher**

Our designated teacher is M.Calen

You can contact them on 0116 242 8880, mcalen@englishmartyrs.org

Our designated teacher takes lead responsibility for promoting the educational achievement of looked-after and previously looked-after children at our school. They are your initial point of contact for any of the matters set out in the section below. As with any safeguarding issue, any concerns about a LAC/PLAC should be referred to the DSL who will liaise with the designated teacher as appropriate.

You may wish to include details of your Pupil Premium lead if they have responsibility for managing the use of 'pupil premium plus' funding for children who are classed as 'Post Lac'.

## **5. Key Roles and Responsibilities**

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## **The Role of the Designated Safeguarding Lead**

The DSL has responsibility for ensuring safeguarding of all children, including those who may fall under the defined groups (section 3 of policy).

The DSL and Designated Teacher for LAC/ Post-Lac children will work in partnership.

The DSL will ensure that all annual safeguarding training makes explicit reference to LAC/post- LAC and privately fostered children, sharing recent updates and information as relevant.

The DSL will ensure that annual safeguarding training takes into account the legal duty 'to report to the local authority where they are aware or suspect that a child is subject to a private fostering arrangement'.

LAC/ post-LAC and privately fostered children will be included in vulnerable student monitoring work, including vulnerable student monitoring for Covid-19.

At the point of transition, where a child is classed as LAC/ post-Lac/ privately fostered (or may have been classed as such) the DSL and safeguarding staff will actively seek prior safeguarding information from other providers.

## **The Role of the St Thomas Aquinas Catholic Multi Academy Trust**

The Trust will establish and support a network for Designated Teachers for LAC to support collaborative working.

The Trust will ensure annual safeguarding updates include statutory information for LAC/ post- LAC and privately fostered children.

The Trust will work collaboratively with Head teachers to plan additional training and support via the LCTSA.

### **5.1 Role of the Designated Teacher**

The following is based on the responsibilities listed in the [DfE's statutory guidance](#).

The designated teacher will:

- Act as a central point of initial contact within the school for any matters involving looked-after and previously looked-after children
- Promote the educational achievement of every looked-after and previously looked-after child on roll by:
  - Working with VSHs
  - Promoting a whole school culture where the needs of these pupils matter and are prioritised
- Take lead responsibility for ensuring school staff understand:
  - The things which can affect how looked-after and previously looked-after children learn and achieve
  - How the whole school supports the educational achievement of these pupils
- Contribute to the development and review of whole school policies to ensure they consider the needs of looked-after and previously looked-after children
- Promote a culture in which looked-after and previously looked-after children are encouraged and supported to engage with their education and other school activities
- Act as a source of advice for teachers about working with looked-after and previously looked-after children
- Work directly with looked-after and previously looked-after children and their carers, parents and guardians to promote good home-school links, support progress and encourage high aspirations
- Have lead responsibility for the development and implementation of looked-after children's PEPs
- Work closely with the school's designated safeguarding lead to ensure that any safeguarding concerns regarding looked-after and previously looked-after children are quickly and effectively responded to
- Involve parents and guardians of previously looked-after children in decisions affecting their child's education

### **5.2 Supporting looked-after children**

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The designated teacher will:

- Make sure looked-after children's PEPs meet their needs by working closely with other teachers to assess each child's specific educational needs
- Have overall responsibility for leading the process of target-setting in PEPs
- Monitor and track how looked-after children's attainment progresses under their PEPs
- If a child is not on track to meet their targets, be instrumental in agreeing the best way forward with them in order to make progress, and ensure that this is reflected in their PEP
- Ensure the identified actions of PEPs are put in place
- During the development and review of PEPs, help the school and relevant local authority decide what arrangements work best for pupils
- Ensure that:
  - A looked-after child's PEP is reviewed before the statutory review of their care plan – this includes making sure the PEP is up to date and contains any new information since the last PEP review, including whether agreed provision is being delivered
  - PEPs are clear about what has or has not been taken forward, noting what resources may be required to further support the child and from where these may be sourced
  - The updated PEP is passed to the child's social worker and VSH ahead of the statutory review of their care plan
- Transfer a looked-after child's PEP to their next school or college, making sure it is up to date and that the local authority responsible for looking after them has the most recent version

### **5.3 Supporting both looked-after children and previously looked-after children**

The designated teacher will:

- Ensure the specific needs of looked-after and previously looked-after children are understood by staff and reflected in how the school uses pupil premium funding
  - Work with VSHs to agree how pupil premium funding for looked-after children can most effectively be used to improve their attainment
  - Help raise the awareness of parents and guardians of previously looked-after children about pupil premium funding and other support for these children
  - Play a key part in decisions on how pupil premium funding is used to support previously looked-after children
  - Encourage parents' and guardians' involvement in deciding how pupil premium funding is used to support their child, and be the main contact for queries about its use
  - Ensure teachers have awareness and understanding of the specific needs of looked-after and previously looked-after children in areas like attendance, homework, behaviour and future career planning
  - Be aware of the special educational needs (SEN) of looked-after and previously looked-after children, and make sure teachers also have awareness and understanding of this
  - Ensure the SEND code of practice, as it relates to looked-after children, is followed
  - Make sure PEPs work in harmony with any education, health and care (EHC) plans that a looked-after child may have
  - Ensure that, with the help of VSHs, they have the skills to identify signs of potential SEN issues in looked-after and previously looked-after children, and know how to access further assessment and support where necessary
  - Ensure that they and other staff can identify signs of potential mental health issues in looked-after and previously looked-after children and understand where the school can draw on specialist services
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- Put in place robust arrangements to have strengths and difficulties questionnaires (SDQs) completed for looked-after children, and use the results of these SDQs to inform PEPs
- Put in place mechanisms for understanding the emotional and behavioural needs of previously looked-after children

#### 5.4 Relationships beyond the school

The designated teacher will:

- Proactively engage with social workers and other professionals to enable the school to respond effectively to the needs of looked-after and previously looked-after children
  - Discuss with social workers how the school should engage with birth parents, and ensure the school is clear about who has parental responsibility and what information can be shared with whom
  - Be open and accessible to parents and guardians of previously looked-after children and encourage them to be actively involved in their children's education
  - Proactively build relationships with local authority professionals, such as VSHs and SEN departments
  - Consider how the school works with others outside of the school to maximise the stability of education for looked-after children, such as:
    - Finding ways of making sure the latest information about educational progress is available to contribute to the statutory review of care plans
    - Ensuring mechanisms are in place to inform VSHs when looked-after children are absent without authorisation and work with the responsible authority to take appropriate safeguarding action
    - Talking to the child's social worker and/or other relevant parties in the local authority regarding any decisions about changes in care placements which will disrupt the child's education, providing advice about the likely impact and what the local authority should do to minimise disruption
    - Making sure that, if a looked-after child moves school, their new designated teacher receives any information needed to help the transition process
  - Seek advice from VSHs about meeting the needs of individual previously looked-after children, but only with the agreement of their parents or guardians as appropriate.
  - Make sure that for each looked-after child:
    - There's an agreed process for how the school works in partnership with the child's carer and other professionals, such as their social worker, in order to review and develop educational progress
    - School policies are communicated to their carer and social worker and, where appropriate, birth parents
    - Teachers know the most appropriate person to contact where necessary, such as who has the authority to sign permission slips
  - Where a looked-after child is at risk of exclusion:
    - Contact the VSH as soon as possible so they can help the school decide how to support the child to improve their behaviour and avoid exclusion becoming necessary
    - Working with the VSH and child's carers, consider what additional assessment and support needs to be put in place to address the causes of the child's behaviour
  - Where a previously looked-after child is at risk of exclusion, talk to the child's parents or guardians before seeking advice from the VSH on avoiding exclusion
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## **6. Monitoring Arrangements**

This policy will be reviewed annually by M.Calen, Vice Principal (DSL). At every review, it will be approved by the full governing board.

## **7. Links with other policies**

This policy links to the following policies and procedures:

- Behaviour
  - Child protection and safeguarding
  - Exclusions
  - SEN
  - Supporting pupils with medical needs
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