



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 after<sup>1</sup> 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'<sup>2</sup> 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.

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<sup>1</sup> 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.

<sup>2</sup> 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 return<sup>3</sup>. 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;

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<sup>3</sup> 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 VSH<sup>4</sup>.

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

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<sup>4</sup> 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 academies<sup>5</sup>: <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 schools<sup>6</sup>.

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.

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<sup>5</sup> Academies include free schools.

<sup>6</sup> 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*<sup>7</sup>. 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

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

ensure that any undiagnosed special educational needs are addressed through the SEND framework<sup>8</sup> 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 teachers<sup>9</sup> 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

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

<sup>9</sup> 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 SMART<sup>10</sup> 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

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<sup>10</sup> 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 IRO<sup>11</sup>;
- 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 plan<sup>12</sup> 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;<sup>13</sup>

<sup>11</sup> 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.

<sup>12</sup> 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.<sup>14</sup>

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<sup>13</sup> 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>

<sup>14</sup> 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  
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