

**WOLVERHAMPTON CITY COUNCIL**  
**MODEL SCHOOL POLICY ON SUPPORTING THE EDUCATION OF LOOKED**  
**AFTER CHILDREN & YOUNG PEOPLE IN THE CRIMINAL JUSTICE SYSTEM**  
**June 2016**

## **1. INTRODUCTION**

(INSERT NAME OF SCHOOL OR ACADEMY) believes that, as educators and Corporate Parents and in partnership with key stakeholders, we have a legal, moral and professional duty to safeguard and promote the education of Looked after Children (LAC) and young people in the criminal justice system.

*The terms 'looked-after children' and 'children in care' include children placed by a local authority with family members, foster carers or in a residential care home. They also include those placed in care through a care order under section 31 of the Children Act.*

*1989 or by a voluntary agreement with the child's parents under section 20 of the Act. The terms can also be used to refer to children entered into police protection and those involved in the youth justice system.*

We know that a secure and successful education is a major factor in improving the life chances of vulnerable young people and in supporting young offenders to desist from crime. However we recognise that, nationally, pupils in care have significantly underachieved compared with their peers. It is also true that many of the most vulnerable young offenders are, or have previously been, in care. Both cohorts are also characterised by very high levels of Special Education Need (SEN). Therefore, given the overlap and commonality between the two cohorts, it is appropriate and pertinent to have a joint school policy.

We intend, through this policy, to work toward closing that achievement gap. We promote the inclusion, well-being and achievement of looked after children and young people in the criminal justice system in our school. In pursuance of this we will hold ourselves and our partners to account by asking the question, *'Would this be good enough for my child?'*

## **2. Background legislation**

This policy is based on the following legislation:

1. *Section 20 of the Children and Young Persons Act 2008 ("the Act") and The Designated Teacher (Looked-after Pupils etc.) (England) Regulations 2009.*
2. *The Local Authority statutory duty under 22(3A) of the Children Act 1989 to promote the educational achievement of looked after children – see link below.*
3. *The Children and Families Act 2014, which requires every local authority in England to appoint an officer to make sure that its duty is properly discharged - referred to as the Virtual School Head.*

4. *The Apprenticeships, Skills, Children & Learning Act (ASCL) 2009, which places a duty on local authorities to promote a person's learning potential while in custody and on release.*<sup>1</sup>

<https://www.gov.uk/government/publications/promoting-the-education-of-looked-after-children>

### **3. How will the impact of the policy be evidenced?**

The impact of the policy will be seen through improvements in the following key outcomes for LAC and children & young people in the criminal justice system:

- ✓ Reduction or zero rate in school exclusions
- ✓ Improved school attendance
- ✓ Improved attainment at statutory assessment stages
- ✓ Improved and maintained rates of progress and attainment
- ✓ Improved quality of Personal Education Plans (PEPs)
- ✓ The views of children & young people (as recorded in PEPs and captured through the Children in Care Council (CiCC) and wider consultation)
- ✓ Ultimately, an increase in LAC, Care Leavers and young people in the criminal justice system aged 16+ who are in Education, Employment & Training (EET) and the numbers accessing higher education (HE)

### **4. Partnership working**

We will work together with key local authority departments including the Virtual School Head (VSH) and Corporate Parenting & Education (COPE) team, along with education providers and other relevant agencies, to enable the best possible outcomes for pupils looked after and in the criminal justice system through flexible and proactive partnership working.

### **5. The Governing Body**

The governing body will:

- Ensure that there is a named Designated Teacher for LAC and young offenders on the school roll and that (s)he is enabled to carry out his/her responsibilities in line with statutory guidance (see link below)
- Support the Headteacher, Designated Teacher and other staff in ensuring that the progress of LAC and young offenders is prioritised and supported in line with statutory responsibilities
- Nominate a governor for LAC and young people in the criminal justice system. The nominated governor will take a leading responsibility for the challenge and support of the school in raising the achievement of these pupils and attend relevant training. The Nominated Governor should have a termly meeting with the Designated Teacher, with a clear agenda, to address school improvement issues related to LAC and young offenders. They will also ensure that an annual report (as a minimum) is provided to the governing

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<sup>1</sup> YOT have extended this duty to all children & young people in the youth justice system in Wolverhampton. The Virtual School Head's role

body by the Designated Teacher - see Appendix for suggested report template. The nominated governor will present this report to the wider governing body in partnership with the designated teacher.

## **6. The Senior Leadership Team**

The Head Teacher and Senior Leadership Team will:

- Ensure that LAC and pupils in the criminal justice system are prioritised in school policy & procedure and in the allocation of resources, in line with Ofsted and DfE guidance, to ensure that LAC access the best of what the school has to offer
- Ensure that LAC and young offenders are given top priority in school admissions, in line with national statutory guidance and the Wolverhampton Admissions policy. However, we must ensure that the provision is right for the child and, if there are issues, school will meet with social care the Virtual School Head (VSH)/COPE/YOT and other key partners as appropriate, to resolve these issues
- Consider every possible alternative to a temporary or permanent exclusion, in line with national, local and school admissions policies, due to the disproportionate effect that exclusion can have on the most vulnerable pupils. Instead, we will work together proactively with all key partners including the local authority, using every resource in our control (including alternative provision where appropriate), to solve problems.
- Avoid resorting to unofficial exclusions to resolve behavioural or other issues
- In the event of a serious issue, which might otherwise lead to permanent exclusion, the child may be placed on a fixed-term exclusion and an emergency review of the PEP and other relevant plans / provision will be called and attended by key personnel, e.g. the child's carer, social worker and (where appropriate) representatives from COPE, 5-18 Early Help Service and/or Youth Offending Team, to resolve the issue
- If we feel that we are unable to meet the child's needs, we will work with external agencies to ensure that any special educational needs, including social emotional and mental health needs, are assessed in accordance with the SEN/D Code of Practice (2015). This should include, where appropriate, referral for a statutory education, health and care needs assessment
- On occasion, by shared agreement and in the best interests of the child, a managed move to another provision may be considered in order to avoid a permanent exclusion.
- Where a modified timetable may be in the best interests of the child, this will firstly be discussed and (if the pupil is looked-after) agreed in a review of the Personal Education Plan, thereby taking into account the views of the child, carer and social worker. If the pupil is not looked-after but is in the criminal justice system then any timetable modifications will firstly be discussed with the YOT case manager and/or YOT Education Officer.
- Take a proactive approach to sourcing the DfE-recommended first day provision for fixed term exclusion for LAC, in view of the additional pressures that exclusion can put on care placements, and extend this principle to pupils in the criminal justice system.

- Be aware that looked after children and young offenders are more likely to have special educational needs than most, work proactively to identify any SEN affecting Looked after Children, and make appropriate provision in accordance with the SEN/D Code of Practice (2015)
- Ensure that all vulnerable pupils have an appropriate, 25-hour offer of education, other than for a fixed period which has been agreed with parent and/or carer and social worker and/or YOT case manager as being in the child's best interests (such as part of a transition plan).
- Make our school "attachment aware" and fully able to meet each child's learning, health & wellbeing needs, by ensuring that key staff keep up-to-date with relevant policy and legislation and attend relevant training, such as that provided by the Virtual School Head (VSH) / COPE and Educational Psychology Service. We will ensure that key staff are aware of statutory guidance in this area (see link below).

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/413368/Promoting\\_the\\_health\\_and\\_well-being\\_of\\_looked-after\\_children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/413368/Promoting_the_health_and_well-being_of_looked-after_children.pdf)

## **7. The Designated Teacher**

We will have a Designated Teacher for LAC and pupils in the criminal justice system. This will be a member of the senior leadership team who is therefore able to affect changes in policy and procedure where appropriate. The Designated Teacher (DT) will:

- Be an advocate for all children in this school who are in care or in the criminal justice system, ensuring that their voice is heard and acted upon
- Ensure confidentiality for individual children and only share personal information on a need to know basis and in line with school safeguarding and information-sharing protocols.
- Maintain an up to date record of all LAC and pupils in the criminal justice system who are on the school roll
- Provide the Virtual School Head / COPE Team with termly data on the performance, attendance and attainment of Wolverhampton LAC
- Provide YOT with information on performance, attendance, attainment and other relevant information on pupils in the youth justice system as required and appropriate <sup>2</sup>
- Be a central point of contact, working with any previous educational settings to ensure a smooth induction and transition into school
- Liaise with the child, parent/carer & social worker and/or YOT case manager to ensure that, for LAC, a high-quality Personal Education Plan (PEP) is completed and reviewed within statutory timescales (and more often if necessary) to support accelerated progress. For young offenders who are not looked-after the DT will support joined-up working with the YOT case manager, YOT Education Officer and, where relevant, CYP social worker.

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- <sup>2</sup> This is with particular reference to the ASCL form that YOT will send to DTs when a young person on their school roll enters the youth justice system. This form asks for essential educational information on the young person which will inform the young person's YOT intervention plan and, critically, be used to inform pre-sentence court reports. This will also assist the local authority to fulfil their statutory duty to provide educational information to the secure estate should a young person enter custody.

- Ensure that Pupil Premium and other allocated funding is used in the most appropriate way to support vulnerable pupils' individual learning targets, as agreed in their PEP meeting and/or on-going communication with the VSH/COPE/YOT - see the following links for further information.  
<https://www.gov.uk/guidance/pupil-premium-information-for-schools-and-alternative-provision-settings>  
<https://www.gov.uk/pupil-premium-virtual-school-heads-responsibilities>
- Contribute to LAC reviews, YOT intervention plans, SEND reviews and other meetings and plans as required & appropriate.
- Fulfil school safeguarding protocols, be alert to any child protection issues, and know what action to take.
- Inform the child's carer and social worker when a child in care is absent from school without notification or excluded
- If a pupil on the school roll enters custody, maintain an interest in the young person and provide information and transition support with the secure institution in partnership with YOT. Where the young person remains on the school roll, ensure that appropriate education is provided in the new setting and that attendance, attainment and progress are monitored and supported appropriately.
- Attend relevant training on safeguarding and LAC/youth offending, keep up to date with relevant legislation & guidance and cascade to school staff as appropriate (see links in sections 2 & 6 of this policy)
- Provide in-school training for school staff around attachment, trauma and recovery and its implications for behaviour management
- Provide support and CPD to staff, with a knowledge of the emotional impact that who are looked after can have on trusted adults, including their class-based staff
- Meet with the Nominated Governor or Chair of Governors termly and report to the Governing Body annually, as a minimum, on the performance of their LAC and pupils in the criminal justice system, without naming individual children
- Ensure well planned and informed transitions when a child changes school, with timely information sharing.
- Ensure that the statutory guidance on the role of the Designated Teacher is embedded within practice

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/269764/role\\_and\\_responsibilities\\_of\\_the\\_designated\\_teacher\\_for\\_looked\\_after\\_children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269764/role_and_responsibilities_of_the_designated_teacher_for_looked_after_children.pdf)

## **8. All School Staff**

All school staff will:

- Ensure a safe & secure environment in which vulnerable pupils are able to flourish and grow and high aspirations are encouraged
- Seek advice from designated teacher regarding induction, own CPD and any interventions, classroom environment adaptations etc.
- Be sensitive to the needs of LAC and young offenders, including confidentiality issues
- Support the local authority in its statutory duty to promote the educational achievement of Looked after Children and children and young people in the criminal justice system

## **9. Arrangements for Review**

This policy will be reviewed as to its effective implementation on an annual basis and updated as appropriate.

### **Signed**

Headteacher	
Chair of governors	
Virtual School Head	
YOT Head of Service	
Date	

### **Appendix:**

**The Designated Teacher's Annual Report to the Governing Body**

## on the Progress and Support of Looked after Children (LAC) & Pupils in the Youth

### Justice System in School

#### Purpose of Report

This report fulfils the statutory duty for the Designated Teacher for LAC/YOT to provide an (at least) annual report to the governing body, outlining the progress of the school's Looked-after pupils and pupils in the youth justice system, and the support that is provided for them

Please note that this is not an exhaustive list of areas for discussion and should be used to inform a termly discussion between the Designated Teacher and Nominated Governor for LAC/Youth offending, or Chair of Governors, as well as a template for the annual report.

This Report Covers (Term & Year):				
Name of School				
Name of Designated Teacher for LAC/YOT				
Name of Nominated Governor for LAC/Youth Offending (or Chair of Governors)				
Designated Teacher's position within the staffing structure				
What training has the designated Teacher and/or other school staff received relating to LAC/YOT and vulnerable pupils in the last year?				
How many LAC/pupils in the criminal justice system attend the school, and how many young offenders are Looked after by Wolverhampton City Council?				
How many have a statement of SEN or EHCP, and for what type of need? How many have identified SEN, but do not have a statement / EHCP?				
Do all LAC pupils have up to date, high quality Personal Education Plans (PEPs)?  If not, please provide reason / comment				
What is the current attainment of each of these pupils?  Please do not use names and add rows as needed	Child	English	Maths	Is this below, at or above expected levels?
	1			
	2			

	3			
Are these pupils making expected (or better) levels of progress, and if not, what actions are in place to address this?	Child	Expected Progress +?	Reason / Comment	
	1			
	2			
	3			
Is attendance less than 95% for any of these pupils? If so, please give reason / comment and current actions to addresses this.				
Are any of these pupils following modified or part-time timetables? If so, please add reasons / comment and plans in place to extend their provision to full-time				
Have any of these pupils had fixed-term or permanent exclusions? If yes, what has been done to support reintegration and prevent further exclusion?				
Which other agencies has school worked with to support these children (including, but not limited to, local authority stakeholders)?				
How is the school using its Pupil Premium Grant (PPG) allocation to support LAC and vulnerable pupils?				
Any other information?				