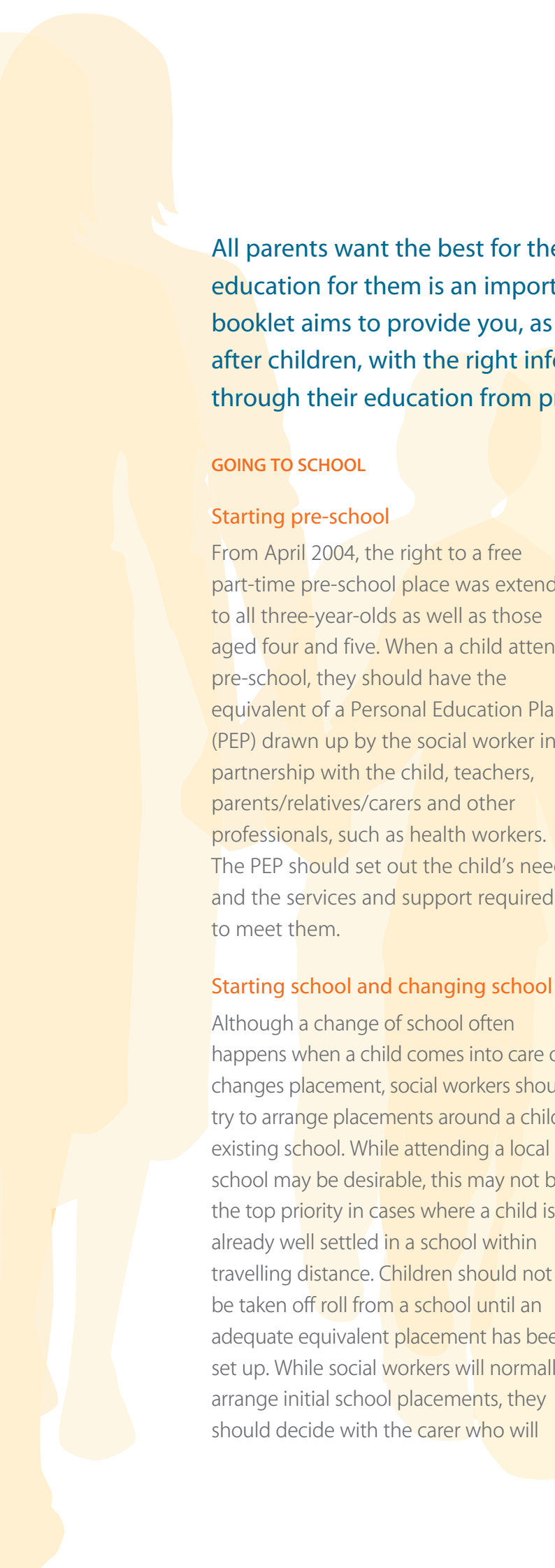


# Who does what

How social workers and carers  
can support the education of  
looked after children



All parents want the best for their children, and getting the right education for them is an important part of that expectation. This booklet aims to provide you, as carers and social workers of looked after children, with the right information to support young people through their education from pre-school to the time they leave care.

## GOING TO SCHOOL

### Starting pre-school

From April 2004, the right to a free part-time pre-school place was extended to all three-year-olds as well as those aged four and five. When a child attends pre-school, they should have the equivalent of a Personal Education Plan (PEP) drawn up by the social worker in partnership with the child, teachers, parents/relatives/carers and other professionals, such as health workers. The PEP should set out the child's needs, and the services and support required to meet them.

### Starting school and changing school

Although a change of school often happens when a child comes into care or changes placement, social workers should try to arrange placements around a child's existing school. While attending a local school may be desirable, this may not be the top priority in cases where a child is already well settled in a school within travelling distance. Children should not be taken off roll from a school until an adequate equivalent placement has been set up. While social workers will normally arrange initial school placements, they should decide with the carer who will

arrange the transfer to the next school and organise the school uniform. If a change is inevitable or is just part of the normal school transfer process, it is important for the social worker or carer to get the best 'fit' for the child when choosing a school. This means starting with the child and his or her needs. Carers and social workers should find out as much information as possible about local schools, including the local education authority's admissions guide to mainstream schools in their area, the school's prospectus and inspection report.

### Appeals

Many looked after children change schools frequently, so finding a school place can be very difficult if a child is transferring outside the normal entry time. Some LEAs now have local arrangements in place that allow a looked after child to be admitted to a school, even where the school is full. The child's carer or social worker should ask the admissions team at the LEA if they have such an agreement in place. A social worker can appeal for a place at a school that is full if they think the school is better for the child. It is important that they apply in writing. If a place is refused, an explanatory letter is sent to the social

worker (as 'parent'), who should then ensure that copies are sent to carers and birth parents (where appropriate).

The social worker should then ask for appeal forms, and should seek to work with the child's parents where possible, in particular where a child is accommodated under section 20 of the Children Act 1989 and the parents retain parental responsibility. The child's views should be represented at the appeals panel, by the most appropriate person with parental responsibility, who may be accompanied by a friend, adviser or interpreter to speak on their behalf. Appeal hearings outside the normal admission timetable should be held within 30 school days of the appeal being made. Admission authorities should deal with applications and appeals for looked after children as quickly as possible to avoid 'unnecessary delay'. In any case, local authorities should make sure that a pupil in public care is receiving full-time education within 20 days although, if an appeal is about to take place, this may be a temporary provision.

### Taking up a place

When children move school, head teachers must pass on their school record to the receiving school within 15 school days of them leaving. The designated teacher is responsible for liaising with their counterpart in the new school, to enable information, including the PEP to be passed on quickly, so that any support can be put in place without delay. Teachers responsible for pastoral care should make sure that a child is

helped to settle in. Primary carers would normally be expected to sign a home school agreement. Generally this is a standard document that applies to all parents, but it provides an opportunity for the carer to check what support the school will offer and for the school to say what it expects of the carer.

### Attendance

Being in school full-time gives children the best possible chances to succeed. As well as learning subjects in class, they develop routines and understand about timekeeping. Missing school makes it harder for them to catch up what they miss. Carers can help children to build the habit of attending regularly by:

- making sure they get up in time to have breakfast and go to school;
- taking an interest in the child's school work and activities;
- checking homework diaries;
- attending parents' evenings and reading reports;
- keeping in contact with school;
- not taking holidays during the school term; and
- looking out for signs of children skipping school, and taking prompt action to get them back in.

### Who checks?

Supporting young people to attend and do well at school is one of the primary tasks of carers. This means encouraging the child by showing an interest in work

they bring home; reading with younger children and, for young people, understanding the demands of course work, exams and tests and offering the right kind of support and encouragement. Through links within local authorities, social workers should make sure that carers know how to take an active part in care and education planning, and whom to contact at school, LEA and social services level for information and support. Social workers should consult with carers to find out what kind of training, support and information they need and tailor any support appropriately. Day-to-day, carers and residential social workers should:

- provide a quiet place for the child to do homework, and essential materials e.g. pens, paper, ruler, books, calculator;
- check that homework is done;
- encourage regular school attendance;
- encourage after-school activities;
- attend school events including parents' evenings, unless there is an agreement between social services and the designated teacher that the child's parent attends;
- attend local authority events to celebrate children's achievement.

### Out of authority placements

If children are to succeed when placed out of their home authority, it is essential that agreements are established between the placing and receiving authorities, as to who will take responsibility for:

- securing appropriate mainstream provision;

- keeping in regular, frequent contact with the child;
- checking on their attendance and progress;
- attending events, meetings and parents' evenings; and
- identifying who will fund arrangements.

The distance between the two authorities, and the practicality of the child's social worker being able to visit, may affect these agreements. With agreement some of this role could be undertaken by a social worker in the receiving authority. Whatever the arrangement, clear protocols must be established, and children should know what they can expect.

### Reviewing progress

All parents and carers are entitled to a school report about their child's progress every year and should be given information about how they can discuss that with the child's teachers. For looked after children there are other obligations to check the child's progress, both in their education and other aspects of their life. The Children's Services team manager and the child's social worker are responsible for making sure statutory reviews are held on time, and that they are chaired by an Independent Reviewing Officer. The year/class teacher or the designated teacher could attend the statutory review or, where more appropriate, provide a written report on progress towards any targets which will be written up in planning documents.

### Personal Education Plans

Planning can take many forms but all looked after children should have an effective Personal Education Plan (PEP), which forms part of the overall Care Plan. This should be initiated by the child's social worker in partnership with the child, designated teacher, parent or relative, carer and/or other professional. The PEP should be reviewed either at the statutory review or close to this. The Independent Reviewing Officer should make sure this is done at least every six months, and ideally termly, and that action to meet identified needs is followed up.

### Help with keeping up and catching up

Looked after children are all too often out of school for long periods, and as a result fall behind with schoolwork. It is important that their school is notified of this, and that their needs for study support and catch-up materials are identified and recorded in their PEP. Sometimes young people will need to benefit from individual tuition to support progress in school. This should be recorded in their PEP, and the designated teacher should ensure that the support is put in place. Carers and social workers should provide encouragement and help the child to catch up.

### Study support (Out of school hours learning) activities

The more relaxed atmosphere of study support might be of particular benefit

to looked after children, who often face great instability. It is therefore essential that a child's interests and out of school activities should be recorded on their PEP. It might be appropriate to make these activities the subject of some of the targets, e.g. joining a school sports team, arts club, computer club or homework club, or having music lessons. Carers and social workers should enable children to access these activities by ensuring that they have appropriate equipment, and especially transport to and from the activity.

### Planning for life after school

When young people reach the age of 16, their Care Plan will become their Pathway Plan. The Pathway Plan must be based on a thorough assessment of the young person's needs, which must lead to detailed proposals as to the services and the support that they should be offered so that they are enabled to manage the transition to a more independent lifestyle as they enter adulthood beyond the age of 18. The Pathway Plan must include an updated assessment of the young person's education and training needs and whether it is proposed that the young person will stay on at school beyond compulsory school age. It is the responsibility of the young person's Leaving Care Personal Adviser to make sure that this plan is in place and reviewed. Other agencies whose support will be necessary so that the young person will achieve their potential will

also need to be involved. The Connexions service offers careers guidance and support in moving on to further education and training for young people. The young person's leaving care personal adviser will usually also be their Connexions PA – though the local Connexions service will have an important role advising on the support that can be available to the young person so that they can achieve in education, training or employment.

### Work experience

All young people, including those in care, might benefit from a period of work experience to help them explore the possibilities for training and employment in the future. This should be recorded in the PEP or Pathway plan. The social worker, leaving care worker or carer should talk to the young person about what they would like to do, and then decide who will contact the designated teacher or the Connexions adviser in order to negotiate for the requested work experience to be arranged. Alternatively, they may wish to organise work experience for their young person independently, and should seek advice about insurance in this case.

## SPECIAL EDUCATIONAL NEEDS

### Identifying responsibilities

For a number of reasons, young people in care are more likely to have a statement of special educational needs

(SEN) than other pupils. Achieving the right help for children with SEN often requires much energetic determination by parents. The local authority, in its role as corporate parent, should be equally vigorous in ensuring that all looked after children have their additional and special needs met, and have access to effective advocacy when needed. A range of professionals have responsibility in law and/or set out by the SEN Code of Practice for ensuring children with special educational needs have their needs identified and met.

The school governing body must make sure that the parent or carer is told when a child begins receiving special educational help. They must also do their best to make sure that children with SEN have their needs met. Every school should have a SEN policy, available free to parents and carers. Every school must have a SEN Co-ordinator (SENCO), a teacher who liaises with the LEA, members of staff and parents/carers about children with SEN and who is responsible for drawing up an Individual Education Plan (IEP). For a child in public care, this should extend to the designated teacher and/or social workers. All the professionals are expected to make sure that support is provided in school as an urgent priority.

### Drawing up a statement

Parents, carers and social workers have the opportunity to comment on the content of the statement. They should ask for meetings with the statementing

officer or other people whose advice has contributed to the statement if they are unclear or unhappy with the description of the child's needs or the help they will get. Once the statement has been drafted by the statementing officer, the LEA must ask parents/carers which school they would like the child to attend. The LEA must comply with a preference for mainstream education unless they feel the child's attendance would adversely affect the education of other children. This does not mean a preference for a particular maintained school (mainstream or special) will almost always be met, however. The LEA may refuse a place if the school is unsuitable for the child's age, ability, aptitude and their special educational needs, as well as if the child's attendance would adversely affect the education of other pupils or if it would be an inefficient use of resources. Carers can appeal if they disagree with the school named in the statement.

### Appeals to the Special Educational Needs and Disability Tribunal

Parents, carers and social workers have the right to appeal to an independent specialist tribunal against certain decisions of the LEA during this process. They can appeal if:

- the LEA refuses to assess the child;
- the LEA refuses to issue a statement;
- they disagree with the description of the child's educational needs in the statement;

- they disagree with the description of the child's educational provision in the statement; or
- they disagree with the school named in the statement, or that no school has been named.

Later, if the LEA decides to amend or stop the statement or refuses to reassess the child, they can appeal against that decision.

### Annual review

A statement must be reviewed at least annually and the head teacher is responsible for calling a meeting and inviting those who can contribute to the review. The head teacher should consult the child's social worker to decide who should be invited to the review – parents, foster carers and residential workers, for example. At least one care review each year should coincide with the annual review of the statement, so there needs to be close liaison and co-operation between the social worker and school staff, including the SENCO and head teacher. The Child Care Plan must incorporate a Personal Education Plan that sets out the educational arrangements for the child and should include information from the statement, the annual review and IEPs. The designated officer for social services should make sure that there are mechanisms in place for social work advice to be provided at annual reviews. At Year 9 transition, the child's personal adviser from the Connexions service must



attend the transition review and goes on to co-ordinate any agreed action.

Following the annual review or transition review, the head teacher reports any recommendations and differing views given at the meeting to the LEA named officer who must then decide whether to amend the statement, cease to maintain it or take no action. Parents and carers must be informed by the LEA officer of any decisions and of their rights of appeal against any amendments or decision to cease to maintain the statement.

### Support for carers

The designated officer for social services is expected to ensure that families with a child with SEN have appropriate support. Negotiating the right provision for a child is a demanding prospect for any parent or carer but many voluntary organisations exist to provide independent support. In addition, the LEA must have a SEN Parent Partnership Service (PPS), which must offer those who request it the help of an independent parental supporter, a volunteer who has some knowledge of special educational needs issues.

### SEN: who assesses – who pays?

It is the responsibility of the LEA where a child lives to carry out any statutory assessment of special educational needs. They will make a statement and maintain that statement as necessary and ensure appropriate provision is

in place. Where a statement of SEN has been made for a child who has been placed with a carer or in residential accommodation outside the local authority that cares for the child, the financial cost of that statement should be met by the authority that cares for the child. Authorities have procedures and protocols by which the financial cost of maintaining a statement of SEN can be recouped.

## TAKING PART IN SCHOOL LIFE

### Supporting children at school

Taking an active interest in a child's school is a very powerful way of letting a child know that their education is important. Parents and carers have a range of ways of becoming involved from fundraising and volunteering to help in the classroom to taking an active part in the PTA or becoming a school governor. Carers and those with parental responsibility who have a child in the school at the time of the election may stand as a parent governor and vote in elections.

### Home-school communication

Head teachers should ensure that a pupil's record includes details of carers and anyone who has parental responsibility for the child. This should include details of any court orders. In this way, the school can be sure that all those who have rights in law to stand as governors, vote in elections, take part



in assessment and statementing of children with special educational needs are properly informed. The records should also make clear who should be contacted if a child is ill at school, who may collect a child from school, who should attend parents' evenings to discuss the child's report and whose permission should be sought before school outings.

## DEALING WITH PROBLEMS

### Behaviour problems and school discipline

As well as disrupting friendships, transferring schools frequently can be a root cause of disaffection from school and behaviour problems. In many cases children should receive help to address their behaviour and any gaps in learning through the special educational needs framework. Parents/carers and social workers may need to set this in motion by expressing their concern to the school.

### Bullying

One of the common complaints of looked after children is that they are bullied at school. It is known that transferring schools outside the normal time is a risk factor, partly because it can be more difficult to make friends. Pairing the child with a 'buddy' for support and friendship when they come into school is a good idea that the designated teacher/pastoral care staff should consider. If bullying does happen, the child's parents/carers or residential

social worker should act quickly. They should ask for a meeting with the class teacher or designated teacher. They should also ask to see a copy of the school's anti-bullying policy.

### Help through the SEN framework

If a child appears to be getting into trouble a lot, the SENCO should investigate and arrange a meeting with primary carers/social workers if special educational provision is required. Carers could ask the SENCO for a meeting if they have concerns.

### Learning mentors and counselling

Another approach aimed at preventing exclusion and dealing with disaffection is for pastoral care staff in school to offer a range of pastoral support including learning mentors, counselling and anger management. These staff should draw up a written action plan with parents and pupils to make clear to everyone what is expected. For those children who may be at serious risk of permanent exclusion or criminal activity, or who look likely to drop out of school, pastoral support teachers should devise a Pastoral Support Programme (PSP). This will involve external services including an LEA representative such as a behaviour support specialist, social inclusion officer or educational psychologist. The child's social worker must be involved to resolve any home problems that may be contributing to the school difficulties. For looked after children the pastoral support staff

should ensure that a copy of the PSP goes to the social worker so that they are aware of targets and outcomes.

### Exclusion

All those who work with looked after children should take responsibility for identifying behaviour that is likely to get them into trouble, and work with them to prevent them being excluded from school. This disruption in a child's education is often the cause of breakdowns in foster placements so it is vital that heads try every practicable means to maintain the child in school. With the designated teacher they should seek advice from appropriate LEA officers such as behaviour support advisers, educational psychologists and education welfare officers. They should also involve the child's social worker as soon as possible to avoid the need to exclude the child. Even where the local authority does not have parental responsibility the child's social worker should be informed about any exclusion.

### Making a case

If carers and others with parental responsibility decide to challenge an exclusion they have the same rights to information as parents of other children. As well as parents and carers, residential care workers, social workers, designated teachers or an independent advocate arranged by the local authority may make representations to the governing body and appeal to an independent appeal panel on behalf of the child.

If social workers or others with parental responsibility feel the exclusion is unfair or disproportionate the decision should be challenged. In any case it is a good idea that the child's views, including any mitigating factors, be made in writing by the social worker. They should check the details of the exclusion against the Government guidance and consult the exclusions help line at the Advisory Centre for Education for advice on how to challenge decisions. With all exclusions, the first stage is to put the case to the governing body which will review the exclusion. Social workers should make sure that the child's views are heard at the governors' meeting and/or in a letter to the governing body and, where relevant, the independent appeal panel which hears appeals against permanent exclusion. Governors should generally add any views or details of any representations to the child's school record if asked.

### Education out of school

If a child is excluded, their education should not stop. For fixed period exclusions, the school is responsible for making provision, which generally means sending work back home. The carer or residential social worker should liaise with school staff to make sure this happens and that the child's work is returned. School staff should make sure the work is marked. For longer exclusions the child's home LEA may make provision and, in the case of all children excluded

permanently, they are expected to provide full-time provision at least by the time the child has been out of school for 15 school days. Foster care placements can break down if the child is home all day so LEAs should consider making full time provision available for all looked after children who are excluded, whether for a fixed period or permanently. Arrangements would need to be agreed with the teacher in charge of the authority's Pupil Referral Unit. Social workers should make sure that they carefully plan for children moving from placements that are outside mainstream schools. Only where continued attendance is not practical should children be taken off roll at a PRU or be stopped attending a further education college before the next placement is arranged.

### Absence from school

Regular attendance is essential for a child to succeed in school, both socially and academically. The law makes parents responsible for a child's regular attendance. If this does not happen, parents may be invited to enter into a parenting contract or, where they are unwilling to engage with the school or LEA to improve the child's attendance, they can be fined or prosecuted. Guidance on this restates the definition of 'parents' as including carers and all those with parental responsibility. However, parenting contracts and prosecution will not apply to local authorities who have parental responsibility as a result of being named

in a care order. They may, however, apply to foster carers. Every local authority should have an officer who keeps an overview of the attendance of children and young people in public care. In some authorities this will be a Lead Officer for looked after children. When a child's non-attendance reaches 10 days or more this should trigger local authority action. Where the pupil lives in a different LEA, the LEA where they attend school should take the lead in any such LEA-level action needed to improve their attendance. LEAs are advised to draw up protocols setting out the basis under which cross border working will take place in these cases.

### Alternatives at Key Stage 4

For some young people who may be at risk of dropping out of school, whether because of attendance problems or exclusion, there are alternative curriculum programmes which may be available to help them re-engage with learning. Many take part in vocational courses in further education colleges linked to extended work experience, for example. If a child is on roll at a school generally the school will fund the provision; excluded pupils generally are funded by their LEA – in the case of looked after young people, local authorities need to have clear protocols about which LEA will fund this.

## FURTHER INFORMATION

- A better education for children in care (Social Exclusion Unit, 2003)
- If this were my child (Local Government Information Unit, 2003)
- Education matters (The Who Cares? Trust, 2003)
- School admissions code of practice (DfES, 2003)
- Education of young people in public care (DfEE/DH, 2000)
- Think smart – moving schools (The Who Cares? Trust, 2004)
- Believe in me (The Who Cares? Trust, 2002)
- Independent reviewing officers guidance (DfES, 2004)
- Employability plus (The Who Cares? Trust, 2004)
- How to appeal (Special Educational Needs Tribunal, 2002)
- Don't suffer in silence (DfEE, 2000)
- Tackling bullying (ACE, 2002)
- Think smart – bullying... get it sorted (The Who Cares? Trust, 2004)
- Inclusive schooling: children with special educational needs (DfES, 2001)
- Special Educational Needs Code of practice (DfES, 2001)
- Every Child Matters: Change for Children (DfES, 2005)

If you want to know more about supporting the education of looked after children contact your local looked after children education service. Details can be found on the Education Protects website at [www.dfes.gov.uk/educationprotects](http://www.dfes.gov.uk/educationprotects)

Help for parents, carers and social workers on school issues is available from The Advisory Centre for Education (ACE) an independent charity providing advice, information and support about children's education in maintained schools. Charity no: 313124

ACE's website [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

Exclusion information line **020 7704 9822**

(for a free exclusion pack and details of our freephone exclusion helpline)

Advice on all other issues freephone **0808 8005793**

Copies of this document are available from the Education Protects website [www.dfes.gov.uk/educationprotects](http://www.dfes.gov.uk/educationprotects), or from the address below:

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