

Ormiston Academies Trust

Flegg High Ormiston Academy

Children in care

Policy version control

Policy type	Mandatory OAT
Author In consultation with	Nikki Cameron, Head of Safeguarding Lead Practitioners for SEND and Behaviour Head of Mental Health Education Director with responsibility for Attendance National Directors of Primary and Secondary Data Protection and Complaints Manager School Designated Safeguarding Leads and Principals
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Review	Policies will be reviewed in line with OAT's internal policy schedule and/or updated when new legislation comes into force
Description of changes	- References to Keeping Children Safe in Education 2023 updated to 2024 - Policy name change and throughout to accommodate the preferred nomenclature of children in care - Section added on use of language and terms when communicating with care experienced children - Paragraph order changed for consistency and flow - Removal of section on responsibilities of the Virtual School Headteacher

	▪ Document references updated to current versions and links added where appropriate ▪ Section added on Pupil Premium ▪ Key contacts table added ▪ Rewording of sections for precision and clarity ▪ NICE guidelines included ▪ Added – need to consider extra familial harms when considering suspension or permanent exclusions
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1. Introduction

- 1.1. Children in care and children previously in care are together, one of the most vulnerable groups in society. Most of these children have suffered a disrupted childhood and experienced Adverse Childhood Experiences. (ACEs), including abuse, neglect or other forms of trauma.
- 1.2. It is nationally recognised that this leads to a considerable educational under achievement and often lower exam success rates in comparison with the general population. Fewer children in these groups progress to Higher Education or follow progression pathways that will lead to future economic success and well-being. Outcomes for children in need, including children looked after by local authorities in England, Reporting year 2023 - Explore education statistics - GOV.UK
- 1.3. A child who has been in the care of their local authority for more than 24 hours is commonly known as a looked after child (LAC). Children who are no longer in the care of their local authority are commonly known as previously looked after (PLAC). – see section 3 below for details
- 1.4. Looked after children are also often referred to as children in care, a term which many children prefer. Where possible, throughout this policy, the term children in care will be used.
- 1.5. Children in care require additional care and support to be healthy, happy, safe and therefore learning, and to have the same opportunities as their peers and move successfully into adulthood.
- 1.6. At **Flegg High Ormiston Academy** we will ensure that children in care and children previously in care have access to excellent educational provision and are prioritised for additional support to achieve as well as possible.
- 1.7. We will provide a 'safe and affirming' place for children where they can develop a sense of belonging and feel able to trust and talk openly with adults about their concerns

2. Definitions

2.1. Children in care are defined as:

- Children or young people who are the subject of a Care Order or Interim Care Order under the Children Act 1989.
- Children who are placed in foster care, children's residential homes, with relatives or friends, in semi-independent or supported independent accommodation.
- Children subject to a Care or Interim Care Order whilst placed with a parent, as the LA has parental responsibility.
- Children who are not subject to an order but are accommodated by the local authority (LA) under an agreement with their parents.

2.2. Children previously in care are defined as:

- Children no longer looked after by a local authority (LA) in England and Wales because they are the subject of an adoption, special guardianship or child arrangements order.
- Children who were adopted outside England and Wales from 'state care' (care that is provided by a public authority, religious organisation, or other organisation whose main purpose is to benefit society).

3. Communication – why language matters

[Care Review Reports – Independent Care Review](#)

[Not using 'LAC' to refer to looked after children in care | NSPCC Learning](#)

[TACT-Language-that-cares-2019_online.pdf](#)

- 3.1. *“One of the most compelling messages from the Scottish Independent Care Review (The Promise) is the impact of language on how care experienced children feel.*
- 3.2. *Many children told the review that words like ‘unit’, ‘placement’, ‘contact’, ‘respite’ and the acronym ‘LAC’ (for looked after children) created a sense of being different, exacerbated low self-esteem and made them feel stigmatised.*
- 3.3. This message was reinforced by fostering charity TACT’s Language that Cares project. Working in collaboration with care experienced children, the project highlighted the ‘LAC’ label and related terms in its dictionary of care system language in need of replacement.
- 3.4. *Research has shown children in care are already particularly vulnerable to exclusion and discrimination from their peers and in the community, simply by virtue of being looked after. So how we discuss and speak to children in care is particularly important.” NSPCC*
- 3.5. In Ormiston Academies Trust all staff will ensure that Children in Care are communicated with and about in a respectful way which is informed by child voice and best practice; and which promotes self-esteem and belonging.
- 3.6. Use of terms which are de-personalising will be challenged.

4. Statute, guidance and policy framework

4.1. Statute

- Keeping Children Safe in Education 2024
- Working Together to Safeguard Children 2023
- Children Act 1989
- The Care Planning, Placement and Case Review (England) Regulations 2010
- Children (Leaving Care) Act 2000
- Children and Young Persons Act 2008
- Children and Families Act 2014
- Children and Social Work Act 2017

4.2. Guidance

4.2.1. In addition, the following statutory and non-statutory guidance has been used to inform policy and practice

- Promoting the education of looked-after children and previously looked-after children' DfE Statutory Guidance 2018
- The designated teacher for looked-after and previously looked-after children DfE Statutory Guidance 2018
- Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement. DfE 2024
- Using Pupil Premium: guidance for school leaders DfE 2024
- Mental health and behaviour in schools DfE 2018
- National Institute for Health and Care Excellence (NICE) Guideline - Looked After Children and Young People (2021)

4.3. Associated academy policies

4.3.1. This policy operates in conjunction with all academy policies and documents including:

- Child protection and safeguarding policy
- Special educational needs and disabilities (SEND) Policy
- Admissions policy
- Attendance Policy
- Behaviour policy
- Anti-bullying policy
- Equality and diversity policy
- Data Protection and freedom of information policy
- Data protection privacy notice

5. Key Contacts

The Principal	Simon Gilbert-Barnham	principalsoffice@fleggoa.co.uk
The Designated Safeguarding Lead	Emma Pitcher	epitcher@fleggoa.co.uk
The Designated Teacher for Children in Care/ Children Previously in Care	Emma Pitcher	epitcher@fleggoa.co.uk
The SENCo	Tom Pull	tpull@fleggoa.co.uk
The Local Authority Virtual School Headteacher	Keely White	virtual.schools@norfolk.gov.uk

6. Roles and responsibilities

6.1. The governing body is responsible for:

- 6.1.1. Ensuring the academy has a coherent policy for children in care and children previously in care
- 6.1.2. Reviewing the academy's policies and procedures in conjunction with legislation and statutory guidance.
- 6.1.3. Ensuring the designated teacher for children in care and children previously in care has received the appropriate training.
- 6.1.4. Ensuring children in care and children previously in care have equal access to all areas of the curriculum and that reasonable adjustments are made, if necessary.
- 6.1.5. Reviewing the annual report produced by the designated teacher to evaluate the progress of children in care and children previously in care
- 6.1.6. Ensuring they receive feedback from the Principal/ Designated Teacher regarding the effectiveness of the policy on an annual basis.

6.2. The principal is responsible for:

- 6.2.1. Appointing the designated teacher for children in care and children previously in care.
- 6.2.2. Allowing the designated teacher the time and facilities to succeed in carrying out their duties.
- 6.2.3. Overseeing this policy and monitoring its implementation, feeding back to the governing body annually on the following:
 - The number of children in care and children previously in care in the academy
 - An analysis of assessment scores as a cohort, compared to other groups
 - The attendance of children in care and children previously in care compared to other groups
 - The level of suspensions and permanent exclusions, compared to other groups
 - Ensuring all members of staff are aware that supporting children in care and children previously in care is a key priority.
- 6.2.4. Promoting actively challenging negative stereotypes of children in care and children previously in care

6.3. The designated safeguarding lead is responsible for

- 6.3.1. Taking lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and child protection issues that children in need are experiencing, or have experienced, and identifying the impact that these issues might be having on children's attendance, engagement and achievement at school or college.
- 6.3.2. This includes:
 - ensuring that academy staff know who its cohort of children who currently have or previously have had a social worker, including children in care and children previously in care

- understanding their academic progress and attainment, and maintaining a culture of high aspirations for this cohort, and
- supporting teaching staff to provide additional academic support or reasonable adjustments to help these children reach their potential, recognising that even when statutory social care intervention has ended, there is still a lasting impact on children's educational outcomes.

6.4. The designated teacher for children in care and children previously in care is responsible for:

- 6.4.1. Ensuring children in care and children previously in care and their carers have regular and meaningful opportunities for informal conversations by which to inform ongoing support
- 6.4.2. Building relationships with health, education and social care and other partners so that they and the virtual school head (VSH) understand the support available to children in care and children previously in care
- 6.4.3. Promoting the educational achievement of children in care and children previously in care at the academy.
- 6.4.4. Ensuring children in care and children previously in care are referred for specialist support when needed (e.g. educational or clinical psychology)
- 6.4.5. Ensuring support from the specialist nurse for children in care and children previously in care is obtained where a health problem which affects education has been identified
- 6.4.6. Acting as the main contact for statutory safeguarding partners.
- 6.4.7. Promoting a culture of high expectations and aspirations.
- 6.4.8. Ensuring children in care are involved in setting their own targets.
- 6.4.9. Advising staff on teaching strategies for children in care
- 6.4.10. Advising staff of the impact of trauma on learning and behaviour
- 6.4.11. Ensuring that children in care are prioritised for one-to-one tuition and support.
- 6.4.12. Leading on how the child's personal education plan (PEP) is developed and used in school to ensure the child's progress towards targets is monitored.
- 6.4.13. Liaising with the SENCO to ensure all child needs are met.
- 6.4.14. Ensuring children in care and those previously in care are able to access appropriate and inspirational educational and enrichment opportunities.
- 6.4.15. Ensuring children in care and those previously in care have access to high quality careers education and advice tailored to their needs and experience.
- 6.4.16. Working with the child's Virtual School Headteacher (VSH) and social worker to develop and implement their personal education plan (PEP)

- 6.4.17. Working with the principal to submit an annual report to the governing board, which details the progress of all children in care and children previously in care

6.5. The SENCO is responsible for:

- 6.5.1. Ensuring they are involved in reviewing personal education plans and education, health and care plans for children in care and children previously in care who have SEND
- 6.5.2. Ensure they liaise with the Designated Teacher where children in care and children previously in care have a special educational needs or disability
- 6.5.3. Liaising with the class teachers, designated teachers, specialists and parents when considering interventions to support progress

6.6. Staff are responsible for:

- 6.6.1. Being aware of children in care and children previously in care in their classes and providing them with support and encouragement.
- 6.6.2. Preserving confidentiality, where appropriate, and showing sensitivity and understanding.
- 6.6.3. Being vigilant for any signs of bullying towards children in care and children previously in care
- 6.6.4. Promoting the self-esteem of children in care and children previously in care

7. Personal education plans (PEPs)

- 7.1. All children in care must have a care plan; PEPs are an integral part of this care plan.
- 7.2. The PEP is an evolving record of what needs to happen for a child to enable them to make the expected progress and fulfil their potential.
- 7.3. The PEP will reflect the importance of a personalised approach to learning which meets the identified educational needs of the child.
- 7.4. The academy will work with other professionals and the child's carers to use the PEP to support the child's educational needs, raise the child's aspirations and improve their life chances.
- 7.5. All relevant bodies, such as the Local Authority, the designated teacher and carers, will involve the child in the PEP process at all stages.
- 7.6. The PEP will address the child's full range of education and development needs, including:
- On-going catch-up support, which will be made available for children who have fallen behind with work.
 - Suitable education provided by the Local Authority, where the child is not in school because of suspension or permanent exclusion
 - Transitional support where needed, such as if a child is moving to a new school.
 - School attendance and behaviour support, where appropriate.
- 7.7. Support to help the child meet their aspirations, which includes:

- Support to achieve expected levels of progress for the relevant national key stage and to complete an appropriate range of approved qualifications.
- Careers advice, guidance and financial information about FE, training and employment, that focusses on the child's strengths, capabilities and the outcomes they want to achieve.
- Out-of-school hours learning activities, study support and leisure interests.

8. Pupil Premium Plus

8.1. Pupil Premium Plus

- 8.1.1. Pupil premium plus refers to the portion of the pupil premium grant for children who are looked after by the local authority or were previously looked after by a local authority or other state care.
- 8.1.2. Looked-after and previously looked-after children achieve significantly poorer outcomes than non-looked after children. In many cases the impact of pre-care and care experience can be a significant barrier to their educational achievement.
- 8.1.3. To help close the attainment gap between looked-after children and their peers, the Government has introduced several measures, including the pupil premium plus for looked-after and previously looked-after children.
- 8.1.4. As with the main pupil premium budget, it is not a personal budget for individual children and schools must spend their funding in line with the 'menu of approaches'

8.2. Children in care (LAC)

- 8.2.1. Pupil premium allocations, based on the eligibility of looked-after children, are managed by the local authority's Virtual School Head (VSH).
- 8.2.2. The designated teacher works with virtual school head teachers (VSH) to ensure that pupil premium benefits looked-after children in the academy.
- 8.2.3. The funding is used on evidence-informed interventions that are clearly linked to robust Personal Education Plans and in line with the menu of approaches.

8.3. Children previously in care (PLAC)

- 8.3.1. Pupil premium funding, based on the eligibility of previously looked-after children, is part of the academy's pupil premium allocation.
- 8.3.2. The designated teacher plays a key role in ensuring that the specific needs of previously looked-after children are reflected in the use of pupil premium plus.
- 8.3.3. The designated teacher will:
 - encourage parents of eligible previously looked-after children to tell the academy if their child is eligible to attract Pupil Premium Plus funding
 - consult, where appropriate with the Virtual School Head on how to use the funding effectively,
 - encourage parents and guardians' involvement in how Pupil Premium Plus funding is used to support their child

- be the main contact for queries about how pupil premium is being used to support previously looked-after children

8.3.4. The school will ensure that eligible children, their parents and carers are informed of

- their rights to educational support and
- the purpose of the pupil premium and how it is distributed by the virtual school

8.3.5. The school will follow Local Authority guidance where it is in place.

9. Working with agencies and the Virtual School Headteacher (VSH)

- 9.1. The academy will ensure that copies of all relevant reports are forwarded to social workers, in addition to carers or residential social workers.
- 9.2. The academy will coordinate relevant review meetings
- 9.3. The academy will work with other agencies to exchange information such as changes in circumstances, behavioural, mental health, attainment or attendance issues.
- 9.4. Behaviour management strategies will be agreed between the Virtual School Headteacher (VSH) and the academy, to ensure challenging behaviour is managed in the most effective way for that individual child.
- 9.5. Individual plans will be written to reduce any need for restraint or reasonable force if the child is deemed vulnerable in this way.
- 9.6. The designated teacher for children in care and children previously in care will communicate with the VSH and child's social worker to facilitate the completion of the PEP.
- 9.7. Through the designated teacher, the academy will work with the VSH, social worker and other relevant agencies to monitor any arrangements in place so that actions and activities recorded in the child's PEP are implemented without delay.
- 9.8. The designated teacher will communicate with the VSH and agree on how a child's premium plus (PP+) can be used effectively to accommodate their educational attainment and progress.
- 9.9. PP+ for children previously in care will be allocated directly to, and managed by, the academy.
- 9.10. The academy will work with the VSH to manage allocation of PP+ for the benefit of our cohort of children in care and children previously in care, according to their needs.
- 9.11. If deemed necessary, the academy will allocate an amount of funding to an individual to support their needs.
- 9.12. The designated teacher will ensure consistent and strong communication with the VSH regarding children in care who are absent without authorisation.
- 9.13. The academy will share their expertise on what works in supporting the education of children in care and children previously in care.

10. Training

- 10.1. The designated teacher and other academy staff involved in the education of children in care and children previously in care receive appropriate training according to role, this includes information about the following:
- Safeguarding and child protection
 - Academy admissions arrangements
 - Special Educational Needs and Disabilities
 - Improving attendance and emotionally based school avoidance
 - Supporting children's mental health
 - Suspensions and exclusions
 - Pedagogy
 - Homework
 - GCSE options
 - Managing challenging behaviour
 - Promoting positive educational and recreational activities
 - Trauma informed practices
 - Adverse Childhood Experiences and Attachment Disorders
 - Supporting children in care or previously in care to be aspirational for their future education, training and employment

11. The mental health of children in care and children previously in care

- 11.1. Children in care and children previously in care are more likely to experience the challenge of social, emotional and mental health issues which can impact their behaviour and education. Designated teachers will have awareness, in depth training and skills regarding a child's needs and how to support them in relation to managing their own behaviours and positive mental health.
- 11.2. The designated teacher will work with the Virtual School Head to ensure the academy is able to identify signs of potential mental ill- health issues, understand the impact issues can have on children in care and previously in care and know how to access further assessment and support, where necessary.
- 11.3. To regularly measure the emotional and behavioural difficulties experienced by CLA and previously-CLA, a Strengths and Difficulties Questionnaire will be used to help social workers and other relevant professionals to form a view about CLA's mental health and emotional well-being. Relevant academy staff will assist social workers in their assessments.

12. Suspensions and permanent exclusions

- 12.1. Past experiences of children in care and children previously in care will be considered when designing and implementing the academy's behaviour policy.
- 12.2. The academy will have regard to the DfE's statutory guidance 'Exclusions from maintained schools, academies and child referral units in England' and, as far as possible, avoid excluding any children in care.

- 12.3. Where the academy has concerns about a child's behaviour, the Virtual School Head (VSH) will be informed at the earliest opportunity.
- 12.4. Suspensions will only be considered as a last resort. Where suspension or permanent exclusion is considered, the academy will work with the VSH, and others, to consider what additional support can be provided to prevent suspension or permanent exclusion, and any additional arrangements that can be made to support the child's education in the event of suspension or permanent exclusion, and any additional arrangements that can be made to support the child's education in the event of suspension or permanent exclusion.
- 12.5. The academy will inform parents that they can seek the advice of the VSH on strategies to support their child to avoid suspension or permanent exclusion
- 12.6. Where permanent exclusion is being considered for a child in care/previously in care with an Education and Health Care Plan, academies must consult with their Education Director and National Director of AP and SEND/ Lead Practitioner for SEND
- 12.7. Where a permanent exclusion is being considered for a child in care/previously in care who is at SEND Support, academies must consult with their Education Director and Lead Practitioner for SEND
- 12.8. In all cases of permanent exclusion academies must complete the OAT pre-exclusion checklist
- 12.9. When considering suspension or permanent exclusion of a child in care/previously in care, consideration must be given to any extra familial or contextual harms that may be exacerbated as a result.

13. Children in care with special educational needs and disabilities (SEND)

- 13.1. Support for children in care who do not need an Education and Health Care Plan (EHCP), will be covered as part of the child's PEP and care plan reviews.
- 13.2. The Special Educational Needs Coordinator (SENCo), class teacher, designated teacher and specialists will involve parents when considering interventions to support their child's progress.
- 13.3. If appropriate, the virtual school headteacher (VSH) will be invited to comment on proposed SEND provision for previously looked after children.

14. Information sharing

- 14.1. Appropriate and specific arrangements for sharing reliable data are in place to ensure that the education needs of children in care and children previously in care are understood and met.
- 14.2. The arrangements describe:
 - What information is available and who has access to it
 - How children and parents are informed of information that is kept about them
 - How and when they may be allowed to challenge it
 - How carers contribute to and receive information

- What mechanisms are in place to allow sharing information between the academy and relevant Local Authority departments
 - How the security of data will be ensured
 - How relevant information about individual children is passed between authorities, departments and the academy when children move.
- 14.3. Disclosure of information for a safeguarding purpose is lawful as it meets a condition for processing under the substantial public interest article 9 lawful basis. (see Data Protection and Freedom of Information Policy)