### A guide for social workers about securing quick and appropriate school admission for a looked after child

**Oxfordshire Schools**

In all circumstances
- Find out the Ofsted rating of the school. The government will only accept a Looked After Child going to a school rated 3 or 4 in exceptional circumstances. Please contact the Virtual School Head to obtain their agreement in these cases.
- Contact the Virtual School for a discussion about the schools under consideration.
- Involve the learner and the carer in the decision about which school is appropriate.
- Do not approach the school directly.
- Download an ‘In Year Transfer Application Form’ from the Oxfordshire School Admissions site on the intranet
- List up to 3 preferences (This will save time if your top preference cannot offer a place)
- Put your favoured school as your first preference, even if it doesn’t have vacancies

If a change of school takes place mid-year; i.e. any time other than the beginning of term 1 in September
- Follow the guidance above.
- Remember CAPF (Common Admissions Preference) is the only valid means of applying for a place in a school.
- If in any doubt, contact The Virtual School for advice.

### Education of a looked after child when they are brought back into Oxfordshire, have been out of provision for a period of time and are a mid-year admission

In all circumstances
- It is essential to start the process of identifying an appropriate school as soon as a decision to return to county is taken; *ideally* the school should be identified alongside the care placement and the child should not return to county without a school place. Early information to the Virtual School will secure good long term provision planning.
- Read the inspection reports of schools in the area under discussion. Do not apply for a school which has an overall judgement of 4 or 3.
- Seek early advice Virtual School staff.
- Children with no school place coming back into County will be placed initially at Meadowbrook College
- If a child has a statement or EHC plan, the Virtual School will refer you to the SEN Officer.
- Always complete/ensure the carer completes a CAF (common admissions form) without which no child can enter a mainstream school.
- Even if a placement is temporary, seek a school place immediately. Some children have ended up out of provision for many weeks because ‘short term’ placements have lasted two terms.
Schools in other counties

See easy reference flowchart How to get a new out of county school place for a looked after child: https://www.oxfordshire.gov.uk/cms/content/virtual-school-policies-and-procedures

In all circumstances

- Use the local knowledge of the carer.
- Contact the Local Authority admissions team immediately for advice. Non application for a school is usually not an option; even if the child needs alternative provision (e.g. placement in a college engagement programme, enrolment in an ESOL programme, private alternative inclusion provision) it is likely that they will have to start on roll at a mainstream school.
- Read the inspection reports of schools in the area. Do not apply for a school which has an overall judgement of 4 or 3. Consult with the Virtual School about your proposals.
- If you have difficulty in making contact or getting advice from the LA contact the Virtual School. There is also a national network of Virtual Heads who we can ask for advice and who work together to resolve problems.
- Maintained (state) schools including academies in Kent are currently refusing to accept looked after children from other local authorities (due to astronomically high numbers.) Where all other things are equal, avoid a placement in this local authority.
- Ensure that a PEP meeting takes place within 20 days of arrival in the school. This must be convened by the social worker but chaired and written by school.
- Sometimes a child is moved to a children's home which is linked to specialised independent education and not a mainstream school. It is important to check that the last Ofsted judgement for the education provider was good or better. The education usually does not have the same grade as the home.

The roles of people within the local authority who can help you

The Admissions Officer processes school applications centrally, other than for pupils with a statement of SEN (see below). Admissions Officers are each responsible for a number of schools and manage the applications for those schools. Tel: 01865 815175  
www.oxfordshire.gov.uk/admissions

The SEN Officer manages all admissions for students with a statement of special educational needs sen@oxfordshire.gov.uk  
Tel: 01865 815275(Central), 01865 816681(North), 08456416402 (South)

The Virtual School can give advice on choice of school or the right actions to take if there are delays. virtualschool LAC@oxfordshire.gov.uk. Please find below a discussion pro forma for Social Care and Virtual School Staff about school provision when a looked after child is being brought back into Oxfordshire. The proforma forms an agenda for discussion. If appropriate, complete and send to us in advance of a discussion. Please send it to:

- EY and primary in and out of county Sarah.hazell@oxfordshire.gov.uk
- Secondary in county Hazel.fleming@oxfordshire.gov.uk
- Out of county secondary schools: Sarah.pigneguy@oxfordshire.gov.uk

The Education Inclusion Service provides advice to all parties including social workers on matters relating to exclusion from school and pupils who don’t have a school place. Exclusion and Reintegration Officers work closely with schools, governors, parents and local authority colleagues to provide advice. They may be able to assist in resolving problems and delays where children are changing schools mid-term. NB they do not have a role with regard to children with SEN Statements other than the provision of general advice. ERT@oxfordshire.gov.uk
Key Points from the 2014 statutory guidance for local authorities, ‘Promoting the education of Looked After Children’ need to be considered when placing a child, or moving their school:


Local authorities have a duty under the Children Act 1989 to safeguard and promote the welfare of a child looked after 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’ 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.

The VSH should ensure that there are effective systems in place to:

- 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
- help IROs and social workers understand the importance they need to place on education as part of care planning
- ensure 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
- ensure, 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 child.

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.

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.
- 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 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

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.

SEND

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.

• 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 ensure that any undiagnosed special educational needs are addressed through the SEND framework as soon as possible.

For further guidance contact the Virtual School on virtualschool.LAC@oxfordshire.gov.uk

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