



THE PRIORY  
LEARNING TRUST

# Designated Teacher for Looked-After Children and Previously Looked-After Children Policy

**Policy Approved by the Board of Trustees**

**Signed:**

**Name:** Barry Wratten

**Date:** 1<sup>st</sup> September 2020

**Chair of Board of Trustees**

**Authorised for Issue**

**Signed:**

**Name:** Neville Coles

**Date:** 1<sup>st</sup> September 2020

**Chief Executive Officer**

## History of Policy Changes

Date	Version	Change	Origin of Change eg TU request, change in legislation	Changed by
May 2020	1	This is a new statutory policy required by the DfE.	Trustees review of statutory policy.	Gail Webb

This policy applies to The Priory Learning Trust and is supported by the Academy Post / Looked-After Children Policy: Practices and Procedures.

Date Policy Adopted	September 2020
Review cycle	Annual
Review date	May 2021

## Contents

1. Legislation and statutory guidance
2. Definitions
3. Duties
4. Role of the Academy Council
5. Exclusions
6. Developing the Personal Education Plan (PEP)
7. Working with carers and parents
8. Role of the Local Authority
9. Policy review

## 1. Legislation and statutory guidance

Statutory guidance from the Department for Education, issued under sections 20(4) and 20A(4) of the Children and Young Persons Act 2008. (This guidance will next be reviewed in June 2020). Legislation is found in Section 20 of the Children and Young Persons Act 2008 (“the 2008 Act”). Section 20A of the 2008 Act inserted by section 5 of the Children and Social Work Act 2017 (“the 2017 Act”). Section 2E of the Academies Act 2010 inserted by section 6 of the 2017 Act. The Designated Teacher (Looked-After Pupils etc.) (England) Regulations 2009.

## 2. Definitions

Looked-after children

- a child ‘looked-after by a local authority’ is one who is looked after within the meaning of section 22 of Children Act 1989 or Part 6 of the Social Services and Well-being (Wales) Act 2014;
- a previously looked-after child is one who is no longer looked after in England and Wales because s/he is the subject of an adoption, special guardianship or child arrangements order which includes arrangements relating to with whom the child is to live, or when the child is to live with any person, or has been adopted from ‘state care’ outside England and Wales; and
- a child is in ‘state care’ outside England and Wales if s/he is in the care of or accommodated by a public authority, a religious organisation or any other organisation the sole or main purpose of which is to benefit society.

Previously looked-after children

- designate a member of staff to have responsibility for promoting the educational achievement of previously looked-after pupils who are no longer looked after in England and Wales because they are the subject of an adoption, special guardianship or child arrangements order, or were adopted from ‘state care’ outside England and Wales;
- ensure the designated person undertakes appropriate training; and
- ensure they and the designated teacher have regard to any guidance issued by the Secretary of State.

## 3. Duties

Each academy in the Trust will:

designate a member of staff (the designated teacher) as having the responsibility to promote the educational achievement of looked-after children, including those aged between 16 and 18 who are registered pupils at the school;

- to ensure that the designated teacher undertakes appropriate training (section 20(2)); and
- the academy council and the designated teacher must have regard to this guidance and any other relevant guidance issued by the Secretary of State. Section 20(3) of the 2008 Act gives the Secretary of State powers to make regulations setting out the qualifications and experience which the designated teacher should have.

Ensure that the designated person is:

- a qualified teacher who has completed the appropriate induction period (if required) and is working as a teacher at the school
- a head teacher or acting head teacher of the school

#### **4. Role of the Academy Council**

The Academy Council should, through the designated teacher, hold the school to account on how it supports its looked-after and previously looked-after children including how the PP+ is used including the progress and attainment. They should also ensure the needs of those children with Special Educational Needs (SEN) with an Education, Health, Care Plan (EHCP) and those with mental health issues are fully met.

#### **5. Developing the Personal Education Plan (PEP)**

All looked-after children must have a care plan which is drawn up and reviewed by the local authority responsible for the child. It will identify intended outcomes and objectives for the child and provide the framework to work with the child and carers in relation to their emotional and behavioural development, identity, relationships and self-care skills. The care plan must also include a health plan and a PEP. The PEP is a record of the child's education and training and should describe what needs to happen for a looked-after child to help them fulfil their potential and reflect, but not duplicate, any existing plans such as EHC plans and seen as an integral part of a looked-after child's wider care plan.

#### **6. Exclusions**

Academy Councils, Principals and designated teachers must have regard to the Department's statutory guidance on Exclusions from maintained schools, academies and pupil referral units in England. In line with that guidance, principals should, as far as possible, avoid excluding any looked-after child. If a looked-after child is at risk of either fixed term or permanent exclusion, the designated teacher should contact the relevant authority's Virtual School Headteacher (VSH) as soon as possible so they can help the school decide how to support the child to improve their behaviour and avoid exclusion becoming necessary. Where a child is at risk of a fixed-term or permanent exclusion, the designated teacher, working with the VSH and the child's carers, should consider what additional assessment and support (such as additional help for the classroom teacher or one-to-one therapeutic work) needs to be put in place to address the causes of the child's behaviour and prevent the need for exclusion.

#### **7. Working with carers and parents**

Carers should take an active role in participation in PEP planning, and schools should consider what they can do to encourage and support carers in supporting the education of the children they look after. Each academy will make arrangements for engaging with those who have parental responsibility for a child. The local authority should make sure the designated teacher knows about things, such as whether the child is on a care order or is voluntarily accommodated, and the scope of the carer's responsibility for giving permissions. Information about children going missing from should be shared immediately.

#### **8. Role of the Local Authority**

The designated teacher will work with Local Authorities who have a duty, to promote the educational achievement of looked-after children. They will make advice and information available to parents, guardians and others to promote the education of previously looked-

after children. They must give particular consideration, in partnership with Academy, to the implications of any decision about the child's care which has implications for their education.

### **9. Policy review**

The working of this policy will be reviewed by the Trustees annually. As well as examining the specific review data, the policy statement will be checked for continuing relevance against any changed statutory requirements.