Protocol to Ensure the Best Education Provision for Looked-After Children (LAC)
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1 Introduction

1.1 This protocol is a revision of the previous Protocol to Ensure the Best Education Provision for Looked-after Children (LAC) Following a Move of Care Placement and supersedes it.

1.2 This protocol:

- includes all moves of school by LAC, i.e., it no longer confines itself to in-year school placement moves, but covers all normal admission round\(^1\) transfers as well;

- takes into account recent changes within the education system\(^2\), e.g., the creation of academies, free schools, etc, and makes the assumption that education providers of every hue will follow this guidance in order to ensure the best provision for all looked-after children;\(^3\)

- takes into account updated legislation relating to school admissions contained in the revised Admissions Code which came into force on 1 February 2012. A key change, for the purposes of this document, is that from the academic year 2013/14 applications for all in-year\(^4\) school places can go directly to schools.\(^5\) However, in the case of LAC, Hampshire Admissions have agreed to co-ordinate in-year applications as a means of reinforcing and supporting the aims of this protocol.

2 Purpose

2.1 The purpose of this protocol is to ensure that Hampshire’s looked-after children receive the best education, i.e., an education that meets their needs and secures good educational outcomes. To that end, this protocol will ensure that all LAC are placed in schools or educational settings that meet their needs best; usually those schools rated good or outstanding by Ofsted.

2.2 In the case of in-year applications, this protocol ensures that there is a clear procedure in place to ensure a looked-after child’s timely, but planned admission and/or integration into an education provision, and aims to improve the chances of the child’s long-term success in the education provision through effective pre-admission information sharing and thorough transition planning.

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\(^1\) Normal admission round, i.e., October - end February: parents apply to the local authority in which they live for places at their preferred primary or secondary schools for the new academic year.

\(^2\) Education Act 2011 which takes forward the legislative proposals in the Schools White Paper, The Importance of Teaching, issued in November 2010.

\(^3\) See Admissions Code, paragraph 3.22: Where a local authority considers that an Academy will best meet the needs of any child, it can ask the Academy to admit that child….

\(^4\) In-year applications: applications submitted from September onwards in the same academic year.

\(^5\) See Admissions Code, paragraph 2.21: There is no requirement for local authorities to co-ordinate in-year applications for the offer year 2013/14 and all subsequent years.
Where in-year applications are simple and straightforward, adherence to this protocol should not delay a child’s admission into a school. In the case of more complex applications, the price may be some minimal, but unavoidable delay in the child starting at a school. However, this will be balanced by the long-term benefit.

3 Protocol

3.1 In order to ensure that all looked-after children⁶ are placed in schools and educational settings that meet their needs best, social workers will advise the area Education Officer (Virtual School (VS))⁷ of all LAC transferring to new schools or education settings during the normal admissions round.

3.2 The VS Education Officer will seek the views of the School Improvement Manager (SIM)⁸, regarding the quality of school⁹ under consideration, including the school’s most recent Ofsted judgment and performance in terms of floor targets. Any decision to place a looked-after child in a failing school will be made jointly by the SIM (Education and Inclusion) and the District Manager (Children and Families).

3.3 The responsibility for placing children with Statements of Special Educational Needs (SEN) in education provision lies with the county SEN team. In the interests of ensuring the best provision for LAC with Statements of SEN, SEN officers will seek the views of the SIM and the District Manager (Children and Families) regarding the quality of the provision under consideration (whether mainstream or special), including the school’s most recent Ofsted judgment and performance in terms of floor targets.

3.4 For any of the following reasons, a looked-after child may require a place in a mainstream primary or secondary school outside of the normal admissions round:

- Move of care placement from out of county to Hampshire.
- Move of care placement from one area of Hampshire to another area or within the same area.
- Need to transfer from one school to a different school within Hampshire, e.g., a managed move, or a move from a mainstream setting to an education centre or similar.

3.5 In such cases, as with normal admissions round, it is vital to ensure that the best education provision is selected for the child, i.e., provision best suited to the child’s needs and circumstances, and that this is secured within statutory timescales¹⁰. Therefore:

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⁶ This includes Hampshire LAC educated in and out of county, and LAC from other local authorities educated in Hampshire.

⁷ Formerly Manager Vulnerable Children (MVC).

⁸ Formerly District Manager (Education and Inclusion).

⁹ The term ‘school’ also refers to academies and 11-16 colleges throughout this document.

¹⁰ See Section 52 of the Children Act 2004, paragraph 36: Where a placement has been made in an emergency, or where education provision breaks down, the responsible local authority…should ensure that
3.5.1 In selecting a school / education provision, the social worker must take into account the views of the Senior Inspector Inclusion\textsuperscript{11} or his/her nominee (usually the area VS Education Officer) about the suitability of the school that is under consideration.\textsuperscript{12} In coming to the view, the VS Education Officer will consult the relevant SIM as described in 3.2, above. In the case of LAC with Statements of SEN, see 3.3, above.

3.5.2 Once the school is selected, it is vital to ensure that all information requisite to the long-term success of that educational placement is properly shared with the chosen school / education provider.

3.5.3 The child’s foster carer or parent will not assume responsibility for placing a child in an educational provision without full consultation with the child’s social worker.

3.5.4 The child’s social worker will not delegate that responsibility to the foster carer or parent without first establishing that everything requisite to the success of the educational placement is in place, i.e., the VS Education Officer has been consulted, all relevant information has been shared with the school and any integration plan agreed.

3.5.5 A school will not accept a child onto its roll without first ensuring that:
   - The application has come through the proper channels, i.e., from, or authorised by, the social worker;
   - Admissions and the VS Education Officer are aware of the application;
   - All key background information has been shared;
   - A transition meeting has taken place and integration plan agreed and recorded.

3.5.6 Key background information, referred to in 3.5.5 above, will be made available via the Transfer Notification Form (see Appendix 2) which will be completed by the child’s social worker.

3.5.7 Key information will comprise at least the following: Child’s name, date of birth, legal status; name of belonging authority (if not Hampshire); social worker’s contact details; last education provision; brief description of reasons for move and choice of school; brief description of needs and concerns (if applicable) including whether or not the child has a Statement of SEN or is undergoing statutory assessment; latest performance data in English, Maths and Science; any behavioural information key to a successful integration; date of last PEP/PEP Review; whether or not the child has been referred to the county Admissions team.

\textit{a suitable new education placement is secured within 20 school days. In all other cases suitable education should be arranged before a child is placed.}

\textsuperscript{11} The Senior Inspector Inclusion fulfils the role of Head Teacher of Virtual School for LAC
\textsuperscript{12} See also Virtual School Head Toolkit, p. 87 & 88 (Role of the Virtual School Head)
3.5.8 The Admissions team will notify the relevant VS Education Officer of any in-year applications received in respect of a looked-after child.

3.6 In the case of a straightforward application, i.e., where the social worker and VS Education Officer judge that there are no needs or concerns that require discussion and planning beyond that normally associated with a routine admission and both are agreed on the provision that will best meet the needs of the child:

3.6.1 An application form will be completed either by the person with PR in consultation with the social worker, or by the social worker and signed by the person with PR. The application form and the Transfer Notification Form will be submitted to Admissions. Admissions will forward these to the school.\(^\text{13}\)

3.6.2 The social worker will contact the school and request a transition meeting prior to the child starting so that the full range of relevant information in respect of the child’s care and education background and needs can be shared and an appropriate plan drawn up in the interests of ensuring the child’s smooth integration and longer-term success at the school. The attendees will include the school to which the child is applying, the child’s social worker, the child’s foster carer and/or parent, the child’s current / previous school and any other relevant professionals. The child might attend for part of the meeting if appropriate. All available supporting documentation should be brought to this meeting, e.g., paperwork from the previous school including attainment levels, support arrangements, etc. Any delay as a result of this should be minimal and no more than 5 working days\(^\text{14}\).

3.6.3 The outcome of these discussions, including the grounds for choosing the school, will be articulated in a PEP / PEP Review / Transition Plan so that current decisions and longer-term plans are formally recorded and a review date set. Alternatively, (if there is a good case for not doing this immediately), a date will be set for a PEP / PEP Review to take place soon after admission, and on a regular basis thereafter to ensure careful monitoring of the placement.

3.6.4 Once the school’s offer of a place has been agreed and accepted, the school will inform Admissions.

3.7 In the case of more complex applications, i.e., where there are a higher than average number of needs and concerns, all of which indicate the necessity for closer discussion around choice of school\(^\text{15}\), or the need for dual provision with a school and an education centre and/or college or other education provider, the VS Education Officer may recommend an education planning meeting (EPM).

3.7.1 The EPM will take place within 5 working days.

\(^{13}\) See also Note 5, above.

\(^{14}\) Except for Foundation or Aided schools whose Admissions protocols require a decision within 20 days

\(^{15}\) Unless permanently excluded, all children must be on the roll of a mainstream school in order to access part- or full-time alternative provision.
3.7.2 The EPM will involve the child (if appropriate), social worker, the VS Education Officer and other key adults and relevant professionals, so that there is clarity around needs and how these might best be met in terms of choice of school (or alternative provision). It may be helpful to record this either as a PEP / PEP review or as an Interim PEP.

3.7.3 Once a decision has been reached about the best choice of school (see also 3.5.1, above), the process as described in Paragraphs 3.6.1 – 3.6.4 will be followed. The VS Education Officer will be available to participate in this process as needed and will support and advise the social worker throughout.

3.8 Where, following an EPM (see paragraph 3.7, above), it is decided that the child requires provision other than school (e.g., education centre / college / other provider), the VS Education Officer, in consultation with the social worker and other relevant professionals, will co-ordinate the necessary transition meeting with the relevant provider. As with school applications, all relevant information will be passed on and shared at this meeting and clear plans drawn up to ensure a smooth, successful transition.

3.9 A Hampshire looked-after child may at any time require a place in a mainstream primary or secondary school as a result of his/her move of care placement from Hampshire to another county or as a result of a change of care placement within another county.

3.9.1 In such cases, the child’s social worker will inform the VS Education Officer of the need for education provision (either mainstream school or appropriate alternative) and will provide the key information as described in Paragraph 3.5.7, above.

3.9.2 The VS Education Officer will contact the relevant county’s Admissions officer and/or Virtual School Head Teacher. As far as possible, and allowing for differences of practice and/or approach within another local authority, the VS Education Officer will support the social worker to ensure the timely placement of the looked-after child in the best education provision, following the same steps as described in Paragraphs 3.5 – 3.7.4, above.

3.10 The choice of school for a Hampshire looked-after child is an active decision which takes into account a variety of factors. As such, the choice of school, the reasons for the decision and the key information and advice the decision was based upon will be recorded in the Care Plan by the social worker and in ICS (as a team manager decision) as well as in the PEP.

16 For reasons of safeguarding and for funding purposes, it is essential that a looked-after child remains on the roll of his/her current school pending formal confirmation that he/she is enrolled in a new school or education provision.
Summary

- In selecting a school, whether normal admission round or in-year, the social worker must take into account the views of the Senior Inspector (Inclusion) or his/her nominee, usually the area VS Education Officer, about the quality of the school under consideration. In coming to the view, the VS Education Officer will consult the relevant School Improvement Manager.

- The choice of school, the reasons for the decision and the key information and advice the decision was based upon, will be recorded in the Care Plan, the PEP, and in ICS.

- The social worker must provide the school / education provision with full background information, using the *Transfer Notification Form* (see Appendix 2) plus other relevant documentation. In the event that the social worker encounters difficulty in obtaining the information, he/she should contact the area VS Education Officer who will facilitate the process.

- The school / education provider must satisfy itself that it has received all the background information relevant to the application before accepting a child on roll.

- The PEP is a key transition document.
Start

Does LAC require education provision?

Yes

Does LAC have statement of SEN?

Yes

Refer case to SEN

No

Consult VS Education Officer for advice on best education provision

Is application complex? (see note A)

Yes

Education planning meeting to agree best education provision within 5 working days (See note B)

Submit application form and transfer notification form (Appendix 2) to Admissions

Transition meeting within 5 working days (see Note C)

Child starts schools

Social worker to update care plan

No

SEN consult with SIM (E&I) and District Manager (C&F) prior to placing child

Does LAC require education provision?
Appendix 1 – Page 2 of 3 – In-year Applications – Information for Schools – Flow Diagram

Start

Has parent/carer/social worker applied through Admissions?

Yes

Admissions notifies VS Education Officer

Social worker submits completed transfer notification form (Appendix 2) and application form to Admissions

No

School to halt application and alert Admissions to application

Does VS Education Officer consider application complex? (See note A)

No

Yes

Education planning meeting to agree best education provision within 5 working days (see note B)

Transition planning meeting within 5 working days (see note C)

School offers place and notifies Admissions

Child starts school
Appendix 1 – Page 3 of 3 – Notes

Note A
- Complex application = high level of needs and concerns, and/or possible need for dual provision with school and education centre &/or college &/or alternative provision.

Note B
- EPM will involve social worker, VS Education Officer and other relevant key adults, e.g., foster carer &/or parent. May involve representative from prospective education provision.

Note C
- Transition meeting to be convened with school / education provider in order to agree integration plan.
- Attendees to include prospective school, social worker, previous school, other relevant key adults, e.g., foster carer &/or parent. VS Education Officer may attend if required.
- All key information and documentation (Appendix 2, PEPs / PEP reviews, etc) in relation to child’s care and education background to be presented and shared to ensure that needs are understood and plans put in place to meet and support agreed needs.
- To record meeting as PEP / Interim PEP / Transition Plan.
- To schedule a PEP / PEP review meeting date.

Key to abbreviations
- LAC: Looked-After Child
- VS: Virtual School
- SEN: Special Educational Needs
- PEP: Personal Education Plan
- EPM: Education Planning Meeting
- SIM: School Improvement Manager
- E&I: Education and Inclusion
- C&F: Children and Families
## Protocol to Ensure the Best Education Provision for Looked-After Children - Appendix 2 – School Transfer Notification Form

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### DETAILS OF CARE PLACEMENT

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<td>e.g. Foster care / Adoptive / Residential / Other</td>
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<th>DESCRIBE THE SERVICE THAT CARE PLACEMENT HAS BEEN CONTRACTED TO DELIVER: (please specify below)</th>
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<th>OTHER HEALTH RELATED SUPPORT:</th>
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Please describe:

### CURRENT OR PREVIOUS SCHOOL/EDUCATION PROVISION

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<th>NAME:</th>
<th>ADDRESS &amp; POSTCODE:</th>
<th>TEL:</th>
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11
**PLEASE PROVIDE THE FOLLOWING KEY INFORMATION:**

- Date child last attended current or previous school placement / education provision:

- Reason for leaving current or previous school / education provision:

- Brief description of care background / current needs &/or concerns (if applicable):

- Latest attainment data in English, Maths and Science:

- Brief description of educational needs &/or concerns, including any behavioural information key to a successful integration:

**IS THE CHILD UNDERGOING STATUTORY ASSESSMENT?**

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**DOES THE CHILD HAVE A CURRENT PEP?**

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<th>YES</th>
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**DATE OF LAST PEP / PEP REVIEW:**

**NEW SCHOOL/EDUCATION PROVISION**

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<th>NAME:</th>
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<td>ADDRESS &amp; POSTCODE:</td>
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**HAS THE COUNTY ADMISSIONS TEAM BEEN CONTACTED?**

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<tr>
<th>YES</th>
<th>NO</th>
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**COMPLETED BY (name & role):**

**DATE:**