



National Association of

**Virtual School Heads**

Looking after learning

# **The Virtual School Handbook**

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## What is the Virtual School Handbook for?

The Virtual School Handbook **IS** produced for the community of Virtual School Heads (VSH) as a guide to how a VSH **COULD** fulfil their duties and functions.

**IT IS NOT** a replacement for the relevant Statutory Guidance with which a Virtual School Head must be familiar. **NEITHER** is it an inspection framework **NOR** an inventory against which to judge a Virtual School's performance.

This updated edition has been commissioned by the National Association of Virtual School Heads (NAVSH) to take account of the changes in the statutory framework around local authorities and schools, and feedback and experience gained in applying some of the advice in the original edition, as well as the most up-to-date Virtual School practice. Readers should pay particular attention to the additional statutory demands placed on local authorities and schools in relation to previously looked after children ([see Appendix 1](#)). The original Virtual School Handbook was produced with financial support from the [Rees Centre for Research in Fostering and Education](#), University of Oxford, using an Economics and Social research Council grant to employ experienced VSH As Visiting Fellows.

The Handbook is hyperlinked in the hope that it will enable a reader to find the information they need as efficiently as possible.

Alun Rees, September 2018

## Audience

Like the statutory guidance, *Promoting the Educational Achievement of Looked After Children (February 2018)*, this handbook is intended to be helpful to any local authority officers, in particular Directors of Children's Services (DCS), Virtual School Heads (VSH), Independent Reviewing Officers (IRO), and Lead Members, as well as individual social workers, and members of local authority education teams.

It is also intended to support Headteachers, Governors, Designated Teachers, Parents and Carers for Looked After and Previously Looked After Children, to understand the role of the Virtual School Head and the context within which they work and, in consequence, to support partnership working.

## Definitions

**Virtual School Head (VSH):** means anyone fulfilling the duties and functions of the VSH as laid out in statutory guidance, whatever their title.

**Looked After Children (LAC):** The term is disliked by many children for its acronym and this is why many professionals prefer Children Looked After (CLA) or Children in Care (CiC) or Children Cared For (CCF). This document uses 'Looked After Children' because it is the term adopted by the DfE in its statutory guidance. It can, though, be read as CiC, CLA, or CCF as the reader desires.

'Children looked after' has a specific legal meaning based on the Children Act. A child is looked after by a local authority if they have been provided with accommodation for a continuous period of more than 24 hours, in the circumstances set out in sections 20 and 21 of the Children Act 1989, or is placed in the care of a local authority by virtue of an order made under part IV of the Act.



**Previously looked-after children (previously-LAC):** are those children who are no in the care of a local authority in England and Wales because they became subject to: an adoption order; a special guardianship order (SGO); or a child arrangements order (CAO). For children adopted outside England and Wales, the child must have been looked after by a public authority, a religious organisation, or other provider of care whose sole purpose is to benefit society. Where parents are unable to provide clear evidence of their child's status, designated teachers will need to use their discretion (or could discuss eligibility with the VSH). [Appendix 1](#) provides a way of interpreting this Handbook in the context of the new statutory duties with respect to previously looked after children.

**Care Leaver:** A person who has been looked after for at least 13 weeks since the age of 14, and who was in care on their 16th birthday. A young person's status as a care leaver can be divided into the following:

- **Eligible Child:** a young person who is 16 or 17 and who has been looked after by the local authority for at least a period of 13 weeks since the age of 14, and who is still looked after;
- **Relevant Child:** a young person who is 16 or 17 who has left care after their 16th birthday and before leaving care was an eligible child;
- **Former Relevant Child:** a young person who is aged between 18 and 21 (or beyond if being helped with education or training) who, before turning 18 was either an eligible or a relevant child, or both.

**Children and Young People:** This is shortened to 'children' in this Handbook to simplify sentence structure.

**Home Local Authority:** This is the local authority in whose care a child is placed.

**Host Local Authority:** In this guidance this is the local authority where the child is educated.

## Introduction

Local authorities have a duty to safeguard and promote the welfare of any child looked after by them. This includes a particular duty to promote the child's educational achievement. The authority must therefore give particular attention to the educational implications of any decision about the welfare of those children.

All professionals (including teachers) working with looked after children, all carers, and all elected members, constitute the corporate parents of children in care. In fulfilling that role they should each ask themselves whether the services, support, and opportunities available to their looked after children would be good enough for their own children. If they cannot honestly answer in the affirmative then it is their duty as a corporate parent to act to improve that offer.

A local authority has no specific duties, beyond those to all children, in relation to children living in its area, but looked after by another local authority. This does not mean that VSH, and local authorities more broadly, may not establish reciprocal and cooperative arrangements between themselves relating to these children.

## Underpinning Statutory Framework

The principal legislation related to this Handbook is:

- the Children’s Act 1989, as amended by the Children Act 2004 and the Children & Families Act 2014 and the Children and Social Work Act 2017
- the Education Act 2005;
- the Education and Inspections Act 2006
- the Children and Young Persons Act 2008 (incl. Section 20A of the 2008 Act inserted by section 5 of the Children and Social Work Act 2017).
- 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.
- The Care Planning, Placement and Case Review (England) Regulations 2010, as amended.

### Statutory Guidance:

- Promoting the education of looked-after children and previously looked-after children - Statutory guidance for local authorities, February 2018
- The designated teacher for looked-after and previously looked-after children - Statutory guidance on their roles and responsibilities, February 2018
- Applying corporate parenting principles to looked-after children and care leavers - Statutory guidance for local authorities, February 2018

The statutory framework applies to every local authority in England and all children legally looked after by them, or previously looked after, irrespective of where they live.

The statutory guidance on Designated Teachers is issued under sections 20(4) and 20A(4) of the Children and Young Persons Act 2008. **This means that the governing bodies of maintained schools, academy proprietors and the designated staff member at maintained schools and academies must have regard to it when promoting the educational attainment of looked-after and previously looked-after children (see [Appendix 1](#)).**

## National Association of Virtual School Heads (NAVSH)

The National Association provides a national and regional network of support for the work of Virtual Schools in England and every Virtual School Head should become a member. It also has increasing links to other countries where the Virtual School idea has been adopted and adapted to local circumstances.

The Association offers a network through which a home VSH can seek advice on education provision in a host authority when a child is cared for outside the home authority.

The National Association maintains links with the DfE and Ofsted, as well as other key influencers, to ensure that looked after children continue to be a priority for government.

VSH share their contact details with other VSH but often prefer not to have their details circulated to other professionals without their permission. Most communication should run from VSH to VSH.

## **The Role of the Virtual School Head (VSH)**

The Children and Families Act 2014 requires 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. That person – the Virtual School Head (VSH) - must be an officer employed by the local authority or, where local authorities agree to collaborate or share the role, another local authority in England.

The VSH should be the lead responsible officer for ensuring that arrangements are in place to improve the educational experiences and outcomes of the authority's looked after children, including those placed outside the home authority's boundaries.

The previous 'single inspection framework' (SIF) for local authority services to looked after children had very clear expectations of the information that will be available to inspectors prior to and during an inspection. Changing inspection frameworks mean that this is now less explicitly stated, but a VSH will find the advice offered by previous frameworks a helpful touchstone in defining both the work of the VSH and the organisation of the Virtual School.

Directors of Children's Services (DCS) and Lead Members should be aware of the risks of identifying a VSH without creating sufficient Virtual School capacity to deliver the duties placed on the local authority by statute.

With that in mind this handbook:

- examines the functions a VSH might reasonably need to undertake in order to meet the obligations of the relevant Acts and statutory guidance
- offers key questions to be considered by decision makers in a local authority when determining the form and functioning of a Virtual School
- recognises that the context of every local authority is unique
- provides advice on how the duties described could be met, based on best current VSH practice, and,
- describes some of the implications for Virtual School structure and function if a local authority is to meet its obligations.

## **Key operational areas for Virtual School Heads**

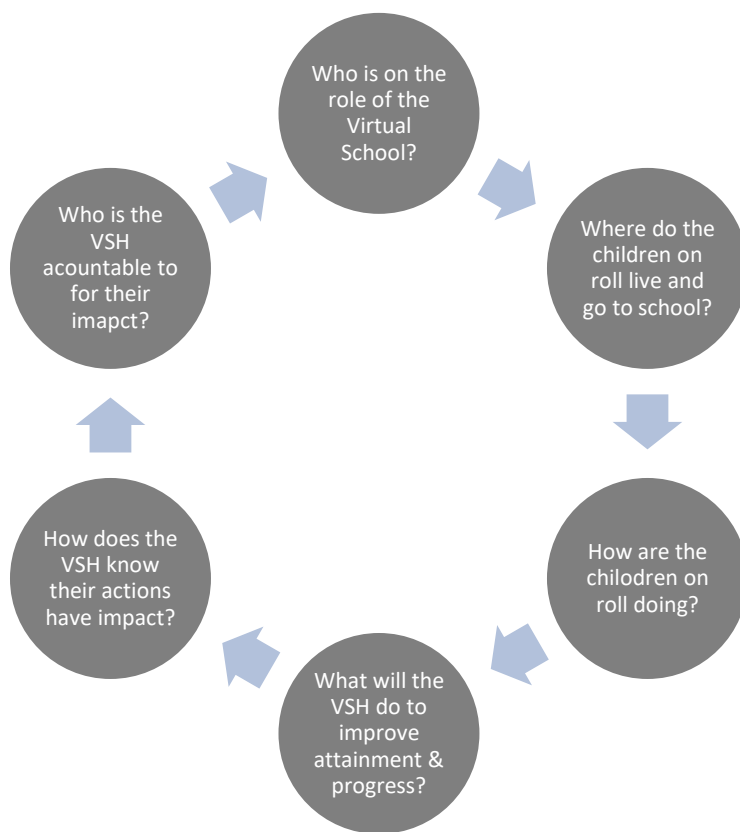
These six key operational provide a clear framework for a Virtual School Head's activity. The VSH should:

- know who is on the roll of their Virtual School
- know where they live and where they go to school
- know, at any time, how they are doing and be able to say if that is good enough
- determine what actions to take if they are not doing well enough
- evaluate the impact of actions taken to improve attainment and progress, and
- understand their accountabilities and how their Virtual School will be inspected and its impact judged.

## **Newly appointed Virtual School Heads**

Any new job can be daunting, and this Handbook could appear very daunting to a newly appointed Virtual School Head. Sections 1 – 6, below, mirror the 6 key operational areas above, so a newly

appointed Virtual School Head should consider using the questions each Section heading poses as their starting point. These Section headings are intended as an outline school improvement cycle:



Where an initial assessment suggests existing practice allows one of the 'Section questions' to be answered with a reasonable degree of confidence, move on to the next section and ask that question. Use that initial assessment to decide which Section has the least robust answer and consider the first level of sub-headings in that Section before moving onto either the next Section of concern, or deeper sub-levels within the first Section examined in detail.

The cross-linking between Sections will begin to make this section by section approach difficult to sustain indefinitely, but by then the newly appointed VSH should begin to have a solid idea of where they need to focus their own, and their team's, development efforts &/or which other teams or managers around them they should be talking to to clarify roles and responsibilities, for instance.

## 1. Who is on the roll of the Virtual School?

Every VSH needs to have a shared understanding, with the Director of Children's Services, of the scope of their responsibilities. Once they have this they must ensure they know who is on the roll of their Virtual School.

Some Virtual Schools encompass every child from the early years to 25, others only the years of compulsory schooling, others variations in between. Whatever the range envisaged by a Director of Children's Services, they must recognise that the broader the scope of VSH responsibility the greater the demands on them and the higher the level of resource required to fulfil their duties.

### **a) Age range of children on roll**

The VSH has statutory responsibilities to every looked after child, whatever their age. This includes [eligible](#) post-16 children (who remain ‘looked after’), but not [relevant](#) or [former relevant](#) young people (who are ‘care leavers’).

While the bulk of a VSH role is therefore focussed on children from the foundation stage, through primary and secondary school to the end of Year 11, the Virtual School will, like any school, take an interest in, and support those responsible for, the transition of children into the foundation stage, and from Year 11 to post-16 education, employment or training.

The VSH has responsibilities relating to [Personal Education Planning](#) irrespective of the age of the child while they are also responsible for the management of the Looked After Pupil Premium (often described as Pupil Premium Plus, PP+) for children in reception to Year 11, and for the Early Years Looked After Pupil Premium.

Extending the Virtual School’s responsibility outside this age range requires additional staffing capacity and expertise, and consequently presents a greater resource pressure. This is particularly true if the VSH assume the same responsibility for care leavers in a variety of different kinds of education, employment or training contexts from sixth forms to college, from apprenticeships to part-time or full-time employment, with or without vocational training.

### **b) Legal status of children on roll**

The local authority has a legal responsibility to those children it looks after, wherever they go to school or are placed. Responsibility for promoting the educational achievement of children looked after by other local authorities who go to local schools sits with those other, home, local authorities.

However, the remit of the VSH could include some support for a local school educating a child in the care of a different local authority, through liaison with the other authority’s Virtual School.

Not all Virtual Schools include children on their Virtual School roll with complex and multiple needs who, because they received more than 75 nights of respite care per year, are defined as ‘looked after’. Their rationale is that they are not in care due to a lack of parenting capacity or a specific risk and that their parents remain the key decision makers and supporters in relation to their education. This decision is one the VSH should be certain to discuss with colleagues in social care and SEND teams so the rationale for any perception of a ‘two-tier’ Virtual School roll is shared, agreed and understood.

The same is true of children who are in custody as a result of a court decision. Even if they are not looked after at the point they enter the secure estate, they become looked after at the point they do. The VSH needs to ensure they have sufficiently robust links to youth offending and social care services to both find out about these young people, but also to ensure there is a shared understanding of who does what with respect to them.

### **c) Child-level personal information**

The VSH should ensure that they have the information they need on every individual looked after child on their Virtual School roll. As a minimum this should include:

- Forename (and used name if different)
- Surname (and alias if appropriate)

- Gender
- Date of Birth
- Unique Pupil Number
- Social Care Database Reference Number
- National Curriculum Year Group
- Special Educational Needs (SEN/D) status and principal need
- Ethnicity and English as an Additional Language (EAL) status
- This basic information will be supplemented by detailed information on [care placement](#) and [educational placement](#)

#### **d) Virtual School cohort profile**

The VSH should ensure they can quickly summarise the nature of the looked after cohort. This context is essential, particularly when comparisons are drawn within and beyond the local authority, and should, as a minimum, include:

- Breakdown by national curriculum year group
- Breakdown by SEN status
- Breakdown by legal status
- Break down by date into care (and therefore whether they fall within or outside the SSDA 903 cohort)
- Breakdown by age into care
- Breakdown by time in care
- Breakdown by ethnicity and EAL status

Wherever possible unique features of the cohort should be demonstrated by comparison with all children locally and nationally, with looked after children nationally, with looked after children in statistical neighbour local authorities. A final useful comparison is with Children in Need (CiN) in the home authority as it is from this cohort that the looked after cohort is largely drawn, so they provide a very valid comparator group.

## **2. Where do children on the Virtual School roll live and go to school?**

Looked after children make better progress if they have stable education and care placements. The VSH must know where the children on their school roll are placed so they can both identify those at greatest risk of under-achievement but also provide management reports that summarise the nature and context of the cohort.

### **a) Care placement**

The VSH should ensure they have the information they need on each child's care placement. This should, as a minimum, include:

- Name of carer (or registered manager if residential placement) and contact information
- Address of placement (flagging an out of area care placement)
- Type of care placement (foster or residential, local authority or private provider)
- Record of previous care placements
- Legal Status (care order, interim care order, or section 20, and whether an unaccompanied minor/asylum seeker child)

- Date into care (first time and current episode, if different)
- The child social worker and contact information
- The foster carer's supervising social worker and contact information
- The child's Independent Reviewing Officer (IRO) and contact details

## **b) Virtual school cohort care placement profile**

The VSH should ensure they can quickly summarise the nature of the looked after cohort. This is essential context, particularly when comparisons are drawn within and beyond the local authority, and should, as a minimum, include:

- Breakdown by type of care placement
- Breakdown by location of care placement (in, or out of, local authority area)
- Breakdown by previous episodes of care
- Breakdown by legal status
- Breakdown by age into care and time in care (from first time and most recent episode of continuous care)

Wherever possible unique features of the cohort should be demonstrated by comparison with 'all children' locally and looked after children nationally and in statistical neighbour local authorities.

## **c) Education Placement**

### **i) Principles underlying education placement choice**

In identifying the appropriate education placement for a child the following principles should apply:

- educational provision should mean a full-time place (generally taken to be 25 hours per week for school age children)
- the child's wishes and feelings should be taken into account and the suitability of the education setting tested by arranging an informal visit for the benefit of the child (not an 'interview' by the school); though the corporate parent should not abdicate its responsibilities simply because a child wants to go to a certain school
- the choice of education setting should be based on what any good parent would want for their child and be based on evidence that the setting can meet the educational needs of the child and help maximise their progress in learning
- the choice of education setting should allow the child the opportunity to socialise with their peers, so over-long commutes should be avoided
- 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 not be placed in a school judged by Ofsted to be 'inadequate'
- where a school 'requires improvement' the VSH should be clear that the reasons for that judgement will not disadvantage a looked after child, or be outweighed by the impact of a change in school place
- whatever the last Ofsted judgement the VSH should ensure they have a current understanding of the quality of education offered through liaison with school improvement professionals, so they can offer informed advice on a school choice.

Where a looked after child would benefit from attending a [boarding school](#), either in the state or independent sector, VSH 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. When making such a choice a local authority should ensure it understands any financial risk were a child's legal status to change while attending a fee-paying school ([Appendix 5](#)).

## **ii) Education placement details**

The VSH should ensure they have the information they need on each child's education placement. This should, as a minimum, include:

- School name
- School address (flagging out of area school)
- Type of school (selective/non-selective, maintained/academy/free school, public/private funded, &/or location on the site of a residential care placement)
- Start date at the current education placement, record of previous education placements, and reasons for any change
- Most recent OfSTED judgement (&/or most recent local authority judgement/risk assessment) and note of rationale where a child has been placed in a provision if it is judged less than good
- Headteacher and contact details
- Chair of Governors and contact details (&/or proprietor of the school in the case of an academy or free school)
- Designated teacher and contact details
- Data on the child's current attainment, progress, attendance and engagement with learning
- Child's prior attainment including at the end of previous key stages

## **iii) Curriculum responsibility**

It is the responsibility of the school where the child is on roll to match the curriculum to their individual needs irrespective of their legal status as a looked after child.

However, [inspectors](#) increasingly expect the VSH to understand the nature of the curriculum every looked after child is following. Some VSH require an up-to-date copy of the child's timetable to be attached to the PEP. Every VSH should ensure that they have sufficient information regarding the curriculum [recorded in the PEP](#) to allow them to identify risks to the child's progression arising from the curriculum offer. These can include the use of 'learning at home' in place of a full-time curriculum and the use of alternative provision without appropriate safeguards or permissions.

Significant changes to the curriculum, such as the first use of alternative education, or an increase in the proportion of off-site learning, should trigger an informal, but agreed, review of the PEP. The VSH must also satisfy themselves that off-site provision for a looked after child is subject to the same checks as for their non-looked after peers, supplemented by clear recording in the PEP of the reasons for, planned duration of, and expected reintegration from, alternative provision.

The VSH should ensure that there is sufficient guidance available to social workers and carers to enable them to support a child to make appropriate curriculum/subject choices. This includes understanding the child's aspirations and seeking advice if there is a risk that curriculum choices could constrain those, or future, aspirations.



#### **d) Virtual school cohort education placement profile**

The VSH should ensure they can quickly summarise the nature of the looked after cohort's education provision. This is essential context, particularly when comparisons are drawn within and beyond the local authority. It should, as a minimum, include the number who are not on a school roll (including since when, and why), and for those with a school roll, a breakdown by:

- type of school and its governance model (primary/secondary/special and maintained/academy/free/independent)
- time at current school
- on a full or part-time timetable (and since when)
- placed in alternative provision (and since when)
- attendance in current term/year and reason for non-attendance, including 'refusal to attend'
- number of previous education placements (taking account of 'normal' transitions between phases)
- OfSTED judgements of schools where children are on roll (and resulting proportion in 'good or better' settings)

The location of the education placement (in, or out of, local authority area) should also be analysed and that analysis combined with the other examples above to demonstrate, for instance, equity of access to a good or better school irrespective of the child's car placement location.

While similar breakdowns for key comparator groups such as all children locally, looked after children nationally and in statistical neighbour local authorities, and local children in need (CiN) is not universally available, agreements between VSH to share their analyses can enable unique features of the particular cohort relative to those comparator groups to be highlighted.

#### **e) Placement decisions**

The VSH has primary responsibility for ensuring that there is suitable education in place for all children looked after by the local authority. Therefore, their views must be given appropriate weight in care placement decision making where those decisions could impact on the access to, or quality of, education provision. There should also be appropriate consultation with [the VSH in another local authority](#) where out-of-authority placements are planned and made.

VSHs, social workers, and independent reviewing officers (IROs) should work in partnership to ensure that education arrangements for a child are made at the same time as a care placement and that an out-of-authority care placement should not be agreed unless there is appropriate educational provision in place that the child can access as soon as they move.

The VSH should be represented on any panel making placement decisions, particularly where a change of care placement could result in a change in education placement. In that case they should be empowered to resist a change that, in their professional opinion, would impact adversely on educational outcomes.

Children should never suffer changes to their education placement unless absolutely necessary, and not at all once they begin Key Stage 4, or once they have made curriculum choices in Year 9 (or sometimes earlier where the child has embarked on a GCSE programme before the end of key stage 3).

Out of area care placement decisions should be made with sufficient notice to enable the VSH to make enquiries about the destination's educational landscape so that care placements are not made where the available local educational provision is poor or not appropriate to the needs of the child.

### **i) Emergency care placements**

Even in the best organisations, circumstances sometimes require a placement change at very short notice and local education provision cannot therefore be assured beforehand. In such circumstances there is a real risk of the child's learning being interrupted and seriously derailed. Effective and pro-active planning should minimise the number of such placements but sometimes an emergency placement is necessary.

Where emergency placements are being made regularly, and particularly where they require a change in education placement, the VSH should raise the issue with senior social work managers &/or the Director of Children's Services (DCS). The VSH should also express concern where a single child is subject to a series of 'emergency' placements.

There is no reason why a decision by a carer to give notice on the care placement should result in an emergency placement. The notice period is sufficient to allow alternatives to be sought and properly considered. However, there is a shortage of foster care placements, particularly for older children, that the VSH must recognise. This can mean that non-emergency placement moves can take place at short notice.

There should, therefore, be an agreed protocol surrounding any short notice care placement changes that ensures they do have as little impact on the child's learning as possible. Such a protocol could include:

- an undertaking to secure a suitable new education placement within 20 school days of arriving at the new care placement
- clear agreements that during that 20 days the child will have similar access to learning as if they had not moved
- clarity over who will be responsible for paying for any such interim education provision.

Emergency educational provision could be a place at a local school that all parties know will be temporary, or 1-to-1 or small group tuition, or education on the site of the care placement (so long as it is of high quality and Ofsted inspected).

### **ii) Out of Area Notifications**

When a decision is made to place a child looked after by a local authority outside the authority's boundary, they are required to inform the destination local authority of their decision. This allows the new, host, local authority to ensure the arriving child benefits from the statutory priorities for a school place, for instance. It is good practice for each VSH to be able to simply describe what support, beyond that statutory minimum, they are able to provide as the host and to also make clear any re-charging arrangements that are in place for children being placed, for instance, into local alternative provision under any 'like-for-like' arrangements.

VSHs should be included in the systems of internal notification, so that when a child in the care of another local authority arrives or leaves their authority they know about it and can ensure the local, receiving, school is also informed.

### **iii) Belonging regulations as they apply to looked after children**

These regulations are designed to ensure that when a child moves from one local authority to another the obligations of maintaining an EHCP transfers to the SEND team in the new local authority. While this makes a great deal of sense for children living with, and moving with, their family there are some disadvantages for looked after children.

Moves across LA boundaries to satisfy the demands of the care placement may move a child with an EHCP across a boundary though the social care team know the placement may not be as 'permanent' or 'long term' as it initially looks (see [above](#)). The child's care plan may include an explicit intention to return the child to a local carer 'soon'.

Meanwhile the SEND team are statutorily obliged to transfer the EHCP under the belonging regulations if the placement is likely to be 'permanent, or even 'long term'.

The VSH should do their best to broker improved mutual understanding of the motives of these two sets of professionals. They should help the SEND team understand that while the placement may be badged as 'permanent', bitter experience tells them that it may yet fail. Equally social workers and the placement team identifying the care placement, should be encouraged to see SEND colleagues not as 'obstructive' and 'driven only by statute', but as a vital resource that can help them find the best educational placement for a child with specific needs.

The VSH also needs to help social workers understand that there is a process surrounding the changing of a school named in an EHCP that inserts a statutory consultation period into any change of school for a child with such a plan. Decisions to change the placement of a child with an EHCP should therefore be made with an even longer planning period than for children without an EHCP.

Many VSH help shape a protocol that satisfies both parties and helps define when 'permanent means permanent', and when it may not.

### **f) School Admissions – securing appropriate education**

When a child becomes looked after their local authority must arrange a suitable care 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, or earlier if they have already embarked upon GCSE or similarly accredited programmes, that will be essential to their future progression to education, employment or training.

In relation to school admissions legislation a child must be legally looked after at the time of the application for a school place if they are to benefit from the priorities associated with that status in the Admissions Code.

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](#). It is the statutory duty of the local authority where a child lives to provide education, and the VSH should support social workers to ensure this duty is fulfilled without delay.

Looked after children have been given the highest priority within school admission arrangements and admission requirements for looked after children are set out in the School Admissions Code which applies to maintained schools and academies, including free schools.

Put simply, a looked after child must be given a place in the school chosen irrespective of the current numbers on roll or in a class. The home local authority can require the host local authority to direct admission to any school. However, children with an EHCP are subject to a statutory consultation process first, and any direction must conform to the practice in the host authority, which can involve a time consuming exchange of letters and periods for response. In the case of academies and free schools the time taken to gain access to a school place can be extended by the need to follow ESFA processes.

VSH should check the NAVSH website regularly for updated advice on the direction of non-maintained schools to take LAC on roll without delay.

The VSH should ensure that social workers, IROs, admission officers for the schools maintained by the local authority, and SEND teams understand and comply with the requirements in the [School Admissions Code](#) relating to the [priority admission arrangements for looked after children to maintained schools and academies](#) and the [special educational needs and disability code of practice 0 to 25 years](#).

It is also 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 primary school class size limits;
- the local authority, as a corporate parent, does not tolerate drift and delay where looked after children are without an education placement that is appropriate to their assessed needs. This includes using their powers of direction (see [Appendix 3](#)) in a timely way rather than delay issuing a direction as a result of protracted negotiation

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, where they retain parental responsibility (see [Appendix 4](#)), birth parents.

The VSH should be consulted to avoid choosing a school that is unlikely to meet the child's needs. Delegated authority relating to school choice should be addressed explicitly in the child's [permanence plan](#), which is part of their wider care plan.

Designated teachers should be made aware of the arrival of a looked after child in advance. They should then receive full details of a looked-after child's care placement and other relevant information within 24 hours of the child joining the school. In the case of child coming into care this enables a meaningful initial personal education plan (PEP) meeting can take place in time for the first (28 day) care review. In the case of children already in care but moving schools it provides an opportunity for an early PEP Review meeting that ensures the new school has access to the most up to date education information on the child and the previous school's existing plan to support them.

The VSH should consider whether and how to capture the effectiveness of admission arrangements for CiC by working with the Admissions team to track the time between an application for a new school place being submitted and the child being placed on roll, as well as those cases requiring a direction or referral to the ESFA, Regional Schools Commissioner or Secretary of State.

## **g) Boarding schemes**

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 should be based on the care placement needs of the child and the boarding school's ability to meet those needs.

Local authority funded places at a boarding schools have been found to be effective when children find themselves on the edge of care, or in care but placed with relatives who struggle to parent for 52 weeks a year. The option to provide a boarding school place for 30-40 weeks of the year while returning home to carers during the school holidays can provide a helpful support to both child and carers.

Boarding schools that do not register for statutory inspection by Ofsted should not be considered. No placement should take place if the boarding school does not fulfil all the expectations that the VSH has of local, publicly funded, schools, including the appointment of a suitably senior, trained and experienced designated teacher.

The [Royal National Children's Foundation](#) provides guidance on boarding places for vulnerable children and Boarding Schools Association/State Boarding Schools Association also can provide information.

[Appendix 5](#) outlines some of the potential pit-falls a local authority should be aware of when considering a place at a fee-paying school.

## **3. How are children on the Virtual School roll doing?**

Sometimes Virtual Schools can become over-reliant on the [published national data sets](#) which focus exclusively on end of key stage measures. While these are vital indicators of a Virtual School's performance, and offer national or regional comparisons, summative outcomes arrive too late to influence outcomes the cohort has already received.

The most effective Virtual Schools collect in-year attainment on every child, not just those in Year 2, 6 and Year 11. They are able to use this data to assess whether a child is making expected progress and to challenge schools where progress is poor, or progress appears good but against low school expectations.

When combined with attendance and exclusion data a rich picture of the child's current educational context can be built up and used to identify those in need of support and the support they need. It is this picture of current educational need that should drive the allocation of the [Pupil Premium Plus \(PP+\)](#).

Without such systems a [VSH faces significant challenges during inspection](#) when they can be asked for the current picture of attainment, progress, attendance and engagement with learning; the actions taken to improve them (including PP+ deployed); and an evaluation of the impact the actions have had.

Therefore, the VSH should adopt best practice from schools to enable a robust summary of the current position across their Virtual School to be produced on demand, at any point in the year.

## **a) End of key stage data**

All the nationally available data sets are built around end of key stage measures, supplemented by information from the annual SSDA 903 return submitted by local authorities each March. Therefore they only provide a backward looking picture of a cohort that has already moved on to the next stage of their education.

All the national data sets are produced when the DfE uses the child's UPN to match the 903 return with the pupil level outcome data they hold. The VSH should make every effort to ensure that each child has a valid UPN before the 903 return is submitted, otherwise they can find children's results are lost.

### **i) National Consortium for Examination Results (NCER) – NEXUS NOVA-CLA**

NCER is a not-for-profit organisation 'owned' by its local authority members (all English authorities in September 2018), who pay an annual subscription to access the online data and analysis tools NEXUS provides. Access to the Virtual School (NOVA-CLA) component of the NEXUS suite requires a supplementary annual payment which can legitimately be found from centrally retained PP+ as it allows the VSH to better understand the impact of a variety of factors on progress and ensure improved PP+ impact as a result. NOVA-CLA has provided a detailed analysis of key stage 1, 2 and 4 outcomes for looked after children to subscribing LAs since the 2016 exam season.

NOVA-CLA matches annual key stage 1, 2 & 4 outcomes with details of a child's previous education and care history as provided by the 903 return and allows the cohort's outcomes to be analysed against an increasingly wide range of factors such as time in care, age into care, school stability etc. As such it is an essential tool for VSH who wants to understand the factors impacting on their cohort and to communicate those factors to partners in social care or schools.

However, NOVA-CLA is only as good as the data fed into it by local authorities and all VSH should use the pupil level reports the application can produce to check that the cohort it contains matches their knowledge of their cohort. Unfortunately, once the 903 return has been submitted, it is not possible to correct errors so VSH should discuss the generation of that return with relevant colleagues in their authority and seek sight of the return before submission. This provides an opportunity for them to compare the return with their own management information and seek to have any anomalies corrected before submission.

Virtual schools with small numbers of children in their end of key stage cohorts should also take care when using NOVA-CLA. If the software is asked to analyse different groups within a small cohort then the size of those sub-groups can shrink substantially, and quickly lead to less statistically robust information being generated. It can still generate interesting lines of enquiry, but the data needs to be treated with greater care when advocating for a change in policy or practice; the 'error bars' the software displays is an essential guide in determining how valid an apparent difference is.

In such circumstances a VSH could consider downloading the entire end of key stage data set from within NOVA-CLA for each of the year groups it contains, combining them into a single spreadsheet, and then subjecting them to manual analysis. While this approach doesn't provide all the comparisons that NOVA-CLA can, it will generate a more statistically valid numbers of children in the various sub-groups, and even out the year on year variations small groups tend to show. A particular strength of NOVA-CLA is the inclusion of data on children who are not reported in either the SFR or LAIT; those who have been in care for less than 12 months on the 31 March of the year they were

subject to end of key stage assessment. This group of children will have been admitted into care less than 12 months before assessment and while their exclusion created a fairer basis for comparison of local authority outcomes it did reduce their 'visibility'. For the first time NOVA-CLA provides a robust local and national measure of the impact of such later entry to care.

Work continues to extend the analyses built in to NOVA-CLA, and to encompass Foundation Stage outcomes alongside key stages 1, 2 & 4.

An example of how NOVA can be used to examine the factors that can impact on outcomes is included in [Appendix 6](#).

### **ii) Statistical First Release (SFR)**

Much of what the SFR has traditionally provided to the VSH has been superseded and exceeded by NOVA-CLA. The data on which the SFR analysis is based is that same as that held in NOVA and so the same warning over the accuracy of the 903 return applies, though in the case of the historical SFR analysis inaccuracies have not been 'visible'. The SFR also provides no analysis of the outcomes of children arriving into care within 12 months prior to sitting exams/tests.

The SFR is still essential as it includes data on attendance and exclusion, that is not currently part of NOVA-CLA, though the Local Authority Interactive Tool (LAIT) is usually updated at almost the same time and provides a wider range of comparative groups and trend analysis than the SFR.

### **iii) Local Authority Information Tool (LAIT)**

This most up-to-date version of this spreadsheet based tool can be downloaded from <https://www.gov.uk/government/publications/local-authority-interactive-tool-lait>, and details the same educational outcomes (and much else) as the Statistical First Release (SFR), with the same limitations of coverage and accuracy. However, it also calculates statistical neighbour and national averages for comparison as well as providing data on a range of comparator groups such as children with a child in need (CiN) plan, or disadvantaged children, all of which can be used by the VSH to put the performance of their cohort in a helpful context.

### **iv) The Virtual School's own data**

As noted above the Virtual School's end of key stage cohorts are not necessarily the same as those the DfE will use to calculate the end of key stage, or other, measures in the SFR and LAIT. However, it is those nationally available data sets that will be published and which Ofsted inspectors will access and on which they will build their key lines of enquiry.

Therefore the VSH must recognise any differences between their local and the national data sets and the outcomes they show and make sure they can explain any discrepancy between local reporting and the nationally available data sets.

## **b) Aspirational 'Target Grades'**

Schools use a variety of bought in, or in house, approaches to build a picture of a child's likely outcomes by the end of a key stage and milestones on the way to those outcomes. Some describe these as 'targets', others prefer 'estimates'; 'target' is adopted here for simplicity.

The VSH should ensure that children are being set aspirational targets and that expectations of them are high. They should challenge approaches to setting targets that rely on prior attainment alone as

this is often very low for children prior to entering care and can lead to low future expectations for attainment and progress.

Equally some schools begin from the assumption that every child should each 'age related expectations', for instance. While such uniformly high expectations are to be welcomed the VSH needs to ensure that they have an accurate picture of how close a looked after child is coming to those high expectations and whether the progress towards those expectations is supported by the evidence. The VSH cannot afford to have public statements of high expectations disguise individual under-achievement, so they should build trusting relationships with schools that ensure they are told what they need to know, not what the school thinks they want to hear.

Where a school is not setting explicit targets then the VSH should do so and inform the school. Indeed, many VSH use the Fisher Family Trust model to generate their own 'targets' and challenge schools where those are different from the school's own.

Where aspirational targets are set, and being achieved, then the VSH should press the school to set even more stretching targets not least because the underperformance of children prior to entering care can mean targets set on prior attainment under estimate actual ability.

### **c) Attainment and Progress**

In all the sections below the VSH should be clear about what evidence they will use to judge the accuracy or validity of the attainment and progress a school reports a child to be making. At its simplest this should mean the VSH receives a copy of any school report which could provide greater context for the data reported by a school in a personal education plan (PEP), for instance. Equally it could include samples of work that evidence the child's current attainment.

#### **i) Primary phase – tracking without levels**

Primary schools have not been required to use national curriculum levels for several years and while primary schools are increasingly comfortable with the new summative measures at the end of key stage 1 & 2, their formative measures can still vary significantly. Ofsted view the changes as encouraging schools and inspectors to take a broader view of attainment achieved through work scrutiny rather than narrow teacher assessment/test, but it complicates the tracking of looked after children educated in a variety of different schools.

Detailed study of all children's work is very difficult for a VSH as few, if any, have sufficient staffing capacity; however, sampling of work is a very positive step for a Virtual School to take. VSH should discuss local authority policy and advice to primary schools with school improvement colleagues to ensure their advice to schools is in the context of broader LA advice. They should also seek to understand multi academy trust (MAT) policy and practice. Even this, though, is a challenge when looked after children are placed in a range of local authorities/MATs.

As much as is possible, therefore, the VSH should advocate for the use of a common, generic, language to describe attainment and progress. This can be as simple as a scale that runs from 'far below expectations' via 'below expectations', 'in line with expectations' and 'above expectation' to 'far above expectations'. Such subjective measures require confidence in the way a school is estimating 'expectations' and what 'far' means, but can provide the VSH with a picture of individual and cohort progress they can retrospectively compare with actual end of key stage outcomes. Where there is a discrepancy they then have an evidence base with which to challenge a school on how it is applying the agreed scale.



VSH can incentivise agreement to use a common language/scale in personal education plans (PEP) by linking ( or requiring) its adoption to the use or devolution of [Pupil Premium Plus](#) to schools.

### **ii) Secondary phase – Key Stage 3**

The absence of any reporting of national measures of attainment at the end of key stage 3 has meant that secondary schools have adopted just as broad a range of formative assessment processes as their primary colleagues.

Some have adopted progress towards GCSE outcomes in key stage 3 while others use in house measures. Some change the measure when pupils begin GCSE programmes of study in key stage 3.

VSH could, therefore, adopt the same approaches as for [Key Stages 1 and 2](#), using the schools processes to make judgements on whether the child is making appropriate progress against the same published scale.

### **iii) Secondary phase – Key Stage 4**

End of key stage 4 attainment and progress measures remain the key indicators of a school's performance and VSH will find few schools who cannot provide both a set of 'GCSE targets' and measures of progress towards them. Even so, those school level measures can be phrased in a variety of ways, not always as a simple 'target grade/current grade' statement. Even when schools describe 'current attainment' it can be unclear whether they mean current attainment if the pupil sat the exam now' or 'current attainment grade they are likely to achieve at the end of the programme if they continue to work as now'. None of this is getting easier to interpret as GCSE letter grades are shifted to number grades with which subject teachers have less experience.

It may be that the simplest but also most easily tested model for a VSH to adopt is to apply the same descriptive scale across all four key stages ([see above](#))

### **iv) Children with SEND**

When a child has SEND, and particularly when they have [complex or multiple needs](#), the national curriculum age related expectations may never be appropriate as a way to capture their attainment and progress. PiVOTs, and similar measures, can provide parents/carers, social workers, the VSH, and the child themselves, with a more appropriate measure of progress. However, government support for PiVOTs is uncertain and specials schools are increasingly developing their own measures.

Education health and care plans often include clear descriptions of what success will look like for a particular child, but progress towards the aims and objectives of the plan may be far from linear and require quite detailed descriptions as milestones on the child's journey. Such individualised descriptive detail can be difficult for a VSH to use when looking at attainment and progress across a cohort. It may be, therefore, that asking the school, who know the child best, to look at the progress being made and use the same descriptive scale, suggested above, to summarise their view of where the child is on their journey.

### **v) Post-16 education, employment or training**

The statutory guidance that shapes the work of a VSH refers to 'looked after children', not 'care leavers'. This means that the VSH statutory duties to a post-16 child will be different depending on their legal status. However, few VSH recognise these distinctions, often for the practical reason that systems for keeping track of the post-16 children who remain 'legally looked after' and covered by the statutory guidance can be straightforwardly applied to the entire post-16 cohort and obviate the

necessity of classifying post-16 learners into sub-groups. For instance, if a PEP is required for *some* post-16 children it can be simpler for VSH and social workers alike if they are applied to *all* post-16 children.

It is important, though, for the VSH to make this decision consciously in the full knowledge that it may create additional workload demands. This is why it is important in this, and other areas of doubt, for the [VSH and DCS to mutually understand the scope of the role](#).

Some VSH *do* divide the monitoring of care leavers, retaining the tracking of young people in ‘formal’ learning settings such as sixth forms and on ‘taught’ college courses, while the tracking of engagement with vocational learning in training settings sits with the care leaving service. In the latter case the VSH should still assure themselves that there is rigour in the tracking of progress, whatever the setting as a way of ensuring a consistent entitlement to support across the post-16 cohort.

Other VSH create documentation that allows them to monitor progress of all eligible, relevant or formally relevant young people who are in education, employment or training (EET), as well as those that are not, but being supported to move from NEET into EET.

#### **d) Attendance**

Family circumstances and background can put any child’s school attendance at risk. Equally, children who have not seen learning valued, or find the learning they are presented with inappropriate or inaccessible, will often demonstrate poor attendance. Children who have suffered early abuse and neglect, resulting in fragile emotional health and well-being and who may have experienced complex family dynamics or housing instability, are at even greater risk of non-attendance.

Given the increased risk that a looked after child experienced some or all of these circumstances in early life, they are at particular risk of absenting themselves from school (truancy), or from particular lessons (internal truancy). The former must be recorded in school registers but schools have a variety of ways in which they record the latter. The VSH should expect issues around internal truancy to be logged in the [personal education plan](#).

VSH must also ensure they have robust systems to monitor the attendance of LAC on the roll of the Virtual School. Some local authorities download sessional attendance data direct from school databases, though the growth of academy and free school numbers is impacting on this approach as schools become less willing to allow external agencies to place software on their servers.

While the scale of a Virtual School may not allow regular scrutiny of every session of attendance, carers can be required to inform the social worker, and through them the VSH, of periods when the child is not attending provision. Alternatively, regular attendance monitoring can be commissioned from an outside commercial provider.

Whatever means the VSH uses monitor attendance, they must have confidence in systems for ensuring that Attendance Code ‘B’ (education off-site) is not being misused. Attaching a copy of the sessional attendance record to the PEP allows the VSH to monitor the use of ‘B’. Where attendance monitoring is commissioned from an external provider a VSH should be clear how the provider will respond to the ‘B’ mark. Ideally they should expect the provider to request a contact number of the location where a pupil is being educated and check direct with that site whether the child is present and whether they have notified the school where the child remains on roll.

Whatever mechanism is used to obtain attendance data, the VSH must take care that they have the staffing capacity and capability to undertake swift analysis of patterns in attendance as they arise. Without that they cannot prompt schools to act, or act themselves, to address declines in attendance (or reward improvements). If they cannot do so they can risk the goodwill of schools which might see sessional attendance data collection as an unnecessary bureaucracy when there is no evidence of a swift Virtual School response, for instance.

Alternatively VSH can make use of half-termly snapshots of attendance and agreed protocols which require schools to inform the VSH of attendance concerns between those snapshots. Some attach this requirement to [the devolution of Pupil Premium Plus](#) to schools. This approach trusts schools to undertake effective monitoring of attendance and to act swiftly in response to patterns of absence, while providing a VSH with sufficient data to identify the current position of individuals and the cohort as a whole.

**External Link:** PricewaterhouseCoopers LLP (2011). [Study into how the education system can improve the attendance of looked after children at post primary school](#): Department of Education, Northern Ireland.

## **e) Exclusion**

Many good schools have altered their practice to make use of alternatives to fixed term exclusion and make it a last resort. These can include ‘internal exclusion’ which continues to present the opportunity to learn but withdraws the benefits of social interaction with the child’s peers, or the use of varied curricula that motivate by playing to the child’s strengths. As long as the child continues to make progress in learning these are reasonable short term alternatives. However, the VSH should ensure there are systems in place to identify children who are placed in [long term ‘alternative’ education](#) by the school without appropriate school monitoring of attendance, attainment and progress. Monitoring of [personal education plans](#) can be an effective way to check on this.

Less positively, recent data has highlighted the rise in exclusion across all pupil groups, including looked after children, and the appearance of ‘exclusion hot spots’ across England, often linked to ‘zero tolerance’ behaviour policies and a ‘sanctions escalator’ leading, for some of the most vulnerable children, to exclusion and permanent exclusion.

While the use of alternatives to exclusion are to be encouraged they can mean the VSH lacks a consistent proxy measure for the child’s engagement with learning that they can utilise across all schools. Instead the VSH must ensure systems are in place to identify children where engagement is dropping, before that has become apparent through the impact it will have on attendance, attainment, and progress. Proper engagement by the Virtual School (and the child’s school) with the [personal education planning](#) process can provide such an early warning and allow the risk of exclusion to be better managed before the risk becomes a reality.

The VSH should ensure that social workers, IROs, admission officers, Special Educational Needs and Disability (SEND) teams, and ALL state-funded schools (whatever their status) understand and comply with the [statutory guidance on school exclusion](#), including the limited powers of an independent review.

In line with this guidance, headteachers should, as far as possible, avoid excluding any looked-after child. VSHs should ensure that carers and social workers know where to seek advice about their role and responsibilities as the child's corporate parent.

To support schools to avoid exclusion where it has concerns about a looked-after child's behaviour, the VSH should be informed and involved at the earliest opportunity. Then the VSH, working with others, can:

- consider what additional assessment and support (such as additional help for the classroom teacher, one-to-one therapeutic work or a suitable alternative placement or funding through the [Pupil Premium Plus](#)) needs to be put in place to address the causes of the child's behaviour and prevent the need for exclusion
- advocate for a clear plan to put additional support in place to support the child's on-going education in the event of an exclusion.

### **i) 6<sup>th</sup> day/1<sup>st</sup> day provision**

Schools must provide a full-time offer of learning to children from the 6<sup>th</sup> day of a fixed term exclusion. The VSH should seek to convince headteachers that the difficulties experienced by looked after children are often exacerbated by exclusion from learning and encourage them to adopt best practice by making a full-time learning offer to looked after children from the 1<sup>st</sup> day of a fixed term exclusion.

### **ii) Permanent Exclusion**

No looked after child should be subject to permanent exclusion before social workers, carers, IRO and VSH have had a chance to meet together with the school and consider alternatives.

If a headteacher does permanently exclude a looked after child then social workers and carers should be supported to attend the meeting of governors that must be called to either uphold or overturn the headteacher's decision. Where governors uphold the decision the VSH should advise on the limited powers of an independent review and the likelihood of such a review advantaging the child, supporting social workers/carers to state their concerns if appropriate ([statutory guidance on school exclusion](#)).

### **f) Special educational needs and disability**

The proportion of looked after children with SEND is higher than among the non-looked after cohort and more of those with SEND have an education health and care plan (EHCP). In these circumstances the VSH should ensure that:

- the [special educational needs and disability code of practice](#), as it relates to looked after children, is followed; and,
- the child's EHCP is coordinated with the [PEP](#) and care plan to describe how the child's holistic needs are being met. Professionals should consider how the EHCP 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 local authorities have brought together the annual review of the EHCP with the six monthly care review. Others consider the function of the two to be sufficiently different to mean they should be kept separately. While it is certainly true that bringing them together can save duplication there

need to be clear rules of engagement that ensure the statutory functions of both remain clear and their delivery is evidenced in minutes or revised plans.

In other cases, it may make more sense to bring together the annual EHCP review with a PEP review. While the EHCP describes a long term aim for the child and ‘short term’ targets which are reviewed annually, the PEP can provide a much more detailed plan with the milestones planned on the way to the next annual review. Reconciling the form and function of two, principally education reviews (the EHCP and a PEP reviews) may be simpler than reconciling an EHCP review and a care review as long as the most recent PEP and its review is available at the care review.

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 any undiagnosed special educational needs are addressed through the SEND Framework as soon as possible. This is particularly true of a child entering care relatively late in their school careers as a teenager.

### **g) Emotional health & well-being**

The [health and emotional well-being of a child has a significant impact on their attainment and progress](#). This is a swiftly growing field and every VSH should make themselves aware of the most recent advice and guidance.

Every looked after child is subject to an annual assessment of emotional well-being using the Strengths and Difficulties Questionnaire (SDQ). While mental health professionals have varying opinions of the SDQ it is the only measure of emotional health applied to all looked after children. The VSH should therefore ensure that SDQ measures are available to them, but that they treat what it says with some care.

The effectiveness of SDQ as a monitoring tool is greatly improved if it is completed by the school as well as the carer. Some VSH use the annual SDQ as a triage to identify those for whom a further school-based SDQ should be completed.

SDQ can provide a basis for a conversation with a mental health professional rather than providing answers. It should be shared with schools only after consultation with other professionals and then, perhaps, only in exchange for the completed school-based SDQ.

The VSH may wish to include the proportion of children with scores in the SDQ that raise concerns in the [Virtual School performance profile](#), and an increasing number of VSH require a school to make some reference to emotional health and well-being in the PEP. This, and a school-based SDQ can be incentivised through the devolution of PP+.

Where a school already makes use of a different tool to assess emotional health and well-being the VSH may be well advised to make use of their existing evidence base rather than requiring a slavish adoption to the SDQ which can duplicate effort and increase workload.

[Appendix 8](#) includes some introductory guidance on emotional health and well-being.

**External links:** Excellent resources to support understanding of the implications of the early abuse or neglect often experienced by looked after children include:

Support for professionals: [Bath Spa University: Attachment Aware Schools](#)

Australian Childhood Foundation (2006). SMART: Strategies for managing abuse related trauma. Discussion paper Melbourne, Australia: [www.childhood.org.au](http://www.childhood.org.au)

Downey, L (2007). [Calmer classrooms](#): A guide to working with traumatised children. Melbourne, Australia: Child Safety Commissioner.

Works by Louise Bomber, Heather Geddes and Kate Cairns, include strategies for teachers regarding emotional, health and well-being.

## **h) Virtual school performance profile**

The VSH must be able to relate the characteristics of their cohort to the cohort's performance. They should recognise the available evidence on [factors influencing looked after children's outcomes](#), and use the NEXUS NOVA application to reflect on how local data is the same as, or different from, the current evidence.

The VSH should ensure they can quickly summarise the current attainment, progress, attendance, exclusion and SDQ data on their school cohort at any point in the year. This handbook separates such a snapshot from [Monitoring & Tracking](#) and [Evaluation](#) of what works.

The performance profile should be based on the most recent data available from schools (or other sources), and end of key stage measures or end of year totals/percentages, where they are available.

Typically, the Virtual School performance profile should include, as a minimum, the following analyses of attainment, progress, attendance, exclusion and SDQ, by:

- national curriculum year group
- SEN status (None, Support Plan, EHCP)
- legal status (s20 compared to ICO/CO, for instance)
- ethnicity and EAL status
- type of care placement (Residential or Foster; separating in-house and Independent Fostering Agency placements)
- location of care placement and education placement (in or out of area)
- number of care and education placements (since entering care or over a shorter period)
- age into care and time in care
- type of school (primary, secondary, special; maintained, academy and free school, and MAT if appropriate)
- time at current school
- Ofsted judgements of schools in and out of area (perhaps supplemented by local authority risk analysis of schools who may not have been subject to inspection for a significant time)

The performance summary can be strengthened by placing the published LAC outcomes against those of relevant comparator groups. As a minimum those comparator groups should include 'all children' locally, 'LAC nationally', and 'LAC in statistical &/or regional neighbours'.

The VSH should also consider including comparative data on 'local Children in Need (CiN)' as they provide what is possibly the closest comparator group to children in the authority's care. They mostly attend the same schools as children in care and many will have had similar early life experiences. Most of the current VSH cohort will have been CiN before coming into care, and a significant minority of CiN will become LAC later in their school career.

While the profile should also analyse gaps in attainment and progress between groups of looked after children and between looked after children and 'all children' locally and looked after children nationally and in statistical neighbour local authorities, where the data is [available](#).

The profile also presents an opportunity to identify links between [attendance](#), [exclusion](#) and [SDQ](#) or [attainment and progress](#).

### **i) Qualitative measures**

Inspectors (and line managers) will be most interested in the impact of the VSH on quantitative measures [of attainment, progress](#), [attendance](#), [exclusion](#) and [emotional health](#). Qualitative measures should therefore be used with caution as measures of VSH effectiveness.

However, they can support the journey towards quantitative improvement. None of these can be quickly or easily assessed but VSHs should consider how they gather intelligence on these qualitative measures. They can inform their own practice but also provide intelligence that local authority school improvement services can include in their assessment of a school.

Qualitative measures could include:

- Designated teacher understanding of the needs of, and best educational practice in relation to, looked after children
- Demonstrable Headteacher & School Governor support for their school's Designated Teacher that empowers them to implement best practice
- Understanding of, and support in, implementing that best practice from all children service professionals
- Multi-agency collaboration in delivery of services to LAC which is pro-active, outcome focussed, and avoids duplication
- Parent/carer confidence and involvement with education
- Greater ambition and support across the corporate parent body, including by elected members, for looked after children and young people in the care of their local authority

## **4. What will the VSH do to improve attainment and progress?**

Whatever actions the VSH contemplates they should consider how they will [evaluate the impact of what they do](#). In that way interventions can be planned with evaluation in mind. [Softer measures of impact](#) are considered separately.

### **a) Partnership working – the team around the child**

The VSH needs to understand the roles of, and establish effective working relationships with, all the professionals and para-professionals likely to impact on the educational progress of a looked after child.

#### **i) Senior School Leaders and School Governors**

The responsibilities of headteachers and school governing bodies are the same whether their school is maintained, is an academy or a free school. Where a child is placed in a school that is *not* state funded then local authorities should expect similar levels of practice as they will be funding the child's place.

Headteachers who prioritise the education and welfare of looked after children ensure that the governing body is able to fulfil its obligation to appoint a sufficiently senior and experienced designated teacher with sufficient time to undertake their duties and influence school policy and practice. They also facilitate regular (possibly termly, but certainly annual) reports from the designated teacher to the governing body and a positive and direct working relationship between the designated teacher and governors.

In pursuit of this close working relationship Governing bodies that prioritise the education and welfare of looked after children identify a governor to take particular interest in the work of the school in relation to looked after children, and to meet regularly with the designated teacher. The chair supports this 'designated governor for looked after children' by ensuring they have access to training to fulfil their function and advise the governing body as a whole. They also scrutinise, within the limits of appropriate confidentiality, the attainment, progress, attendance and engagement with learning of looked after children on the school role and act as a critical friend to the headteacher and designated teacher in developing high quality responses to the needs of looked after children.

## **ii) The Designated Teacher for Looked After Children**

'The designated teacher for looked- after children - Statutory guidance for the governing bodies of maintained schools and academies and designated teachers on their roles and responsibilities' (February 2018) details the role of the Designated Teacher. This Handbook is not intended to replace the statutory guidance and VSH, Headteachers, Governors and DTs should ensure they are familiar with the detail of the statutory guidance.

Some VSH use the statutory guidance as the basis of a generic job description they offer to schools and, where they adopt it count that against any [quality standard](#) they operate. The statutory guidance says:

The designated teacher is responsible for championing the educational needs of looked-after children in their school, and ensuring they have good quality [Personal Education Plans](#) (PEP). They should be the main author and champion of the PEP within the school context.

The most important demand the VSH should make of designated teachers is that they have high expectations of looked after children and the time to understand their needs.

The statutory guidance relating to designated teachers provides an excellent [framework for the work of the designated teacher](#).

The designated teacher works with the child, other teachers, the Virtual School, social worker, independent reviewing officer, and the carer to focus on that child's needs and regularly reviews progress, especially when there are disruptions in the child's personal life. In particular, they identify specific, measurable actions and targets that will encourage and stretch the child, rewarding achievement appropriately. These actions and targets should focus on academic progress but also encompass extracurricular activities such as sport or the arts where they stimulate engagement and progress.

The designated teacher should take the lead in monitoring the achievement of the child's targets in the PEP, and implementing any actions by the school. They should call an early Personal education Plan Review when there are significant educational issues, liaising closely with the Virtual School and the social worker, who is responsible for managing the overall care plan.



The designated teacher should provide a regular report to the school governing body to highlight the progress that looked-after children in their school are making, and to outline the strategies employed when underachievement has been identified.

Designated teachers that work closely with a looked-after child's carer will find that this makes a big difference to how they are able to provide effective support for the child. How this is achieved will depend on the school's existing arrangements for engaging with those who have parental responsibility for a child. For children in residential settings this may mean liaising with a nominated key worker to ensure consistency of approach.

Carers should always be involved in personal education planning and schools should consider what they can do to encourage and support carers to promote the education of the children they look after, outside normal school hours.

The VSH should make sure the designated teacher knows whether the child is on a care order or is voluntarily accommodated and what responsibilities (such as going on school field trips) the local authority looking after the child has delegated to the carer.

The VSH should also ensure that [School Governing Bodies](#) understand their role with respect to the designated teacher, as summarised by statutory guidance.

When children cease to be looked-after (for example, because they are adopted or are subject to a Special Guardianship Order or Residence Order) their educational needs are unlikely to have changed significantly simply because their care status has changed. Indeed, the change from potentially long established foster cares to new parents or long term carers, along with a likely change of school, can lead to additional emotional trauma. Although they will no longer be required to have a PEP, designated teachers are now required by statute to continue to take a lead role in their education ([Appendix 1](#)). As such a VSH should advise Designated Teachers to maintain, and even intensify, their direct monitoring of a child at the point they become previously-looked after. VSH should ensure DTs are aware that some of the attachment issues resulting from early trauma and loss may re-surface and that a child who was previously settled to learning may need extra support when they cease to be legally looked after.

### **iii) The child's Social Worker**

All children in care have an allocated social worker. When a child is taken into care, their social worker exercises the local authority's parental responsibility. This includes making sure that the child's needs are met, that their welfare is safeguarded and that they are encouraged to develop to their full potential.

The most important demand the VSH should make of a social worker is that they prioritise the child's education alongside their care. They should ensure all social workers, from front-line to senior leadership, understand that a child will be safer and emotionally more secure if they have a consistent school placement.

Social workers have a legal duty to make sure that the child is being properly cared for emotionally and physically. This includes:

- ensuring that the welfare of the child or young person is safeguarded
- ensuring that they are receiving care that meets their day to day needs

- making sure they are having regular medical checks
- ensuring that contact is maintained with the child's family and friends
- making decisions regarding the child's care plan and future, and in this context, most importantly ...
- checking that they are receiving appropriate education

The child's social worker will visit the child and their carers regularly to carry out these responsibilities. Legally, the social worker must visit the child within one week of the start of a new care placement, and then at intervals of not more than 6 weeks for the first year. After this, social work visits should not be longer than 3 months apart. Foster carers can also request additional visits.

The social worker ensures that a care plan is in place. This care plan must include information about any educational needs that the child has, and the actions needed to meet those needs. This usually takes the form of a Personal Education Plan, which remains active throughout the time the child is looked after.

#### **iv) The child's Foster Carer**

The responsibilities of a foster carer can vary according to the length of time the child is placed with them, the age of the child, the depth of experience of the Foster Carer, and the involvement of the child's parent is in their life. However, in general, the Foster Carer is responsible for:

- the day to day care of the child
- ensuring that the child's physical, health and emotional needs are met
- ensuring that they attend their education provision

With particular reference to education, Foster Carers should ensure that the child has appropriate access to learning and is encouraged to make best use of it to fulfil their potential. Though not always explicitly stated in the placement agreement this should include:

- working closely with the child's school or other educational placement
- taking an active interest in the child's homework
- encouraging a child to value learning
- supporting a child's attendance at school
- advocating for the child's individual needs

The most important demand the VSH should make of a foster carer is that they have high expectations of looked after children and they engage meaningfully with the child's learning. This can be by explicitly raising the child's aspiration and developing an effective working relationship with their school. The VSH should also insist that the carer provides appropriate access at home to equipment and space to support learning. A broader consideration of the responsibilities of the foster carer can be found in [Appendix 7](#).

#### **v) Independent Fostering Agencies**

Where a child is placed with an Independent Fostering Agency (IFA) a VSH may have more difficulty establishing a working relationship with carers, as it may be more difficult to involve them in local training or fostering support networks. The scale and complexity of IFA organisation is very varied but most have some 'education support' capacity. VSH will find it helpful to make contact with IFA education workers to determine the scope and scale of their work, and to ensure there is synergy,

rather than duplication or confusion, with the work of the VSH. Those workers can also act as effective intermediaries with IFA carers that may be geographically very far from the VSH.

The VSH should also consider clear information sharing protocols with IFA to facilitate an effective working relationship. Some IFA report that it is difficult to obtain copies of PEPs or attendance records, particularly where the involvement of the carer in personal education planning is varied. An information sharing agreement between VSH and IFA can formalise some of these exchanges of documentation and improve the coordination of support.

#### **vi) The Supervising Social Worker**

Each foster carer has a supervising social worker either employed by the local authority or by an independent fostering agency commissioned to provide foster placements. Sometimes these are known as family placement workers or link workers or fostering officers. Senior supervising social workers are responsible for managing the fostering resources of their fostering service, including recruitment of and assessment of new foster carers.

The responsibilities of supervising social workers working directly with foster cares include:

- liaising with child's social worker
- helping foster carers identify training needs
- providing support to foster carers when they have practical or emotional needs arising from fostering children and young people

Sometimes, to the external observer, the child's social worker and the supervising social worker can appear at odds. The most important demand the VSH should make of a supervising social workers is to remember that the end point is the positive development of the child, not simply a happy carer.

Where a child is placed with an IFA this can present further challenges as the social worker and supervising social worker report to different organisations.

#### **vii) The child's Kinship Carer**

The VSH should insist on the same prioritisation of education and the same support for it from kinship carers as from foster carers. If social workers appear to be settling for lower expectations among kinship carers then the VSH should raise the issue with senior social workers and the DCS. VSH should consider analysing education outcomes for different types of care placement to determine whether such concerns are individual or systemic.

#### **viii) The child's Residential Carer**

The responsibilities of residential care workers match those of a foster carer in terms of [supporting the health, education, welfare etc.](#), of a looked after child. Though the context is different residential care workers should ensure that the child does not feel they are living in an institution, but in a shared home.

The most significant difference is that any residential care home must have a registered manager who is responsible for meeting the minimum standards set out in law and guidance.

The best residential homes delegate appropriate responsibility to care workers so similar arrangements for [parental and delegated authority](#) are put in place.

The most important demand the VSH should make of a residential carer is that they have high expectations of looked after children and the engage meaningfully with the child's learning by explicitly raising the child's aspiration and developing an effective working relationship with their school. The VSH should also insist that the carer provides appropriate access at home to equipment and space to support learning.

One of the great challenges for care home workers is that their shift patterns can make it difficult to establish these consistent relationships with schools. The VSH should ensure designated teachers understand these challenges and that the registered manager has systems in place to ensure continuity of communication even if continuity of worker is not possible.

### **ix) The Independent Reviewing Officer**

In many ways the roles of VSH and Independent Reviewing Officer (IRO) are similar in as much as they should provide systemic challenge and support to improve outcomes. While the IRO's primary focus is to quality assure the care planning and review process for each child and to ensure that their current wishes and feelings are given full consideration they must, to be successful, be valued by senior managers and operate within a supportive service culture and environment.

An effective IRO service should enable the local authority to achieve improved outcomes for children in its care.

It is not the responsibility of the IRO to manage the case, supervise the social worker, or devise the care plan. Although it is important for the IRO to develop a consistent relationship with the child, this should not undermine or replace the relationship between the social worker and the child.

IROs are well placed to assess the quality and effectiveness of local authority planning and support for children. The IRO has a crucial role to play in ensuring that the local authority fulfils its responsibilities as a 'corporate parent' for all the children that it looks after. The IRO should ensure that the child is offered stable care that is sensitive and appropriate to each individual's personal needs so that the child is able to flourish and achieve. The plan for each child must demonstrate how the services provided have fully taken account of the child's wishes and feelings.

However, the IRO is a social worker who may have a varied experience of recent education or its settings. The VSH should therefore offer IROs effective support and guidance to help them interpret the information provided on a child's educational progress and any related commentary.

The most important demand the VSH should make of an independent reviewing officer is that they invest the time an effort needed to understand the child's learning as well as they understand the child's care and safety, and use what they learn to inform their challenge to all parties working to ensure the child is learning effectively.

[The IRO Handbook](#) provides a through description of the role and how it should be implemented.

## **b) Partnership working – the broader network**

### **i) Local Headteacher Groups**

There are no statutory collective responsibilities of local headteachers in relation to looked after children, beyond an understanding of their corporate parenting responsibilities. Even these have been blurred by the shift of governance of academies and free schools. While 'local authority maintained schools' are legitimately part of the local authority caring for the child, some academy

headteachers and governors may say that their distance from the local authority means they are no longer part of the 'corporate parenting' body.

This is a sterile argument and the VSH may be better advised to stress the moral purpose to deliver the best outcomes for all children irrespective of background or vulnerability.

This is easier where the VSH develops credibility with local headteacher organisations and groups. It is often much more effective and efficient to agree collective arrangements in this way than through many individual conversations.

The relationship with headteachers can be enhanced by attending their local meetings and regularly reporting the outcomes of the looked after children cohort to them. That can create the opportunity for collective challenge in an effort to create some sense of peer challenge among schools in support of the whole LAC cohort.

The VSH should use access to headteachers to ensure that they (and their governors) understand:

- the local authority's duty as a corporate parent to promote a looked after child's educational achievement
- the main reasons why, as a group, looked after children underachieve
- the importance of specific professional development for school leaders and designated teachers in supporting the achievement of looked after children
- the powerful role they can play in significantly improving the quality of life and the educational experiences of looked after children
- their responsibility to ensure that designated teachers have had the appropriate training to undertake their role as set out in the statutory guidance for governing bodies on the role of the designated teacher for looked after children
- the training and advice the VSH can offer schools in an effort to help them understand that looked after children, including those who remain looked after but have been placed for adoption, are not a homogenous group and that their individual needs will be different.

Finally, the VSH should ensure that schools understand that statutory guidance requires the VSH to have an understanding of the policies that schools in their area have in place to support the education of looked after children and that it is proper for them to seek information on this from all schools.

## **ii) Commissioning services**

The VSH can ensure, through commissioners, that providers of fostering services and residential care have a robust evidence base that demonstrate how they promote the educational achievement of looked after children and help them to achieve. They must also ensure that, 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 evidence that demonstrates it.

The level of VSH involvement will vary but should provide them with the opportunity to influence the specification being commissioned against. Consideration should be given to including specific requirements on the commissioned provider that will enable the VSH to better monitor the child's progress, particularly where they are placed outside the home authority's boundary.

The VSH should also seek to be involved in commissioning support services related to the child's health and well-being, as they impact on educational progress.

### **iii) SEN and Educational Psychology Services**

A significantly larger proportion of looked after children are placed on SEN registers than their peers, so the VSH should expect the assessment of, and planning for, additional education needs (up to a including an education health and care plan) to be prioritised for children in the care of the authority, or those children looked after by other authorities but 'belonging' to the host LA.

The VSH may or may not have access to a specialist Educational Psychologist, but even if they do not they should expect consultation and advice relating to looked after children to be prioritised.

### **iv) Alternative and Vocational Learning Providers**

Schools are responsible for commissioning any alternative/vocational education placement for any child on their roll, the quality of the education provided, and for safeguarding of their pupils whilst in the placement.

Some VSH exhibit good practice by agreeing a protocol with both schools and alternative/vocational providers (including FE colleges offering pre-16 programmes) that ensure that the social worker or carer must sign or show their agreement to such a placement. This is a important way in which small Virtual Schools with large caseloads can ensure they are kept abreast of such changes in provision where they take place between PEP Reviews.

Given that looked after children have been demonstrated to be at greater safeguarding risk when not on school sites and in lessons, it is in the best interest of schools to obtain explicit permission from the social worker and or carer to any off-site education provision. The VSH must ensure that there are robust mechanisms in place to ensure that the school knows whether a child has attended the off-site provision and what action they routinely take when they find a child has not attended as expected.

### **v) Early Years and post-16 providers**

The statutory duty of the VSH to legally looked after children are [clear](#), irrespective of the child's age. The challenges of fulfilling those duties in the wide variety of potential pre- and post-compulsory schooling placements, as well as the limits of the duties with respect to relevant and formerly relevant care leavers, are equally [clear](#).

Whatever local arrangements are in place to manage these challenges, every VSH should ensure that children in the EYFS are as well prepared as possible for transition to primary school as possible and have an Early Years PEP. Equally they must ensure that the progress in learning of all care leavers is effectively monitored.

With respect to FE providers the VSH should seek to ensure that the post-16 bursary payable to care leavers is distributed in ways that support the young person's learning. The intention of the bursary is not to simply subsidise the provision of equipment or learning materials the young person needs, but equally the child's social worker should ensure it is used to support their learning, rather than a lump sum for recreation.

### **vi) Youth Offending Teams/Youth Justice Providers**

**If a young person who has previously been accommodated under section 20 of the 1989 Act is remanded in custody he or she is no longer looked after under this section of the 1989 Act.** This is

because the child is no longer being voluntarily accommodated by a local authority. However, looked after status may need to be resumed on release or, depending on the child's age, he or she may be a 'relevant' care leaver. Prior to release, the authority that will be responsible for the child's future care, along with the assigned young offenders institution (YOI), should:

- make arrangements with the local authority secure children's home (LASCH), secure training centre (STC) or YOI to ensure that the child's needs have been re-assessed to inform arrangements for their future accommodation and care
- ensure that the assessment includes up-to-date information about the child's educational needs so that the PEP can be revised as part of the new care/pathway plan.

**Children remanded to youth detention accommodation become looked after children under section 104(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPOA).**

During the period of remand the child will have a detention placement plan. That plan should include information about:

- the arrangements made by staff in the youth detention accommodation for the child's education and training. This should include the name and address of the educational or training institution the child was attending immediately prior to detention and details about the local authority that maintains any statement of special educational needs or EHC plan
- the name of the VSH responsible for discharging the local authority's duty to promote the educational achievement of the children looked-after by the authority.

**Children who offend and receive custodial sentences remain looked-after if they were under a care order at the time of their conviction.** The authority therefore has a continuing responsibility to review their PEP as part of the care plan and to ensure the child's access to education and training is consistent with their statutory entitlements. In these cases the local authority should:

- have procedures in place to know where these young people are placed and how long they are likely to be held
- have access to information about the child's educational progress
- plan ahead in sufficient time so that a suitable educational or training placement can be arranged wherever the child will live following release from custody
- work with their LASCH, STC or YOI, in partnership with the YOT supervising officer, to ensure:
  - that care planning reviews are continued and facilitate access to education while the young person is detained
  - information on a child's education and training needs is passed to the STC/LASCH or YOI, usually through the most up-to-date PEP, as quickly as possible
  - ensure that the learning needs of the individual are being met
  - that there is proper planning to maintain the continuity of education and/or training experience once the young person is released from custody

**Where a looked after child is placed in secure accommodation for their own welfare** (section 25 of the 1989 Act) local authorities should liaise directly with the secure unit to ensure that they meet their statutory responsibilities to promote the educational achievement of the child, and that the secure placement meets the requirements of personal education planning.

### **c) Risk and protective factors**

Many VSH can provide anecdotal evidence for the risk factors they associate with those children likely to struggle to make progress in learning and their opposite, protective, factors. There is a [growing body of evidence](#) that is beginning to add rigour to those judgements.

What this means, in practice, is that the most significant factors impacting on educational progress may be beyond VSH, or schools', influence. The VSH should be supported by the DCS to influence practice beyond the Virtual School to reduce risks, and encourage protective, factors.

[Raising the aspirations and educational outcomes of looked after children: a data tool for local authorities , July 2011](#) provides a helpful approach to [risk and protective factors](#). NOVA-CLA allows a VSH to compare the impact of an increasing list of care and education factors on their own cohort with a growing body of national data.

### **d) Pupil Premium Plus for looked after children, PP+**

Pupil Premium Plus must be managed by the VSH to improve the attainment and progress of looked after children.

The VSH, working with education settings, should implement Pupil Premium Plus arrangements for looked after children in accordance with the [latest conditions of grant published by the DfE](#) and any supplementary advice the DfE issues.

The latest conditions of grant should be consulted to confirm which LAC are eligible for PP+, remembering that the base allocation is based on previous 903 returns, supplemented by more recent data. VSH should ensure that their PP+ strategy allows for the risk that the total allocation from the Education & Skills Funding Agency (ESFA) will not allow the full sum to be allocated to every child entering care, no matter for how short a time, during the year. This alone can be a rationale for retaining some PP+ centrally.

### **i) Working with the Finance Team**

Different VSH have different relationships with their local finance team depending on the model used to manage the Pupil Premium Plus. However, whatever the model, the VSH is the local authority officer responsible for managing it.

Therefore, the VSH needs to either hold the budget themselves so they can build an effective relationship with their own finance officer or, if the budget is held by a more senior officer, work closely with them to ensure the finance team understand the VSH vision and strategy for Pupil Premium Plus distribution and use.

Each local authority has different ways of distributing Pupil Premium Plus to schools and this is often linked to the model for managing it. The following are examples:

- Some make automatic payments into local school budgets alongside the rest of the school's pupil premium – beware Pupil Premium Plus disappearing into the larger sum and being 'lost'.
  - Seek to ensure the PP+ goes in separately along with a letter making clear the VSH expectations of how it is spent;
- Some delegate the distribution of the funding entirely to the VSH – beware taking on the function without the capacity.



- Seek to identify sufficient administrative/finance support to make this practical particularly where there are large numbers of children in out of area placements that may require significant to-and-fro with the school to establish where and how payments are made;
- Some work closely and effectively with the VSH – this is the ideal which ensures the finance officers understand what Pupil Premium Plus is for and how the VSH is managing it so that together they can achieve best value.
  - Seek to inform finance teams of the underpinning aims so they begin to see Pupil Premium Plus as a tool not simply a number.

The VSH needs to ensure they have a strategy for distributing any surplus Pupil Premium Plus they have retained centrally before 31 March annually, or it will be taken back by the DfE. The VSH, in discussion with finance teams, must ensure the strategy includes regular updates on spend and predictions of a surplus so that the decision to distribute or spend any possible surplus can be processed before the end of March.

Ministers will take a dim view of the VSH community if they fail to spend the large funds they have been entrusted with.

### **ii) Use of Pupil Premium Plus**

The current conditions of grant provides little detail on the use of PP+, saying only: *The LAC premium must be managed by the designated virtual school head (VSH) in the local authority that looks after the child, and used without delay for the benefit of the looked-after child's educational needs as described in their personal education plan.*

... and,

*The VSH should ensure there are arrangements in place to discuss how the child will benefit from pupil premium funding with the designated teacher or another member of staff in the child's education setting who best understands their needs. Processes for allocating funds to a child's education setting should be as simple as possible to avoid delay.*

The most recent statutory guidance adds more detail but stresses that the VSH has *considerable flexibility in the use of PP+ funding in order to maximise its impact for individual looked-after children as well as the whole looked-after cohort.*

It also makes it clear that every VSH should *publish a clear policy on their use of PP+, including how they decide the level and use of top-sliced funding.* ,

Finally, the statutory guidance does reference the [2015 advice to VSH](#) , which remains relevant.

### **iii) VSH Strategy for Pupil Premium Plus**

Schools where looked after children are on roll should be informed annually, swiftly after the conditions of the Pupil Premium Plus grant are published, of the strategy the VSH will adopt. Any strategy should make the arrangements for PP+ allocation:

- as un-bureaucratic as possible, whilst providing for strong transparency and accountability, and,
- enable the VSH to report to managers, schools, Ofsted, or other interested parties:
  - details of how they have managed the PP+ (and Early Years Pupil Premium) for looked-after children; and

- evidence of how the VSH's spending of the premium has supported the achievement of the children looked-after by their local authority, including clearly setting out how any centrally retained funding has supported this.

Within this broad framework effective PP+ strategies consider whether the VSH will be devolving any of the Pupil Premium Plus to schools and, if so, practical arrangements for the transfer of funds that may require bank information etc.

Whether there are conditions that the school must meet if they are to receive funding and if so how their compliance will be assessed, such as against the [advice offered by Ofsted](#) on the effective use of pupil premium by schools found at: <http://www.ofsted.gov.uk/resources/pupil-premium-how-schools-are-spending-funding-successfully-maximise-achievement>. [Appendix 9](#) presents some additional detail on criteria a VSH might expect schools to meet in return for swifter devolution of PP+, as well as advice on some of the use of PP+ to buy equipment.

here funding is devolved to a school the strategy should make it clear:

- whether the funding will be transferred as a single allocation or in instalments and when they will be transferred
- the arrangements if a child changes school after the payment is made, or between instalments
- that the allocation of Pupil Premium Plus does not alter the schools responsibilities to the individual child. It is intended as a way to supplement provision and provide additional support, not replace support a school is funded to provide through its budget. The Pupil Premium Plus grant should not, therefore, be used to pay for services or support that another child would receive from the schools general budget
- how Pupil Premium Plus spend should be recorded in the child's [personal education plan](#) so as to enable the VSH to report its use and impact.

Recognising that the existing availability of services may not match the needs profile of the LAC cohort the Virtual School could encourage schools to pool their pupil premium plus resources and jointly create or commission additional support as necessary. It would have the option to contribute to that pooled budget from centrally retained resources if it judged the collective needs of the looked after cohort required it.

Some VSH have priority access to an educational psychologist, specialist school improvement advice and support etc. Sometimes this is provided from core children's service's budgets in other cases it is commissioned by the VSH from other arms of the LA, or beyond.

Where funding is retained centrally by the VSH to allocate the strategy should make it clear:

- if a school can apply for additional funding to support the child, and if so how.
- how the allocation of additional funding to a school should be recorded in the child's [personal education plan](#)
- how the impact of allocated funding will be assessed

An framework for a PP+ Strategy, including reference to previously looked after pupil premium is included in [Appendix 10](#).

## **e) Personal Education Planning**

This Handbook draws a distinction between the personal education planning process and the personal education plan (PEP) used to capture a series of snapshots of the process.

Personal education planning must be used by the VSH, social workers, designated teachers, independent reviewing officers, and carers as a vehicle to deliver improved attainment and progress.

Effective personal education planning does this by regularly identifying trends in a child's attainment and progress; the underlying needs they illustrate; how those needs will be addressed to improve attainment and progress; and how Pupil Premium Plus could be spent to support those improvements. It uses the Personal Education Plan to capture these trends, needs, planned interventions, and funding implications.

Too often the personal education plan (the PEP), can become a document that is produced according to a calendar, but shelved between statutory care reviews. One of the most important roles of the VSH is to shift PEP practice away from this administrative 'event' towards best school education planning practice. This includes making the plan a living document that captures the child's journey through learning, and making it responsive to the changing needs of the child when they change irrespective of the calendar of care reviews.

### **i) The Personal Education Plan (PEP)**

The PEP is a statutory component of the Care Plan and an up-to-date PEP &/or a robust review of its impact should be available sufficiently in advance to the IRO and all those attending the Care Review. The PEP demonstrates how the young person and key people in their life have engaged in meaningful education planning and decision making and is the key documents in ensuring all are focused on ensuring the child makes best possible progress in learning.

A local authority must draw up a Care Plan of all the children it looks after, and ensure that it is reviewed at the intervals defined by statute. The care plan identifies intended outcomes and objectives for the child, and provides the framework for work with the child and carers in relation to his or her emotional and behavioural development, identity, relationships and self-care skills. As well as a PEP, the care plan must also include a health plan developed and reviewed in partnership with relevant professionals.

The PEP, in addition to being part of the overall care plan, is part of a looked-after child's school record. If the child moves school, the PEP should be forwarded, along with other school records, to their new school and to the main contact (usually the child's social worker) in the local authority that looks after the child.

The PEP and its Review also provides a snap-shot that enables the VSH to keep track of educational attainment, progress and engagement with learning for every looked-after child. That tracking allows the VSH to monitor the impact of interventions deployed by the school and the use of the [Pupil Premium Plus](#), devolved to them.

The PEP is important to the child too, especially when they are fully involved in agreeing and reviewing actions and targets.

## **ii) Who needs a Personal Education Plan (PEP)?**

Every looked after child, including [eligible children](#), from pre-school to age 18 MUST have a PEP. Some VSH simplify matters by also including [relevant children](#), though this is not required by statutory guidance. Most VSH design the PEP &/or PEP Review documentation to take account of the different ages of children.

## **iii) Planning cycle timelines**

When a child becomes looked after, and wherever they are placed, their social worker, supported by their managers, should take the lead to:

- initiate the personal education planning process, with a meeting to which the DT, carer (and the child's parent or family member as appropriate to their circumstances/legal status), and other relevant professionals are invited
- ensure there is an effective initial personal education plan (PEP) outlined in time for the first statutory Care Review Meeting (that takes place after 20 working days)
- As a minimum this initial Plan should indicate:
  - who needs to contribute to the PEP
  - that there has been some initial analysis of the child's educational needs and that this has been shared between at least the school, social worker and carer
  - that a meeting has been arranged to discuss how those needs will be met through a more thorough and detailed plan
  - what actions named professionals need to take in the interim until that first full PEP is completed

The IRO should expect the robust Plan to have been reviewed, and changes outlined, in time for the next subsequent (6 monthly) Care Reviews. Good practice is to ensure the social worker, DT and carer have the date of the next PEP Review meeting in their diary before they leave the initial, or subsequent, PEP Review meetings. That date should be sufficiently in advance of the next Care Review date to allow the outcomes of the PEP Review to be written up and circulated in advance to all those attending the Care Review.

Whenever a child's education provision changes the VSH should expect an early PEP Review meeting to take place, so that information is shared with the new provision and they can have immediate access to the existing PEP, which they should be expected to follow until they provide an updated PEP that takes account of the changed provision.

Where there is a risk that a child may be permanently excluded, or where there is a pattern of exclusion, or significant behaviour concerns are raised by a school, the VSH should expect the social worker and DT to cooperate in calling an early PEP Review so that strategies to address any concerns can be discussed and agreed as an alternative to further exclusion.

## **iv) The direct role of the Virtual School in personal education planning**

In some cases the VSH is able to deploy staff to attend all PEP meetings and even write all plans. The capacity to attend all PEP meetings could be considered the 'gold standard' for a Virtual School, as it provides the opportunity to get to know all the children on the Virtual School roll, as well as their social workers and designated teachers, well. It also offers the VSH the chance to directly challenge, and identify areas for support for, professionals in the team around the child.

Equally, taking on responsibility for writing PEPs can ensure they are of consistently high quality, while having the VSH (rather than the social worker or DT) drive the PEP process can ensure compliance with statutory timelines.

As such, VSH should make the case for sufficient resource to enable them to provide this 'gold standard'. However, if resources remain scarce then the VSH must ask themselves hard questions about the deployment of their staffing resource in this way. They must be sure that this model of deployment is delivering best value. These questions could include:

- Is there a risk that Virtual School written plans are not 'owned' by the people who are expected to implement them in school?
- Is there a risk that the DT and social worker are being de-skilled by this approach and that, were the resource necessary to deliver this model removed, the progress of children might suffer?
- Could Virtual School time be better deployed in challenging and supporting DTs in the implementation of plans rather than in their construction?

#### **v) Models for Personal Education Planning and its Review**

The Personal Education Planning process must allow for a formal review of an existing plan, and the production of a new plan which takes account of what the review reveals.

However, the differences between the Pupil Planning expectations as they are linked to statutory Care Planning regulations (which require an up to date PEP to be part of each 6 monthly Care Review), and as they are linked to the statutory duties of the VSH (which require a termly review of PEPs) can complicate this apparently simple arrangement of 'plan-do-review'. VSH adopt a variety of approaches in seeking to reconcile this challenge.

The involvement of the Virtual School in the process is can also vary ([see above](#)), so is excluded from this section for clarity. Examples of different models are described below with some of their advantages and disadvantages. They are presented not as models for adoption but to illustrate some of the issues VSH can face in meeting their duties, and to encourage VSH to be suitably self-evaluative about their existing systems :

**Model 1:** The review of the previous plan, and the creation of a new one, is integrated into a single 'PEP Meeting' called by the social worker and to which, as a minimum, the DT, carer and child are invited. This meeting takes place 6 monthly to enable details of the review and the new plan to be submitted to the Care Review.

- **Principle advantage(s):** a single, 6 monthly meeting, minimises DT and social worker work load while meeting the requirements of the Care Planning regulations.
- **Potential disadvantage(s):** the VSH can review the PEP termly, but there is a risk that they may be reviewing the same PEP in successive terms. Where the VSH has other sources of data on the child's progress and development then they can consider 'last term's' PEP in the light of more up to date 'termly' information and require an early PEP review to address their concerns. Where they rely on the PEP for their current picture of the child's learning then this model is unlikely to enable them to meet their statutory duty for 'termly review'.
- As with any process requiring inputs from multiple sources (child, carer, school, social worker) there can be delays in writing up the review or the new Plan if all parties are not

very well prepared in advance. To the manager this can create an accountability issue as it's sometimes not transparently clear where the delay sits and who needs to be managed more tightly as a result.

**Model 2:** To address the difficulty above the VSH can require social workers to call a PEP Meeting every term.

- **Principle advantage(s):** the VSH receives a termly PEP for review and can not only meet their statutory duty but also get an authoritative termly update on progress and development.
- **Potential disadvantage(s):** the cost is largely in additional social worker and designated teacher workload (unless the Virtual School takes on some/all of their role, and only requires their attendance at the meeting, though even then the work a VSH would expect in advance, such as collecting data and summarising any developments in the child's care plan, would remain). While many social workers want to meet with the DT very regularly the impact of the time required on social worker caseloads can make this an expensive option for LAs.

**Model 3:** is really only a process modification for Models 1 or 2. Those who would normally meet to review and produce the plan make complete aspects of the PEP in advance. This is often paired with an online PEP which allows children, carers, social workers, and DTs to log in separately and complete different sections of the PEP.

- **Principle advantage(s):** it makes it explicitly clear who does what, and requires all parties to complete their sections before a meeting. It therefore allows a manager to see where any delays in the process sit and address them.
- **Potential disadvantage(s):** there is a risk that people begin to wonder why they are meeting at all, if they can complete their sections online in advance, and indeed it is a seductive attraction of just seeking compliant completion, rather than a quality plan arising from a face-to-face sharing of views. There is also a risk that the focus is very firmly on the final Plan, rather than the Review of the impact of the previous plan and deciding what to do about it. This can bias the process towards compliance rather than on the quality and relevance of the plan. 'We have an up-to-date plan' rather than 'The last plan didn't work, so this one needs to ...'.

**Model 4:** To try to balance the workload on social workers with their own statutory duty to review PEPs termly, some VSH take a more radical approach. They take the view that the large majority of schools undertake a termly review of all children's progress for their internal use and that the termly demand on school time of producing a Personal Education Plan is not, therefore, unreasonable. They therefore require DTs to submit a Plan termly while only requiring social workers to meet with the DT, carer and child to formally review the PEP every 6 months, unless the evidence suggests they need to meet more often, and that might require meeting more often than termly.

- **Principle advantage(s):** While delivering the termly update on educational progress and development needed to fulfil the VSH duties it minimises social worker workload, and allows

social worker and VSH to require additional meetings when they are needed, rather than as routine. By de-coupling the timelines for social worker PEP Review meeting it also allows the VSH to offer schools some flexibility of when in the term to submit their PEPs. This can either allow them to spread the workload where they have significant numbers of LAC on roll, or to match the PEP submission to their internal assessment cycles. Finally, it can play to the strengths of different professionals. It doesn't require the social worker to be an education expert required to challenge schools in a meeting, but allows them to focus on advocacy on behalf of the child and ensuring that what the school said it would do has been done. Similarly, it locates the detail of education planning with the DT.

- **Potential disadvantage(s):** unless the VSH is the robust hub of this model with systems to ensure that social workers can see the plans DTs produce and DTs can see what social workers are recording after a PEP Review meeting, relations between the professionals can sour. Also, given social worker caseloads they may begin to de-prioritise attendance at the PEP Review meeting, knowing that there will always be a termly Plan available for them to submit to the Care Review. VSH need to ensure there are robust ways for social work managers to monitor attendance at and any write up of the PEP Review Meeting, and IROs should expect both that write up and the most recent Plan at a Care Review.

#### **vi) The PEP Review meeting**

Though the statutory guidance relating to VSH requires them to *review the PEP termly*, it is not the intention of the statutory guidance to alter the statutory intervals between Care Reviews. The obligation is on the VSH to take a view termly of the current validity of the PEP relative to termly updates on the child's attainment, progress, etc.

Local authorities should have clear, published, procedures for arranging and chairing PEP Review meetings. In some local authorities, it will be the designated teacher who chairs the PEP Review meeting; in some it may be the social worker who does this; in other cases a member of the Virtual School may chair. The important thing is not who chairs, but that the PEP is reviewed effectively and that the next Plan takes account of what the Review meeting agrees, so that the needs of the child are appropriately met and they make progress in learning.

VSH should have the support of social work manager in insisting that social workers always attend PEP meetings and take responsibility for making sure that the PEP is prepared in advance or created promptly when a child is taken into care, and then sent on to the designated teacher in a timely fashion. Close liaison between social workers, designated teachers and the Virtual School is essential.

VSH should have the support of head teachers in insisting that designated teachers always attend PEP meetings and take responsibility for making sure that the PEP is prepared in advance or created promptly when a child is taken into care, and then sent on to the social worker in a timely fashion.

All the participants in the PEP meeting, including the child, should receive the updated PEP within 5 working days of the PEP meeting/review.

The VSH should expect all parties to arrive at a PEP Review meeting well-prepared and briefed to contribute professionally. They should also expect the agreed outcomes of the PEP Review, including the Plan is that is the principal product, to be available within the locally agreed and

published timelines. Where they are not the VSH should have systems in place to identify where the bottle-neck to compliance is and how they will challenge delays where they occur.

The best PEP Review meetings provide an opportunity to build effective positive working relationships between members of the team around the child and to ensure that key information is up to date and shared as appropriate, such as:

- contact numbers/emails for key members of the team around the child such as carer, social worker, designated teacher and Virtual School Head;
- contact numbers/emails for key members of the school team, including the designated teacher, relevant senior members of staff/pastoral care staff, SENCO, and front office/reception;
- SEND status, key dates relating to SEN Reviews and copies of any SEN plan
- significant changes to the care plan and its long term objectives.

[Appendix 12](#) could provide a useful agenda for any meeting with professionals about a child's progress.

### **vii) The content and format of a Personal Education Plan**

While there is no agreed national format for a PEP, but the best PEPs:

- enable the VSH to collect the information on the they need to do their job of promoting the educational outcomes of each child on their roll
- summarise the child's current attainment and progress relative to robust and demanding targets
- summarise the child's attendance
- summarise the child's engagement with learning, including any behaviour concerns
- summarise any sanctions applied, up to and including those triggering exclusion
- provide an opportunity to note the child's broader development, emotional health and well-being, relationships with peers and adults, and engagement with activities beyond the taught curriculum
- provide evidence of the child's view of their schooling, its strengths and weaknesses and their view on what they believe would help them, as well as opportunities for them to refine or revise their aspirations for the future
- set out the longer term aspirations of the child in relation to future education, employment or training, and the details of how the school will meet their obligations to provide the child with effective information, advice and guidance in advance of transition to education, employment and training
- set short term SMART learning targets, in the context of those longer term aspirations, and any longer term educational and developmental needs (such as those captured in an education health and care plan or individual education plan)
- clearly describe what named professionals will do to support the achievement of these SMART targets, as well as any other actions professionals agree to take before the next PEP Review meeting
- clearly describe how the school will deploy the PP+ allocated to them by the VSH in support of these SMART targets and the longer term aspirations of the child
- build to provide a comprehensive and enduring record of the child's experience, progress and achievement (academic and otherwise) through their education.



Some VSH require a school to provide a great deal of detail, transcribing significant amounts of data from the school's management information systems into the PEP. In such circumstances a school might rightly complain that the VSH required too much bureaucratic detail when a pdf copy of the contents of the MIS would be a time effective way of providing them with the required information.

In response the VSH will explain that while what amounts to a pdf copy of a termly report is helpful it does not allow them to track monitor and analyse outcomes, without themselves taking on the even larger bureaucratic load of transcribing every child's data into their own systems for analysis.

Given that the aim of every VSH should be for schools to deploy their available resources effectively in support of the child, rather than in bureaucracy, it is not difficult to feel some sympathy for the school in this example and ask the VSH if they are requiring information because it is essential, or because they think it might be useful at some unspecified date in the future. The school's case is strengthened if the VSH requires them to describe attainment against a scale they no longer use, such as recently discontinued 'Levels'. While a school might continue to comply, they are not only taking on a significant bureaucratic load but also applying an individual DT judgement as to what current attainment or progress might look like in 'old money'. That in turn can create a bureaucratic juggernaut that doesn't add much to the VSH understanding of the cohort.

There is then, an almost inevitable shift to simple descriptive levels of progress towards age related expectations for primary school (and perhaps Key Stage 3) children.

GCSE grades continue to provide much simpler benchmark against which most secondary schools will be able to provide information to the VSH during KS4. However, the VSH still needs to have a clearly expressed rationale for asking for attainment and progress in every subject each term. Do they intend to compile and report the termly progress of every child in every subject, for instance, or report on cohort performance in each subject termly?

If not, then they should consider very carefully why they are asking DTs to spend time transcribing all that detail from the school MIS into either a paper or digital PEP.

Perhaps VSH need to take a leaf out of the well-established 'Turning the Curve' methodology, which focusses on the identification of a small number of 'bellwether' measures. This methodology suggests that if the right bellwether measure is chosen and tracking shows it is going in the right direction, then the overall outcomes of the plan to turn the curve will also be moving in the right direction. Applied to a Key Stage 4 PEP it might be suggested that English and Maths are the bellwether measures that a VSH should require in the PEP. If they also required the child's predicted Attainment 8 and Progress 8 measures, then they will also have a holistic sense of how the child is doing, and the evidence they need to decide which child to invest time or resource on.

If the VSH combines this with a request for a pdf copy of every subject outcome to be attached to the PEP, rather than transcribed into it, then, if the bellwether measures suggest there's a cause for concern they have the detailed data available to interrogate, without having wasted a DTs time with transcribing it all into a specific form.

Thinking of a concise termly PEP as a tool with which to triage the cohort's needs for intervention, either human or financial, rather than a repository for all the information a school (or social worker) holds at any time, might meet the needs of both the VSH and schools.

### **viii) The quality of PEPs**

It is the duty of the VSH to ensure every child has a high quality PEP and to review PEPs termly. This requires them to have process for assessing compliance and quality at least termly.

A robust pupil education planning strategy that is published to schools and social workers can help define what makes a PEP 'good' in a particular local authority. This can be supported with regularly updated exemplars that ensure that what is 'good enough' today doesn't become the complacent norm in the future. Clarity over what constitutes 'good' is also essential in ensuring consistent quality assurance where quality assurance is the responsibility of more than one member of the Virtual School team.

Where a PEP is not good enough the VSH must put in place systems that can provide appropriate feedback to the DT that will ensure improvement during the next cycle.

As suggested above, the VSH can help a DT focus on the quality of their planning by reducing the bureaucratic burden the PEP can present, particularly when a school has a significant number of LAC on roll &/or where they have looked after children on roll who are in the care of different LAs, each with different PEP requirements. It may be the 'less is more' when it comes to PEP format.

### **ix) The Early Years and post-16 PEP**

Most VSH have separate plan formats that suit the needs of younger and older looked after children, but the principles around which these PEPs are designed, [their content and the rigour with which they are reviewed and acted upon should be the same, irrespective of the age of the child.](#)

### **x) Supporting transition to adulthood**

The duty to promote the educational achievement of a looked-after child extends to looked-after young people aged 16 or 17 preparing to leave care. These are referred to in the Children Act 1989 as 'eligible children'.

Local authorities should ensure that:

- they have an agreed protocol in regards to working with LAC post-16 and permission has been given to disclose care status to education institutions or organisations;
- the PEP is maintained as part of the preparation and review of the Pathway Plan and builds on the young person's educational progress;
- each pathway plan review scrutinises the measures being taken to help the child prepare for when he or she ceases to be looked-after by considering: the young person's progress in education or training; and, how he or she is able to access all the services needed to prepare for training, further or higher education or employment.
- links are made with further education (FE) colleges and higher education (HE) institutions and that care leavers are supported to find establishments that understand and work to meet the needs of looked after children and care leavers;
- each eligible care leaver knows about the 16-19 Bursary Fund
- each eligible care leaver receives a bursary of £2,000 when going on to study a recognised HE course and that arrangements for the payment of the bursary are agreed by the young person as part of the overall package of support that a local authority provides to its care leavers.

## **f) Interventions**

[The VSH must expect to be accountable](#) for the funding and other resources they control, and the impact they have, to the DCS, elected members, looked after children, and inspectors. They must therefore use the available research to identify the evidence-based practice that will have the biggest, and most cost-effective, impact on outcomes.

The [Education Endowment Fund Toolkit](#) is an essential resource and the [Rees Centre for Research in Fostering and Education](#) publish regular updates on their own research and reviews of other research findings.

### **i) What works - learning support**

The fundamental role of the VSH is to ensure that, when a child's attainment or progress slips the Virtual School is able to ensure a coherent response that minimises any loss of progress. Equally when a child is making expected progress the VSH must be able to identify this and ensure the child is stretched beyond baseline expectation.

### **ii) What works - readiness to learn**

To make progress and attain their potential any child must be 'ready to learn'. If they are not then they will find ways to avoid school, or lessons, or engineer circumstances that lead the school itself to remove them from learning.

Looked after children are more likely to be excluded than other children and the role of the Virtual School Head is to increase awareness among headteachers, senior leaders and governing bodies of the difficulties they may face as a result of early trauma and loss. Schools need to be encouraged to deploy their behaviour policies flexibly in the case of looked-after children based on their individual needs. VSH should advocate a policy of 'no exclusions for looked-after children'.

Sometimes, there are mitigating factors that the school is unaware of, and it is the Virtual School's role to intervene appropriately to prevent exclusions, preferably before they happen but also by attending any meetings called to discuss them. In all cases, the Virtual School Head would normally liaise directly with headteachers.

There is an overlap between readiness to learn and [emotional health and well-being](#).

### **iii) Emotional health and well-being**

Perhaps the single most important thing that a VSH can do is to stimulate a professional dialogue with headteachers about the reasons why children and young people behave as they do.

This can, in turn, raise awareness of the physiological and psychological effects of early abuse, trauma and loss, on attachment and resilience, in particular, and through their relationships with peers and adults.

Some VSH commission therapeutic support &/or clinical or counselling psychologist support. Others have close working relationships with Child and Adolescent Mental Health (CAMHS) services.

Sometimes it makes most sense to commission support that enhances the capacity of carers or headteachers to create an emotionally healthy home &/or school environment, respectively.

There is always a risk that VSH and other headteachers can become fixated on a single response to behaviours that assumes their root in attachment or other ‘conditions’; medicalising the child’s issues. The best preventative of this risk is a well-rounded understanding of the issues and an informed view of strategies to address them.

[Appendix 8](#) provides an introduction to the subject.

#### **iv) School self-evaluation**

The National Association of Virtual School Heads (NAVSH) publishes a framework to help school’s evaluate their practice with respect to looked after children.

It requires little modification to be applicable to previously looked after children and can also provide schools with a useful scaffolding for the evaluation of the practice with respect to a range of other vulnerable groups.

#### **g) Models of service**

Some VSH have sufficient resource to intervene directly with individual children who are not making appropriate progress in learning, intervening to provide the learning support they need with sustained individual direct casework.

This intervention need not be through a static Virtual School team, but could be commissioned when the need arises. Examples include catch-up or supplementary tuition commissioned from a commercial provider of cover teachers, or in partnership with a local charity or higher education provider. The same approach can be applied to mentoring support, or such provision as after school study support etc.

Some Virtual Schools are convinced of the efficacy of specialist ‘looked after children staff’ who they feel can reach looked after children due to their experience and understanding of the issues many looked after children face. In pursuing a strategy of direct work with children the VSH must be convinced that their Virtual School is not undertaking work that a school or other service is funded for.

Some VSH are either not resourced for, or do not believe a Virtual School should undertake, direct work with children. Instead they use fewer, more influential, staff to advocate on behalf of the children and to challenge schools over the progress of individual children.

Such an approach challenges the school to make use of universal, targeted, and specialist services as necessary to meet the needs of children from the schools budget or, where appropriate, the High Needs Block. Where the needs are outside that framework then they would be expected to either spend distributed Pupil Premium Plus &/or apply to any centrally retained PPP for additional individual support for the child.

Some VSH focus on a strong challenge and support approach but retain a small very specialised direct work capacity to respond to extreme need. One aspect of this approach can be the recruitment of professionals able to spend time in school actually inspecting the work of looked after children.

#### **h) Challenge, support and mediation**

Aspects of challenge have been addressed [elsewhere](#), but in addition the following should be considered.

### **i) Challenge and Support to Children's Services**

Effective VSH have a role as advocate for looked after children across children's services and beyond. In much the same way as effective school system-leaders have authority and influence beyond their own school boundaries, the most effective VSH are able to achieve shifts in the integration of support around looked after children through their work with other services. It is vital that the VSH promotes the prioritisation of LAC by universal and targeted services.

They should:

- challenge services that might otherwise become narrowly fixated on 'care' to consider the impact that changes in care placements can have on the educational outcomes of children
- reinforce the centrality of educational outcomes on the child's later life chances, and raise expectations of care staff on the potential of looked after children
- challenge school improvement services to look beyond 'quality teaching for all', to inclusion and other school practices that can narrow the attainment gap for not just looked after children, but other vulnerable groups of children

Failure to do this can result in the VSH running an 'alternative inclusion service'. Indeed, one of the risks of a very well-resourced Virtual School staffed with a range of specialist professionals is that no other service needs to worry about their statutory duties to LAC. Instead they simply funnel everything related to LAC to the VSH to deal with. Rather like using Virtual School staff to call and chair PEP review meetings, and write up the PEP itself, this can give other professionals a false sense of security. While such an approach can deliver an ambitious and admirable level of service to LAC it can suffer when a key member of the Virtual School is absent due to leave or sickness as few VSH have the luxury of strength in depth in their teams for a variety of professional disciplines. Resource constraints can also place unreasonable stress on the system when a key member of staff leaves and their expertise cannot be afforded in the future. Suddenly other teams find they are having to take on responsibilities they had forgotten about.

### **ii) Challenge and support to Schools**

The most effective VSH sit alongside headteachers, and are considered a member of that community, with equal status. From that position they can challenge pre-conceptions in the headteacher community and act as a bridge between increasingly autonomous school leaders and the local authority.

Some local authorities have either seconded successful school leaders into the role of VSH, or commissioned a headteacher to undertake the role on behalf of the local authority. The statutory position on the VSH makes this difficult but is not beyond an imaginative local authority. The former approach, though, has had benefits in both helping a headteacher better understand local authority services, and bringing the most up to date practice from school into the heart of the local authority.

Seconded headteachers can also achieve rapid change if empowered to act as a headteacher rather than an officer constrained by local authority 'processes'.

Other local authorities have sought a Virtual School Heads from lower tiers of school senior leadership but offered the opportunity to work at a high level within the local authority as a way to develop professionally as senior leaders before returning to a role in school.

Not all school leaders can challenge their peers and the best VSH can balance the challenge they offer peers with the relationship building skills necessary to maintain headteacher respect and engagement. The knowledge base necessary to support the professional development of social workers, other local authority staff, other heads, governors and designated teachers requires a broad understanding of the specific needs many looked after children may have and the challenges they may face as a result of their early life experiences, or of the care system itself.

This is most effective when combined with understanding, and successful application, of good general inclusion practice. This can be a challenge to even the best school leaders, but can significantly enhance their ability to be effective and influential within an integrated children's service.

The Virtual School must be able to provide authoritative and accurate advice and training to all the partners working with looked after children. Alternatively it must be sufficiently well-informed to sign-post high quality local professional development.

Finally, it is important to note that some local authorities, in order to obtain sufficiently well qualified candidates with senior experience and credibility, combine the role of Virtual School Head with broader inclusion responsibilities nor other 'Head of Service' roles. This can help so long as the Virtual School Head retains sufficient time to focus on their statutory duties to looked after children. The risk is that their time and expertise is spread too thinly across a wide range of responsibilities. That is accompanied by an inspection risk as the Virtual School Head can lack sufficient grip on the Virtual School to offer a convincing narrative to inspectors. Such a model requires very able lieutenants to work.

### **iii) Mediation on behalf of the child**

The VSH should ensure that there are arrangements in place to: take account of the child's views according to age and understanding in identifying and meeting his/her educational needs; and mediate on behalf of a looked after child when he or she faces problems at school or any other education setting in collaboration with teachers, social workers and carers.

To make a success of this the VSH must establish not only good relationships with designated teachers but also with [senior leaders in schools including the headteacher](#).

### **i) Training and Professional Development**

The VSH should be the authoritative voice of the learning needs of looked after children and how they can be met. They should, therefore:

- take a lead in supporting/training social workers to understand schools, and school staff to understand social work and the needs of looked after children
- provide regular professional development for designated teachers and, by setting up a local network, encourage designated teachers to exchange their best practice.
- be a routine contributor to social worker induction programmes as well as providing examples of good practice to inform social work supervision arrangements
- seek opportunities to bring together the professionals working with looked after children
- challenge all targeted and specialist services, and service providers, to prioritise professional development that takes account of the children's needs

- develop an effective working relationship with local Training School Alliances, and any other brokered providers of school improvement, to ensure they have sufficient capacity to address the needs of schools with respect to the learning needs of looked after children
- develop similar links to local teacher training providers so they can provide authoritative training on the needs of looked after children, and the far larger number of children on the edge of care

VSH should also ensure that training includes, among other things, information about:

- school admission arrangements
- special educational needs
- attendance and exclusions
- homework
- choosing GCSE options
- managing any challenging behaviour in relation to education settings
- promoting positive educational and recreational activities and supporting children to be aspirational for their future education
- progression to training and employment.

It is important that training moves beyond the factual to include strategies for inter-agency working and the establishing of good routine working relationships between schools, cares and social workers.

## **5. How will the VSH know their actions have impact?**

Virtual School Heads should adopt a rigorous and self-critical approach to assessing the impact of them and their school on the educational outcomes of looked after children. Particularly at a time when available resources are at a premium the VS must be able to demonstrate not only that they have impact, but that they achieve that impact cost-effectively.

### **a) Monitoring & Tracking outcomes**

#### **i) Virtual School Management Information Systems**

However the Virtual School learns of changes to a child's progress or care context it must be able to log and track those changes, along with changes to social worker, carer, address etc.

Social care databases hold all the required information but are rarely structured to enable education outcomes to be tracked across terms or years. Equally most local authority education information systems can provide a helpful list of children and their journey through some statutory processes, such as admissions or SEND assessment, but also lack the ability of a school MIS to track children and their outcomes over time.

Most Virtual Schools therefore either create their own database (even if it's just a very big spreadsheet), or commission/buy a management information systems that mirrors the capabilities of those in schools, modified to the demands of the 'virtual' context.

VSH will need to be able to call upon sufficient technical expertise to make effective use of any software solution. The basic specification for such a software solution is that it is:

- User friendly

- Comprehensive
- Readily and easily accessible
- Single source
- Accurate
- Up-to-date
- Automated

### **ii) The Single System vs. Separate Bespoke Systems**

A single, all-singing-all-dancing, system is a seductive proposition. For example, most existing social care databases include a 'PEP form'. However, not all include a fool proof way for a school to log into it or the tools to analyse the contents of the current form against previous ones, so a flightpath of progress can be generated.

Therefore, VSH should be suitably sceptical when claims for any system are made and seek several references from practicing VSH who are currently using the system. In judging those references a conversation is much more helpful than a testimonial, as any VSH needs to be certain an online system can deliver *their* vision of the PEP, not just someone else's.

### **b) Obtaining and sharing information**

Without a regular supply of information on attainment, progress, attendance and exclusion the VSH must rely on the school to tell them a child is at risk of falling behind. The aim of the VSH should be to have the data they need to be proactive rather than waiting for a school to judge when they need to call the VSH.

#### **i) Secure exchange of data**

The VSH must ensure they understand their duties regarding the sharing of information under sections 10, 11 and 12 of the Children Act 2004. The recent General Data Protection regulations (GDPR) have frightened some organisations back into a data bunker where their willingness to share has reduced. Every VSH should seek advice from their local data governance colleagues, but The key thing to remember is that if the VSH has a good reason to ask for data there is no reason why another organisation shouldn't provide it, as long as the VSH can reassure them about how it will be used, and how long it will be kept, etc.

VSHs should have access to a secure email account that enables them to exchange information securely with other VSHs in whose local authority they have placed children or schools outside their local authority system. VSH should also encourage schools to adopt compatible and secure email systems so that information can be easily exchanged.

The VSH should set out clear arrangements for the sharing of information that define:

- who has access to what information and how the security of data is ensured
- how children and parents are informed of, and allowed to challenge information that is kept about them
- how carers contribute to and receive information
- mechanisms for sharing information between the Virtual School (and other local authority departments) and schools



- how relevant information about individual children (including the PEP and the child’s education record) is passed promptly between authorities, departments and schools when young people move.

In most cases VSH should expect their local authority to support them in developing a safe and robust information sharing protocol that appropriately balances any data protection risk with the immediate safeguarding and learning needs of the individual child.

### **ii) Direct relationship with the school**

Some Virtual Schools have sufficient staffing to make at least one visit per year to each school and undertake a thorough professional discussion with relevant school staff of each looked after child on roll. These meetings supplement data collection with a ‘challenge and support’ approach to the child’s progress. Most importantly it enhances the quality of the [relationship between school and Virtual School](#), increasing the willingness of the school to raise concerns earlier. This approach also allows the Virtual School to identify and disseminate good practice. In some Virtual Schools this visit provides the opportunity to chair a PEP Review meeting, but that can constrain the quality of the conversation that can range across all the LAC on roll.

Such a staffing model offers the Virtual School the chance to get to know the strengths of particular school staff and encourage them to engage with colleagues that have similar issues but less experience. This can move towards a system-led, school-to-school, model for professional development across a local designated teacher network.

When appropriately integrated into broader learning improvement processes the Virtual School is well placed to contribute to a local authority’s assessments of school vulnerability/risk of inspection failure, particularly as that relates to the school’s general inclusion practice.

As well as staffing capacity this approach requires significant staff expertise to challenge in a way that enhances the relationship with a school. It also requires the staff carrying out visits to have credibility and understand current best practice. It is also a very expensive model to apply to schools outside the local area. At its best this creates a ‘proactive’ Virtual School

### **iii) Indirect relationship with the school**

Other Virtual Schools use lower cost, secure, electronic, data exchange to obtain the information they need. Virtual schools with good working relationships with schools often delegate this to a single administrative/data officer who pursues schools for the data required.

This approach limits the opportunity for any face-to-face relationship to develop. At worst the only meaningful contact between the school and the Virtual School can be when problems arise. At that point it is often too late to do anything about the issues that have arisen.

Generally this will create a more ‘reactive’ Virtual School unless data handling and analysis is very swift and effective.

### **iv) Out of area schools - use of intermediaries**

Some Virtual Schools outsource data collection and it can be a cost effective to do this so long as the data the Virtual School needs, is matched by the data an external provider is set up to collect.

Some Virtual School combine these two approaches, restricting the use of the external provider to schools outside the local authority with which they have no regular contact and therefore no close working relationship.

Some Virtual Schools expect social workers, through their regular statutory visits to the child, and the personal education plan meetings they attend, to collect and pass on appropriate data and information. This allows the Virtual School to concentrate on the analysis of available data and challenge or support, rather than the data collection task itself, though the data itself can be difficult to interpret as schools have taken advantage of 'life without levels'.

## **c) Evaluation of impact**

### **i) The DIY Evaluation Guide**

The Education Endowment Fund publishes a [DIY Evaluation Guide](#), an accessible resource for teachers which introduces the key principles of educational evaluation and provides guidance on how to conduct small-scale evaluations in schools.

It is equally valuable to a VSH and lays out a helpful rationale for evaluation:

- **Evaluation indicates whether or not an intervention is effective.** Without evaluation, it is impossible to know whether an intervention is having a positive impact on learning. It can be tempting to implement plausible-sounding strategies which, in reality, don't benefit students.
- **Evaluation saves time.** It is often easier to start doing something new than it is to stop doing something which has been running for a number of years. The evaluation strategies in the Evaluation Guide show how data can be used to obtain an estimate of the impact of a particular intervention. VSH can then put their time and effort into the most effective things and avoid pursuing approaches that do not work.
- **Evaluation guides future action.** By investing a little time in carefully recording what is being done and by measuring its outcome, it is easy to identify improvements for the future.

### **ii) Evaluating Pupil Premium Plus spending using the Guide**

The [site](#) also presents a structured walk-through of an evaluation:

- Framing your evaluation question
- Deciding your outcome measure
- Designing your trial
- Constructing a comparison group
- Conducting the pre-test
- Planning and recording what happened
- Conducting a post-test
- Analysis and interpretation

### **iii) Small cohorts**

Many VSH have relatively small schools with less than 10 looked after children in each year group. Even VSH with larger year groups may find that, by the time they identify those subject to a particular intervention, the cohort available for analysis shrinks significantly.

Where the size of the group being analysed is small any statistical analysis, even simple averaging, can be misleading. One or two individual outcomes can bias the understanding of what is happening with the group as a whole.

Some VSH overcome this difficulty by putting together measures from the same year group accumulated over several years, building up a larger group size for more robust analysis.

It might be valid to aggregate outcomes from different year groups subject to the same intervention, but care should be taken not to overstate this approach to analysing the impact of an intervention on outcomes.

## **6. Who is the VSH accountable to for their impact?**

### **a) The Director of Children's Services**

VSH function best if their DCS has a strategic vision that sees education, health and social care teams working together across their authority to protect and champion the educational needs of looked after children (and indeed all vulnerable children).

For a VSH to be most effective they must have status, influence and authority. In most local authority structures this will require the VSH to have a senior position in the line management structure of Children's Services. Without the access this offers to the DCS/Assistant Director team it can be difficult for the VSH to influence policy and practice across the Children's Service Directorate and beyond.

All local authorities are different but this can be achieved by ensuring that the VSH is sufficiently senior to make decisions quickly and efficiently. This approach can also ensure that the VSH has direct access to key senior officers and members across the authority, so they can influence policy at a high level.

At whatever level in the organisation the VSH sits they should understand the difference between governance and line management and the range of their internal and external accountabilities.

### **b) Line management**

The educational needs of looked-after children are best served by education, social care, health and other professionals working closely together on individual cases. This is best facilitated when the VSH has sufficient seniority and senior links with social care and health managers to make this happen. It is important to clarify which decisions can be taken at an operational level, and how senior managers can assist with difficult cases.

Effective challenge and support within Children's Services is often associated with a VSH who has high level of access to both Assistant Director (Learning), Assistant Director (Social Care) and, when necessary, to the DCS. All three must both appreciate, and support, the Virtual School's development so it can influence the strategic direction of all the arms of Children's Services, and the Council in general. The VSH should have at least 'visiting membership' of both Learning and Social Care senior teams, as well as access to both Assistant Directors and, if cross-service issues present a barrier, the Director of Children's Services.

Although it takes time and diplomacy to build bridges between groups of professionals, the best interests of these vulnerable children takes precedence over everything else.

The growth in the number of children's social care Trusts can create a potential barrier to the cross-service work of the VSH, unless all parties agree to support it. In setting up a Trust the question of whether a VSH should be part of it, or remain within the 'education' service can arise. Though a VSH must be 'employed by a Council' it is possible to see them operationally line managed within a Trust or subject to matrix management with appropriate approvals. As outlined below, there is no right or wrong answer to the question of where the VSH should sit, and the scope and remit of a social care Trust might influence the decision. What is essential is that the VSH is seen as a vital and respected partner by both social care and education services, whatever their governance model.

### **i) Through the Assistant Director (Learning/Education)**

This arrangement makes the learning focus of the VSH explicitly clear and may enable existing strong relationships with schools to be used by the VSH in their work. This is particularly important where the VSH is seen as an arm of the school improvement service with a principle role in improving the quality of the education offered to all children, from which looked after children will then benefit.

While theoretically sound it can be a risk to have the VSH distracted by more general school improvement functions and approaches. The best VSH models involve the individual holder of the post having a similar view of the Virtual School cohort as they would have of pupils in a bricks and mortar school of which they were head. This requires them to have systems in place to improve the outcomes of individual children through direct and swift intervention rather than focussing on the more general improvement of the school as a whole.

If the decision is made to place the VSH within the Learning/Education Service it is very important to find ways to give them access to, and influence with, safeguarding/child-protection services. This might be through a 'visiting membership' of the senior social work team. Co-location with senior social workers can also help with this.

### **ii) Through the Assistant Director (Safeguarding/Child Protection)**

A senior education professional can be expected to have a good understanding of how a Learning/Education Service works, but few have such an understanding of the Safeguarding/Child Protection Service, other than from a school-centred point of view. While helpful this can be too limited a view to build effective relationships with social workers. Placing the VSH in the safeguarding/child protection service is therefore likely to present them with challenges as they will have to learn quickly how social care operates. While a challenge it will, with application, produce education professional with the capacity to build bridges with social workers, and to help schools do the same.

The risks of this option are that a VSH can feel distanced from the levers of school improvement. It is important, therefore, to facilitate those links through 'visiting membership' of the senior education team &/or direct access to the relevant assistant director.

## **c) Governance**

Governance differs from line management in that it brings together a range of stakeholders with an interest/involvement in the outcomes and progression of looked after children, rather than the direct one-to-one relationship with a line-manager. Line management is about 'direct professional accountability'; governance is more often about 'critical friendship'.

Whatever the approach to governance adopted all those involved should pay attention to the 7 principles of [corporate parenting](#):

- to act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people
- to encourage those children and young people to express their views, wishes and feelings
- to take into account the views, wishes and feelings of those children and young people
- to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners
- to promote high aspirations, and seek to secure the best outcomes, for those children and young people
- for those children and young people to be safe, and for stability in their home lives, relationships and education or work; and
- to prepare those children and young people for adulthood and independent living.

### **i) Structures**

Some Virtual Schools are governed through a body modelled on a school governing body, others by a Corporate Parenting Board. Still others are governed through a Multi-Agency Looked After Partnership (MALAP).

Whatever the form, the effective governance of a Virtual School is characterised by a breadth of membership that is sufficiently senior to make decisions and influence the agencies, services, and stakeholder groups represented, and a suitably independent chair separate from the VSH line manager.

The VSH and their line manager should beware of governance arrangements that require the VSH to report the same thing to a variety of separate bodies. The VSH has a very broad role and time best spent making a difference to looked after children can be eroded by duplicate reporting and governance arrangements.

[Appendix 13](#) provides one way in which the decision making relevant to a Virtual School might be allocated, and on which a Governing Body terms of reference could be based. As with a school Governing Body it is important that a Virtual School Governing Body is clear on who does what.

### **ii) Elected members**

Ofsted inspection regimes take a particular interest in the role of elected members in relation to services to looked after children. The effectiveness of the VSH can be enhanced by having a cross-party group of corporate parent elected members (which may or may not include the lead member), that can support and scrutinise the VSH and act as critical friends in the manner of an effective governing body, or as a Corporate Parenting Board.

Elected members should, as democratically elected representatives take their role as corporate parents very seriously. VSH should raise elected members' awareness of the issues facing looked-after children and seek their support and influence in delivering improvement. There are various ways of involving elected members.

They could be given specific corporate parent responsibility for a group of specific children: SEN, Early Years Foundation Stage, higher education and so on; or all those in their ward area.

They should always consider the question, “would this be good enough for my child?”, when assessing the quality of services to looked after children.

### **iii) Looked after children - assuring the impact of ‘pupil voice’**

The VSH should ensure that the authority’s Children in Care Council regularly addresses the educational experiences of looked after children and responds effectively to the issues those experienced raise. This can be an effective means of ensuring that the educational experiences and outcomes of the authority’s looked after children, including those placed out of authority, improve.

The VSH should ensure there are systems in place to develop a working relationship between the Virtual School and the Children in Care Council, and to respond to the views of children. They should ensure that such responses are logged and fed back to the Children in Care Council, while being filed for later examination by [Ofsted](#) as examples not just of the voice of children being heard, but also being acted upon.

### **iv) Senior local authority officers**

While all officers, school staff and other children’s workforce professionals and para-professionals have a role as corporate parents there are advantages in bringing the key senior officers together, perhaps as a Multi-Agency Looked After Partnership (MALAP). This can help develop and progress the VSH strategic vision. The VSH can table inter- or intra-agency/service issues/barriers and seek to resolve them if the officers present have sufficient seniority to deliver solutions.

The MALAP may include representatives of Early Years Foundation Stage/14–19 teams, educational psychologists, child and adolescent mental health services (CAMHS), data and performance management teams, housing and health. It is also helpful to invite representative headteachers and foster/residential carers into the group.

## **d) Annual Report of the Virtual School Head – VSH Self-Evaluation**

Reporting on the progress, performance and development of the Virtual School is a key activity, as it provides an opportunity to share children’s outcomes, evaluate and share work undertaken and provide an overview of the Virtual School’s activity. The Annual Report of the Virtual School Headteacher (VSH) has also been required during Inspection, though its place in the new ILACS framework is less clear. Even if inspectors cease to require it as part of any ‘inspection book-shelf’ it provides a vehicle for the VSH to regularly evaluate the Virtual School.

The purpose of the report is to improve readers’ knowledge and understanding of a number of key areas related to looked after children on the roll of the Virtual School. If accessed by inspectors it will influence key lines of enquiry in for the inspection.

In completing their Annual Report, the VSH should routinely consider the impact of the actions taken by the Virtual School and the place of those actions in the pupil’s journey through care. The principle of ‘We did this and the impact was...’ should inform reporting. The addition of case studies as appendices would add a narrative flavour to this document.

Equally, VSH should beware raising issues and concerns without making clear their plan to address them. Not to do so will invite readers to ask the implied question: ‘if this is a concern what have you done about it?’.

[An outline Annual Report can be found here.](#)

## **e) Inspection**

In creating an Ofsted ready Virtual School the VSH must have regard to the most recent [framework of inspection](#), and related Ofsted documents as well as feedback from their professional networks. The headings of the VSH Annual Report provide a helpful checklist for a VSH preparing for inspection, which in turn mirrors the significant sections of this Handbook.

### **i) Who is on the roll of the Virtual School, where do they live and go to school**

- [Virtual School remit](#)
- Virtual School cohort [care placement profile](#)
- Virtual School cohort [education placement profile](#)
- Admissions data, including:
  - the number of pupils subject to an in-year move and those children admitted within 20 school days
  - the number where a direction was made by the local authority (and as appropriate the portion upheld on adjudication), and the type of school that required a direction to be made (maintained, academy, or free school)

### **ii) How well are children on roll doing?**

- Virtual School [Performance profile](#)
  - Transition top EET at 16, including destination for the previous Year 11 cohort, and their retention in EET by the end of Year 12
  - Attendance
  - Exclusions

### **iii) What has the VSH done to improve outcomes?**

- The use of data to inform practice and drive improvement
- Evidence of collaborative, multi-agency working, both locally, regionally and nationally, in support of LAC outcomes
- Rationale for the interventions deployed to support and challenge both schools, children's services teams, and children
- Systems implemented to ensure both compliance with, and quality of PEP processes
- Training offer to partners and its take-up

### **iv) How effective has the work of the Virtual School been?**

An analysis of:

- trends in the formative and summative outcomes of the Virtual School cohort
- the way in which PP+ has been allocated and spent
- the impact of both devolved and centrally retained PP+
- the factors impacting on educational outcomes, and evidence of work done to ameliorate the risks these factors present to LAC educational outcomes
- compliance with personal education planning deadlines
- the quality of personal education plans (PEP)
- evidence (often qualitative) in the quality and value of training

Any analysis of impact should take account of the groups of children in important categories, where they make up a significant portion of the Virtual School cohort, such as:

- Children out of authority
- Children with a plan for adoption
- Children in foster care
- Children in residential settings
- Children with a plan to return home
- Children with disabilities
- Unaccompanied Asylum Seeking Children and Young People (UASC)
- Care leavers and their EET status (whether directly or indirectly monitored by the VSH)
- Children in early years settings (whether directly or indirectly monitored by the VSH)

These analyses can be usefully supplemented by case studies that exemplify good practice by the VSH or their partners.

**v) Virtual School structure and resources**

- Staffing structure & line management
- Summary of staff CPD and training opportunities
- Current funding streams (including Pupil Premium Plus), and whether externally or internally generated.

**vi) Virtual School plan**

The previous sections should provide a rationale for, as a bare minimum, the:

- identification of 'What's going well'
- identification of 'Key priorities for improvement'
- the Virtual School improvement plan with milestones for delivery of the key priorities



## Acknowledgements

With respect to the first edition ...

Every regional VSH network was invited to contribute and the regional representatives to the, then, 'National VSH Steering Group' helped facilitating those contributions. Their proof-reading of the final draft saved the VSH community from some excruciating prose.

The 'Ministerial Expert Group' convened by the National College for Teaching and Leadership on behalf of the DfE in the Autumn and Spring of 2014 was a direct stimulus to the original Handbook, and it made a significant contribution to shaping it. Among its members, Pat Finnegan (formerly Dudley VSH), Peter McNamara (formerly Salford and Leicester City VSH), Tony Clifford (formerly Stoke-on-Trent VSH), and Mike Gorman (formerly Bath and North East Somerset VSH) made significant contributions.

Thanks, too, to Derek Myers (formerly Hampshire VSH and then HMI), Maureen Giles (formerly Surrey VSH), and Michael Allured (DfE) who provided continuing support through the drafting of the first edition.

Finally, thanks are due to Professor Judy Sebba (then Director of the Rees Centre for the Study of Fostering and Education, University of Oxford) and her team, in particular Dr Nikki Luke (Research Fellow) and Aiofe O'Higgins (then Research Student) for their expertise and advice. It was the ESRC funded Visiting Fellowships at the Rees Centre that funded the original Handbook and the support offered by the other Visiting Fellow, Lucy Wawrzyniak (formerly Team Leader for the Oxfordshire Virtual School).

With reference to this revised edition ...

Most of the contributions mentioned above remain but additional thanks are due to the NAVSH Board for their support in enabling this revision. Thanks too, to Jancis Andrew and colleagues in the Yorkshire and Humber regional group, who have tested some of my assumptions this year, and to Pat Finnegan (again) for his thorough reading of the draft and very helpful comments.

Finally, my thanks to the Virtual School teams in Kirklees, Manchester, Oxfordshire, Suffolk, Islington and Doncaster, with whom it has been my privilege to work closely with over recent years and the many individual VSH who have offered me a view on the Handbook since its first appearance.

Despite all the support offered, any errors or omissions – and plenty will remain, I am sure – are the sole responsibility of the author.

Alun Rees, September 2018

## **Appendix 1 – Previously looked-after children (previously-LAC)**

### **Who are the previously-LAC children on the school roll?**

A previously looked-after child is one who left care in England and Wales because s/he became the subject of:

- an adoption order;
- a special guardianship order (SGO); or,
- a child arrangements order (CAO).

The parents, carers, and guardians of this group of children are described as parent/carers below in the interests of readability.

Adopted children who have never been in care (such as those formally adopted by a step-parent) are **not** previously looked after and are therefore not eligible for the previously-LAC PP+, or any of the other prioritisation that applies to previously -LAC. The statutory guidance in relation to previously-LAC does not apply to these children.

The Virtual School will not have access to complete lists of all previously-LAC in local schools, so governors should put their own arrangements in place to encourage the parents/carers of these children to self-declare.

It is important that schools are sensitive in seeking this information as some parent/carers will be concerned about sharing it. Schools can reduce this concern by stressing the confidentiality with which they will treat such declarations and offering to meet parent/carers of previously-LAC face-to-face, in an effort to develop a relationship of mutual trust.

Schools should put in place arrangements to satisfy themselves that the child is eligible for support by asking the parent/carer for evidence of their previously LAC status. This could be a copy of the relevant order made by the court or a confirmation from a senior social worker on an appropriate letter head. For children adopted outside England and Wales, the child must have been looked after by a public authority, a religious organisation, or other provider of care whose sole purpose is to benefit society.

Where parents are unable to provide clear evidence of their child's status, the designated teacher (DT) will need to use their discretion. In such circumstances, the DT could discuss eligibility with the VSH to agree a consistent approach, though the decision and responsibility regarding eligibility remains with the school.

### **Pupil Premium Plus for previously looked-after children**

The Pupil Premium allocated to schools for 2018 to 2019 will include funding for pupils recorded in the January 2018 school census and alternative provision census, who were looked after by an English or Welsh local authority immediately before being adopted, or who left local authority care on a special guardianship order or child arrangements order (previously known as a residence order). These are collectively referred to as post-LAC in these conditions of grant. This means children adopted outside England and Wales are not eligible for PP+.

The DT, and school finance manager, should familiarise themselves with the relevant sections of the current Conditions of Grant ([see above](#)), which also details the timing of payments, but in summary:

- Schools receive the annual £2300 PP+ for previously-looked after children, direct. The VSH does not receive, manage, or allocate this funding and has no role in defining school policy on how it is spent.
- It is the school census which is used by the DfE to determine how many previously-LAC are on roll at a school and hence how much PP+ is allocated. This is why schools should ensure their management information systems are up-to-date with respect to a child’s legal status
- Schools should ensure their Pupil Premium Strategy includes details of how they deploy PP+ for previously-LAC.

### **The Designated Teacher’s statutory duties to previously-LAC**

Schools (and the Designated Teacher for looked after and previously looked children, in particular) have a statutory duty (from Sept 2018) to take particular account of the circumstances of a previously-LAC. The relevant revised statutory guidance is detailed above ([see above](#))

In general, the statutory duties of the DT with respect to looked after children have been extended to previously looked after children. The DT should familiarise themselves with the detail in the revised statutory guidance ([see above](#)) but in very broad summary:

<b>Until Sept 2018 the DT for looked-after children, will,</b> with respect to looked after children on the roll of the school ...	<b>From Sept 2018, they are the Designated Teacher for looked-after AND previously looked after children.</b> This means that ...
... be a central point of contact (for parents/ carers and professionals) within the school	... this extends to include previously-LAC
... work with Virtual School Heads (VSH) to promote the education of LAC	... this extends to include previously-LAC, though the nature of the working relationship is much more limited.
... promote a whole school culture where the personalised learning needs of LAC are met	... this extends to include previously-LAC
... take lead responsibility for ensuring school staff understand what can affect how LAC learn and achieve	... this extends to include previously-LAC
... do direct and day-to-day work to promote the educational achievement of LAC	... this extends to include previously-LAC
... developing and reviewing whole school policies and procedures	... this extends to include previously-LAC
... have a leadership role in promoting the educational achievement of every LAC, by:	
<ul style="list-style-type: none"> <li>• being a source of advice for teachers</li> </ul>	... this extends to include previously-LAC
<ul style="list-style-type: none"> <li>• working directly with LAC and their carers/parents</li> </ul>	... this extends to include previously-LAC
<ul style="list-style-type: none"> <li>• taking responsibility for the impact of the PP+ for LAC devolved to the school by the Virtual School Head</li> </ul>	<p>... the PP+ for previously-LAC goes straight into school budgets; the VSH has no role in its management or use. However, the DT is responsible for the impact of the previously-LAC PP+.</p> <p>While the PP+ for previously-LAC is not a personal budget, schools should consider building trust with parent/carers by discussing how they are deploying the PP+ for previously-LAC.</p>

- taking the lead responsibility for the implementation of Personal Education Plans (PEP)

... there is no requirement for a school to produce a Personal Education Plan (PEP) for a previously looked-after child.

## The statutory duty of the Virtual School to previously-LAC

The Virtual School also has a new statutory duty, from September 2018, to provide advice and information to the parents/carers of, and professionals working with, previously-looked after children.

The way in which a VSH delivers their new statutory duties will vary with local context, priorities, and resourcing. Many have been previously resourced to provide support provide a variety of post-adoption support, for instance, and will continue to do so. Others will be seeking sustainable funding from their DCS to enable them to extend their offer to previously looked after children so that it resembles key aspects of their work on behalf of LAC in the care of their local authority.

Whatever the level of resource, and therefore the nature of the local offer to previously-LAC, every VSH should ensure they have a clear policy that is widely circulated to relevant local social care teams, local adoption charities, other local authority education and welfare teams, and schools, so that the local scope and scale of the Virtual School's work is clear to all.

## Additional funding to local authorities

Government has announced funding for the 2018-2019 and 2019-2020 financial years to support the implementation of the new statutory duties to previously-LAC children. VSH should consider how the funding can be used to create expertise and capacity in schools and relevant services or sectors that can be cost-effectively sustained if this funding does not continue.

Some regional or sub-regional networks of VSH are pooling some of the funding to work closely and intensively with regional adoption agencies, for instance, to build expertise and capacity in the social care and charity sector that will continue beyond the end of the funding stream. Others are considering the development of a common offer and shared online portal to provide advice and guidance to the parent/carers of previously looked after children. Still others are focussing the funding on work with designated teachers to build their understanding of the previously-LAC cohort, their needs and how they can best be met.

Whatever strategy a VSH defines they should be careful to ensure equity of access between the different groups of previously looked after children. They should be guided by the available data, however flawed, on the outcomes and needs of adopted, special guardianship and care arrangement order cohorts.

## A 'sample' local offer to meet the statutory duties to previously-LAC

A local offer that *could* meet the *minimum requirements* of the statutory duty *might* say that the local Virtual School:

- **will** provide or signpost advice and information to help the parents/carers of previously-LAC attending local schools to advocate for their children as effectively as possible;
- **will** signpost any query about a child previously in the care of the local authority, but now living outside its boundary, to the Virtual School in the authority where they now live;
- **will** suggest that the parent/carer makes contact with the school's Designated Teacher for LAC and previously-LAC, and will provide the DT's name, but not their direct contact details;

- **will not** be able to advocate on behalf of an individual previously-LAC as they are not the child's corporate parent and their local role is not resourced to include this service;
- **will not** keep details (including name and contact details) of a previously-LAC or their family as they are not the corporate parent of a previously-LAC, and to do so would therefore risk a breach of data protection regulations, except where the local offer explicitly includes this level of service.

The advice and information offered by the Virtual School will vary depending on the parent/carer's concerns, but generally speaking, common sense would prevail so that:

- **a concern about admissions** –will be referred to the local 'Admissions' webpage for relevant information
- **a concern about attendance** –will be referred to the local 'Pupil Welfare' webpage for relevant information
- **a concern about exclusion** – will be referred to the local 'Pupil Welfare' webpage for relevant information while the parent/carer is advised to ask the school for a copy of their 'Behaviour Policy' and consider taking up the option to challenge an exclusion in line with the details required to be provided in any exclusions letter
- **A concern about an 'unofficial' exclusion** – the query will be referred to the local 'Pupil Welfare Service' webpage for relevant information
- **A concern about SEND** – the query will be referred to the local 'SEN Support and Advice' webpage for relevant information
- **A concern about PP+ for previously-LAC** – will lead to the following explanation supplemented with signposting to the relevant conditions of grant/statutory guidance:
  - the PP+ for previously-LAC amounts to £2300 per year
  - this is paid directly to the school based on whether the child is recorded as previously-LAC in the school management information system
  - the parent/carer should ensure the school knows about the child's legal status
  - the VSH does not manage, or have any control over, a school's decisions about the spending of PP+ for previously-LAC
  - the previously-LAC PP+ is not a 'personal budget' it is good practice for the school to discuss its plans for spending the previously-LAC PP+ with the child's parent/carer, as a way of building a positive, trusting, relationship with them
  - the school is required to publish its Pupil Premium Strategy online and this should include the principles under-pinning the spending of previously-LAC PP+.
- **A concern about any other aspect of the service provided by a school** – will be referred to the school's 'Complaints Policy', a copy of which should be available from their webpage or school reception, and which can be used to make the complaint.

**If the VSH receives a query about the role of the Designated Teacher for looked-after and previously looked-after children** – the outline of the role(above) could be provided, but supplemented by signposting to further detail in the relevant statutory guidance.

**If the query comes from the school, social worker or adoption support worker of a previously looked-after child** – this appendix could be used to inform the advice and information offered to them.

Additionally, VSH should ensure their **training offer to DTs, wider school staff, social workers, other professionals and carers (whether foster, residential, adoptive, or others)** includes clear reference to the needs of previously-LAC and best practice in meeting them.

## Appendix 2 – Governing Bodies and Proprietors - Statutory Guidance

‘The designated teacher for looked-after and previously looked-after children - Statutory guidance on their roles and responsibilities’ (February 2018) details the role of the Designated Teacher. Some VSH use this as the basis of a generic job description they offer to schools and, where they adopt it count that against any [quality standard](#) they operate.

The statutory guidance places specific duties on governing bodies and the proprietors of academies in England to:

- 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;
- 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 teacher is:
  - a qualified teacher who has completed the appropriate induction period (if required) and is working as a teacher at the school, or
  - a head teacher or acting head teacher of the school.
- ensure that the designated teacher undertakes appropriate training
- ensure they and the designated teacher has regard any guidance issued by the Secretary of State.

In short, the governing body of a maintained school and the proprietor of an academy must ensure that an appropriately qualified and experienced member of staff (referred to in the statutory guidance as the ‘designated teacher’) undertakes the responsibilities within the school to promote the educational achievement of looked-after and previously looked-after children on the school’s roll. They must also ensure that the designated teacher undertakes training that is appropriate to carrying out this duty.

The designated teacher should be a central point of initial contact within the school. This helps to make sure that the school plays its role in making sure arrangements are joined up and minimise any disruption to a child’s learning.

The way in which the role of the designated teacher is carried out will vary from school to school. It could depend, for instance, on the number of looked-after and previously looked-after children on roll, and their individual needs as well as, for example, whether the school caters for primary or secondary age children. Some schools may never have had a looked-after or previously looked-after child on roll, and the designated teacher may not, therefore, be familiar with some of the issues and processes they need to know about.

Not all aspects of the role of the designated teacher need necessarily be carried out by a single individual or by a qualified teacher. While lead responsibility for raising attainment of looked-after and previously looked-after children on roll must rest with the designated teacher, schools will need to decide how functions within it, including pastoral and administrative tasks, are most appropriately delegated to suit their own circumstances. If, for example, a secondary school had a significant number of looked-after and previously looked-after children on roll, the governing body may decide

to designate more than one teacher, perhaps with one responsible for pre-16 and a second for post-16 pupils.

The governing body, head teacher and school leadership team will want to consider the following in supporting the designated teacher role:

- Does the designated teacher have appropriate seniority and professional experience to provide leadership, training, information, challenge and advice to others that will influence decisions about the teaching and learning needs of looked-after and previously looked-after children?
- Does the designated teacher have appropriate seniority and skills to work with the school's senior leadership and governing body to help ensure school policies and approaches appropriately reflect the needs of looked-after and previously looked-after children and act as a champion for them?
- Does the designated teacher have training opportunities, including time away from timetable commitments, to acquire and keep up-to-date the necessary skills, knowledge and understanding to respond to the specific teaching and learning needs of looked-after and previously looked-after children, including a good knowledge of SEN?
- How does the designated teacher role contribute to the deeper understanding of everyone in the school who is likely to be involved in supporting looked-after and previously looked-after children to achieve?
- What resource implications might there be in supporting the designated teacher to carry out their role?
- What expertise can designated teachers call on within and outside the school such as SENCOs, health and mental health support?
- What monitoring arrangements might be appropriate to ensure that the role of the designated teacher is providing appropriate support for looked-after and previously looked-after children on the school roll?

The needs of looked-after and previously looked-after children may have implications for almost every school policy and consideration may want to be given to ensure that policies are effective in reflecting their needs. How schools monitor this is up to them, but some of the issues that may be considered are:

- that there are no unintended barriers to the admission of looked-after and previously looked-after children either at normal transition or any other point of the school year
- whether there are any issues arising as a result of the number of looked-after and previously looked-after children on roll at the school and the number of local authorities which are involved
- whether looked-after and previously looked-after children have made the expected or better levels of progress over the past twelve months in line with their peers (i.e. educational, social and emotional progress)
- whether the pattern of attendance and exclusions for looked-after and previously looked-after children is different to that of other children at the school
- for looked-after children, whether the school's policies are sensitive to their needs, e.g. in accessing out of school hours learning, respecting the children's wishes and feelings about their care status or generally meeting their needs as identified in their personal education plans (PEPs)



- whether any looked-after and previously looked-after children are identified as gifted and talented and how those needs are being met;
- whether any looked-after or previously looked-after children face additional safeguarding challenges of which the school's designated safeguarding lead should be aware;
- whether any looked-after and previously looked-after children have special educational needs (SEN) and whether those needs are being identified and met at the appropriate level;
- whether any looked-after and previously looked-after children have mental health needs and whether those needs are being identified and met;
- whether the school's behaviour management policy is sufficiently flexible to respond to looked-after and previously looked-after children's challenging behaviour in the most effective way for those children;
- how the teaching and learning needs of looked-after and previously looked-after children are reflected in school policies, in particular in relation to interventions and resources;
- what the impact is of any of the school's policies, e.g. on charging for educational visits and extended school activities, on looked-after children; and
- what impact Pupil Premium Plus (PP+) has in supporting the educational achievement of looked-after and previously looked-after children.

**Governing bodies should, therefore, 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) and their level of progress.**

**In some schools, designated teachers do this by providing the governing body with a regular report. The patchy nature in the numbers of looked-after and previously looked-after children in any one school means it would be best to have a flexible approach to providing such a report.**

### **Appendix 3 – Powers of direction (looked after children)**

From School Admissions Code - statutory guidance for school leaders, governing bodies and local authorities, February 2012. In this extract (para 3.19 – 3.22) the term 'local authority' is the local authority with whom the child is in care, not the host authority where the school may be.

#### **Local authority powers of direction (maintained schools)**

A local authority has the power to direct the admission authority for any maintained school in England to admit a child who is looked after by the local authority, even when the school is full. The local authority must not choose a school from which the child is permanently excluded but may choose a school whose infant classes are already at the maximum size.

Before deciding to give a direction, the local authority must consult the admission authority of the school it proposes to direct. The admission authority must tell the local authority within 7 days whether it is willing to admit the child. If, following consultation, the local authority decides to direct, it must inform the admission authority, the governing body (if the school is a voluntary controlled or community school), the local authority that maintains the school, and the head teacher. The admission authority can appeal by referring the case to the Schools Adjudicator within 7 days. If the child has been permanently excluded from two other schools and the most recent exclusion was within the previous two years, the governing body (if the school is a voluntary controlled or community school) may also refer the case to the Adjudicator. The admission authority or governing body **must not** refer the case unless it considers that admitting the child would seriously prejudice the provision of efficient education or the efficient use of resources. If the admission authority or governing body does refer the case, it **must** notify the local authority that looks after the child. The local authority **must not** make a direction until the 7 days have passed and the case has not been referred.

If the case is referred to the Adjudicator, the Adjudicator may either uphold the direction or determine that another maintained school in England **must** admit the child. The Adjudicator's decision is binding. The Adjudicator **must not** direct an alternative school to admit a child unless the local authority that looks after the child agrees, nor if the child is permanently excluded from that school, nor if the admission of the child would seriously prejudice the provision of efficient education or the efficient use of resources.

#### **Secretary of State's power of direction (academies and free schools)**

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 but has no power to direct it to do so. The local authority and the academy will usually come to an agreement, but if the academy refuses to admit the child, the local authority can [ask the Secretary of State to intervene](#). The Secretary of State has the power under an academy's Funding Agreement to direct the academy to admit a child, and can seek advice from the Adjudicator in reaching a decision.

## **Appendix 4 – Parental Responsibility and Delegated Authority**

### **Parental responsibility**

Section 3 of the Children Act 1989 defines parental responsibility as “All the rights, duties, powers, responsibilities and authority which, by law, a parent of a child has in relation to a child and his/her property. “

This means that a person with parental responsibility is responsible for the care and well-being of the child and, unless a court order says something different, that person, and anyone else that also has parental responsibility, can make important decisions about the child's life.

Local Authorities share parental responsibility with the birth parents for children in care under a Care Order, Interim Care Order, or Emergency Protection Order. Where necessary, the local authority may limit the extent to which the parent may exercise parental responsibility and can veto some parental decisions.

If a child is subject to a Care Order, his or her parents or guardians cannot remove them from care unless the local authority agrees. A child's parents or guardians, and a child themselves, have the right to apply to the court to end a Care Order. All Care Orders end when a child reaches the age of 18, although some may be ended before this.

### **Delegated Authority**

When a Local Authority has parental responsibility for a child who is in care, the child's social worker exercises parental responsibility and makes decisions about the child. However, local authority may agree for some of their responsibilities to be met by the Foster Carer. This is called ‘delegating authority’.

Many children and young people in care have expressed a wish to grow up as part of ‘normal’ families without the rules and bureaucracy which can limit their opportunities, lead to unnecessary delays, and make them feel different to their peers. The 1989 Children Act issued in 2013 was amended to strengthen the statutory guidance on delegated authority outlining three types of decisions:

#### **Day to day parenting**

All day to day decision making (e.g. decisions about health, leisure, or such education decisions as permission slips for school trips and activities) should be delegated to the child's carer (and/or the child if they can make these decision for themselves) unless there is a valid reason not to do so.

Where day to day decisions are not delegated to the carer, exceptions and reasons should be set out in the placement plan. Where risk assessments have been routinely carried out by organisations organising/supervising the activity e.g. school trips or breaks, there is not an expectation that local authorities should duplicate risk assessments.

#### **Routine but longer term decisions (e.g. school choice)**

This level of decision making includes the choice of school. Ideally this choice is collaborative and will depend on the child's permanence plan. If the plan is for long term foster care then, where possible, the school choice should fit with the foster carer's family life as well as be appropriate for the child. The placement plan must record clearly who has the authority to take particular decisions about choice of school.

**Significant events (e.g. surgery)**

Legally, foster carers may 'do what is reasonable in all the circumstances of the case for the purpose of safeguarding or promoting the child's welfare'.

This means that in an emergency, if no agreement has been made about what to do, the foster carer may do what is 'reasonable' in order to safeguard the child. Statutory guidance states that what is reasonable will depend upon the urgency of the situation and how practical it is to consult a person with parental responsibility.

Where significant events are known about in advance, the decision making process for these should be detailed in the [placement plan](#).

## **Appendix 5 – When will boarding be best?**

From Annex 1 of 'Boarding provision for vulnerable children – pathfinder, DCSF (2009).

### **The young person**

The over-riding concern in any case of a young person who is unlikely to be able to remain 'at home' (with birth family, extended family, foster family) for fifty two weeks a year is what is going to be best for that young person.

A boarding school placement, termly or weekly, as part of a package of support to the young person and his/her carers, might be the best option for a percentage of children on the edge of care. For more troubled children, or those for whom consistent out-of-term arrangements cannot be sustained, boarding in a 'mainstream' school (state or independent) is unlikely to be the best option.

### **The moral case**

We know that at present there are many vulnerable children, young people and families who, for a variety of reasons, do not get the support they need soon enough. As a consequence, children often end up in situations where they achieve poor or limited outcomes. We want to be able to offer different types of placement to meet very different needs. The most important view here is that of the child. Two thirds of looked after children said they would have liked to have been given the option of a boarding place. That's an important message for us. We need at least to consider it with children or young people during and after any assessment of need.

### **The social case**

Boarding will not be the right option for every child and most parents want their child to be supported in their local communities and local day schools. However, for some this will not always be the most effective way to ensure that their individual needs are met. And there will be young people for whom a move out of their home area could be beneficial.

Boarding schools have great potential as an additional option in meeting the needs of these young people and to prevent family breakdown or a move into the care system.

### **The educational case**

12% of looked after children received 5 A\*-C at GCSE in 2005, up from 7% in 2000, but the national average is over 60% and rising faster so the gap is widening. The educational outcomes of vulnerable children play a crucial part in determining their future opportunities and prospects. We want to break the pattern of a child's profile and past limiting their progress and prospects.

We are changing the way we think about and deliver education for vulnerable children, recognising that all children have individual learning needs and need stability to thrive. We want to give these young people access to an achievement culture and the cultural and enrichment opportunities that we know can make a real difference to their lives and those of their families.

### **The business case**

The pathfinder is aimed at supporting a future reduction in the number of looked after children, which nationally is currently some 61,000 at any one time and up to 85,000 in the course of the year. We believe that there is already enough evidence to show that boarding schools can provide the stability and continuity of education which will reduce the need for a child to be taken into care and offer better outcomes for those for whom this is a suitable option.

For an authority this option could help to reduce costs overall. This will, of course, depend on the circumstances of the individual child, for example, whether foster care would be needed during the holidays. But typically a boarding place will cost up to £20,000 compared with the average cost of placement with foster families or children's homes of £30,000. Part of the pathfinder's aim is to help young people before they develop the complex problems which necessitate more expensive care options (up to £127,000 per year for example for a place in a children's home) and to offer a way to keep families together.

Local authorities will also be able to work with schools and educational charities to identify additional financial support that can be used to meet the needs of individual children.

## **A model protocol for managing budget risks associated with fee paying schools**

This protocol is not relevant to places at fee-paying schools commissioned as part of the EHCP process.

In other cases, carers should not make an application for, and local authority staff should not accept the offer of a place at, a fee-paying school without first gaining approval from the relevant social work manager.

Even if the place is funded by a scholarship, or other charitable source, the manager should refer the case to the relevant senior social worker so the potential budget risks can be considered before approving the place, or not.

If a place at a fee-paying school is agreed by the relevant senior social worker, then the local authority should commit to not terminating the place at the school before the end of the child's education journey. The local authority will support the place even if it continues through to the end of Year 13.

In approving any placement, senior social workers should consider:

### **i) The risk that the charge on the local authority budget increases**

The fees charged for a place at a fee-paying school may increase, or the value of other funding/scholarships may reduce during a child's time at the school. These decisions will be outside the local authority's control, though it will have to manage the consequences. Equally there tend to be additional charges for 'extras' such as uniform, trips, laptops, extra classes, etc., which must be considered alongside the basic fees.

If the charge is greater than expected, then any additional charge, including for 'extras' will be absorbed, by the relevant social care budget.

### **ii) The risk that the child's legal or other status changes**

If a child's status changes then, in the case of **a LAC becoming subject to an adoption, special guardianship, or a child arrangement order, or a CiN/ CPP who is stepped down from a social work caseload, or a CiN/ CPP who is stepped up to CiC**, then any charges associated with the provision will.

### **iii) The limits to Virtual School Head funding**

Unless the VSH is specifically funded to manage the above risks the only deployable funding available to them is likely to come from the Pupil Premium Plus budget. While they should apply the

same criteria to requests to support a child in a fee-paying school as to a child in any other school they should publish specific and clear guidance on whether they will use PP+ to fund teaching or residential costs, uniform, school trips, IT equipment, or other 'extras' they would expect a parent or publicly funded school to cover if the child was not LAC. Senior social workers should not, therefore, expect any contribution to the costs of fee-paying school places from the Virtual School Head unless through PP+, and then only if the criteria for devolution of Pupil Premium are met.

## Appendix 6 – Sample use of NEXUS-NOVA-CLA data

Education History	Nos.	Care History	Ave. Attain 8		Ave. Prog 8		Commentary
	2016/2017		2016	2017	2016	2017	
All LA Children	3026/3165	Not in care	46.9	42.8	-0.21	-0.24	<b>This is the LA baseline for comparison</b>
All children in the care of the LA irrespective of education history  (incl. DfE published benchmark measures)	40/55	All matched LAC whatever time in care	22.0	16.7	-1.39	-1.52	When considering <b>every</b> Year 11 who was in care when they sat GCSE the attainment & progress gaps with 'all LA' are consistently high (-24.9 & -1.18 in 2016/-26.1 & -1.28 in 2017). While changes to GCSE grade criteria hit all children they had a much bigger effect on the 'less' able', including LAC.
	15/12	LAC for <12 mths before exams	14.8	10.6	-1.89	-2.59	Coming into care within 12 months of GCSE is a BAD thing! However, this was only true of 22% of Year 11, not 37% as in 2016. Also, all of them had only a single care placement even though 5 changed school during Year 11 ... a fact calculated to disrupt learning and leading the 5 to averages: 6.7 & -3.18!
	25/43	<b>LAC for &gt;12 mths before exams (DfE reported)</b>	<b>26.3</b>	<b>18.4</b>	<b>-1.11</b>	<b>-1.21</b>	While the gaps are still large (-20.6 & -0.9/-24.4 & -0.97), coming into care more than 12 months before GCSE moderates some of the risk to LAC under achievement.
Only those in a Mainstream School (i.e. excludes 6 CiC for whom a special school was judged appropriate, in 2016 ... and 19 in 2017)	34/36	All matched LAC whatever time in care	24.3	24.7	-1.32	-1.07	Excluding children with sufficiently complex needs to require special school provision gives a predictable rise in the average attainment & progress, particularly in 2017 when 35% of the cohort fell into this group, compared to 15% in 2016. In 2017 less than 2% of all LA children were in a special school.
	15/7	LAC for <12 mths before exams	14.8	17.5	-1.89	-2.63	Even if the child came into care later their Attain. was higher if they were in mainstream BUT Prog. was a little lower.
	19/29	LAC for >12 mths before exams (DfE reported)	32.6	26.4	-0.95	-0.69	Coming into care at least 12 months before GCSE boosted mainstream LAC Attainment 8 from 26.3 to 32.6 & 18.4 to 26.4 and Progress 8 from -1.11to -0.95 & -1.21 to -0.69.
Only those with a stable educational placement	36/46	All matched LAC whatever	22.6	18.7	-1.46	-1.12	It is not clear that there is a consistent pattern linking a stable school place to improved attainment or progress. The



(i.e. excludes any child who experienced a change in school within 2 yrs of GCSE)		time in care					difference in the patterns between 2016 and 2017 may have more to do with the significant decline in the proportion of children suffering a school change during Key Stage 4 in the 2017 cohort (13%) compared to the 2016 cohort (30%).
	12/7	LAC for <12 mths before exams	14.1	13.5	-2.13	-2.11	
	24/39	LAC for >12 mths before exams (DfE reported)	26.8	19.7	-1.12	-0.94	
Those in mainstream school AND stable in that school (i.e. excludes children in special schools AND those who had a change of school)	30/32	All matched LAC whatever time in care	25.8	26.2	-1.40	-0.73	While combining mainstream with educational stability boosts Attain 8 from 26.3 to 33.6 & 18.4 to 27.5, and Progress 8 from -1.11 to -0.95 & (most strikingly) -1.21 to -0.43, the lack of consistent evidence for the positive impact of stable schooling (above) means that this effect is due MOSTLY to mainstream schooling.
	12/5	LAC for <12 mths before exams	14.1	18.9	-2.13	-2.27	
	18/27	LAC for >12 mths before exams (DfE reported)	33.6	27.5	-0.95	-0.43	
Those in mainstream school AND stable in that school (i.e. excludes children in special schools AND those who had a change of school) <i>but ALSO EXCLUDES THOSE EDUCATED OUT OF AREA</i>	28/17	All matched LAC whatever time in care	22.8	26.6	-1.47	-0.91	Adding 'GCSE sat in LA school' as a factor doesn't have a significant additional effect compared to only combining mainstream with stable schooling, except for Prog 8 in 2017 where all three of these together took Progress from -1.21 (well below all LA at -0.24) to -0.34, which is VERY close to non-LAC peers. That 0.34 Bear in mind that this very positive Progress was based on only 12 children, so individual children have an increasing impact on any overall conclusion, and limit its validity.
	14/5	LAC for <12 mths before exams	12.7	18.9	-2.13	-2.27	
	14/12	LAC for >12 mths before exams (DfE reported)	32.9	29.8	-0.95	-0.34	

Only 10 of the 55 Y11 CiC sitting GCSE in 2017 had: been in care THROUGHOUT their secondary education; and NOT changed their mainstream school during Key Stage 4; and had NO recorded SEND.

This small proportion illustrates how different the CiC cohort is from the 'all children' cohort.

## Appendix 7 – The broader responsibilities of the foster carer

Every child's foster carer should receive a foster placement agreement when they begin to care for the child. A typical foster placement agreement includes the expectations that the foster carer will:

- promote the welfare of the child/young person and to treat them as a valued member of the family. Though not always explicitly stated this should include behaviours that will promote the child emotional health and well-being, such as:
  - seeing the child as an individual.
  - promoting a strong sense of identity in a child.
  - spending time with a child one on one.
  - offering the child an opportunity to develop a secure attachment to them.
  - building the child to self-esteem.
  - promoting trust through a mature and consistent approach.
  - encouraging the child to make friends, socialise and build support networks through joining clubs or groups of peers
- keep the child safe including NOT providing or allowing access within the home to dangerous, illegal or inappropriate items, such as weapons, adult films, drugs
- NOT use any form of corporal punishment or inappropriate sanctions
- arrange for the child/young person to receive medical/dental/optical attention when needed and allow him/her to be examined when required by the responsible authority
- ensure that the child/young person has access to a balanced diet and opportunities for exercise commensurate with their abilities
- ensure that the child/young person is encouraged and facilitated to:
  - understand their family history and value their heritage & ethnicity
  - follow cultural traditions and speak their first language
  - practice their religion
  - maintain contact with family members and any others significant to them (unless stipulated otherwise in the placement agreement)
  - acquire skills and knowledge to prepare them for adult and independent life, including their capacity to look after themselves
- ensure that any information given to the Foster Carers regarding a child/young person is kept confidential
- keep a diary of events related to the child/young person
- attend relevant child protection conferences, planning meetings and CLA reviews concerning the child/young person and provide written reports if requested, and help prepare the child/young person attending reviews and other important meetings

External links:

Fostering Network (2009) Foster care placement: regulations and guidance. London: Author. Leaflet available for order from [www.fostering.net](http://www.fostering.net)

The Fostering Network also has links to numerous legislation summaries that detail the expectations of Foster Carers: [www.fostering.net/resources/subjects/standards-and-legislation](http://www.fostering.net/resources/subjects/standards-and-legislation).

## The Placement Plan

The law requires local authorities to ensure that the placement plan, which sets out the arrangements for the child to live with and be cared for by the [foster carers](#), should include any arrangements for [delegation of authority](#) from the local authority to the foster carer. The placement plan should help the foster carer and the school understand what decisions foster carers can make.

It is therefore vital that schools are familiar with the child's placement plan, so that they are clear which decisions can be made by the foster carer, and which need to be made by the child's social worker

External Links:

Fostering Network (2012). Supporting placement planning: Handbook on delegated authority.

London: Author. Available from:

[http://www.fostering.net/sites/www.fostering.net/files/public/resources/good-practice-guidance/delegated authority handbook 2011.pdf](http://www.fostering.net/sites/www.fostering.net/files/public/resources/good-practice-guidance/delegated_authority_handbook_2011.pdf)

## **Appendix 8: Trauma, loss, and attachment**

The experience of trauma, loss and attachment difficulties can have long lasting effects on how children and young people relate to others, even if these new relationships are with people who are safe and positive. These experiences can lead to behavioural, emotional and mental health difficulties.

The key role of the VSH is not to diagnose, or prescribe, in response to these issues; this section deliberately avoids suggestion response to these complex issues as ‘a little knowledge being a dangerous thing’.

VSH can use these section to raise awareness among local authority and school staff in advance of pressing for specialist training and support for practitioners working directly with the child.

### **Trauma**

Many children have experienced trauma or multiple traumas over a long period of time. Common causes include

- Violence in the home
- Drug and/or alcohol dependence of the care giver. (It is estimated that this is an issue in two thirds of care proceedings)
- Loss of a carer giver (death, abandonment or imprisonment)
- Stressful environment due to housing or financial problems
- Experiences of war or disaster
- Carer ill health (physical or mental health issues)
- Child ill health which may have meant long separations from their care giver due to hospitalisation.
- Parental neglect or abuse. Especially damaging as the person who should be providing safety and care to the child is dangerous and frightening.

Trauma has been linked to a number of behaviours which can be challenging in school including lack of emotional control, poor organisational and planning skills, problems with working memory and difficulty beginning new activities or transitioning between activities. None of these are consciously controlled or deliberate on the part of the child, they are a response to their previous experience. This is not to excuse such behaviours but to seek to explain them.

Children can overcome trauma with support from loving care givers and an effective, secure, nurturing educational placement.

### **Loss**

Before they come into care looked after children may have experienced loss as a result of the difficult relationships with their care givers and the challenging circumstances in which they lived. They may have frequently felt abandoned and feared that they had lost their care giver forever. Alternatively, the child may have experienced inconsistent care, and felt loss and sadness during those times that their needs were not being met.

Being taken into care represents a further loss for the child, even if the attachment that they had to their birth parent was insecure or disorganised. The child loses all that is familiar to them, even if

their experiences are far from ideal. Instability in foster placements leads to further experiences of loss.

Thus, looked after children have often experienced multiple losses.

Kubler-Ross (1969) suggested that there are stages that people experiencing loss or grief go through.

The stages are

- Shock and denial
- Anger
- Bargaining
- Despair and depression
- Acceptance/understanding.

Each individual will go through the stages at their own pace, and in different orders.

## **Attachment**

Attachment is the term used to describe the relationship an infant develops with their primary care giver(s). The attachment relationship is an affectionate bond that endures through time and it connects the infant with their care giver(s) physically and emotionally (Bowlby 1969). The attachment relationship develops by care givers responding appropriately to a baby or child's needs. For example, when a baby cries, care givers comfort the baby, feed them or change their nappy, and hold them. The care giver is fulfilling the baby's physical and emotional needs. As the baby gets older and is crawling or walking, they need to see their care giver as a 'secure base' from which they can explore their environment. If the baby gets distressed, they return to their care giver to have their emotional needs met. They are then able to leave their secure base again and learn more about their environment.

Bowlby suggested that these early experiences between an infant and a care giver created the child's 'internal working models'. These models influence what the child thinks about themselves ("am I loveable?"); what they feel about others ("are other people reliable and do they meet my needs?"); and how they experience the world ("is the world out there a safe place to be explored and learn from?").

Ainsworth and others have identified 4 main attachment styles with characteristic behaviours of both the infant and the care giver. It is important to note that insecure ambivalent and insecure avoidant infants do have an attachment to their care giver: as many as 40% of young people in school may have these types of insecure attachments.

## **Appendix 9 – Advice a VSH might offer schools &/or requirements the VSH might have of schools if they are to receive PP+ funding**

Some VSH publish criteria which, if a school demonstrates that it meets them can result in swifter or more complete devolution of PP+ funding to the school.

### **Monitoring and tracking achievement**

Ofsted described effective schools as having in place a system that allowed for the thorough analysis of outcomes & solid tracking, to identify which pupils underachieve & why.

The Virtual School could, therefore, expect the school to:

- share attainment, progress, and attendance data, and information on the child’s engagement with learning, termly and more often if requested;
- collaborate in the creation and implementation of an effective personal education plan.

### **Use of the funding by schools**

Ofsted found that the most effective schools clearly identified the target group and ring fenced pupil premium to spend on them. They intervened using evidence-based, high-impact approaches and used achievement data to check interventions were having an impact. Where there was insufficient impact schools made in-year adjustments to improve the impact.

The Virtual School could, therefore, expect the school to:

- ring-fence Pupil Premium Plus allocated to them for the looked after children on roll. This doesn’t mean that the pupil premium needs always to be ring-fenced to the individual child, but to the group of looked after children on roll. Alternatively the school should be able to demonstrate the impact on the outcomes of looked after children benefitting from interventions aimed at a broader cohort of children and funded by pooling the Pupil premium Plus with other school budgets.
- have in place effective rigorous measures of in-year of attainment and progress which it shares with the Virtual School and uses to modify the personal education plan within the usual 6 monthly review cycle, if necessary.

### **Staff professional development**

Ofsted found that in the most effective schools support staff were highly trained. They also found that teachers in effective schools knew who the pupil premium cohort were and had consistent high expectations of them. Those schools also had strong senior leadership oversight of how pupil premium funding was spent and the impact it was having.

The Virtual School could, therefore, expect the school to:

- prioritise the professional development of its Designated Teacher for Looked After Children, ensuring they have sufficient time and influence to carry out their duties as described in statutory guidance.
- provide effective professional development that helps all staff working with looked after children to understand the particular challenges looked after children (and indeed all children who have suffered early trauma, loss or attachment difficulties) may face in learning and in

developing relationships. [Attachment Aware Schools](#) provides support to schools wishing to develop staff understanding.

- Does this imply standards are fully aware. What does developing standards for schools mean in the world of school autonomy and who will enforce them. Local standards or national standards?

## **The role of governors**

Ofsted found that in effective schools, governors understood pupil premium and were involved in the school strategy to implement it. In those schools headteachers invested time to explain what the schools was doing and why, as well as regularly demonstrating the impact.

The Virtual School could, therefore, expect the school to:

- identify a Designated Governor for Looked After Children and facilitate regular time for them to discuss the schools approaches with the Designated Teacher for Looked After Children.
- enable the Designated Teacher and Designated Governor to make a joint annual report on the work of the school in support of looked after children and the impact the approaches adopted were having.

Schools will also find the Ofsted report: 'Unseen children: access and achievement 20 years on', helpful reading. It can be found at: <http://www.ofsted.gov.uk/resources/unseen-childrenaccess-and-achievement-20-years>

## **Encouraging positive responses to looked after children**

Some Virtual Schools have embodied these expectations, or similar ones, into a quality standard. If a school earns the quality standard then they could receive the Pupil Premium Plus, or more of the Pupil Premium Plus, automatically as well as being presented as a best practice hub for any school-to-school support.

## **Buying Equipment with Pupil Premium Plus**

### **Ownership and use of equipment**

Mainstream schools can decide who owns any equipment purchased with the pupil premium and how it is used. When non-mainstream schools receive pupil premium funding, they should ensure that issues of ownership, insurance and use are clear and understood by all parties.

In most cases, any equipment purchased for the child should become the property of the child and stay with them if they move school or leave care.

There may be individual cases where a different arrangement would be appropriate, for example, a long-term loan of equipment. In this instance, schools are advised to have a written agreement with the child and their social worker or carer/parent. This agreement should set out any requirements placed on the child and their carers, and the support that the school is committed to providing. It should also state, if appropriate, the circumstances when the equipment would be taken back from the child.

In any event, for high-value items and/or devices that enable the child to access the internet, schools should ask the child and their carer to sign an agreement that should set out the responsibilities of the child, the carer and the school in relation to the item. This is likely to include a requirement for

the child and carers to look after the equipment and to use it safely, as well as issues around maintenance, repairs, support, ownership and insurance.

Schools should note that, for audit purposes, they should be able to provide evidence of the purchase of the equipment, the terms on which the equipment is provided to the child and details of who now has ownership. The aforementioned agreement should satisfy this requirement. It is essential, therefore, that the wording of the agreement is comprehensive and accurate.

### **Purchase of laptops, computers and other internet-enabled devices**

Mainstream schools can decide what make and model of laptop or computer, software and peripherals to purchase. However, it is recommended that Microsoft Office, a robust anti-virus package, robust parental controls (which may already be included in the anti-virus software), and a suitable carry case, are included in the purchase.

If funds are available, you may also wish to consider insurance, an extended warranty or a support contract.

Schools should find out if the young person will be able to connect to the internet at home (for example via the carer's network) and whether there are any concerns relating to internet safety. The local authority should provide guidance on all of these issues.



## **Appendix 10 – A framework for a PP+ Strategy**

### **Introduction**

This can provide context for the strategy by:

- summarising the regulatory framework governing the Pupil Premium Plus
- describing how it links to Personal Education Planning, and how the local implementation of both is intended to promote LAC outcomes
- discussing the previously LAC PP+ and compare and contrast arrangement for it with the LAC PP+
- outlining how the success or failure of this strategy will be measured by the VSH by making reference to qualitative (or qualitative) measures of success (see [Performance Profile](#))

### **Implementation of the Looked After Pupil Premium (PP+), including ...**

#### **The planned devolution of PP+ to schools for the year ahead**

- Lump sum or instalments?
- In either case, how much and when?
- What happens to the PP+ when a child is in off-site provision? It can be notoriously difficult for an alternative provider to get an appropriate share of PP+ from a mainstream school without this clarity.
- What happens if a child leaves a school after PP+ for the year/term arrives in school?

#### **The purpose of PP+ devolved to schools**

- Confirming the distinction between what a school is funded to provide for all children in its budget and what the VSH considers as additional support on which PP+ could be used.
- Whether generic approaches, such as ‘quality first teaching’ or improved ‘meta-cognition and self-regulation’, are sufficiently individualised approaches to be funded by PP+, rather than whole school improvement strategies applied across an entire cohort.
- Does the VSH reference advice from Ofsted on what makes for effective pupil premium spending by schools, and phrase their expectations of schools in those terms, such as schools:
  - having effective and rigorous monitoring of in-year of attainment and progress which is shared with the Virtual School
  - supplement the sharing of attainment and progress data with concerns about a pupil’s attendance, engagement with learning, or their emotional health and well-being
  - use this changing picture to modify SMART Learning Target &/or interventions to improve impact, more often than termly if appropriate
  - prioritise the professional development of the Designated Teacher, and other staff, so they understand the particular challenges looked after (and many other vulnerable) children may face due to early trauma and loss
  - rigorously evaluate the impact of their spending of PP+ and report this to governors

#### **The place of the Personal Education Plan Review Meeting in PP+ allocation**

- Who does the VSH expect to attend, and therefore have a say in how PP+ spend is integrated into personal education planning?
- How does the voice of the child at a PEP Review Meeting impact on discussion of PP+ allocation?

## **The nature of the link between Personal Education Plan (PEP) targets and planned PP+ spend by the school**

- Does the PEP require specific linking of PP+ spend to a SMART learning target?
- Does the PEP require a school to refer to the EEF Teaching & Learning Toolkit when deciding how best to deploy PP+?
- What evidence will the VSH expect to justify that the PP+ was well spent and had impact?
- Will the VSH put in place systems to validate the decisions made by the school?
- Will a school be made accountable for previous PP+ decisions when the next round of PP+ allocation takes place?
- &/or will the decisions made by a school be considered when the next allocation of PP+ is considered?

## **The central retention of pupil premium plus**

- How much PP+ will be retained centrally, and why?
- How will the impact of centrally retained PP+ be assessed?
- How will the VSH demonstrate the same rigor and transparency in the use of retained PP+ that they expect from schools and the spending of devolved PP+?
- Will the retained PP+ be used to 'top-up' funding to schools with particularly high proportions of LAC on roll?
- Will schools be able to apply for additional PP+ during the school year, and if so, how?

## **Are there 'special cases' relating to PP+ allocation?**

- Will there be different policy relating to, for instance:
  - Year 11 pupils during the Summer Term, when most of the term will be study leave?
  - LAC educated in independent special schools or other non-state funded schools?

## Appendix 11 – Outline Annual Report of the Virtual School Head

These are suggested, not exclusive, headings based on creating an 'Ofsted ready' Virtual School. VSH should be aware that the Virtual Head's Report is likely to be on the list of documents an inspection team would want to see, so they should be constructed with this in mind. It is entirely possible and reasonable for the VSH to separate their 'internal' self-evaluation process, from their reporting process, at least in terms of 'external' audiences. It is, though, essential that if the VSH is identifying concerns or issues based on data/evidence that their improvement plan addresses them.

### Achievements

Summary of achievements of the Virtual School over the last academic year

- Training (by audience) delivered and planned
- Evidence of collaborative working in cross service/LA groups
- Staffing
- Staffing structure
- Staff CPD and training opportunities summary
- Performance summary to include summative and formative information across the cohort from Early Years to post 16 (this should be a succinct summary as evidence will have been available throughout the year. Alternatively, more detailed information can be provided in appendices)
- Communications with other agencies, locally, regionally and nationally – establishment of website, early learning packages etc
- Progress and development re Personal Education Plans

### Pupil issues

- School roll and [characteristics](#)
- Number of pupils by phase and location
- Number of pupils placed and educated in Out Of Authority placements
- Number of pupils forming the cohort of having been looked-after for 12 months as at 31 March in line with the Outcomes for Looked After Children Statistical First Release published each December
- Destination pathway of Year 11 pupils
- Attendance
- Exclusions
- Admissions and number of pupils admitted within statutory 20 school day timeframe
- Admissions: number where a direction was made by the local authority, number where direction was upheld by the Schools Adjudicator, number of academies where a request to the Secretary of State to direct was made, number of academies where the Secretary of State upheld the request.
- Time taken to access education for those placed within and outside LA (within statutory 20 school day timescale)
- Pupils with disrupted education and remedial/management action
- Number of pupils in Virtual School attending a 'good' school as recognised by recent Ofsted judgment.
- Status of schools which do not come into this category where children in care to LA are placed
- Pupils not attending school and details of their alternative provision, including DfE registration, and number of hours accessed

- Details of all pupils receiving alternative education and individual plans for their return to mainstream education (if applicable)
- Details of all pupils missing from education and management action to locate and place them

### **Use of funding available to the Virtual School**

- Identify current funding streams (incl. Pupil Premium Plus) and whether externally or internally generated
- Give evidence of the use, and impact, of funding on pupil achievement, which will have implications for how spending is recorded and matched to interventions and their impact at the level of individual children
- Where possible provide case studies to exemplify the use of funding and its impact

### **Impact of the Virtual School**

- Using data to inform and drive progress

Taking account of the groups of pupils within relevant categories, such as:

- Children out of authority
- Children with a plan for adoption
- Children in foster care
- Children in residential settings
- Children with a plan to return home
- Children with SEND
- Unaccompanied Asylum seeking Children and Young People
- Care leavers if their attainment, progress or EET status is the responsibility of the VSH rather than the care leaving service)

### **Case Studies**

Individual, anonymised, case studies will be helpful to evidence the work of the VSH.

## **Appendix 12: A sample PEP Review Agenda**

This set of questions can provide the basis of any PEP Review meeting with the social worker, or other agreed professional, recording the views of the meeting:

- Are there any updates to:
  - contact information
  - child's SEND or legal status
  - the care plan
- Based on the pupil's view (expressed in the meeting, or elsewhere or by other means), what is the child MOST positive about? What are they LEAST positive about?
- What are professionals/carers pleased about? Which parts of the most recent Plan (if this isn't an initial PEP Meeting) are going well?
- What are professionals/carers concerned about? What is NOT going as well as expected/hoped?
- Which SMART Learning Targets ARE being achieved? Do they need to change; if so how?
- Which SMART Learning Targets are NOT being achieved? Do they need to change; if so how?
- Is the pupil making expected progress?
- What other Actions are necessary between now and the next PEP Review Meeting, and who will take them?

## Appendix 13: An approach to allocating Virtual School Governance decisions, responsibilities, tasks and decisions

Key Function	Tasks (*Subject to LA policy)	Responsibilities					Comments/Notes
		LA leaders, policy or practice	LA (with advice from the Virtual School Gov Body)	Virtual School Gov Body (VSGB)	Virtual School Governing Body (with advice from LA)	Virtual School Head Head &/or Governors of individual schools*	
<b>Budgets</b>	Approve the budget each financial year	X					Virtual Schools do not have a 'delegated budget'; it is for the LA to decide its budget. The structure for the Virtual School should include a rationale for the budget which seeks to ensure the statutory responsibilities of the VSH can be met from within the Base Budget.  Support to maintained schools could be met from within the allocated DSG.  Cohort-level interventions can be met from within centrally retained PP+.
	Monitor monthly expenditure					X	
	Enter into contracts*					X	
	Make payments*					X	
	Establish parameters for the use of centrally held Pupil Premium Plus (PP+)				X		
	Monitor the impact of centrally held PP+ spend			X			
	Establish parameters for the distribution of PP+ to schools		X				
	Monitor the impact of PP+ distributed to schools			X			
<b>Staffing &amp; Performance Management</b>	Appoint VSH*		X				Staff who work in the Virtual School are employed by LA; and are subject to LA HR/employment policies. However, the VSGB should be encouraged to be involved in deciding on staff structures and to assist in the appointment of the VSH.  LA is responsible for performance management of staff working in the Virtual School. However, the views of the Chair could be sought as part of the appointment and performance management of the VSH.
	Appoint members of the Virtual School team*	X					
	Suspension or dismissal of staff	X					
	Determining Virtual School staff complement		X				
	Implement the LA performance management policy with regard to the Headteacher of the Virtual School	X					
	Implement the LA performance management policy with regard to other Virtual School staff					X	

<b>Target setting &amp; PEPs</b>	Approve the process used by the VSH to set internal targets for pupil attainment/ progress			X			Each pupil should have an up to date PEP based on prior attainment and expected future attainment. The VSH should ensure systems exist to quality assure these PEPs.	
	Set and monitor internal targets against those set by schools and challenge them as appropriate					X		
	Complete PEPs and submit current outcome information to the VSH as requested							X
	Challenge DT & SW to ensure all children have an up-to-date PEP					X		
<b>Attainment &amp; Progress</b>	Deliver CLA attainment and progress in line with targets						X	Ofsted inspectors consider the attainment and progress of 'disadvantaged groups' of pupils, including looked after children when coming to a judgement during school inspection.
	Monitor CLA attainment and progress			X				
	Challenge CLA attainment and progress being delivered by a school					X		
<b>Attendance &amp; Exclusions</b>	Ensure high CLA attendance and engagement with learning						X	Ofsted inspectors consider the attendance and exclusion of 'disadvantaged groups' of pupils, including looked after children when coming to a judgement.
	Monitor CLA attendance and exclusion			X				
	Challenge exclusions of CLA					X		
<b>Curriculum</b>	Deliver an appropriate curriculum that meets CLA needs						X	Schools have a statutory obligation to provide an appropriate and relevant curriculum to every child on their roll. This includes decisions on the use of non-mainstream provision, college, or work placements, and alternative provision. The role of the VSH is to ensure the offered curriculum is appropriate to the child's learning needs and will enable them to progress to the next learning stage.
	Deliver quality first teaching and high quality learning of CLA						X	
	Challenge schools to deliver an appropriate curriculum that meets CLA needs					X		
	Challenge schools to provide a full timetable of educational provision					X		
<b>Intervention &amp; Support</b>	Commission individual or cohort wide interventions					X		This assumes the VSH has the intervention resources available to deploy either within the Base Budget; DSG; or centrally retained PP+
	Advise partners on the interventions likely to have impact					X		
	Monitor the effectiveness of interventions			X				
	Offer professional development to school staff and other relevant partners					X		

<b>Admissions</b>	Admission of pupils in line with admissions protocols						X	The local admissions code should prioritise looked after children, though academisation may increase the time taken to successfully direct the admission of a child.  A local authority that cares for a child is empowered to direct admission to a school whether or not it is the admission authority for the school.
	Challenge LA and schools to ensure swift and appropriate admission						X	
	Advise LA on the direction of a school within or beyond LA's boundary to accept a CLA in the care of LA						X	
<b>Special Educational Needs &amp; Disability</b>	Prioritise the provision of an appropriate educational placement for a child in care with SEND	X						The Local Authority is responsible for securing an appropriate education placement for pupils with SEND.  Schools must have regard to the statutory guidance detailing their obligations to meet the needs of pupils on their roll who have SEND.  However, the Virtual School must be satisfied that children with SEND benefit from appropriate provision.
	Co-ordinate SEND provision with other schools						X	
	Ensure that teachers identify and effectively provide for CLA who have SEND						X	
	Challenge the relevant authority to secure appropriate provision for pupils who have SEND						X	
<b>Information for Parents/ Carers and Partners</b>	Provide advice and guidance on school choice, learning support, the needs of CLA etc.						X	The VSH should ensure there is appropriate advice to parents/ carers and partners working with and on behalf of CLA
<b>Governing Body</b>	Write, adopt, and ensure compliance with a Virtual School Governing Body Code of Conduct.					X		The role of a Virtual School Governing Body is very different from that of a 'bricks & mortar' school. However the principles of good governance apply to both.
	Set up a Register of Governors' Business Interests				X			
	Regulate the Governing Body's procedures				X			
	Appoint (and remove) the chair of the LA VSGB			X				
	Appoint (and dismiss) the clerk to the governors			X				
	Ensure that LA VSGB meetings are held as required by the calendar of meetings			X				
	Set up a complaints procedure	X						
	Advocate on behalf of looked after children and care leavers			X				