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## Consultation Document

# Raising the ambitions and educational attainment of children who are looked after in Wales

Date of issue: 29 January 2015

Action required: Responses by 4 May 2015

# Raising the ambitions and educational attainment of children who are looked after in Wales

- Overview** This document covers the education of looked after children, primarily of compulsory school age, but does include the transition to further and higher education.
- How to respond** Responses to this consultation should be e-mailed/posted to the address below to arrive by **4 May 2015** at the latest.
- Further information and related documents** Large print, Braille and alternate language versions of this document are available on request.
- The consultation documents can be accessed from the Welsh Government's website at [www.wales.gov.uk/consultations](http://www.wales.gov.uk/consultations)
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## **Data protection**

### **How the views and information you give us will be used**

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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## Introduction

*The educational attainment of looked after children and young people is improving slowly but there is too much variation in attainment, inconsistent support and a lack of clearly defined outcomes against which progress can be assessed.*

Wales Audit Office, August 2012

1. This is a joint draft strategy between the Welsh Government's Department for Education and Skills and the Department for Health and Social Services. Joined up policy at a national level is essential to support the effective delivery of education services working in partnership with social care and other external partners involved in the day to day lives of children who are looked after.
2. We invite all those whose work, responsibilities and lives brings them into contact with children who are looked after to contribute to the conversation and identify actions which will raise the educational ambitions, aspirations and results of children who are looked after. Unless all parts of the system – working effectively with children who are looked after and their carers - work well together we will not succeed in this very important task.
3. The Welsh Government is committed to supporting children who are looked after and care leavers to reach their full potential. This will only be possible if education services, social services and others work effectively together to ensure:
  - all children who are looked after receive help and support which enables them to achieve educational outcomes at least on a par with their peers
  - a platform to support their life chances and increase opportunities for future study and employment.
4. The [Programme for Government](#) and the [Social Services and Well-being \(Wales\) Act 2014](#) establish the importance which the Welsh Government attaches to improving the lives and well-being of children who are looked after. [Improving Schools](#) provides a route map to ensure the education system in Wales delivers our three key priorities of literacy, numeracy and reducing the impact of poverty on educational attainment.
5. [Qualified for Life – an education improvement plan for 3-19 year-olds in Wales](#) confirmed our commitment to raising standards and set out our vision that all learners will enjoy learning that inspires them to succeed. We have a simple aim that every child and young person, regardless of their background and start in life, should benefit from excellent teaching and learning.

**6.** There is clear evidence that the education system is failing to support children who are looked after effectively. As a group, they have unsatisfactory experiences resulting in educational attainment rates significantly below that for other mainstream children. Listening to children and young people who use care services has enabled a better understanding of the barriers they face and how access can be improved.

**7.** We now need to understand how we can overcome these barriers to ensure that the experiences of children who are looked after in education become positive and fruitful and deliver better results. As a consequence of these barriers, only a small number of children who are looked after progress to further and higher education. There are many challenges relating to transition and the need for support does not end when children and young people leave care.

**8.** There has been progress in supporting children who are looked after to reach their academic potential, but the impact has been marginal and the pace of improvement too slow. There must be renewed vigour to drive up performance.

**9.** The majority of children who enter care are from families who experience hardship and are separated from them because of abuse or neglect or some form of family upheaval or breakdown. That emotional trauma inevitably impacts to different degrees on their ability to learn effectively and to progress unhindered through school and beyond.

**10.** Even after being accorded looked after status, their lives are characterised by emotional stress and their continuum of learning is often interrupted by foster placement changes and time out of school. Self esteem and confidence are inevitably compromised. This is exactly why all parts of the system around children who are looked after need to act in a coordinated and coherent fashion.

**11.** When a child becomes looked after, the local authority, as a corporate parent, has a legal duty to safeguard and promote their welfare. Alongside secure and reliable care and responding to the child's need to be well and healthy, authorities must support the child's educational attainment.

**12.** As responsible parents we would not have low aspirations or expectations of our children. We would not accept poor educational outcomes without challenge. Poor educational performance should not go unchallenged and low expectations should not be tolerated.

**13.** This draft strategy will focus on potential actions required of all key partners to support children who are looked after to achieve better educational outcomes and fulfil their potential. There is much work to do to better understand the life of children who are looked after, their experience of the education system and the arrangements we need to put in place to better support their education to achieve better outcomes.

**14.** The purpose of this draft strategy is to inform those conversations with key stakeholders that will commit us all to play a full and constructive role in identifying what works to support children who are looked after.

**15.** Following initial engagement with key stakeholders over the preceding months, our intention is that the following high level strategic objectives will drive this conversation and provide a framework for future action:

- raise the educational aspirations and attainment of children who are looked after and the ability of those who care for them to support their educational development
- reinforce the collective accountability and effective leadership across the Welsh Government, local authorities, schools, further and higher education institutions for the educational outcomes of children who are looked after
- make education a priority and point of focus, especially during the periods of upheaval and uncertainty that can happen in the life of children who are looked after
- identify data that will aid practice, policy making and monitoring of educational outcomes
- ensure excellent practice is identified, promoted and shared where it exists.

**16.** We must work towards these objectives with urgency. Another year cannot pass where the systems and structures we have put in place allows a single looked after child to have an unsatisfactory educational experience and miss out on opportunities to fulfil their true potential.

## Overview

This draft strategy is organised into 4 chapters

- **Chapter 1** - describes the landscape in Wales in terms of the current policy position and statistics for children who are looked after, including their education performance.
- **Chapter 2** – outlines the case for change setting out the performance of children who are looked after and the challenges they face.
- **Chapter 3** – provides an overview of the legislative and policy framework which can further help support children who are looked after and promote their educational attainment.
- **Chapter 4** – identifies a range of actions to be taken at all levels to strengthen arrangements that will contribute to more effective learning for children who are looked after. The actions are not intended, at this stage, to be prescriptive or definitive. They are there to guide a conversation about where existing arrangements need to be strengthened, and where new approaches might be considered.

### What will happen next?

The Welsh Government invites all partners to be involved in the on-going conversation around effective approaches to supporting the education of children who are looked after and to consider the arrangements set out in this draft strategy. Comments and views are invited on these and other arrangements which stakeholders believe will help deliver better educational outcomes for children who are looked after in Wales.

### Defining attainment

*Improving the educational outcomes for children who are looked after* refers to attainment using a number of common measures which are defined below.

Level 2 inclusive (L2 inc) refers to the achievement of a volume of qualifications equivalent to five GCSEs at grade A\* to C including English or Welsh First Language and Mathematics.

Core Subject Indicator (CSI) refers to the achievement of the expected level in each of English or Welsh Language, Mathematics and Science at the end of a key stage.

Expected levels are measured against teacher assessments which measure progress and expected attainment at each key stage.

The expected level at the end of:

- Foundation Phase is Foundation Phase Outcome 5
- Key Stage 2 is National Curriculum Level 4
- Key Stage 3 is National Curriculum Level 5



## Chapter 1: The landscape in Wales

1.1. The negative impact of poor educational attainment of children who are looked after can, and often does, result in these children failing to take advantage of opportunities to progress to post-16 education, training and meaningful employment.

1.2. We know that there are often a number of 'life' factors which due to the child's personal circumstances can hinder their ability to learn and perform well in school. The [Children Act 1989 \(section 22\)](#) placed a general responsibility on a local authority to safeguard and promote the welfare of any child being looked after by the authority and set out ways in which the authority would be required to support children and young people who became children who are looked after.

1.3. [The Children Act 2004 \(section 52\)](#) extended this provision to place a positive duty on the authority to promote educational achievement of children who are looked after and also introduced duties on local authorities and relevant partners to cooperate to improve the well-being of children (section 25), including education.

1.4. In July 2007, the Welsh Government published [Towards a Stable Life and a Brighter Future](#) to strengthen the placement, health, education and well-being of children who are looked after. The guidance outlined actions to strengthen arrangements for the education of children who are looked after, including the need to designate an Education Co-ordinator to oversee the child's education plan and address the educational needs of children who are looked after and care leavers in the local authority area.

1.5. In identifying an appropriate care placement for children who are looked after, authorities are required to take account of the availability of a suitable educational placement. Unless there are exceptional circumstances, this means a full-time place in a local mainstream school *commencing without delay*. Other than for clear health and safety reasons for example when a child needs a place of safety immediately, care placements should not be made unless an appropriate level of education can be provided. Education services should assist the child's social worker and carer to identify an appropriate educational placement, including out of authority placements.

1.6. Other key education aspects included:

- the prime consideration when arranging the placement of a child is the child's health and education needs and in particular any mental health needs
- the development of an effective and high quality Personal Education Plan (PEP) within 20 days of entering care or joining a new school
- that planning should begin prior to placement
- the prompt transfer of education records
- a requirement for every residential home to designate a link worker responsible for promoting the child's educational achievement.

1.7 The [Children and Young Persons Act 2008 \(section 20\)](#) introduced arrangements which require the governing body of a maintained school in Wales to

designate a member of staff as having lead responsibility for promoting the educational achievement of children who are looked after in the school.

**1.8** [If this were my child – A councillor’s guide to being a good corporate parent to children in care and care leavers](#) published by the Welsh Government and the Welsh Local Government Association in 2009 reminded elected members of their responsibility to act as good corporate parents to children who are looked after and care leavers. A good corporate parent seeks the same outcomes for children in their care and care leavers that every good parent would want for their own children by ensuring they do everything possible to give them the best possible start in life.

**1.9** Every year in Wales we publish an array of statistics related to children who are looked after including the annual statistical release [Adoptions, Outcomes and Placements for Children Looked After by Local Authorities](#), which presents information on children who are subject to care orders and other children provided with accommodation by their local authority. The [Wales Children in Need Census](#) provides us with the educational outcomes at four key stages of the Children in Need categories (of which one is children who are looked after) together with the general ‘Pupils in Wales’ data.

**1.10** Based on data from the Children in Need Census for 2013 and the children looked after statistical release for 2014, this section provides a breakdown of the characteristics of children who are looked after and shows their educational performance compared to the mainstream school population. The results demonstrate that the system is failing most children who are looked after in education.

**1.11** The children looked after statistics for 2014 show:

- 5,755 children were looked after by Welsh local authorities at 31 March 2014.

## **Gender**

3,110 boys

- 150 - under 1 year
- 620 - 1-4 years
- 740 – 5-9 years
- 1,055 – 10-15 years
- 540 – 16-17 years

2,645 girls

- 160 – under 1 year
- 500 – 1-4 years
- 580 – 5-9 years
- 975 – 10-15 years
- 435 – 16-17 years

## Ethnicity

- 5,250 children who are looked after identified as White
- 175 children who are looked after identified as Mixed
- 65 children who are looked after identified as Asian or Asian British
- 45 children who are looked after identified as Black or Black British
- 50 children who are looked after identified as other ethnic groups
- 170 children who are looked after with unknown ethnicity.

Note: Data has been rounded to the nearest 5 for disclosure reasons.

## Placements

- 71% of children who are looked after had one placement during the year
- 21% of children who are looked after had two placements during the year
- 8% of children who are looked after had three or more placements during the year

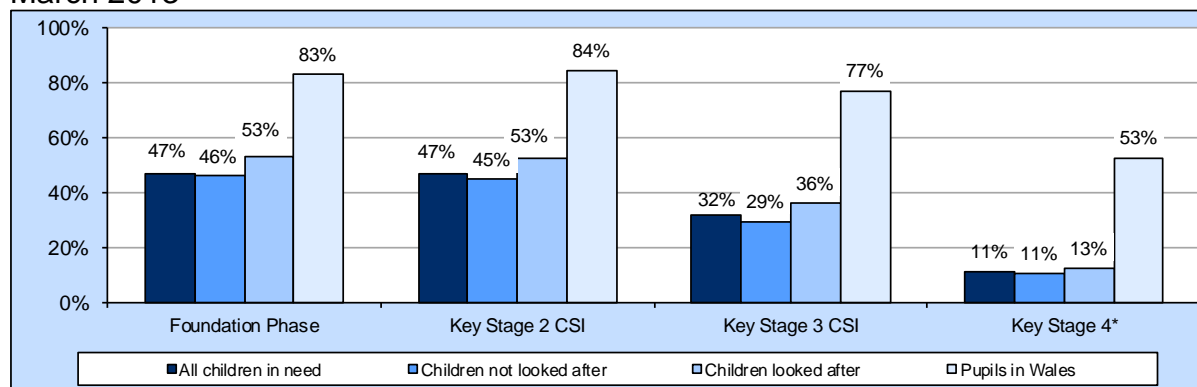
**1.12** The Wales Children in Need Census confirms a breakdown of children who are looked after into the following groups for 2013:

- 90% of children who are looked after aged 5 -15 are in mainstream schools
- 10% of children who are looked after aged 5 -15 are in special schools
- 13% of children who are looked after have a disability

## Eligibility for free school meals and special educational needs:

- 26% of children who are looked after were eligible for free school meals
- 34% of children who are looked after had no special educational needs
- 66% of children who are looked after had some form of special educational needs

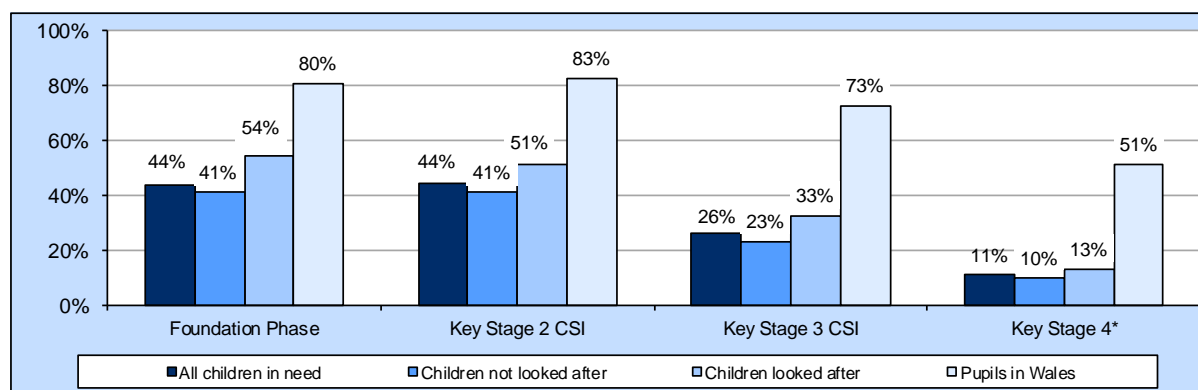
**Chart 1:** The gap at Foundation Phase and Key Stages between the educational outcomes of children in need, children who are looked after and all pupils at 31 March 2013



Source: Children in Need Census

\* Key Stage 4: 5 GCSEs at grade A\*-C including a GCSE grade A\* - C in English or Welsh first language and mathematics

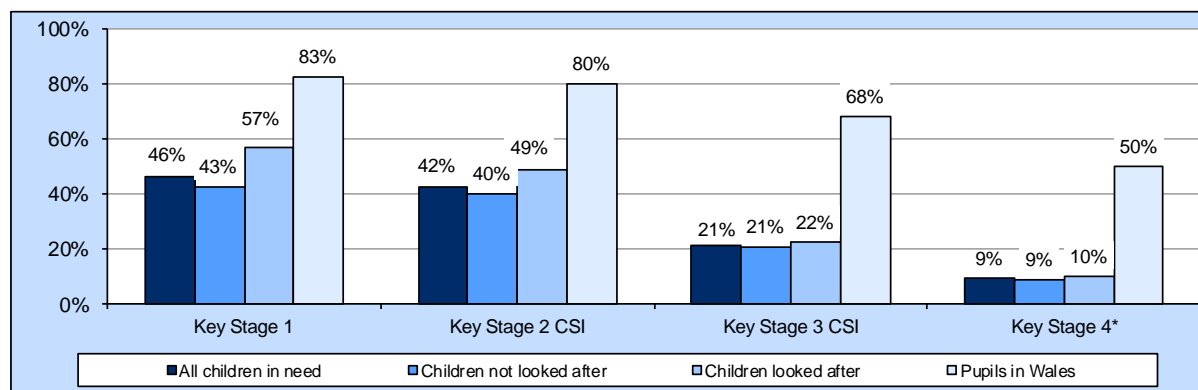
**Chart 2:** The gap at Foundation Phase and Key Stages between the educational outcomes of children in need, children who are looked after and all pupils at 31 March 2012



Source: Children in Need Census

\* Key Stage 4: 5 GCSEs at grade A\*-C including a GCSE grade A\* - C in English or Welsh first language and mathematics

**Chart 3:** The gap at Key Stages between the educational outcomes of children in need, children who are looked after and all pupils at 31 March 2011



Source: Children in Need Census

\* Key Stage 4: 5 GCSEs at grade A\*-C including a GCSE grade A\* - C in English or Welsh first language and mathematics

## Chapter 2: The case for change

**2.1** We need to take effective and sustainable action to address the educational under-performance of children who are looked after.

**2.2** Current levels of performance are unacceptable and year on year little progress is made. Too many children who are looked after will leave compulsory education with few or no qualifications and are being failed by a system which can all too often lead to children who are looked after becoming NEET (Not in Education, Employment or Training) or within the youth justice system. This is not always the case, but we need to improve the life chances of children who are looked after within a system that all too often accepts poor performance with some inevitability.

**2.3** The children looked after statistics for 2014 show that of 427 care leavers, who had their 19<sup>th</sup> birthday during the year ending 31 March, 193 were NEET. This is 45% of this group.

**2.4** A good education with successful exam results may not prevent children who are looked after from making the wrong life choices, but having a strong foundation in education will stand them in good stead for life and will help open up opportunities and inform better life choices.

**2.5** One of the six key principles in [Qualified for Life](#) is that “learners are at the heart of all we do. We have high aspirations for their achievements and well being: *a child or young person’s background must never limit their achievements*. To put the learner at the centre of our education system we must have relevant, challenging and valued learning, delivered by inspiring teachers, lecturers and support staff who in turn will create inspired learners”.

### Statistical trends

**2.6** This information is a comparison of attainment rates between years, not a comparison of the same children.

**2.7** At Key Stages 2 and 3 there was a slight improvement in 2013 on the previous year. At Key Stage 2 the increase was 2% - 51% to 53% and at Key Stage 3 the improvement was 3% an increase from 33% to 36%. At Key Stage 4, the results remained the same as 2012 at 13%.

**2.8** Although children who are looked after continue to do better than the children in need categories, when compared to the overall pupils in Wales category the difference in attainment rates at all Key Stages is significant. For instance in 2013, at Key Stage 3 the overall pupils in Wales category has an attainment rate of 77% compared with only 36% for children who are looked after. We must close this gap.

**2.9** The Children in Need Census statistics were first captured in 2010. We do not currently have enough historic census information to follow the educational journey of a specific child who is looked after group from Foundation Phase through to Key

Stage 4. However, this is something we have identified for future monitoring purposes.

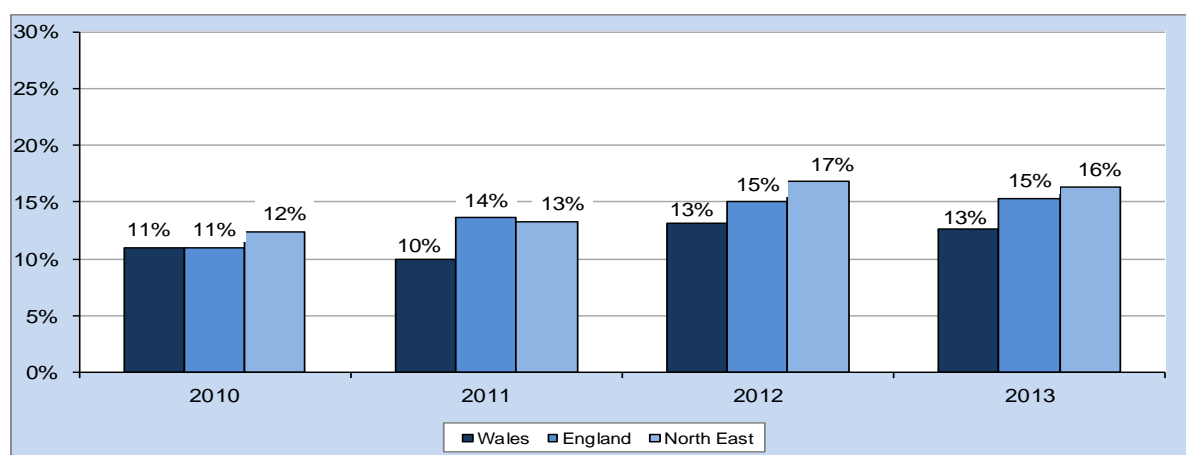
**2.10** The rate of improvement seen in the proportion of children who are looked after in Wales achieving qualifications over the last four years mirrors the general trend across the UK. Because of the differences in the education systems it is not possible to compare all of the qualification levels of children who are looked after.

**2.11** However, we can make a comparison with England and its regions at Key Stage 4.

**2.12** The comparison in attainment between England, the North East of England and Wales at Key Stage 4 is shown in the table below. The North East region has also been included as it is the most socio-economically comparable to Wales.

**2.13** These statistics demonstrate the low educational attainment of children who are looked after is prevalent in England as well as Wales.

**Chart 4:** Comparisons in children who are looked after attainment: Percentage achieving 5+ GCSEs A\*-C or equivalent including English/Welsh & Mathematics



Source: Children in Need Census

**2.14** Low educational attainment of children who are looked after is a long-standing problem showing little signs of marked improvement. The danger is that this might feed into low aspirations and expectations of the children and young people by those closest to them. We need to explore new ways to reverse the trends of inadequate performance.

**2.15** This draft strategy recognises that much is in place to support children who are looked after including the commitment of those who work with children who are looked after to improve their educational attainment. However, from the data and from conversations we have held with stakeholders leading up the publication of this draft strategy there is clear evidence that we need to work more effectively to reinforce guidance, ensure greater accountability, challenge practice and drive up standards.

## Chapter 3: What is already in place

**3.1** The Welsh Government is committed to improving life chances and outcomes of all children in Wales.

**3.2** We know targeted early interventions in the early years make a positive impact to changing outcomes for children identified as being 'in need'. A number of programmes and policies already help and support families who may be experiencing difficulties, often caused by living in areas of deprivation, and struggling to provide the necessary care for their children. Only by ensuring effective multi-agency support can we help prevent children in need becoming looked after, though there are circumstances where the most appropriate action is for the child to be taken into care and supported accordingly.

**3.3** Our early years programme is designed to provide strong support and guidance for families and their children who find themselves in difficult circumstances and facing great challenges.

**3.4** Our primary aim is to support families to care for their children. Where that is not possible, we expect greater stability for those children who are looked after, in their friendships, school lives and for those who provide them with support.

**3.5** The Welsh Government has set out its plans for social services and other agencies in the [Social Services and Well-being \(Wales\) Act 2014](#).

**3.6** The new legislative framework underpins the delivery of improved outcomes for children and their families.

**3.7** The **National Outcomes Framework** to support the implementation of the Act is being developed in partnership with key statutory, third and private sector partners and will provide a coherent and comprehensive context to drive improved outcomes for children who are looked after as well as the wider children and adult population. It sets out both peoples' expectations of support as well as the services that will contribute to their well-being.

**3.8** Underpinning the National Outcomes Framework, will be a simplified performance measurement framework for services. This will be set out in our Code of Practice being developed to support the Act, which will come into force in April 2016. The framework will include quality, standards and performance measures that evidence the contribution that organisations make to the well-being of people.

**3.9** The Act is introducing a range of provisions to strengthen placement choice and stability which will:

- require that children are accommodated close to their home or neighbouring community unless there is good reason not to do so
- enable children to be placed with their prospective adopters
- provide for children to remain with their foster carers after the age of eighteen.

**3.10** The Act will also allow us to strengthen regulations about avoidance of disruption in education if that is necessary. Local authority support for children and young people up to the age of 25, continuing in or re-engaging with education will be set out in their pathway plan.

**3.11** The [School Admissions and School Admissions Appeals Code 2013](#) states that whilst it is essential that children who have no school place are found one quickly the Education Act 1996 permits deferment of admission to the start of the school term. In cases involving school transfers that do not require a house move, or where there is no need for an immediate move, admission authorities may wish to arrange for a child to start at a school at the beginning of a term to minimise disruption to their own and other children's education. Admission authorities **must** ensure this does not prejudice vulnerable children, such as children who are looked after.

**3.12** In addition, children who are looked after and previously looked after should be ranked first in the oversubscription criteria for all schools where applications for admission exceed the admission number for the school. The code has statutory effect and admission authorities, admission appeals panels and admissions forums must all act in accordance with the arrangements established by the code.

**3.13** We have introduced guidance which makes learner travel provision for children who are looked after to enable them to remain in the same school, wherever practicable, even when their residential placement changes.

**3.14** Between May and July 2014, the Welsh Government consulted on a range of potential reforms to the system in a White Paper, [Legislative Proposals for Additional Learning Needs \(ALN\)](#). This included proposals to introduce a unified legislative framework to replace the existing separate legislative frameworks surrounding special educational needs (SEN) and the assessment of children and young people with learning difficulties and/or disabilities (LDD) in post-16 education and training.

**3.15** It was proposed that Individual Development Plans (IDPs) replace statements of SEN, post-16 assessments (under section 140 of the [Learning and Skills Act 2000](#)) and non-statutory Individual Education Plans (IEPs) and post-16 plans for all learners with ALN who attend or wish to attend a maintained school, pupil referral unit, Further Education institution or specialist post-16 provision. For children and young people who are looked after, it was proposed that IDPs would be able to either replace or serve the function of the Personal Education Plan (PEP) currently required in respect of these learners.

**3.16** Although it recognised that not all children and young people who are looked after will have ALN, the White Paper contended that the cross over between the likely contents of an IDP and existing PEPs, and the significant proportion of children and young people who are looked after who have ALN, provides a rationale for bringing these two plans together.

**3.17** The Welsh Government will consider the consultation responses to the White Paper as it develops the detail of the provisions to be included in a draft bill, to be introduced into the National Assembly for Wales in 2015.



**3.18** The **Pupil Deprivation Grant (PDG)** is the Welsh Government's principal means of providing financial support to improve the educational outcomes for children who are looked after.

**3.19** The grant is allocated to each school on the basis of the number of pupils aged 5-15 eligible for free school meals based on the previous year's school census data. The children who are looked after element of the PDG is allocated to each school on the basis of the number of looked after child aged 4-15 based on the Social Services SSDA data from the previous year. In 2014-15 the per pupil allocation is £918. This will rise in 2015-16 to £1050 per eligible pupil and to £1150 in 2016-17. The grant is also being extended to three and four year-olds in the Foundation Phase at a rate of £300 per eligible pupil. The grant is currently delegated 100% to schools.

**3.20** The **Further Education sector** is delivering the Welsh Government's aims to widen participation, tackle social exclusion and stimulate economic regeneration. FE institutions play an important role in identifying young people at risk of dropping out and providing support to help keep them engaged. However, post-compulsory education can provide challenges for children who are looked after and care leavers as more emphasis is placed on independent study. The transition from school to college can be difficult for any young person, and particularly those who do not have a stable home environment to support them.

**3.21** The **Education Maintenance Allowance (EMA)** provides a £30 per week incentive for young people to continue in education after leaving school. The **Assembly Learning Grant FE** (for 19+) is an income-assessed grant of up to £1,500 that aims to encourage more people to continue with their education, where otherwise this may not be possible. To make this support more accessible for children who are looked after and care leavers the application process to access the grant has been simplified and their applications are fast tracked by the Student Loans Company (SLC) which administers both grants.

**3.22** In 2010, **Buttle UK** extended its Quality Mark to the FE sector to build on its successful implementation in higher education. The Quality Mark has been awarded to institutions that demonstrate robust strategies to support learners from a care background. It includes criteria relating to effective partnership working, accessibility of provision and support for care leavers, impartial guidance and staff training.

**3.23** In April 2014, **Buttle UK** announced its decision to cease awarding the Quality Mark and to focus instead on working with the FE and HE sectors to embed provision for children who are looked after and care leavers. We expect every institution to continue working towards the Quality Mark principles in the future, building on the progress made over recent years. Crucially, institutions need to designate a member of staff to act as a key point of contact and advisor throughout the duration of the learning programme. This continuity is critical to supporting care leavers to understand what support is available to them, and address issues which might prevent them from progressing.

**3.24** The [Corporate Strategy of the Higher Education Funding Council for Wales \(HEFCW\)](#) sets out its commitment to children who are looked after and care leavers

within the context of its widening access strategic theme which seeks to *secure inclusion, progression and success in higher education*. HEFCW's strategic [Approach to Widening Access](#) and [Child Poverty Strategy](#) also recognise the contribution that higher education can make to supporting people with a care background.

**3.25** Universities support children who are looked after and care leavers into and through higher education as part of their fee plan and widening access strategy commitments. One mechanism for widening access is the Wales-wide [Reaching Wider Programme](#). The three regional [Reaching Wider Partnerships](#) deliver educational aspiration and skills-raising programmes to schools and communities, in partnership with further education and other education providers.

**3.26** As a result of the [Buttle UK Quality Mark](#) more work is being undertaken in higher education to collate and monitor data relating to care leavers. Many care leavers experience disrupted education and require further learning opportunities before they are ready to succeed in higher education. While data collection is at an early stage, the number of care leavers progressing into higher education is still small. Universities recognise that preparing young people to leave local authority care is pivotal to their future life chances and provide a number of interventions including opportunities to visit university campuses, mentoring, FE and HE information, advice and guidance and HE workshops for carers and supporters of children who are looked after.

**3.27** In March 2011 the [Higher Education Bursary Regulations](#) imposed a duty on local authorities to pay a bursary of £2000 to any former looked after young person who wishes to undertake a course at university. Universities' commitment to widening access to individuals from disadvantaged backgrounds mean many offer a range of targeted financial support packages on an individual needs basis. The Higher Education bursary is in addition to such support packages.

**3.28** Local authorities are also required to provide a personal adviser to act as a mentor to the care leaver, taking account of the individual support requirements of the individual, in discussion with the care leaver.

## Chapter 4: What more must we do?

**4.1** The Welsh Government has already engaged in conversations with key stakeholders to begin to identify areas for action where improvements are required to tackle underperformance.

**4.2** These areas – strategic and operational - are explored further in this chapter. They will provide the basis for the continuing conversation between the Welsh Government and key partners through the consultation and into the development of the final strategy. We will need to better understand these areas in the coming months and identify where and how targeted action might bring about improvement.

### **Strategic:**

- promote a consistent national approach to raise aspirations at every level
- provide stronger corporate leadership committed to improving the education of children who are looked after
- clarify roles and responsibilities of all involved in the children who are looked after agenda
- strengthen and reinforce arrangements and partnerships of all agencies
- improve communication between all those involved in the lives of children who are looked after and care leavers
- ensure corporate commitment to find ways of doing things better to positively influence the educational outcomes of children who are looked after
- more effective use of data to understand how attainment can be balanced with achievement

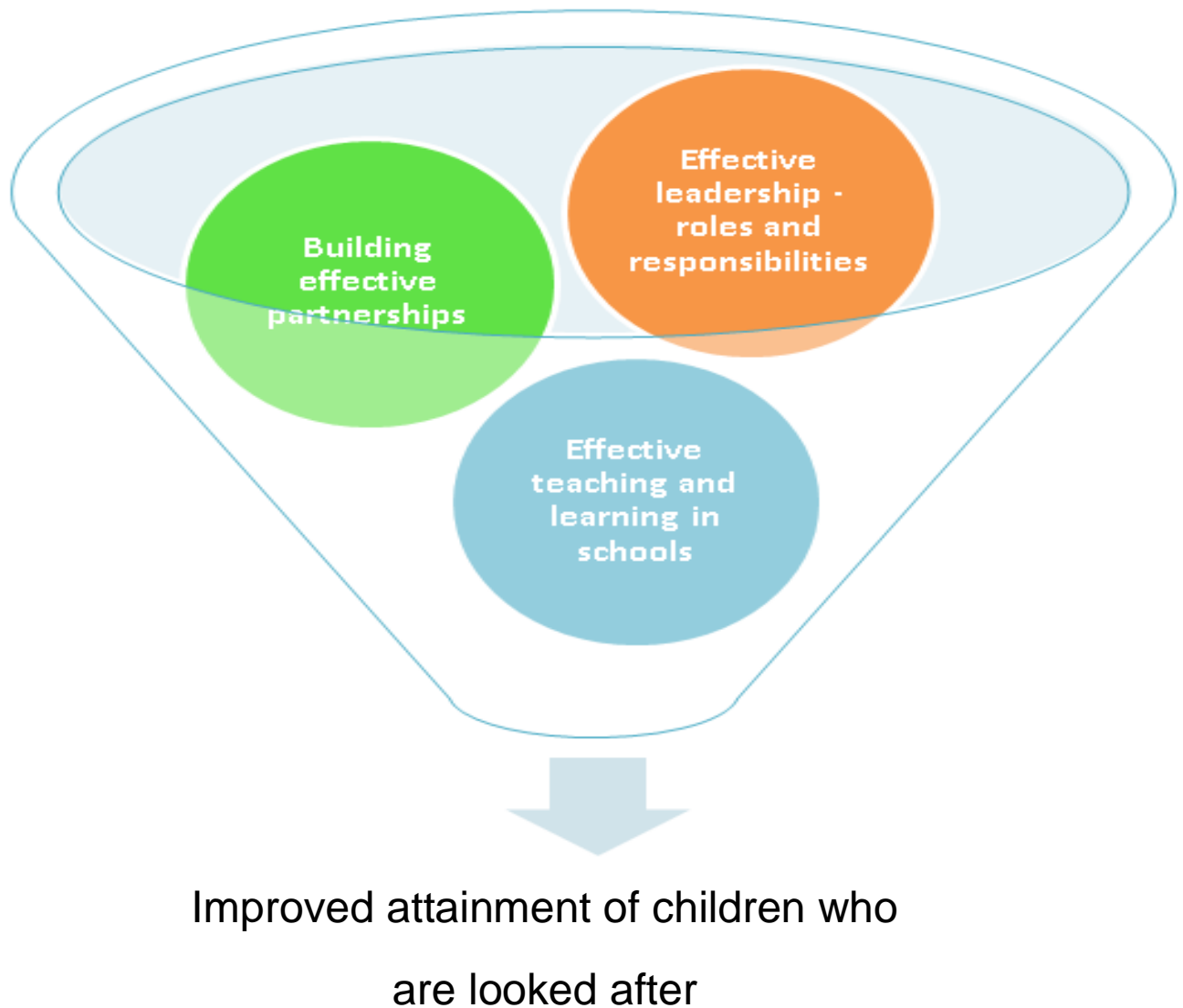
### **Operational:**

- identify and implement practical action needed to overcome barriers to delivery
- robust challenge of under-performance
- clarity and alignment of expectations of the key roles in supporting children who are looked after
- share good practice and ensure interpretation of existing guidance is consistent nationally
- better monitoring of outcomes for funding directed to support children who are looked after
- better information exchange and working between social services and children who are looked after Education Coordinators

**4.3** Using these areas as a guide, this chapter identifies a possible range of actions to strengthen arrangements based on 3 main themes:

A. Effective leadership – roles and responsibilities

- B. Building effective partnerships and collaboration
- C. Effective teaching and learning.



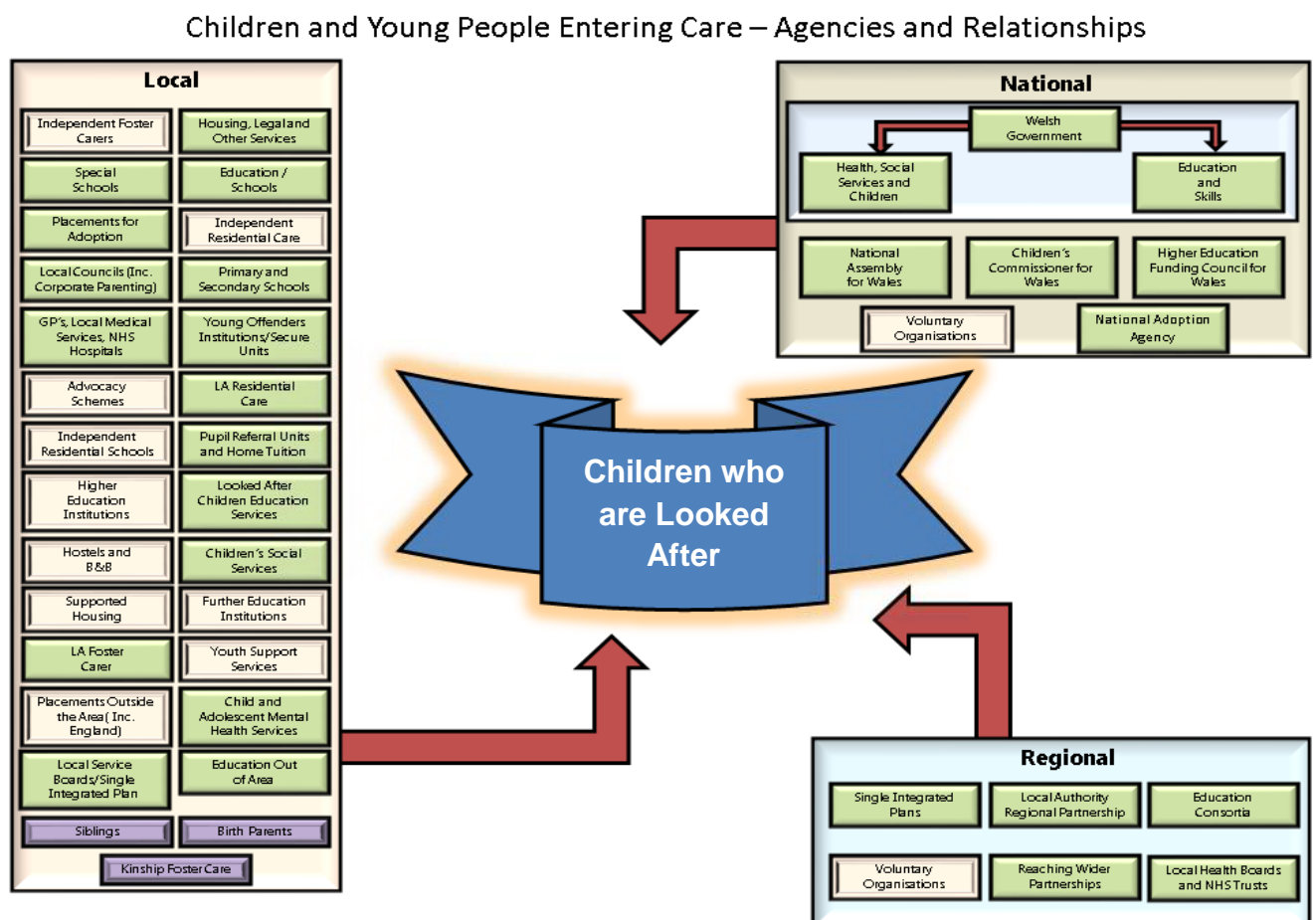
**4.4** These areas must work seamlessly together to generate improvement and are all integral to improving the educational attainment of children who are looked after. They are supported by 3 other important areas:

- D. Making better use and strengthening the knowledge and information held about children who are looked after
- E. Strengthening funding arrangements to support the education of children who are looked after
- F. Participation with children who are looked after to inform strategic approaches and operational decision making.

## A. Effective leadership – roles and responsibilities

**4.5** A range of professionals across a number of disciplines exist to support children who are looked after. These span all sectors, with a leading role for local authority social services and education services. To ensure the right outcomes are delivered, everybody needs to execute their function and responsibility for children who are looked after with the child at the centre of activity.

**4.6** The diagram illustrates the complex multi-agency linkages in place to support children who are looked after. If any of the relationships is not managed effectively the child's well-being and education is likely to suffer. All parts of the system need to understand its responsibility and undertake their responsibilities in an appropriate and timely fashion.



**4.7** Leadership must provide challenge, be subject to challenge and result in improved outcomes for children who are looked after. A clear line of accountability is essential at every level of the local authority – officers and elected members – to the governing body, head teacher and those designated with specific responsibilities, teachers and involving at every step carers, foster parents and the children who are looked after. Without clear lines of accountability and a strong commitment to support education attainment and outcomes will remain unsatisfactory.

**4.8** Informed by discussions with key partners the following section suggests where future action might be strengthened and targeted to improve leadership and clarify roles and responsibilities – Welsh Government, local authorities & regional education consortia and schools & colleges.

### **The Welsh Government**

**4.9** The Welsh Government is committed to working with partners to ensure a clear framework within which agreed roles and responsibilities can be undertaken effectively to support local delivery. We will facilitate strategic improvement. Working collaboratively we will ensure that there are clearly defined outcomes that are shared nationally, regionally and locally by all those working with children who are looked after.

**4.10 Action:** The **Virtual School Head (VSH)** approach - a senior local authority officer who is responsible for delivering coordinated support for children who are looked after and improving their educational achievements – has been trialled in areas of Wales and established in England following pilot studies dating back to 2007. In England the role is now underpinned by statutory guidance.

**4.11** The Welsh Government will examine the advantages of this approach and will issue new statutory guidance to support the role of the lead local authority officer with responsibility for children who are looked after.

**4.12 Action:** The [Children and Young Persons Act 2008](#) introduced arrangements requiring the governing body of a maintained school in Wales to designate a member of staff as having lead responsibility for promoting the educational achievement of children who are looked after in the school.

**4.13** The Welsh Government will publish guidance setting out the role and responsibilities of the designated lead person for children who are looked after in schools, and on governing bodies in supporting that function.

**4.14 Action:** The implementation of the [Social Services and Well-being \(Wales\) Act 2014](#) and the Sustainable Social Services Improvement Plan will give us the opportunity to re-examine the statutory roles for children who are looked after. The Act includes provisions relating specifically to the education of children who are looked after which will strengthen requirements to ensure these children receive a more fulfilling experience of education and an improved level of educational attainment consistent with their mainstream counterparts.

**4.15** The Welsh Government will reinforce corporate accountability through the statutory role of the Director of Social Services. We will consider arrangements – underpinned by the new legislation – which will strengthen outcomes for children who are looked after and enforce the delivery of these expected outcomes.

**4.16 Action:** The **Scottish Government** is developing work on improving the educational outcomes for children who are looked after. We also know that successful approaches exist in Germany and Denmark. We need to learn from

ambitious and alternative approaches taken elsewhere to secure the best outcomes for children who are looked after in Wales.

**4.17** We will work closely with the Scottish Government to explore where alternative approaches are being taken and consider how these might help support the educational attainment of children who are looked after within Welsh structures and will further explore examples of good practice internationally.

### **Local authorities & regional education consortia**

**4.18** The role of the local authority is a critical one, especially in view of the responsibilities placed on all elected members by [If this were my child: A councillor's guide to being a good corporate parent to children in care and care leavers](#) issued jointly by the Welsh Government and the Welsh Local Government Association in June 2009. The guidance invited all elected members to consider '*would I do it this way if this were my child?*'

**4.19 Action:** Local authorities should review the roles of key workers and ensure that responsibility and accountability exists in all parts of the system. In particular local authorities should make arrangements to:

- designate an elected member to have lead responsibility for the education of children who are looked after
- support governing bodies to ensure that a lead governor is designated in each maintained school with lead responsibility for the education of children who are looked after. Children who are looked after should be a standing item at school governor meetings
- review the roles and responsibilities of the children who are looked after Education Coordinator and the designated person with lead responsibility in schools to ensure alignment and collaboration to raise the level of support provided. This should ensure that the learner's progress is properly tracked by Education Coordinators in conjunction with schools, so that interventions are quickly applied where attainment appears to be in decline
- support foster carers so that the promotion of education is paramount and under-performance is not accepted. Foster carers must be equipped – through training if necessary - with the skills necessary to challenge schools where the child's attainment is not at the expected level, and must be aware of the key personnel to approach to do so.

### **Schools & colleges**

**4.20** Appropriate focus must be maintained in all schools, the level closest to children who are looked after on a day to day basis. Key personnel, with the right skills and expertise, need to be designated to lead in work with children who are looked after. An understanding of the care system and the impact that being in care can have on a child's education, and ways in which this can be overcome, is clearly an advantage.

**4.21 Action:** The governing body should identify a designated lead:

- governor for children who are looked after. This role is important in acting as an advocate and scrutinising and challenging the arrangements made for these children and in providing support to the lead person for children in the school.
- member of staff for children who are looked after to work closely with the lead governor to promote educational attainment. The lead member of staff should ensure that there is a ratified policy on children who are looked after for the school that is compatible with the local authority's approach and duty to promote educational attainment. This designation should be in place whether there is currently a looked after child at the school or not.

**4.22** Working with the head teacher, appropriate resources, support and training should be provided to ensure that people who undertake these key roles are able to do so effectively. Governors Wales should also be engaged closely with this work.

**4.23 Action:** Further education institutions in Wales have undertaken excellent work to achieve the Buttle UK Quality Mark. While Buttle UK has ceased to administer the Quality Mark, all institutions should continue to work to meet its criteria and to build on existing good practice. Institutes should continue to demonstrate strong leadership and work in partnership with local authorities and other agencies to secure the best possible support for learners from a care background.

## **B. Building effective partnerships and collaboration**

**4.24** This consultation will begin a national conversation on how we can work better and more effectively together to support children who are looked after in education and will help facilitate partnership and collaboration. We need to ensure arrangements exist to build on that dialogue and that momentum is sustained nationally to inform the final strategy, and beyond.

**4.25** Children and young people entering care become part of a series of complex systems and relationships. Given the complexity of agencies and professionals that support the lives of children who are looked after effective joint working is critical. Collaboration across all levels will help partners share strong practice, and identify weaknesses and potential barriers.

**4.26** A strong theme in conversations so far has been that social services and education services must work more effectively together to enable young people to remain in education and fulfil their potential. We know that a child's progress and attainment can be affected significantly when they have undergone a placement change at a critical point in their school life. Exams and transition from primary to secondary school are key times.

**4.27 Action:** The Welsh Government will hold conversations with stakeholders through the course of this consultation. However, it is critical that this is not a one off exercise and that momentum is maintained. We will therefore establish arrangements for the continuation of this national conversation amongst key



stakeholders. The focus of this must be on peer support for practitioners, sharing good practice and identifying and overcoming barriers to success.

**4.28 Action:** The Welsh Government will work closely with Estyn to examine what information would help better support collaboration and delivery at a local level. Work areas might include:

- the identification of children who are looked after as a distinct group - as well as part of the 'all vulnerable people' - so that progress and the impact of specific interventions can better track and support the aim of leadership structures in schools better prioritising the needs of children who are looked after
- to complement the introduction the final strategy, providing robust case studies and underpinning so that the children who are looked after Education Coordinator and schools can draw on successful practices to help them provide better support.

**4.29 Action:** Strengthening the role of the third sector would ensure a more holistic approach to delivery, and in providing a partner and advocate of children are often difficult to engage in education. The Welsh Government will consider how the third sector might contribute a voice on behalf of children who are looked after to the development of arrangements that will support their education attainment.

**4.30 Action:** There are opportunities for local authorities with similar learner profiles to work more collaboratively and to find more effective ways of sharing good practice, professional expertise and teaching support across authorities. Local authorities – working with regional education consortia – should actively explore opportunities for greater collaboration to support better and more consistent practice, and in sharing of good practice.

**4.31 Action:** Existing local protocols should be reviewed and strengthened - using service level agreements and memoranda of understanding. Where agencies fail to work coherently together, the impact on children and their education can be extremely damaging. To avoid disrupting their education, social services and education departments should, where possible, consider ways in which the child should continue to attend the same school even if residential placement changes happen

**4.32 Action:** Local authorities and schools should collaborate to develop materials to help carers and foster parents understand the importance of engagement with schools and post-16 education providers and with children who are looked after learning and in promoting their educational needs.

**4.33 Action:** Schools should strengthen the role of advocates to support the provision of clear and transparent information to children who are looked after on their entitlements through to further and higher education. They should work closely with organisations such as FE and HE institutions, Careers Wales, Care Leavers and Support Services (CLASS) Cymru and regional consortia to improve communication and information sharing to avoid post-16s becoming NEET.

**4.34 Action:** Children who are looked after are required to declare their 'looked after' status upon enrolling at a higher education institution to receive their higher education bursary. This process often discourages children who are looked after from taking up their entitlement on account of the stigma they may feel in having to do this. Improved sharing of information between the corporate parent, school and higher education institution and a review of the current process could help alleviate this.

## **C. Effective teaching and learning**

**4.35** Schools understand the powerful role they can play in significantly improving the quality of life and the education of children who are looked after. Many schools have already put in place excellent sustainable practice to support children who are looked after. They are generally now better informed than before, and better able to recognise the needs of children who are looked after.

**4.36** The life experiences of children who are looked after can often result in behaviour that might be categorised as erratic and irrational. Children who are looked after can suffer from attachment disorders and other emotional problems which teachers need to be able to manage as sensitively as possible. The priority should be to maintain the learner in school seeking local authority and other professional advice as necessary. Social services departments and the Education Coordinator should be involved at the earliest opportunity, working with the school and other professionals to avoid the need to exclude the learner.

**4.37** The educational journey of children who are looked after must be better tracked so that information can be exchanged when a child moves school and to keep an accurate record of their learning. Better tracking also helps identify where there are gaps in the child's educational development and where additional support is needed. The Personal Education Plan (and/or Individual Development Plan) must be timely, accurate and meaningful and belong to the child and developed jointly by education and social services. By creating an environment where a child feels part of the process, a child is less likely to become disaffected.

**4.38** This section reiterates the importance of delivering the help and support children who are looked after require to equip them to better succeed in their academic endeavours. Schools should pay particular attention to these proposed actions and ensure that any gaps which exist are addressed quickly. The role of the lead member of staff and the lead governor will be pivotal in the delivery of these arrangements, but all staff should be aware of arrangements to support children who are looked after.

**4.39** For some time the primary focus has been on the academic attainment of children who are looked after. However, this should not diminish the importance to the individual of personal and social development (achievement). The two elements should complement each other. Achievement and attainment of children who are looked after does impact on their complex and personal and social needs and are not exclusive of each other. Children who are looked after attainment needs to be rigorously analysed so achievement is meaningful for the child. These achievements can better inform the target setting process.

**4.40 Action:** Schools will ensure children who are looked after are prioritised in the admissions process and that unexplained absences are dealt with promptly. The key factor is stability. This also means that exclusions must be considered only in the most extreme circumstances. Schools will work closely with Education Coordinators and the Education Welfare Officer to monitor the attendance of children who are looked after and respond immediately to first day absences.

**4.41 Action:** Schools will place emphasis on information sharing which needs to be timely. It should be accepted good practice to set up information sharing meetings prior to a pupil starting a new school, if at all possible. The meetings should involve appropriate personnel from the receiving and previous school together with social workers and other agency staff.

**4.42 Action:** Schools will ensure there are specific professional learning opportunities on managing challenging behaviour and recognising the needs of children suffering from trauma and attachment issues.

**4.43 Action:** Arrangements should be made to improve tracking to monitor children who are looked after educational progress and ensure meaningful Personal Education Plans and Individual Development Plans, working with key local authority personnel.

**4.44 Action:** Schools should work to set realistic targets in conjunction and consultation with children who are looked after and recognise that education may be low on the young person's personal agenda due to other emotional issues.

**4.45** We will know that, collectively, we are making a real difference to the educational attainment of children who are looked after if we see many more of these children choose to continue with their education after the compulsory school age. However, there is more to be done in terms of schools and post-16 education providers working together in a far more joined up way to assist children who are looked after in the transition to further and higher education. There is more practical help which could be offered and provided.

**4.46 Action:** It is expected that schools arrange for year 11 pupils to undertake away day visits to colleges to find out more information on available courses and entry requirements. In addition, colleges should arrange tailored open days/evenings for prospective children who are looked after students which could include information on their financial entitlements and the support mechanisms available.

**4.47 Action:** Schools and post-16 institutions are encouraged to formalise service level agreements and protocols to support information sharing to facilitate the smooth transition from school to post-16 education for children who are looked after.

**4.48** While overall performance of the majority of children who are looked after needs to be improved, we can not overlook where exemplary work is being undertaken in schools. Some of this good practice is being shared but in an ad hoc manner. We all want to gain the benefits from good practice and apply this to our children who are looked after.

## **D. Making better use of and strengthening the knowledge and information held about children who are looked after**

**4.49** The Welsh Government has sought to improve the quality and reliability of data it collects on vulnerable groups. The Children in Need (CiN) census introduced in 2008-09 covers those children receiving support services continuously for three months to 31 March in the year of the census. The support is financed from children's social services budgets, including those supported in their families or independently, children on the child protection register and children who are looked after.

**4.50** The census data is matched with education data to provide an overview of attainment across the Foundation Phases and all Key Stages. Local authorities are able to use the census data in conjunction with other information to analyse and plan their patterns of activity for children's social and education services and compare their children in need populations with that of other local authorities.

**4.51** Whilst improvements have been made in the quality of the data collected, we will ensure the data is used robustly so that the interventions put in place to support children who are looked after are timely and effective.

**4.52 Action:** Working with our partners, the Welsh Government will review how children who are looked after data is collected and analysed to consolidate numerous datasets and reduce complexity.

**4.53** We need to understand better the impact that the life experiences have on a child that becomes looked after, and the implications of the often unsettled, transient lifestyle that can often follow children who are looked after status.

**4.54 Action:** We will commission a research project on children who are looked after to enable us to learn about their experiences within education and gather evidence of good practice from a wide search of journals. This research will seek views directly from existing and previously looked after children and will inform actions in the final strategy.

## **E. Strengthening funding arrangement to support the education of children who are looked after**

**4.55** Pupil Deprivation Grant funding aimed to support the education of children who are looked after and allocated to regional education consortia for delegation to schools is ineffective in delivering evidence of improving educational outcomes. This is in part due to the time-lapse between data collection and funding allocations and is creating a barrier to putting in place effective and timely interventions. We believe that a more holistic and strategic approach is required to the allocation of financial support.

**4.56 Action:** From 2015-16, the Welsh Government will re-direct the children who are looked after element of the PDG to regional education consortia. They will be responsible for ensuring that targeted support makes a real and evidence based

impact on the educational attainment of children who are looked after. We will be working with key stakeholders to develop effective implementation arrangements.

**4.57** Adoption UK (Wales) and Education Coordinators have described how the complex issues that impact on the child's ability to achieve their educational potential often continue with them once they are adopted. This poses a challenge to both the adoptive family and schools, as the current funding to provide additional support to the child ceases upon adoption.

**4.58 Action:** To ensure continuity of support regardless of placement changes or school moves, we will build flexibility into the terms and conditions of a new children who are looked after regional grant to enable consortia to use the funds attributed to children who are looked after in the PDG to support interventions aimed at former children who are looked after who have been adopted. We will work with partners to understand what effective interventions might have greatest impact.

## **F. Participation of children who are looked after to inform strategic approaches and operational decision making**

**4.59** Local authorities have a duty to promote and facilitate participation by children and young people in decisions that might affect them. The legal basis for this duty is [Section 12 of the Children and Families \(Wales\) Measure 2010](#). It requires local authorities to make such arrangements as they consider suitable to promote and facilitate participation by children in decisions of the authority which might affect them.

**4.60** To meet the requirements of the legislation local authorities are expected to work with relevant partners to ensure that a range of opportunities to support effective participation is provided. These opportunities for children and young people as individuals to participate should be integrated into day to day services as well as specific participation structures such as forums for children, forums for young people, or groups/forums which represent children and young people who are marginalised, vulnerable or have a special interest in a particular issue.

**4.61** We expect that all those involved with the well-being and education of children who are looked after treat them with respect, listen to their views and are reliable and trustworthy.

**4.62 Action:** The Welsh Government will work closely with children who are looked after – facilitated by the third sector organisation *Voices From Care* – in the development of the final strategy, and the associated research study, to consider the impact it will have on current and future children who are looked after. We will consider future arrangements to ensure children who are looked after are routinely part of the national, regional and local arrangements designed to support their education. As part of our research exercise and on-going consultation in respect of this draft strategy, we will explore better ways of ensuring children who are looked after feel engaged in the education system and empowered to express their views concerning their development, attainment and aspirations.

## Conclusion

1. The Welsh Government invites all key stakeholders to contribute to this national conversation on arrangements to improve the educational attainment of children who are looked after in Wales.
2. The attached document invites your views on the range of issues and actions that are identified in this draft. Once this work is completed the Welsh Government will publish a final strategy with time-limited actions on which there will be annual monitoring arrangements to inform progress and ensure that action is delivered in a timely fashion.
3. The Welsh Government's strategy will establish a **national aspiration for the educational outcomes for children who are looked after** and considerable progress in attainment for children who are looked after in all key stages. In consultation with key partners through this strategy the Welsh Government will consider what a realistic national target should be in the final strategy. This will be closely monitored every year using the Children in Need Census to check progress and ensure the support which is in place is working effectively. These monitoring arrangements will be used by the Welsh Government to instigate further measures in circumstances where improvements are clearly not being made.

.....a new and potentially more effective framework for policy delivery is emerging. The Welsh Government has set out its proposals for greater regional and national delivery of education and social care. Additionally, local authorities are continuing to develop local planning partnerships. Together these developments provide a new framework with potential to develop clearer, co-ordinated strategies for young people with a focus on outcomes. The risk however, remains, that vulnerable children may not receive the necessary detailed and individual attention they require.

Wales Audit Office, August 2012