

Kent Admissions Policy for Children in Care

October 2015

**Guidance for Schools, Social Workers,
Foster Carers and Local Authorities**

Summary

About this guidance

This policy should be followed for all children in care placed in Kent schools. It covers all admissions both at normal transition points and casual in year admissions. Applications for school places **must** be made for all children in care, as for any child, at normal transition times.

This guidance supports *Promoting the Educational Achievement of Looked After Children* published in July 2014.

This policy is based on statutory guidance from the Department for Education, which is issued under section 7 of the Local Authority Social Services Act 1970. This means that it **must** be followed unless there are exceptional circumstances that justify departing from it.

This guidance sets the framework through which local authorities discharge their statutory duty under 22(3A) of the Children Act 1989 to promote the educational achievement of looked after children. That includes those children placed out-of-authority. The Children and Families Act 2014 amends section 22 of the Children Act 1989 to require every local authority in England to appoint an officer employed by the authority, or another authority, to make sure that its duty to promote the educational achievement of its looked after children is properly discharged. For the purpose of this guidance that officer is hereafter referred to as the Virtual School Head (VSH).

Expiry or review date

This policy will be reviewed in 2017 but will only be revised if it is no longer considered fit for purpose.

What legislation does this policy refer to?

- The Children Act 1989 as amended by the Children and Families Act 2014.
- The Care Planning, Placement and Case Review (England) Regulations 2010 as amended by the Care Planning, Placement and Case Review (England) (Miscellaneous Amendments) Regulations 2013

Who is this guidance for?

This guidance is for:

- Local authority officers, in particular Directors of Children's Services; VSHs; social workers; officers carrying out a local authority's function as a school admission authority; special educational needs departments; Independent Reviewing Officers (IROs); personal advisers; care leaving services and Lead Members for Children's Services

Key Points

- The authority must give particular attention to the educational implications of any decision about the welfare of those children.
- Children in Care must have access to a suitable range of high quality education placement options.
- Whenever a Child in Care is likely to move schools there is an informed discussion between relevant professionals about the setting which will best meet the child's needs. Relevant professionals must include the child's social worker and the VSH.
- There should be timely communication and effective co-operation with the VSH from other local authorities, particularly in relation to possible education placement changes, school admissions, achievement and exclusions.
- Relevant information about individual children is passed promptly between authorities, departments and schools when young people move.
- Training is available for those involved in the care and education of Children in Care and this should include, among other things, information about school admission arrangements.

Securing appropriate education

- Where it is not possible to maintain the child's existing education placement, the child's new education placement should be planned in consultation with the VSH at the same time as the care placement. The VSH has primary responsibility for ensuring that there is suitable education in place for all children looked after by the local authority. Their views should be given appropriate weight as part of decisions on placement moves. There should be timely and appropriate consultation between the VSH, the Fair Access Admissions team and local authorities, where out-of-authority placements are planned and made.
- In the case of an emergency placement, it is the responsibility of the placing authority that looks after the child to secure a suitable education placement within 20 school days.
- In arranging education provision the child's social worker (working with the VSH, the Fair Access Admissions Team and other local authority staff, where appropriate) should identify a school or other education setting that is best suited to the child's needs. This could be a selective, non-selective, maintained or independent, specialist, boarding, day or alternative provision.

The following principles should apply:

- Educational provision should mean a full-time place
- Schools judged by Ofsted to be 'good' or 'outstanding' should be prioritised for Children in Care in need of a new school.
- The choice of the education setting should be based on evidence that the setting can meet the educational needs of the child and help them make the maximum progress
- The child's wishes and feelings should be taken into account and the suitability of the education setting tested by arranging an informal visit with the child.
- The VSH should ensure that social workers, IROs and admissions officers comply with the requirements in the School Admissions Code.

School admissions

- Admission authorities understand that Fair Access Protocols (Fair Access Panels) do not apply to Children in Care and that they are 'excepted pupils' in relation to infant class size regulations
- The local authority, as a corporate parent, does not tolerate drift and delay where children the authority looks after are without an education placement that is appropriate to their assessed needs. This includes using their powers of direction in a timely way rather than delay issuing a direction as a result of protracted negotiation
- The choice of school requires skilled working between relevant people. It should be based on a discussion between the child's social worker, the VSH, the Fair Access Admissions Team, foster carers and, if appropriate, birth parents. The VSH should be consulted to avoid identifying an education provision which is unlikely to meet the child's needs. The preferred education provision should be addressed explicitly in the child's permanence plan, which is part of their wider care plan.
- Social workers who are unsure of how school admissions work in relation to Children in Care should discuss this with their VSH or someone else who can provide the correct information. Information regarding education planning is provided by the VSH and Fair Access Admissions Team and they are responsible for liaising with education providers for Children in Care regarding in year school places.
- Children in care who have a Statement of Special Educational Need (SEN) or an Education and Health Care Plan (EHCP) who require educational provision will not come through the admissions service. They will be supported by the SEN service, who will identify an appropriate provision in liaison with the child's social worker and foster carer.
- If a school / education provider is approached by a social worker or foster carer regarding school places, the school should contact the VSH and Fair Access Admissions Team.

Special Guardianship Orders (SGO), Adoption Placements, and Residence Orders

- The normal admission process for Children in Care who move to new school placements because of a planned adoption or as a result of a SGO or Residence Order being granted should be followed.
- If the school is oversubscribed, after the admission of pupils with a Statement of Special Educational Needs where the school is named in the Statement, priority for admission will next be given to a child who is a "looked after child" or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order
- The child's social worker should liaise with the VSH to identify a setting which best meets the needs of the child. However as adoptive parents and SGOs hold parental responsibility, their preferred setting may differ from that recommended by the VSH.

Out of county moves

- Where a move out of county for the child is planned, the social worker and the VSH may liaise with the Fair Access Admissions Team and the Virtual School in the receiving local authority as appropriate.

Procedure for applying for a CiC school place in Kent

