

Walsall Virtual School

Protocol for choosing schools for Children in Care and monitoring those children in schools rated less than 'good' by OFSTED



Walsall Council

Background

Parents want their children to have the best start in life and to reach their full potential. As corporate parents, local authorities should have equally high aspirations for the children in their care. National guidance 'Promoting the education for looked-after children and previously looked-after children' published in February 2018 states that all children in care should be in suitable full-time education, in a school or education setting rated at least 'good' by Ofsted, and this aim is shared by Walsall Council. Whilst the guidance does accept that there may be 'exceptional circumstances' for children in care to be placed in schools rated less than good, these must be evidence-based, and there should be clear monitoring arrangements in place to ensure the child is making 'better than expected' progress and that the school's action plan is effective and ambitious for improvement.

This protocol outlines the arrangements for:

- When children in care start school, if they are not starting in the academic year that they turn five
- Those children already in schools/settings rated less than good (some of whom might have been at the school prior to becoming looked-after)
- Placing children in schools rated less than good
- When children are seeking to change schools out of the usual admission round

The Virtual School must be consulted prior to submitting applications for schools. This ensures that the process of securing a school place is efficient and, should a direction be necessary, it can happen without delay.

Children starting school

Children can start primary school in the academic year that they turn five, however parents/carers can ask for their child to be held back a school year if the following both apply:

- They were born in the summer (1 April to 31 August)
- Parents/carers don't think they're ready to start in the September after they turn four

Careful consideration should be given to the impact on children in care when delaying entry into primary school as, for most children, joining school in reception provides an opportunity to make friends and learn new skills in a safe, supportive environment. Additionally, some children in care may not have had the opportunity to attend a pre-school setting, which could have affected their speech, language and social skills, and school would be able to address any additional needs or initiate an EHC plan if required. It is therefore the policy in Walsall that children in care are expected to start school in the September after they turn four, unless there are exceptional reasons why they should not do so. Where this is the case, there should be a discussion with the Virtual School Head, who together with the relevant social care Head of Service, can agree that a delayed entry is in the best interest of the child, and this will be recorded on the child's file and the admissions authority can be formally notified. The Educational Psychology Service, and in particular the educational psychologists in the Virtual School, can provide advice on the learning needs of individual children.

Children already in provision rated less than 'good'

For children currently placed in provision rated as 'requires improvement' or 'inadequate', the virtual school will complete a form (Appendix 1) clearly setting out the details of the school placement, including when and why it was chosen, so that they can ensure that appropriate reviewing and monitoring arrangements are in place.

It may be that a child already attended the provision prior to coming into care, in which case the recommendation is likely to be that they remain there, in order to provide continuity in their learning and relationships with adults and peers. Attainment and progress data should clearly show they are making good progress and interventions are effectively supporting their learning. There should be a clear link between their learning goals and the proposed use of Pupil Premium funding and evidence that the pupil premium spend has had an impact on attainment.

Placing children in provision rated less than 'good'

In the usual admissions rounds, e.g. starting in reception and at secondary transfer, children in care have the highest priority for school choice, so it would only be in exceptional circumstances that there would be a reason to choose a school rated less than good. Where this is the case, there should be a discussion with the Virtual School Head and the form (Appendix 2) should be submitted to be signed off by the Virtual School Head and relevant Head of Service.

When children move placements in an emergency, and outside the usual admissions round, choice may be more limited and, although looked-after children should be given priority, good schools will often be full and they may have to go on a waiting list. Where this is the case, the local authority, as a corporate parent, should not tolerate drift and delay which could impact on learning, so consideration should be given to using our powers to direct a school to admit our looked-after child. This decision should be made in consultation with the Virtual School who will lead on the process.

In exceptional circumstances, such as when children are placed in very rural areas with limited school choice or in more specialist residential settings, placement at a school rated less than 'good' may be considered. In such cases, the Virtual School Officer will need to complete a form (Appendix 2) clearly setting out the reasons for the decision and the proposed monitoring arrangements. This will need to be signed off by the Virtual School Head and Head of Service.



Children seeking to change schools outside of the usual admissions round

Occasionally children in care may request to change schools for reasons other than moving placements. The first step should always be to speak to the school to try and resolve the problem, with the support of the Virtual School. Only in exceptional circumstances and if there is evidence to suggest it would be in the best interest of the child, should a school move be considered. Where this is the case, school choices should only include schools rated at least 'good' and the decision would require sign off from the Virtual School Head and Head of Service.

Principles for school choice – reception and secondary transition

- Educational provision should mean a full-time place
- Unless there are exceptional evidence-based reasons, children in care should not be placed in a school judged by Ofsted to be 'requiring improvement' or 'inadequate'
- Before making a school choice, carers and social workers should view the latest Ofsted report (available on both the Ofsted and school's websites) and check the current rating. If less than 'good' and there are evidence-based reasons for continuing with the choice, procedures for securing approval from the Virtual School Head and Head of Service.
- The choice of the education setting should be based on what any good parent would want for their child. It 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 considered, and the suitability of the education setting tested by arranging an informal visit with the child
- 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, if appropriate, birth parents.

The VSH should normally be consulted to avoid choosing a school that is unlikely to meet the child's needs.

- Children in care have priority for admission under the Admissions Code:
<https://www.gov.uk/government/publications/school-admissions-code>

Principles for school choice – casual admissions

The principles outlined above also apply for children who have to change school during the school year, usually following a change of placement. 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 Virtual School at the same time as the care placement. This process should always include an informed discussion about the school which will best meet the child's needs.

As stated, although children will usually be placed on the waiting list, 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. In these circumstances, where there is a place available in a school rated as less than 'good', which has effective plans in place, an application can be discussed with the Virtual School.

Children in care who have additional learning or behavioural needs but who are without an Education, Health and Care plan (EHCP) should not be considered under the 'Fair Access Protocols' in any authority. They should be offered suitable provision, including Alternative Provision, outside these arrangements by the authority in which they are resident.

Children in care with special educational needs

For children with an Education, Health and Care plan (EHCP) the authority in which they are 'usually resident' (i.e. living in a foster family or residential setting) is responsible for their educational provision, and this process is co-ordinated by the SEN service in that authority. However carers and social workers can express a preference and this should be based on the principles above, ensuring preferences are made only for schools rated 'good' or 'outstanding'. The Virtual School can be consulted on this if required.

If social workers are unsure of how school admissions work in relation to looked-after children they should discuss this with the Virtual School as soon as possible.

Walsall Virtual School: Record of Action/Intervention

To be completed for all children in care in education provision rated as ‘requires improvement’ or ‘inadequate’

Name of child	Year group	Social worker
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Details of school/education placement

Type/category of school

Inspection area

Inspection Judgement

Quality of education

Behaviour & Attitudes

Personal development

Leadership & Management

Overall effectiveness

Key improvement areas identified

Details of monitoring inspection visit under
section 8 of the Education Act 2005 (if available)

Walsall Virtual School Head/school actions or planned actions

1.

2.

3.

Name of Walsall Virtual School Officer

Date

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