

EAST AYRSHIRE COUNCIL

EDUCATION COMMITTEE : 13 NOVEMBER 2001

LEARNING WITH CARE : THE EDUCATION OF CHILDREN LOOKED AFTER AWAY FROM HOME BY LOCAL AUTHORITIES

Report by the Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1 To advise Committee of the main findings and recommendations of the Scottish Executive report "Learning with Care".
- 1.2 To report on the position in East Ayrshire and set out the terms of the response by the Council to the Minister.
- 1.3 To set out proposals for the implementation of "Learning with Care" within East Ayrshire.

2. BACKGROUND

- 2.1 In March 2001 "Learning with Care", a report of an inspection undertaken jointly by Her Majesty's Inspectors of Education (HMIE) and the Social Work Services Inspectorate, was published by the Scottish Executive. It evaluated the social work and educational services provided by local authorities to meet the needs of looked after children living away from home in residential units or in family placements. It found that children looked after away from home are at a particular educational disadvantage and, in comparison with other children, tend to have lower levels of attainment, leave school with fewer qualifications and are at higher risk of being excluded from school.
- 2.2 Key legislation makes clear and explicit that "children who are looked after should have the same educational opportunities as all other children for education, including further and higher education, and access to other opportunities for development". It adds that "they should also, where necessary, receive additional help, encouragement and support to address special needs or compensate for previous deprivation or disadvantage". (Children (Scotland) Act 1995 Regulations and Guidance Volume 2).
- 2.3 The inspection found that, across Scotland, "the education of looked after children is not as good as it should be". In particular, the inspection highlighted "too many instances where local authorities have failed to carry out their duties to ensure that all children looked after away from home have care plans as specified in the legislation". It concluded that "effective implementation will help to improve the joint working between education and social work services that is crucial to meeting the educational needs of these children".

3. LEARNING WITH CARE RECOMMENDATIONS

3.1 There are nine main recommendations made in the report:-

- (1) Local authorities should carry out a full, multi-disciplinary assessment involving education and social work personnel, and others as appropriate around the time a child becomes looked after. This assessment should provide a baseline for future educational progress. Points for action should be identified in the care plan and placement agreement. (paragraphs 3.2-3.5).
- (2) Local authorities should implement quality assurance procedures to ensure that statutory requirements are met effectively. Local authorities should ensure that all looked after children have care plans and placement agreements as specified in the legislation. (paragraphs 3.6-3.8, 9.18).
- (3) Except in exceptional circumstances, all looked after children should have permanent full-time education, however that may be organised. (paragraphs 4.7-4.8).
- (4) Schools should take particular care to identify the learning needs of all their looked after children, set them challenging but realistic educational targets and systematically monitor the progress made. A senior member of staff in each school should maintain an overview of looked after children's progress and take responsibility for ensuring that appropriate measures are in place for supporting the children's education. (paragraphs 5.4-5.5, 9.19).
- (5) Local authorities should develop an integrated policy covering education and social work which ensures that the educational needs of looked after children are met effectively. They should also provide joint professional development for education and social work staff, and carers, to ensure that they are able to contribute effectively towards the implementation of the policy. (paragraphs 7.6, 8.5, 9.6, 9.10).
- (6) Unless there are compelling reasons to the contrary, parents having contact with their children should receive regular information about their children's progress in school including end-of-session reports. (paragraph 7.11).
- (7) As part of their quality assurance procedures local authorities should undertake an audit of their residential units to assess how far they are educationally rich environments and, where shortcomings are found, make plans to take appropriate action. (paragraph 8.9).
- (8) Local authorities should include explicit and targeted consideration of the education of looked after children in Children's Services Plans and reviews. (paragraphs 9.2-9.3).

- (9) Local authorities should keep accurate statistics on a range of aspects of the education of looked after children as agreed in the Social Work Information and Review Group document "Local and National Information Requirements for Social Work". (paragraph 9.17).
- 3.2 In the accompanying letter coinciding with the publication of "Learning with Care", Jack McConnell, Minister for Education, Europe and External Affairs, wrote to local authorities expressing serious concerns about the findings of the report and setting out his expectation that local authorities would strive to improve the position of young people for whom they had "corporate parenting responsibility".
- 3.3 In particular he required local authorities to report back to him by 30th October 2001, on their position in relation to four of the main recommendations.

4. EAST AYRSHIRE'S POSITION

- 4.1 *Firstly, local authorities are required to identify the number of children and young people looked after for a period of at least six months away from home who have care plans in place as at 30th September 2001, and whether these fully address educational needs and progress based on consultation with education personnel. (Recommendations 1 and 2).*
- 4.2 As at 30 September, there were 102 children and young people looked after and accommodated by East Ayrshire, 86 of those were of school age. All had a care plan in place and in the majority of cases there had been consultation with educational personnel although some gaps in information were highlighted and will be addressed in the implementation plan.
- 4.3 **Therefore, in relation to the requirement to report back to the Minister, East Ayrshire will be able to report that all relevant children and young people had a statutory care plan in place and that the majority of these addressed educational needs and progress based on consultation with education.**
- 4.4 *Secondly, we are required to let the Minister know how many of these looked after children are in permanent, full-time education as at 30 September. (Recommendation 3).*
- 4.5 **83 of the 86 children and young people looked after and accommodated at that date were in "permanent, full-time" educational placements and that the remaining 3 were in part-time education within the Council's Youth Strategy provision. We will therefore report back to the Minister on that basis.**
- 4.6 *Thirdly, we are asked to confirm that all primary and secondary schools have a designated staff member with a special responsibility for looked after children within their school. (Recommendation 4).*

- 4.7 **East Ayrshire will confirm that we have achieved this requirement in full by identifying a member of the Senior Management Team from every school as the “Looked After and Accommodated Children’s Coordinator” for that school.**

5. IMPLEMENTATION OF “LEARNING WITH CARE”

- 5.1 In many respects the response to the Minister is the beginning of a process rather than an end in itself. In reviewing the position in East Ayrshire we have been able to identify a range of issues which need to be addressed and will contribute to a significant improvement in meeting the educational needs and improving the opportunities for looked after and accommodated children and young people.
- 5.2 As a priority we will ensure that all have a comprehensive care plan which fully addresses their educational needs and which is subject to review to monitor educational progress. In addition the other main recommendations present us with a number of challenges in striving to improve the opportunities and life chances of this group of children and young people for whom we have corporate responsibility.
- 5.3 In order to take forward the recommendations of “Learning with Care” an Implementation Group has been established, drawing on key managers from Education and Social Services to ensure a joint approach and effective implementation across the department. In a merged Department of Educational and Social Services we have the ideal opportunity to address and tackle the issues highlighted in “Learning with Care” and to improve the education and opportunities for this most vulnerable group.
- 5.4 The authority is evaluating a computerized tracking system that will allow monitoring of the achievements of East Ayrshire’s Looked After and Accommodated Children and those of other authorities. This is being done in partnership with other Councils that participate in the SEEMIS (Schools Educational Establishment Management Information System) system for management information.
- 5.5 Existing structures involving joint assessment by school and community assessment teams will also help in the implementation of the Ministerial Report.

6. FINANCIAL IMPLICATIONS

- 6.1 On 23 October 2001, the Minister for Education, Europe & External Affairs, announced an additional £10M nationally to benefit children in care. This money is to be used to provide additional learning resources. Funds will be allocated on the basis of £500 for each child looked after in a family home and £2,500 for children in authority homes or in residential or secure accommodation. These funds can be used to provide additional learning resources, including the improvement of study areas in residential homes. Where a child is looked after in the family home the £500 will be distributed to

the schools concerned through delegated budgets. Schools will be expected to report directly on how this considerable additional resource will be spent. For children in authority or equivalent accommodation the funds of £2,000 per child will be managed by the Principal Officer, Children & Families, with the residual £500 again being directly allocated to the point of delivery of education. The Principal Officer, Children & Families will make best use of the new funds at his disposal to:

1. develop learning areas within residential and equivalent accommodation
2. purchase additional resources including computers and software to improve learning.
3. purchase additional learning resources for the direct benefit of the children concerned

7. POLICY IMPLICATIONS

7.1 Nil.

8. CONCLUSION

8.1 "Learning with Care", a Scottish Executive report of a joint inspection by H. M. Inspectors of Schools and the Social Work Services Inspectorate, was published in March 2001. It evaluated the social work and educational services provided by local authorities to meet the educational needs of looked after children living away from home and made nine main recommendations. Local Authorities were required to report to the Minister for Education, Europe and External Affairs by 30th October 2001, on their position in relation to four of these recommendations as at 30th September.

9. RECOMMENDATIONS

9.1 It is recommended that Committee:

- (i) note the main findings and recommendations of "Learning with Care",
- (ii) note the response made on behalf of the Council;
- (iii) endorse the proposals to implement "Learning with Care" in East Ayrshire; and
- (iv) agree to the additional funds allocated by the Scottish Executive being spent in the way described in para 5.6 of this report.

John Mulgrew
Director of Educational and Social Services

29 October 2001
JH/GS/MM

LIST OF BACKGROUND PAPERS

1. Learning with Care : The Education of Children Looked After Away from Home by Local Authorities.
2. Letter from Jack McConnell M.S.P., the Minister for Education, Europe and External Affairs, sent to Leaders of Councils 5th March 2001.

For further information please contact Jim Hazlett, Principal Officer, Children and Families and Criminal Justice, Tel: 01563 576728 or Graham Short, Head of Schools Tel: 01563 576089.

**IMPLEMENTATION OFFICERS : JIM HAZLETT, PRINCIPAL OFFICER,
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AGENDA