

## EDUCATION, YOUTH & CULTURE OVERVIEW AND SCRUTINY COMMITTEE

<b>Date of Meeting</b>	Thursday 29 <sup>th</sup> June 2023
<b>Report Subject</b>	Provision for Children who are Looked After (CLA/LAC)
<b>Cabinet Member</b>	Cabinet Member for Education, Welsh Language, Culture and Leisure
<b>Report Author</b>	Chief Officer (Education & Youth)
<b>Type of Report</b>	Operational

### EXECUTIVE SUMMARY

The report provides Members with an overview of the support provided for Children who are Looked After during the academic year 2021/2022.

Please note that Flintshire Education and Social Services Departments have recently agreed a change in terminology from Looked After Children (LAC) to Children who are Looked After (CLA). This follows feedback from the young people themselves who do not wish their looked after status to define them as individuals. It also aligns Social Services and Education terminology.

### RECOMMENDATIONS

1	For Members to actively engage as Corporate Parents for children who are looked after, promoting awareness and challenging provision within Flintshire educational settings.
2	For Members to actively encourage all educational staff to promote the educational welfare of children who are looked after within Flintshire establishments at a 'whole school level'.

## REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE PROVISION FOR FLINTSHIRE CHILDREN WHO ARE LOOKED AFTER (CLA)</b>																														
1.01	<p>The definition of Children who are Looked After (children in care) is found in the Children Act 1989. A child is looked after by a local authority if a court has granted a care order to place a child in care, or a council's children's services department has cared for the child for more than 24 hours.</p> <p>The lead responsibility for the educational support of children who are looked after within the Education &amp; Youth Portfolio sits within the Inclusion &amp; Progression Service which has oversight of children meeting the definition above and also previously looked after children as per the definition below:</p> <p><i>A previously looked after child is one who is no longer looked after in England and Wales because s/he is the subject of an adoption, special guardianship or child arrangements order which includes arrangements relating to with whom the child is to live, or when the child is to live with any person or has been adopted from 'state care' outside England and Wales.</i></p>																														
1.02	<p><b>Data</b></p> <p>Whilst the overall number of CLA pupils remains relatively constant across the school year, the cohort of children identifiable as CLA can vary from month to month. As can be seen in the table below, the entire CLA cohort within Flintshire has reduced slightly over the last 3 years (from 263 to 255). However, the individual circumstances and resulting needs vary significantly over time.</p> <p>Reports are collated on a monthly basis to ensure accurate and up to date information. For the purposes of this report, data has been taken from a fixed point in time (October).</p> <p>The figures below show the caseload over the last 3 years:</p> <table border="1" data-bbox="352 1391 1337 1615"> <thead> <tr> <th>Date</th> <th>Number of CLA (0-18)</th> <th>Number of CLA (statutory school age 5-16)</th> </tr> </thead> <tbody> <tr> <td>October 2020</td> <td>263</td> <td>166</td> </tr> <tr> <td>October 2021</td> <td>258</td> <td>178</td> </tr> <tr> <td>October 2022</td> <td>255</td> <td>157</td> </tr> </tbody> </table> <p>The following tables give an overview of numbers within each school category.</p> <table border="1" data-bbox="347 1839 1342 2085"> <thead> <tr> <th>Flintshire School Information</th> <th>Oct 2021</th> <th>Oct 2022</th> </tr> </thead> <tbody> <tr> <td>Total number of children in FCC Schools</td> <td>124</td> <td>106</td> </tr> <tr> <td>FCC Primary mainstream</td> <td>57</td> <td>37</td> </tr> <tr> <td>FCC Secondary mainstream</td> <td>56</td> <td>54</td> </tr> <tr> <td>FCC Special schools</td> <td>5</td> <td>7</td> </tr> <tr> <td>FCC Pupil Referral Unit (PRU)</td> <td>6</td> <td>8</td> </tr> </tbody> </table>	Date	Number of CLA (0-18)	Number of CLA (statutory school age 5-16)	October 2020	263	166	October 2021	258	178	October 2022	255	157	Flintshire School Information	Oct 2021	Oct 2022	Total number of children in FCC Schools	124	106	FCC Primary mainstream	57	37	FCC Secondary mainstream	56	54	FCC Special schools	5	7	FCC Pupil Referral Unit (PRU)	6	8
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As can be seen from the data above, the overall number of CLA pupils in Flintshire schools has reduced, predominantly in the primary age range.

Out of County Settings (OOC)	Oct 2021	Oct 2022
<b>Total number of children in OOC Schools</b>	54	51
<b>OOC Primary mainstream</b>	20	20
<b>OOC Secondary mainstream</b>	18	19
<b>OOC Special schools</b>	0	0
<b>OOC Independent</b>	16	11
<b>OOC PRU</b>	0	1

It is positive to see from the data above that the number of CLA children in independent out of county settings has also reduced, whilst the number attending OOC mainstream has increased slightly.

**Year groups/phases – percentage of CLA attending in each phase in 2021 compared to 2022:**

National Curriculum Year	No. of CLA October 2021	No. of CLA October 2022	% Increase / decrease
<b>Reception</b>	8	9	+12.5%
<b>Year 1 &amp; 2</b>	27	21	-22.2%
<b>Years 3 - 6</b>	45	50	+11.1%
<b>Years 7 - 9</b>	54	46	-15%
<b>Years 10 &amp; 11</b>	44	31	-29.5%

As can be seen the number of pupils being taken into care during their secondary years has decreased, whilst the primary numbers are increasing. Future analysis is required to determine whether or not this is an ongoing trend.

**1.03 Outcomes**

Under the New Curriculum for Wales and due to previous restrictions on data collection during COVID the only outcome data available relates to school leavers.

**Year 11 school leaver data 2022:**

There were 27 CLA who left Year 11 in July 2022. Of those 13 (48%) had either a Statement of Special Needs (SEN) or an Education and Health Care Plan (EHCP). The largest category (6/13) of additional need was Behaviour Emotional and Social Difficulties (BESD).

The Cognitive Ability Tests (CATS) for pupils are taken in year 7 and provide schools with an indicator of expected targets for GCSE results at the end of year 11. This data is only available for pupils who were attending Flintshire schools in Year 7 (14/27 pupils).

Of the 14 children for whom this data is available, 8 (57%) achieved the expected outcomes. The remaining 6 did not achieve their predictions, but 5/6 did achieve some level of qualification.

Where pupils did not meet expectations, this was largely due to emotional and social needs with 3/6 (50%) having a statement of either BESD or ADHD. In some instances, placement breakdown had led to school moves and breakdowns in educational placement. In two instances the pupils struggled with their mental health, resulting in significantly reduced engagement with school.

Of the 27 CLA, 24 (89%) left Year 11 with some qualifications and 12/27 (44.4%) achieved a minimum of 5 GCSEs. Due to the COVID restrictions on data collection there is no comparable figure for 2020 and 2021.

Of the 27 CLA, 1 attended a special school, 9 attended independent specialist placements, 14 attended mainstream and 3 attended PRU or EOTAS provision. As to be expected, the GCSE results are significantly better for pupils attending mainstream with 11/14 (79%) of mainstream pupils achieving 5 GCSEs. Only 1/9 (11%) of pupils attending the more specialist settings achieved 5 GCSEs. This reinforces the knowledge that we need to ensure as many of our young people as possible are retained within the mainstream setting.

#### **Destination Data:**

As can be seen from the table below, of the 27 school leavers in 2022, 4 left school and did not transfer to education, employment or training (NEET). This means that 85% had a positive destination. This compares favourably to the data from 2021 when only 10/16 learners had a positive destination 62.5%. This increase in figures is partly due to the impact of COVID in 2022, but also as a result of increased communication and support between the Local Authority (LA), Personal Assistants (PAs) and the educational settings.

As can be seen from the data below, the percentage of pupils having an appropriate destination is higher when they are placed in a mainstream school. This reinforces our understanding that mainstream education offers the best chance of success for CLA.

Placement Type in year 11	No of pupils	Destination	No. of pupils	%age
Mainstream	14	Coleg Cambria	10	71.4%
		FCC 6 <sup>th</sup> Form	1	7.1%
		OOC College	2	14%
		NEET	1	7.1%
		Total Mainstream non-NEET	13	93%
Independent	9	Coleg Cambria	2	22%
		Independent 6 <sup>th</sup> Form	4	44%
		OOC college	2	22%
		NEET	1	11%

		Total independent non - NEET	8	88%	
	PPRU/EOTAS	3	OOO college	1	33.3%
			NEET	2	66.6%
			Total PPRU non - NEET	1	33.3%
	Special school	1	School 6 <sup>th</sup> form	1	100%
	All pupils	27	Non NEET	23	85.2%

1.04 **Attendance and Exclusion**

**Attendance Data:** Average attendance for Children who are Looked After is 85.45% for the academic year 2021-2022. This compares to 87% to the previous year's which was estimated due to the impact of COVID 19 on attendance data collection. However, 64% of CLA have good attendance of over 85%. Where attendance is poor this predominantly due to placement breakdown resulting in school moves or poor mental health /social and emotional development.

**Exclusions:** 21 CLA had one or more fixed term exclusions from Flintshire Schools during 2021-2022, amounting to a total of 229.5 days in total. This is concerning and significantly above the average for all pupils. 2 CLA were permanently excluded from Flintshire schools. When we consider the data above relating to leaver outcomes, it is essential that schools and pupils are supported to maintain their placements and that exclusions are minimised. Only as a last resort should a CLA face exclusion.

To try and improve these figures, fixed term exclusion data is now analysed termly and support for schools and pupils is provided to try and prevent further incidents. A working party is being developed to improve the quality assurance of the Personal Education Plans (PEPS) which will provide a vehicle for early identification of need, so that timely intervention can reduce the need for exclusion. This is a significant area for improvement for the Local Authority.

1.05 **ALNET**

The Additional Learning Needs and Educational Tribunal (Wales) Act 2018 (**ALNET**) came into force in September 2021. This provides additional responsibilities and duties for local authorities in response to the looked after children they are responsible for.

The legislation calls for children who are identified as having additional learning needs (ALN) to have an Individual Development Plan (IDP) to outline their needs and the additional learning provision (ALP) that will be put in place to support the child. For children who are looked after and living in Wales, the local authority responsible for the child is now responsible for making decisions about whether the child has ALN and maintaining the IDP for that child irrespective of where they live in Wales. This differs from the process

for children who are not looked after where these responsibilities may lie with directly with a school.

In order to support this new legislation Flintshire have employed an additional ALN Learning Advisor specifically to work with our CLA. This post has made significant progress towards achieving the objectives of ALNET during 21-22 and 22-23, and we are on target for completion in line with Welsh Government prescribed time scales.

The process of reviewing all children with ALN to determine their needs and ascertain whether or not an IDP is required has been staggered by Welsh Government. In 21- 2022, only children who were previously recognised as being at School Action (SA) or School Action Plus (SAP) in years Nursery, 1, 3, 5, 7 and 10 were required to be considered under the new system. Children with Statements of Special Educational Need (SEN) and all other year groups were not considered this academic year.

In 2022 there were 78 CLA learners in total across the mandated year groups (N, 1, 3, 5, 7 &10). Of those, 19 were recognised as being SA or SAP. The ALN officer completed these 19 conversions which resulted in a total of 4 Individual Development Plans (2 previously SA, 2 SAP) This represents a 21% conversion rate from the old SA/SAP onto IDP.

In addition, a further 2 CLA pupils were brought to the attention of the LA for consideration of IDP assessment. These were new nursery pupils and as such had no previous ALN history. Both of these were issued with an IDP.

Of the 19 pupils that went through conversion during 2021-2022, 1 attended an OOC PPRU, 1 OOC mainstream secondary, 1 OOC primary, 6 FCC mainstream secondary and 10 FCC mainstream primary.

Due to the transient nature of the caseload a mapping exercise is completed on the new monthly LAC data collection by the LACE (Officer for Looked after Children in Education) and the CLA ALN Learning Adviser to identify potential IDP conversions.

1.06 **New Projects to Support Vulnerable Learners including CLA**

A number of new projects have been developed to support vulnerable learners Including CLA. These are outlined below.

**Alternative Curriculum Project:** 21 CLA have accessed this support designed to improve self-esteem, friendships and a sense of belonging via community-based projects, forest school, equine therapy, arts and other activities. Feedback from schools and pupils has been positive with significant improvements in well-being for some pupils. The data below was collected for all of the pupils accessing the project (not just CLA) and gives an indication of the impact of the provision. The project has continued into 2022-2023:

*School staff have indicated that of the pupils who have taken part 62.7% have seen an improvement in engagement in lessons, 59% improvement in self-esteem, and 66% have seen an improvement in their overall happiness.*

*Pupil evaluation indicated that 80.5% of them felt that they had made new friends, 77.8% said they felt happier, 63% said they felt calmer and 64.8% said they found it easier to try new activities.*

*Parents views indicated that 56.3% of pupils had improved mood and overall well-being.*

**Nurture Support Practitioner:** A nurture support practitioner has been employed to work under the Nurture Support team, specifically with vulnerable learners including CLA. She has offered nurture support and advice and ‘Drawing and Talking’ sessions to a small number of CLA who have been referred via schools.

**Digital Developmental Portrait (DDP) - Nurture International Tool for measuring confidence self-esteem and wellbeing:** The DDP is a new tool which measures Concentration and Focus, Sensory Needs, Social Skills and Emotional Resilience. Practitioners answer 16 questions about the presentation/behaviours of the learner in class, which then enables them to dig deeper into areas of need. The resulting profile suggests a range of strategies that can be used at both universal and targeted support levels. We have piloted this tool as part of our new Forum for Delegated Leads for CLA which has met termly. Nurture staff have provided training on the neuroscience behind trauma and brain development and have been provided with an opportunity to pilot the tool.

The profile was completed for 158 CLA and previously CLA pupils, representing over 90% of the entire CLA cohort both in and out of county. As a result, school staff had access to the relevant strategies for all of these pupils, and LA staff were able to reach out to children who were struggling to offer additional support. The project is ongoing.

1.07 The Personal Development Grant (PDG) is funding allocated on an annual basis by the Welsh Government (WG) to raise the attainment of children and young people from low-income households. PDG funding is also allocated separately to specifically support CLA. The table below provides a breakdown of the CLA PDG received by Flintshire which is allocated via the GWE regional consortium:

2022-2023	Budget
GWE LAC PDG local bursary	£ 165,900
Learners outside Wales	£19,658.47
Local schemes	£23,000.00
Total:	£ 208, 558.47

GWE distributes the grant in line with the WG Terms and Conditions. Local Authority budgets are determined based on the numbers of CLA children within the school age range and OOC school placements. Figures were calculated using the October 2021 Children Receiving Care and Support Census (CRCS) data that was published in March 2022.

The main funding stream (£165,900) is held within the GWE consortium and is applied for via a cluster approach. School clusters apply to GWE directly via an online dashboard. GWE are responsible for allocating this, ensuring effective use of the grant and measuring the impact of the funding on learners.

	<p>The remaining sum (£19,658.47 and £23,000= £42,658.47) is allocated directly to the local authority and can be used to support local initiatives such as the Digital Developmental Portrait described above. The grant also allows for individual bursary to a maximum of £1150 for children who are identified by schools as requiring additional support.</p> <p>We have successfully used our allocated budget on specific projects. Developments within schools supported by CLA PDG grant for 2022-2023 have included:</p> <p>Training</p> <ul style="list-style-type: none"> <li>• Nurture International – Digital Developmental Portrait, data tool (FCC and OOC schools)</li> <li>• Positive Power of Play (FCC and OOC schools)</li> </ul> <p>Bespoke Interventions:</p> <ul style="list-style-type: none"> <li>• Sensory room</li> <li>• Garden Project</li> <li>• Ice Hockey membership</li> <li>• Kingswood Residential</li> <li>• Equine Therapy</li> <li>• 1-2-1 Transition support</li> <li>• Forest School</li> <li>• Bespoke 1-2-1 Nurture Provision</li> <li>• Food therapy</li> <li>• Additional Maths and English tutoring</li> <li>• Know How Project</li> <li>• CPOMs Safeguarding system</li> <li>• NCY 6 to 7 transition package</li> </ul>
1.08	<p><b>Views of children</b></p> <p>Pupils are engaged with regularly and are invited to engage with the Participation officer and to attend the Children’s Services Forum (CHSF). Pupils are also invited to attend their CLA review, and views of the pupils are shared by IROs (Independent Reviewing Officer) with the LACE (Officer for Looked After Children in Education). All recommendations are shared and completed accordingly. The LACE officer is contacted regularly by Social Workers, Schools, and carers to discuss individual cases.</p>
1.09	<p><b>An integrated approach to improving educational outcomes for CLA</b></p> <p>In December 2019, Sir Alasdair McDonald was commissioned by Welsh Government to carry out a scoping exercise focusing on developing an integrated approach to improving educational outcomes for CLA. The report was published in 2020 (link below) and provided a number of recommendations, including the development of a virtual school model.</p> <p>During the financial year 2021-2022, Welsh Government invited Local Authorities to apply for a £40,000 start-up grant to pilot the introduction of these recommendations, including the appointment of a Virtual School Head</p>

	<p>Teacher. Flintshire submitted an expression of interest for this funding based on a sustainable, and proactive model that would enable benefits to all vulnerable learners. This was refused by Welsh Government.</p> <p>Since then, significant work has been completed to look at models across Wales and the UK, including an appreciative enquiry involving Neath Port Talbot and The Vale of Glamorgan. This work has placed us in a stronger position to move forward with the recommendations. A working party consisting of Education and Social Services Leads has been established to consider this further.</p> <p>In line with the recommendations, resources have also been allocated to ensuring in-depth training for Trauma Informed practice is available to our delegated leads for CLA (£95,000 for financial year 2023-2024).</p> <p>The ECLIPSE system, which is currently being used to support schools through the development of Individual Development Plans (IDPs) for all pupils with ALN, has been trialled for use with the Person Education Plans (PEPS) and it is hoped that this can be rolled out during academic year 23-24. Discussion between Social Services and Education is ongoing to identify sufficient capacity and resources are allocated to this with the aim of improving the quality and quality assurance of these plans.</p>
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<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	<p>As outlined above, considerable action planning and research into other authorities has highlighted a number of areas that need to be developed in order to ensure Flintshire have an optimum integrated model of support in line with Sir Alasdair's recommendations.</p> <p>Central funding for CLA currently funds a 0.6 FTE (3 days per week) Coordinator. However, this post has insufficient capacity to develop the PEPS and other areas to ensure maximum impact. In the absence of Welsh Government Funding, additional resources are required to ensure Flintshire can address the areas for development highlighted above.</p>
2.02	<p>A number of CLA require specialist provision which is often only available through the specialist independent sector. The increasingly complex needs exhibited by some individuals and the increasing costs of provision does impact on the Out of County budget. Both the Education and Social Services Portfolios are exploring and developing ways to reduce the expenditure in this area, including the expansion of in-house provision and alternative forms of intervention.</p>

<b>3.00</b>	<b>IMPACT ASSESSMENT AND RISK MANAGEMENT</b>
3.01	Impact assessment is not required as the report is for information only.
3.02	Risk monitoring is a regular feature of Portfolio Senior Management meetings to ensure senior officers are sighted in relation to these.

3.03	Expenditure on specialist non-maintained 'Out of County' provision constitutes an ongoing financial risk to the both the Education & Youth and Social Services Portfolios. This is monitored on a monthly basis and the findings reported to relevant members of the Council's Senior Leadership Team.
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<b>4.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
4.01	Not required

<b>5.00</b>	<b>APPENDICES</b>
5.01	None

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p><a href="#"><u>WG Guidance - Making a Difference a guide for the designated person for looked after children in schools</u></a></p> <p>Sir Alasdair McDonalds Report:</p> <p><a href="https://www.gov.wales/sites/default/files/publications/2020-07/integrated-approach-improving-educational-outcomes-looked-after-children.pdf"><u>https://www.gov.wales/sites/default/files/publications/2020-07/integrated-approach-improving-educational-outcomes-looked-after-children.pdf</u></a></p>

<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
7.01	<p><b>Contact Officer:</b> Jeanette Rock  <b>Telephone:</b> 01352 704017  <b>E-mail:</b> <a href="mailto:jeanette.rock@flintshire.gov.uk"><u>jeanette.rock@flintshire.gov.uk</u></a></p>

<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
	<p><b>EOTAS:</b> Education other than at school (Tuition etc)</p> <p><b>PPRU:</b> Portfolio of Pupil Referral Units</p> <p><b>Pupil Development Grant:</b> Welsh Government funding to improve outcomes for learners eligible for free school meals (eFSM) and Looked After Children (LAC). It is intended to overcome the additional barriers that prevent learners from disadvantaged backgrounds achieving their full potential.</p> <p><b>GwE:</b> Regional school improvement service</p> <p><b>Out of County provision (OOC):</b> Specialist education/residential provision which is not maintained by Flintshire County Council. This could include</p>

mainstream provision maintained by an alternative authority or specialist independent provision.

**Additional Learning Needs and Education Tribunal Act (Wales) 2018:**  
New Welsh legislative system relating to the support given to children and young people aged 0 to 25 who have additional learning needs and are receiving education and/or training.