



AGENDA ITEM:

OVERVIEW AND SCRUTINY BOARD

14 DECEMBER 2004

**FINAL REPORT –
INVESTIGATION INTO THE EDUCATION OF
LOOKED AFTER CHILDREN BY MIDDLESBROUGH COUNCIL**

PURPOSE OF THE REPORT

1. To present the findings of the Children and Learning Scrutiny Panel following its investigation into the Education of Looked After Children by Middlesbrough Council.

INTRODUCTION – SETTING THE SCENE

2. All Local Authorities have a responsibility under the Children Act to safeguard and promote the welfare and education of all young people looked after.
3. Looked After Children is the term used to describe children who are being cared for by the Authority, either in children's homes, in foster homes or living with extended families on Care Orders.
4. These are children of different ages, cultures, backgrounds and abilities, who for a variety of reasons, are unable to live with their own families and require the input of specific, and sometimes very specialist, support services.
6. Research highlights that the majority of children who come into care is usually through family breakdown rather than through any actions of their own.
7. Nationally, there are approximately 60,000 Looked After Children by Local Authorities, an ever increasing figure, with approximately 35,100 of those children of school age.

8. It is also widely recognised that children in residential or foster care are underachieving and that there is a real drive to bring their attainment closer into line with that of other children in the local population.
9. As such there is a duty of 'Corporate Parenting' requiring all Local Authorities with responsibilities for Education and Social Services to do all that a good parent would. There are government guidelines for the education of children in Public Care which give specific responsibilities and rights to all those involved in providing or supporting their education.
10. According to national research, being in school full-time gives children the best possible chances to succeed. In addition to learning subjects in class, they for instance develop routines, learn how to make friends and build relationships.
11. Within Middlesbrough, the educational attainment of Looked After Children continues to be amongst the lowest in the country when compared to Children Looked After from similar local authorities and against the national average for Looked After Children, as shown in greater detail at a later point within this report.
12. Hence, the Children and Learning Scrutiny Panel felt it was appropriate to look at what more could be done to improve the life chances of children in care by analysing the problems locally.

AIM OF THE SCRUTINY INVESTIGATION

13. The overall aim of the Scrutiny review was to investigate the causes of the persistently low educational attainment of the Looked After Children by Middlesbrough Council.

TERMS OF REFERENCE OF THE SCRUTINY INVESTIGATION

14. The terms of reference for the Scrutiny investigation were as outlined below:-
 - (a) How is the planning, provision, management and achievement understood in the delivery of the Council's service provision for the education of Looked After Children?;
 - (b) What finance and support is available to the education of Looked After Children?;
 - (c) What are the barriers to educational success of Looked After Children?;
 - (d) What can be done to support the improvement of achievement in the education of Looked After Children?;
 - (e) What are the implications for the Authority?; and

- (f) What good practice exists in nearby Local Authorities in relation to the educational attainment of Looked After Children?

MEMBERSHIP OF THE PANEL

15. The membership of the Panel were as detailed below:-

Councillors L Wilson (Chair), Mrs Pearson (Vice Chair), Booth, Carr, Davison, McPartland, Rooney and B Taylor.

Co-opted Members: Father G Holland, N James, K Massey, W Reeve and M White.

METHODS OF INVESTIGATION

16. Members of the Panel met formally between 6 July 2004 and 10 November 2004 to discuss/receive evidence relating to this investigation and a detailed record of the topics discussed at those meetings are available from the Committee Management System (COMMIS), accessible via the Council's website.
17. A brief summary of the methods of investigation are outlined below:-
- (a) Detailed Officer reports supplemented by verbal evidence;
 - (b) Evidence received from Fosters Carers and Looked After Children by this Authority;
 - (c) Examination of good practice within neighbouring Local Authorities in relation to their service provision;
 - (d) Evidence received from representatives from the DfES and the North East's Education Protects Network;
 - (e) Evidence received from the Authority's Executive Members for Education, Early Years and Social Services and Health;
 - (f) Evidence received from the Vice Chair of the Corporate Parenting Board in the absence of the Chair; and
 - (g) The views of Headteachers, Governors, Designated Teachers, representatives from the Education of Looked After Children Team and Designated Social Workers.
18. The Panel also obtained various policies and Government guidance documents to assist in the Scrutiny process.

FINDINGS

THE PLANNING, PROVISION, MANAGEMENT AND ACHIEVEMENT OF THE EDUCATION OF LOOKED AFTER CHILDREN WITHIN MIDDLESBROUGH

Planning, Provision and Management

19. At the time of the Panel's investigation, statistics presented to the Panel as of 31 July 2004 clearly identified that there were 227 Looked After Children by this Authority either on a short or long-term basis.
20. Of those 227 children:-
 - (a) 169 were in foster care placements;
 - (b) 13 were placed for adoption;
 - (c) 11 were in local Children Homes;
 - (d) 12 were in out of area residential placements;
 - (e) 18 were placed with parents;
 - (f) 3 were in independent living/lodgings; and
 - (g) 1 was in a young offenders institution.
21. Based on the evidence received, the Panel found that 188 (82.8%) of those children had been looked after by this Authority for 12 months or more and of this 188, 172 children were aged 4 years plus with 33 (19%) having Special Educational Needs (SEN) Statements.
22. The Panel were informed that the number of Looked After Children in Middlesbrough had increased with two major factors contributing to this increase:-
 - (a) The impact of parental drug misuse placing more children at risk therefore more children are being removed from the care of their parents; and
 - (b) The discharge rates from care of young people aged 16 and over has decreased, resulting in more children staying in care longer.
23. In addition to the above, National Statistics as of 30 September 2003 from the Department for Education and Skills for Looked After Children, outlined the numbers of Looked After Children for at least 12 months and general information about their education for the five Tees Valley Local Authorities as shown in Table One:-

Table 1 – Tees Valley Local Authorities Statistics (as of 30 September 2003)

LOCAL AUTHORITY	No. of CLA for at least 12 months	Of these, no. of school age	Of these, children with a statement of SEN	Permanent exclusions from school	Children who missed at least 25 days school
Darlington Borough Council	110	90	15	0	10
Hartlepool Borough Council	75	60	15	0	-
Middlesbrough Council	195	160	40	5	20
Redcar and Cleveland Borough Council	105	90	30	0	15
Stockton on Tees Borough Council	145	115	35	0	15

24. It was evident that from the Tees Valley statistics detailed above, Middlesbrough as an Authority had the highest number of Looked After Children as of 30 September 2003 that:
- (a) had been looked after for at least a period of 12 months;
 - (b) were of school age;
 - (c) had been issued with a Statement of Special Educational Needs;
 - (d) had permanent exclusions from school (although none were permanently excluded during the last 12 months); and
 - (e) had missed at least 25 days from school.
25. During the earlier stages of the Panel's investigation, information was sought on the school attendance figures of Looked After Children by this Authority. However, the Panel was disappointed to be informed that the data was not readily available to the Local Education Authority, as the schools were directly responsible for the collection of this data.

26. Having therefore gained an understanding of Middlesbrough's position, the Panel subsequently considered the educational attainment of Looked After Children nationally, as detailed in **Appendix 1**.
27. In light of this information, Members were concerned that the educational outcomes for Looked After Children by this Authority were amongst the poorest in the country.
28. However, Members were encouraged to find that nationally the Government had set out a number of measures to help Social Services, Education, carers and schools to improve educational attainment and life chances for Children Looked After which had been implemented within Middlesbrough as outlined below:-
29. **Public Service Agreement (PSA)** - In January 2001, the Authority entered into a Public Service Agreement to raise the educational achievement of Children Looked After by this Authority by increasing the access to information technology by the provision of personal computers in foster families. Although such provision had been less than wholly successful, as the impact had not been measured, computers had broken down and some people could not use them.
30. **Designated Teachers** - That the Local Education Authority had the responsibility of ensuring that each primary and secondary school designated a teacher who understood about the 'care' system and the impact of care upon education and that training for these teachers was held on a regular basis.
31. In terms of best practice, the Designated Teacher would usually be someone with sufficient authority to influence school policy and practice and act as both a resource and advocate for a child looked after by the Authority.
32. **Personal Education Plans** - In addition to this, the Authority's Social Services were responsible for ensuring that every young person in care had a Personal Education Plan (PEP), which formed an integral part of the Care Plan together with any existing education plans for example a Statement of Special Needs.
33. The Panel were informed that the main objectives of the PEP were:-
 - (a) to ensure access to services and support;
 - (b) to contribute to stability;
 - (c) to minimise disruption and broken schooling;
 - (d) to signal particular and special needs;
 - (e) to establish clear goals; and
 - (f) to act as a record of progress and achievement.
34. Based on the evidence received, the Panel were further advised that the PEP:

- (a) Was a statutory requirement and failure to comply without good reason would result in Social Services acting unlawfully;
- (b) Should be agreed as soon as possible and at least within 20 school days of entering care or of joining a new school;
- (c) Would normally be reviewed concurrently with the Care Plan ie within 28 days, 3 months, 6 months etc;
- (d) Would usually be initiated by the child's Social Worker in partnership with the child, designated teacher, parent/relative, carer and other professionals; and
- (e) Would be used as a tool to encourage dialogue between social workers, carers and schools, and underline the importance attached to the young persons education.

Education Attainment

35. The Panel learnt that the underachievement of children in care is now widely recognised, therefore both national and local targets have been set by which the educational attainment of Looked After Children is measured, reported and monitored.
36. In relation to the actual levels of education attainment of Looked After Children by this Authority, the Panel took into consideration the targets and statistics for the Summer 2000/01, 2001/02, 2002/03 and 2003/04 for Key Stage1, 2, 3, and GCSE results as detailed below:-

(Note: '-' = Data unobtainable at the time of compiling the report).

Table 2 – Key Stage 1 (Level 2 or above)

KEY STAGE 1 (LEVEL 2 OR ABOVE)					
		2001	2002	2003	2004
READING	National	84%	84%	84%	84%
	National CLA	-	-	60%	-
	Mbro LEA	78.8%	79.8%	81%	81%
	Mbro CLA	54%	30%	61%	64%
WRITING	National	86%	86%	81%	81%
	National CLA	-	-	60%	-
	Mbro LEA	82.2%	82.4%	80%	78.2%
	Mbro CLA	69%	60%	55%	27%
MATHS	National	91%	90%	90%	90%
	National CLA	-	-	68%	-
	Mbro LEA	87.3%	86.7%	89%	87.7%

	Mbro CLA	69%	60%	83%	64%
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Table 3 – Key Stage 2 (Level 4 or above)

KEY STAGE 2 (LEVEL 4 OR ABOVE)					
		2001	2002	2003	2004
ENGLISH	National	75%	75%	75%	75%
	National CLA	-	-	49%	-
	Mboro LEA	72.1%	69.8%	72%	72.3%
	Mbro CLA	18.2%	40%	37.5%	43%
MATHS	National	71%	73%	73%	73%
	National CLA	-	-	48%	-
	Mboro LEA	67.2%	69.2%	71%	71.8%
	Mbro CLA	18.2%	40%	37.5%	14%
SCIENCE	National	87%	86%	87%	87%
	National CLA	-	-	61%	-
	Mboro LEA	87.3%	84%	83%	84.3%
	Mbro CLA	54.5%	73%	50%	29%

Table 4 – Key Stage 3 (Level 5 or above)

KEY STAGE 3 (LEVEL 5 OR ABOVE)					
		2001	2002	2003	2004
ENGLISH	National	64%	66%	69%	68%
	National CLA	-	-	32%	-
	Mboro LEA	56%	60.6%	56%	55.7%
	Mbro CLA	21%	36%	13%	46.7%
MATHS	National	66%	67%	71%	70%
	National CLA	-	-	33%	-
	Mboro LEA	54.6%	54.8%	60%	63.1%
	Mbro CLA	21%	7%	20%	33.3%
SCIENCE	National	66%	66%	68%	68%
	National CLA	-	-	34%	-
	Mboro LEA	52.5%	54.7%	55%	53.4%

	Mbro CLA	17%	21%	27%	40%
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Table 5 – GCSE / GNVQ

GCSE / GNVQ					
		2001	2002	2003	2004 *
AT LEAST ONE PASS A* TO G	National	92.3%	94.6%	94.8%	96.0%
	National CLA	-	-	53%	-
	Mboro LEA	93.3%	90.6%	91.9%	91.4%
	Mbro CLA	0%	45.5%	66%	46.2%
AT LEAST 5 PASSES A* TO G	National	88.9%	88.9%	88.8%	88.8%
	National CLA	-	-	37%	-
	Mboro LEA	85.4%	82.9%	83%	83.1%
	Mbro CLA	0%	45.5%	66%	38.5%
AT LEAST 5 PASSES A* TO C	National	50%	51.6%	51.5%	51.1%
	National CLA	-	-	9%	-
	Mboro LEA	34.9%	36.3%	38.9%	40.5%
	Mbro CLA	0%	0%	4%	0%

(* - Unvalidated GCSE results (September 2004) – National (SFR October 2004))

37. The educational attainment can be further broken down for Key Stages 1, 2 and 3, to show the attainment of the Authority's Looked After Children who are educated in Middlesbrough schools only, as outlined in Table 6:-

Table 6 – 2004 Key Stages 1, 2 and 3 Results: Middlesbrough Looked After Educated in Middlesbrough

KEY STAGE 1 (LEVEL 2 OR ABOVE) (Cohort of 8 placed in 5 schools)	2004
Reading	87.5%
Writing	50.0%
Mathematics	87.5%
KEY STAGE 2 (LEVEL 4 OR ABOVE) (Cohort of 6 placed in 6 schools)	
English	50.0%

Mathematics	16.7%
Science	16.7%
KEY STAGE 3 (LEVEL 5 OR ABOVE) (Cohort of 12 placed in 7 schools)	
English	10.0%
Mathematics	20.0%
Science	20.0%

38. It is evident from the above tables that there is an issue with regard to performance. The Panel was concerned about the educational attainment of Looked After Children within Middlesbrough over the last three years, as it was evident that statistically the results had not improved.
39. In light of these concerns, Members were informed that the number of children within specific cohorts within Middlesbrough were small and that this should be acknowledged when compared to both the results of their peers within Middlesbrough and nationally.

FINANCE AND SUPPORT FOR THE EDUCATION OF LOOKED AFTER CHILDREN IN MIDDLESBROUGH

Overview of the Authority's Support Services

40. On a strategic level, the Panel found that the needs of Looked After Children within Middlesbrough were given a high priority, based upon the various inter-agency partnership arrangements. Such as the Children and Young People's Strategic Partnership which is currently chaired by the Authority's Head of Children's and Families via the Middlesbrough Local Strategic Partnership.
41. Such a Partnership aimed to ensure the delivery of the strategic vision, for children and young people services in Middlesbrough, to improve outcomes for children, young people and their families. Members of the Partnership were also expected to act as 'Champions' for children and young people within their wider working environment.
42. In addition to the Partnership, it was evident that the Authority had adopted a Corporate Parenting Policy and Strategy in May 2001 which further clarified its commitment in respect of Looked After Children by the Authority.
43. Members also found that the both the Authority's Education and Social Services Departments have robust mechanisms, arrangements and processes for providing services to Looked After Children.
44. This was evident to the Panel, following the recent establishment of the Education of Looked After Children Team in April 2001 jointly formed between Education and Social Services, thus clearly demonstrating an integrated

approach focusing strongly on raising the educational attainment of children looked after and the promotion of inclusion.

45. The Panel was informed that the current composition of the Authority's Education of Looked After Children Team was as outlined below, although it was noted that role of the team was in the process of being refocused, resulting in the removal of the teacher post to release resources to strengthen the Education Social Work capacity:-
- (a) Looked After Children Manager;
 - (b) Teacher (0.5 FTE); and
 - (c) Education Social Worker.
46. However, the Panel did have some initial concerns with regard to the size of the support team, and were therefore keen to examine other local authority's provision as shown in Table 7, the data of which was extracted from Education Protects Benchmarking Questionnaire, carried out during January 2004 by the North East Education Protects Network:-

Table 7 – Extract from findings of Education Protects Benchmarking Questionnaire – Examples of the Local Authorities' LAC Teams –verse-School Age

LOCAL AUTHORITY	NO. OF LOOKED AFTER CHILDREN OF SCHOOL AGE	COMPOSITION OF EDUCATION OF LAC TEAM
Calderdale Metropolitan Borough Council	140	Service Manager LAC Education Support Teacher LAC Education Assistants x 4 Literacy Project Co-ordinator Education Welfare Officer Snr Practitioner Social Worker Data Officer Administrator Leisure Development Officer
Durham County Council	340	Operational Manager Pupil Support Team Leader Information Systems Officer Outreach Librarian Project Teacher Fieldworker x 2
Middlesbrough Council	172	Looked After Children Manager 0.5 FTE Teacher (Soon to be removed)

		Education Social Worker
Northumberland County Council	243	Head of Service Teacher x 2 (1 part-time) Youth Leader

LOCAL AUTHORITY	NO. OF LOOKED AFTER CHILDREN OF SCHOOL AGE	COMPOSITION OF EDUCATION OF LAC TEAM
North Yorkshire County Council	200	Education Co-ordinator for LAC Youth Mentors x 3 Education Support Workers x 2 Admin Assistant x 1
Wakefield Metropolitan District Council	274	Reach Team Manager Deputy REACH Team Manager Primary Support Teacher Secondary Support Teacher Education Support Workers x 4 Personal Adviser/Caseworker Information Administrator Clerical Officer (part-time)

47. It was evident to the Panel that from the above table, authorities with a larger number of Looked After Children appeared to have larger teams. However, there was no direct correlation between the numbers of children and the size of teams and the varied personnel composition of the teams, which made meaningful comparison between authorities difficult.
48. The Panel also found that in line with the Children's Bill (placed before Parliament in March 2004) such joint working arrangements would be further enhanced with the creation of the Authority's new Children, Families and Learning Department with effect from January 2005. By merging various key children's services from both the Authority's Education and Social Services Departments into one common department of the Authority.

Funding / Budgetary Provision

49. Members were informed that prior to the 1999, the Authority did not have any financial capacity to support the education of Looked After Children. Although the delegated schools budgets provided at that time and continues to do so an element based on the number of pupils looked after on a school roll at the January count (cash value of £527 per a pupil).
50. During 2001/02, via various successful funding bids, ring-fenced to support the education of Looked After Children, the Education of Looked After Children Service was established and subsequently made permanent albeit no core budget was available to support this work.

51. From 2003 onwards, the Panel was encouraged to find that the Government had made specific resources available to support local authorities in the educational attainment of vulnerable children, such as:-
- (a) The DfES's Vulnerable Children's Grant (2003-4 to 2005-6) intended to secure improved access to, and standards of education for, a range of vulnerable children, including children in care; and
 - (b) The Choice Protects Grant to be used on expanding and strengthening local authorities fostering services, in particular supporting foster carers with children's education.
52. Members were also encouraged to note that such grants should be used in a way which maximised the effectiveness of the total resources available to support the educational attainment of children in care.
53. Within Middlesbrough, it was evident that the Vulnerable Children Grant and the Choice Protect Grant allocations for the 2003/04 and 2004/05 financial years were allocated/distributed as outlined below:-

Table 8 - Breakdown of Middlesbrough Council's Vulnerable Children Grant and Allocation for 2003/04 and 2004/05

Vulnerable Children Grant	2003/04 Breakdown	2004/05 Breakdown
	£	£
TOTAL GRANT ALLOCATION	301,010	276,520
Home and Hospital Teaching Service	106,000	106,000
Traveller Education	60,202	60,202
Asylum Seekers	30,000	20,000
Excluded Children	64,808	34,808
Looked After Children	40,000	40,000
Total	301,010	261,010
Balance	0	15,510

54. The Panel was informed that the £40,000 allocated to the Education of Looked After Children Service did not cover the full cost of the service for the 2003/04 and 2004/05 financial years and no resources had been identified for the Manager's post to date. As a result of this information, Members questioned whether the proportion of this Grant allocated to 'Looked After Children' was sufficient.
55. It was also evident that the 2005/06 grant allocation was further reduced to £265,880 due to the increased number of asylum seekers and refugees in Middlesbrough and the increased number of Looked After Children by this Authority.
56. Members also heard that the first grant Quality Protects was launched in 1998 and became mainstreamed in March 2004, hence the Choice Protect grant was

introduced in 2003/04 specifically to improve placement stability and choice for Looked After Children. Outlined in Table 9 were the 2003/04 and 2004/05 allocations/distributions:-

Table 9 - Breakdown of Middlesbrough Council's Choice Protects Grant and Allocation for 2003/04 and 2004/05

Choice Protects Grant	2003/04 Breakdown £	2004/05 Breakdown £
TOTAL GRANT ALLOCATION	84,000	122,000
Foster Care Allowances Increase	67,567	67,567
Introduction of Emergency Care Scheme	8,000	8,000
Recruitment and Training	3,425	3,425
Research and Development	5,000	0
1.5 fte Support Worker Posts (originally funded from Quality Protects Grant)		43,000
Approximate Total	84,000	122,000

57. The Panel was informed that the Choice Protects Grant had been allocated specifically to Fostering and Family Placement and as a result of the Quality Protects Grant being mainstreamed which resulted in gaps in funding, further service developments had been deferred.
58. Members were pleased to find that it was envisaged that Choice Protects Grant for 2005/06 would increase and would be used to further enhance the support and recruitment within the Fostering Service.
59. In addition to the above, the Panel was concerned to hear that the Education of Looked After Children Team had no dedicated budget, for the day to day operation of its service provision. Although Members noted with interest that all the Local Authorities previously mentioned earlier within this report (paragraph 45 refers) all had a dedicated budget resourced from various sources of funding/mainstream budgets.

LOCAL AND NATIONAL BARRIERS TO EDUCATIONAL SUCCESS

60. To enable Members to identify what were felt to be the local barriers to the low education attainment of Looked After Children in Middlesbrough, the Panel sought verbal evidence over a series of meetings from various key personnel (including Looked After Children) as outlined previously in paragraph 17.
61. Based on the verbal evidence presented to the Panel, Members concluded:-
 - (a) That Looked After Children were some of the most vulnerable children that live in the town;

- (b) That Looked After Children did not wish to be 'singled out' or known as a child looked after by the local Council but preferred to be treated like their peers;
- (c) That Looked After Children were much more likely to have statements of Special Educational Needs and have disruptions to their education compared to children not in care;
- (d) That there was a significant connection between the increased number of placement moves and the low educational achievement hence stability at both school and their placement was crucial;
- (e) That enthusiastic parental involvement in the children's education is a key characteristic associated with the children's outcomes, regardless of other factors;
- (f) That Looked After Children were much more likely to suffer from bullying at school due to their personal circumstances;
- (g) That at the time of the Panel's investigation just under 70% of Looked After Children within Middlesbrough held a Personal Education Plan (PEP) which was a statutory requirement, usually initiated by the child's social worker in partnership with the child, designated teacher, parent/relative, carer and other professionals;
- (h) That there was a need to strengthen the role of School Governors in the educational attainment of Looked After Children;
- (i) That problems were encountered on occasions by foster carers and their children with regard to the cost incurred by the Authority when wishing to travel via taxi to and from school and after school club activities;
- (j) That Designated Social Workers transported children to and from school on time whilst trying to minimise the attention drawn to the child(ren), however, it was suggested that a dedicated transport budget could alleviate this issue;
- (k) That very few Designated Teachers were able to attend in-house training events due to workload pressures and other work commitments;
- (l) That there was a need for more carefully planned introductions of initiatives and more effective planning in general;
- (m) That there were several issues raised around resources in relation to the requirements stipulated in a completed PEP, therefore it was considered essential that resources were made available for any identified additional support such as classroom support, tutors etc;
- (n) That there were delays encountered in the provision of school work to be completed at home when the child is excluded;

- (o) That not all Looked After Children could be placed in mainstream schools due to behavioural problems; and
 - (p) That changes in the child's Social Worker had a detrimental effect as when staffing changes occurred the relationship/trust element had to be re-build.
62. The Panel also sought evidence from representatives from the Department for Education and Skills (DfES) and the Education Protects Network for the North East. Based on the evidence received the Panel found that nationally, the barriers to educational success were:-
- (a) Instability, trauma and low self esteem of the lives of the Looked After Children*;
 - (b) Disrupted schooling*;
 - (c) Professional cultures – lack of ownership, both corporately and from Social Services and Education Management in particular with PEPs;
 - (d) Not all children in care hold an effective PEP which is a statutory requirement;
 - (e) Low expectations;
 - (f) Insufficient help with education*;
 - (g) Need for help with emotional health and well-being*; and
 - (h) More proactive support from carers*.
63. In addition to the above, the DfES and Education Protects Network representatives also shared with Members of this Panel their opinions with regard to the staffing and budgetary provision of Middlesbrough's Education of Looked After Children Service. To summarise, initial concerns were raised with regard to:-
- (a) The small size of the Education of Looked After Children Team; and
 - (b) The insufficient allocation of resources to the Education of Looked After Children Service, in particular the proportion of Vulnerable Children's Grant allocated to Middlesbrough's 'Looked After Children'.
64. The Panel also found of interest the findings of a national piece of research carried out by the Social Exclusion Unit entitled 'A Better Education for Children in Care', which coincidentally highlighted those same issues as outlined above (astrix refers) by the DfES representatives.
65. The research further went on to evidence that they were a further five underlying problems, which are as outlined below:-

- (a) Capacity – A shortage of people and a lack of appropriate skills to support education;
- (b) Management and Leadership – The need for strong and sustained leadership, willingness to take practical actions where services are poor and the gap between the management and frontline;
- (c) Resources – Although funding had increased in recent years, some local authorities were struggling to deliver an adequate service with the resources they currently had available;
- (d) Systems and Structures – Two common barriers to effective joint working were Social Workers and Teachers having lack of understanding of each others roles and responsibilities and different working patterns;
- (e) Attitudes – Negative attitudes have a significant impact on the education of children in care.

LOCAL AUTHORITY GOOD PRACTICE

66. As part of the Panel's remit, consideration was also given to comparing a neighbouring Local Authority's service provision for the educational attainment of Looked After Children.
67. Members considered the evidence presented by the Head of Inclusion and Achievement from Sunderland City Council. In summary, it was found that:-
- (a) There were approximately 290 Looked After Children in Sunderland of school-age who faced the same educational attainment issues to that of Middlesbrough;
 - (b) A dedicated Education of Looked After Children Team had also been established jointly between Social Services and Education which consisted of:-
 - (i) Looked After Children Development Manager;
 - (ii) Teacher x 2; and
 - (iii) Administration Assistant (term-time only)
 - (c) The role of the Looked After Children Team had recently changed to that of an advisory and support role;
 - (d) The budget/resource allocation for the educational attainment of Looked After Children was £84,000 for the 2004/05 financial year;
 - (e) The profile of Looked After Children had not be raised as the children themselves did not want attention drawn to them or to be treated differently in any way;

- (f) Regular multi-agency looked after children planning days were held with service/function groups from both Social Services and Education;
- (g) Challenging targets for the attendance of Looked After Children were collected and monitored on a regular basis;
- (h) Future systems were to ensure that Looked After Children were not being disadvantaged from school admissions at both standard and mid-term transition times;
- (i) Future training was in the process of being improved for carers to highlight additional risks to looked after children and to ensure expert support and educational advice is accessible;
- (j) 90% of the looked after children held a PEP which had been completed within the statutory timescale, although subsequent reviews had not occurred as required;
- (k) It was proposed that the Designated Teachers were to be empowered to take responsibility for initiating the PEPs and subsequent reviews as it was felt that this approach would ensure that all Looked After Children had effective plans in place;
- (l) Difficulties were encountered in compiling and monitoring PEPs where a child was being cared for in another part of the country; and that
- (m) An initiative known as 'Schoolz Out' had been set up to ensure looked after children attend after school clubs.

IMPROVING THE EDUCATIONAL ACHIEVEMENT OF LOOKED AFTER CHILDREN AND THE IMPLICATIONS TO THE AUTHORITY

68. Having gathered both verbal and written evidence on both the national and local barriers to educational success, together with the comparison of a nearby local authority's service provision. The Panel found that generally the Authority had implemented a variety of measures and initiatives to improve the educational achievement of Looked After Children.
69. In light of this evidence, Members felt that there were some areas within the service that could be further improved/enhanced with some bearing minimum resource implications to the Authority. Such areas are as summarised below and are presented in further detail/explanation in paragraphs 70 (Conclusions) and 71 (Recommendations) within this report:-
- (a) Minimise changes in placement/school;
 - (b) Monitoring of school attendance;
 - (c) Exclusion issues / schoolwork;

- (d) Use of PEPs;
- (e) Corporate parenting role;
- (f) School Governor's role;
- (g) Joint training issues;
- (h) Alleviation of bullying;
- (i) Budgetary/staffing issues; and
- (j) Recognition of Achievement / Raising the profile of children in care.

CONCLUSION

70. The Panel concluded:

- (a) That Looked After Children are some of the most vulnerable children that live in the town and that school/education is often the only stability for some of these young children;
- (b) That whilst Looked After Children do have difficult and disruptive lives, the lives of the Looked After Children within Middlesbrough will not necessarily be more difficult and disrupted than those of Looked After Children elsewhere, hence it is important that a culture of low expectations within Middlesbrough of Looked After Children is avoided;
- (c) That generally Foster Carers, Looked After Children, Headteachers, Governors, Designated Teachers were pleased with the level of support received from this Authority with regard to the educational outcomes for Looked After Children;
- (d) That despite various new measures introduced, children in care, both nationally and within Middlesbrough continue to under achieve in school;
- (e) That whilst the Authority has taken positive steps to improve the educational attainment of Looked After Children, there is a need to further build on the progress that has been made to date;
- (f) That it is essential that the Education of Looked After Children Team should be appropriately resourced, both in terms of its actual staffing composition and dedicated budget;
- (g) That there was clearly an issue with the funding of transporting Looked After Children to and from school;

- (h) That academic achievement was not always possible for some Looked After Children within Middlesbrough and that by growing up to be a good citizen despite their troubled backgrounds was an achievement in itself;
- (i) That some children formerly looked after by this Authority had gained successful outcomes such as further education, full-time employment etc
- (j) That a move of school or care placement causes disruption to a child looked after, resulting in the child getting behind in his/her schoolwork, therefore careful planning and communication is crucial;
- (k) That PEPs are a key tool in ensuring that all Looked After Children get the best out of their education and that PEPs may also identify minor issues which can dramatically affect the 'big picture';
- (l) That it is crucial that all Looked After Children by this Authority hold an effective PEP, which should be reviewed on a regular basis and that all involved in its compilation hold a greater understanding and ownership of its purpose;
- (m) That a child who is in a permanent, stable and secure foster home and is doing well in school, may need little additional support;
- (n) That for many children who are looked after, the stigma of care can make school a miserable experience, therefore there is a need to assist in the alleviation of bullying at school in a timely manner;
- (o) That it is essential that looked after pupils who have special educational needs receive the help and support required;
- (p) That there is a need for the Authority to continue to think of imaginative ways to raise the educational achievement of Looked After Children;
- (q) That there was a need to strengthen the role of School Governors in raising the educational attainment of Looked After Children;
- (r) That preventative measures should be taken to avoid the exclusion of a looked after pupil. However, should a child be excluded, appropriate school work should be available in an appropriate timescale;
- (s) That the role of Designated Teacher was best placed with someone in a senior position eg Headteacher to enable the teacher to be the advocate for the child at a senior level;
- (t) That the detailed written and verbal evidence presented to the Panel was delivered in an open and honest manner, enhancing the transparency of the scrutiny process.

RECOMMENDATIONS

71. The Children and Learning Scrutiny Panel has taken evidence from a wide range of sources to assist in the formulation of a balanced range of recommendations. The Panel's key recommendations to the Executive are as outlined below:-
- (a) That where possible, when a child comes into care or changes placement, every effort should be made to try and arrange placements around a child's existing school;
 - (b) That the allocation of an adequately resourced budget, to enable transportation to and from schools thereby ensuring continuity of schooling in the one school be explored;
 - (c) That the school attendance of all Looked After Children is monitored at all levels and across departments, and that barriers to attendance are overcome;
 - (d) That in order to have a more rounded and complete picture of Looked After Children's performance and attainment in schools, a range of measures over and above performance in tests and exams be devised;
 - (e) That arrangements be made to ensure that all children within this Authority's care hold an effective Personal Education Plan (PEP), which is reviewed every six months, ideally termly, and that action to meet identified needs is followed up;
 - (f) That all PEPs become the joint ownership of the Authority's Social Services and Education Departments, demonstrating partnership working at both operational and strategic levels (in line with the new service area to come into operation from 1 January 2005, namely Children, Families and Learning Department);
 - (g) That good practice for the PEP process be developed;
 - (h) That the provision of high quality training for carers and professionals to share knowledge and information about the importance of the PEPs and its process be explored;
 - (i) That this Authority, in its role of a corporate parent, be equally vigorous as carers are in ensuring that all Looked After Children have their additional and special educational needs met through the special educational needs framework;
 - (j) That to assist in the alleviation of bullying at school, the possibility of pairing a child looked after with a 'buddy' for friendship and support during school hours be explored;
 - (k) That should a child looked after by this Authority miss school for any reason, appropriate arrangements are made to ensure that work is obtained to help 'catch up';

- (l) That should a child looked after by this Authority be excluded from school on either a short-term or long-term basis, that appropriate course work be made available by the specific school within an appropriate timescale;
- (m) That Looked After Children by this Authority be supported in access to extra-curricular and non-curricular opportunities in leisure, sport and cultural activity;
- (n) That to assist in raising the profile of children in care within Middlesbrough and to impact on their ability to achieve in educational life, consideration be given to an Annual Celebrations Evening being held to recognise achievement;
- (o) That during the Authority's 2005/06 budget setting process, action be taken to allocate an appropriately costed mainstream budget to the Authority's Education of Looked After Children Service;
- (p) That a review be undertaken to explore the appropriate level of staffing to support the Authority's Education of Looked After Children Service;
- (q) That when holding future training seminars for Designated Teachers, the possibility of providing supply cover be explored to encourage attendance; and
- (r) That consideration be given to Governors in taking an active role in raising the educational attainment of Looked After Children within their school, acting as a 'champion' where appropriate;

ACKNOWLEDGEMENTS

72. The Panel is grateful to all those who have presented evidence during the course of our investigation. We would like to place on record our appreciation, in particular of the willingness and co-operation we have received from the below named:-

Councillors Paul Thompson, Jan Brunton and Brenda Thompson –
Middlesbrough Council's Executive Members for Education, Early Year and
Social Services and Health

Jan Douglas, Jenni Cook – Middlesbrough Council's Social Services

Terry Redmayne, Dave Johnson, Dave Sands and Caroline Kendrick –
Middlesbrough Council's Education Service

Foster Carers and Looked After Children

Headteachers, Governors and Designated Teachers

Education of Looked After Children Team / Designated Social Workers –
Middlesbrough Council

Alex Kirwan– Department for Education and Skills (DfES)

Sue Steven – Lead for North East Education Protects Network / Head of Looked After Children Education Service, Calderdale Metropolitan Borough Council

Mike Golding and Joanne Davis – Sunderland City Council

73. As Chair, I would also like to personally thank the Scrutiny Officer for her help and support with the Panel's work on this Scrutiny topic.

**COUNCILLOR LINDA WILSON
CHAIR OF THE CHILDREN AND LEARNING SCRUTINY PANEL**

November 2004

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BACKGROUND PAPERS

The following background papers were consulted or referred to in the preparation of this report:

- (a) Remit and Work Programme – Investigation into the Education of Looked After Children – Report of the Scrutiny Officer to the Children and Learning Scrutiny Panel of 6 July 2004.
- (b) Low Educational Achievement of Looked After Children – Evidence from Key Members' of Middlesbrough Council – Report of the Scrutiny Officer to the Children and Learning Scrutiny Panel of 18 August 2004.
- (c) Monitoring Information relating to education of Looked After Children – Report of the Head of Children and Families to the Children and Learning Scrutiny Panel of 18 August 2004.
- (d) Educational Attainment of Looked After Children – Evidence from Young People and Foster Carers – Report of the Scrutiny Officer to the Children and Learning Scrutiny Panel of 9 September 2004.

- (e) Personal Educational Plans (PEPs) – Report of the Assistant Head of Inclusion, Education Services to the Children and Learning Scrutiny Panel of 9 September 2004.
- (f) Educational Attainment of Looked After Children – Evidence from the Department for Education and Skills (DfES) and the Education Protects Network (North East) – Report of the Scrutiny Officer to the Children and Learning Scrutiny Panel of 29 September 2004.
- (g) A Better Education for Children in Care – Presentation of the Regional Adviser, Education Protects Team, DfES/Head of Looked After Children Education Service, Calderdale MBC to the Children and Learning Scrutiny Panel of 29 September 2004.
- (h) Educational Attainment of Looked After Children – Evidence from Headteachers, Designated Teachers, Governors, Designated Social Workers and the Education of Looked After Children Team – Report of the Scrutiny Officer to the Children and Learning Scrutiny Panel of 14 October 2004.
- (i) Educational Attainment of Looked After Children – Comparison of Local Authority Service Provision - Evidence from Sunderland City Council – Report of the Scrutiny Officer to the Children and Learning Scrutiny Panel of 14 October 2004.
- (j) Education of Looked After Children –Financial Information – Report of the Head of Inclusion to the Children and Learning Scrutiny Panel of 27 October 2004.
- (k) Social Services – Specific Grants – Report of the Head of Children and Families, Social Services, to the Children and Learning Scrutiny Panel of 27 October 2004.
- (l) Minutes of the Meetings of the Children and Learning Scrutiny Panel held on 6 July 2004, 4 August 2004, 18 August 2004, 9 September 2004, 29 September 2004, 14 October 2004, 27 October 2004 and 10 November 2004.
- (m) DfEE Guidance on the Education of Young People in Care – 2000.
- (n) Office of the Deputy Prime Minister/Social Exclusion Unit – Report on ‘A Better Education for Children in Care’ – September 2003.
- (o) National Statistic of Education – Outcome Indicators for Looked After Children: Twelve Months to 30 September 2003, England.
- (p) Who Does What? – How Social Workers and Carers can Support the Education of Children in Care – Summary Document from the DfES, September 2004.
- (q) LAC(2000)13: Guidance on the Education of Children and Young People in Care – Department of Health Local Authority Circular, Reviewed 31 March 2001.
- (r) Middlesbrough Council Booklet entitled ‘The Education of Looked After Children by Local Authorities – A Guide for School Governors – April 2003’.
- (s) Sample of Education Protects Benchmarking Questionnaires – January 2004.

- (t) Report of the Authority's Chair of the Corporate Parenting Board to the Executive of 17 August 2004.
- (u) Middlesbrough Council's Education Survey 2003 – Children Looked After – May 2003.
- (v) Draft Final Report – Investigation into the Education of Looked After Children – Report of the Chair of the Children and Learning Scrutiny Panel to the Panel meeting held on 10 November 2004.