

Children-in-Care Policy

- 1.1 There are two ways in which children are in care – either ‘accommodated’ with the agreement of parents or subject to a Care Order or Interim Care Order via the Courts. Children in care are among the most vulnerable children in society and it is of paramount importance that a school place is found that is in the best interests of the child as quickly as possible.
- 1.2 In accordance with the Education (Admission of Looked After Children) England Regulations 2006 and School Admissions Code of Practice **all** Admission Authorities must give highest priority to children in care in their oversubscription criteria. The Admission Authorities for Faith Schools may give priority to children in care of their faith followed by all other children in care. All admission authorities within Dorset comply with the requirements.
- 1.3 As a result of 1.2 all applications for Children in Care received by the 15th February for the normal year of entry will be allocated a place at their first preferred school. When an application for a Child in Care is received after 15 February the outcome will, where possible, be provided on the next allocation date stipulated under the Co-ordinated Admissions Scheme.
- 1.4 The LA receives a number of in-year applications for Children in Care. It is a priority to ensure that these children are placed in school as soon as is reasonably practical. The time this takes will be dependent upon the nature and complexity of the individual case. The protocol below is to assist in ensuring that a suitable placement is obtained by considering the needs of the child. In order to do this information and views will need to be gathered so that an informed decision can be made.
- 1.5 The Local Authority which looks after the child (in partnership with parents, carers and prospective carers) and the Local Authority for the schools that are under consideration will work together to establish how to best meets the child’s needs.
- 1.6 Where there is a preference expressed for a particular school and that school can meet the child’s needs and has a place available or agrees to accept the child above PAN (published admission number) the child should be admitted without delay.
- 1.7 Should it not be possible to meet the conditions in 1.6 then a review will need to take place identifying the options to be considered and their impact.
- 1.8 The School Admissions Code of Practice states that every effort must be made to keep over large classes to a minimum. Careful consideration needs to be given if considering placing a child into a class that has already reached its maximum capacity. This maximum number is set to secure the ‘quality of provision’ and ‘equality of access’ for all pupils. This number ensures due regard is given to physical restrictions (health and safety requirements) and suitable staff to pupil ratios in order to deliver quality education and meet the pastoral care needs. To admit over this number may be prejudicial to the education of the child being placed or to other children at the school.
- 1.9 In the case of Foundation/Key Stage 1, Infant Class Size legislation applies whereby if the majority of children will reach the age of 4, 5, 6 or 7 during the school year the class **must not** contain more than 30 pupils with a single school teacher (Section 1 of SSFA1998). The legislation makes allowance for the entry of an additional child in very limited circumstances where not to admit the child would be prejudicial to his or her interests.

- 1.10 Where a school was not able to offer a place but, after due consideration of all options, is deemed to be the one which best meets the needs of the child, the school will be asked to admit the child. Where this relates to Infant Class Size legislation, schools will only be asked to admit if there are compelling and evidenced reasons that not to admit the child would be prejudicial to his or her interests.
- 1.11 Under Section 97A to 97C of the Schools Standards & Framework Act 1998 as inserted by Section 50 of the Education & Inspections Act 2006 Local Authorities may “direct” other admission authorities to admit a child who has been refused admission, and where it is considered that such action must be taken in the best interests of the child. A direction can be challenged and referred to the Adjudicator for determination.

2 Application Process

- 2.1 An application form must be completed and submitted to School Admissions. This form should be signed by an adult with parental responsibility, with the exception where this would compromise any child protection issues. Preferences should be supported/agreed by the social worker. All supporting information must be attached to the application including the most recent Personal Education Plan (PEP) to ensure that the child is placed as quickly as possible in the school which can best meet their needs.
- 2.2 If the Child in Care is identified as having a Statement of Special Educational Needs the matter will be passed directly to the Special Educational Needs Team to process.
- 2.3 In all other cases the matter will be administered by the School Admissions Team in partnership with the Children in Care Education Manager.
- 2.4 Based on the information received it should be possible for the outcome of the application to be agreed by all parties. Where this is the preferred school the school admissions team will contact all parties to confirm the detail.
- 2.5 If agreement on the outcome cannot be reached between the parties a meeting will be convened by the School Admissions Manager inviting all relevant parties to discuss the case in detail and agreement should be reached as to the most suitable placement. In the unlikely event that agreement still cannot be reached it may be necessary to follow 1.11 above.
- 2.6 The School Admissions Team will contact the nominated school to agree admission and confirm this in writing to all parties.
- 2.7 The IYFA Panel will be informed of the placement.