



# Personal Education Allowances for Looked After Children: Statutory Guidance for Local Authorities



department for  
**children, schools and families**



# Personal Education Allowances for Looked After Children: Statutory Guidance for Local Authorities

1. Raising the attainment of looked after children is a central responsibility of local authorities and their partners in children's trust arrangements and is a vital part of narrowing the attainment gap between disadvantaged children and their peers. It requires local authorities to work effectively with their partners, in particular schools and health services, to support their learning and development and remove barriers to their education. As corporate parents, local authorities are under a specific duty to promote the educational achievement of looked after children;<sup>1</sup> and they must set statutory annual targets on the attainment of looked after children in English and mathematics at Key Stage two and the attainment of looked after children at the end of Key Stage 4 (GCSE)<sup>2</sup>.
2. The white paper *Care Matters: Time for Change*, published in June 2007, confirmed the Government's commitment to introduce an annual personal education allowance for all looked after children who are at risk of not reaching the national expected standards of attainment. They are intended to help local authorities support the wide range of learning needs of looked after children and give them access to additional learning and development activities.
3. This document provides guidance on the use of personal education allowances for looked after children. It is issued under section 7 of the Local Authority Social Services Act 1970. Local authorities in England must act under its guidance when performing their duties under section 22 (3)(a) (duty to safeguard and promote the welfare of a looked after child) section 22 (3A) (duty to promote the educational attainment of looked after children) and section 23(1)(b) (duty to maintain a looked after child in other respects apart from the provision of accommodation) of the Children Act 1989.

## What are personal education allowances?

4. In fulfilling their duties, local authorities, alongside schools and parents or carers, provide a wide range of services to support the education of looked after children. Personal education allowances are not intended to replace, duplicate or substitute the services or support that local authorities, schools, carers or other practitioners already provide for looked after children or as

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<sup>1</sup> See section 22 (3A) of the Children Act 1989

<sup>2</sup> For guidance on target setting see: <http://www.standards.dfes.gov.uk/ts/publications/list>

universal services for all children in their area. Personal education allowances are intended to provide additional, personalised support to looked after children who have been identified as at risk of not reaching expected standards of attainment. Support should be tailored to their individual needs.

5. All looked after children at risk of not reaching expected standards of attainment are eligible for a personal education allowance, including those not educated in mainstream settings and those who are placed out of local authority area.
6. Children and young people should be actively involved in identifying barriers to their learning and in deciding what provision will help them overcome these challenges and make improved progress with their education.

### **Funding for personal education allowances for looked after children**

7. Funding for personal education allowances for looked after children comprises part of the local authority Area Based Grant (ABG), a non-ringfenced general grant. It is for local authorities to decide how best to use this funding to meet their duty to promote the educational achievement of looked after children.
8. From April 2008, the Government has provided £500 per annum for personal education allowance for each looked after child who has been identified as eligible for additional support (see paragraphs 16 to 21). Funding is based on an expectation that at a national level 72% of school age looked after children will benefit from a personal education allowance. At local authority level this may vary depending on the level of need amongst looked after children.

### **Use of personal education allowances**

9. Personal education allowances are intended to pay for activities or resources which support the learning and development of a looked after child, that a parent (rather than a school, local authority, or other service) would be expected to fund for a child who was not looked after.
10. Personal education allowances should support improvement to the child's education attainment. However, when considering how to use a personal education allowance, local authorities should think holistically about the needs of their looked after children and the barriers to learning that they face, taking into account the views of the child or young person and their parent or carer. The choice of activity should be linked to the education objectives set out in a looked after child's personal education plan (PEP), see paragraphs 20 to 23. Examples of the types of activities that a personal educational allowance might be used to support include:
  - Additional one to one tuition to support their learning;
  - Out of school learning and development that will build the child's self esteem and confidence;
  - Personalised, educational trips and visits that are not organised by a school or other education provider as part of the curriculum. For example, to see a play that is being studied;

- Learning resources that the local authority does not expect to be covered by fostering allowances or children’s homes fees;
  - Wider activities that will benefit the child or young person’s learning and development; and
  - Additional support for vocational training, which is in addition to that provided by schools or other educational establishments.
11. Personalised education allowances for looked after children are not intended to replace services, support or resources that the local authority, schools, carers or other agencies working with looked after children already provide, or that are provided to all children in the area as a matter of course. The local authority should ensure that any support provided is additional to that which is received from other services. In particular, personal education allowances should not be used to replace:
- The support set out in a statement of special educational needs or made at School Action or School Action Plus (although looked after children with SEN are likely to be eligible for wider support from a personal education allowance);
  - Resources that a local authority provides for through its allowances for foster carers or children’s home fees;
  - Trips and visits organised by the school as part of the curriculum. It is expected that the local authority, or carer if covered through the fostering allowance or children’s home fees, should provide resources for these activities;
  - Basic equipment that the child needs for school, such as school uniform or equipment for physical education lessons;
  - Alternative education for looked after children on a fixed term or permanent exclusion from school.
12. Local authorities may want to pool the budget for a group of their looked after children where this would result in increased levels support – for example, greater efficiency may be achieved by joint commissioning where a number of looked after children have similar learning or development needs. Where a local authority decides to pool funding allocated for personal education allowances in this way they should consult looked after children and young people affected and be able to demonstrate how the joint provision links to the individual needs of the group of children and their personal education plans.

### **Eligibility for support**

13. Local authorities are responsible for establishing local eligibility criteria based on this guidance. Authorities should put in place arrangements for administering personal education allowances, establish a process for determining which looked after children in their authority are eligible for an allowance and ensure that there is a clear referral and decision making process that is understood by social workers, designated teachers, other education professionals, parents or carers, and children and young people themselves.

14. As part of their duty to promote the educational achievement of looked after children, the local authority should provide personal education allowances for all of their looked after children who are at risk of not reaching the expected national standards of attainment. All children are expected to achieve at least:
- level two in reading, writing and mathematics at key stage one;
  - level four in English, mathematics at key stage two;
  - level five in English, mathematics at key stage three; and
  - Five A\* – C grades at GCSE including English and maths, or equivalent.
15. However, support should not be focused solely on children who are not reaching particular attainment thresholds or who are on the borderline of particular attainment thresholds. All children are expected to progress at least two national curriculum levels in English and mathematics between each Key Stage from the age of 7 (in KS1 most children are expected to progress at least 1 level depending on their starting point). Local authorities should use personal education allowances to help ensure that looked after children are making expected levels of progress in their education.
16. The aim of the use of personal education allowances is to prevent looked after children falling behind other children in their education, or if they are already behind, to help them to catch up. To support better prevention and early intervention, local authorities should provide support at the earliest opportunity to looked after children at risk of not reaching the expected national standards.
17. Funding has been allocated, through the Area Based Grant, for all eligible looked after children who are of school age (on the basis of £500 per child). Support should not be restricted to children in the school years in which key stage examinations are taken. Support should also be provided to all looked after children irrespective of how long they have been looked after – eligibility should not be limited to children who have been looked after for a minimum period of time.
18. Local authorities should have in place systems for monitoring the educational progress of their looked after children. The systems for identifying children eligible for a personal education allowance will vary between local authorities. However, all authorities should pay attention to the needs of particularly vulnerable groups of looked after children, including children who:
- have recently become looked after;
  - have experienced repeated episodes of care;
  - are placed out of authority;
  - are in residential children’s homes;
  - have moved schools mid-year or have experienced multiple school moves;

- are not in mainstream education (eg children in pupil referral units) or who have experienced periods with no education provision; and
  - have additional learning needs or SEN (although the personal education allowance must not replace the support provided through school action, school action plus or a statement of special educational needs).
19. Looked after children should receive the additional support paid via a personal education allowance on an on-going basis for each year that they are at risk of not reaching expected standards of attainment.

### Use of the personal education plan

20. All looked after children should have a personal education plan (PEP), which should be reviewed as part of the statutory review of the child's care plan and at other times as necessary<sup>3</sup>. Responsibility for the initiation and maintenance of a PEP lies with the child or young person's social worker. The educational content of the PEP should be developed in conjunction with the school's designated teacher for looked after children and other education professionals. Alongside the local authority, the designated teacher should monitor progress against an individual's PEP and work with the authority to support their education.
21. A PEP should act as a record of what needs to happen for a looked after child to reach their potential and reflect any existing educational plans such as a statement of special educational needs. A PEP should identify the child's educational and developmental needs and contain personalised short and long term targets.
22. A high quality, up-to-date PEP is, therefore, a vital resource in identifying the progress and learning needs of a look after child. Local authorities should ensure that assessment of eligibility and allocation of a personal education allowance for a looked after child is part of the development of the child's PEP. The process of initiating and reviewing PEPs provides a useful opportunity to consider what additional support is needed to raise the child's attainment. As part of the review of a child's care plan, Independent Reviewing Officers (IRO) have an important role in reviewing a looked after child's PEP. As part of this, the IRO should ensure that eligible children are able to access the support provided through a personal educational allowance and that its use reflects the aims set out in their PEP.
23. Local Authorities should not wait for a formal review to consider how looked after children can access support, should they begin to fall behind in their education.

### Involving children and young people

24. Experience shows that where children and young people are actively involved in decision making processes it is more likely that the identified support will be successful. Section 22(4) and (5) of the Children Act 1989 places local authorities under a duty to ascertain the child's

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<sup>3</sup> See: Statutory guidance on the duty on local authorities to promote the educational achievement of looked after children, which can be downloaded from: <http://www.everychildmatters.gov.uk/socialcare/lookedafterchildren/educationalachievement/>

wishes and feelings before taking any decision that affects the child and to give those wishes and feelings due consideration. Reflecting this, local authorities should ensure that they actively seek the input of children and young people on the use of personal education allowances for looked after children.

25. Development and review of the personal education plan (PEP) provides a good opportunity to seek the views and interests of children and young people and engage them in their learning. Statutory guidance on promoting the education of looked after children says that, as part of developing the PEP, social workers should involve the child (according to understanding and ability), the child's parent or relevant family member or carer and that the PEP should support the personalised learning of the child, reflecting his or her educational needs, views and educational ambitions. Where necessary, the parent, carer, or social worker can act as an advocate for the child. By linking the personal education allowance to a child's PEP, local authorities should help to ensure that the views of the child or young person are taken into consideration, as well as the views of their parents and other relevant persons.

### **Input of the designated teacher**

26. It is important that any additional resources provided through a personal education allowance support the wider provision that looked after children receive for their education, in particular the support that they are receiving at their school, college or other educational setting.
27. The expertise of a child or young person's designated teacher can help achieve this. Teachers are best placed to be able to identify the learning needs of the child and help identify what provision would support their learning and development. Guidance published in 2000, *Education of Young People in Public Care*, set out the role of designated teacher for looked after children. Designated teachers form a key link between schools and local authorities, helping to ensure that they meet the educational needs of their looked after children. If a child is not educated in a school, this role is carried out by their lead education professional.
28. Local authorities should ensure that the expertise of designated teachers is used in decisions relating to the use of personal education allowances. The development of a child's personal education plan provides local authorities with a good opportunity to engage designated teachers on the use of additional funding and the education of the child more widely.

### **Role of foster carers**

29. Foster carers are central to improving the educational attainment of many looked after children and they have an important advocacy role for children in their care. Foster carers provide detailed knowledge of the needs of the child, the support that they need to progress in their education and the likely success of any particular type of support. In deciding how best to use a personal education allowance for a looked after child, local authorities should seek the views of the child's foster carer, where the child is in foster care.

30. As with the designated teacher and children and young people themselves, the development a child's personal education plan (PEP) is a good opportunity to ensure that foster carers are able to input their views on the use of a child's personal education allowance. Local authorities should ensure that all foster carers are given opportunities to input into the child's PEP.

### **Local scrutiny of personal education allowances**

31. The use of personal education allowances to provide additional support to looked after children should be supported by effective scrutiny of their use. This scrutiny should be provided through a local authority's corporate parenting structures.
32. Local authorities should use their corporate parenting arrangements to ensure that funding is being used to maximum effect by providing additional support to the child or young person. These arrangements should cover:
- The characteristics of looked after children in receipt of personal education allowances and those who are not;
  - The support being provided;
  - The involvement of children and young people in the decision making process;
  - The involvement of other services and the impact on those services;
  - The impact on the education of looked after children; and
  - Feedback from children and young people.

### **Promoting awareness of personal education allowances**

33. Local authorities are responsible for ensuring that looked after children and their parent or carers, and practitioners working with them – including social workers and designated teachers for looked after children – are aware of the entitlement to personal education allowance and how a child or young person can access support from one. Improving awareness in this way will help to support the effectiveness of the support available. Local 'Pledges' for looked after children, as set out in *Care Matters: Time for Change*, provide a useful opportunity for publicising the availability of this support for looked after children.





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