

To: Governing bodies of all schools and management committees of all pupil referral units
Autumn term 2010

RESPONSIBILITIES OF GOVERNING BODIES TO PROMOTE THE EDUCATIONAL ACHIEVEMENT OF LOOKED AFTER CHILDREN INCLUDING THE APPOINTMENT OF A DESIGNATED TEACHER

1. INTRODUCTION

- 1.1 This report draws attention to, and summarises, the responsibilities for school governors as set out in 'The role and responsibilities of the designated teacher for looked after children, DCSF, 2009, Statutory guidance for school governing bodies' issued under section 20 (4) of the Children and Young Persons Act 2008. This will be referred to as the Guidance for the remainder of this report. The Guidance sets out the rationale that "Excellent practice in supporting looked after children already exists in many schools" and that "Making the designated teacher role statutory is intended to ensure that effective practice becomes universal".
- 1.2 An extract from the guidance is attached at Appendix 1.
- 1.3 Section 20 of the Children and Young Persons Act 2008, places a duty on the governing body to designate a member of staff (the 'designated teacher') as having responsibility to promote the educational achievement of looked after children who are registered pupils at the school. This includes those aged between 16 and 18. In discharging its functions under section 20 a school's governing body must have regard to the Guidance.
- 1.4 Under section 20(2) the governing body must ensure that the designated teacher undertakes appropriate training.
- 1.5 Section 20(3) gives the Secretary of State for Children, Schools and Families powers to make regulations setting out the qualifications and experience which the designated teacher should have.
- 1.6 The Designated Teacher (Looked after Pupils etc) (England) Regulations 2009 (hereafter to be referred to as the Regulations) require that the person designated is a qualified teacher who has completed the appropriate induction period (if required) and is working as a teacher at the school. This can be the headteacher or acting headteacher of the school.

2. SUMMARY OF MAIN POINTS

- 2.1 A core function of the governing body is to appoint a designated teacher in accordance with the Regulations. It should ensure that the designated teacher is a member of the teaching staff with appropriate seniority, professional experience and status to provide leadership, training, information and advice to others. The Guidance sets out the role of the designated teacher in and beyond the school and in developing the Personal Education Plan. While lead responsibility for raising attainment of looked after children must rest with a qualified teacher, schools will need to decide how functions within it, including pastoral and administrative tasks, are most appropriately delegated to suit their own circumstances.

- 2.2 The governing body should, in partnership with the headteacher, ensure that, through their training and development, the designated teacher has the opportunity to acquire and keep up-to-date the necessary skills, knowledge and training to understand and respond to the specific teaching and learning needs of looked after children.
- 2.3 The governing body and the school leadership team should also make sure that the designated teacher role contributes to the deeper understanding of everyone in the school who is likely to be involved in supporting looked after children to achieve.
- 2.4 The governing body, in partnership with the headteacher, is responsible for monitoring how well the role is working, but not for the performance management of the person undertaking the role, unless the designated teacher is the headteacher.
- 2.5 As part of the arrangements for monitoring the effectiveness of the role, governing bodies should, as a minimum, receive an annual report from the designated teacher. Ten aspects for inclusion in the report are set out in Appendix 1.
- 2.6 The governing body and school leadership team should then consider what picture this information is providing and what needs to be done to address any issues raised by the report in relation to sufficient time for the role, training needs, school policies and fullest possible use of resources for looked after children.
- 2.7 In addition to considering and acting on an annual report, school governing bodies should make sure that there are arrangements in place to keep themselves informed about provision for, and attainment of, looked after children on the school's roll on a more regular basis.

3. RECOMMENDATION

- 3.1 that the governing body sets up arrangements to ensure that the duties of appointing a designated teacher, monitoring the effectiveness of the role and addressing any necessary issues are upheld.

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