

Care Experienced Children and Young People Definitions Document

Support for Schools



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Supporting Care Experienced

Looked After Children and Young People

Care Experienced is a term we use in education, it has no statutory basis. Care experienced is an umbrella term which can mean children / young people who are:

- Looked after at home through a Compulsory Supervision Order (CSO);
- Looked after away from home in a residential children's house, in a foster placement or in a kinship placement (Looked After or Non Looked After)
- Previously looked after, where at some point in their lives they have had any of the above experiences. The child / young person may never have been formally looked after.

Looked After is statutory. For these children / young people there are legislative requirements around their safeguarding. Looked after children / young people include those:

- Looked after at home through a Compulsory Supervision Order (CSO) OR
- Looked after away from home in a residential children's house, in a foster placement or in a looked after kinship placement.

From a legal perspective the definition of "Looked After" is listed in section 17(6) Children (Scotland) Act 1995:-

(6) Any reference in this Chapter of this Part to a child who is "looked after" by a local authority, is to a child—

(a) for whom they are providing accommodation under section 25 of this Act;

(b) who is subject to a compulsory supervision order or an interim compulsory supervision order and in respect of whom they are the implementation authority (within the meaning of the Children's Hearings (Scotland) Act 2011);

(d) who is subject to an order in accordance with which, by virtue of regulations made under section 33(1) of this Act [or section 190 of the Children's Hearings (Scotland) Act 2011 (asp 1) (effect of Orders made outwith Scotland)] 3 , they have [responsibilities as respects the child] 4 [; or] 5

(e) in respect of whom a permanence order has, on an application by them under section 80 of the Adoption and Children (Scotland) Act 2007 (asp 4), been made and has not ceased to have effect.

Looked After Placements

Care Experienced Placement Type	Definition	Looked After – Legal definition	Recorded as:	Staged Intervention Notes
<p><i>Residential care (Children's House)</i></p>	<p>Children and young people who are looked after away from home may live in residential care in a group setting, such as a residential home or school.</p> <p>A child or young person may become looked after in residential care by virtue of a decision made at a Children's Hearing. This could be as part of the Child's Plan through a Compulsory Supervision Order with a condition of residence or on an emergency or short term basis through an Interim Supervision Order.</p> <p>A child may also be looked after in residential care legally secured through a Permanence Order.</p> <p>A child or young person may also become looked after in residential care without the involvement of the Children's Hearing, under what is known as a 'voluntary arrangement' by virtue of section 25 of the Children (Scotland) Act 1995.</p>	<p>YES</p>	<p>Looked After Away from Home</p>	<p>The Education (Additional Support for Learning) (Scotland) Act 2004 is clear that every looked after child or young person has additional support for learning needs, unless an assessment clearly evidences they are, or are likely to be able to benefit from school education without additional supports.</p> <p>If the child / young person requires support, they should be in line with Staged Intervention Level 4. This will include provision of an assessment and plan and monitoring educational attainment.</p> <p>Supports should reference and articulate the Child's Plan. A copy of this plan must be held in the child / young person's file.</p> <p>Consideration should be given to, and recorded, regarding the need for a Coordinated Support Plan.</p>

Care Experienced Placement Type	Definition	Looked After – Legal definition	Recorded as:	Staged Intervention Notes
<p><i>Looked After at Home (CSO)</i></p>	<p>A child or young person becomes looked after at home when the Children's Hearings system decides that a compulsory supervision order is necessary. It may decide that the child or young person should continue to stay at home. There are two main instances in which this happens:</p> <ul style="list-style-type: none"> • as a starting point for planned intervention, where the balance of risk and assessment of need indicates that it is not in the best interests of the child or young person to remove them from the care of their parents, but that statutory intervention is required. • where children or young people are returning home after being looked after away from home, where some risks still remain and this level of statutory intervention continues to be in the child or young person's best interests. <p>In practice, when a child becomes looked after at home their parents must work with the 'implementation authority' – the local authority. The parents will receive regular visits from social workers to ensure that the objectives of the compulsory supervision order are being met.</p>	<p>YES</p>	<p>Looked After at Home</p>	<p>The Education (Additional Support for Learning) (Scotland) Act 2004 is clear that every looked after child or young person has additional support for learning needs, unless an assessment clearly evidences they are, or are likely to be able to benefit from school education without additional supports.</p> <p>If the child / young person requires support, they should be in line with Staged Intervention Level 4. This will include provision of an assessment and plan and monitoring educational attainment.</p> <p>Supports should reference and articulate the Child's Plan. A copy of this plan must be held in the child / young person's file.</p> <p>Consideration should be given to, and recorded, regarding the need for a Coordinated Support Plan.</p>

Care Experienced Placement Type	Definition	Looked After – Legal definition	Recorded as:	Staged Intervention Notes
Kinship Care - Looked After	<p>Kinship care is when a child is cared for by their extended family or close friends if they cannot remain with their birth parents. A child / young person in a kinship care placement could either be 'Looked After' or 'not Looked After'.</p> <p>If children / young people have been placed with kinship carers by the local authority via section 25, CSO or more rarely a Permanence Order then the child / young person is Looked After.</p> <p>Under the Looked After Children (Scotland) Regulations 2009, a kinship carer is defined as “a person who is related to the child (through blood, marriage or civil partnership) or a person with whom the child has a pre-existing relationship”.</p>	YES	Looked After Away from Home	<p>The Education (Additional Support for Learning) (Scotland) Act 2004 is clear that every looked after child or young person has additional support for learning needs, unless an assessment clearly evidences they are, or are likely to be able to benefit from school education without additional supports.</p> <p>If the child / young person requires support, they should be in line with Staged Intervention Level 4. This will include provision of an assessment and plan and monitoring educational attainment.</p> <p>Supports should reference and articulate the Child's Plan. A copy of this plan must be held in the child / young person's file.</p> <p>Consideration should be given to, and recorded, regarding the need for a Coordinated Support Plan.</p>

Care Experienced Placement Type	Definition	Looked After – Legal definition	Recorded as:	Staged Intervention Notes
Foster	<p>Children and young people who are looked after away from home may be looked after in foster care, in which a stable home environment is provided by registered foster carers.</p> <p>Foster care can be a temporary arrangement that can end when a child returns to their birth parents, or is adopted. Some placements can be long term.</p> <p>A child may also be looked after in foster care legally secured through a Permanence Order.</p> <p>A child or young person may also become looked after in foster care without the involvement of the Children's Hearing, under what is known as a 'voluntary arrangement' by virtue of section 25 of the Children (Scotland) Act 1995.</p>	YES	Looked After Away from Home	<p>The Education (Additional Support for Learning) (Scotland) Act 2004 is clear that every looked after child or young person has additional support for learning needs, unless an assessment clearly evidences they are, or are likely to be able to benefit from school education without additional supports.</p> <p>If the child / young person requires support, they should be in line with Staged Intervention Level 4. This will include provision of an assessment and plan and monitoring educational attainment.</p> <p>Supports should reference and articulate the Child's Plan. A copy of this plan must be held in the child / young person's file.</p> <p>Consideration should be given to, and recorded, regarding the need for a Coordinated Support Plan.</p>

Non Looked After Placements

Care Experienced Placement Type	Definition	Looked After – Legal definition	Recorded as:	Staged Intervention Notes
Previously Looked After	If a child / young person has, at any stage of their life experienced one of the aforementioned (Looked After) placements they are deemed to be 'previously looked after'.	NO	Previously Looked After	Although children / young people who are previously looked after are not assumed to have additional support needs, good practice would be to consider similar levels of support offered to those with a legal definition of care.
Kinship Care - Non-Looked After.	Some children / young people live in a kinship care arrangement in a completely private arrangement with extended family, with either no local authority involvement, or social work support which is provided on a voluntary basis.. These children are not 'looked after'.	NO	No SEEMIS Record	Although children / young people living in non-looked after kinship placements are not assumed to have additional support needs, good practice would be to consider similar levels of support offered to children / young people living in looked after kinship arrangements.