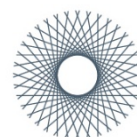


# Designated teacher for looked-after and previously looked-after children -Statement



AGORA  
LEARNING  
PARTNERSHIP

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The Agora Learning Partnership requires all of its academies to comply with appropriate legislation and statutory guidance for looked-after and previously looked-after children in their schools.

## 1 Definitions

- 1.1 A child 'looked-after by a local authority' is one who is looked after within the meaning of section 22 of Children Act 1989 or Part 6 of the Social Services and Well-being (Wales) Act 2014.
- 1.2 A previously looked-after child is one who is no longer looked after in England and Wales because s/he is the subject of an adoption, special guardianship or child arrangements order which includes arrangements relating to with whom the child is to live, or when the child is to live with any person<sup>3</sup>, or has been adopted from 'state care' outside England and Wales.

## 2 Legal requirements

- 2.1 The legislation which applies includes:
  - Section 20 of the Children and Young Persons Act 2008 ("the 2008 Act").
  - Section 20A of the 2008 Act inserted by section 5 of the Children

- and Social Work Act 2017 ("the 2017 Act").
  - Section 2E of the Academies Act 2010 inserted by section 6 of the 2017 Act.
  - The Designated Teacher (Looked-After Pupils etc.) (England) Regulations 2009.
- 2.2 Section 20 of the 2008 Act places the following duties on Trust Boards (Academy proprietors) and governing bodies:
- to designate a member of staff (the designated teacher) as having the responsibility to promote the educational achievement of looked-after children, including those aged between 16 and 18 who are registered pupils at the school;
  - to ensure that the designated teacher undertakes appropriate training (section 20(2)); and
  - the governing body and the designated teacher must have regard to this guidance and any other relevant guidance issued by the Secretary of State.
- 2.3 Section 20(3) of the 2008 Act gives the Secretary of State powers to make regulations setting out the qualifications and experience which the designated teacher should have.
- Following amendments by the 2017 Act, Section 2E of the Academies Act 2010 places the similar duties on Academy proprietors in England.
- 2.4 The Designated Teacher (Looked-After Pupils etc.) (England) Regulations 2009 require that the designated person is:
- a qualified teacher who has completed the appropriate induction period (if required) and is working as a teacher at the school (regulation 3(2)); or
  - a head teacher or acting head teacher of the school (regulation 3(3)).
- 2.5 Following amendments made by the 2017 Act, section 20A of the 2008 Act and Section 2E of the Academies Act 2010 place duties on the governing body of a maintained school in England and the proprietor of an academy in England to:
- designate a member of staff to have responsibility for promoting the educational achievement of previously looked-after pupils who are no longer looked after in England and Wales because they are the subject of an adoption, special guardianship or child arrangements order, or were adopted from 'state care' outside England and Wales;
  - ensure the designated person undertakes appropriate training; and
  - ensure they and the designated teacher has regard any guidance issued by the Secretary of State.

### 3 Responsibilities

- 3.1 Every academy is required to follow the DfE's statutory guidance: [The designated teacher for looked-after and previously looked-after children](#) (last updated February 2018).
- 3.2 The Agora Learning Partnership requires the Academy Governing Board (AGB) of each academy to ensure that an appropriately qualified and experienced member of staff acts as the 'designated teacher' and undertakes the responsibilities within the school to promote the educational achievement of looked-after and previously looked-after children on the school's roll. They must also ensure that the designated teacher undertakes training that is appropriate to carrying out this duty.
- 3.3 The Agora Learning Partnership recognises that the way in which the role of the designated teacher is carried out may vary from school to school depending on the number of looked-after and previously looked-after children on roll, and their individual needs.
- 3.4 The lead responsibility for raising attainment of looked-after and previously looked-after children on roll must rest with the designated teacher, however schools within the Trust will need to decide how functions within it, including pastoral and administrative tasks, are most appropriately delegated to suit their own circumstances.
- 3.4 AGBs should, through the designated teacher, hold the school to account on how it supports its looked-after and previously looked-after children (including how the Pupil Premium Plus is used) and their level of progress.
- 3.5 Designated teachers are expected to work in partnership with colleagues in Hertfordshire's Virtual School, Hertfordshire County Council's team promoting the educational needs of young people looked after by Hertfordshire and other Virtual Schools/Virtual School headteachers for children looked after by other authorities.