

ARGYLL & BUTE COUNCIL

Internal Audit Section

INTERNAL AUDIT REPORT

CUSTOMER DEPARTMENT	COMMUNITY SERVICES
AUDIT DESCRIPTION	RISK BASED AUDIT
AUDIT TITLE	Looked After Children – Equality of Education
AUDIT DATE	September 2015

2015/2016



1. BACKGROUND

This report has been prepared as a result of the Internal Audit review of Education – Looked After Children – Equality of Education within Community Services as part of the 2015/2016 Internal Audit programme. Looked after children and young people face many barriers to achieving success in education. The Children (Scotland) Act 1995 requires that health, housing and education services must work with social work services to look after the children and young people in their care. Status of looked after children is further considered as integral aspects of the Additional Support for Learning Act 2009. The current progress of the Education (Scotland) Bill 2015 sets out to include an objective to narrow the attainment gap between children and young people from more and less disadvantaged backgrounds. Should the Bill ascent to an Education Act it is anticipated that a duty will be placed on Education authorities to have regard to the need to narrow the attainment gap when exercising their education functions. In doing so, education authorities may be required to demonstrate that school education is delivered with the aim of reducing inequalities of outcomes which result from socio-economic disadvantage in order to improve the attainment of the lowest performing children and young people. Within Argyll & Bute Councils' Single Outcome Agreement, 6 long term outcomes have been identified, including Outcome 3 "Education, skills and training maximises opportunities for all". Argyll & Bute have 175 (as at July 2015) Looked After Children (LAC) with foster carers, at home with parents, kinship care and residential care.

2. AUDIT SCOPE AND OBJECTIVES

The objective of the audit was to ascertain whether Argyll & Bute Council is maximising the potential of Looked After Children in respect of education attainment, including whether Argyll & Bute Council has appropriate arrangements in place to fulfil statutory duty and achieve desired outcomes. The Audit focused on young people within school years S4-S6.

3. RISKS CONSIDERED

- Failure to improve the life chances of looked after children;
- Failure to meet national priorities;
- Failure to ensure equality and fairness in the provision of education;
- Failure to ensure the effective use of resources

4. AUDIT OPINION

The level of assurance given for this report is substantial. The Education service has a Service Plan in place that includes service outcomes with improvement and performance measures to ensure the educational additional support needs of children and young people are met. A Corporate Parenting Board has been set up and a Corporate Parenting Policy and Strategy is in place. There are a number of initiatives in secondary schools aimed at improving attainment levels of Looked After Children (LAC). There are a number of guidance documents and procedures available for staff, however, it was not evidenced that there is one overarching document that provides best practice for raising attainment of Looked After Children.

Level of Assurance	Reason for the level of Assurance given
High	Internal Control, Governance and the Management of Risk are at a high standard with only marginal elements of residual risk, which are either being accepted or dealt with.
Substantial	Internal Control, Governance and the Management of Risk have displayed a mixture of little residual risk, but other elements of residual risk that are slightly above an acceptable level and need to be addressed within a reasonable timescale.
Limited	Internal Control, Governance and the Management of Risk are displaying a general trend of unacceptable residual risk and weaknesses must be addressed within a reasonable timescale, with management allocating appropriate resource to the issues.
Very Limited	Internal Control, Governance and the Management of Risk are displaying key weaknesses and extensive residual risk above an acceptable level which must be addressed urgently, with management allocating appropriate resource to the issues.

This framework for internal audit ratings has been developed and agreed with Council management for prioritising internal audit findings according to their relative significance depending on their impact to the process. The individual internal audit findings contained in this report have been discussed and rated with management.

A system of grading audit findings, which have resulted in an action, has been adopted in order that the significance of the findings can be ascertained. Each finding is classified as High, Medium or Low. The definitions of each classification are set out below:-

High - major observations on high level controls and other important internal controls. Significant matters relating to factors critical to the success of the objectives of the system. The weakness may therefore give rise to loss or error;

Medium - observations on less important internal controls, improvements to the efficiency and effectiveness of controls which will assist in meeting the objectives of the system and items which could be significant in the future. The weakness is not necessarily great, but the risk of error would be significantly reduced if it were rectified;

Low - minor recommendations to improve the efficiency and effectiveness of controls, one-off items subsequently corrected. The weakness does not appear to affect the ability of the system to meet its objectives in any significant way.

5. FINDINGS

The following findings were generated by the audit:

- 5.1 The Education service has a Service Plan that includes a service outcome: ED04 the educational additional support needs of children and young people are met. A number of improvement actions and performance measures are in place specifically relating to attainment; improve approaches to raising the educational attainment of LAC pupils through increasingly effective monitoring and tracking processes.
- 5.2 It was evidenced that there are a range of guidance documents available aimed at ensuring that looked after children and young people have the same educational opportunities as their peers. It was further evidenced that education services work in a child-centred way (GIRFEC – Getting it Right for Every Child), specifically promote attendance, making additional arrangements where necessary in order to support learning. There are a number of guidance documents and procedures available for staff, however, it was not evidenced that Argyll & Bute has a single co-ordinated approach in respect of attainment outcomes for Looked After Children.
- 5.3 In order to improve effective monitoring and tracking management have introduced Insight. Insight is a data management tool, including a benchmarking tool designed to help bring about improvements for pupils in the senior phase (S4 to S6). Insight is a professional tool for secondary schools and local authorities to identify areas of success and where improvements can be made. This will allow education professionals to interrogate and reflect on attainment results. The Insight data is not limited to SQA results but includes a wider range of SCQF (Scottish Credit and Qualification Framework) credit-rated awards and

programmes. It also has specific functionality for assessing specific groups such as looked after children. It was noted that the full functionality of Insight is not available at present but will be introduced during school session 2015-16.

- 5.4 In respect of governance and reporting it was evidenced that the Corporate Parenting Board receives annual reports on LAC attainment figures. The Corporate Parenting Board noted the content of the report and asked for further information relating to a break down in locality. The Board also acknowledged that figures may be skewed due to low cohort numbers.
- 5.5 Guidance issued by the Scottish Government suggests that there should be very clear arrangements within a local authority for informing schools when a pupil becomes looked after. It was evidenced that the Education Administration and Management Information Officer receives details of looked after children from Social Work on a regular basis. It was further evidenced that Social Work complete 'Notification of Admission Transfer or Discharge' form, this is forwarded to education advising them of any changes to young persons who are looked after. Data Protection protocols are in place to ensure that information is controlled and provided to relevant parties.
- 5.6 Staged intervention is used as a means of identification, assessment, planning, recording and review to meet the learning needs of children and young people. It provides a solution-focused approach to meeting needs at the earliest opportunity and with the least intrusive level of intervention. The process involves the child, parents/carers, school staff and, at some levels, other professionals, working in partnership to get it right for every child. It was evidenced that this method is used in respect to LAC within the secondary schools reviewed. A draft staged intervention framework that relates to all aspects of Additional Support, including that for looked after children is being developed.
- 5.7 The Children and Young People (Scotland) Act 2015 will place Corporate Parenting in statute. Councils, supported by their partner organisations have responsibilities as the 'Corporate Parent' for all children who are looked after. The role of Corporate Parent has been described as 'the formal partnership needed between all local authority departments and services and associated agencies, which are responsible for working together to meet the needs of looked after children and young people.' It is now widely recognised that the corporate parenting role is crucial in improving outcomes for looked after children (Count Us In-HMIE). It was evidenced that a multi-agency Corporate Parenting Board has been established, including representatives from the voluntary sector and councillors. It was evidenced from minutes that active engagement was taking place.

- 5.8 Extraordinary Lives report concluded that *“the single most important thing that will improve the futures of Scotland’s looked after children is for local authorities to focus on and improve their corporate parenting skills. All local authorities should nominate an elected member who will act as a champion for looked after children”*. Councillors have been appointed as ‘Children’s Champions’ in each of the four geographical areas. The role and remit of a Children’s Champion is to champion the rights of looked after and accommodated children/young people. It was evidenced that the Children’s Champions are actively involved in the Corporate Parenting Board and actively involved in securing opportunities for young people. Examples include securing training for an accommodated young person.
- 5.9 It was evidenced that the Corporate Parenting Board has implemented a range of initiatives to assist and improve the attainment level of looked after children. Ipads or laptops had been purchased for all LAC children who are school age (Ipads for primary children and laptops for children of secondary age). These tools were provided to support their learning, IT skills and life opportunities.
- 5.10 A members seminars was held in 2014 focussing on raising attainment and the GIRFEC Agenda (Getting It Right For Every Child) directed at raising awareness in respect of Corporate Parenting responsibilities.
- 5.11 The Children and Young People (Scotland) Act 2014 requires Local Authorities to appoint a Named Person for every child. At present the Named Person function is part of a practice model and not a legislative function; it will only become the latter when the Children and Young People (Scotland) Act 2014 introduce a legislative requirement and duty in 2016. It was evidenced that schools have identified Named Persons who have the responsibility of education attainment for LAC young people and who are the main contact for the young person and their family/carers throughout their secondary education. However, it was not evidenced that there is a centrally held register of the Named Persons.
- 5.12 The Named Person service provider (including Local Authorities), is required to publish information about the Named Person arrangements. This will include information about what the Named Person functions are, how these are generally carried out, and how to contact a child or young person’s Named Person. The Children & Young People (Scotland) Act 2014 also places a duty on local authorities to ensure continuity of the Named Person service during holiday periods or if staff are on sick leave. It also says they must advertise how the Named Person service can be accessed outside term time. It was not evidenced that arrangements had been made to ensure the continuity of access to the Named Person service during holiday periods (including how the Named Person Service can be accessed outside term time) or if staff are on sick leave. However,

management have indicated that national discussions are ongoing and this is a Local Authority wide issue which may have contractual/terms and conditions implications. This issue is currently under active discussion by the Education Management Team and a discussion paper has been presented to the central team.

- 5.13 It was evidenced that a Practice Guide – Getting it Right for Named Persons and Lead Professionals had been issued. This guidance was developed for all professionals working to the Getting it Right for Every Child (GIRFEC) principles which aims to improve outcomes for all children and young people in Argyll and Bute, it outlines the roles and responsibilities of being a Named Person. Getting it right for every child is founded on ten core components, one of which is: “A co-ordinated and unified approach to identifying concerns, assessing needs, and agreeing actions and outcomes, based on the Wellbeing Indicators”. GIRFEC Named Person and Lead Professional Training has taken place, this event covered understanding the roles and responsibilities of the Named Person.
- 5.14 Improving the Education of Looked After Children – A Guide for Local Authorities and Service Providers indicate that there are clear advantages in setting up projects with the aim of encouraging achievement and higher attainment among looked after children and young people. It was evidenced within secondary schools that there are a number of individual projects in place across schools in terms of a standard or formal type of project.
- 5.15 It was evidenced from the secondary schools reviewed a range of initiatives are in place. Dunoon Grammar has launched the ‘LAC Promise’ aimed specifically at raising attainment for Looked After Children. A number of initiatives (promises) have been embedded into the LAC promise that supports young people through additional support and additional opportunities for learning. Campbeltown Grammar has developed a Support for Looked After Children. Oban High School have developed an intensive support facility which is used to offer flexible and individualised timetables for pupils with health, social, emotional or behavioural difficulties. Within Hermitage school there is a study programme. A study club runs outwith the school day and includes support with class work and advice about study techniques.

6. CONCLUSION

This audit has provided a substantial level of assurance. There were a number of recommendations for improvement identified as part of the audit and these are set out in Appendix 1 and 2. There were 2 medium recommendations set out in Appendix 1 which will be reported to the Audit Committee. There are 2 low recommendations which are not reported to the Audit

Committee. Appendices 1 and 2 set out the action management have agreed to take as a result of the recommendations, the persons responsible for the action and the target date for completion of the action. Progress with implementation of actions will be monitored by Internal Audit and reported to management and the Audit Committee.

Thanks are due to the Education service staff and management for their co-operation and assistance during the Audit and the preparation of the report and action plan.

APPENDIX 1 ACTION PLAN

Findings	Risk Impact	Rating	Agreed Action	Responsible person agreed implementation date
1. Procedures		High/ Medium or Low		
There are a number of national guidance documents and best practice documents available. However, it was not evidenced that Education Services has an agreed overarching document or policy.	Lack of overarching guidance document may lead to inconsistent practice resulting in objectives not being met.	Medium	Working group to be established in Jan 2016. Working group will develop overarching policy on LAC by June 2016.	Education Manager – Inclusion and Equality June 2016
2. Named Person		High/ Medium or Low		
Guidance indicates that arrangements should be put in place to ensure continuity of access to the Named Person service during holiday periods effective from April 2016.	Failure to support looked after children during holiday periods, potentially, has an adverse impact on stated success measures.	Medium	Education Services to devise appropriate arrangements to allow continuity of Named Persons to be compliant with new statutory duty.	Education Manager – Inclusion and Equality August 2016



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