



Iain Peel
Service Director Schools and Learning
County Hall
Matlock
Derbyshire
DE4 3AG

To: Headteachers, Principals, Chairs of Governing Boards, FE Colleges and Multi-Academy Chief Executives

Telephone 01629 532750

Ask for Iain Peel/Alison Noble

Email iain.peel@derbyshire.gov.uk
Alison.noble@derbyshire.gov.uk

Our ref IP/VB

Your ref

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Dear colleague

Covid-19 – Schools and FE Education Provision Which are Temporarily Closed

We hope you are all keeping safe and we would like to reiterate our on-going appreciation and thanks for all of the work which you are undertaking with the county's young people. We have been amazed by the ingenuity of schools and colleges and we are delighted to receive the highlights from you about how you are meeting the needs of your young people. Thank you.

We recognise the pressures you are under and we are in continual dialogue with the Department for Education (DfE). Like you, we are keen to keep our young people and staff safe whilst we deliver services directly to young people whether this be via children's homes, social workers, early help workers or running our own further education provision. Please be assured that we pass your feedback to the DfE whilst anonymising its sources and our contacts with regional and national colleagues shows that your questions are not alone.

The DfE has strengthened and provided more clarity to their advice and this is captured in the document shown in the link below.

<https://www.gov.uk/government/publications/covid-19-school-closures/guidance-for-schools-about-temporarily-closing>

In particular, we would like to highlight some salient points and add further guidance to them.

1 What is the definition of vulnerable children and young people?

Vulnerable children include those who have a social worker, and those children and young people up to the age of 25 with education, health and care (EHC) plans.

Those who have a social worker include children who have a child protection plan, and those who are looked after by the local authority. A child may also be deemed to be vulnerable if they have been assessed as being in need, or otherwise meet the definition in Section 17 of the Children Act 1989.

2 How will children and young people with an EHC plan be risk assessed?

Those with an EHC plan should be risk-assessed by their school/college in consultation with the local authority and parents, to decide whether they need to continue to be offered a school/college place in order to meet their needs, or whether they can safely have their needs met at home. This could

include, if necessary, carers, therapists or clinicians visiting the home to provide any essential services. Many children and young people with EHC plans can safely remain at home.

We know that schools may also want to support other children who are vulnerable where they are able to do so. Eligibility for free school meals in and of itself should not be the determining factor in assessing vulnerability.

You should have recently received an email from Derbyshire County Council regarding risk assessments of young people with an EHC plan. If you can't find this, then please check your junk email box. Alternatively, we have uploaded this information on SchoolsNet and you can find it at the link below.

<https://schoolsnet.derbyshire.gov.uk/administration-services-and-support/coronavirus-information/special-educational-needs-and-disabilities.aspx>

We recognise that this is a time-consuming process, but the DfE is very clear that they expect schools to undertake this form of risk assessment for each young person with an EHC plan.

3 Should children and young people with a named social worker attend school and how will they be risk assessed?

There is an expectation that vulnerable children who have a social worker will attend provision, so long as they do not have underlying health conditions that put them at severe risk. In circumstances where a parent does not want to bring their child to an education setting, and their child is considered vulnerable, the social worker and education provider should explore the reasons for this directly with the parent and where ever possible encourage attendance to enhance the oversight of a vulnerable child whilst also progressing their educational engagement.

This means that if your school is closed and you have children with a named social worker who normally attends your school, then please liaise with other schools in your area to see if they are open and if the child/ren can attend their school. Once you have done so, then please liaise directly with the child's social worker to update them on the available provision for the child/ren, and jointly discuss the reasons for any non-attendance and the risk this poses to the safeguarding and welfare of the child. It's via this process that you can then decide who is best placed (school and/or social worker) to liaise with the parents about their child/ren's school attendance. Social workers are working hard to encourage parents and carers of vulnerable children to send them to school as the added oversight is recognised as important to safeguard their welfare.

Social workers are working on child protection risk assessments, analysing risks for the child in light of their family history and also COVID-19; this risk assessment is being used to identify the oversight needed by social care to ensure a child's safety. These will not be shared with every school for each child and schools will need to discuss the individual circumstances for children in their schools with the social workers. Social workers will also be having discussions with other partner agencies such as health, police, adult care and probation services around the multi-agency safeguarding arrangements.

Social workers have statutory duties and guidance around visiting children subject to child protection plans and those in care, and these expectations have to-date not changed or been lifted. There is an acknowledgment that resources are stretched, and some children are being seen through virtual means such as Skype/video calls. Many visits are being conducted face-to-face by social workers who are visiting family homes and the workers are asking questions of the family around health concerns to risk assess the entry to the home.

By working with the child's named social worker, both you and the social worker can agree the frequency of contacts with a family (over and above the statutory duties the social worker holds) and who/how and at what frequency these contacts will be undertaken. In light of the added level of vulnerability for children during these challenging times we would expect that all schools will be

making contact with young people's families who have a named social worker and who are not attending school in order that you can assure yourselves as far as possible, of their wellbeing and how they are accessing any educational resources. Sharing the outcome of these assurance contacts with social workers would also be welcome and the social workers will be advised to do so vice versa.

4 Can schools, trusts and local authorities take a flexible approach to the vulnerable children definition depending on their local circumstances?

We know that schools and trusts will have some knowledge of children they consider vulnerable, who have not yet been formally recognized as such, for example, children who have been referred to children's social care but not yet appointed a social worker. It is reasonable for schools and local authorities to take a judgement on including those pupils, although they should take care to balance this with overall numbers of pupils going to school in their local area.

5 What should schools do if vulnerable children do not attend school?

Schools/education providers and social workers should be agreeing with families whether children in need should be attending education provision – and the education provider should then follow up on any pupil that they were expecting to attend, who does not.

Education settings should also follow up with any parent or carer who has arranged care for their child(ren) and the child(ren) subsequently do not attend. To support the above, education settings should take the opportunity when communicating with parents and carers to confirm emergency contact numbers are correct, and to ask for any additional emergency contact numbers where they are available.

In all circumstances where a vulnerable child does not take up their place at school, or discontinues, the education setting should notify their social worker.

Schools should work with local authorities to monitor the welfare of vulnerable children who are not attending school, and other pupils they might wish to keep in touch with, for safeguarding purposes.

Many thanks for your on-going support.

Yours sincerely

Iain Peel

Alison Noble

Iain Peel

Service Director Schools and Learning
Children's Services

Alison Noble

Service Director Early Help and Safeguarding
Children's Services