

Guidance for Responsible Bodies and education settings with confirmed RAAC in their buildings

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Summary

This guidance explains the actions Responsible Bodies (RBs) and the leaders of education settings should take if Reinforced Autoclaved Aerated Concrete (RAAC) has been confirmed in one or more of their buildings. It provides an overview of the steps you should take and supplements the individual case management support from the Department for Education (DfE).

This guidance advises you to restrict access to spaces where RAAC has been confirmed. Those spaces should remain out of use until appropriate mitigations are in place, even where they would have been deemed 'non-critical' previously. You will also already have plans in place to manage urgent changes or emergency situations and further information to support planning is available in the emergency planning guidance for education settings.

This guidance is focused on state funded schools, colleges and other education settings where RAAC has been confirmed.

In 2022, we sent a questionnaire to all RBs asking them to identify whether they suspected they had RAAC. Responsible bodies have submitted responses to the questionnaire for 100% of schools and colleges with blocks built in the target era. The DfE's RAAC identification programme is now complete, and the questionnaire has closed. All responsible bodies for schools and colleges with blocks built in the target era have responded to the questionnaire. If you have concerns with any part of your school building, including the presence of RAAC, please refer to the department's guidance Maintaining your estate.

The government is funding the permanent removal of RAAC present in schools and colleges, either through grants or through the School Rebuilding Programme. The longer-term requirements of each school or college will vary depending on the extent of the RAAC and nature and design of the buildings. Permanently removing RAAC may require refurbishment of existing buildings or rebuilding affected buildings.

Who is this publication for?

This guidance is for leaders and staff in:

- local authorities (for community, voluntary-controlled schools, foundation schools and maintained nursery schools)
- academy trusts (for academies and free schools)
- governing bodies (for voluntary-aided schools)
- school/college leaders, staff and governing bodies in: further education colleges and designated institutions, sixth form colleges, maintained schools, academies and free schools, pupil referral units, City Technology Colleges, non-maintained special schools and maintained nursery schools

Academy trusts with a religious character and the responsible bodies for voluntary-aided and voluntary controlled schools should engage with the land/site trustees for their land and buildings and the relevant religious body, most often their Diocese.

This guidance does not cover independent schools, out of school settings, maintained nurseries or independent training providers. Where RAAC is confirmed or suspected in these settings, leaders and relevant responsible bodies may want to consider the principles and approaches set out in this guidance in relation to managing their buildings and the mitigating actions necessary to ensure continuity of provision.

Background

RAAC is a lightweight form of concrete. The Standing Committee on Structural Safety (SCOSS) has noted that: 'Although called "concrete", RAAC is very different from traditional concrete and because of the way in which it was made, much weaker. RAAC was used in schools, colleges and other building construction from the 1950s until the mid-1990s. It may therefore be found in any school and college building (educational and ancillary) that was either built or modified in this time period.

In the 1990s, several bodies recognised structural deficiencies in RAAC panels installed up until the mid-1990s. It was recognised that the in-service performance was poor with cracking, excessive displacements and durability all being raised as concerns.

In December 2018, the Department for Education (DfE) and the Local Government Association (LGA) made building owners aware of a recent building component failure in a property constructed using RAAC. In May 2019, SCOSS raised an alert to emphasise the potential risks from such construction. Further information can be found in the RAAC Estates guidance. This guidance sets out the view of the DfE in relation to education settings. The Institution of Structural Engineers recommends a case-by-case approach, which is why we have allocated a DfE case worker to each affected setting and the approach taken may differ for each setting, depending on their individual circumstances.

DfE has communicated widely with responsible bodies and other stakeholder groups to ensure those responsible for school buildings are aware of the building safety risk posed by RAAC panels. In December 2018, we published a warning note with the LGA outlining the potential risks of RAAC. Guidance to schools since 2018 has been clear about the need to have adequate contingencies in place in the eventuality that RAAC-affected buildings need to be vacated at short notice.

In February 2021, we published technical guidance to assist RBs to identify, assess and manage RAAC. In 2022, we sent a questionnaire to all RBs asking them to provide information on RAAC in their estates. DfE recently commissioned structural engineers to visit education settings with the purpose of confirming whether their buildings contained RAAC panels and to assess the panels' condition. In 2023 there were a small number of cases where RAAC failed with no warning. The engineers have previously risk rated the

severity of RAAC found in education settings, from Critical (requiring immediate action with rooms/blocks/entire buildings requiring closure) to High, Medium, or Low. DfE has continued to assess the latest technical evidence on managing RAAC in light of the cases where RAAC has failed and is taking a cautious approach to prioritise safety whilst minimising the disruption to learning. The government is funding the permanent removal of RAAC from schools and colleges in England.

Managing RAAC in your estate and associated building works

Working with your DfE caseworker

If the DfE's survey programme has confirmed that there is RAAC in one or more of your buildings, we have already written to you to confirm this. You will have been allocated a caseworker in the DfE's capital team, alongside a dedicated contact within the DfE Regional Directors' team or relevant DfE Regional team, to support you. Your caseworker will have completed an initial triage with you covering:

- the support that you think you might need during this period
- the amount of RAAC in your buildings and the likely size and scale of works to mitigate it.

Where RAAC is confirmed in some areas of your buildings, you should vacate and restrict access to the spaces with RAAC and ensure that they are out of use until suitable mitigations are put in place.

Where it was agreed in the initial triage with your caseworker that additional support is required or the scale of works is large, the DfE will have allocated an additional project delivery manager to support your school, college or maintained nursery school. This will be discussed and agreed with you.

Temporary accommodation

If you have insufficient accommodation once the areas with RAAC are taken out of use, you should find emergency accommodation if needed or temporary accommodation for the first few weeks until the building has been made safe through structural supports. Your caseworker will discuss this with you.

In parallel to putting in place short-term plans to accommodate face-to-face education, you will need to make plans for the longer term (following the first few weeks of emergency accommodation). If it is possible to use structural supports to make safe areas with RAAC, you should do this. We will discuss this with you, taking into account your survey report. If this is not possible, you will want to procure temporary accommodation if there is space to accommodate this on your site. We can support you with this. If you do not have space on your site, you will need to discuss this with your caseworker. Structural supports are usually a very effective way of ensuring buildings can be occupied and usually cause minimal disruption to education once installed.

RAAC identification

In February 2021, we published technical guidance to assist RBs to identify, assess and manage RAAC. In 2022, we sent a questionnaire to all RBs asking them to provide information on RAAC in their estates. All RBs for schools and colleges with blocks built in the target era have submitted responses to the questionnaire. The Department for Education's RAAC identification programme is complete, and the questionnaire has closed. Any school or college that advised us they suspect they might have RAAC has had a survey to confirm if RAAC is present.

If you have concerns with any part of your school building, including if you have confirmed the presence of RAAC, please refer to the department's guidance <u>Maintaining</u> <u>your estate</u> which will set out how this can be reported using the 'Structural Issues' form on the DfE Capital Portal. Advice on the identification of RAAC can be found <u>here</u>. Should you have any queries please email <u>RAAC.Awareness@education.gov.uk</u>

Funding

Our clear priority is that children remain in face-to-face education. We will support you to keep any disruption to education to an absolute minimum.

DfE will provide funding for necessary mitigation works that are capital funded. This includes propping and temporary units on your estate. Your caseworker will provide you with the relevant form to complete.

Where schools, colleges and maintained nursery schools need additional help with revenue costs, like transport to locations or temporarily renting a local hall, you should discuss this with your DfE caseworker, who will work with the Education and Skills Funding Agency to review any revenue support needed. We expect all reasonable requests will be approved - these may include transport, rental/use of space or specialist facilities, additional costs arising where existing contracts and agreements are exceeded (e.g. utilities, catering, staff overtime etc), lost income from cancelled bookings, additional education support (e.g. online tutoring, extra lessons). We recommend that you contact your commercial insurer.

Permanent removal of RAAC

The government is funding the permanent removal of RAAC present in schools and colleges, either through grants or through the School Rebuilding Programme.

The longer-term requirements of each school or college will vary depending on the extent of the RAAC and nature and design of the buildings. Permanently removing RAAC may require refurbishment of existing buildings or rebuilding affected buildings.

Schools are being included in the School Rebuilding Programme where works to remove RAAC are more extensive or complex while some schools and colleges are receiving

grant funding where works will typically be smaller scale or more straightforward to deliver.

Schools joining the School Rebuilding Programme are prioritised for delivery according to the condition need of their buildings, readiness to proceed, and efficiency of delivery. We will also take into account the suitability and longevity of any temporary accommodation they may be using. When a school enters the School Rebuilding Programme, they will continue to have a caseworker from DfE supporting them on next steps.

For schools and colleges receiving grants, we will work with the responsible bodies to support them through the grants process as they undertake the building works to remove RAAC permanently. We will continue to provide caseworker support and have provided guidance to support responsible bodies through this process.

Safeguarding

Safeguarding and promoting the welfare of children and young people is of paramount importance. You must continue to follow any statutory safeguarding guidance that applies to you and your setting. In the case of schools, colleges and maintained nursery schools, Keeping children safe in education (KCSIE) is statutory safeguarding guidance that you should continue to have regard to as required by legislation and your funding agreement.

Schools, colleges and maintained nursery schools should, as far as is reasonably possible, take a whole-institution approach to safeguarding and undertake any necessary risk assessments. This will allow you to satisfy yourself that any new policies and processes in response to RAAC having been identified at your school, college or maintained nursery schools are not weakening your approach to safeguarding or undermining your child protection policy.

After discussion with your caseworker about your individual circumstances, and the mitigating actions needed to ensure continuity of provision, schools, colleges and maintained nursery schools should consider how they will keep in touch with their children and young people to provide reassurance that they are safe and well, especially where transition to emergency or temporary accommodation is needed. If you need to consider remote education you may wish to consider having telephone conversations with vulnerable children and young people or put in place other arrangements for keeping in touch with them.

Designated Safeguarding Leads (DSL)

Schools, colleges and maintained nursery schools should always have a trained DSL (or deputy) available on site. However, it is recognised that in exceptional circumstances this may not always be possible. Where this is the case, there are two options to consider:

- a trained DSL (or deputy) from the school, college or maintained nursery school can be available to be contacted via phone or online video – for example working from another school
- sharing trained DSLs (or deputies) from other schools, colleges or maintained nursery schools (who should be available to be contacted via phone or online video)

Where a trained DSL (or deputy) is not on site, in addition to one of the above options, a senior leader should take responsibility for co-ordinating safeguarding on site. This might include:

- updating and managing access to child protection files
- liaising with the offsite DSL (or deputy)
- liaising with children's social workers where they require access to children and young people in need and/or to carry out statutory assessments at the school, college or maintained nursery school (as required).

Whatever the scenario, it is important that all school, college and maintained nursery school staff and volunteers have access to a trained DSL (or deputy) and know on any given day who that person is and how to speak to them.

Children attending an alternative setting

It will be important for any school, college or maintained nursery school whose children and young people are attending another setting to continue to do whatever they reasonably can to provide the receiving institution (for example, a nearby school) with any relevant welfare and child protection information relating to that child or young person. This will be especially important where children and young people are vulnerable.

For looked-after children, any change in school, college or maintained nursery school should be led and managed by the virtual head with responsibility for the child or young person. The receiving institution should be aware of the reason the child or young person is vulnerable and any arrangements in place to support them. As a minimum the receiving institution should, as appropriate, have access to a vulnerable child's Education, Health and Care (EHC) plan, child in need plan, child protection plan or, for looked-after children, their personal education plan, and know who the child's social worker is (and, for looked-after children, who the responsible virtual school head is).

This should happen before a child or young person arrives or, if that is not possible, as soon as reasonably practicable. Any exchanges of information should happen at DSL (or deputy) level, and likewise between special educational needs (SEN) coordinators/named individuals with oversight of SEN provision for children and young people with EHC plans. However, it is acknowledged this may not always be possible. Where this is the case, senior leaders should take responsibility.

Whilst schools, colleges and maintained nursery schools must continue to have appropriate regard to data protection law, that does not prevent the sharing of information for the purposes of keeping children safe. Further advice about information sharing can be found at <u>paragraphs 115 to 123</u> of KCSIE.

Managing the impact on education

Maintaining face-to-face education

Whilst the circumstances for each education setting where RAAC has been identified will be different, you should consider educational, safeguarding and wellbeing impacts for pupils and students before taking any mitigating actions. You should do your best to minimise the amount and length of any disruption to education and your caseworker will support you with this. The DfE expects that schools and colleges affected by RAAC will still be able to deliver face-to-face, high-quality education to all pupils and students other than in exceptional circumstances and you must continue to follow any legislation that applies to your education setting in relation to the curriculum and compulsory subjects.

Where an area with RAAC has been taken out of use and this has implications for certain facilities, for example a sports hall, you should consider the options for whether alternative space on the site can be safely used, sharing facilities with a nearby school or college, or using local venues that have these facilities (such as a leisure centre or community centre). You are responsible for ensuring that pupils, students, staff, parents and carers know what you have agreed and the alternative arrangements in place to ensure continuity of education provision.

Prioritising attendance

In exceptional circumstances, if there are high levels of disruption due to RAAC which mean you need to temporarily <u>prioritise face-to-face</u> places in your setting, you should give priority to:

- vulnerable children and young people
- the children of critical workers
- pupils due to take public examinations and other formal assessments

Attendance

Attendance is essential for pupils to get the most out of their school experience, including for their attainment, wellbeing, and wider life chances. Schools and other settings should consider the approaches set out in this guidance while also working closely with pupils, parents, carers, and any other relevant partners such as the local authority, to remove any barriers to attendance.

Schools should continue to record pupil absence in the register in line with the Education (Pupil Registration) (England) Regulations 2006 and DfE's <u>attendance guidance</u>, using the most appropriate code

If you need to prioritise attendance by telling some pupils not to attend, the Y code should be used for those pupils, reflecting the exceptional circumstances. Pupils who are required to attend should be recorded in the normal way. The Y code does not count towards the pupil or school's absence record.

Remote education

Remote education should only ever be considered as a last resort and for a short period of time where the alternative would be no education provision. It should only be used where all options to continue face-to-face education – either on your site, at an alternative, or in temporary accommodation – have been exhausted. Remote education is unlikely to be possible for children who attend maintained nursery schools.

If restricting face-to-face attendance for pupils and students is the only viable option, schools and colleges should provide high-quality remote education to help pupils and students stay on track with the education they would normally receive.

Schools and colleges are likely to have established remote education plans when attendance in schools and colleges was restricted during the COVID-19 pandemic. If schools and colleges choose to use established remote education plans, these should be reviewed and kept up to date so that they remain relevant to the current context and children return to face-to-face education at the earliest possible moment.

Work provided during periods of remote education should be high quality, meaningful, ambitious and cover an appropriate range of subjects to enable pupils and students to keep on track with their education. Where pupils and students have access to appropriate devices, remote education might include recorded or live direct teaching time, as well as time for pupils and students to complete tasks, reading and assignments independently (depending on their age and stage of development). Online video lessons do not necessarily need to be recorded by teaching staff at the school or college. If preferred, high-quality lessons developed by external providers such as Oak National Academy can be provided instead of school-led video content at key stages 1-4. Schools and colleges should consider the approaches that best suit the needs of their children, young people and staff. Schools and colleges should consider the approaches that best suit the needs of their children, young people and staff.

Some pupils and students with SEND may not be able to access remote education without adult support. Schools and colleges should work collaboratively with families and put arrangements in place that allow pupils and students with SEND to access remote education successfully. In this situation, decisions on how provision can be delivered

should be informed by relevant considerations including the support families will require and types of services that the pupil or student can access remotely.

Schools and colleges should ensure that their safeguarding and child protection policies are up to date and reflect the potential need for remote online education provision and the fact that pupils and students might be learning both online and in the classroom.

In the very limited circumstances where a school or college decides to use remote education, you should refer to the Department's non-statutory guidance for schools on <u>providing remote education</u> or the Department's non-statutory guidance for <u>16-19 study programmes</u>.

Education workforce

School, college and maintained nursery school leaders are best placed to determine the workforce arrangements required to meet the needs of their children and young people depending on their circumstances and the mitigating actions required to maintain continuity of education.

Admissions

Where a school or college has insufficient on-site accommodation once the areas with RAAC are taken out of use and alternative off-site emergency or longer-term temporary accommodation is required, the local authority and school or college is responsible for making alternative arrangements and should agree this with parents of affected pupils and students.

In many cases pupils and students will be able to remain on the roll of their existing education setting, even if they are in emergency or longer-term temporary accommodation on a different school site.

If an individual parent wants to permanently move their child to a different school, they should make an in-year application through existing admissions processes. For all mainstream state-funded schools, any move from one school to another must be done in line with the statutory School Admissions Code and wider admissions law.

In cases where children need to be integrated into another school, you should discuss any admissions or pupil registration considerations with your caseworker.

Exams and assessments

In line with <u>emergency planning guidance</u> your school or college's emergency plan should include contingencies for possible disruption to exams and assessments, including alternative venues for exams and arrangements for assessments. Schools and

colleges are encouraged to review contingency plans well in advance of each exam or assessment series. Please see the <u>exam system contingency plan guidance</u> on how to deal with major disruptions that may affect examination candidates - this includes advice on contacting the relevant awarding organisation if you experience difficulties in delivering particular assessments due to certain facilities being out of use.

Alongside Ofqual, we have worked with awarding organisations to facilitate discussions with RAAC affected schools. We have asked awarding organisations to, where possible, agree longer extensions for coursework and non-examination assessments so that pupils have as much time as possible to complete these tasks.

Awarding organisations have a process where special consideration can be given to students who temporarily experience illness, injury or some other event at the time of their exam or assessment, which is likely to have an impact their ability to demonstrate their level of attainment. Special consideration addresses impact on assessment rather than impact on learning.

The JCQ has published further guidance on how existing special consideration arrangements may apply to centres affected by RAAC or other building issues. Special consideration arrangements may apply in cases where the production of non-examination assessment (NEA) has been adversely impacted. Schools and colleges with exams or assessments, including NEA, which are impacted by RAAC or other similar issues should contact the relevant awarding organisation as soon as possible to discuss the specific details of their case.

Inspection

A school that has confirmed RAAC in some of their buildings will be eligible for Ofsted inspection. However, for the summer term of the 2023/24 academic year, for schools with confirmed RAAC, this will be sufficient grounds to defer the inspection, should the school wish to. For schools that do not have confirmed RAAC but may still be impacted by RAAC, for example where a school is hosting pupils from schools that have RAAC, Ofsted will carefully consider any requests for a deferral of an inspection. Schools can request the deferral at the point that an inspection is notified. Ofsted retains the right to inspect any setting, including one affected by RAAC, if it has concerns. The position for September 2024 onwards will be communicated by Ofsted in due course.

School meals

You should continue to provide:

- meal options for all pupils who are in school
- free meals to:
 - o all infant pupils

 pupils and students who meet the benefits-related free school meals eligibility criteria.

If a child who qualifies for benefits-related free meals is receiving remote education, you should continue to provide this support, for example by providing a lunch parcel or vouchers. Schools should speak to their school catering team or provider about the best arrangements for providing school meals for pupils and students in this situation. This will ensure that eligible pupils and students continue to be supported for the period they are unable to attend school. You can find out more at Free school meals.

Provision for pupils and students with SEND

If pupils and students with SEND need to be taught in emergency accommodation or require remote education, school and college leaders and teachers are best placed to know how to meet their needs most effectively. Schools and colleges will need to put in place an appropriate curriculum, teaching and support to enable the pupil or student to continue learning effectively. Decisions on how provision can continue to be delivered should be informed by relevant considerations, including the support families will require and types of support, resources and equipment that pupils and students can access in emergency or temporary accommodation. Your DfE caseworker will be able to discuss with you the support you might need and mitigations you are putting in place.

The duty under the Children and Families Act 2014 for mainstream schools to use their 'best endeavours' to secure the special educational provision called for by a pupil or student's special educational needs continues to apply where emergency or remote education is in place.

In addition, if a pupil or student has an EHC plan, whether they are in a mainstream or special school, the school must work with the local authority to ensure that all the relevant duties under the 2014 Act continue to be met.

The duties under the Equality Act 2010 relating to disability (and more broadly) also continue to apply, such as to make reasonable adjustments, not to discriminate and to have due regard to the statutory objectives in the public sector equality duty.

It may be challenging for the school or college to deliver the kind of approach that it does in the classroom remotely or on an alternative site, for example the provision of certain differentiated resources and the support of a teaching assistant. If this is the case, the school or college must instead consider, in co-operation with the local authority if the pupil or student has an EHC plan, other ways in which it and the local authority can meet their statutory duties, working closely with the parents or carers.

School transport

Where pupils and students are to be educated in temporary accommodation at a different location from the usual school site, you should consider how they will travel there, identify any pupils and students who may have difficulty getting there and consider how you can support them.

Some children of compulsory school age are eligible for free travel arranged by the local authority. You may need to work with the local authority to ensure suitable arrangements are made for pupils and students who are eligible for free travel to the usual school site, but who will be educated at a different location.

It is possible some children who are not currently in receipt of free travel may become eligible because of attending temporary accommodation in a new location. Where they are only attending the new location for a short period of time, it may not be feasible for the local authority to make travel arrangements. They may, however, be able to arrange travel for eligible children who attend a new site for a prolonged period. More information about this can be found in the Home-to school travel guidance.

Wraparound childcare and extra-curricular provision

Schools should continue to offer their wraparound childcare provision and other beforeand after-school activities for their pupils wherever possible, where this provision helps support parents to work and is valuable for pupils' wellbeing and development.

Where an area with RAAC has been taken out of use and this has implications for facilities used for wraparound childcare provision, or by external providers using your premises, you should consider whether alternative arrangements could be made to deliver the provision safely. For example, by using an alternative space on the school site, sharing facilities with a nearby school or college, or by utilising local venues.

In the event of schools having insufficient accommodation, once areas with RAAC are taken out of use, consideration should be given to the continuation of wraparound childcare and other extra-curricular provision as part of any temporary accommodation arrangements that are made.

Boarding schools

Where residential or boarding provision is affected, the school should consider whether pupils and students can continue to be accommodated safely. This may require the reorganisation of residential provision if some of the buildings normally used for these purposes are affected. If any pupils or students cannot be accommodated, the school should contact parents and consider alternative boarding and educational arrangements. If commissioned places with public funding are impacted, the school should also contact

the commissioner (normally the local authority that commissioned the place). In the case of state boarding, the school should also contact the home local authority of each affected pupil or student.

Special and AP schools

Where specialist provision (SEN units, resourced provision, special schools and alternative provision) is affected, the school should inform the body or bodies responsible for commissioning the placements as soon as possible. For pupils and students with EHC plans this will mean the local authority responsible for the EHC plan. In the case of alternative provision, it might be the local authority or the school that has commissioned the placement. The responsible commissioner will need to consider the impact and duration of the disruption and whether alternative arrangements should be made in the short or long term.

The varying contexts of specialist provision mean they will require different solutions. Your DfE caseworker will be able to discuss with you the support you might need and mitigations you are putting in place. We recognise that some children and young people with SEND, including those in alternative provision, may find it more difficult to adapt to change and require additional support to transition to emergency accommodation or longer-term temporary accommodation. If pupils or students in a special school need to be taught in emergency or temporary accommodation, school leaders and staff are best placed to know how their needs can most effectively continue to be met.

As outlined above, where a pupil or student has an EHC plan the local authority and (if there is health provision) health commissioning body must secure or arrange the provision specified in the plan. As well as the duty to secure or arrange provision in an EHC plan, schools must ensure they continue to meet all the statutory duties relating to EHC needs assessments and annual reviews. Specialists, therapists and other health professionals who support children and young people with SEND (for example speech and language therapists, physiotherapists, occupational therapists, educational psychologists and specialist teachers) should continue to provide interventions as usual.

Where children and young people with EHC plans are unable to attend an education setting, multi-agency professionals should collaborate to agree how to meet their duties to deliver the provision set out in the EHC plan. This may include face-to-face visits to the home, or virtual support via video or telephone calls or email.

It is likely that the families of pupils or students placed in specialist provision will face additional care issues if the pupil or student is to receive temporary education at home. It is essential that this is carefully considered, and, where relevant, appropriate support arrangements are made in consultation with local children's social care teams.



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