

Government of Jersey
Union Street | St Helier | Jersey | JE2 3DN

Deputy Victoria Li Chair,
Children, Education and Home Affairs Scrutiny Panel

BY EMAIL

29 July 2026

Dear Chair,

I write following your request of 22nd July seeking clarification regarding the schooling and educational outcomes for children in foster care. As the Minister for Children and Families isolated issues have been brought to my attention, but these are not common, and certainly not indicative of a thematic regarding foster carers experiencing difficulties in respect of school transfers for children in care. As far as I am aware, the child's best interests are always held central to all decision making for children in our care.

In order to assist you with your enquiries, I have set the answers out below:

1) The individual or body responsible for determining the educational placement of a looked-after child, and the factors taken into account when reaching that decision;

The educational placement of a child in care is determined through the same school admissions and placement arrangements that apply to all children in Jersey, while taking account of the child's specific care, welfare and educational needs. This includes both placement decisions at key transition points, such as the move from primary to secondary education, and any in-year applications or requests to change school.

For information:

At the end of Year 6, children are ordinarily offered a place at their designated catchment secondary school. For a child in care, decisions regarding whether that placement remains the most appropriate educational provision are considered as part of wider care and education planning arrangements involving those with parental responsibility, the corporate parent, the child, carers, education professionals and Children's Services practitioners.

Where a change of school placement is proposed for a child in care, the decision is not taken by a single professional acting in isolation. In accordance with the delegation of authority arrangements for children in care, any proposed school move requires the agreement of both the child's social worker and the Virtual School Head. The Virtual School Head has a specific responsibility for promoting and protecting the educational interests of children in care and must be satisfied that any proposed placement change is in the child's

best interests and is supported by evidence that it will meet the child's educational, welfare and stability needs.

Where an alternative placement is sought, whether at transition or during the school year, the request is considered through the Government of Jersey's admissions processes and assessed in line with the published admissions criteria and the individual circumstances of the child.

When determining the most appropriate educational placement, a range of factors may be considered, including:

- the child's educational needs, attainment and progress;
- their wellbeing, welfare and emotional needs;
- friendships and peer relationships;
- any special educational needs or disabilities (SEND);
- care arrangements and placement stability;
- continuity of education;
- the availability of places and school capacity;
- the views and wishes of the child, where appropriate;
- the views of parents, carers and relevant professionals.

Placement decisions are made collaboratively, with the aim of securing the most suitable educational provision and supporting positive educational and wellbeing outcomes for the child. The Virtual School Head's consent forms part of the decision-making and oversight arrangements for children in care where a change of school placement is proposed.

2) the role of the Personal Education Plan (PEP) in these decisions, and specifically whether the views and wishes of the child regarding their school placement, and those of their foster carer, are recorded within the PEP;

The Personal Education Plan (PEP) is the key document used to monitor, review and support the educational progress, attainment and wellbeing of a child in care. It provides a structured opportunity for the child, carers, school, Virtual School and wider professional network to contribute their views and identify any support required to enable the child to achieve their educational potential. The PEPs are held each term (three per year) for each child who is in the care of the Minister and for those who are care experienced.

The PEP includes the voice of the child and records their views, wishes and feelings regarding their education. It also captures the views of foster carers and other professionals involved in supporting the child. The document details the child's current educational progress, attendance, attainment, any identified special educational or additional learning needs, and the interventions or support arrangements in place.

While the PEP is not the mechanism through which school placement decisions are formally made, it is an important source of evidence for professionals involved in decision-making, including the Virtual School Head. Information contained within the PEP assists the Virtual School Head and social worker in considering whether the current educational placement is

meeting the child's needs and whether any proposed change of school placement should be supported.

The PEP therefore ensures that the views of the child, foster carers and wider professional network are recorded and available to inform decision-making regarding educational provision and placement.

3) where a decision is taken to change a child's school placement, whether that decision is made through the PEP process, and what opportunity foster carers and the child have to participate in the relevant PEP meeting;

Decisions regarding a change of school placement are not made through the PEP process itself. The PEP is a review and planning document which records a child's educational progress, attendance, attainment, wellbeing and support arrangements.

The PEP can, however, provide important evidence regarding how effectively a school is meeting a child's needs and may contribute to discussions regarding educational provision and placement. Information gathered through the PEP process may be considered by the child's social worker and the Virtual School Head when assessing whether a proposed school move is in the child's best interests.

Foster carers and children are encouraged to participate in PEP meetings and have opportunities to express their views, wishes and concerns regarding the child's education. These contributions are recorded within the PEP alongside the views of the school and other professionals involved in supporting the child.

Although placement decisions are made outside the PEP meeting itself, the child's and foster carer's views recorded through the PEP form an important part of the evidence considered by those responsible for agreeing any proposed school move.

4) how the views of foster carers and the child are weighed in the final decision, and whether reasons are provided – including within the PEP – where a decision departs from those views;

The views of the child and their foster carer are recorded through the PEP process and other care planning arrangements and are considered alongside information provided by education professionals, social workers, the Virtual School Head and others involved in supporting the child.

In considering whether to support a change of educational placement, the social worker and Virtual School Head, along with the wider team around the child, consider all relevant information, including the child's educational progress, wellbeing, safeguarding considerations, stability of care arrangements, professional advice and the wishes and feelings of the child and carers.

While the PEP records those views, it does not itself determine how differing factors are weighted in a final placement decision. Decisions are made having regard to the child's overall best interests and the extent to which a proposed placement is able to meet the child's identified needs. Considerations such as the long-term permanence of any placement arrangements also need to be included.

Where differing views exist, these may be documented within the PEP and other relevant planning records. The rationale for a placement decision would ordinarily be recorded through the relevant education, care planning and case management processes.

5) whether the decision-making and review processes described above are set out in any written policy, procedure or guidance, and whether records of such decisions are maintained;

The processes relating to school admissions, school transfers and educational placements are governed by the relevant education policies, procedures and guidance. The relevant policies, procedures and guidance fall within these following documents and are applicable to all children and young people in Jersey:

- School Admissions and Transfer policy
- School Admission and Transfer Appeals Policy
- Children and Young People (Jersey) Law 2022
- Education of Children Looked After policy
- Jersey Virtual School Handbook

In addition, the Personal Education Plan (PEP) process provides a structured framework for reviewing the educational progress, attainment and support arrangements for children in care.

The PEP process and associated responsibilities are set out within Virtual School and Children's Services guidance and practice. Where decisions regarding educational placement are made, records are maintained through the relevant education, admissions, care planning and case management systems, as appropriate to the nature of the decision.

Records of PEP meetings are maintained and provide a record of educational progress, identified needs, agreed actions and the views of the child, carers and professionals involved. Other records relating to school admissions, placement requests, appeals and care planning are maintained in accordance with the relevant departmental record-keeping and information governance requirements.

6) the mechanisms available to foster carers, parents with parental responsibility, and children to challenge or seek a review of decisions regarding school transfers or educational placement;

Foster carers, parents with parental responsibility, and children may seek a review of decisions regarding school transfers or educational placements through the school transfer process administered by the Children, Young People, Education and Skills (CYPES) Department. Individuals who consider that an alternative educational placement would better meet a child's needs may request a transfer and submit supporting information for consideration.

In addition, the Government of Jersey's School Admissions Appeals Process provides a formal mechanism through which school admission and transfer decisions can be reviewed. Appeals are considered by an Appeals Panel comprising a senior departmental representative not previously involved in the case, a Minister or Assistant Minister for Education, and an independent member of the community.

7) whether the Minister has sought advice regarding these arrangements from key stakeholders such as the Children's Commissioner.

It is unusual for these matters to be brought to the Minister for Children and Families. In the event that they were brought to the Ministers attention he would seek advice dependent on the individual circumstances of each case. This might include the Children's Commissioner if the Minister considered it to be relevant to the individual circumstances.

8) The Panel would also welcome clarification as to whether the range of schools considered includes fee-paying independent schools, and whether there is any government policy, guidance or established practice that prevents or restricts children in care from attending such schools. If such a policy, guidance or practice exists, the Panel would be grateful for details of:

- **the legal basis for the policy or restriction;**
- **the rationale underpinning it;**
- **how it is applied in practice when decisions are made regarding the education of looked-after children.**

Children in care are considered for school places through the same educational placement and admissions processes that apply for all children in Jersey, with additional consideration given to their individual needs and the corporate parenting responsibilities of the Government of Jersey.

The range of educational provision that may be considered is determined by the child's assessed needs and the ability of a school or educational setting to meet those needs. This may include mainstream schools and, where appropriate, specialist provision.

The current policy position for children in care, like all children in Jersey, who require a school placement or school transfer, are placed through Jersey's mainstream admissions and placement arrangements, as outlined in the School Admission and Transfer Policy. Fee-paying schools do not form part of the standard placement options available through this process. Placement decisions are considered on a case-by-case basis, taking account of the child's individual circumstances, educational needs, wellbeing and best interests, together with the availability and suitability of provision.

Where decisions regarding educational placement are made, these are informed by the relevant legislative framework, educational policies, care planning arrangements and the professional assessment of the child's needs. Consideration is also given to whether the proposed educational setting represents the most appropriate provision for the child.

The rationale for any placement decision is based on the individual circumstances of the child and the extent to which a particular setting can meet their identified needs. As with other educational placement decisions, relevant professionals, carers and the child are able to contribute their views through established education and care planning processes.

The application of these arrangements in practice is therefore determined by the individual needs of the child rather than by any blanket restriction relating to their status as a child in care.

9) Finally, to assist the Panel in understanding the scale and operation of these arrangements, the Panel would welcome details of how many looked-after children have attended fee-paying schools in the last five years, and how many

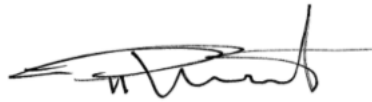
requests for such placements have been approved or declined during that period.

Records indicate that fewer than five children in the care of the Minister have attended fee-paying schools during the last five years. Due to the small number of these arrangements, there is the potential for children, families or carers to be identifiable and therefore very limited detail can be provided to the panel to protect confidentiality.

Where such arrangements were in place, the department did not approve or decline requests for the school placements. These appear to have been pre-existing or privately arranged circumstances made by parents or family members outside of the department's decision-making processes. Where such arrangements had been put in place by families, the department may have provided support where this was assessed as required and considered in the best interests of the child.

I hope this provides the clarity you were seeking and should you need anymore information, please do not hesitate to contact me.

Yours sincerely,



Constable Richard Vibert

Minister for Children and Families