

Telford & Wrekin

Policy & Procedure for Identifying Pupils who are missing out on education

This guidance encompasses:

**Children out of School (COOS)
Children Not Receiving Education (CNRE) and
Children Missing Education (CME)**

This document is written in line with recommendations from:

- *School Attendance, DfE Guidance July 2019*
- *Keeping children safe in education, DfE Guidance July 2019*
- *Children Missing Education statutory guidance for local authorities, September 2016 (due for review in September 2019)*
- *The Education (Pupil Registration) (England) (Amendment) Regulations 2016 (2006):*
- *Parental Responsibility Measures for School Attendance and Behaviour, DfE Guidance November 2015*
- *and*
- *Supporting Pupils at School with Medical Conditions DfE Guidance Dec. 2015*
- *Section 436A of the Education Act 1996*

Introduction

All children, regardless of their circumstances are entitled to an efficient, full-time education which is suitable to their age, aptitude and any special needs they may have.

Children Missing Education (CME) are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming a person Not in Education, Employment or Training (NEET) in later life.

Young people who grow up to be adults who lack qualifications face a difficult path, especially when trying to find employment. We owe it to all of them to ensure they are given every chance to stay safe and succeed.

Telford and Wrekin Local Authority (LA) is committed to ensuring that every child of compulsory school age receives a good quality full time education.

The purpose of this policy is to set out the clear procedures for schools and academies, free schools and independent schools, Telford and Wrekin L A and partner agencies to follow in order to ensure that those who are CME are tracked and are receiving education.

Whilst this document has a focus on processes and systems within the LA, the work should be seen within the context of the wider remit of all agencies to safeguard the welfare of all children.

It remains the responsibility of schools to follow appropriate procedures and be working towards children returning to school as quickly as possible.

Schools which respond quickly to any signs of disengagement, or children and young peoples' anxieties are more successful in helping them to achieve at levels comparable with those of their peers and return to full time education.

Legal Framework

The European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 2 of the protocol No 1 states:

'No person shall be denied the right to education.'

Section 436A of the Education Act 1996 requires all LAs to make arrangements to establish the identities of children of compulsory school age in their area who are not registered pupils at a school, and are not receiving a suitable education otherwise than at school.

Regulations 8(f) and 8(h) of the England (Pupil Registration) (England) Regulations 2006, as amended, place a duty on schools and LAs to jointly carry out reasonable enquiries to try to locate pupils absent from school whose whereabouts are unknown.

Definition

Children may be missing education for a number of reasons which include:

- Having their access to a full time education reduced by being placed on a modified timetable.
- Being absent from school for 10 or more school days consecutively.
- Not having a school place yet allocated to them.
- Being Electively Home Educated (EHE) but not receiving a suitable education at home.
- Having disappeared from education and their whereabouts are unknown.

The LA recognises that whilst some children are out of school for a few days, others can go missing with their families and others do not have educational provision in place. All of these are forms of missing education. Pupils who are on a school roll but in receipt of a modified timetable and not accessing a full time education are addressed in a separate document which should be read alongside this document.

In addition to pupils who are on modified timetables, we use 3 classifications locally to aid monitoring and tracking:

- **Children Out of School (COOS)**

These are children who have been absent from school for 10 or more consecutive school days and the absence is unauthorised. Schools are required by law to notify the LA of such children.

It is acknowledged that the majority of these children return to school within a short timeframe. Some of these however may become pupils who are not receiving education for some period of time and some have disappeared and their whereabouts are not known.

- **Children Not Receiving Education (CNRE)**

These are principally children who have not attended school for 1-3 months.

Additionally the following groups are also regarded as CNRE:

- A child who is not on a school roll, but has a school placement pending.
- A child who is awaiting a school admission appeal. The parent is likely to have been offered an alternative school place and has made the decision to wait until the outcome of the school appeal is known before the child starts at a school.
- A child who is on roll at a Telford and Wrekin school and has moved to another school within the borough or out of borough and has yet to start at that school. These children must stay on the school roll for the first 20 days until they are either admitted to another school place or they are referred as a CME.
- Gypsy Roma Traveller (GRT) Children who are on roll with a school locally but are currently travelling.
- Children who are EHE but the education has been deemed to be unsuitable.

A rule of thumb is that these children are on a school roll but have been absent for more than 28 days and are not receiving education, or their whereabouts is known about but they do not currently have a school place.

- **Children who are Missing from Education (CME)**

These are children who are not on a school roll, have been out of education for 6+ months or have moved out of borough/abroad and who are missing from education as their whereabouts is not known and as a consequence nor is their provision.

These will include:

- Families who have relocated out of the borough or overseas and not provided further details to school. These children should be referred immediately as CME. They must remain on a school roll for 20 days. Schools should not wait to make the referral.
- A child of statutory school age whose parents did not approach the LA for a school placement or indicated their intention to EHE.
- Children who have not taken up the allocated school place and not started at any other school.
- Children who have not returned from holiday and the school is unable to track their whereabouts.
- Vulnerable families and children moving into area who need additional support in securing a school place.
- GRT pupils who do not start at their nominated school or are travelling and have not provided an anticipated return date.

The latter two categories (CNRE and CME) are tracked and monitored by the LAs CME Tracking Officer.

It is recognised that schools and professionals need a straightforward referral process and as a result we have attempted to simplify the forms used, but ask that schools note that the LA may require additional information from schools as part of their work in attempting to locate missing children.

Safeguarding

All schools have a safeguarding duty in respect of their pupils, and as part of this should investigate any unexplained absences.

This guidance **does not** replace any Child Protection and Safeguarding procedures. Existing Safeguarding procedures are fundamental and should be observed at all times.

Delay is unacceptable and the welfare of the child is paramount. If there is good reason to suspect that pupil's absence may be the result of them being a victim of a crime a referral to the police should be made by phoning 101.

If you suspect that a child may be "missing" (other than missing education), or have particular Child Protection concerns please contact Family Connect on 01952 385385 or by email familyconnect@telford.gov.uk.

This protocol applies to pupils whatever their educational provision which includes alternative provision, regardless of where they are on roll. **The school where the pupil is on roll is responsible for monitoring the pupil's attendance, just as they have a responsibility to monitor the safeguarding of the pupil.**

Process for Children Out of School (COOS)

It is a statutory responsibility for all schools to share information with the LA of any pupil or young person **who has been out of school for 10 consecutive days without authorisation.**

Whilst this list is not exhaustive they are likely to:

- have an illness or medical condition,
- be on holiday or unauthorised leave from school,
- be subject to a 'grey' or unofficial exclusion,
- be a school refuser,
- have family circumstances that mean the family are not sending them to school, including young carers,
- be awaiting a school transfer to be processed and finalised,
- be believed to have re-located or moved house,
- have transport issues preventing attendance due to a house move,
- be a Child in Care pupil and have had a placement change,
- be a Gypsy Roma Traveller pupil and is currently travelling,
- have been accommodated in a refuge following incidents of domestic abuse or are temporarily homeless,

- have a parent who is refusing to send them to school,
- have gone missing from home.

The referral process to the Local Authority

If any school, academy or alternative education provider identifies a pupil as a COOS they should:

- Refer to the flow chart,
 - Schools Flow Chart A 'Schools use for pupils not attending 10 + days' (See appendix 2) and
 - Schools Flow Chart B 'Pupil moving out of the borough or abroad' (See appendix 3)
- Complete the referral form
- Email it to childrenmissingeducation@telford.gov.uk
- Consider whether an early help assessment is appropriate or a referral to Family Connect.
- Follow any advice or guidance from the LA to resolve the situation.
- Be aware of preparing for legal intervention after liaison with AST for non-school attendance.
- Include the pupil on the Monthly Return Form (MRF) until that pupil has returned to school.

Upon receipt of the referral form the Local Authority will:

- Record the pupil's details on a centrally held monitoring spreadsheet.
- Update the information on the VLS workspace of protocol.
- Monitor the length of absence, when a child has been absent for 28 days they will be classed as a Child Not Receiving Education.
- Ensure that all CNRE pupils are considered for inclusion at the LA internal meeting 'Ensuring Access to Education for All' (EAEA) where cases are regularly reviewed, tracked and monitored for pupils who are not in receipt of education.
- Cross reference names against the MRF and AD1 forms.
- Track pupils return to school dates.

Children Not Receiving Education (CNRE)

The LA reviews the list of notifications for Children out Of School (COOS) regularly. When children have not been attending school for 28 consecutive days, the pupil is deemed to be a Child Not Receiving Education, unless they have information to the contrary that the child is in receipt of some education in which case they will be continue to be classified as Children Out of School.

Schools do not need to make an additional referral, but must be aware that they may be asked for additional information in relation to the pupil, their absence, and the plan to ensure the pupil is receiving education.

Children Missing from Education (CME)

Children who are missing from education are children whose whereabouts are not known and therefore neither is their provision, or they have been absent from education for more than 3 months.

If the host school believes a pupil to have moved out of area or abroad and do not have a new address or school detail must use the referral form immediately to refer the pupil as a CME.

Schools must not remove the pupil from the school roll without the agreement of the CME tracking officer, and this will be after 20 days. The school must demonstrate that they have made reasonable attempts to locate the pupil.

In referring the pupil, schools are asked to provide as much information as possible.

The CME Tracking Officer will make regular enquiries with other agencies and LAs to attempt to locate the pupil and ensure that they have been allocated a new school place and will provide this information to the previous school to enable the Common Transfer Form (CTF) and records to be passed to the new school.

The CME Tracking Officer will:

- Upload the pupil information onto the **S2S Lost Pupil** database
- Record on protocol VLS that the case is open as a CME
- Liaise with Family Connect and Social Care if appropriate
- Check local data bases within the LA
- Make contact with other LAs if the child is known to have previous associations there
- In the case of children of Service Personnel, check with the Ministry of Defence (MoD) Children's Educational Advisory Service (on 01980 618244) if the child's family is in the Armed Forces
- Make continued enquiries with extended family and neighbours
- Contact social housing providers and private landlords, PCT, Benefits Agency, Police, Admissions and other agencies as required
- Check with UK Visas and Immigration and /or the Border Force
- Add the child's name to LA EAEA list

When the location of the child is established, the CME Tracking Officer will satisfy themselves that the child is receiving a suitable education. This would normally be through them having an allocated school place.

Parents' responsibilities

Parents have a responsibility to ensure that their children of compulsory school age are receiving suitable full time education. Some parents may elect to educate their child at home and may withdraw their child from school at any time to do so unless they are subject to a School Attendance Order.

Schools Responsibilities

In accordance with the statutory guidance schools **MUST** enter pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school.

If a pupil fails to attend on the agreed or notified date then the school should undertake reasonable enquiries to establish the child's whereabouts. The school should refer the case to the CME Tracking Officer once their enquiries have proved fruitless.

Schools must:

- Monitor attendance closely and address poor or irregular attendance.
- Notify the LA where a pupil has been absent for 10 consecutive school days.
- Make reasonable enquires if a pupils whereabouts are not known.

Schools should keep the admission register accurate and up to date, encouraging parents to inform them of any changes whenever they occur. This can be through a variety of means, including existing communication channels such as regular emails and newsletters.

Schools should also notify the LA of any pupil whose name is to be removed from the school roll at a non-standard point under any of the 15 grounds set out in the Pupil Regulations as soon as that ground is met and no later than the time at which the pupils name is removed from the register. This does not apply to standard transition points.

All schools are required to notify the LA within 5 days when a pupils name is added to the school roll at a non-standard point.

If it is thought that the child is in imminent danger or at risk of harm, a referral should be made to Family Connect (01952 385385) and the police if appropriate.

A pupils name cannot be removed from the school roll until reasonable enquiries have been made and the school and LA have jointly failed to establish the pupil's

whereabouts. The CME Tracking Officer will confirm with the school when the pupil can be removed from the school roll.

Making reasonable enquiries

In line with the LA duty under section 10 of the Children Act 2004, schools and the LA must have in place procedures designed to carry out reasonable enquiries.

These will include checking with:

- Relatives
- Neighbours
- Landlords
- Other stakeholders who may be involved.

Schools should record all efforts and enquiries as part of their safeguarding responsibilities.

Measures to reduce the risk of CNRE/CME

There are a range of systems, processes and procedures currently used by schools and the LA to reduce the risk of children falling out of 'the system' and going missing from education.

Good practice measures to reduce the likelihood of children falling out of the education system include:

- Schools taking responsibility for the monitoring of the school roll and registers,
- Processes and procedures within the school to regularly update pupils' personal data and be vigilant of families with a history of mobility/multiple addresses
- Swift referral to the Attendance Support Team (AST) with the referral form completed for those families who have left the school and the destination is unknown
- Good communication between families, schools and the LA
- Encouraging parents to inform a school they are moving out of the area
- Parents providing a new address and school where they intend to register their child

Processes to follow when removing and adding a pupil to and from the school roll

The statutory guidance Children Missing Education issued in September 2016 placed additional requirements on schools and LAs in terms of timely information sharing when pupils are added to or taken off a school roll.

All schools (Including academies and independent school) **must** notify their LA when they are about to remove a pupil's name from the school admission register under any of the 15 grounds listed in the pupil regulation (see Appendix 1)

This duty does not apply when a pupil's name is removed from the admission register at standard transition point i.e- when the pupil has completed the final year of education normally provided by that school-unless the LA requests that such returns are to be made.

All schools (including academies and independent schools) must also notify the LA **within 5 days** of adding a pupil's name to the admission register at a non-standard transition point.

The notification must include all the details contained in the admission register for the new pupil. This duty does not apply when a pupil's name is entered in the admission register at a standard transition point i.e- at the start of the first year of education provided by the school-unless the LA requests that such returns are to be made.

When adding a pupil's name, the notification to the LA must include all the details contained in the admission register for the new pupil. This information is communicated to the LA using the AD1 form and sent to admissions@telford.gov.uk

Schools must make reasonable enquiries to establish the whereabouts of the child **jointly with the LA**, before deleting the pupil's details from the register. If a pupil is about to be taken off a school roll having been absent for 20 days or is believed to have left the area, advice **MUST** be sought from the Attendance Support Team before the pupil is taken off roll.

When removing a pupil's name, the notification to the LA must include:

- (a) the full name of the pupil,
- (b) the full name and address of any parent with whom the pupil normally resides,
- (c) at least one telephone number of the parent,
- (d) the pupil's future address and destination school, if applicable, and
- (e) the ground in regulation 8 under which the pupil's name is to be removed from the admission register (see Appendix 1)

Where a family has relocated and cannot be traced, the school must refer to the flow

chart A and B for pupils who have moved out of borough and pupils on roll and not attending and notify the LA.

Prior to removing the child from a school roll, the school should:

- a) note that all deletions from the admissions and attendance registers must be in line with the Regulation 12(3) Education (Pupil Registration) (England) Regulations 2006
- b) contact the Attendance Support Team for advice before removing a child's name from a school roll where the pupil is not known to have started at a new school yet
- c) refer to guidance on pages 5 & 6 of Attendance Guidance & Procedures for Schools, Telford and Wrekin guidance April 2013 – Blue and white book

Keeping Pupil Registers
‘Guidance on applying the Education Pupil Registration Regulations’ June 2008

Deletions from the Registers

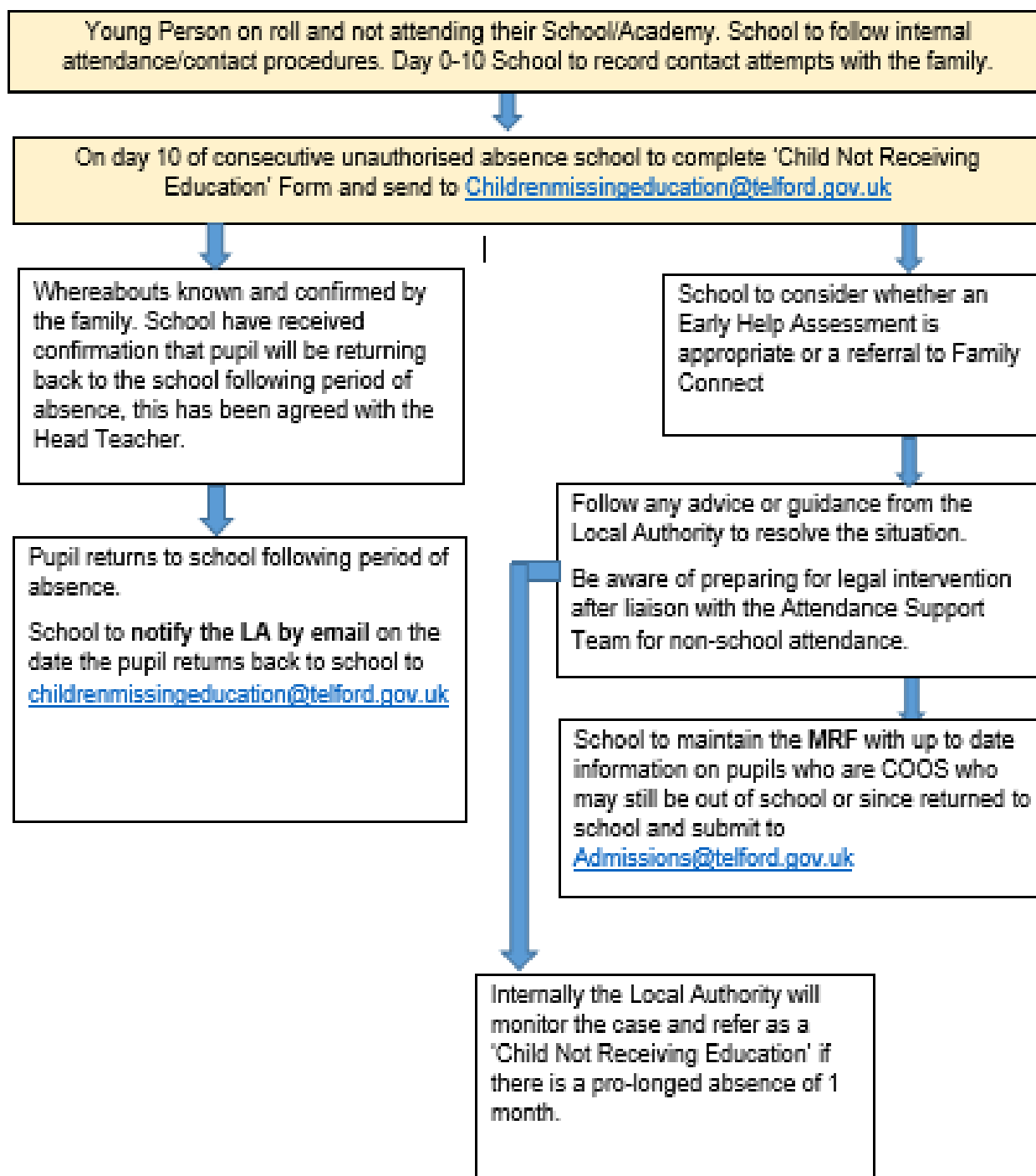
The regulations enable schools to delete compulsory school-age children in the following circumstances:

- a. The school is replaced by another school on a School Attendance Order;*
- b. The School Attendance Order is revoked by the Local Authority*
- c. Completion of compulsory school age;*
- d. Permanent exclusion*
- e. Death of the pupil*
- f. Transfer between schools; and*
- g. Pupil withdrawn to be educated outside of the school system*
- h. Failure to return for an extended family holiday after both the school and the LA have tried to locate the pupil*
- i. A medical condition prevents their attendance and return to the school before ending compulsory school-age*
- j. In custody for more than four months*
- k. 20 days continuous unauthorised absence and both the Local Authority and school have tried to locate the pupil; and*
- l. Left the school but not known where he/she has gone after both the school and the local authority have tried to locate the pupil.*

Schools can only lawfully delete non-compulsory school-age children in the following circumstances;

- a. Left the school*
- b. 20 school-days continuous absence without good reason*
- c. Death of the pupil;*
- d. Permanent exclusion; or*
- e. Child who was admitted to the nursery is not transferring to the reception class.*

School Flow Chart A – 'Schools use for pupils not attending 10 + days'



School Flow Chart B 'Children Missing from Education'

