

Directorate for Children and Young People

Children Missing Education Guidance for schools

*Attendance & Pupil Support Service
Education Safeguarding Team
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1. Background

Section 436A of the Education Act 1996 imposes a legal duty on all local authorities to identify, as far as it is possible to do so, Children Missing Education (CME) and get them back into education.

1. In September 2016, the DfE issued revised statutory guidance (to local authorities) on CME:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf

2. Revised guidance (to schools and local authorities) on attendance has also been issued (in October 2014).

<https://www.gov.uk/government/publications/school-attendance>

3. From June 2013, Ofsted has been implementing a new joint inspection for multi-agency arrangements for the protection of children which will include CME's. In November 2013, Ofsted published a report called "*Pupils missing out on education*":

<http://webarchive.nationalarchives.gov.uk/20141124154759/http://www.ofsted.gov.uk/resources/pupils-missing-out-education>

4. From September 2016 there have been amendments to the Education (Pupil Registration) (England) Regulations 2006 ("the Regulations") in order to improve communication and co-ordination between schools (including independent schools) and LAs.

<https://www.gov.uk/government/consultations/identifying-children-who-are-missing-education>

Additional supportive guidance can be found through the amended keeping Children safe in Education document

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf

The key points are as follows:

1. From Revised DfE guidance on CME – September 2016

- All children, regardless of their circumstances, are entitled to a full time (suitable) education;
- Local authorities should have robust procedures and policies in place to enable them to meet their duty;
- The duty applies to children who are not registered at a school, and are not receiving suitable education otherwise than at a school (ie elective home education);
- The duty only relates to children of compulsory school age;

- Children who are on a school roll, but not attending (regularly), should be followed up by the school in the first instance, and/or referred to the local authority for further action;
- Schools also have safeguarding duties under section 175 of the Education Act 2002 in respect of their pupils, and as part of this should investigate any unexplained absences. Academies and independent schools have a similar safeguarding duty for their pupils.
- Local authorities should undertake regular reviews and evaluate their processes to ensure that these continue to be fit for purpose.

2. From Revised DfE guidance on Attendance – October 2014 (in relation to CME)

- A pupil can lawfully be deleted from the admissions register on the grounds prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006;
- The local authority should be notified in advance of a deletion from school roll, when the school becomes aware that the deletion will be made.

3. From Ofsted report “Pupils missing out on education” – November 2013

Although the report is primarily about children and young people who do not, or cannot attend full-time school education in the usual way, the report recommends that each local authority should:

- Ensure that every child is on the roll of a school, regardless of circumstances, unless parents have elected to educate their child at home.

4. From the “Identifying children who are missing education” amendments to the Education (Pupil Registration) (England) Regulations 2006-September 2016

- Under the proposals set out, schools (including independent schools) will be required to:
 - inform their LA when they are about to delete a pupil’s name from the admission register under all fifteen grounds;
 - record details of the pupil’s residence, the name of the person with whom they will reside, the date from which they will reside there, and the name of the destination school (where they can reasonably obtain this information);
 - inform their LA of the pupil’s destination school and home address if the pupil is moving to a new school; and
 - provide information to their LA when registering new pupils within five days, including the pupil’s address and previous school (where they can reasonably obtain this information).
- The proposals will also give LAs the discretion to require the same information on children leaving or joining the school at standard transition points, which occur when a child of compulsory school age begins school at the start of the first year or leaves at the end of the final year of that school.

- In addition, there are two other proposed amendments relating to sections 8(1)(f)(iii) and 8(1)(h)(iii) of the Regulations which will require 'reasonable enquiries' to identify a pupil's whereabouts to be performed collaboratively between the school and LA where there is continuous absence after a grant of leave.

2. Children Missing Education – Procedures in Kirklees

The work of the Kirklees CME team is broadly organised around “Arrivals” and “Leavers”.

- “Arrivals” are children who are found to be living in Kirklees but are not on the roll of a school or are not being educated otherwise. These are followed up by CME practitioners based within the Education Safeguarding Team who work closely with pupil admissions. The Service practitioner also looks at and assesses the child's (and family's) broader needs. This may involve other services and agencies as required through assessment. When the child is enrolled onto a school roll, the assessment and work which has been completed and still needs to be completed is passed to the school. This supports the school to prepare appropriately for the child and supports the smooth transition into school for the child.
- “Leavers” are children who are/were on the roll of a Kirklees school but have gone missing. At the heart of procedures for CME leavers is the requirement of all schools (and other providers if not yet of compulsory school age) in Kirklees to refer these children to the CME team in line with this guidance.

This guidance (to schools) is primarily aimed at Leavers.

Our objective for Leavers is:

- **To ensure all leavers from Kirklees schools enrol elsewhere as soon as possible, or are tracked to another local authority.**

Leavers can be planned or unplanned.

- A planned Leaver is where parents/carers have advised the school in advance (of the child's last day in school) that their child will cease to attend the school.
- An unplanned Leaver is where parents/carers have not advised the school in advance of a move and the school only become aware of this after the child has ceased to attend.

- ❖ Because schools are not advised to backdate deletions from the register, deletions from the register (i.e. movement to former roll) should be on a planned basis wherever possible. This will minimise disruption to the child's education, but will also avoid children going "missing" from education in the first place. Planned deletions are also advantageous to the school, as they avoid unnecessary absences being recorded in the register.
- ❖ Although the duty only relates to children of compulsory school age, the CME team will accept referrals for children under five, especially where there are known welfare concerns. This allows for a smoother transition and reduces the time spent out of education.
- ❖ Due to the potential safeguarding consequences and the amendments to the Education (Pupil Registration) (England) Regulations 2006, the CME team will challenge schools within Kirklees who have not referred but been identified through reports as removing children from roll with no destination.
- ❖ It is important that schools inform CME if they obtain further information on a child's circumstances after they have been referred to CME.

3. Actions to be taken by the school - Planned leavers

Where parents/carers inform the school that they will be withdrawing their child from school, the school should do the following, depending on the circumstances:

The child/family will be emigrating or permanently returning to the country of origin.

- The school should request in writing from parents/carers confirming the move (including copies of tickets, new address and school applied for), and should delete (move to former roll) the child from the register on the day following the last expected day of attendance. The leave date is the last expected day of attendance.
- The school must inform the Local Authority that the child has been removed from roll, the destination address and if possible the destination school.
- If the school has any concerns regarding the planned emigration these should be discussed with a member of the CME Team or their APSO as soon as possible.
- The school should transfer the child's information to the Lost Pupil Database via the s2s website, using a CTF (Common Transfer File) within 20 days of the removal from roll.

The child will be educated at home.

- Parents/carers should inform the school in writing, preferably using the pro-forma located within the Kirklees Elective Home Education Policy.
- The school should send a copy of the pro-forma/letter to the Attendance & Pupil Support Service (within 2 days), and can delete (move to former roll) the child from the register on the day following the last expected day of attendance.
- This service has on occasion requested schools delay the removal from roll for a two week period from receiving the letter in order for constructive discussion to take place, as there are some cases where issues of dissatisfaction can be resolved, and it may not be in the child's best interests to remove them from school roll immediately.
- The school should transfer the child's information to the Lost Pupil Database via the s2s website, using a CTF (Common Transfer File) within 20 days of the removal from roll.

The child/family will be moving, within Kirklees or out of Kirklees.

- If the new address is within walking distance from the existing school, the child should continue to attend the existing school until a start date has been agreed at the new school. The school should delete (move to former roll) the child from the register on the day following the last expected day of attendance. The leave date is the last expected day of attendance.
- If the new address is not within walking distance from the existing school, and the existing school is no longer the nearest school, parents/carers should be encouraged to continue to send their child to the existing school until a start date has been agreed at the new school. Avenues of support should be looked at and explored to ensure continued attendance – for example a bus pass, support with transport, or later starting time/earlier finishing time to facilitate travel arrangements. If this is not possible then the existing school should consider whether other options (for example E-learning opportunities or work provided for the child to be completed at home) would enable some continuity of learning until a start date has been agreed at the new school.
- If the new address is **not within walking distance** and is an **unreasonable distance to travel** from the existing school, **and** parents/carers have decided they no longer want or require the place at the existing school, the existing school should:
 - Obtain confirmation of this in writing, ensuring that parents are fully aware that their child will no longer be on the roll of any school;
 - Obtain confirmation of **how** the parent intends to educate the child;
 - Once the family has moved, refer the child to CME (following the procedure outlined in section 6, which is on page 11 of this document). The CME team will then be responsible for ensuring that the child is subsequently supported and enrolled elsewhere;

- The school should delete (move to former roll) the child from the register on the day following the last expected day of attendance. The leave date is the last expected day of attendance.
- If the child has not started at another school within 20 school days, the school should transfer the child's information to the Lost Pupil Database via the s2s website, using a CTF (Common Transfer File). If the child does start at another school within 20 school days then the CTF should be transferred to the new school.

4. Actions to be taken by the school - Unplanned leavers

There will be occasions when parents/carers do not inform the school in advance that they have withdrawn their child from school, and the school only becomes aware of this after carrying out some initial inquiries.

Where the school discovers that a child has been withdrawn, it should do the following, depending on the circumstances:

It is believed the child/family has emigrated, or permanently returned to the country of origin.

- It would be unusual for a family to emigrate or permanently return to the country of origin without advising the school in advance, and would therefore raise concerns about the welfare of the child.
- The school should attempt to contact parents through telephone, email, letter, home visit, other family contacts, sibling schools or other professionals known to be working with the family.
- The school should refer the child to the CME team (following the procedure outlined in section 6, which is on page 11 of this document). The CME team, along with the referring School will investigate and if the family are located will aim to advise the school within 10 working days whether the child should be deleted (move to former roll) from the register.
- If children and families are unable to be located then the school may remove from roll after 20 consecutive school days.
- Because backdated deletions from the register are not advised, the school will need to record the absence (authorised or unauthorised) up to the date of the deletion.
- Once the child has been deleted from the register, the school should transfer the child's information to the Lost Pupil Database via the s2s website, using a CTF (Common Transfer File) within 20 school days.

- If, at any point, schools or other professionals believe that the family have emigrated/returned to country of origin for the purpose of a forced marriage, then safeguarding procedures must be followed – see contact details in section 7, which is on page 11 of this document.

The child/family has moved, either within or out of Kirklees.

- If there has been contact with the family and the child has already started at another school, the original school can only delete the child from the register (move to former roll) on the day that the school were informed of this. Because backdated deletions from the register are not advised, the child will be, for a period, on the roll of two schools and should be dual registered for that period.
- If the family are located and the new address is found to be within walking distance from the existing school, the child should continue to attend the existing school until a start date has been agreed at the new school.
- If the new address is not within walking distance from the existing school, and the existing school is no longer the nearest school, parents/carers should be encouraged to continue to send their child to the existing school until a start date has been agreed at the new school. Avenues of support should be looked at and explored to ensure continued attendance – for example a bus pass, support with transport, or later starting time/earlier finishing time to facilitate travel arrangements. If this is not possible then the existing school should consider whether other options (for example E-learning opportunities or work provided for the child to be completed at home) would enable some continuity of learning until a start date has been agreed at a new school.

When a family is found and contacted and if the new address is not within walking distance and is an unreasonable distance to travel from the existing school, and parents/carers have decided they no longer want the place at the existing school, the existing school should:

- Obtain confirmation of this in writing, ensuring that parents are fully aware that their child will no longer be on the roll of any school;
- Obtain confirmation of how the parent intends to educate the child;
- Refer the child to CME (following the procedure outlined in section 6, which is on page 11 of this document). The CME team will then be responsible for ensuring that the child is subsequently supported and enrolled elsewhere;
- The school can then delete (move to former roll) the child from the register. Because backdated deletions from the register are not advised, the school will need to record the absence (authorised or unauthorised) up to the date of deletion;

- The school should also transfer the child's information to the Lost Pupil Database via the s2s website, using a CTF (Common Transfer File) within 20 school days.

The child/family has gone missing, whereabouts unknown.

- The school should refer the child to the CME team (following the procedure outlined in section 6, which is on page 11 of this document).
- The CME team, along with the referring School, will investigate and the CME team will aim to advise the school within 10 working days whether the child can be deleted (move to former roll) from the register.
- The CME team will then be responsible for investigating and ensuring that the child is tracked, traced and subsequently enrolled elsewhere. Because backdated deletions from the register are not advised, the school will need to record the absence (authorised or unauthorised) up to the date of the deletion.
- Once the child has been deleted from the register, the school should transfer the child's information to the Lost Pupil Database via the s2s website, using a CTF (Common Transfer File).
- If children and families are unable to be located then the school may remove from roll after 20 consecutive school days.

5. Leave of absence

Children who are on holiday or leave of absence are not normally regarded as "missing" from education.

In order to minimise the unnecessary transfer of children across schools, Kirklees Council does not recommend deleting children from the register but instead supports the use of Penalty Notices for periods of unauthorised holiday and leave of absence, where appropriate.

However, where schools do intend to delete a child from the admissions register, head teachers are reminded that all deletions from the admissions register must comply with regulation 8 of the *Pupil Registration Regulations 2006*. Schools are advised to follow the Council's guidance on Leave of Absence.

6. How to inform the CME team

Prior to informing the CME team of any child thought to be Missing from Education, schools should attempt to contact parents, other family contacts, sibling schools, and any other professionals known to be working with the family. This will provide useful information when investigating the whereabouts of the family, but will also ensure that the process of tracking, tracing and supporting is dealt with as quickly as possible. It is important, therefore, for schools to maintain an up to date list of contact numbers, email addresses, alternative contacts etc for the children on their school rolls.

In order to refer to this Service, please complete the revised electronic information form, and send (via Anycomms) to the Attendance & Pupil Support mailbox. A copy can be obtained by contacting the team. Again, please provide as much information as possible (for example details of phone calls, home visits, letters sent), as this will not only help us in assessing vulnerability but also help us to respond more quickly.

Where there are known welfare / safeguarding concerns (for example involvement or previous involvement of Children & Social Care, involvement of other agencies, suspicion of forced marriage) please include these on the referral form – if you are unsure, please contact the CME team to discuss.

If you have cause for concern that the child or children may be at significant risk of harm, then schools safeguarding procedures must be followed.

7. Contact details

Attendance & Pupil Support Service

2nd Floor
Kirkgate Buildings
Byram Street
Huddersfield
HD1 1BY
Tel: 01484 221919.

Attendance.pupilsupport@kirklees.gov.uk

Attendance.pupilsupport@kirklees.gcsx.gov.uk

Forced Marriage Unit

<https://www.gov.uk/stop-forced-marriage>

fm@fco.gov.uk

Telephone: 020 7008 0151

From overseas: +44 (0)20 7008 0151

Monday to Friday, 9am to 5pm

Out of hours: 020 7008 1500 (ask for the Global Response Centre)

