



## **CHILDREN MISSING EDUCATION: POLICY AND PROCEDURES**

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### **Who is a child missing from education?**

**2.1** Section 7 of the Education Act 1996 places the following obligation on parents:

*'The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable:*

- (a) to his age, ability and aptitude, and*
- (b) to any special educational needs he may have, either by regular attendance at school or otherwise'*

**2.2** Children Missing from Education (CME) in this document refers to all children of compulsory school age who are either not on school roll or not being educated other than at school e.g. privately or in alternative provision and who have been out of any educational provision for a substantial period of time. It also refers to children who are already attending Nursery or reception classes who are 'missing' from their educational establishment, as well as children of compulsory school age who are on roll at a school and have been missing through unauthorised absence for 10 consecutive days (although a shorter time is appropriate where there are child protection concerns).

### **3. Why do children go missing from education?**

**3.1** Children fall out of the education system and are at risk of 'going missing' due to a wide range of reasons and some examples of which are listed below:

- They fail to start appropriate provision and so never enter the system (e.g. pre-school to Yr 1, new to city and no application made to school);
- Cease to attend, due to exclusion (e.g. illegal or unofficial exclusions) or withdrawal; removal from roll with no named destination; or
- Fail to complete a transition between providers (e.g. being unable to find a suitable school place after moving to a new LA or within Torbay).

**3.2** Certain groups of children are more likely to be affected by the factors listed above and include:

- Young Offenders;
- children of Gypsy, Roma and Traveller families;
- children living in women's refuges;
- runaways;
- children of homeless families living in temporary accommodation;
- children of refugees and asylum seeking families;
- children looked after (including Private Fostering arrangements);
- children of new immigrant families;
- children who are on the child protection register;
- children who do not receive a suitable education whilst being educated at home;
- children who are permanently excluded from school;
- children of parents with mental health problems
- children with long term medical or emotional problems.
- children who have suffered bereavement, trauma, domestic violence or other adverse family circumstances
- children with Special Educational needs

**3.3** When a child is referred to the Attendance Improvement Service by a school or other agency/body as being in danger of going missing from school, the case will be prioritised and case worked until either the child is back in school, all reasonable steps have been taken to track them (and failed) or it is confirmed that the child is without a school place – in which case the procedures identified in Section 11 below entitled 'Tracking and Monitoring Pupils Referred to the Attendance Improvement Service as Being Without a School Place' below will be followed.

#### **4. What we will do as a School**

**4.1** When a pupil is expected to join the school either at a normal time of starting e.g. Nursery or Reception) or at any time and s/he does not arrive, the school will firstly try to make contact with the parents by phone or letter. If after one week no contact has been made the school will contact Admissions and Student Services to find out if the child had been registered elsewhere. After two weeks (10 school days) the school will complete a referral to the Attendance Improvement Service (See Appendix B) who will follow the procedures for 'missing pupils'. The pupil **will not be removed from roll** until the AIO has ascertained the pupil's whereabouts and safety and has confirmed that the pupil is registered at another school, is being educated otherwise or *at the very minimum has made reasonable enquiries as to the missing child's whereabouts and been unable to trace them.*

**4.2** If a pupil is absent for a prolonged period or fails to return from a holiday the

school will follow the normal procedures for investigating pupil absence (i.e. telephone calls, letters, invitations to meetings at the school etc). If the child does not return to school the matter will be referred to the Attendance Improvement Service within two weeks and the AIO will follow the procedures for 'missing pupils'. The pupil **will not be removed from roll** until the AIO has ascertained the pupil's whereabouts and safety or has made reasonable enquiries to this end.

**4.3** If a pupil 'disappears' without any warning the school will immediately notify the Attendance Improvement Service. If there are safeguarding concerns, a referral will be made directly to Torbay Children Services by telephoning 01803 208100.

**4.4** A CME form will be completed by the School when:

- The school has been informed that a child is moving out of area but the details of the new school are not provided.
- The school has been informed that the child is moving out of area, details of the new school are provided but after 15 days, no confirmation has been received.

**4.5** There are strict rules on when schools can delete pupils from their Admissions Register. These are outlined in Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 and amendments. A summary of these is provided in Appendix A.

**4.6** When a pupil is deleted from the Admission Register the school will clearly indicate the date and the reason for the removal from roll. In the event of a pupil moving to another school, the name of the school should be indicated and the pupil's records should be sent to the new school within 15 days. Where the pupil is subject to a child protection plan or there are safeguarding concerns and the school holds a child protection file this must be sent to the new school as soon as possible. If a child's name is removed from the school roll the LA must be informed.

**4.7** Admissions and Student Services will be informed:

- In the event of a parent informing the school that s/he is removing the child to educate him/her at home the Admissions and Student Services Officer will be informed by email to [pupil.services@torbay.gov.uk](mailto:pupil.services@torbay.gov.uk) or by post to The Town Hall. The name will then be placed on the database. Arrangements will then be made by the Education Other Than At Schools (EOTAS) Co-ordinator for the LA to satisfy itself that the education being provided is 'suitable and efficient'.
- If the pupil has moved or transferred and is on roll at another school *Admissions and Student Services* will be informed by email to [pupil.services@torbay.gov.uk](mailto:pupil.services@torbay.gov.uk).
- If the pupil is to be removed from roll for any other reason the AIO will be informed of the proposed deletion and given time to make appropriate enquiries about the child's whereabouts.

- School, in liaison with their allocated AIO will investigate fully all cases of non attendance at school and **will never remove a pupil from roll until this has been done.**

**4.8** School will monitor all deletions from school roll by race, ethnicity, gender, SEN and disability to ensure that we are fulfilling our obligations under the Race Relations (Amendment) Act 2000 and the Special Educational Needs and Disability Act (2001).

**4.9** If the school learns of a school aged pupil without a school place (e.g. a sibling or friend of a current pupil, or a child on its waiting list) the school will inform *Admissions and Student Services*.

**4.10** If a pupil is resident of another Local Authority it is the school's responsibility to notify the Local Authority that pupil resides in of any of the circumstances above.

The school will not Remove a child from roll for any reason other than those specified above.

**4.11** The DfE has stated that it is no longer acceptable for schools to back date the off roll date to the beginning of enquiries once it is agreed a pupil can be removed from roll. The School can only back date the date of removal to when confirmation has been received.

## **5. The use of s2s and the Lost Pupil Database**

The School to School (s2s) website is a secure website, which is operated by the DfE on behalf of all maintained and independent schools (including academies) in England and Wales. It was set up in to enable schools to post standardised data about individual pupils (such as assessment results and attendance) to the website, for retrieval by the pupil's new school, or by a local authority. The specified format of this data is termed an electronic Common Transfer File (CTF) and is a statutory requirement on schools. This file can be imported into the schools Management Information System (MIS) and means that they do not have to input data they receive via the website, which in turn means improved efficiency, accuracy and speed of data transfer. The CTF should be used both at the normal transfer time, and when pupils leave the school during the year.

Advice about the s2s and CTF system can be obtained from the Local Authority schools administrative support & ICT service.

**5.1** When the school knows which school a pupil is moving to it will ensure that the Common Transfer File (CTF) is sent to the receiving school via S2S as quickly as possible. The new school may then apply for the full school record.

- 5.2** If the new school is unknown the CTF will be coded XXXXXXXX (destination unknown) or MMMMMMMM (moved to Independent Sector or out of country including Scotland) and uploaded onto S2S in the normal way. These records are then stored in a secure area of S2S known as the Lost Pupil Database. If a CTF file is rejected the school will recode the file MMMMMMMM.
- 5.3** The School will check S2S regularly to look for the CTF's of new pupils which have been sent to them. If a new pupil is admitted and the CTF is not available the school will request that their allocated AIO or the LA Education Data Management team search the Lost Pupil Database for the pupil's CTF which can then be forwarded to the school.

## **6. Excluded pupils**

- 6.1** The Admissions Officer must be informed of all exclusions from school (both permanent and fixed term). The school will follow the DfE statutory Guidance on Exclusion from School. In the event of a pupil being excluded for a fixed term, work will be provided and if the exclusion is for more than 15 school days the DfE expects that full time education will be provided. If the school is imposing an exclusion of more than 15 school days the Admissions Service will be informed of the arrangements that are being made for the pupil's education during the exclusion. During any period of fixed term exclusion or period the school continues to hold the same responsibilities for safeguarding and child protection e.g. attending and submitting reports for initial child protection conferences and core group meetings.
- 6.2** If the exclusion is permanent the school will notify the Admissions Service... The pupil will then be considered by the Pupil Referral Unit (PRU) Placement Panel (*which meets monthly*) and appropriate full time provision will be identified. Pupils will be tracked by the panel until they are placed on the roll of a PRU or other alternative provider.
- 6.3** In the event of either a fixed term or permanent exclusion, where the pupil is open to Children's Services the school will notify the social worker/case worker of the decision immediately.

## **7.0 Tracking and monitoring pupils referred to the Attendance Improvement Service as being without a School place**

- 7.1** On receipt of the Children Missing Education form the EMS database will be checked. If the recorded school is different from the last known school then the recorded school will be asked if the pupil is on roll.
- 7.2** If EMS shows the pupil is out of school a check will be made with:
- Admissions and Student Services
  - The Traveller Education Service
  - EOTAS Co-ordinator

As appropriate to see if the child is known and what educational provision is being made.

- 7.3** If the pupil is not known to any of the above, the Attendance Improvement Service will investigate the circumstances of the pupil being out of school and the pupil and parent wishes for provision. The pupil will be logged on the Children Missing Education spreadsheet.
- 7.4** An AIO will carry out a home visit to the family in order to try and secure a placement. If residency cannot be determined by visiting, other checks may be carried out in collaboration with colleagues from other relevant agencies. These checks are carried out in accordance with the following legislation:
- Current Child Protection legislation, which states that any child missing from education is deemed to be a 'Child in Need'.
  - Section 27 of the Children Act 1989, which states that a local authority may request help from any LEA and other agencies in exercising their duty to provide support and services to children in need and that Education staff have a duty to gather information regarding concerns.
  - Section 7 of the Education Act 1996, which states that it is the duty of the parent of every child aged five to sixteen to cause the child to receive efficient, full-time education, suitable to his or her age, ability or aptitude and to any special needs he/she may have, either by regular attendance at school or otherwise.
  - The Children Act 1989 which states that all public agencies should work together, exchange and share information for the welfare and protection of children in the area.
- 7.5** Every effort will be made to secure an appropriate school place and where necessary the procedures outlined in the Hard to Place Protocol will be followed. If necessary, legal action or a School Attendance Order will be considered in order to ensure a child attends.
- 7.6** In the event of a child being 'missing' the AIO will liaise with relevant agencies such as the Children's Social Care Teams and the police and undertake home visits in order to comply with the Children Missing Education policies and procedures. The case will not be closed until the child is securely on roll in a school or other appropriate provision; or reasonable attempts have been made and failed to track the missing pupil.
- 7.7** The details of any child found to be resident outside of Torbay are referred to their responsible Local Authority.

## Appendix A

### Deletions from Admission Register

The Education (Pupil registration) (England) Regulations (2006) provides the regulations as to when a school can delete a child from their admission register.

Below is a summary of these regulations, full details can be found at <https://www.education.gov.uk/publications/eOrderingDownload/UKSI-20061751.pdf>

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 the school system.
- h. failure to return for an extended family holiday after both the school and the local authority 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 on 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.

School will 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.

## Appendix B



### Children Missing Education Referral

Please use this form to notify the Local Authority of any child you believe is missing from education. Don't worry if you don't know all the details - fill in as much of the form as you can and send it to your allocated Attendance Improvement Officer or the relevant locality team whose addresses and contact details are listed at the bottom of this form.

A child who is 'missing education' is a child who is not receiving a suitable education either through school, alternative provision or home education.

Name of child  DOB

Previous/alternative Surname  Gender

Name of siblings  DOB

Name of Parents/Carers

Contact numbers

Current/Last known address

Possibility of where child/family might have moved to

Is the child subject to a Child Protection Plan or are there any other services involved with the family? I.e. GP, Social Worker etc :

What actions has the referrer taken to locate the child? I.e. have parents, other Local Authority and admissions been contacted? (Please attach copies of any relevant information or correspondence).

I have contacted the School Attendance Service and Safeguarding. Details of these contacts are:

**Referrer details**

Name of referrer

Job title

School/Agency

Contact details

Date

Please post this form to Attendance Improvement Service, c/o Torquay Town Hall, Castle Circus, Torquay, Devon, TQ1 3DR or email [attendance@torbay.gov.uk](mailto:attendance@torbay.gov.uk).

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**SIGNED: ..... Chair of Governor's**