

SHROPSHIRE COUNCIL CHILDREN MISSING EDUCATION

POLICY(GUIDANCE) AND PROCEDURES 2017 *Identifying and maintaining contact with children missing or at risk of going missing from education*

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1. Introduction

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

Children missing education (CME) are at significant risk of underachieving, being victims of abuse, and becoming NEET (not in education, employment or training) later on in life.

This document outlines the robust procedures that are to be followed within Shropshire to identify, locate and engage children who are missing education and to ensure that Shropshire Council is effectively meeting its obligations under the Education Act (1996).¹

The purpose of section 436A of the Education Act 1996 is to ensure that local authorities' (LA) have arrangements in place which enable them to establish the identities of children in their area who are not registered pupils at a school, and are not receiving suitable education otherwise than at a school. The LA should consult the parents of the child when establishing whether the child is receiving suitable education.

Local authorities should have procedures in place to prevent children becoming CME. Those children identified as not receiving suitable² education should be returned to full time education either at a school or in alternative provision. This duty only relates to children of compulsory school age³.

This policy document is designed to ensure that in Shropshire, there is a clear, multi-agency route in place accessible to and understood by all, outlining the procedures to follow should a child who is missing from education in Shropshire be identified. The Children's Act 2004⁴ places a duty on all agencies to work together to promote the welfare of the child and to share information to support this requirement. It is anticipated that all agencies working in Shropshire will work with the Education Access Service to support this policy and follow the procedures outlined below in order to safeguard the education of children residing in Shropshire.

¹ Education Act (1996) (school attendance) Section 436a, Chapter 2, Part 6

² Suitable education' means efficient full-time education suitable to the child's age, ability and aptitude and to any special educational needs the child may have

³ A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March they are of compulsory school age on 31 March; if they turn 5 between 1 April and 31 August they are of compulsory school age on 31 August. If they turn 5 between 1 September and 31 December, then they are of compulsory school age on 31 December. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen.

⁴ The Children's Act 2004, Section 10

2. Definition

The children missing education that are the focus of this document, are;

- Children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school, for example, at home, privately, or in alternative provision.
- Children of compulsory school age who are on a school roll but have not attended for a period of 20 consecutive school days (recorded as unauthorised absence) and the whereabouts of the family is unknown
- This document does not apply to children who are registered at a school but who are not attending regularly.

3. Ways that children go missing from education

Children can go missing either when they fail to register with a school, or when they fall out of the education system and there is no systematic process in place to identify them and ensure they re-engage with appropriate provision. Their personal circumstances or those of their families may contribute to the withdrawal process and the failure to make a successful transition. For example because of:

- **Failure to start appropriate provision and hence never enter the system**
- **Inappropriate removal from roll**
- **Parent/Carer withdrawal from the school roll with no named destination**
- **Failure to find educational provision when moving to a new address within Shropshire or on arrival in Shropshire from another authority or country**

4. Children at particular risk of missing education

There are many reasons why a child may become missing from education, however some children living in certain circumstances are at greater risk of becoming CME. Amongst these are: (this list is not exhaustive)

- **Pupils at risk of exploitation/harm/neglect**
Children may be missing from education because they are suffering from abuse or neglect. Where this is suspected schools must follow the child protection procedures. If there is reason to suspect that a crime has been committed or the child's safety is at risk, the police should always be involved. The Department's statutory guidance Working Together to Safeguard Children (2015) is available on the Department's website⁶.

- **Children of Gypsy, Roma and Traveller (GRT) Families**

Research has shown that many children from these families can become disengaged from education, particularly during the secondary school phase. It is therefore vital that schools inform the LA when a GRT pupil leaves the school without identifying a new destination school, particularly in the transition from primary to secondary so that they can attempt to facilitate continuity of the child's education. Although many are settled, some GRT families move regularly and their children can be at increased risk of missing education. School should seek advice from the Education Access Service before the deletion from roll takes place to ensure the child is genuinely missing and not travelling. The EAS Advisory Teacher for Traveller Children will advise schools on the best strategies for ensuring the minimum disruption to GRT pupils' education, for example dual registration with other schools or the provision of electronic or distance learning packages where these are available.

- **Families of Armed Forces**

Families of members of the Armed Forces are likely to move frequently – both in UK and overseas and often at short notice. The LA will contact the MOD Children's Education Advisory Service (CEAS) for advice on making arrangements to ensure continuity of education for those children when the family moves.

- **Missing children/runaways**

Children who go missing or run away from home or care may be in serious danger and are vulnerable to crime, sexual exploitation or abduction as well as missing education.

- **Children and young people supervised by the Youth Justice System** Children who have offended or are at risk of doing so are also at risk of disengaging from education. The Youth Offending Service (YOS) are responsible for supervising those young people (aged 8 to 18). Where a young person was registered at a school prior to custody, the school may keep the place open for their return.

5. Parents' responsibilities

Parents have a duty to ensure that their children of compulsory school age are receiving an efficient full-time education. The majority of parents chose to fulfil this duty by enrolling their child at a school. However, some parents may elect to educate their children at home.

Parent is defined in Section 576 of the 1996 Education Act as:

- all natural parents, whether they are married or not
- any person who, although not a natural parent, has parental responsibility for a child or young person
- any person who has care of a child (having care of a child or young person means that the child lives with and is looked after by that person, irrespective of their relationship).

6. Role and responsibilities of Schools

Where schools do not subscribe to SIMS and/or local authority system support services, it is the responsibility of the school proprietor to provide such data as required to the local authority.

6.1 Transition between schools and education providers

- Children transferring between providers within Shropshire will not be removed from their current register until they are entered on the register of the new provider.
- Schools should endeavour to elicit details of address, D.O.B and previous and potential providers when children are moving in and out of their school.
- Whenever a pupil joins or leaves a school a Common Transfer File (CTF) **must** accompany them.
- Whenever a pupil leaves a school a Removal of School Age Pupil form must be completed.
- When application is made to a school for a child moving into the County the Admissions Team must be informed. When such a child is entered on the school register the information must be entered onto the SIMS system (or other IMS used by the school).

6.2 Independent Schools

Shropshire Council will request that independent schools in the County inform the Children and Young People's Services Directorate of any child who:

- has left the school to be educated at home.
- has been absent for 4 weeks and the school is looking to delete him/her from the register.

6.3 Keeping School Registers and Deletions

In order to identify children at risk of going missing from education and then to intervene appropriately, it is crucial that school registers are accurately recorded.

All Shropshire schools and PRUs must register children using the absence codes and guidance set out by Department of Education (DfE).

There are strict rules as to when schools can delete pupils from their admissions register. The revised Education (Pupil Registration) (England) (Amendment) Regulations 2016 came into effect on 1 September 2016.

The changes affect all non-standard transitions, that is whenever a child of compulsory school age leaves a school before completing the school's final year or joins the school after the start of the first year. From 1 September 2016, all schools (including academies) are required to:

- inform their LA when they are about to delete a pupil's name from the admission register under any of the fifteen grounds (Regulation 8 of the 2006 Regulations) (Appendix 1).
- 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
- 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)

7. Role and responsibilities of the Education Access Service (Local Authority)

The role of the Education Access Service (EAS) is to ensure that all children within Shropshire are in receipt of a full time education. The EAS will also ensure the correct procedures are followed when a pupil is removed from roll from a Shropshire school.

In undertaking this role on behalf of Shropshire local authority, EAS will;

- Monitor the number of children/young people that the authority are aware of who are not receiving a suitable education
- Receive referrals from professionals and the general public regarding children missing from education
- Receive information from schools on children who are absent from school and no contact can be made with parent/carer to establish reason for absence
- Ensure details of any Child Missing from Education (CME) are recorded on our database
- Carry out appropriate checks to trace such child and establish their educational provision
- Serve notice on parents requiring them to satisfy the LA that their child is receiving suitable education when the LA becomes aware of a child possibly not receiving a suitable education
- Take appropriate legal action in cases of non-cooperation from parents/carers
- Ensure schools and professionals are aware of, understand and correctly follow existing procedures on CME
- Challenge those systems and procedures that are identified as preventing children being returned swiftly to suitable education provision
- Challenge appropriately where pupils are prevented from accessing an education
- Ensure there are clearly defined links and procedures in place to deal with cross border enquiries
- Identify and strengthen links with external agencies to ensure CME are quickly traced and minimise delay in returning them to education
- Liaise with other named CME Officers from LAs across the country

8. Identifying and maintaining contact with children at risk of going missing from education

The local authority will regularly interconnect with the DfE's central s2s (school to school) Lost Pupil Database. Any children identified as missing education on this list will be routinely followed up.

In Shropshire the ONE Education Management System data base receives and outputs information on Children Missing Education. This will usually occur through the uploading of attendance data from schools' SIMS systems.

The Systems Administrator will inform the Admissions Team and the Education Access Service of all children without a registered base identified on the ONE data base on a monthly basis.

The procedures in this document should ensure that children are protected from going missing from education, however the following points should be noted:

Information about children moving in, out and around the county and those marked absent on school registers, must be fed into the appropriate systems. Key agencies and departments with responsibilities in this area are:

- **Primary Care Trust**
 - **Schools**
 - **Pupil Referral Units**
 - **Admissions Team**
 - **Education Access Service**
 - **Refuge Managers**
 - **Domestic Violence Co-Ordinator**
 - **Police**
 - **Armed Services Welfare Departments**
 - **Multi Agency Teams, Children and Young People's Services**
 - **Social Care, Children and Young People's Services**
 - **Looked After Children's Team**
 - **Inclusion Services, Children and Young People's Services**
- When an application is made to the Admissions Team for a child moving into the County they will be entered onto the EMS/ONE system.

9. Children absent from education

Schools, PRUs, the Education Access Service and alternative education providers should always seek to identify children at risk of going missing from education and intervene with pupils as soon as an irregular attendance pattern emerges.

- Where children are absent from school, the school should in the first instance follow up the absence.
- If the school is unable to locate the child, or address an ongoing attendance problem, a referral should be made to the EAS.
- The Education Access Service will work with schools, children, families and other agencies to identify those children at risk of going missing from education. They will assess reasons for absence, facilitate appropriate provision, improve school attendance and locate missing children. When required, legal action will be implemented.
- For details of when a pupil may be deleted from a school register refer to the section **6.3 Keeping School Registers and Deletions**.
- In the event of a child leaving the school with no known destination the school must refer the case to the Education Access Service using the Removal of School Age Pupil form and enter the information onto the S2S database accompanied by a CTF.

10. Alternative to school provision

- Where children are educated off the site of the school they are registered in, that school is responsible for ensuring such provision is being accessed e.g. vocational courses at college and work experience placements.
- Schools should ensure that they have in place, arrangements whereby the provider of the alternative activity can notify the school of any absences so that the school can record the pupil absence using the relevant code.
- In cases where a child is dual registered at two schools or PRU, both institutions share responsibility for the child. The school where the child is expected to attend is responsible for accurately recording the pupil's attendance and chasing up non-attendance.

11. Excluded Children

- Where children are excluded from school for a fixed term it is the responsibility of the excluding school to provide education for this period.
- Permanently excluded pupils should remain on the register of the excluding school until:
 - a) the child is in attendance at another provider or
 - b) fifteen days following the Governors' Discipline Committee has met where there has been no representation from the parent to appeal against the decision not to reinstate the pupil.
 - c) the outcome of the parents' appeal against the Governors' decision to reinstate has been heard by the Independent Appeal Panel.
 - d) When a permanently excluded child is removed from the school register the school will inform the local authority in writing by emailing Samantha.benniman@shropshire.gov.uk or post to Education Access Service, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND.

12. Refuges and Safe Houses

- Refuge managers should forward details of children moving in and out of the refuge to the Admission Team's identified contact officer.
- Such children are entered onto the SIMS system by the school they register with.

13. Looked After Children

The Virtual School for Looked After Children (VSLAC) oversees the educational attainment and progress of those looked after children for whom Shropshire local authority hold responsibility. The team is also able to offer limited help and advice for looked after children living in Shropshire but placed here by another local authority. Shropshire's looked after children are regularly tracked and monitored by the VSLAC team, with school attendance being a major factor in this work.

- The Independent Review Unit informs the VSLAC of all children who come into the looked after system.
- The placing authority of looked after children moving into Shropshire informs the VSLAC of children moving into the County. Where these children are not in receipt of education they will be entered onto the ONE database as CME.

14. Monitoring and evaluation

- Children and Young People's Services will review the process and numbers of children missing education on regular basis; initially this will be every term.
- Elected members and the Directorate Management Team will be informed of the numbers of children missing education on an annual basis via the Education Assurance Report.

Named Contact

Christine Kerry, Education Access Service Manager is the named contact point to receive details about children missing education.

Annexe A - CME guidance DfE

Grounds for deleting a pupil of compulsory school age from the school admission register set out in the Education (Pupil Registration) (England) Regulations 2006, as amended

1. 8(1)(a) - where the pupil is registered at the school in accordance with the requirements of a school attendance order, that another school is substituted by the local authority for that named in the order or the order is revoked by the local authority on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his age, ability and aptitude otherwise than at school.
2. 8(1)(b) - except where it has been agreed by the proprietor that the pupil should be registered at more than one school, in a case not falling within sub-paragraph (a) or regulation 9, that he has been registered as a pupil at another school.
3. 8(1)(c) - where a pupil is registered at more than one school, and in a case not falling within sub-paragraph (j) or (m) or regulation 9, that he has ceased to attend the school and the proprietor of any other school at which he is registered has given consent to the deletion.
4. 8(1)(d) - in a case not falling within sub-paragraph (a) of this paragraph, that he has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school.
5. 8(1)(e) - except in the case of a boarder, that he has ceased to attend the school and no longer ordinarily resides at a place which is a reasonable distance from the school at which he is registered.
6. 8(1)(f) - in the case of a pupil granted leave of absence in accordance with regulation 7(1A), that —
 - (i) the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted;
 - (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and
 - (iii) the proprietor and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.
7. 8(1)(g) - that he is certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither he nor his parent has indicated to the school the intention to continue to attend the school after ceasing to be of compulsory school age.

8. 8(1)(h) - that he has been continuously absent from the school for a period of not less than twenty school days and —
 - (i) at no time was his absence during that period authorised by the proprietor in accordance with regulation 6(2);
 - (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and
 - (iii) the proprietor of the school and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.
9. 8(1)(i) - that he is detained in pursuance of a final order made by a court or of an order of recall made by a court or the Secretary of State, that order being for a period of not less than four months, and the proprietor does not have reasonable grounds to believe that the pupil will return to the school at the end of that period.
10. 8(1)(j) - that the pupil has died.
11. 8(1)(k) - that the pupil will cease to be of compulsory school age before the school next meets and—
 - (i) the relevant person has indicated that the pupil will cease to attend the school; or
 - (ii) the pupil does not meet the academic entry requirements for admission to the school's sixth form.
12. 8(1)(l) - in the case of a pupil at a school other than a maintained school, an Academy, a city technology college or a city college for the technology of the arts, that he has ceased to be a pupil of the school.
13. 8(1)(m) - that he has been permanently excluded from the school.
14. 8(1)(n) - where the pupil has been admitted to the school to receive nursery education, that he has not on completing such education transferred to a reception, or higher, class at the school.
15. 8(1)(o) where—
 - (i) the pupil is a boarder at a maintained school or an Academy;
 - (ii) charges for board and lodging are payable by the parent of the pupil; and
 - (iii) those charges remain unpaid by the pupil's parent at the end of the school term to which they relate