

PROTOCOL FOR CHILDREN MISSING EDUCATION

Division: Children's Services
Author: Vivian Trundell
Responsible Manager: Vivian Trundell

Date created: September 2010
Date last reviewed: September 2017
Date of next review: September 2018
Version Number: 9

Approved by: Atifa Sayani Education Champion



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**CHILDREN'S Services
Education Entitlement Team**

PROTOCOL FOR CHILDREN MISSING EDUCATION

Introduction

As a Local Authority, we have a duty under section 436A of the Education Act 1996 to establish (so far as it is possible to do so) the identities of children in our area who are of compulsory school age but who are not registered pupils at a school or receiving some other form of suitable education. This protocol is intended to inform Local Authority staff, schools, Headteachers, Governing Bodies and other agencies about how we minimise and prevent "Children Missing Education" (CME). It relates to children who are of Statutory School Age who do not currently have a school place or their provision is unknown. It should be read in conjunction with: Children Missing Education Statutory Guidance for Local Authorities, DFE September 2016. This protocol is part of a suite of documents used by Buckinghamshire County Council to support our statutory duties see appendix C.

Purpose

The purpose of this document is to make sure that children not receiving a suitable education are identified quickly, and effective tracking systems and support arrangements are put in place.

Children not receiving a suitable education are at increased risk of a range of negative outcomes that could have long term damaging consequences for their life chances.

Buckinghamshire County Council is committed to ensuring that all pupils who go missing from schools in the County, or who disappear from other counties and may have arrived in Buckinghamshire, are speedily located, ensuring that:

- The whereabouts are known of all pupils who go missing, who move to other areas or who are lost from schools in Buckinghamshire.
- Partnership is established with other local authorities (LAs) and agencies to locate missing/lost pupils who may have moved across boundaries.
- Children Missing Education are identified and that suitable provision is made for the child's educational needs.

Legislation & Guidance

All schools (including academies and free schools) should inform their local authority of any pupil who is going to be deleted from the admissions register where for example they:

- Have been taken out of school by their parents and are being educated outside the school system e.g. home education
- Have ceased to attend school and no longer live within reasonable distance of the school at which they are registered
- Have a medical condition certified by the school medical officer that the pupil is 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 compulsory school age
- Are in custody for a period of more than four months due to a final court order and the proprietor does not reasonably believe they will be returning to the school at the end of that period
- Have been permanently excluded.

A full list of the grounds for deletion are prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006, as amended. (Appendix B). The local authority should be notified in advance of the deletion, when the school becomes aware that the deletion will be made.

All schools (including Academies and independent schools) must agree with the relevant local authority the regular interval that the school will inform the local authority of any pupil who fails to attend school regularly or has been absent without the school's permission for up to 10 days.

Details of legislation and guidance relating to children missing education can be found at Appendix A.

Children at particular risk of missing education:

Children missing education 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.”

There are many circumstances where a child may become missing from education so it is vital that local authorities make judgement on a case by case basis. The list (is not exhaustive) below presents some of the circumstances that local authorities should consider when establishing their CME practices and policies:

1. Pupils at risk of harm/neglect - Children may be missing from education because they are suffering from abuse or neglect. Where this is suspected schools should follow local child protection procedures. Local authority officers responsible for CME should check that a referral has been made and, if not, they should alert children's social care. If there is reason to suspect that a crime has been committed or the child's safety is at risk, the police should also be involved. Please see the link in appendix A for guidance on "Forced Marriage" and Buckinghamshire Safeguarding Children's Board for other related protocols on issues affecting children's safety, such as "Female Genital Mutilation" and "Child Sexual Exploitation". The Department's statutory guidance Working Together to Safeguard Children (2015) is available on the Department's website.

2. 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. Local authority CME officer can advise schools on the best strategies for ensuring the minimum disruption to GRT pupils' education, for example dual registration with other schools.

3. 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. Schools and local authorities should contact the MOD Children's Education Advisory Service (CEAS) on 01980 618244 for advice on making arrangements to ensure continuity of education for those children when the family moves.

4. 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.

5. 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. Local authority Youth Offending Teams (YOTs) are responsible for supervising those young people (aged 8 to 18). YOTs should work with the local authority CME officer to ensure that children are receiving, or return to, appropriate full-time education. Where a young person was registered at a school prior to custody, the school may keep the place open for their return.

Elective Home Education

Some parents decide to provide suitable education for their children by educating them at home. In Buckinghamshire the Elective Home Education service keep a data base of all children educated at home. Further information and advice can be found at

http://www.buckscc.gov.uk/bcc/schools/home_education.page

Identifying Children Missing from Education

Buckinghamshire County Council has a duty to make arrangements to enable them to establish (as far as it is possible to do so) the identities of children residing in their area who are not receiving a suitable education. In relation to children, 'suitable education' means efficient full time education suitable to her/his age, ability and aptitude and to any special educational needs a child may have.

Where children have left a Buckinghamshire school with no known destination and are untraceable by professionals, along with children who may have moved from other LA areas to an unknown destination in Buckinghamshire, the Children Missing Education Officer will liaise with external agencies to trace them, although the responsibility for identifying and supporting CME cases is shared across all agencies and services.

Information about children not receiving a suitable education can be received from within local authority boundaries from colleagues within schools, members of the public, the local authority and other agencies or other local authorities around the country.

In respect of information sharing all services and agencies should follow the agreed procedures for information sharing laid down in the Buckinghamshire Multi-Agency Data and Information Sharing Protocol for Children and Young People.

The CME Officer will work with schools and other outside agencies to raise awareness of Children Missing Education and their roles in identifying and responding to the needs of children missing from education.

Many, if not all, local authority services and partners have some level of responsibility around the issue of Children Missing Education. Whenever anybody becomes aware of any child or young person who does not appear to have education provision they should make a referral to the Children Missing Education Officer.

Members of the public are also encouraged to make referrals where they have reason to believe that a young person is not in education.

Notification and Referral Procedures

The Children Missing Education Officer must be notified of any children thought to be missing from education through the following routes:

Contact the Children Missing Education Team on: 01296 383098

Email: childrenmissingeducation@buckscc.gov.uk

Schools Website: [https://schoolsweb.buckscc.gov.uk/childrens-services/children-missing-education-\(cme\)/](https://schoolsweb.buckscc.gov.uk/childrens-services/children-missing-education-(cme)/)

Public Website: <http://www.buckscc.gov.uk/education/education-support/children-missing-education/>

Once a referral is received the child's details will be checked against the Authority's pupil information system (ONE) and when a child has been confirmed as missing education they will be added to the CME database.

The CME database comprises information on children who have been:

- Identified as missing from education.
- Who have been removed from roll where future educational provision is unknown.
- Who have not started at a school following one of the key transitional points.
- Children who are waiting for a school place

School Referrals

Where schools are notified by parents/carers that a pupil is to leave the school, every effort must be made to establish what arrangements are being made for the pupil's continuing education. In the vast majority of cases the pupil will be transferring to another school, often one within the authority. In these cases, schools should communicate with the new school to establish the date on which the pupil is to start so the date for deletion from the old school can be determined.

Deletions from the admission and attendance registers must be made in line with the provisions of Register Regulations 2006, which can be found at: <http://www.legislation.gov.uk/ukxi/2016/792/contents/made> and apply to all schools in England, including independent schools.

Schools and Local Authorities must work **jointly** to identify CME. If the destination is not known the School, after 10 days of continual absence and where all checks have been completed, should send the CME1 form to the Children Missing Education Officer. (CME1 includes a check list for schools to complete before submitting to the Local Authority) The Children Missing Education Officer will complete their procedures. Once all reasonable efforts have been made to find the child a decision will be made as to whether the child can be deleted from the register in line with current legislation.

If it is not known where a pupil has moved to, the school must create a Common Transfer File using XXXXXX as the destination and must upload this onto the S2S secure site so that the pupil's details can be stored in the Missing Pupils Database.

If the child has an allocated social worker and has an unknown destination, schools must make immediate contact with the child's Social Worker and then refer to Children Missing Education team.

Children Missing Education Referrals other than from Schools

Any referrals other than from schools should be forwarded to the Children Missing Education Officer by telephone, secure email, letter or by using the CME referral form CME1.

Tracking Children Missing from Education

The following processes are followed:

- Missing pupil database lists generated by the Children Missing Education Officer are monitored regularly.
- All cases are shared with the Multi Agency teams which comprises of the following services, teams and agencies as appropriate:

Teams within Buckinghamshire County Council such as:

Youth Offending Service
Elective Home Education
County Attendance Team
Admissions
SEN
Education of Children in Public Care
Social Care / First Response

Alongside these services the Children Missing Education Officer will where appropriate liaise with the following teams in identifying, tracking and monitoring Children Missing Education.

OLEA

Primary Care Trust
Schools

Youth Offending Service

Police Service

Housing Services

Community Safety Teams

Revenue & Benefits

Any other agency known to be involved with the family

Checks made with any local authority to which a child may have moved

Inland Revenue

UK Border Agency

In the case of children from families of those in the Armed Forces, check with the Children's Advisory Service (CEAS) on 01980 618244.

Additionally the Children Missing Education Officer will attempt to make direct contact with the child's family by telephone, letter and home visiting.

Enquiries will be made of any known emergency contacts held by a school, and where appropriate enquiries will be made of neighbours.

The Children Missing Education Officer will also carry out checks against the s2s site.

Recording CME

The CME database statistics are recorded and reviewed on a monthly basis.

Supporting Children Missing Education

Once a young person has been found and they are without educational provision they will, in the majority of cases, be expected to join a mainstream school via the normal admissions process.

Where necessary the Local Authority's Admissions Fair Access Protocol will be used. This ensures the most vulnerable young persons are offered a place at a suitable school and that all schools in an area admit their fair share of children with challenging behaviour. Further information regarding school admission can be found at

<http://www.buckscc.gov.uk/education/schools/admissions-and-moving-school/>

However, should they be deemed vulnerable, challenging or hard to place in any way their name will go forward to the Fair Access Board to enable that young person to re-engage with education. Where appropriate an Exclusions & Reintegration Officer will support this process.

Where the child has an EHC plan or Statement of Special Educational Needs, the case will be referred to the Special Educational Needs department. Schools should contact their attached officer or email sen@buckscc.gov.uk telephone 01296 382269.

Child traced

If a child has previously been referred to the Children Missing Education Officer and has now been traced, please send details to the Children Missing Education Officer as soon as possible so that records can be amended.

Untraced CME

CME not traced within two months will be shared with social care.

CHILDREN MISSING EDUCATION FLOWCHART
Procedures carried out by CME Officer



**CHILDREN MISSING EDUCATION (CME)
SCHOOL NOTIFICATION FORM**

This form is to be used by schools to notify the LA when a child's whereabouts are unknown. Please email childrenmissingeducation@buckscc.gov.uk. Any queries:- 01296 383098.

| | |
|------------------------------------|---------------------------|
| Pupil's Name: | D.O.B |
| School: | |
| Most Recent Address: | |
| | |
| Date last in school: | |
| Parents' Names: | |
| Telephone Nos : | |
| Parental email(s) : | |
| Emergency contact details: | |
| | |
| Possible New Address: | |
| | |
| Telephone No: | |
| | |
| Concerns: | |
| | |
| Any Additional Information: | |
| | |
| Date: | Form completed by: |
| | Position: |

Please complete **Missing Pupils Checklist for Schools** before sending this form.

Checklist (Schools)

Missing Pupils Checklist for Schools

Pupil Name:-

| | Procedure | Date | Outcome |
|----------|---|-------------|----------------|
| 1 | Has school checked possible whereabouts with staff & pupils? Don't forget anyone who may be in touch via social media or mobile phone. | | |
| 2 | Has the school phoned and written to parents/carers and contacted the emergency numbers on the child's file? | | |
| 3 | Has the school undertaken a home visit, using your risk assessment process? (If this is not considered appropriate please give details) | | |
| 4 | Are there any child protection concerns; is the child a CIN or the subject of a CP plan? If so, notify Social Care <u>immediately</u>. Please include the name of the allocated social worker. | | |
| 5 | Does the child have an EHC plan? If so, notify your SEN officer. | | |
| 6 | Are there any additional agencies working with the child or family? Have checks been made with them? Please include contact details. | | |
| 7 | CME are at significant risk; is your DSL aware of this referral? | | |

Child not traced? Complete checklist with Missing Pupil Notification Form CME1 and send to the Children Missing Education Officer via email: childrenmissingeducation@buckscc.gov.uk. Any queries please call 01296 383098.

APPENDIX A

Associated Links

CME Guidance www.education.gov.uk/g00229816/children-missing-education

Attendance Guidance

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/268648/advice_on_school_attendance_nov_2013.pdf

Working together to Safeguard Children www.gov.uk

Child abduction www.pact-online.org

International child abduction www.reunite.org

Forced marriages www.gov.uk/forced-marriage

HM Customs and Revenue www.hmrc.gov.uk

Home Office www.gov.uk/government/organisations/home-office

Local Safeguarding Children Board www.bucks-lscb.org.uk

Missing Children/People www.missingpeople.org.uk

UK Border Agency www.bia.homeoffice.gov.uk

Other departmental advice and guidance you may be interested in

Behaviour and attendance (including exclusions, bullying and alternative provision)

<https://www.education.gov.uk/schools/pupilsupport/behaviour/behaviourpolicies/f0076803/guide-for-heads-and-school-staff-on-behaviour-and-discipline>

Child sexual exploitation

<https://www.education.gov.uk/childrenandyoungpeople/healthandwellbeing/safeguardingchildren/a00200288/tackling-child-sexual-exploitation-action-plan>

Child trafficking

<https://www.gov.uk/government/publications/safeguarding-children-who-may-have-been-trafficked-practice-guidance>

School Admissions Code

<https://www.gov.uk/government/publications/school-admissions-code--2>

Elective Home Education guidelines

<https://www.gov.uk/government/publications/elective-home-education>

Young runaways

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/208528/Statutory_guidance_on_children_who_run_away_or_go_missing_from_home_or_care_consultation_-_final.pdf

Related legislation

School Attendance: Education Act 1996 (section 7, 8, 14 & 19)

Education Act 2002 (section 21)

Education and Inspections Act 2006 (section 4 & 38)

The Education (Pupil Registration) (England) Regulations 2006

Child protection: Children Act 1989 (section 17 & 47)

Children Act 2004 (section 10, 11, 12 & 17)

Education Act 2002 (section 175)

Appendix B

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 — |

| | |
|----|---|
| | <p>(i) at no time was his absence during that period authorised by the proprietor in accordance with regulation 6(2);</p> <p>(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</p> <p>(iii) the proprietor of the school and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.</p> |
| 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 |

Appendix C

- **Reduced Time table guidance** – to be found on SchoolsWeb/Exclusions & Reintegration page
- **Children Missing Education guidance** – to be found on Schools Web/Children Missing Education Page
- **Elective Home Education guidance** – to be found on SchoolsWeb/Elective Home Education page
- **Home tuition guidance/referral document** – to be found at: <http://www.aspireap.org.uk/#admissions>
- **Exclusions and Reintegration guidance** – to be found on SchoolsWeb/Exclusions and Reintegration page
- **Irregular School Attendance** – to be found on SchoolsWeb/County Attendance Team page