

Education Welfare Children Missing Education

**Guidance and Procedures
for Early Years Settings,
Schools and Academies
Updated
September 2018**



CHILDREN MISSING FROM EDUCATION - GUIDANCE AND PROCEDURES

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Introduction - Overview

All children, regardless of their circumstances, are entitled to an efficient, full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education. Local authorities should focus their resources effectively in intervening early in the lives of vulnerable children to help prevent poor outcomes.

Children Missing Education (CME)

Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving a suitable education otherwise than being at a school (for example, at home or in alternative provision). Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (Not in Education, Employment or Training) later in life.

Pupils Missing out on Education

Pupils missing out on education is different to children missing education. Children who are termed 'missing out' on education are those who do not attend full-time education at school or in alternative provision. Full-time education is defined as 25 hours per week for 39 weeks per year; if a young person is not receiving this entitlement at school or in an alternative educational provision, they are considered to be 'missing out' on education.

Schools and academies are required to complete termly returns to the Local Authority with the details of pupils who are not in receipt of a full time education.

Children at particular risk of missing education

There are many circumstances where a child may become missing from education. It is vital that local authorities make judgements on a case by case basis. This may include children from the following vulnerable groups below (this list is not exhaustive):

- Pupils at risk of harm/neglect
- Children of Service Personnel
- Missing children and runaways
- Children and young people supervised by the Youth Justice system
- Children of new migrant families
- Children of Gypsy, Roma Traveler families

Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education. Effective intervention should be at the earliest opportunity in the lives of vulnerable children to help prevent poor outcomes.

Local Authority Duties

The Government has placed a duty on all local authorities under section 436A of the Education Act 1996 to make arrangements to establish the identities of children in their area who are not registered pupils at a school and are not receiving suitable education otherwise. This duty only applies to children of compulsory school age.

The local authority should consult the parents of the child when establishing whether the child is receiving a suitable education. Those children identified as not receiving suitable education should be returned to full time education either at a school or in alternative provision. Prompt action and early intervention are crucial to discharging this duty effectively and in ensuring that children are safe and receiving suitable education.

The Local Authority has robust policy and procedures in place and these are regularly reviewed, together with an effective tracking and enquiry system. Barnsley Council's named person to whom schools and other agencies can make referrals about children who are missing education is:

CME Officer: Diane Richardson

This duty should be viewed as part of the local authority's wider safeguarding duties. It should be considered alongside these wider duties and local initiatives that aim to promote the safeguarding of children.

Local authorities have other duties and powers to support their work on CME. These include:

Arranging suitable full-time education for permanently excluded pupils from the sixth school day of exclusion
Safeguarding children's welfare, and a duty to co-operate with other agencies in improving children's well-being, including protection from harm and neglect
Serving notice on parents requiring them to satisfy the local authority that the child is receiving suitable education, when it comes to the local authority's attention that a child might not be receiving such education
Issuing School Attendance Orders (SAOs) to parents who fail to satisfy the local authority that their child is receiving suitable education, if the local authority deems it is appropriate that the child should attend school
Prosecuting or issuing parent who do not comply with an SAO
Prosecuting or issuing penalty notices to parents who fail to ensure their school-registered child attend school regularly
Applying to court for an Education Supervision Order for a child to support them to go to school

Children Missing Education Guidance

This guidance provides an outline of Barnsley Local Authority's policy and procedure for identifying, registering, tracking and locating children missing education. It explains the statutory responsibility of the Local Authority and schools (including academies and independent schools) to ensure that children who go missing from the education system are speedily located.

Children and young people who are missing from education are amongst the most vulnerable and therefore it is vital that practitioners in all services work together with parents to identify and re-engage children and young people back into appropriate education provision as quickly as possible.

Schools and academies must always work with the Education Welfare Service to establish the whereabouts of a child before removing from a school roll.

Pupils can only be removed from the admission register when both the school and the Local Authority have failed, after jointly making reasonable enquiries, to establish the whereabouts of the child.

Where there is concern for a child's welfare, this should be referred to the local authority children's social care. If there is reason to suspect a crime has been committed, the police should also be involved. Where there is a concern that a child's safety or wellbeing is at risk, it is essential to take action without delay.

Procedures to follow if a child is missing education

Responsibilities of Schools and Academies

Schools must enter pupils on the admission register at the beginning of the 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, the school should undertake reasonable enquiries to establish the child's whereabouts and consider notifying the local authority at the earliest opportunity.

Schools should monitor attendance closely and address poor or irregular attendance. It is important that a pupil's poor attendance is referred to the Local Authority. Where a pupil has not returned to school following an authorised absence, or if the absence is unauthorised, schools are required to make reasonable enquiries to locate the child in line with the duty under section 10 of the Children Act 2004.

Reasonable enquiries to find the child include:

- Checking with all members of staff who the child/young person may have had contact with.
- Checking with the pupil's friends, siblings, and known relatives.
- Making telephone calls to any numbers held/identified including emergency contacts.
- Sending a letter to the last known address.
- Carrying out home visits at different times to check who is at the home address and other known addresses, and check with neighbours and known friends.
- Asking for the address the family is moving to.
- Checking which school a child is expected to attend.
- Requesting copies of flight information if appropriate.

This list is not exhaustive or prescriptive and each case should be considered on its individual merits ensuring all the facts of the case have been taken into account. Additional enquiries to those above may be necessary.

If there is reason to believe a child is in immediate danger or at risk of harm, a referral should be made to children's social care (and police if appropriate).

If the school/academy has not been able to confirm the location of the pupil by **the 10th school day** of absence they **must** complete the 'CME Referral' form, Appendix B, completing the checklist and send by;

- e-mail to the CME Officer Diane Richardson at: dianerichardson2@barnsley.gov.uk
- Post to: Barnsley Metropolitan Borough Council, Peoples Directorate, Early Start Prevention and Sufficiency, Education Welfare Service, Corporate Mailroom, PO Box 634, Barnsley, S70 9GG.

The CME Officer will expect the school/academy to have conducted reasonable enquiries to locate the pupil and establish the primary reason for referral before sending the form. The CME Officer will require a fully completed referral form. It is vitally important that as much information as possible is included on the form, so that the CME Officer can make appropriate enquiries. If there are letters or emails of communication from the family the school is required to send copies with the referral.

Completing the CME Referral Form

The form should be completed by a member of staff with access to the following information:

- Pupil details
- Attendance information
- Information provided by the family
- Information about **all** enquiries made.

Responsibilities of the Local Authority

The CME Officer will undertake **reasonable enquiries** on behalf of the Local Authority:

- A visit to the last known address
- Contact Housing, Health, Social Care Direct, Welfare Benefits, Police (Missing Children Officer) requesting any information they may have as to the child's whereabouts
- Contact partner agencies where concerns regarding the child's welfare and safety exist, for example, if the child is subject to a Child Protection Plan
- Contact other local authorities if there is information leading to the potential whereabouts of the child, requesting they make reasonable enquiries
- Contact the Local Authority admissions team to establish if a further school application has been made

It should be recognised that the type of reasonable enquires required to try and locate a child differ from case to case and additional enquires to those suggested in this section may be necessary.

If there is evidence to suggest the child has moved to a different local authority area, contact should be made with the named person in the new authority using secure communication methods. The local authority should maintain a record of the child's details until they are located or attain school leaving age.

Removal of a pupil from a school roll

If after jointly making all reasonable enquiries, and the school and Local Authority have failed to ascertain the whereabouts of the pupil and the pupil has been absent for a **minimum of 20 school days**, the school can remove the pupil's name from its admission register from the first day of the absence. **However, confirmation must be obtained from the Education Welfare Service before removing the pupil's name from school roll.** Schools are reminded that they must, at all times, act in accordance with the Education Pupil Registration Regulations 2006 (see Appendix A).

If the child is not located, the Education Welfare Service will advise the School to remove the child from the school roll. Schools **should not** remove a child from roll until **both school and the Education Welfare Service have made ‘reasonable enquiries’** as detailed above.

If after **20 school days**, the CME Officer has not been able to establish the whereabouts of the child, the child will be placed on the **CME Register**. This is a register of pupils identified as being missing from education and is maintained and managed by the CME Officer. Data is held in line with the Data Protection Act 1998 and current child protection legislation.

If the child is removed from the school roll, the school will also be advised that the child’s Common Transfer File (CTF) should be uploaded by the school to the DfE School to School (S2S) Missing Children database.

The pupil will remain on the CME Register and regular checks will be undertaken by the CME Officer until the pupil is located or reaches the end of statutory education. These checks include:

- Contact Housing, Health, Social Care Direct, Welfare Benefits, Police etc.
- Check the DfE School to School (S2S) Missing Children Database to see if the CTF has been downloaded by another school
- Check the ‘Key to Success’ national pupil database

If at any time after the child has been removed from the roll the school receive information regarding the child’s whereabouts or are contacted by a receiving school, the CME Officer must be informed.

Adding a pupil to the school role at non-standard transition points

All schools must also notify the local authority **within five days** of adding a pupil’s name to the admission register at a non-standard transition point using the Notification of a Non-Standard Transition Form (see Appendix C). 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 – at the start of the first year of education normally provided by that school – unless the local authority requests that such returns are to be made.

This guidance and referral forms can be located via the following link under useful resources at www.barnsley.gov.uk/education-welfare-service .

Associated resources (external links)

- Child abduction
- International child abduction
- Forced marriages (FCO)
- HM Revenue and Customs (HMRC)
- Home Office
- National Crime Agency (NCA)
- Missing People
- Missing Kids
- Border Force
- Missing Children and Adults strategy
- Ofsted report 2010: Children missing from education
- Ofsted report 2013: Missing children

Additional departmental advice and guidance

- Behaviour and attendance (including exclusions, bullying and alternative provision)
- Child sexual exploitation
- Child trafficking
- Elective Home Education guidelines
- Keeping children safe in education
- School Admissions Code
- School to school service: how to transfer information
- What to do if you're worried a child is being abused: Advice for practitioners
- Working together to safeguard children
- Young runaways

Related legislation

- Section 436A of the Education Act 1996 (added by section 4 of the Education and Inspections Act 2006)
- Education Act 1996 (section 7, 8, 14, 19, 437(1), 437(3) and 443)
- Education and Inspections Act 2006 (section 4 and 38)
- Education (Pupil Registration) (England) Regulations 2006
- Education (Pupil Registration) (Amendment) (England) Regulations 2016

Children Act 1989 (section 17 & 47)

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

Education Act 2002 (sections 21 and 175)

Section 444 of the Education Act 1996 and penalty notices under section 444A (as amended by section 23 of the Anti-social Behaviour Act 2003)

Useful Contact Numbers

NAME	TITLE	CONTACT DETAILS
Diane Richardson	Senior Education Welfare CME / EHE Officer	Tel: 01226 773545 Email: dianerichardson2@barnsley.gov.uk
Rachel Bowman	Education Welfare Officer (Gypsy, Roma and Traveller)	Tel : 01226 704550 Email : rachelbowman@barnsley.gov.uk
Keren Harben	Service Manager Education Welfare Service	Tel: 01226 773542 Email: kerenharben@barnsley.gov.uk
Jane Allen	Area Manager Education Welfare Service	Tel: 01226 773191 Email: janeallen@barnsley.gov.uk
Derek Vint	Area Manager Education Welfare Service	Tel: 01226 773547 Email: derekvint@barnsley.gov.uk
Lynne Lynch	Senior Education Welfare Officer Youth Offending Team	Tel 01226 787977 Email: lynnelynch@barnsley.gov.uk
Jenny Davis	Borough Services Manager Springwell Learning Community	Tel: 01226 291133 Email: jennydavis@barnsley.gov.uk
Beverley Sadler	School Admissions Manager	Tel: 01226 773506 Email: beverleysadler@barnsley.gov.uk
Monica Green	Head of Safeguarding & Quality Assurance	Tel :01226 772519 Email: MonicaGreen@barnsley.gov.uk
Nina Sleight	Head of Early Start Prevention and Sufficiency	Tel:01226 773629 Email: ninasleight@barnsley.gov.uk

The Education Welfare Service web page can be located at www.barnsley.gov.uk/education-welfare-service The webpage gives you access to information about the service's statutory and traded services offers, along with all related policy, guidance and forms.

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APPENDICES

- Appendix A Grounds for deleting a pupil from the school admission register

- Appendix B Children Missing Education Form

- Appendix C Children Missing Education – Notification of a Non Standard Transition Form

Appendix A: Grounds for deleting a pupil from the school admission register

	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 CME FORM	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 CME FORM	8(1)(h) - that he has been continuously absent from the school for a period of not less than twenty school days and —

	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
	<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 has 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	<p>8(1)(k) - that the pupil will cease to be of compulsory school age before the school next meets and—</p> <p>(i) the relevant person has indicated that the pupil will cease to attend the school; or</p> <p>(ii) the pupil does not meet the academic entry requirements for admission to the school's sixth form.</p>
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	<p>8(1)(o) where—</p> <p>(i) the pupil is a boarder at a maintained school or an Academy;</p> <p>(ii) charges for board and lodging are payable by the parent of the pupil; and</p> <p>(iii) those charges remain unpaid by the pupil's parent at the end of the school term to which they relate.</p>



BARNSELEY

Metropolitan Borough Council

Peoples Directorate for Children and Family Social Care - Education Welfare
 Children Missing Education Form (CME)
 (Appendix B Regulation 8 - Point 6 and 8)

PLEASE COMPLETE ALL SECTIONS OF THIS FORM

Date referral made:

Pupil Surname:

Pupil First Name :

Alias:

Pupil Middle Name:

Date of Birth:

UPN No :

Full Postal Address where the pupil normally resides

Names of parents / guardians with whom the pupil normally resides full names and DOB if known please

1.....

Relationship to pupil:

2.....

Relationship to pupil:

Pupils Future Address :

Contact No Home:

Contact No Mobile:

Are there any known concerns related to staff safety in visiting this family/address: YES / NO
 Please enter any details over the page

Ethnicity / EAL :

Gender:

Year Group:

Name of School:

Contact name in school:

Current % attendance:

Please enclose a copy of current attendance register

On Roll: YES / NO

Reason for Removal / Deletion from Roll (Appendix A Regulation 8 of the CME Policy)

Date last attended school:

Is this child / young person currently: please tick all applicable

A Looked After Child

A Refugee/ Asylum Seeker

Subject to a Child Protection plan

From a Travelling Family

In Temporary Accommodation

Subject to a EHA

In a Refuge

On a Statement of SEND / EHC Plan

Are any of the following agencies known to be currently involved with this child / family please tick if known and provide any contact names and telephone numbers on the additional comments box overleaf

Social Care		Education Psychology	
Education Welfare		School Health / Nurse	
CAMHS		Youth Offending Team	
Any other service			

Please provide details of any siblings/family relationships below (if known)

<u>Name</u>	<u>DOB</u>	<u>School</u>

Please complete this check list below

What is the primary reason for referring this child to your CME? Please indicate where appropriate:

Child has failed to take up a place at your school

Child's whereabouts are unknown

Parent is fleeing domestic violence

Child/family is reported to have left the area

Child is reported to have left the UK with parents/carers

Child is reported to have left the UK without parents

Child has failed to return from an agreed holiday in term time

Child has failed to return from an unauthorised holiday in term time

Parents have taken child out of school for an extended period without school agreement

Child has failed to return after summer holidays and whereabouts are unknown

Please provide details of any specific safeguarding concerns you have:

Is there a CSE risk? Yes/No/Unknown

Please add any other comments

Evidence of reasonable enquires in line with the CME policy – page 3

Details of recent action taken by school/ referrer

	<u>YES</u>	<u>NO</u>	<u>Dates / Details</u>
Telephone calls made			
Correspondence (please attach copies)			
Home visits made			
Name of referrer :	Service :		Contact no :

Signed

Date

Please send this referral form to: Diane Richardson SEWO/CME Officer by E-mail to

dianerichardson2@barnsley.gov.ukAddress: Barnsley Metropolitan Borough Council, Corporate Mailroom, PO Box 634,
Barnsley S70 9GG. Telephone number 01226 773545**FOR CME OFFICER USE ONLY**

Date received:

Case Allocated to Officer:

Case opened :

Case closed:

Case Opened as CME / Entered on CME Register :

Case Closed as CME / Closed on CME Register :

People Directorate for Early Start, Prevention & Sufficiency Service ~ Education Welfare
Children Missing Education
Notification of a Non-Standard Transition

PLEASE COMPLETE ALL SECTIONS OF THIS FORM

Pupil Surname:		Pupil First Name :	
Alias:	DOB:	Pupil Middle Name:	
Full Postal Address where the pupil normally resides		Names of parents / guardians with whom the pupil normally resides full names and DOB if known please	
Pupils Future Address		1	
		Relationship to pupil:	
		2.	
		Relationship to pupil:	
		Contact No Home:	
		Contact No Mobile:	
Name of School:			
Contact name in school:			
Addition to Roll ~ required within 5 working days		Previous School	
Date enrolled:			
Removed From Roll		Destination School	
Date last attended school:			
Reason for Removal / Deletion from Roll (Appendix A Regulation 8 of the CME Policy)			
Any Additional Information or Service			

Please send this notification form to: Diane Richardson SEWO/CME Officer by E-mail to dianerichardson2@barnsley.gov.uk

Address: Barnsley Metropolitan Borough Council, Corporate Mailroom, PO Box 634, Barnsley S70 9GG. Telephone number 01226 773545

The Children Missing Education policy can be found at <https://www.barnsley.gov.uk/services/children-families-and-education/schools-and-learning/children-missing-education/>

Barnsley Council/Education Welfare's privacy statement is available to view at <https://www.barnsley.gov.uk/media/8746/early-start-prevention-and-sufficiency-education-welfare-service.pdf>



BARNSLEY
Metropolitan Borough Council

Education Welfare Service

**Diane Richardson, Senior Education Welfare Officer/CME Officer
Barnsley Metropolitan Borough Council,
Peoples Directorate Early Start, Prevention and Sufficiency
Corporate Mailroom, PO Box 634, Barnsley, S70 9GG.**

Telephone number 01226 773545