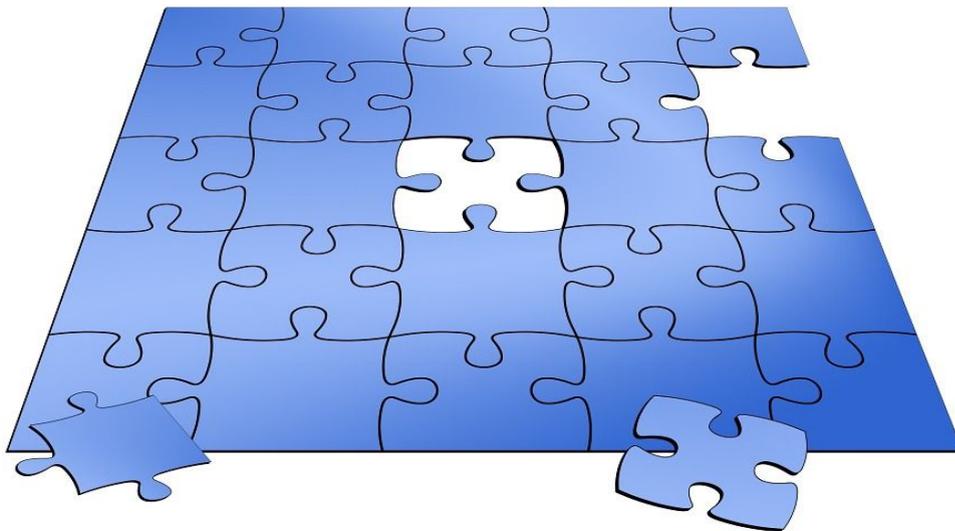


# Northumberland Children Missing From Education Policy including Children Missing out on Education

This local authority policy applies to all schools including maintained schools, academies, free schools, independent schools and non-registered alternative providers



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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. Northumberland County Council (NCC) is committed to ensuring children and young people can return to a suitable form of education as quickly as possible, therefore it is imperative that all professionals who have contact with young people work together to identify these children. We also rely on members of the public alerting us to children who may be missing from education.

This document outlines the robust procedures that are to be followed within Northumberland to identify, locate and engage children who are CME and to ensure that NCC is effectively meeting its obligations under the Education Act (1996)<sup>1</sup>.

Section 436A of the Education Act 1996 outlines the Local Authority's (LA) duties to 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/carers' of the child when establishing whether the child is receiving suitable<sup>2</sup> education. Local authorities should have procedures in place to prevent children becoming CME. Those children identified as not receiving suitable education should be returned to full time education either at a school or in alternative provision.

Following an OFSTED thematic inspection in 2012-13, the report '*Pupils missing out on education*' was published in November 2013. As a result of this inspection, the new Local Authority inspection framework now includes the need for each authority to report robustly on school age children who are not in full-time education. This duty only relates to children of compulsory school age.<sup>3</sup>

This policy document is intended to ensure that within Northumberland 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 be identified within Northumberland. The Children's Act 2004<sup>4</sup> 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 expected that all agencies working in Northumberland will work with the Education Welfare Service (EWS) to support this policy and follow the procedures outlined below in order to safeguard the

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

<sup>2</sup> 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.

<sup>3</sup> 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.

<sup>4</sup> The Children's Act 2004, Section 10

education of children residing in Northumberland.

## 2. Who is a Child Missing from Education?

The children missing education that are the focus of this policy 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 who are not attending regularly. The school should consider making a referral to the EWS or named EWO for irregular school attendance.**

## 3. Parents' responsibilities

Parents have a duty<sup>5</sup> to ensure that their children of compulsory school age are receiving an appropriate full-time education. The majority of parents chose to adhere to this duty by enrolling their child at a school. However, some parents may elect to educate their children at home

## 4. Why do 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 Northumberland or on arrival in Northumberland from another authority.

## 5. Children at particular risk of missing education

There are many circumstances where a child may become missing from education, however some children living in certain circumstances are at greater risk of becoming CME. The list is not exhaustive but amongst these are:

- **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 also be involved. The Department's statutory guidance *Working Together to Safeguard Children (2015)* is available on the DfE website<sup>6</sup>. Northumberland has an Education

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<sup>5</sup>Section 7 of the Education Act 1996

<sup>6</sup> Working together to safeguard children

Service for Looked after Children (ESLAC) who will inform EWS of all Northumberland looked after children (which will include refugees and asylum seekers) who they believe are CME. EWS will liaise with the relevant agencies to ensure these vulnerable children are returned to education as swiftly as possible.

- **Children of Gypsy, Roma and Traveller (GRT) Families** – research<sup>7</sup> 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 EWS before the deletion from roll takes place to ensure the child is genuinely missing and not travelling. EWS 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 the UK and overseas and often at short notice. Schools and the LA will contact the MOD Children's Education Advisory Service (CEAS) where necessary on 01980 618244 for advice on making arrangements to ensure continuity of education for those children when the family moves.
- **Missing children/runaways**<sup>8</sup> - 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. In Northumberland, YOS 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 choose to keep the place open for their return.

If schools choose not keep the place open and remove the young person from roll once they are sentenced, the YOS will alert the EWS of the date the young person is due to be released from custody to enable education provision to be in place as soon as possible after their release. A referral to the Pupil Placement Panel may be made in these circumstances.

**Children missing out on education**- all children deemed fit to attend school are provided with a full time education. It is illegal for schools to discriminate against children because they have special educational needs. Schools have a safeguarding and welfare responsibility for all pupils on their roll and those educated off site.

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<sup>7</sup> Wilkins, A et al ( 2010) Improving the outcomes for Gypsy, Roma and Traveler pupils: final report DFERR043 pp54-60

<sup>8</sup> See 'Children who run away or go missing from home or care' statutory guidance.

Schools should monitor attendance and any alternative arrangements that are in place for specific pupils and should notify the local authority of all pupils accessing part-time or alternative timetables; the reasons for this arrangement; and the length of time it is expected to continue.

It will sometimes be the case that another partner or agency is aware of the arrival or existence of a child, living in the LA area but not in education, before the LA is aware. There is a higher chance of this being the case in relation to children in the 'at risk' groups identified above as steps may be taken to avoid contact with statutory authorities in some circumstances.

Details of a child identified by an agency/professional must be shared with EWS and can be referred using the referral form. When EWS are made aware of children/young people in any of these groups who may not be receiving a suitable education, advice will be sought from the relevant specialist team/partner agency. NCC has a range of procedures in place that identify and support children at risk of going missing from education.

## 6. Schools' duties

Schools, including academies, free schools, independent schools and alternative providers must monitor pupils' attendance through their daily register. As from 1<sup>st</sup> September 2016 all schools must notify the LA if a pupil is to be deleted from or added to the admission register<sup>9</sup>. This information is collected through SIMS and guidance can be found on the SIMS Support site. Non-centralised SIMS schools can use a copy of the report.

If a parent advises a school they are moving abroad, the school should be satisfied this is the case and ask to see evidence eg sight of flight confirmation, details of the new address and the name of the new school.

Schools must put the pupil on the admissions register on the first day that the school expects them to attend<sup>10</sup> regardless of if they actually attend. If the pupil does not arrive at school on the expected start date the school must follow their absence procedures.

It is the responsibility of the parent/carer to contact the school when an application has been successful, to arrange a start date and ensure that the child is enrolled at the school. If however a place has been offered and the parent/carer does not make contact with the school, it is good practice for the school to attempt to make contact to arrange a start date. If this is unsuccessful within 10 days and the pupil is not placed on roll then the school must notify the LA that the parent has not taken up the place offered as this pupil is at risk of becoming CME.

**Schools must provide the LA with details of pupils who have ten continuous days of unauthorised absence and cannot establish the reason for the absence and their whereabouts unknown** by following the procedure below.

### **Action to be taken when a child is absent from school and their whereabouts is unknown**

A registered pupil is deemed to be missing when:

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<sup>9</sup> [Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2016 – Regulation 5](#)

<sup>10</sup> Regulation 5 Education (Pupil Registration) (England) Regulations 2006

- a. he or she fails to attend school without any explanation and;
- b. the school has been unable to establish the reason, or locate the pupil with any of the contact names at the last known address, or from intelligence from the wider school community; or
- c. the pupil's parents/carers have not provided any information to indicate a change of education provision, unavoidable cause for the pupil's absence or that the pupil is travelling with them whilst in pursuit of their business.

### **Pupils deemed at high risk.**

If a pupil is missing from school and the child is subject to a child protection plan and/or is a looked after child, the school must notify children's services within the first 24 hours of the unauthorised absence if no home contact can be made. Where it is suspected or known that a pupil is at potential risk or harm, or where the school have information or reason to suspect the pupil has been a victim of criminal activity or at risk of Child Sexual Exploitation (CSE), they must follow safeguarding procedures immediately, and inform the EWS as soon as possible afterwards.

### **Process**

Follow existing first day calling / contact procedures as defined by the school policy. Discuss concerns with you EWO at your attendance meetings.

If the child remains missing following checks, and where a pupil has continuous unauthorised absence for longer than 20 school sessions (10 school days) the school must inform the EWS. Monthly returns must be submitted to the EWS using the Missing Children Checklist/ Return Form.

Schools should continue to make efforts within the school and assist the EWO and other agencies in the search. **If, during this time, the child is located and confirmed to be living outside of a reasonable distance to the school, the LA and school can agree date from which pupil may be removed from roll.**

If the pupil remains missing from school and has not been located elsewhere within the county/out of county, the EWO will to advise when the pupil can be removed from roll. If a pupil is removed from roll and their destination school is not known, the school must upload the pupil's records using the statutory electronic Common Transfer File (CTF) to the 'Lost Pupils' database.

**CME may raise potential child protection issues and if schools believe a child or family have gone missing, the child should remain on the school roll until all enquiries have been completed by the school, EWO and CME Admin Assistant . The school and LA must record that they have completed these procedures (via Missing Pupil Checklist) before deleting them from the register.<sup>11</sup>**

**Schools cannot remove a pupil from the school roll until reasonable enquiries have been jointly carried out by school staff and LA staff over a period of no less than 20 days. Schools will be advised of when LA checks have been completed. If this process has not been followed schools will be required, according to the Education**

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<sup>11</sup> Section 10 of the Children Act 2004 and section 38 of the Education and Inspections Act 2006

## **(Pupil Registration) (England) Regulations 2006, to reinstate pupils back on their school roll.**

The Missing Pupil Checklist is the document used by a school to refer a child who is missing from education. If EWS are able to make contact with the family via phone and confirm their whereabouts (which is within a reasonable distance from the school) the case will be referred back to the school as a non-attendance issue. If the school have concerns about the child's welfare, they should follow their safeguarding procedures.. Schools have safeguarding duties under section 175 of the Education Act 2002 in respect of their pupils, and as part of this should investigate any unexplained absences. Academies and independent schools have a similar safeguarding duty for their pupils<sup>12</sup>

## **7. The Role of EWS**

The role of EWS is to ensure that all children within Northumberland are in receipt of a full time education. Education Welfare work to ensure that the Local Authority's statutory duties and other responsibilities for safeguarding children in relation to school attendance, elective home education, children missing education, child employment and performance licensing are carried out to the highest possible standard.

EWS 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<sup>13</sup>;
- 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.

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<sup>12</sup> Part 3 of Schedule 1 to the Independent School Standards (England) Regulations 2010 (SI 2010/1997)

<sup>13</sup> Section 437(1) of the Education Act 1996

## 8. Making a CME referral

Any professional who locates a child who they believe is without suitable educational provision should notify EWS. It is expected that our key partners in this area of work will include:

- educational settings (i.e. Schools, Academies, Free Schools, Pupil Referral Units etc.)
- Children's Social Care
- Health Services
- Police and Police Authorities
- Youth Offending Service
- Housing
- School Admissions
- Immigration Services
- voluntary and community organisations
- SEND
- Traveller Services

Front line staff in each of the agencies which regularly come into contact with families with children must ensure that for each new contact basic information about the child is recorded.

## 9. Enquiries to and from another LA

Families moving between local authority areas can sometimes lead to a child becoming 'lost' in the system and consequently missing education. When EWS become aware of a child moving to another LA and a school has not been identified, contact will be made with the new LA and relevant information will be shared to ensure the child is receiving an education either by attending school or otherwise.

When another LA has provided an address in Northumberland of a child believed to be missing from education, the family will be contacted as soon as possible. Unless concerns justify an immediate visit, initial contact will be made by telephone calls before writing or home visits are made. If no address is provided but there is reasonable evidence to suggest a child/young person could have moved to the area then initial checks will be run via School Admissions, and where possible via other local databases. Whatever the result of the search, the enquiring LA will be informed.

## 10. Conclusion

The role of EWS is central in ensuring that those children in Northumberland identified as missing from education are quickly identified and promptly returned to suitable education provision. By having clear guidance, policies and procedures in place across Northumberland all professionals and the public will be in a position to ensure support for vulnerable children within our community.