



Northumberland County Council



Children Missing Education

(including children missing full time education)

This local authority policy applies to all education settings including schools (maintained, 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 appropriate 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 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 legal obligations under the Education Act (1996)¹.

Section 436A of the Education Act 1996 outlines the local authority's 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 who are not receiving suitable education otherwise than at a school. The local authority should consult the parents/carers of the child when establishing whether the child is receiving suitable² 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. Local Authorities must report robustly on school age children who are not in full-time education. This duty only relates to children of compulsory school age.³

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. 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 expected that all agencies working in Northumberland will work with the Education Welfare team to support this policy and follow the procedures in order to safeguard the education of children residing in Northumberland.

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

² 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.

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. Who is a Child Missing from Education?

The children missing education to whom this policy applies 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 policy 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 Education Welfare team or named EWO for irregular school attendance;
- children who are receiving home education (known as Elective Home Education).

3. Parents' responsibilities

Parents have a duty⁵ to ensure that their children of compulsory school age are receiving an appropriate full-time education. The majority of parents choose 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 that 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 (off rolling);
- parent/carer withdrawal from the school roll with no named destination;
- failure to find education provision when moving to a new address within Northumberland or on arrival in Northumberland from another authority.

⁵Section 7 of the Education Act 1996

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 (2018)* is available on the DfE website⁶. Northumberland has an Education Service for Looked after Children (ESLAC) who will inform the Education Welfare team of all Northumberland looked after children (which will include asylum seekers) who they believe are CME. The Education Welfare team 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** – research⁷ 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 local authority 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 Welfare team before the deletion from roll takes place to ensure the child is genuinely missing and not travelling. The Education Welfare team 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 local authority 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**⁸ - 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.

⁶ Working together to safeguard children (2018)

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

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

- **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 ensures 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 Education Welfare team 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 (fair access) may be made in these circumstances.

It will sometimes be the case that another partner or agency is aware of the arrival or existence of a child, living in the local authority area but not in education, before the local authority 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 Education Welfare team and can be referred using the referral form. When Education Welfare team is 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 1st September 2016 all schools must notify the local authority if a pupil is to be deleted from or added to the admission register⁹. 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 e.g. 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 attend¹⁰ regardless of whether or not they actually attend. If the pupil does not arrive at school on the expected start date the school must follow their absence procedures.

Where reasonably possible, schools and colleges should hold more than one emergency contact number for each pupil or student. This goes beyond the legal minimum and is good practice to give the school or college additional options to make contact with a responsible

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

¹⁰ Regulation 5 Education (Pupil Registration) (England) Regulations 2006

adult when a child missing education is also identified as a welfare and/or safeguarding concern. (*Keeping Children Safe in Education, DfE statutory guidance for schools and colleges September 2018*).

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 local authority that the parent has not taken up the place offered as this pupil is at risk of becoming CME.

Schools must provide the local authority 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:

- 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 Education Welfare team 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 Education Welfare team.

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 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 (this information is collected through SIMS and guidance can be found on the SIMS Support site.)

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 local authority must record that they have completed these procedures (via Missing Pupil Checklist) before deleting them from the register.¹¹

Schools cannot remove a pupil from the school roll until reasonable enquiries have been jointly carried out by school staff and local authority staff over a period of no less than 20 days. Schools will be advised of when local authority checks have been completed. If this process has not been followed schools will be required, according to the Education (Pupil Registration) (England) Regulations 2006, to reinstate pupils back on to their school roll.

The Missing Pupil Checklist is the document used by a school to refer a child who is missing from education. If the Education Welfare team is 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 pupils¹²

7. The Role of the Education Welfare team

The role of the Education Welfare team is to ensure that all children in Northumberland are in receipt of a full time education. Education Welfare works 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, permanently excluded pupils, child employment and performance licensing are carried out to the highest possible standard.

The Education Welfare team will;

- ensure details of any Child Missing from Education (CME) are recorded on our database;
- monitor the number of children/young people that the authority is aware of who are

¹¹ Section 10 of the Children Act 2004 and section 38 of the Education and Inspections Act 2006

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

- not receiving a suitable 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;
- receive referrals from professionals and the general public regarding children missing from education;
- carry out appropriate checks to trace such child and establish their educational provision;
- serve notice on parents requiring them to satisfy the local authority that their child is receiving suitable education when the local authority becomes aware of a child possibly not receiving a suitable education¹³;
- 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;
- undertake movement checks via the border agency when necessary;
- 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 local authorities across the country.

8. Making a CME referral

Any professional who locates a child who they believe is without suitable educational provision should notify the Education Welfare team. 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.

¹³ Section 437(1) of the Education Act 1996

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 the Education Welfare team becomes aware of a child moving to another local authority and a school has not been identified, contact will be made with the new local authority and relevant information will be shared to ensure the child is receiving an education either by attending school or otherwise.

When another local authority 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 local authority will be informed.

10. Children Missing Full Time Education

The local authority has a statutory duty to identify and track those pupils *at risk* of missing education (*children missing full time education*)

The *Ofsted framework for the inspection of local authority children's services* makes clear the requirement for schools and settings to cooperate with local authority procedures for safeguarding pupils who are not receiving full time education.

Schools have a safeguarding and welfare responsibility for all pupils on their roll and those educated off site. Pupils on part time timetables and therefore receiving less than 25 hours of education provision per week are considered to be at risk of missing from education. A part time timetable should not be treated as a long term solution. In agreeing a part time timetable a school has agreed to a pupil being absent from school for part of the week or day and therefore must record it as authorised absence.

We need to be satisfied that all pupils receive their entitlement to full time education, that the provision is of high quality and that we can assure ourselves that pupils are safe because we know where they are during the school day. Pupils on part timetables are known to be vulnerable to child sexual exploitation (CSE).

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 is illegal for schools to discriminate against children because they have special educational needs.

Schools, settings and services are required to:

- have a planned strategy which is taken in the best interests of the child and has been

- agreed in writing with their parents (or their social worker if the child is looked after)
- aim to reintegrate and reinstate full-time education over an agreed short-term timescale
- a documented agreed plan (this may be a pastoral support plan, individual education plan or similar). The plan should include child's views, a clear timetable for moving back to full-time education, details of the review schedule details of the support which will be provided for the reintegration process
- where there is not already one in place, consider initiating an Early Help Assessment
- ensure CME monthly returns are fully completed and submitted in timescales.

List on the monthly CME form any pupils who are not receiving full time education on the date of the return, including:

- those engaged in part time Alternative Provision
- pupils receiving EOTAS tuition for medical purposes
- pupils who are not attending school full time for whatever reason (including those referred for statutory assessment, awaiting admission to school or accessing mental health services)

Nil returns should also be recorded and returned.

Schools, settings and services who have not returned the form by the agreed deadline will be contacted.

11. Conclusion

The role of the Education Welfare team 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.

NORTHUMBERLAND COUNTY COUNCIL

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