

**Child Missing in Education Policy**

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**Leicester Partnership School**

**Children Missing Education Policy**

Leicester Partnership School fully recognises the contribution it can make to protect children and support pupils in school.  We are a pupil referral unit for secondary age pupils aged 11 to 16. We provide suitable education provision to students who have been permanently excluded or who are at risk of being permanently excluded from mainstream education.

The majority of our students have social, emotional and mental health difficulties (SEMH) and present with challenging behaviour and many also have special educational needs, including sensory issues, difficulties in communication and a wide range of learning needs. They may also have diagnoses of autism spectrum disorder and/or ADHD and many have an Education, Health and Care Plan (EHCP).

A very high proportion of our students come from economically deprived areas of the city and often display low educational aspirations and a lack of engagement in mainstream education, as a consequence they often have lower than expected academic levels and a history of low or sporadic school attendance.  In addition they may have a specific learning need that makes it difficult for them to access the curriculum effectively or because education is not generally regarded positively in their family or local community

It is important that all stakeholders of the school are aware that pupils with SEMH and other special educational needs are placed at a greater risk of abuse are recognised as a vulnerability factor for some of the following reasons (including online):

Not being able to recognise abuse or articulate a disclosure of incidents, makes them more vulnerable to on-going abuse and neglect

Being overly trusting of adults and unable to understand healthy and appropriate relationships

Being unable to recognise that people may have ulterior motives and have a lack of developed critical thinking skills to discern or identify being manipulated, deceived or exploited by others.

Feeling different to others; a need to feel like fitting in with peers can lead to a higher risk of grooming both criminal or sexual exploitation or radicalisation.

Our pupils attend from across Leicester City representing a wide range of backgrounds and communities including but not exclusive to families: for whom English is not their first language, who have no or a small support network available locally, in poverty or financial disadvantage, parents who have mental health and/or substance dependence and where housing is inappropriate or living in socially isolated circumstances

The combination of the factors above requires our approach to safeguarding to be carefully planned and considerate of the young person’s individual needs and the family and cultural context in which they are situated. As a whole school community, we are committed to creating a culture of vigilance and a collectively shared school environment in which all children feel safe and are kept safe. We promote a culture of openness and honesty to ensure all staff feel confident in their ability to keep children and young people safe and supported in their skills and knowledge to enable this.

Leicester Partnership School is committed to safeguarding and promoting the welfare of all children in our care. We expect all staff and volunteers to share this commitment and our standards and ethos.

**Background:**

All families are encouraged positively to make sure their children attend every day.

1. Attendance is monitored daily to identify any pupils not in school. On a daily basis the parents of any absent pupils are contacted to find out the reason why.
2. After every holiday, including half term, the parents of any absent children are immediately contacted to ensure the children have not gone on unauthorised extended leave. Any requests for extended leave in school time are refused unless parents can provide evidence of an emergency, e.g. sickness, bereavement etc. In all cases parents are asked to provide a return date and if possible copies of flight details etc.
3. Any parents/carers requesting special leave complete a form which is submitted to the Headteacher. The school will be mindful of risks to children including FGM (See FGM Policy).
4. Fortnightly Attendance Meetings are held to ensure all pupils at risk are identified and prompt action taken.

**1. Introduction**

1.1 The Leicester Partnership School (LPS) is concerned about any child missing education not only in the way that it impacts on the individual’s potential achievement but also in relation to their safety and welfare.

1.2 The purpose of the CME Policy is to ensure that children and young people missing education are re-engaged in appropriate education provision in the shortest possible time, with lasting success and that ’no child slips through the net’.

**2. Legal Context**

2.1 The Children Act 2004 places a duty on all agencies to work together to promote the welfare of children and share information.

2.2 The Education and Inspections Act 2006 placed a new duty on all local authorities in England and Wales for them to make arrangements to identify CME in their area. The duty applies to all children of compulsory school age who are not on a school roll and are not receiving a suitable education.

**3. Purpose of the CME Policy**

3.1 The purpose of the CME Policy is to establish a set of principles to ensure children and young people are safely on roll at a school.

This policy should be read in conjunction with our safeguarding and child protection policies and procedures.

**4. Aim of the Policy**

* To assist the school, local authority and partner agencies in identifying CME.
* Raise awareness of the notification process;
* Explain how children will be tracked and monitored until they are re- engaged in education;
* Explain the mechanism to access appropriate education provision;
* Provide clarity to stakeholders on how children can be tracked across boundaries when a child moves to another local authority area.

**5. Definition of CME**

For the purpose of this document a child missing education is defined as: ‘*Any child of compulsory school age (5-16) who is not on a school roll being educated otherwise (e.g.at home, privately, or in alternative provision) and who had been out of any education provision for a substantial period of time (practice nationally is four weeks or more). ‘*

**6. Definition of Children at Risk of Missing Education**

6.1 Children and young people with poor school attendance are often the most vulnerable and are more likely to become children missing from education.

 6.2 The school and the authority recognises that the duty to identify children not receiving education does not apply in relation to children who are registered at school who are not attending regularly. The authority’s CME strategy does however, include the reinforcement of duties that already exist for schools and therefore supports the monitoring of children at risk of missing education in the future.

6.3 The monitoring of children at risk of missing education is carried out in partnership with schools where attendance of individual pupils gives cause for concern with the aim of reducing the risk in the future.

**7. Why children go missing from education**

Children and young people can go missing from school or agreed education provision, for a wide variety of reasons. Their personal circumstances or those of their families may contribute to the withdrawal process. Children can go missing when there is no systematic process in place to identify them and ensure they re- engage with appropriate provision.

**7.1 The most common reasons why children miss education include:**

* Failing to register at school at age 5;
* Failing to make successful transition from infant to junior and primary to secondary;
* Ease to attend due to exclusion (formal/illegal withdrawal);
* Mid-year transfer of school;
* Unable to find a school place after moving into local authority;
* Victims of bullying;
* Frequent moves of house including periods of homelessness or periods in a refuge;
* Transience/family mobility;
* Family breakdown;
* Frequent absence leading to low attendance (especially Yr10 and Yr11);
* Disaffection resulting in parents withdrawing the pupil or ‘being asked to leave’;
* Involvement in youth offending.

**7.2 Certain vulnerable groups are more likely to be affected by the factors; these are;**

* Young people who have committed offences;
* Children living in women’s refuges
* Children of troubled families i.e. suffering bereavement, trauma, domestic violence, homelessness etc;
* Young runaways;
* Children with special educational needs;
* Refugee and asylum-seeking children;
* Travelling families;
* Looked after children;
* Teenage parenthood;
* Children with mental health issues;
* Young carers;
* Children who are permanently excluded from school;
* Young people being forced into marriage;
* Children involved in substance misuse.

**7.3 Children missing from education are at much greater risk of:**

* physical harm
* neglect
* sexual exploitation
* becoming involved in crime
* demonstrating anti-social behaviour
* abusing drugs and alcohol
* being illegally employed
* forced marriages
* honour based violence
* radicalisation
* modern day slavery/trafficking
* female genital mutilation

**8. Key Stakeholders**

8.1 The Children Act 2004 places a duty on all agencies to work together to promote the welfare of children and share information. In order to fulfil the requirements of the CME policy the authority works in collaboration to ensure the early identification and intervention of children who are not receiving a suitable education. All stakeholders have a responsibility for CME.

The LPS works closely with stakeholders to ensure the safety of a child.

8.2 Key stakeholders include:

* Children’s Services including Admissions, Out of School Team, Equality for Minorities (Ethnic Minority and Travellers), Parent Partnership, Education Welfare Officers.
* Other schools and Academies including Support Centres;
* Health/PCT
* Voluntary Organisations;
* Police
* CAMHS

**9. Reducing the Risk of Children Missing Education**

9.1 All LA officers, schools, academies and the general public have a moral and corporate responsibility in relation to CME. Parents who do not ensure their children are accessing a ‘suitable’ education can be deemed as breaking the law. Anyone who becomes aware of a child or young person who does not appear to be accessing education should refer this child to the Children with Disabilities Social Work Team.

9.2 The authority in partnership with the other agencies listed above aims to ensure that all colleagues in all agencies who become aware of a child who is living in the authority but not in identified education provision, will notify the authority.

**10. The Role of Children’s Services**

10.1 Individual services within the authority play a role in preventing the risk of CME. These services will address issues related to nonattendance/poor attendance/persistence absence at the same time working in partnership with relevant agencies to monitor and investigate children who meet the criteria under the definition of CME and at risk of missing education.

**11. The Role of Leicester Partnership School**

11.1 All schools have a duty under section 1- of the Children’s Act 2004 in partnership with the local authority with a view to improving the wellbeing of children in the authority’s area.

Section 175 of the Education Act puts a duty on all schools to exercise their functions with a view to safeguarding and promoting the welfare of children. This includes identifying children who are not receiving education.

11.2 It is expected that schools and academies will have carried out all reasonable enquiries within their capacity to ascertain the whereabouts of the young person and engaging them in education prior to informing the local authority that the child is missing education.

11.3 The school will undertake reasonable actions to identify the whereabouts of the child. This includes telephoning all contact numbers, making enquiries with friends and family, making enquiries with schools attending by any siblings and wherever possible undertaking a visit to the home address. A written record will be made.

11.4 Concerns will be referred to the Local Authority

**12. Safeguarding of CME**

12.1 A significant number of children referred as missing education are either found in education following initial investigations or found but not in education and subsequently supported to return. There are a number of children who are not found in education as the family cannot be located following the normal investigations.

12.2 A child who is not found in education following CME investigations does not infer that the child is at risk. However, it is appropriate to escalate the concerns to consider potential risks to the child. A process is in place to facilitate this.

**13 .Monitoring the policy and procedures**

At LPS it is the responsibility of the Headteacher and management committee to work closely with Local Authority and ensure systems and procedures in school are robust.

**14. Procedures for LPS**

Definitions

Interim Guidance on the Management, Recording and Investigation of Missing Persons (2013) used by the Police uses the following definitions:

* Missing:

Anyone whose whereabouts cannot be established and where the circumstances are out of character or the context suggests the person may be subject of crime or at risk of harm to themselves or another’; and

* Absent:

‘A person is not at a place where they are expected or required to be’.

Statutory Guidance On Children Who Run Away Or Go Missing From Home Or Care (January 2014) uses the following definitions:

* Child: For the purposes of this document a child is anyone who has not yet reached their 18th birthday. ‘Children’ therefore means ‘children and young people’ throughout the Guidance.
* Away from Placement without Authorisation: A Looked After child whose whereabouts are known but who is not at their placement or the place they are expected to be and the carer has concerns or the incident has been notified to the local authority or the police.
* Young Runaway: A child who has run away from their home or care placement, or feels they have been forced or lured to leave.
* Missing Child: A child reported as missing to the police by their family or carers.
* Missing from Care: A Looked After child who is not at their placement or the place they are expected to be (e.g. school) and their whereabouts are not known.
* Responsible local authority: The local authority that is responsible for a Looked After child’s care and care planning.
* Host local authority: The local authority in which a Looked After child is placed when placed out of the responsible local authority’s area.

The police classification of a person as ‘Missing’ or ‘Absent’ will be based on on-going risk assessment;

Absent within the police definition would not include those defined as Away from Placement Without Authorisation above: a child whose whereabouts are known would not be treated as either ‘Missing’ or ‘Absent’ under the police definitions.

**Did You Know?**

Females are more likely to run away than males.

The peak age range for running away is 14- to 15-years old.

Certain young people are more likely to runaway including those who define themselves as being gay, lesbian, disabled or having a learning disability as well as those living in stepfamilies and lone parent families.

There are strong links between running away and problems in other areas of young people’s lives – such as school, drug and alcohol use, child sexual exploitation and offending.

Research shows that a quarter of young runaways felt that they were forced to leave home. One in six young runaways slept rough on the most recent occasion they were away. Half stayed with friends.

One in eight runaways said that they had to resort to survival strategies such as stealing and begging whilst away from home.

Around one in 12 of runaways said that they had been hurt or harmed on the most recent occasion that they ran away.

Over two-thirds of runaways said that their parents or carers did not report them missing to the Police on the most recent occasion that they were away. A further 13% were not sure, and only a fifth (19%) said that they had been reported [1].

[1] All statistics were taken from Still Running II: findings from the second national survey of young runaways, The Children's Society 2005

**Remember**

There is a distinction between young people who run away and those who are forced to leave by their parents or carers.

Children and young people who are forced to leave will often not be reported missing.

If a child is taken overseas it may be appropriate to contact the Consular Directorate at the Foreign and Commonwealth Office which offers assistance to British nationals in distress (Tel: 020 7008 1500).

**Circumstances for Implementation of Procedure**

This procedure applies if any child goes missing or cannot be traced and they are:

* Looked After by the local authority (including placed with Foster Carers);
* Missing from home or have run away and there is cause for concern;
* Missing from a private fostering arrangement
* Missing from a residential school.

**Circumstances for Leicester Partnership School**

* LPS will also implement the procedure of reporting a child missing from education if they are not at school and either parents cannot be contacted or parents do not know where they are. This is due to the increased vulnerability of our children.
* We acknowledge that a child going missing from education is a potential indicator of abuse or neglect and that such children are at risk of being victims of harm, exploitation or radicalisation. LPS has robust attendance procedures for dealing with children that go missing from education, particularly on repeat occasions.
* All staff should be alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, female genital mutilation and forced marriage.

**Professionals should Inform:**

* Leicestershire Police on 0116 2222222
* The Social Worker for the child (or duty officer out of hours) if a child is actively open to social care, and specifically if:
	+ A child subject of a child protection referral or a Section 47 Enquiry;
	+ A child with a Child Protection Plan goes missing or is removed from her/his address outside the terms of the Child Protection Plan;
	+ A Child in Care who leaves or is removed from his or her placement, without this being part of the Care Plan;
	+ A child about whom there are concerns e.g. one who is subject to a Child and Family Single Assessment;

A child where there are developing concerns about their safety.

**Children Missing Education:**

LPS informs the local authority of any student who is going to be deleted from the admission register where they:

* Have been taken out of LPS by their parents and are being educated outside the school system e.g. elective home education.
* Have ceased to attend LPS and no longer live within reasonable distance of LPS at which they are registered.
* Have ceased to attend LPS before compulsory school leaving age, and neither he/she nor his/her parent has indicated the intention to continue to attend LPS after ceasing to be of compulsory school age.
* Are in custody for a period of more than four months due to a final court order and LPS does not reasonably believe they will be returning to LPS at the end of that period; or
* Have been permanently excluded.

As a result of daily registration schools are particularly well placed to notice when a child has gone missing. If the missing child is subject to a Child Protection Plan, the head teacher must inform the allocated social worker immediately. If they are unavailable then they must contact the team where s/he is based.

Having made initial enquiries about the child’s whereabouts the school should refer to the LCC Children Missing Education Guidance unless they have concerns as outlined above and then they must follow the guidance previously detailed.

See also Children Missing Education - Statutory Guidance for Local Authorities (Department for Education (2015).

This policy should be read in conjunction with:-

Child Protection and Safeguarding policy

E Safety Policy

Behaviour Policy

Staff Code of Conduct

Physical Intervention Policy

Attendance Policy

LA protocol December 2023 (Appendix 1)

**APPENDIX 1**

Local authority and maintained schools **Local authority and maintained schools protocol on the management of children missing education - December 2023**

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# Background

Leicester is a diverse city with high levels of mobility. This has an impact on children who are attending our schools as each year, high numbers of children leave at points other than the usual transfer times and many of these children go to countries outside the UK. It is important to fully consider any known or suspected risk to all children who leave our schools, and that appropriate action is taken to safeguard them when necessary. It is important that schools and the local authority work in partnership to ensure children’s safeguarding requirements are met.

Children may be subject to various risks including forced marriage, FGM, radicalisation and CSE; it is imperative that consideration is given to any possible safeguarding issues when children stop attending school and leave our area. The Education (Pupil Registration) (England) (Amendment) Regulations 2016 came into force on 1 September 2016 with the aim of improving information sharing regarding children missing in education.

This removal from roll elements of this protocol relate to children on school rolls up to the **school leaving age (i.e., up to the end of the school year during which the child turns 16**). The regulations are slightly different for children on school rolls who are **under school age** – see the end of Annex A. There is specific reference to children with EHCPs at the end of this section, and on page 6.

It should be followed where removal from roll is being considered other than as part of routine transition at usual transfer points; it should also be followed however if it comes to the school’s attention that due to a house move, the child is unlikely to attend the school they are due to transfer to.

The protocol includes details of:

1. Relevant Regulations
2. Schools’ responsibilities – Removal from roll (listed by scenario)
3. General advice – concerns about the child’s whereabouts or destination
4. Children with irregular attendance and/or 10 or more days of unauthorised absence
5. Children on part-time timetables
6. LA responsibilities and actions
7. Annex A – Regulations – Removal from roll
8. Annex B – Safe removal from roll form / Referral OR Notification to LA
9. Annex C – Child no longer ordinarily resident - removal from roll decision form
10. Annex D - Informing the LA about children with irregular attendance and/or 10 or more days of unauthorised absence.

In addition to the safe transfer of all children in the city, a further priority is to identify as quickly as possible where children can safely be removed from school rolls in order that the place can be allocated to another child. This protocol aims to address both these priorities.

The protocol also covers the duty all schools have to share information with the local authority about children who do not attend school regularly and/or those who have 10 or more consecutive days of unauthorised absence. Also, the expectation Ofsted have regarding the sharing of details of children on part-time timetables is covered in section 5.

The number of cases where parents elect to home educate a child has increased significantly in recent years. If a parent informs you that they are opting to take responsibility for their child’s education (i.e., home educating them) and withdrawing them from school, to remove from roll, you must have this in writing from the parent and you must refer them to the Education Welfare Service (EWS) (providing a copy of the letter as the referral). If a school becomes aware that a parent is **intending** to withdraw their child for the reason of elective home education, it is good practice to seek to have a three-way conversation with the parent and the local authority Education Welfare Officer (EWO) prior to the parent reaching a decision if possible.

In the case of pupils with **EHCPs on roll at special schools**, where parents advise that they wish to **home educate**, please discuss this with the Special Education Service and your link EWO; prior to removal from roll, the local authority has a process that is followed to consider how the parent intends to meet the child’s needs and the local authority must be satisfied that the arrangements will be suitable before agreement to remove from roll can be confirmed.

It is never appropriate for a school to suggest home education to a parent; this practice is considered to be off-rolling. Further information on elective home education is available on the council’s website; [Home education (leicester.gov.uk)](https://www.leicester.gov.uk/schools-and-learning/school-and-colleges/education-at-home/)

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# Relevant Regulations

Removal from school roll of both pre-statutory and statutory school age children is governed by section 8 of the [Education (Pupil Registration) (England) Regulations 2006](http://www.legislation.gov.uk/uksi/2006/1751/contents/made)*.* The criteria that are relevant to children on school rolls are listed in this document in Annex A; the list incorporates the amendments as per the regulations enacted on 1st September 2016.

There is a statutory duty on all Local Authorities in England and Wales to have systems and procedures in place to monitor Children missing education; [Children missing education statutory guidance for local authorities – September 2016.](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf)

The local authority maintains records of the education provision of all children in the city known to education services. Work is undertaken by schools, the Education Welfare Service and Children Missing Education (CME) Information Officers with the aim of ensuring that all children who leave our schools safely enter the education system in their new location. This protocol provides details of the working arrangements for all maintained schools.

The duty to share information with the local authority on children with irregular attendance is stated in section 12 of the 2006 Regulations. With regards to children on part-time timetables, Ofsted takes the view that there is an obligation for all schools to notify the local authority of any such arrangements for their pupils. This includes all schools including both maintained and independent Schools. (See section 5.)

# Schools’ responsibilities - Removal from roll

There are different scenarios that can apply which may lead to removal of a child from the school roll; these scenarios are listed below with guidance.

Schools should ensure that parents are aware of the importance of keeping the school fully updated regarding changes to their address, plans to move out of the area etc prior to any actual move. At the point a forthcoming planned move comes to light, or following an apparent unexpected move, the school should seek to identify all relevant information and record this on the form in Annex B.

The form in Annex C is designed to assist schools in decision making regarding removal from roll when a child has moved but is still living locally. Both forms are designed to assist schools to establish and store as much relevant information as possible. The forms also act as referrals / notifications to the LA.

NB Where a child has moved but is still attending, other than ensuring the school records are updated, no action needs to be taken.

There are different scenarios and these are covered individually below.

## New school has child on roll – confirmed with school directly:

* There is no need to complete either form in Annex B or C as the child is on roll at another school – complete destination field in the school’s management information system:
* Enter details in destination field in SIMs or your school’s MIS system using following format:
	+ **[LA Number and Establishment Number],[Start Date as DD/MM/YY],[Name of Person Spoke to]**
* Remove from roll
1. Child is understood to be moving – new address is in city or nearby in county **(i.e., possibly within travelling distance) and parent states child will no longer attend:**
* Use the form in Annex B to capture the relevant information as far as possible with parent/carer
* Ensure they are aware that child must continue to attend until they leave the current address – explore with them how the child could travel and continue to attend
* Ensure they are aware that if they are remaining in the city or nearby in the county (within travelling distance), they should continue to send the child to the school unless they secure a place in another school -
	+ Whilst the parent may wish to apply for a place in another school closer to the address, unless there are safeguarding concerns or SEN needs preventing travel, all secondary age children will be expected to travel. Transport may be available if a place is applied for but unavailable at a school within walking distance
	+ For primary pupils, parents must continue to ensure their child’s regular attendance as far as possible until a place at a school closer to the address is available and, in the meantime, transport may be available if they apply but no school within walking distance has an available place
* Where a school is considering removal from roll in these circumstances, the **Child No Longer Ordinarily Resident and Stopped Attending form** (see Annex C)should be completed by the school and submitted securely to the EWS. This enables legal advice to be sought if this is deemed necessary and ensures the decision to remove complies with the regulations. (The form should be completed in Word and shared securely with the EWS.)
1. Child has moved and stopped attending - confirmed child in admissions process in new LA **(or known to a service in new LA which has responsibility to ensure child receives an education e.g., social worker) and confirmed child is not returning to the city:**
* Enter the details of the LA, who spoke to, their role in destination field
* Remove from roll
* NB Follow b.) where the child still lives locally in the county
1. Child is understood to be moving/has moved – distant county location or elsewhere in UK**, or left address but no information on whereabouts - Safe transfer to school or professionals in new LA unconfirmed despite all possible actions having been taken:**
* Complete Form in Annex B
* Discuss the case with the EWS and refer using Annex B form.
* EWO will undertake relevant casework, seek guidance from EWS management as necessary and provide guidance to school on removal from roll
* Remove from roll in line with advice from EWS (see Annex A (1h))
* Enter in destination field – “referred to EWS” and date referred
1. Child is understood to be moving out of UK / is reported to have moved out of UK **already:**
* Complete the form in Annex B immediately and in as much detail as possible when notified that the family intends to move. **Complete with the parent if possible.** There are then two options: concerns / no concerns.

**Scenario 1.) School has concerns**

* Select this option on Annex B form and add a summary of the reason for the concern. NB This option applies where school is aware of current or recent safeguarding issues, and/or have any concerns about the information the parent is presenting.
* If the child has a social worker, criminal justice officer, MST, or family support worker, as soon as the information about the move comes to light, contact them without delay to discuss.
* If the child has any other professional actively working with the family in a supportive capacity, contact them without delay to share concerns about the move.
* Send fully completed Annex B to EWO for investigation.
* EWS will undertake casework, seek guidance from EWS management as necessary and provide guidance to school on removal from roll – removal will be confirmed via email for the school’s records. There is no predictable timescale for these investigations.

**Scenario 2.) no concerns – notification only**

For use when scenario 1.) above does not apply.

* Select this option on Annex B form
* Complete Annex B as in as much detail as possible.
* EWO makes the following checks **only**
* Check for current involvement by:
	+ Social worker
	+ Family support worker
	+ Criminal Justice
	+ MST
	+ Children at the same address – alert sent to relevant school/s
* If as a result of the above checks, concerns are identified, EWO advises school to pause, otherwise, EWO acknowledges Annex B and states in the email that there are no concerns re removal
* School removes from roll on receipt of email from EWO (timescale where no concerns are identified – aim is one week from date fully completed Annex B received)
* The child is removed under the ‘ceased attending and no longer ordinarily resident’ – Section 8(1)(e)
* School should **try** to obtain details re new school abroad and to confirm this with that school if possible. Where there are no concerns, this process can continue after removal i.e. it is not necessary to have details of a new school abroad before removing a child. (Where there are significant concerns however i.e. scenario 1. above, this is advisable.)
* School retains detailed records of all information obtained.

**Destination field** on school’s MIS will either be **emigrated - referred to EWS** or **emigrated – notification only to EWS**.

When the destination field entered is: **emigrated – notification only to EWS,** the LA Data team screens cases for signs that the family **may** be resident and an investigation will then be undertaken. (Schools should avoid entering the name of a country only in the destination field, and instead, follow this advice.)

## Parent has taken child away on an extended period of leave of absence

* Where a parent advises that they intend to return, a child should not be removed from roll, even when the parent states that the absence is going to be for months. The regulation that **could** apply when a family are abroad or living too far away from the school for the child to continue to attend is 8(1)(e) – see section 7 below.
* Regulation 8(1)(e) states that a child may be removed from roll where they have stopped attending and they are no longer ordinarily resident. The reference to ordinarily resident means the address where the child is habitually and normally resident apart form temporary or occasional absences. **If a family normally reside in Leicester, and they advise they intend to return, they cannot be removed from roll under 8(1)(e).**
* **Schools may use wording provided by EWS to encourage parents to change travel plans and return children to school.**

## Parent is keeping child at home and refusing to send child to school

* Where a parent is refusing to send a child to the school where the child is on roll, the child cannot be legally removed from roll unless one of the removal from roll criteria is met – see section 7 below.

In all cases, where it is not already agreed that a child should be removed from roll **where a child has an EHCP**, the school should liaise with the SES caseworker when removal is being considered. For school age children, EWS may also need to be involved where removal from roll is being considered, and EWS will certainly be involved where the parent of a child with an EHCP who is on roll at a special school advises that they intend to home educate.

For any young people over school age with an EHCP, schools should liaise with SES and there is no role for EWS.

## Transferring information to the local authority

For schools that use Capita SIMS with electronic transfer (B2B) with the local authority, this is done automatically when you have updated SIMS. Maintained schools that use other MIS should ensure that they have updated their system prior to sending the usual weekly extract for the local authority and uploading to AnyComms+.

When schools are inspected, inspectors may ask for evidence that the LA agrees with and/or is aware of a child’s removal from roll. LA will provide an emailed acknowledgement of the fact that a child has been/will be removed from roll and that LA agrees where circumstances warrant this.

# General advice – concerns about the child’s whereabouts or destination

If no referral or notification has been sent to an EWO, schools should avoid stating in the destination field in the school’s MIS that the EWO is aware.

Where i) a child is understood to be moving address or ii.) the move has subsequently come to the school’s attention, where there are concerns due to the school being unable to confirm safe transfer, **in particular where a move abroad is known or suspected,** schools should seek to ascertain as much of the information in Annex B as possible. Where the school is aware of another agency or professional being involved with the family, they should alert them to the concerns as a matter of urgency and both seek information and support from them to confirm the child’s wellbeing. It may be appropriate to seek information from a named emergency contact on the child’s school records.

* The key principle is that **independent confirmation of the details is always ideally required** prior to removing a child from roll when a parent has advised of a move to another area or to a country outside of the UK. If the only available information is from the parent, that will usually be sufficient unless there are concerns identified in which case, a referral to the LA EWO is appropriate (including details of the concerns) prior to removal.
* All **available information should be triangulated to identify potential concerns.** Where there are concerns about the child’s wellbeing, the concerns should be carefully considered with the aim of either taking action to confirm the child’s safe transfer to another school or LA or, to involving LA services as appropriate

Confirmation from an independent source could come from another local authority, a school in another area or the parent/carer may have some documentation relating to the new address which can be confirmed independently. Schools abroad will usually be willing and able to confirm a child is on roll with them via email; the address should match the one on their website.

Where concerns exist due to a lack of clarity, a lack of willingness to share information on the parent’s part, or due to the destination (e.g., a conflict zone), or due to further information that has come to light from the child or their friends, or from a sibling’s school, an assessment should be undertaken with a view to:

* Following safeguarding procedures where significant risk is believed to exist – referral to DAS or contact Social Worker if already involved
* Referring to Education Welfare Service to make relevant enquiries

When a parent has been transparent and cooperative in their sharing of information, this will usually indicate that the child is not at risk, but there could be individual cases where this is not the case hence all cases should be carefully considered with information available being triangulated to identify concern.

## Leavers joining a Witness Protection Scheme or Fleeing Violence/abuse

Occasionally when a child leaves, there are special circumstances which make it necessary to keep their new location highly confidential. Typically, this is because they are fleeing violence or some other threat or in a very few cases, they are joining a witness protection scheme.

It is important that you confirm with the new school that the child is on roll, but do not record the new address or the new school in SIMS. Please select the Other/Unknown option in the reason for leaving field. For these cases it is also important for you to contact the CME Information Officers (cme@leicester.gov.uk, 0116 454 1132) so that the centrally held record can be updated in a way which protects the child’s new location and prevents a CME investigation from being triggered. Please do not email child’s personal details.

Where children have left due to domestic violence, witness protection or some other known threat; if you are unable to locate them at a new school, you should refer them to the EWS. The EWS will then take appropriate steps and ensure that the child is in education and ensure that the centrally held record is updated in a way that protects the child’s new location.

## Schools in the UK

It is never sufficient to accept the word of a parent/guardian. Confirmation from the receiving school needs to be obtained. To find the contact details of schools in England or Wales, you can look them up on the [Get Information about Schools website](https://www.get-information-schools.service.gov.uk/).

If a pupil has relocated to Scotland or Northern Ireland, you should make contact with the new school or the relevant local authority to confirm that the child is either in their admissions system or has started there.

**Policy and Practice Guide for Schools on Absent Pupils – Safe and Well Checks**
This policy applies where children have not been seen as expected in school and there are concerns about their whereabouts. The policy could apply to cases where a move is suspected but not confirmed and cases should be considered on a case-by-case basis. The Policy is available on the Schools’ Extranet - [School's Extranet (leicester.gov.uk)](https://schools.leicester.gov.uk/services/education-welfare-service/policy-and-practice-guides/).

**New starters**Schools have a duty to share the details of all new starters with the LA.

**Common Transfer Files or SIMS queries** should be addressed to your MIS (SIMS) support provider.

# Children with irregular attendance and/or 10 or more days of unauthorised absence

Existing requirements set out in the Regulations require all schools to share information with the local authority regarding pupils who have irregular attendance and those who have 10 or more consecutive days of unauthorised absence. **These requirements are met by the routine sharing of attendance data by schools with the local authority**, either via the use of B2B electronic transfer or, the sharing of data at agreed intervals. Therefore, no additional information is required.

# Children on part-time timetables / in alternative provision

The Ofsted inspection framework for local authority children's services includes a focus on children who are missing from education (on school rolls but without full-time provision) and/or who are being offered alternative provision. The local authority is therefore required to have knowledge and oversight of such arrangements. There is an E form system in place for schools to use to inform the local authority about such arrangements. Full information is available: [School's Extranet (leicester.gov.uk)](https://schools.leicester.gov.uk/services/education-welfare-service/part-time-timetable-alternative-provision-notification/). The duty relates to children of statutory school age only.

# Local authority responsibilities and actions

The local authority must ensure that where safe transfer to another school or admissions system in the UK has not been established, that all possible relevant actions have been undertaken to ensure the child’s safe transfer. Where the child is understood to be moving abroad, or where they have not returned as expected, it may be appropriate to refer to the EWS for further investigation. In order to decide the extent of the actions deemed appropriate, the details in the form in Annex B will be fully considered.

The CME Information Officers in the Data team and the EWOs have access to the information submitted electronically by schools via B2B in the ONE Pupil database. Where safe transfer is not evident in destination field via B2B, if an EWO has not been involved via either a referral or a notification, the CME Information Officers will follow up and confirm information with schools as deemed appropriate and they will check the latest available housing information. This action will also be taken where EWOs have received Annex B notifications from schools. **This check by the Data team provides an additional layer of reassurance.**

When schools have been unable to locate a child and family, all possible actions should have been tried **prior to referral to the local authority**, including the following:

* Home visits and checks with neighbours
* Emails to the family/young person
* Phone calls – all numbers including extended family, emergency contacts
* Texts to request contact
* Checks on the school’s portal/website – is the child engaging/contactable?
* Checks on social media sites that you are aware the child might access
* Where other known siblings attend other schools, check if the other school are having contact with the family
* If relevant, contact the social worker, family support worker or any other involved professional – have they had any involvement with the child/family?

When EWS investigation is required, the standard actions the EWO will undertake are:

* Check of council databases e.g., Revenue and Benefits, Liquid Logic
* Phone calls and emails (using contact information held by the LA)
* Referral to other local authorities
* Check with health re GP registration
* Follow up all other possible sources of information identified during the investigation

The CME Information Officers will undertake a monitoring function of the system whereby cases where there has been no EWS involvement will be sampled to identify any issues. This will result, where appropriate, in training being offered and/or the amendment of the protocol.

Key LA CME personnel regularly liaise and review procedures to ensure practices support the purpose of the protocol.

**Nothing in this protocol affects the duty to refer to social care when thresholds are met. The LSCPB guidance is available on the** [LSCPB website](https://www.lcitylscb.org/media/1641/llr-thresholds-document.pdf).

# Annex A - Regulations – Removal from Roll

**Children of statutory school age** – a child becomes of statutory school age when they turn five on or before one of the three prescribed days (31 August, 31 December, 31 March);

|  | **Grounds for deleting a pupil of compulsory school age from the school admission register set out in the Education (Pupil Registration) (England) Regulations 2006, as amended** |
| --- | --- |
| **1)**8(1)(a) | where the pupil is registered at the school in accordance with the requirements of a **school attendance order**, that another school is substituted by the local authority for that named in the order or the order is revoked by the local authority on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his age, ability and aptitude otherwise than at school. |
| **2)**8(1)(b) | except where it has been agreed by the proprietor that the pupil should be registered at more than one school, in a case not falling within sub-paragraph (a) or regulation 9, that he has been **registered as a pupil at another school**. |
| **3)**8(1)(c) | where a pupil is **registered at more than one school**, and in a case not falling within sub-paragraph (j) or (m) or regulation 9, that he has ceased to attend the school and the proprietor of any other school at which he is registered has given **consent to the deletion**. |
| **4)**8(1)(d) | in a case not falling within sub-paragraph (a) of this paragraph, that he has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving **education otherwise** than at school. |
| **5)**8(1)(e) | except in the case of a boarder, that he has **ceased to attend** the school and **no longer ordinarily resides** at a place which is a reasonable distance from the school at which he is registered. |
| **6)**8(1)(f) | in the case of a **pupil granted leave of absence** in accordance with regulation 7(1A), that —(i) the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted;(ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and(iii) the proprietor and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is. |
| **7)**8(1)(g) | that he is **certified by the school medical officer** as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither he nor his parent has indicated to the school the intention to continue to attend the school after ceasing to be of compulsory school age |
| **8)**8(1)(h) | that he has been **continuously absent from the school for a period of not less than twenty school days** and(i) at **no time was his absence during that period authorised** by the proprietor in accordance with regulation 6(2); (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and(iii) the proprietor of the school and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is. |
| **9)** 8(1)(i) | that he is **detained** in pursuance of a final order made by a court or of an order of recall made by a court or the Secretary of State, that order being for a period of not less than four months, and the proprietor does not have reasonable grounds to believe that the pupil will return to the school at the end of that period. |
| **10)**8(1)( j ) | that the pupil has died. |
| **11)**8(1)(k) | that the pupil will **cease to be of compulsory school age** before the school next meets and—(i) the relevant person has indicated that the pupil will cease to attend the school; or(ii) the pupil does not meet the academic entry requirements for admission to the school’s sixth form. |
| **12)**8(1)(l) | in the case of a pupil at a school other than a maintained school, an Academy, a city technology college or a city college for the technology of the arts, that he has ceased to be a pupil of the school. |
| **13)**8(1)(m) | that he has been **permanently excluded** from the school. |
| **14)**8(1)(n) | where the pupil has been admitted to the school to receive nursery education, that he has **not** on completing such education **transferred to a reception, or higher, class** at the school. |
| **15)**8(1)(o)  | where—(i) the pupil is a **boarder** at a maintained school or an Academy;(ii) charges for board and lodging are payable by the parent of the pupil; and(iii) those **charges remain unpaid** by the pupil’s parent at the end of the school term to which they relate. |

**Children below statutory school age** (taken directly from regulations)

*8(3a) that he has ceased to attend the school, or, in the case of a boarder, that he has ceased to be a pupil of the school*

*(3b )that he has been continuously absent from the school for a period of not less than twenty school days and*

*(i) at no time was his absence during that period agreed by the proprietor;*

*(ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and .*

*(iii) the proprietor of the school has failed, after reasonable enquiry, to ascertain where the pupil is.*

*(c)that the pupil has died;*

*(d)where the pupil has been admitted to the school to receive nursery education, he has not on completing such education transferred to a reception, or higher, class at the school; or (e)that he has been permanently excluded from the school.*

**Local Authority advice** – when a parent stops sending their child to school despite encouragement from the school to return the child, **where that child is under school age**, prior to removing the child from the school roll, a letter should be sent to the parent advising of the intention to remove from roll and giving the parent ten calendar days to contact them should they wish for the child to remain on the roll of the school.

# Annex B - Safe removal from roll form / Referral OR Notification to local authority

Completion of this form will assist schools to determine **if** referral **or** notification only to the EWS is appropriate. For use with reference to the case scenarios.

|  |
| --- |
| **School:**  |
| Child/ren’s name(s):1.2.3. | Child’s dob & UPN:1. /2. /3. / |
| Person providing information:1. Name:
2. Mobile no:
3. E-mail addresses:
4. Relationship to child
 | 1. |
| 2. |
| 3. |
| 4. |
| Parent/s carers if different to the above: | Enter 1 – 4 as above in this box |
| New Address: |  |
| Date family moving if still in city: |  |
| Last date child will attend the school: |  |
| If child has stopped attending, last date: |  |
| Is child in the Admissions process in the new LA, if yes, give details of a. LA and b. schools applied for:  | Yes/Noa.b. |
| If destination is outside of UK, how will the family be travelling? |  |
| Flight details:1. Airline:
2. Date of travel:
3. Flight number:
4. Destination Airport:
5. If there is a connecting flight, record same details as above:
 | a. |
| b. |
| c. |
| d. |
| e. |
| Place in school for child/ren in new location? Yes / No (State name of school/s with tel no if known): | 1.2.3. |
| Any other information including concerns from friends, information from siblings’ schools:  |
| **Is social care etc involved? Y/N – if Y, inform social worker: date informed ………. Is there a need for the LA to investigate further? Y/N** **– if Y, send form to EWO** |
| How do you know the family has left the address? Provide details: |
| Is the school view that CP thresholds have been met? Yes / NoIf Yes, confirm that CP processes have been followed – Yes / No  |
| **If this is a referral to LA to investigate whereabouts, provide a brief summary of the reason for your concern here**: |
| **Or, if this is a Notification only state this here:**  |

Date form completed: \_\_\_\_\_\_\_\_\_\_\_\_ Dates of any subsequent updates: \_\_\_\_\_\_\_\_\_\_\_\_\_

**Save form electronically in child’s school record. Send to link EWO. Await response re removal from EWO.**

# Annex C - Purpose - to determine if removal from roll due to distance is appropriate

|  |
| --- |
| **EDUCATION WELFARE / SCHOOL ADMISSIONSCHILD NO LONGER ORDINARILY RESIDENT AND STOPPED ATTENDING –** **FOR USE WHEN CHILD HAS MOVED BUT IS STILL LIVING IN CITY OR NEARBY IN COUNTY** |
| **For completion in Word** – send securely  |
| **Name of child:** |  | **Dob:** |  | **School Yr:** |   |
|  |
| **School:**  |  | **Date last attended:**  |  |
|  |
|  |
| **1.    Previous address when attending:** |  |
|  | Distance from school (shortest walking): |  |
| **2.    Date moved to new address:**  |  |
| **3.    New address from which no longer attending:**  |  |
|  | a.) Distance from school (shortest walking):b.) Journey time by bus at school start/time time: |  |
| **4.    Siblings** |
| **Names**  | **Schools** | **Attending?** |
|   |   | Y | N |
|   |   | Y | N |
|   |   | Y | N |
|   |   | Y | N |
| **5.    Parent’s view:** |
|  |
| **6.    Head teacher’s view:**  |
|  |
| 7. Is child in admissions process for place at another school? Yes / No |
| **DATE FORM SENT TO EWS**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Pass form to EWS management:** |
|    |
| **Decision re removal from roll and rationale:**  |
|    |
|  |
| **Name of EWS manager:**  |   | **Date:**  |   |
| **Admissions manager:**  |   | **Date:**  |   |

DATE FORM RETURNED TO EWO: \_\_\_\_\_\_\_\_\_\_ DATE FORM RETURNED TO SCHOOL: \_\_\_\_\_\_\_\_\_\_\_\_

**If form to be sent to LA, send to link EWO.**

# Annex D - Informing the LA about children with irregular attendance and/or 10 or more days of unauthorised absence

This sheet should be completed whenever irregular attendance, or more than 10 days of absence is noted. **(Where schools share their attendance data with the local authority, this information is received via that process and no form is needed.)**

## Student details

|  |  |
| --- | --- |
| Surname |  |
| Forename |  |
| Middle Names |  |
| UPN |  |
| Date of Birth |  |
| Gender  |  |
| Flat |  |
| Number |  |
| Street |  |
| City |  |
| County |  |
| Postcode |  |

Children who fail to attend regularly
(only complete for those who are irregular attenders)

|  |  |
| --- | --- |
| Date last attended |  |
| Absence reason |  |
| Action undertaken to date |  |
| School responsible person (name) |  |
| Contact details for responsible person email/telephone number |  |

**Please use ‘Irregular Attenders – Annex D’ in** [AnyComms+](https://filetransfer.leicester.gov.uk/Login.aspx)**.**