

Bredenbury Primary School
CHILD MISSING EDUCATION POLICY
(Including Brexit advise)
June 2017

Signed and dated:
Chair of Governors
Headteacher

STATUS: Statutory

Introduction

The Government has placed a duty on local authorities (Education and Inspections Act 2006, Section 436A) to make arrangements to establish (so far as it is possible to do so) the identities of children in their area who are of compulsory school age and not receiving a suitable education. In relation to children suitable education is efficient full-time education suitable to her/his age, ability and aptitude and to any special educational needs the child may have. The duty applies in relation to 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.

Brexit – leaving the European Union 2017

Now the government has triggered Article 50, there may be an increase in movement of European nationals returning to their home country or moving to another EU country. For schools, this may mean children leave with little or no warning.

Ratified on:	26.6.2017
The Designated Person is:	Mrs S McAtear
The Deputy Designated Person is:	Mrs K Lane
The named Child Protection Governor is:	Mr T Hayes
To be reviewed by staff and governors in:	May 2021 or earlier if guidelines change

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From June 2013, Ofsted has been implementing a new joint inspection for multi-agency arrangements for the protection of children which will include CMEs.

The Children Act 2004 places a duty on all agencies to work together to promote the safeguarding and welfare of children and young people and to share information. This principle underpins this policy and there is an expectation that all agencies will work together to ensure that children and young people do not “slip through the net” and become missing.

These ‘missing’ children and young people are amongst the most vulnerable and therefore it is vital that practitioners in all services work together to identify and reengage these children and young people into the appropriate education provision as quickly as possible.

SAFEGUARDING

Bredenbury Primary School has a duty of care and responsibility towards pupils, parents/carers and staff. The care and safety of the individual is the key issue behind this document. We will endeavour to protect children from maltreatment: preventing impairment of children’s health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking actions to enable all children to have the best outcomes.

Where a child is suffering significant harm, or is likely to do so, action should be taken to protect that child. Action should also be taken to promote the welfare of a child in need of additional support, even if they are not suffering harm or are at immediate risk.

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DEFINITION OF CHILDREN MISSING EDUCATION

The national definition of a child missing from education is: “All children of compulsory school age who are not on a school roll, nor being educated otherwise (e.g. at home, privately or in alternative provision) and who have been out of any educational provision for a substantial period of time (usually agreed as four weeks or more)”

There is a need for Local Authorities to monitor groups of pupils who are likely to go missing from education.

For the purpose of this document, the definition of children missing from education or at risk of missing education has been agreed as:

“To include any child who is not accessing full time appropriate provision”.

This will include the following pupils:

- Pupils who have moved into the area and are not yet on a school roll (including Migrant Workers, Refugees, Asylum Seekers, those relocated from a UK Local Authority or from outside the UK). In addition to this group of pupils there may be other pupils who are not on a school roll for any other reason than permanent exclusion
- Pupils with a Statement of Special Educational Needs (SEN) awaiting an appropriate placement
- Long-term non-attenders (defined as those who have not attended school for 4 consecutive weeks)

This document does not replace any of the Child Protection Procedures. Existing safeguarding procedures and mechanisms for reporting and recording child protection concerns are to be observed at all times.

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The duty does not apply in relation to children who are registered at a school who are not attending regularly. Schools already have a duty to monitor attendance through the attendance register and to notify the Local Authority where the attendance of individual pupils gives cause for concern.

Parents' responsibilities

Parents have a duty to ensure that their children of compulsory school age are receiving efficient full-time education. Some parents may elect to educate their children at home and may withdraw them from school at any time to do so, unless they are subject to a School Attendance Order. Where a parent notifies the school in writing of their intention to home educate, the school must delete the child from its admission register and then inform the local authority.

Children with special educational needs statements can be home educated. Where the statement sets out special educational provision that the child should receive at home, the local authority is under a duty to arrange that provision. Where the statement names a school as the place where the child should receive his or her education but the parent chooses to home educate their child, the local authority must assure itself that the provision being made by the parent is suitable to the child's special educational needs. In such case the local authority must review the statement annually.

Schools' duties

Schools, including Academies and Free Schools, must monitor pupils' attendance through their daily register. Schools should agree with their local authority the intervals in which they will inform local authorities of the details of pupils who are regularly absent from school or have missed 10 school days or more without permission. Schools must also notify the authority if a pupil is to be deleted from the admission register in certain circumstances. Pupils who remain on a school roll are not necessarily missing education but schools

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should monitor attendance and address it when it is poor. It is also important that pupils' irregular attendance is referred to the authority.

Schools also 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.

Schools must also arrange full-time education for excluded pupils from the sixth school day of a fixed period exclusion.

Local authorities' related duties and powers

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

- Providing suitable full-time education to permanently excluded pupils from the sixth school day of exclusion;
- Safeguarding children's welfare, and their duty to cooperate with other agencies in ensuring children's safety
- Serving notice on parents requiring them to satisfy the LA that there child is receiving suitable education when it comes to the local authority's attention that a child might not be receiving such education.
- Issuing School Attendance Orders (SAOs) on parents who fail to satisfy the local authority that their child is receiving suitable education, and in the opinion of the authority it is appropriate that the child should attend school.
- Prosecuting parents that do not comply with an SAO;
- Prosecuting or fining parents who fail to ensure their school-registered child attends school regularly;
- Applying to court for an Education Supervision Order for a child.

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Children at particular risk of missing education

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

1. **Pupils at risk of harm/neglect** - Children may be missing from education because they are suffering from abuse or neglect. Where this is suspected schools should follow local child protection procedures. Local authority officers responsible for CME should check that a referral has been made and, if not, they should alert children's social care. If there is reason to suspect that a crime has been committed or the child's safety is at risk, the police should also be involved. The Department's statutory guidance Working Together to Safeguard Children (2013) is available on the Department's website.
2. **Children of Gypsy, Roma and Traveller (GRT) Families** – Research has shown that many children from these families can become disengaged from education, particularly during the secondary school phase. It is therefore vital that schools inform the LA when a GRT pupil leaves the school without identifying a new destination school, particularly in the transition from primary to secondary so that they can attempt to facilitate continuity of the child's education. Although many are settled, some GRT families move regularly and their children can be at increased risk of missing education. Local authority Traveller Education Support Services (TESS), where these exist, or named CME officer within the LA, can 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.

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3. **Families of Armed Forces** - Families of members of the Armed Forces are likely to move frequently – both in UK and overseas and often at short notice. Schools and local authorities should contact the MOD Children’s Education Advisory Service (CEAS) on 01980 618244 for advice on making arrangements to ensure continuity of education for those children when the family moves.
4. **Missing children/runaways** - Children who go missing or run away from home or care may be in serious danger and are vulnerable to crime, sexual exploitation or abduction as well as missing education. Further sources of information about missing children are listed at the back of this document.
5. **Children and young people supervised by the Youth Justice System** - Children who have offended or are at risk of doing so are also at risk of disengaging from education. Local authority Youth Offending Teams (YOTs) are responsible for supervising those young people (aged 8 to 18). YOTs should work with the local authority CME officer to ensure that children are receiving, or return to, appropriate full-time education. Where a young person was registered at a school prior to custody, the school may keep the place open for their return.¹⁸
6. **Children who cease to attend a school** – there are many reasons why a child stops attending a school. It could be because the parent chooses to home educate their child. However, where the reason for a child who has stopped attending a school is not known, the local authority must investigate the case and ensure the child is receiving suitable education.
7. **Brexit (leaving the European Union)** - Now the government has triggered Article 50, there may be an increase in movement of European nationals returning to their home country or moving to another EU country. For schools, this may mean children leave with little or no warning.

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Children Missing Education Guidance

Schools are reminded of their obligation under the Education (Pupil Registration) (England) Regulations 2006, when removing a child from school roll:

- All schools (including academies and independent schools) must notify the council within five days when removing a pupil's name. The notification must include:

- a) The full name of the pupil
- b) The full name and address of any parent with whom the pupil normally resides
- c) At least one telephone number of the parent
- d) The pupil's future address and destination school, if applicable
- e) The ground in regulation 8 under which the pupil's name is to be removed from the admission register

- Schools must make reasonable enquiries to establish the whereabouts of the child jointly with the council, before deleting the pupil's name from the register, if the deletion is under regulation 8 (1), sub-paragraphs (f) (iii) and (h) (iii)

Suggested good practice:

- Remind all parents of their obligation to provide forwarding details when they remove a child from your school. This information should be provided in various languages
- Ask parents to complete a 'leaving form', requesting the relevant information

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For children believed to have left the country and where no forwarding details have been provided, the school must follow the CME guidance available on the children missing education (Herefordshire) webpage.

If you need any assistance with a CME enquiry, please contact Diane Woodbridge on 01432 261831 or orcme@herefordshire.gov.uk

Working with others

Families moving between local authority areas can sometimes lead to a child becoming 'lost' in the system and consequently missing education. Where a child has moved, local authorities should check with other local authorities – either regionally or nationally – and share information in order to ascertain where a child has moved. Once the location of the child is established, the relevant local authority must ensure that the child is receiving an education either by attending a school or otherwise.

Local authorities should regularly raise awareness of their procedures with local schools, partners and agencies working with children and families, for example, GPs and other health professionals, Primary Care Trusts, police, housing agencies, emergency services, children's homes, voluntary groups for youth and Youth Offending Teams.

It may also be helpful for local authorities to have local contacts with the Department for Works and Pensions, the UK Border Agency and HMRC to assist them in tracing those children known to be missing education.

We provide a secure internet system – school2school– to allow schools to transfer pupil information to another school when the child moves. If the departure school agrees, the local authority may do this on the school's behalf.

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Partner agencies and services involved in the referral and monitoring process

There is a fundamental principle that all officers of the Local Authority and other partners have some level of responsibility around the issue of children missing education. If anybody is aware of any child or young person who does not appear to be accessing education appropriately they should make a referral. This may result in referrals being made for children and young people already known and on a school roll. However, given concerns around safeguarding and welfare of this group of children, this is more beneficial than not receiving notification.

Having said this, there will be some officers who take lead responsibility for the placement of children and young people who are currently not accessing appropriate education.

Identifying a child missing education or at risk of doing so

Bredenbury Primary School has procedures regarding contacting children at risk of going missing from education. These are linked to those of the Early Intervention Team's guidelines and also the use of the schools to schools (S2S) website and the Lost Pupils Database for the transfer of pupil data.

We act responsibly in this matter in terms of the safeguarding agenda and the duty to ensure that the whereabouts of all children are known.

This proactive approach will help to enable us in limiting the opportunity for children and young people to become missing or "lost".

The Local Authority (LA) has an overall duty to safeguard and promote the welfare of children and within that falls the duty to make arrangements to establish (so far as it is possible to do so) the identities of children in their

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area who are of compulsory school age and not receiving a suitable education.

The CME Officer will be able to access various reports from ONE to highlight specific children and young people who have left one provision and not yet started at another provision.

Local Authority Procedures – Children Missing Education

Notification Routes:

- From schools – where a child has left the school and the whereabouts or new provision not established; on admission list but does not arrive and contact cannot be made; or where a school becomes aware through their own pupils/families or other contacts, or any child who is not registered at a school.
- From other professionals within Children’s Services e.g. ACIS, EIT, Social Care, Admissions.
- From other Services e.g. Housing, Health, Police
- From other Local Authorities – S2S secure messaging
- From members of the public

Recording Children Missing Education

The Children’s Services pupil database has a module which is used, amongst other reasons, to record children missing education. It is the CME Officers responsibility to record necessary information on this database to enable accurate information to be reported to the Director of Children’s Services as and when appropriate and to the Early Intervention Team at the regular fortnightly meetings.

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Herefordshire Local Authority Procedures

<https://www.herefordshire.gov.uk/education-and-learning/schools/children-missing-education>

Safeguarding concerns

If there are any safeguarding concerns or if a child is known to social services a referral to Herefordshire Multi Agency Safeguarding Hub (MASH) should be made straight away.

<http://hscb.herefordshire.gov.uk/the-board-and-our-priorities/worried-about-a-child/>

Making a CME referral

A CME referral cannot be submitted before 10 consecutive days of absence. During this time the school is expected to carry out investigations to locate the pupil. The local authority will have a further 10 days to investigate the CME enquiry.

In line with The Education (Pupil Registration) Regulations 2006 regulation 8 (h), a pupil cannot be removed from the school roll until 20 days have passed. This procedure does not replace school attendance policy, the issuing of penalty notices for non-attendance or the 'In Year Fair Access' procedure.

Please note that CME referrals will no longer be accepted without the following documents:

- A completed CME referral form
- A copy of the pre-referral checklist
- The registration certificate

These forms can now be submitted online.

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<https://www.herefordshire.gov.uk/education-and-learning/schools/schools-education-welfare/children-missing-education-referral-form>

Alternatively you can return the forms by:

- Via: anycomms+ to 'Children Missing Education'
- Post: Diane Woodbridge, Information and assessment co-ordinator, CME Referrals, Business Support, Bath Street, Hereford HR1 2GY

Contact

If you require any further information please contact Diane Woodbridge, Information and Assessment Co-ordinator and CME Officer at:

- Email: dwoodbridge@herefordshire.gov.uk
- Direct line: 01432 2618
- Mobile: 07792880754

Documents

- [CME referral form](#) - 44KB
- [CME pre-referral checklist](#) - 57KB
- [CME In Year Fair Access \(IYFA\) referral form](#)- 570KB
- [DfE CME statutory guidance for local authorities](#) - 151KB
- [Herefordshire Council CME guidance](#) -586KB

External links

- [The Education \(Pupil Registration\) \(England\) Regulations 2006](#)

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FURTHER SOURCES OF INFORMATION

Associated resources (external links)

[Child abduction](#)

[International child abduction](#)

[Forced marriages \(FCO\)](#)

[HM Customs and Revenue](#)

[Home Office](#)

[Working together to safeguard children](#)

[Missing Children/People](#)

[UK Border Agency](#)

Other departmental advice and guidance you may be interested in

[Behaviour and attendance \(including exclusions, bullying and alternative provision\)](#)

[Child sexual exploitation](#)

[Child trafficking](#)

[School Admissions Code](#)

[Elective Home Education guidelines](#)

[Young runaways](#)

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Related legislation

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

Education Act 2002 (section 21)

Education and Inspections Act 2006 (section 4 & 38)

The Education (Pupil Registration) (England) Regulations 2006

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

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

Education Act 2002 (section 175)