

TITLE OF REPORT: Children Missing Education Strategy, Procedures and Guidance

REPORT OF: Alison Elliott, Interim Strategic Director, Care, Wellbeing and Learning

Purpose of the Report

1. This report seeks approval for the Children Missing Education (CME) Strategy, Procedures and Guidance document.

Background

2. The Local Authority has a duty to identify children who are not receiving a suitable education either by being registered at a school or educated otherwise and there must be robust multi-agency processes in place to prevent children from being 'lost' from the education system.

Proposal

3. It is proposed that the Children Missing Education Strategy is approved

Recommendations

4. It is recommended that Cabinet approves the Children Missing Education Strategy.

For the following reasons:

- (i) To ensure that the Council complies with section 436A of the Education Act 1996.
- (ii) To ensure that the Council wherever possible identifies 'lost' children and ensure they have access to suitable education provision

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Policy Context

1. Section 436A of the Education Act 1996 (added by section 4 of the Education and Inspections Act 2006) requires all local authorities to make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a suitable education.
2. This proposal supports the vision for Gateshead as set out in Vision 2030 and The Council Plan 2015-2020 “Local people realising their full potential, enjoying the best quality of life in a healthy, equal, safe, prosperous and sustainable Gateshead”. This means that:
 - we will have well educated communities that make the best use of lifelong learning, achieving this through improved educational attainment.
 - we are a borough of high achievers, driven by aspiration and creativity through increased learning and development.
 - children, young people and vulnerable adults that are safe and supported, where those who need help have access to appropriate joined up services that make a difference to the quality of their life.

Background

3. The Local Authority has a duty to identify children who are not receiving a suitable education either by being registered at a school or educated otherwise and there must be robust multi-agency processes in place to prevent children from being ‘lost’ from the education system.
4. Children fall out of the education system for a number of reasons including failure to enter the system in primary school, or to enter the secondary system after primary or moving from one area to another but being unable to secure a suitable school place.
5. Vulnerable groups include:-
 - Children living in women’s refuges
 - Children of homeless families living in temporary accommodation
 - Children living in a house of multiple occupancy or bed and breakfast accommodation
 - Unaccompanied asylum seekers and refugees or children of asylum seeking families
 - Children with long-term medical or emotional problems
 - Children and Young People Looked After
 - Children for whom English is an additional language
 - Children with a Gypsy, Roma and Traveller background
 - Children from transient families
 - Teenage mothers
 - Children who are permanently excluded from school
 - Children with poor attendance
 - Children on roll of Alternative Education Providers e.g. PRUs early college placements
 - Children and young people who have committed offences or are at risk of becoming involved in crime

- Children identified with specific child protection issues and those who are considered to be in need of a Child Protection Plan
- Young people at risk of forced marriage
- Young people at risk of radicalisation

6. Since 2011 Gateshead has had 561 CME, of which 447 have been found, leaving 114 whose whereabouts we are unable to verify. This data is set out in the table below

	Total	Found	Not Found
2011-2012	122	92	30
2012-2013	116	97	19
2013-2014	122	100	22
2014-2015	121	108	13
2015-date	80	51	29 16 Abroad 13 – most waiting for school places
Cumulative Total	561	447	114

7. There is a named Children Missing Education (CME) coordinator within the Council whose role is to receive notifications of children possibly missing from education and to manage the missing from education procedures. The CME coordinator is responsible for:-

- maintaining a Children Missing from Education database
- Investigating referrals made by schools, other agencies and other local authorities
- Providing reports to senior managers and the Department for Education (DfE)
- Using available databases to locate children
- Liaising with schools
- Attending regional meetings

8. Notifications of a child missing can be received from within the Council including agencies such as schools, health, housing, police and/or other local authorities nationwide.

9. Within Gateshead there are clearly defined procedures as set out in the attached Strategy, Procedures and Guidance document (Appendix 2), which is an updated version of our previous CME Strategy. The Strategy states that

'In order to protect vulnerable children and in line with best practice requirements, pupils should not be removed from the school roll until they are confirmed to have been admitted to a new school or advised to do so by their Children Missing Education Officer'.

10. Parents have a legal responsibility to ensure that their children of compulsory school age are receiving a suitable education (section 444 Education Act 1996) and all schools have safeguarding duties in respect of their pupils (section 175 of the Education Act 2002).

11. All schools including maintained schools, free schools, academies and Pupil Referral Units must monitor a pupil's attendance on a daily basis and investigate any unexplained absences (section 175 of the Education Act 2002).
12. In normal cases of absence a schools' staged response should be followed and a referral for legal action should be made when parents fail to improve the attendance. These cases are not children missing from education.
13. Should any agency become aware that a child has either left Gateshead, or has arrived in the area, the CME Coordinator should be notified and as much information as possible provided to assist in tracing and tracking the child.
14. If a child is subject to a child protection plan the school must inform the Referral and Assessment Team immediately. Any concerns about child protection, sexual exploitation and trafficking should also be reported.
15. Effective multi-agency and cross border information sharing is necessary to assist with enquiries into pupils missing from education. The CME coordinator may need to contact agencies such as Health, Social Services, Police and Housing to locate a child.

Improving information in identifying children missing education

16. Following recent inspections of schools Sir Michael Wilshaw (Her majesty's Chief Inspector of Schools) expressed concern about the inconsistent practice and poor communication in identifying children who are missing education, specifically highlighting that current regulations do not place a legal duty on schools to establish and record destinations for all pupils whose names are removed from the school admission registers. His recommendation was that the government strengthens current regulations and related guidance to ensure schools provides regular and accurate information to local authorities.
17. In light of these recommendations, the government are currently consulting on propose changes to the Education (Pupil Registration) (England) Regulations 2006.
18. Sir Michael Wilshaw has recommended that the government helps to ensure that school provide regular and accurate information to local authorities. Therefore, proposed amendments to the Education (Pupil Registration)(England) Regulations 2006 will require schools to report when a pupil's name is added to or removed from their pupil admissions register in all cases. In light of this, the Council will be requesting migration forms (a record of admissions and deletions from registers) be regularly completed by schools and returned to the CME Coordinator as from September 2016.

Consultation

19. Members of the Local Safeguarding Children's Board have been consulted on the formation of this strategy.
20. The Cabinet Member for Children and Young People have been consulted.

Alternative Options

21. The alternative option would be for the Council not to have a strategy but this would mean that it would fail to meet its statutory duty in relation to children missing education.

Implications of Recommended Option

22. Resources:

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms there are no financial implications as a result of this report.
- b) **Human Resources Implications** – There are no specific implications arising from this report
- c) **Property Implications** - None

23. Risk Management Implication - None

24. **Equality and Diversity Implications** - All children, young people and their families have a right to access to education including equality of opportunity in terms of accessing support, advice and guidance.

25. **Crime and Disorder Implications** – Improving the attendance of any child missing education will reduce the risk of young people becoming involved in anti- social/ criminal behaviour.

26. **Health Implications** – Improved attendance in education will contribute to improving emotional health and well-being.

27. Sustainability Implications - None

28. **Human Rights Implications** - Article 2 of the first protocol to the convention provides that no person shall be denied the right to education and provides parents with a right to ensure such education is in conformity with their own religious and philosophical convictions. However, this right is heavily qualified to the effect that it must be compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure.

29. **Area and Ward Implications** - This will impact the children and young people in all areas and wards across Gateshead.

Background Information

30. The following background papers have been used in the compilation of this report:
 - 2004 Every Child Matters
 - Education Act 2006, Section 9, Section 19 (3A) and (3B) and Schedule 1
 - 2009 Working Together to Safeguard Children
 - DfE, Education White Paper, “The Importance of Teaching”, 2010
 - Gateshead Council’s Corporate Plan 2015-20
 - Gateshead Council’s Vision 2030

- Charlie Taylor's Report Improving Attendance at School (2012)
- Children Gateshead 2014-17
- Equality Act 2010
- Improving information in identifying children missing education consultation document



Children Missing From Education

Strategy, Procedures and Guidance
January 2016

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Introduction

Section 436A of the Education Act 1996 (added by section 4 of the Education and Inspections Act 2006) requires all local authorities to make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a suitable education.

This document explains Gateshead Council's procedures for identifying, registering and tracking Children Missing from Education and the statutory responsibilities of the Local Authority (LA), schools and other agencies.

The Local Authority has a duty to identify children who are not receiving a suitable education either by being registered at a school or educated otherwise and there must be robust multi-agency processes in place to prevent children from being 'lost' from the education system.

Children Missing from Education

Children Missing Education in this document relates to:-

- children of compulsory school age who are thought to have left Gateshead but their destination is unknown
- children of compulsory school age who have arrived in Gateshead but have not sought a school place

Children at risk of going missing from the education system

Children fall out of the education system for a number of reasons including failure to enter the system in primary school, or to enter the secondary system after primary or moving from one area to another but being unable to secure a suitable school place.

Vulnerable groups include:-

- Children living in women's refuges
- Children of homeless families living in temporary accommodation
- Children living in a house of multiple occupancy or bed and breakfast accommodation
- Unaccompanied asylum seekers and refugees or children of asylum seeking families
- Children with long-term medical or emotional problems
- Children and Young People Looked After
- Children for whom English is an additional language
- Children with a Gypsy, Roma and Traveller background
- Children from transient families
- Teenage mothers
- Children who are permanently excluded from school
- Children with poor attendance
- Children on roll of Alternative Education Providers e.g. PRUs early college placements

- Children and young people who have committed offences or are at risk of becoming involved in crime
- Children identified with specific child protection issues and those who are considered to be in need of a Child Protection Plan
- Young people at risk of forced marriage
- Young people at risk of radicalisation

Notifying the Local Authority

There is a named officer within the Local Authority whose role is to receive notifications of children possibly missing from education and to manage the procedures.

Notifications can be received either from within the Local Authority and from other agencies such as schools, health, housing, police, other Local Authorities nationwide.

In order to ensure children in Gateshead do not go missing from education, it is necessary regularly to raise awareness with all stakeholders about how to inform the authority of children missing education. It is often the case that another agency becomes aware of the arrival or existence of a child living in the authority but not in education before the authority becomes aware.

Good Practice Guidance:

In paragraph 17.97 of the Victoria Climbié Inquiry Report, Lord Laming recommended that: "Front line staff in each of the agencies which regularly come into contact with families with children must ensure that in each new contact, basic information about the child is recorded. This must include the child's name, address, age, the name of the child's primary carer, the child's GP, **and the name of the child's school if the child is of school age. Gaps in this information should be passed on to the relevant authority in accordance with local arrangements.**"

The recommendation was accepted in *Keeping Children Safe*, the Government's response to the *Victoria Climbié Inquiry* and the Joint Chief Inspectors' Report *Safeguarding Children* (September 2003).

Children Missing from Education Coordinator

The CME coordinator is the LA's named contact for all matters relating to Children Missing from Education.

The CME coordinator is responsible for:-

- maintaining a Children Missing from Education database
- Investigating referrals made by schools, other agencies and other LA's
- Providing reports to senior managers and the DfE
- Using available databases to locate children
- Liaising with schools
- Attending regional meetings

Responsibilities of parents, schools, and other agencies

Parents have a legal responsibility to ensure that their child(ren) of compulsory school age are receiving a suitable education (section 444 Education Act 1996) and all schools have safeguarding duties in respect of their pupils (section 175 of the Education Act 2002).

All schools including maintained schools, free schools, academies and Pupil Referral Units must monitor a pupil's attendance on a daily basis and investigate any unexplained absences (section 175 of the Education Act 2002).

In normal cases of absence a schools' staged response should be followed and a referral for legal action should be made when parents fail to improve the attendance. These cases are not children missing from education.

Should any agency become aware that a child has either left Gateshead, or has arrived in the area, the CME Coordinator should be notified and as much information as possible provided to assist in tracing and tracking the child.

If a child is subject to a child protection plan the school must inform the Referral and Assessment Team immediately. Any concerns about child protection, sexual exploitation and trafficking should also be reported.

Information sharing

Effective multi-agency and cross border information sharing is necessary to assist with enquiries into pupils missing from education. The CME coordinator may need to contact agencies such as Health, Social Services, Police and Housing to locate a child.

Migration forms (schools)

Sir Michael Wilshaw has recommended that the Government helps to ensure that schools provide regular and accurate information to LAs. Therefore, proposed amendments to the Education (Pupil Registration)(England) Regulations 2006 will require schools to report when a pupil's name is added to or removed from their pupil admissions register in all cases. In light of this, the LA will be requesting migration forms (a record of admissions and deletions from registers) be regularly completed by schools and returned to the CME Coordinator as from September 2016.

Procedures for Children Missing Education

Procedures for schools when children are thought to have left the area

It is expected that all schools follow the guidelines below when a pupil is absent:-

1. Schools should try to establish the whereabouts of the child by
 - attempting to make contact with family by telephone, letter or home visit
 - contacting other family members and other contacts named on the school contact list
 - contact agencies with known involvement with the family for information

2. If traced by the school but the parent is making no attempt to secure a school place in the new area
 - complete the CME referral form
 - pupil remains on the school roll
3. If traced by the school and a school place is pending (e.g. meeting arranged) allow 10 school days for the place to be confirmed before completing the CME form. It is only where a school place is **not** confirmed that the CME coordinator should be notified. If a school place is confirmed then a CME form is not required.
4. If the child is traced to another school and attendance is confirmed
 - remove name from roll
 - send common transfer file (CTF) via S2S (school to school)
 - complete SIMS record
5. If not traced complete CME referral form
6. If the child is found to be still resident in Gateshead but the parent is failing to send the child to school then a referral to the Legal Intervention Team for non-attendance should be considered

Referral process for schools

All referrals from schools must be made on the referral form included in this document (appendix 1) and should be sent by secure means to dianesurtees@gateshead.gov.uk. All responses will also be via secure email if the referrer is outside Gateshead Councils secure email system.

It is expected that schools exhaust all possible leads to locate the whereabouts of a child and their family before a referral form is submitted.

Upon receipt of the referral the CME coordinator may contact the referrer for further details. If the referral is deemed appropriate the case will be opened and the following process will take place.

- The case will be opened on EMIS (electronic case management system)
- If it is found that the child is still resident in Gateshead but not attending the school where they are on roll the school will be informed (the school can then work with the family and consider a referral into the Legal Intervention Team if non-attendance continues)
- The CME coordinator will contact other partner agencies in Gateshead for information about the whereabouts of the child
- If the child is thought to have left the area and school have been informed of a possible destination then the appropriate LA will be contacted
- If the child is thought to have left the area with no indication of a destination the CME Coordinator will add the child's details to the DfE S2S national database

In order to protect vulnerable children and in line with best practice requirements, pupils should not be removed from the school roll until they are confirmed to have

been admitted to a new school or advised to do so by their Children Missing Education Officer.

Procedures for other agencies (statutory and voluntary) when children are thought to have left the area

Safeguarding is a key responsibility to all those who work with children and families. There is an expectation that these partners ensure that if they are aware of a child who is thought to have left the area that they contact the CME Coordinator, by telephone or email. Partners include

- Schools
- Admissions
- SEN
- Social Care teams
- Neighbourhood and Housing services
- Health including GPs, A&E departments, health visitors
- Police
- Benefit agencies
- Women's refuge
- General public and carers

Children Missing Education procedures do not replace any agency protocols or procedures in respect of safeguarding.

Once notified that a child may have left the area, the CME Coordinator will open the case and the following process will take place.

- The case will be opened on EMIS (electronic case management system)
- If it is found that the child is still resident in Gateshead but not attending, the school where they are on roll the school will be informed
- The CME coordinator will contact other partner agencies in Gateshead for information about the whereabouts of the child
- If the child is thought to have left the area and an approximate destination is known, then the appropriate LA will be contacted
- If the child is thought to have left the area with no indication of a destination the CME Coordinator will add the child's details to the DfE S2S national database

Procedures for children who have arrived in the area

It is an expectation that any professional coming into contact with a school aged child will ask the parent why that child is not in school and where that child is registered. If the child appears not be on a school roll the CME Coordinator should be contacted either by telephone or email.

Once the CME coordinator has been notified about a child not on a school roll the coordinator will begin the following process:-

- check if a school transfer request has been made
- make a home visit to complete a school transfer form if the family is at home, or leave a letter and school transfer form
- make a further visit if a transfer form has not been received in 5 working days.

- contact the Housing Company and other agencies to confirm the family is living at the address
- where the CME coordinator is unable to make contact in person with the family, the referrer (either another professional or other LA) will be contacted and further action discussed

Procedures for pre-school aged children

Whilst it is not the duty of the LA to identify pre-school children that stop attending a LA funded 2, 3 or 4 year old place at a nursery or other childcare provision regard should be given to ratify the child's safety and welfare. Childcare providers notify the LA, via Early Years Childcare Service, of such children where there has been no explanation from the parent/carer for the child's non-attendance, contact with them has been unsuccessful and there are no other known professionals involved with the family. The child/family's details will be passed to Gateshead Children's Centre team who will contact the Health Visiting Service to ascertain when contact was last made with the family and any concerns. A home visit will be made on the same day of receipt of the child's details and if unsuccessful on two more home visit attempts then a Report to Home Educated/Missing from School Panel will be made.

Intake (Reception) and Transition (Year 7)

If a child fails to attend the start of reception or Year 7 the school should attempt to contact the parent, the LA admissions team and any other known link.

The admissions team will provide the CME coordinator with details of any child who has not been located.

Deletion from the School Admissions Register

The Education (Pupil Registration)(England) Regulations 2006 govern when a pupil can be removed from the admission/attendance register.

The regulations enable schools to delete compulsory school age children in the following circumstances:

- the school is replaced by another school on a school attendance order
- the school attendance order is revoked by the LA
- completion of compulsory school age
- the permanent exclusion of a pupil – (subject to appeal)
- the death of the pupil
- the pupil is transferred between schools
- the pupil is withdrawn to be educated outside the school system
- the pupil fails to return from an extended holiday after both the school and the LA have been unable to locate the pupil
 - a medical condition prevents their attendance and return to the school before ending compulsory school age
 - the pupil is in custody for more than four months
 - there are 20 continuous unauthorised absence days and both the LA and the school have been unable to locate the pupil
 - the pupil has left the school but it is not known where he or she has gone, after both the school and LA have been unable to locate the pupil

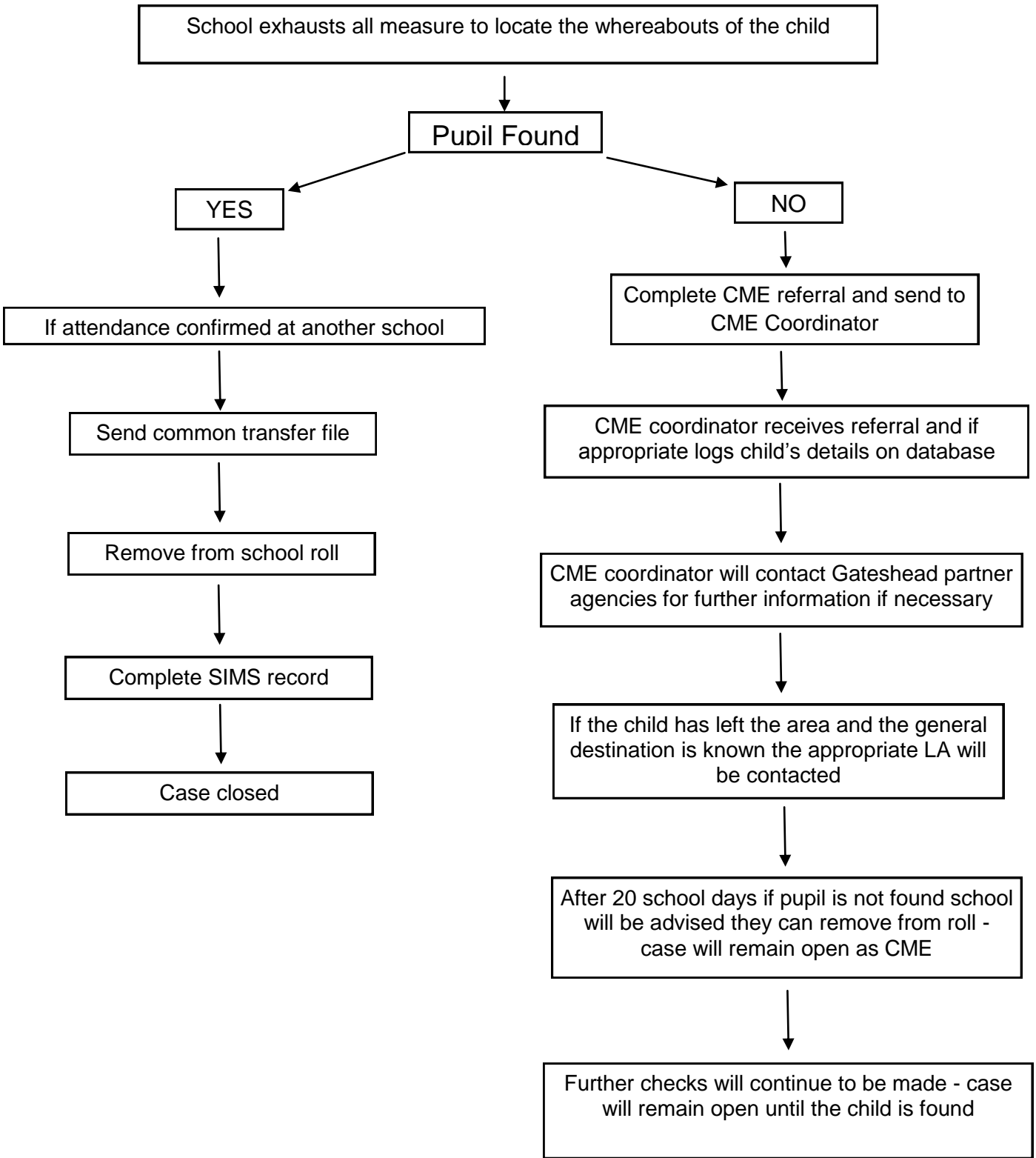
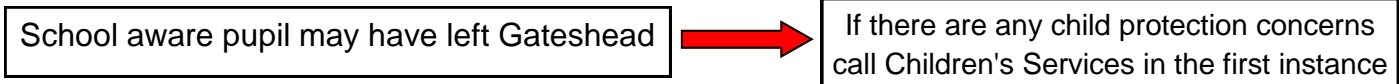
All other deletions are illegal and could result in court proceedings against the person responsible.

Whenever a pupil joins or leaves a school then an electronic common transfer file (CTF) must accompany that pupil to the new school.

When a pupil is deleted from the Admission register the school must clearly indicate the date and the reason for the removal from roll, (Regulation 8 of the 'Education (Pupil Registration) (England) Regulations 2006' provides guidance on deletions from Admissions Register). In the event of a pupil moving to another school the name of the school should be indicated on the school's database and the pupil's records should be sent to the new school within 15 days. Before a child's name is removed from the school roll the LA must be informed through the school's assigned Education Welfare Officer and the Children Missing Education Officer.

In order to protect vulnerable children and in line with best practice requirements, pupils should not be removed from the school roll until they are confirmed to have been admitted to a new school or advised to do so by their Children Missing Education Officer.

Children who have thought to have left the area



If the child is found to be still living in Gateshead then the school will be informed and a referral for legal action should be considered.

Children who have thought to have arrived in the area

