

# Children Missing from Education (CME) Multi-Agency Guidance

*September 2018*

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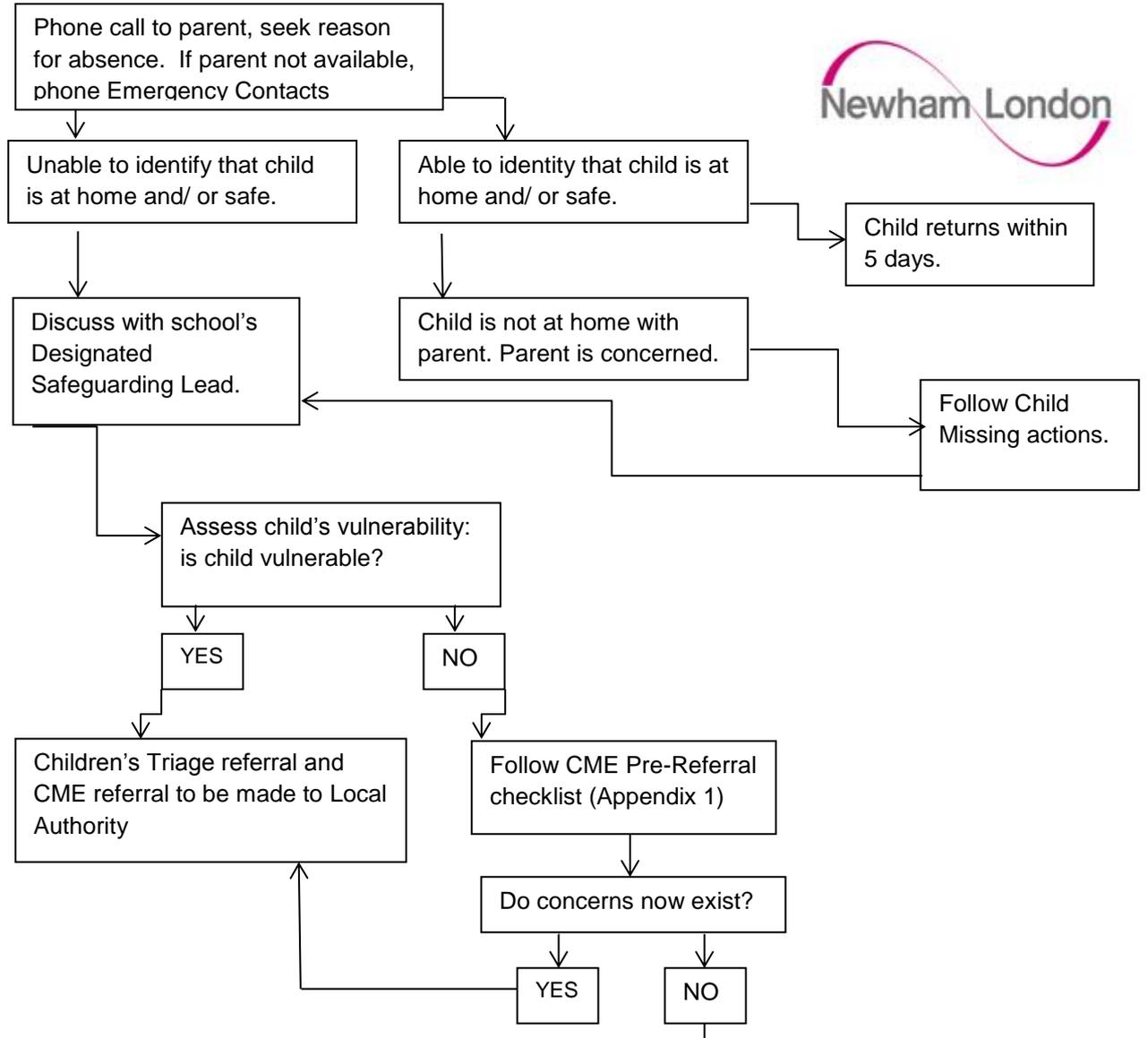
## VERSION CONTROL INFORMATION

<b>Title</b>	Children Missing from Education, Multi-Agency Guidance			
<b>Description</b>	A guidance document to help ensure schools and LA services identify and respond to CME's in an appropriate manner whilst ensuring safeguarding the child remains a priority.			
<b>Created By</b>	John Leese – Interim Group Manager, Attendance and CME			
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<b>Maintained By</b>	John Leese			
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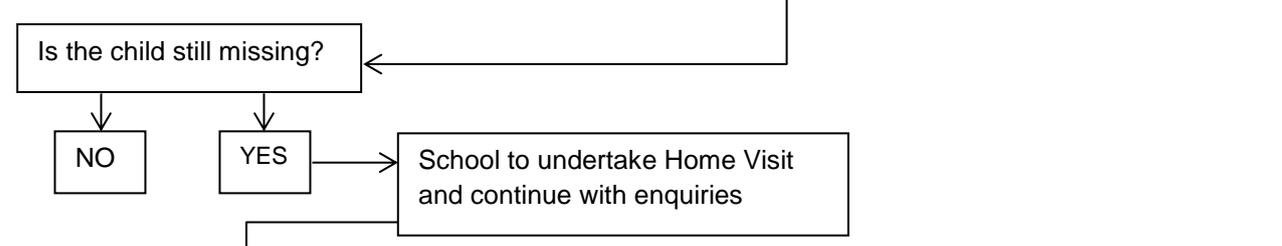
# NEWHAM CHILDREN AT RISK OF MISSING EDUCATION PROCEDURE FOR SCHOOLS



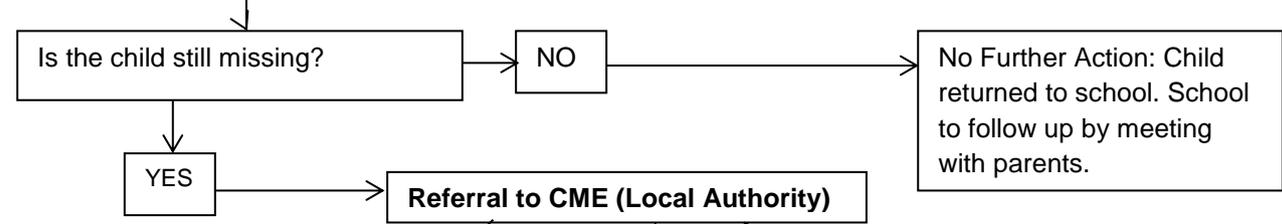
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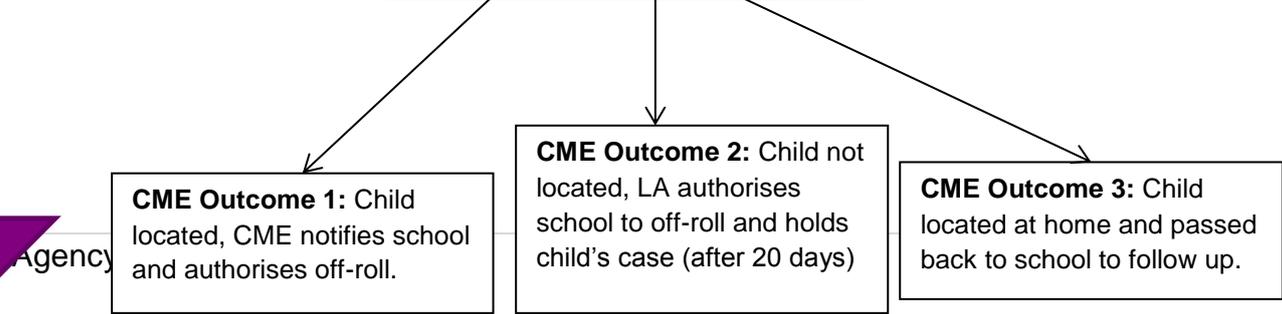
DAY 5



DAY 10



DAY 20



Agency

## INTRODUCTION

Newham Council is committed to ensuring that every child of compulsory school age is receiving an excellent full-time education which will give them the opportunity to become successful adults. Parents/carers have a duty to ensure children are receiving suitable full-time education, either by regular attendance at school or otherwise.

Children not in school are at significant risk of underachieving, becoming socially isolated, and becoming NEET (not in education, employment or training) later in life. Children who are not accessing a suitable education are also considered to be at **risk of neglect and other forms of harm and abuse**.

Children may not be attending or may leave school for a number of reasons, but if they are still of compulsory school age, then parents, schools and local authorities have a responsibility to ensure the continuity of their education.

The purpose of this guidance is to set out clear and robust procedures for all Education Providers (Schools, Academies, etc.), Newham Council and partner agencies to follow, in order to try and locate children who are absent from school and whose family whereabouts are unknown, to ensure they access suitable education provision as soon as possible. This is designed to support professionals who work with children, young people and families both within the Local Authority (LA) and in schools and other educational establishments, together with, the Metropolitan Police, Children's Social Care, and those who provide services for children and young people and Health services.

NB This guidance does not refer to children who are missing from view or absent from home or care. When a child goes missing from the home, or from care, or where the school has safeguarding concerns for the child, the school must refer these children immediately to the Children's Triage (Tel: 020 3373 4600), and/or to the Police (via 999).

## THE LEGAL FRAMEWORK

The **European Convention for the Protection of Human Rights and Fundamental Freedoms**, Article 2 of protocol No 1 states "No person shall be denied the right to education".

**Section 436A of the Education Act 1996** requires all local authorities to make arrangements to establish the identities of children of compulsory school age in their area who are not registered pupils at a school, and are not receiving suitable education otherwise than at school.

**The Education (Pupil Registration)(England) Regulations 2006** (and subsequent amendments) legislate for a range of statutory duties which must be performed by education providers and local authorities.

**Regulation 5** covers admissions registers, including what information about the child should be recorded, and that the child should be added to the admissions register as soon they either start or when the education provider is notified by the Local Authority of a date that the child should start.

**Regulation 8** covers the deletion of children from the admissions and attendance registers. Appendix 2 provides further details about when children may be deleted from the attendance registers and what to do next.

**Regulations 8(f) and 8(h)** place a duty on schools and local authorities to jointly carry out reasonable enquiries to try to locate pupils absent from school whose whereabouts are unknown.

**Regulation 12 (1)(b)** places a duty on schools to inform the Local Authority of any child who has been continuously absent from school for 10 days or more for unauthorised reasons. These are children who are potential at risk of becoming Children Missing from Education (CME). More information about what to do about children who are at risk of becoming CME is available later in this guidance.

**Working Together to Safeguard Children** a guide to inter-agency working to safeguard and promote the welfare of children (July 2018) places a duty on all agencies to work together to promote and safeguard the welfare of children and to share information. This principle underpins this policy and there is an expectation that all agencies will work together to ensure that children do not 'slip through the net' and become missing.

**This Children Missing Education statutory guidance for Local Authorities (September 2016)**, published by the Department for Education, addresses the statutory duty placed on Local Authorities (LA's) to identify children not receiving a suitable education and to identify children missing from education in their area. The DfE also provides a definition of CME:

***“Children missing education are children of compulsory school age (ages 5 to 16) who are not registered pupils at a school and are not receiving suitable education otherwise than at a school.”***

Appendix 3 provides a list of related guidance and procedures together with links to those documents where possible.

## **WHY DO CHILDREN BECOME CME?**

Unfortunately there are many reasons for a child being CME, meaning that there are a lot of possible variants. As well as the main reasons already stated, please see below a list of potential alternative triggers of CME and circumstances which may make a child more likely to be affected by these factors:

- Moving in and out of boroughs and beginning the school application process;
- Failure of schools to notify the Local Authority of a child being off-rolled, or being excluded;
- Withdrawal of a child from school by the parent/ carer;
- Failure to transition between schools;
- Failure to secure a school place prior to becoming compulsory school age;
- Disengagement;
- Frequent house moves, periods of homelessness or time spent in refuge/ temporary accommodation;
- Youth Offending Service involvement;
- Generational disengagement;
- Children of Gypsy, Roma and Travelling families;
- Children of immigrant families;
- Unaccompanied Asylum Seeking Children (Looked After Children);
- Young carers;
- Children with Special Educational Needs who require specialist provision;
- Children who are Privately Fostered or are known to Children's Social Care (e.g. CP Plan, Child In Need)
- Trafficked and Enslaved children;
- Children who have experienced domestic violence and other adverse family circumstances.

By identifying and working with these families, Newham aims to reduce the number of children and young people who are missing from education. Statistics shows that children who suffer from a history of poor attendance, or have periods of missed education, are more likely to face future issues in relation to:

- Homelessness
- NEET (Not in Employment, Education or Training)
- Anti-social/ Criminal behaviour
- Social disengagement
- Radicalisation and Extremism
- Mental health issues
- Substance abuse
- Neglect and emotional abuse
- Criminal Exploitation, including “Child Sexual Exploitation” and “County Lines”
- Teenage parenthood
- Physical health issues
- Forced marriage
- Poverty

## **CHILDREN WHO FAIL TO ATTEND FOLLOWING TRANSITION**

All schools, including Newham schools, experience a small number of children who fail to attend at the point of entry into Primary and Secondary Schools. Parents must submit applications for school places a number of months in advance (11 months prior to start date for secondary, 8 months for primary) and situations can change for families during that time. Pupil Services are committing to reacting to changes as and when they become aware of them, however families may not always notify the council of a change in circumstances.

Regulation 5(3) of the Education Pupil Registration Regulations states that a pupil must be placed on both the attendance and admission rolls from the date at which the school is notified that the pupil will attend the school. Therefore all schools must place all children on the roll of the school from the day the school opens in September, (or no more than 10 days after the school is notified of an in-year admission) even when that pupil fails to arrive. Where a pupil fails to arrive, the school should employ the usual poor attendance and CME procedures and notify the LA if they are unable to trace the child and their family.

**NB:** It is not acceptable for a parent to refuse to send their child to a school because the school was not their preferred option, or when the child has been directed to attend a Pupil Referral Unit (PRU) following a Permanent Exclusion. In this scenario, the child should attend their allocated school whilst parents make representation to the Local Authority. If the child still fails to attend, the school should follow their poor attendance process and seek support from the Attendance Management Service.

Mediation Support can be accessed initially via Pupil Services ([pupilservices@newham.gov.uk](mailto:pupilservices@newham.gov.uk)).

## **WHO DO I CONTACT?**

If it is suspected that a child is missing from education, please let the LA know straight away. The DfE states in “**Working Together to Safeguard Children**” (updated July 2018) that “*Every practitioner working with a child has a responsibility to inform their CME contact if they know or*

*suspect that a child is not receiving education.” You can do this by completing our CME referral form via <http://www.newham.gov.uk/schoolcme>*

If a family have **moved into Newham** and have school age children who are in need of educational placements, please ensure that contact is made with the School Admissions Team on 020 3430 2000 or email [pupil.services@Newham.gov.uk](mailto:pupil.services@Newham.gov.uk).

If a child has been **permanently excluded** and parents are in need of some advice, contact should be made with the Exclusions and Reintegration Officer via email [bss@newham.gov.uk](mailto:bss@newham.gov.uk) or via telephone on 0203 373 4078

Should a parent wish to **electively home educate** their child, it is imperative that contact is made with our Monitoring and Support Teacher (EHE) for advice and support, and to register their interest on 020 3373 4304 or [Elective.HomeEducation@newham.gov.uk](mailto:Elective.HomeEducation@newham.gov.uk)

If you are aware of a child of compulsory school age who is **not attending an educational provision**, please complete our CME referral form via <http://www.newham.gov.uk/schoolcme>

## **CHILDREN MISSING FROM EDUCATION – LEAD SERVICES**

Children may become a CME for a variety of reasons, and may come into contact with a variety of services within Newham. Below is a list of examples of how a child may become a CME within Newham, grouped by the service that will lead in ensuring that Newham fulfils it's responsibilities to those children.

### **Attendance Management Team – Children Missing from Education:**

- Children at risk of becoming CME – As per criteria above – Child hasn't attended school for 20 days or more without a satisfactory explanation (At Risk)
- Children moving into Newham who no longer have a school place (Tracking In)
- Children moving out of Newham who can no longer access their school place, and where a new school has not been identified (Tracking Out)
- Children who are currently without a school place in Newham, and who have not come into contact with other services (Unplaced)

### **Attendance Management Team – Elective Home Education:**

- Electively Home Educated Children moving into Newham (EHE In)
- Electively Home Educated Children moving out of Newham (EHE Out)

### **Admission Team**

- Children where an application for a school place has been submitted, the admissions process is underway, and the child has not been placed within 20 working days (Admissions In)
- Children who are subject to the Fair Access Process/Protocol (FAP)
- “Rising 5” – those children who are coming up to compulsory school age (R5)

### **Pupil Behaviour Team**

- Children who have been permanently excluded and are currently without an education provision. (PEX)

### **Special Educational Needs Team (SEN)**

SEN will be the lead service for all children with an Education, Health and Care Plan (EHCP). Examples where SEN may become involved with CME are below:

- SEN children moving into Newham (SEN In)
- SEN children moving out of Newham (SEN Out)
- Children who receive an EHCP or statement of SEN but are currently without a school place due to their needs. (SEN New)

**NB:** It is recognised that SEN will be responsible for the education provision of young people and adults up to the age of 25. Whilst those young people with SEN up to 25 should be in receipt of an appropriate education, the CME process will not be utilised to identify and track these young people.

#### **Attendance Management Team – Courts Manager**

- Children without a school place due to families not engaging with any of the above teams (SAO)

It also recognised that lead services will hold a record of children ‘at risk’ of missing education. Each lead service will have an ‘at risk’ category for recording this. This supports services in taking a pro-active approach to reducing the risk to these children, whilst raising the awareness of these children with other services.

## **INTER-LOCAL AUTHORITY RECORDING AND REFERRALS TO EDUCATION SUPPORT SERVICES**

Children Missing from Education will navigate through a number of Local Authority Services, predominantly navigating between Admissions and the Attendance Management Team. When a child becomes known to Education Support Services as a CME, the following must be recorded on Impulse, the recording system for Education Support Services, by the Lead Service:

- The child’s full details, including parental contact details.
- Their ‘Current Establishment’ will be recorded as ‘Child Missing from Education’, together with a start date.
- Their ‘Status’, ‘Referral Type’, and ‘Referral Reason’ will reflect their current referral status; details of the referrer and their service area will also be recorded.

When the Lead Service is ready to transfer their lead responsibility to another service (i.e. A family has failed to keep in contact with the Admissions Team and the child now needs to transfer to the Attendance Management Service, the following process should be followed:

- The lead service notifies the service being referred to, in writing, of the child they wish to transfer, together with a brief summary of their involvement and parental engagement.
- The service being referred to either confirms acceptance of the referral, or rejects the referral, providing an explanation, in the case of a rejection, as to why the referral is rejected.
- Once a referral is accepted, the previous lead service amends their records to reflect that the child is no longer ‘open’ to them as a CME, and records on Casenotes the reason for closure.
- The new lead service records the new ‘status’, ‘referral type’, and ‘referral reason’ to reflect the child’s new current referral status, and details of the referrer and their service area will also be recorded.

Education Support Services must not record a CME as being allocated to another service without the permission of the new lead service, as there is potential for children to go missing between services.

Where services fail to agree on a lead service for a CME, this situation must be allocated to the relevant Group Managers. A failure to agree at Group Manager level must then lead to escalation to the CME Panel.

## **STRATEGIC OVERSIGHT - CME PANEL**

The Children Missing Education Panel meets monthly to monitor all children who are currently not on the roll of a school. The CME Panel will specifically monitor the following:

- The length of time children remain categorised as 'attending' the 'Children Missing Education' Establishment
- Lead Service Performance in relation to responding appropriately to CME children
- Resolving any escalation issues

Priority for discussion will be given to children who remain unplaced for 20 school days or more, and/or are on a Child Protection Plan.

The panel aims to ensure that the Local Authority and partner agencies work together to share information to promote the welfare of children, to ensure that a specific named worker takes action to reduce the amount of time a child remains out of education, and to identify and resolve operational and strategic issues impacting on children returning to education.

The panel is chaired by Terry Reynolds, Director for Education and Skills, and will be attended by representatives from Education Inclusion, School Admissions, SEND, Vulnerable Children, Behaviour Support/Exclusions, Alternative Education, Virtual School for LAC, and other agencies as appropriate. Representatives must have management oversight for their area and be able to make decisions and hold officers to account.

The minutes of the panel will be recorded by a member of the Business Support Team, and the minutes, together with performance data will be circulated to the CYPS Senior Management Team and Newham Safeguarding Children's Board (NSCB).

## **CHILDREN MOVING ABROAD**

The issue of children being removed from roll by schools with no known destination (including moving abroad) and the potential risks posed were the focus of a letter from Ofsted to the Secretary of State for Education in July 2015:

***"...HMI found that schools often did not record a destination for children. In many cases, schools only noted very generic reasons for a child being removed from the register. Examples of this included 'gone to live with grandparents', 'moved to Manchester', 'gone back to Libya' or, in a number of cases, simply 'moved abroad'...."***

***“...We cannot be sure that some of the children whose destinations are unknown are not being exposed to harm, exploitation or the influence of extremist ideologies. We do not know whether these children are ending up in unregistered provision.”<sup>1</sup>***

Our on-going review of CME Referrals has identified instances where the referring school had identified children who had moved abroad but had failed to ask any further questions or undertake any additional checks, instead relying on the word of the parent. This is not sufficient to protect children as per the response from Ofsted. The expectation of the Local Authority placed on schools when they are notified that a child is moving abroad is:

1. School to arrange to meet with the family as soon as possible (within 5 school days).
2. Meeting takes place with one/both/all parents. The school should ascertain:
  - I. Who from the family is leaving the country? If the child is travelling without the family ask why not, and who the child will be travelling with. If the child is travelling with one parent, is the other parent aware?
  - II. When is the family leaving the country? If it's at short notice this should be explored i.e. why do you need to leave the country so quickly? Leaving at short notice is reason for concern.
  - III. Where is the family moving to? The name of the country isn't sufficient. If a family is moving to a different country they will know their final destination, including an address. If they do not this is a cause for concern.
  - IV. The exit details – i.e. flight/ferry/channel tunnel details. Ask the parent(s) to bring evidence that they are leaving the country. If the family is unable to provide this, this would be a cause for concern.
  - V. Which school(s) will you be sending your children to once you've moved abroad? An exact school may not be known but the parents should have a range of schools in mind. If they haven't, this may be a cause for concern.
  - VI. Ask what the parents are planning to do with their current property? If a family has thoroughly planned their exit from the country, they will have sold their family home or handed their landlord/letting agent their notice of intention to leave the property.
3. School to consider the information received during the meeting and consider the following actions:
  - I. If the school has only spoken to one parent, confirm your understanding of the situation verbally with the other parent. This will ensure both parents have given consent to the child moving abroad.
  - II. If the family are leaving the country at short notice, do the reasons given sound reasonable?
  - III. The main concerns about children moving abroad are in relation to them becoming vulnerable to becoming radicalised or exposed to extremist behaviour, being exposed to Female Genital Mutilation (FGM) and being coerced into Forced Marriage.
  - IV. The Foreign and Commonwealth Office publish and regularly update guidance on which countries are safe to travel to (<https://www.gov.uk/foreign-travel-advice>) and will highlight any particular threats linked to Terrorism.
  - V. The World Health Organisation has also published a list of countries where FGM is prevalent which schools can also access: (<http://www.who.int/reproductivehealth/topics/fgm/prevalence/en/>).

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<sup>1</sup> Advice letter from Sir Michael Wilshaw, Her Majesty's Chief Inspector, on the latest position with schools in Birmingham and Tower Hamlets to Rt Hon Nicky Morgan, July 2015.

- VI. The Home Office's Forced Marriage Unit (FMU) provides information, advice and guidance on Forced Marriage via <https://www.gov.uk/guidance/forced-marriage> .. They also publish statistics in relation to countries where victims were at risk of, or had already been taken to. This information can help risk assess situations further and is available via <https://www.gov.uk/guidance/forced-marriage#statistics-on-forced-marriage-collected-by-fmu>
  - VII. If there are any concerns linked to this, please speak to the Attendance Management Service, or if the concerns are of a safeguarding nature, contact Children's Triage immediately.
  - VIII. If the family is unable to provide copies of their travel details, this is a cause for concern, as the family may be hiding their true destination. If family continues to be unwilling to provide copies of this, ask for the name of the travel company/airline, on what date and time are they leaving the country and when they expect to arrive at their destination.
  - IX. Providing a name or names of schools the parent is considering sending their child to will enable contact to be made with the new school to ensure that the child has arrived and has not gone missing. If the family has refused to name a new school ensure that this is noted on the CME Referral Form.
  - X. This is an indicator of whether or not the family have planned to leave the country, and if they have, they will have a clear plan of what is going to happen to their property once they have left. Providing this information will support the LA in tracing the child if they stop attending the school but do not leave the country.
4. Following the school's consideration of this information, they can contact the Children Missing Education Team on 020 3373 8380 for initial advice or contact the Children's Triage line (020 3373 4600) if this raises safeguarding concerns. Once these checks have been completed and the school have confirmed that they are satisfied that the child is moving abroad, the school must submit a CME Referral form.

Once the LA is satisfied that the child has left the country to a known destination, the school will then be informed that the child can be removed from roll.

## **CME RISK ASSESSMENTS AND CHECKS**

Once a CME Referral Form has been received, the CME Team will conduct an initial risk assessment based on the presenting information and an initial check to see if the child is currently known to Children's Social Care. The risk assessment process will help prioritise the CME caseload to ensure the most urgent cases are dealt with promptly and appropriately.

Once a case has been prioritised, checks will be carried out to gather information in relation to the child and their family which may help to locate the child. These checks may include:

- Information to be gathered from the previous school, e.g. attendance, behaviour, any risk factors;
- Does the child have any siblings of school age?
- Is any information available in relation to the siblings' current educational status?
- Are the family known to the Youth Offending Service?
- Have any members of the family come to attention of the Police?
- Are any of the family members known to any internal services, e.g. Early Help, SEN etc?
- Is any helpful information available on the Council Tax Register?

Referrals will be returned to the referrer if:

- the form has not been fully completed;

- the presenting issue is poor attendance and the child is not missing from education, i.e there is not information to suggest that the child and/or family have moved away from Newham;
- all necessary checks listed on the form have not been completed prior to the form being completed;

Appendix 4 includes a detailed flowchart for internal CME processes.

## RISK ASSESSMENT

Child's level of need	Educational level of need				
		CONFIRMED WHEREABOUTS	DESTINATION KNOWN BUT NOT CONFIRMED	DESTINATION UNKNOWN	DESTINATION UNKNOWN & SAFEGUARDING CONCERNS
		LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
IN EDUCATION	LEVEL 1	1	2	3	4
OPEN APPLICATION WITH ADMISSIONS	LEVEL 2	2	4	6	8
HISTORY OF POOR ATTENDANCE	LEVEL 3	3	6	9	12
OUT OF EDUCATION	LEVEL 4	4	8	12	16

All cases should be continuously risk assessed to ensure actions are conducted based on the current level of risk. The timeline below displays our current response times based on the level of need. Response times may differ dependant on current CME caseloads.

- **Children Moving Abroad** will be treated as **Destination Unknown** (Level 3) or higher in all circumstances

STAGE 1	Universal	Within 10 days
STAGE 2	Vulnerable	Within 5 days
STAGE 3	Complex	Within 2 days
STAGE 4	Acute	Within 1 day

## FAILURE TO ENGAGE

Should a parent refuse or fail to engage with any service, and not actively seek and secure a school place, it may be necessary for the relevant officer to make a referral to the Attendance Management Service in order for a School Attendance Order, and subsequent proceedings, to be pursued.

The parent/ carer should be made aware of their legal obligation to ensure that their child(ren) is/are receiving suitable education; failing to take responsibility for this can result in the Local Authority taking legal action.

## **CASE CLOSURE**

CME cases should be closed when:

- The child has a destination which has been verified;
- All education databases have been updated to reflect the above;
- A child is missing despite all reasonable efforts to locate them. In this case, the child's details will be uploaded by the originating school onto the National Missing Children's Database via School to School (s2s). More details on how to do this can be found in Appendix 2.

Following closure of a CME, notification will be sent to the referrer with the outcome, and the details should be uploaded onto the relevant databases.

## **CONTACTS FOR CME TEAM**

Email: [ChildrenMissingEducation@Newham.gov.uk](mailto:ChildrenMissingEducation@Newham.gov.uk)

### **Attendance Management Service**

London Borough of Newham, Newham Dockside, 1000 Dockside Road, London, E16 2QU

#### **Lead Officer:**

John Leese – Interim Group Manager, Attendance and Children Missing from Education

Telephone: 020 3373 8817 ext. 38817

Email: [John.Lee@Newham.gov.uk](mailto:John.Lee@Newham.gov.uk)

#### **Children Missing from Education Operational Manager:**

Bouchra Koura Bennett – Court Manager, Attendance Management Service

Telephone: 020 3373 8458 ext. 38458

#### **Children Missing from Education Officers:**

Thelma St Rose-Johnson

Telephone: 020 3373 2166 ext 32166

Email: [Thelma.StRoseJohnson@newham.gov.uk](mailto:Thelma.StRoseJohnson@newham.gov.uk)

Anne Dawodu

Telephone: 020 3373 8380 ext 38380

Email: [Anne.Dawodu@newham.gov.uk](mailto:Anne.Dawodu@newham.gov.uk)

# APPENDIX 1: CHILDREN AT RISK OF MISSING EDUCATION PRE-REFERRAL CHECKLIST



“Schools must make reasonable enquiries to establish the whereabouts of the child jointly with the Local Authority, before deleting the pupil’s name from the register” (Department for Education).

All Education Providers have a safeguarding duty in respect of their pupils, and as part of this must investigate any unexplained absences.

All checks below must be completed before the child can be referred to the Local Authority as per CME Pre-Referral Procedures.

Child’s name in full	
Child’s date of birth	
Last Known Address	
Unique Pupil Number	
Name of Education Provider	
Last recorded date of attendance	

**Any relevant information available from previous education provision/referrer regarding the child (eg safeguarding concerns, previous patterns of mobility etc.)**

## Outcomes Of Reasonable Enquiries

1. Home visits (including visiting neighbours) Date(s) carried out:	Announced:	
	Unannounced:	
Outcomes:		
2. Telephone Calls to Parent/Carer(s) Date(s) carried out:		
Outcomes:		
3. Letter sent to Parent/Carers re: Child’s whereabouts Date(s) carried out:		
Outcomes:		
4. Telephone Calls to Emergency Contact(s) Date(s) carried out:		
Outcomes:		
5. Conversations with Friends of the Child / Family Date(s) carried out:		
Outcomes:		
6. Contact with Sibling(s) School(s) Date(s) carried out:		

Outcomes:		
7. Contact with other agencies involved with the family	Date(s) carried out:	
Outcomes:		
8. Contact with London Borough of Newham Admissions	Date(s) carried out:	
Outcomes:		
9. Contact with next School / Local Authority (if known)	Date(s) carried out:	
Outcomes:		
<b>Hypothesis for child no longer attending the School/Academy</b>		
<b>Overall Conclusion</b>		
Despite the checks conducted by our School/Academy, we have been unable to trace the child within 10 school days. We are left with no option to make a referral to the Local Authority in line with their Pupil Tracking / Children Missing from Education Procedures.		

**Once completed, copies must be attached to CME Referral, passed to Designated Safeguarding Lead and added to Pupil's File (including Child Protection File if necessary)**

<b>Signed (Caseworker)</b>		<b>Date</b>	
<b>Print Name</b>		<b>Title</b>	
<b>Signed (Designated Safeguarding Lead)</b>		<b>Date</b>	
<b>Print Name</b>		<b>Title</b>	
<b>Authorised signatory for LA Referral</b>		<b>Date</b>	
<b>Print Name</b>		<b>Title</b>	

## APPENDIX 2: GUIDANCE ON THE ADMISSIONS REGISTER AND REMOVING CHILDREN FROM THE ADMISSION/ATTENDANCE ROLL.

**Keeping Children Safe in Education** (2018) provides schools with additional guidance on maintaining the admissions roll with the aim of helping to trace children who may become at risk of missing education.

The law requires all schools to have an admission and attendance register. All pupils must be placed on both registers. Schools must place pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. If a pupil fails to attend on the agreed or notified date, the school should notify the Local Authority at the earliest opportunity to prevent the child from going missing from education – via the CME e-form (<http://www.newham.gov.uk/schoolcme>)

It is important that the admission register is accurate and kept up to date. Schools should regularly encourage parents to inform them of any changes whenever they occur. This can assist the school and Local Authority when making enquiries to locate children missing education.

Schools should monitor attendance and address it when it is poor or irregular. All schools must inform the Local Authority of any pupil who fails to attend school regularly, or has been absent without the school's permission for a continuous period of 10 school days or more, and where the school has failed, after reasonable enquiry, to locate the child (please see Appendix 1 – Pre-Referral Checklist)

Where a parent notifies a school that a pupil will live at another address, all schools are required to record in the admission register:

- the full name of the parent with whom the pupil will live;
- the new address; and
- the date from when it is expected the pupil will live at this address.

Where a parent of a pupil notifies the school that the pupil is registered at another school or will be attending a different school in future, schools must record in the admission register:

- the name of the new school; and
- the date on which the pupil first attended or is due to start attending that school.

Schools are required to notify the Local Authority within five days when a pupil's name is added to the admission register – more information on how to do this is outlined further on in the appendix. Schools will need to provide the Local Authority with all the information held within the admission register about the pupil. This duty does not apply to pupils who are registered at the start of the school's youngest year.

The following are prescribed as the grounds on which the name of a pupil of compulsory school age should be deleted from the admission register, according to **Regulation 8 of the Education (Pupil Registration) Regulations 2006**:

### **School Attendance Order**

- 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 education authority for that named in the order or the order is revoked by the local education authority on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his/ her age, ability and aptitude otherwise than at school;*

A School Attendance Order (SAO) is an order issued by the Local Authority to the parent of a pupil in circumstances where the parent has failed to provide their child with a full time education, either by the child being on roll at a school, or by providing a “suitable, efficient” education other than at school.

- Should a parent refuse or fail to engage with the Local Authority, and not actively seek a school place, it may be necessary for the relevant Officer to make a referral to the Attendance Management Service in order for a SAO, and subsequent proceedings, to be pursued.
- The parent/ carer should be made aware of their legal obligation to ensure that their child(ren) is/are receiving suitable education. Failure to take responsibility for this can result in the Local Authority taking legal action.
- If a child’s attendance starts to fall, the school would be expected to take appropriate action such as parent meetings and warning letters. A SAO cannot be pursued by the Local Authority whilst a child is on the roll of a school.
- The School should use a variety of interventions to attempt to reengage the family and if it is seen as necessary, legal action can be taken. This may be in the form of a Penalty Notice Request or a request for a parental prosecution should they feel that an offence has been committed.

### **School transfers and managed moves**

*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;*

Once the new school has confirmed that the pupil is on roll with them, the pupil can be removed from the previous school’s roll. There should not be a gap in the child’s education provision.

- When the transfer is a straightforward pupil transfer between schools, there is no need to complete an off-roll notification e-form in instances where the school shares child data regularly with the London Borough of Newham. 94% of Schools in Newham meet this requirement, however if your school does not share child data with LBN, you will need to complete a Pupil Off-roll Notification e-form - [www.newham.gov.uk/offschoolroll](http://www.newham.gov.uk/offschoolroll)
  - Transfer the Pupil CTF to the new school – please see guidance at the end of this appendix.
- 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;*

This applies in instances such as managed moves where agreement has given by the trial school to make the move permanent.

- The original school should not remove the pupil from roll until after the trial period has been completed and the new school has confirmed that the pupil may remain on roll.
- During a managed move, the previous school should code the pupil’s attendance at the trial school as ‘D’ as s/he is ‘dual-registered’ and attending a separate provision.
- The trial school should code attendance/absence as normal.
- The Behaviour Support Service should be contacted via email: [bss@newham.gov.uk](mailto:bss@newham.gov.uk) or telephone: 0203 373 4078 to be notified of any managed moves of pupils between schools. More info can be accessed via <http://www.newhamconnect.uk/Article/40964>.
- When the transfer is a straightforward pupil transfer between schools, there is no need to complete an off-roll notification e-form in instances where the school shares child data

regularly with the London Borough of Newham. 94% of Schools in Newham meet this requirement, however if your school does not share child data with LBN, you will need to complete a Pupil Off-roll Notification e-form - [www.newham.gov.uk/offschoolroll](http://www.newham.gov.uk/offschoolroll)

- Transfer the Pupil CTF to the new school – please see guidance at the end of this appendix.

### **Elective Home Education**

- 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;

Section 3.12 of the DfE’s Elective home education: Guidelines for local authorities clearly states:

*“Schools must not seek to persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record. In the case of exclusion, they must follow the statutory guidance. If the pupil has a poor attendance record, the school and Local Authority must address the issues behind the absenteeism and use the other remedies available to them.”*

- A school should not remove a pupil from roll until they have received in writing a request from a parent to home educate.
- The school must also notify the Local Authority that a parent has decided to home educate their child(ren).
- Schools should therefore complete the Off-Roll Notification e-form you will need to complete a Pupil Off-Roll Notification e-form - [www.newham.gov.uk/offschoolroll](http://www.newham.gov.uk/offschoolroll)
- The school must also complete the EHE Notification Form (via <http://www.newhamconnect.uk/Article/42134>), attaching copies of any written notification from the parent.
- Schools must not remove a pupil from its roll if a parent requests to remove their child from the school but no subsequent education provision is identified.

### **Reasonable travelling distances**

- 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;

A ‘reasonable distance’ is defined by the DfE as being 45 minutes away by public transport if the child is of a primary school age, or 1 hour 15 minutes if the pupil is of a secondary school age.

- The school can remove the child from the admissions roll once confirmation has been received from the Local Authority that the child is no longer living within a reasonable distance of the school.
- The Off-roll notification e-form must be completed and submitted via [www.newham.gov.uk/offschoolroll](http://www.newham.gov.uk/offschoolroll)

### **Long term absence**

- f) in the case of a pupil granted leave of absence exceeding ten school days for the purpose of a holiday [leave of absence] in accordance with regulation 7(3), 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;

It is important that a parent provides the school with a date at which the pupil will return to school, and that parents are made aware as part of the requesting leave process of the consequences of not returning from a period of leave on time. If the pupil does not return to the school the school should;

- Write to the parent reminding them of the return date, and warning them that if the pupil does not return to school within 10 days they may be removed from the school roll.
- If the pupil subsequently fails to return to school the school should investigate as per the usual CME procedure.
- **Once the school confirms that they are unable to locate the family, the school must complete a CME referral and send it to the Local Authority.**
- **The school must await confirmation from the Local Authority before removing a child from roll.**
- This scenario does not apply for families where permission was not granted, i.e. an unauthorised leave of absence was taken.

### **Medical reasons**

- 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;*

Schools can liaise with the Attendance Management Service in cases such as this, and they will be able to provide advice on how to make contact with an appropriate medical officer.

### **Continuous Unauthorised Absence for 20 School days**

- 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. both the proprietor of the school and the local education authority have failed, after reasonable enquiry, to ascertain where the pupil is;*

An investigation led by the school should take place whenever a pupil is absent from school for a continuous period without any contact from parents and/or when child protection concerns exist.

- Schools also have a statutory duty under Section 12 of these regulations to notify the Local Authority where a child has been absent from school for 10 consecutive days due to a period of unauthorised absence. A school can do this by completing the CME e-form once all reasonable enquires have been undertaken (please see Appendix 1).
- **The school must await confirmation from the Local Authority before removing a child from roll.**

### **Pupils in Custody**

- 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;*

In this scenario there should be regular contact between the Youth Offending Service and School regarding any pupil at risk of a custodial sentence.

- If the pupil receives a custodial sentence and remains on the school roll, the Youth Offending Service should be consulted to confirm that the pupil will be receiving education provision during their sentence.
- If s/he is then the absence may be coded as 'B' as they are being educated at an off-site provision.
- If s/he is in custody (including remand), detained for less than four months and are not accessing an education, then the absence may be coded as 'Y'.
- Newham Youth Offending Service can be contacted on 020 8430 2361.

### **Death of a pupil**

*j) that the pupil has died;*

- The Local Authority should be notified as per usual reporting procedures.

### **Year 11 Leavers**

- k) that he will cease to be of compulsory school age before the school next meets and the relevant person has indicated that he will cease to attend the school;
- Notification to the Local Authority is not required.
  - The school should follow their normal off-rolling procedures and may remove Year 11 leavers from roll from the last Friday in June of the relevant year.

### **Private Independent schools**

*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;*

- This applies to non-maintained, independent schools only; however notifications to the LA from Independent Schools are advised, particularly in cases where there are concerns around the safety of the child or there are known risk factors surrounding the family.

### **Exclusions**

m) that he has been permanently excluded from the school;

- The school should send notification to the Local Authority, to be received directly by the Exclusions and Reintegration Officer; Suzanne Bugeya.
- A Permanent Exclusions Reporting Form should be completed and sent to [bss@newham.gov.uk](mailto:bss@newham.gov.uk), and documents relating to the exclusion should be attached i.e. exclusion letter sent to the parents of the child.
- More information on Permanent Exclusions can be found via <http://www.newhamconnect.uk/Article/40738>

### **Reception aged children**

- 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.
- It is not mandatory to inform the Local Authority In instances where a child has left a Nursery Provision. However if the child's destination is not known and you either have concerns that have led to a Triage / Social Care Referral, or the Child is subject to a Child Protection / Child in Need Plan, a CME e-form should be completed.
  - The school may off-roll the child once advised to by the LA, or should the Nursery become aware that the child is now attending an education provision.

### **School to Local Authority Transfer of data.**

The guidance above provides schools with information on how and when to notify the London Borough of Newham of children being either removed from the school's admission/attendance roll, or when they are at risk of becoming a child missing from education. This responsibility is also reiterated in statutory guidance on this matter:

*“Schools must notify the Local Authority when a pupil's name is to be removed from the admission register at a non-standard transition point **under any of the...grounds set out in the regulations [which are listed from a) to n) above]**, as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register.”<sup>2</sup>*

Schools who do not notify the Local Authority of children being removed from their roll as per the guidance above may potentially place children at risk of significant harm by failing to ensure that children no longer receiving an education receive appropriate support. Local Authorities are duty bound to notify Ofsted of any safeguarding incidents.

### **School to School (S2S) Transfer of data - Common Transfer File (CTF)**

Whenever a pupil is deleted from a school roll, the school has a statutory duty to upload a CTF to the Department for Education (DfE) School-to-School (S2S) website. **The Education (Pupil Information) (England) Regulations 2005** describe the information that must be transferred and the method of transfer.

The school releasing the pupil must send a CTF to the new school within **15 school days** of deregistration. Where possible, the CTF should be sent to the new school before the pupil leaves. This applies to any transfer at any time between educational establishments for pupils aged 3 to 16 years (Nursery to end of Year 11).

When generating a CTF, the following codes should be used

- Local Authority number (where new school is based) followed by the new school number (for DfE registered schools)
- XXX XXXX where the destination school is not known or the pupil is missing
- MMM MMMM where the destination school is outside the maintained sector (independent) or the child is being educated otherwise than at school or the child has moved outside England or Wales.

More information on the secure transferring of CTFs can be found via

<https://www.gov.uk/guidance/school-to-school-service-how-to-transfer-information>

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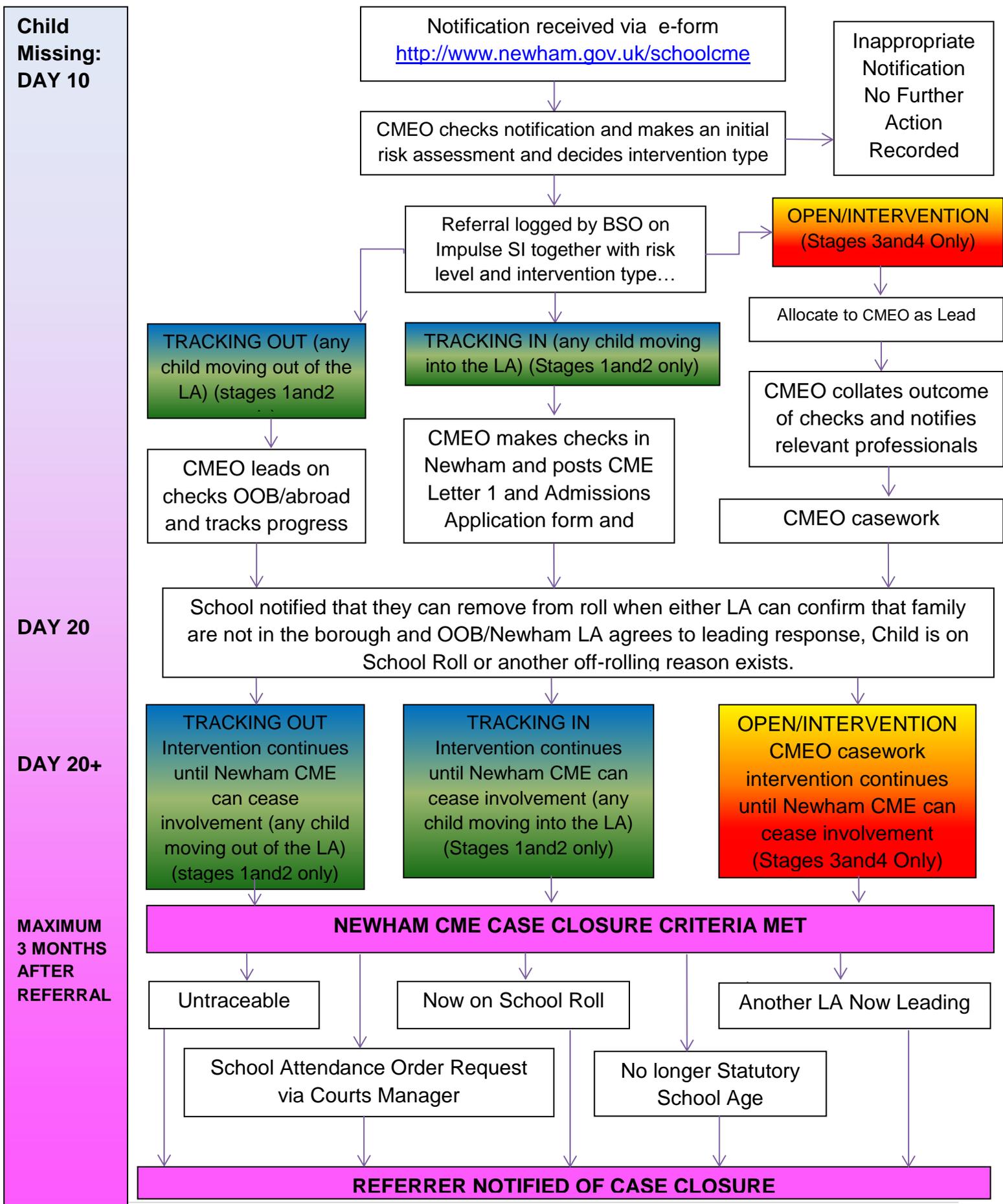
<sup>2</sup> <https://www.gov.uk/government/publications/children-missing-education>

## APPENDIX 3: LIST OF RELATED GUIDANCE AND PROCEDURES

This Guidance should be read in conjunction with:

- Department for Education Statutory Guidance, including:
  - Children Missing from Education - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550416/Children\\_Missing\\_Education\\_-\\_statutory\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf)
  - Keeping Children Safe in Education – <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
  - Working Together to Safeguard Children - <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
  
- London Child Protection Procedures - <http://www.londoncp.co.uk/> including:
  - Children Missing From Home, Care and Education - [http://www.londoncp.co.uk/chapters/ch\\_miss\\_care\\_home\\_sch.html](http://www.londoncp.co.uk/chapters/ch_miss_care_home_sch.html)
  
- LB Newham Guidance and Procedures:
  - Elective Home Education Guidance - <https://www.newham.gov.uk/Pages/Services/Home-education.aspx> and <http://www.newhamconnect.uk/Services/3072>
  - In-Year School Admissions Information and Policy - <https://www.newham.gov.uk/Pages/Services/In-year-admissions.aspx> and <https://www.newham.gov.uk/Documents/Education%20and%20learning/LBNewhamSecondarySchoolAdmissionArrangements2018.pdf> and <https://www.newham.gov.uk/Documents/Education%20and%20learning/LBNewhamPrimarySchoolAdmissionArrangements2018.pdf>
  - Fair Access (aka Hard to Place) Protocol - <https://www.newham.gov.uk/fairaccess>
  - Child Sexual Exploitation Procedures - [http://newhamchildcare.proceduresonline.com/files/sg\\_se.pdf](http://newhamchildcare.proceduresonline.com/files/sg_se.pdf)
  - Preventing Extremism and Radicalisation - <http://www.newhamconnect.uk/Services/3288>

# APPENDIX 4: INTERNAL NEWHAM CHILDREN MISSING EDUCATION PROCESS



## **CME Officer – Risk Level 1 / 2 Key Actions**

### **Tracking Out – Led by Children Missing Education Officer (CMEO) and reviewed by CME Operational Manager**

#### **Key Actions:**

1. Ensure E-form makes it clear why the referrer believes that the child is no longer in Newham and provides a new/forwarding address;
2. Check available databases (Impulse SI, Revs and Bens) for forwarding address details, ensuring to check sibling details where available;
3. Contact possible receiving Local Authority CME Officer of a new child in their area and ask them to confirm they are known to the LA. If they are not known, ask them to make contact with the family via new address and confirm that they are prepared to act as lead CME Officer;
4. Once new LA has confirmed that they are happy to lead, pass case to CME Operational Manager for authorisation to close;
5. If unable to locate the child and/or further risks are identified, change risk assessment to Stage 3 (Complex) or Stage 4 (Acute), change intervention type to Open/Intervention and reprioritise the case.

### **Tracking In – Led by CME Officer and reviewed by CME Operational Manager:**

#### **Key Actions:**

1. Ensure E-form makes it clear why the referrer believes that the child is in Newham and provides a new/forwarding address;
2. Check available databases (Impulse SI, Revs and Bens) for Newham address details, ensuring to check sibling details where available;
3. Where child is located, CME Letter 1 listing the 6 closest schools (An In-Year Admissions Application form should be sent to the family via the post and progress monitored via regular review with admissions/Impulse SI).
4. If child cannot be initially located in Newham, CME Officer contacts previous Local Authority CME Officer and informs them that child is not in Newham area, no further action will be taken by Newham and confirm that previous LA agrees to take the lead. Escalate to CME Operational Manager if no agreement is provided.
5. Once confirmed that an admissions application form has been received, a school has been allocated and confirmation is received from the school that the child has started with them, pass case to CME Operational Manager for authorisation to close;
6. If you are unable to locate the child, or an application form is not received by Admissions within 10 working days and/or further risks are identified, change risk assessment to Stage 3 (Complex) or Stage 4 (Acute), change intervention type to Open/Intervention and reprioritise the case.
7. Following enquiries and completion of the Home Visit where the child is confirmed as a CME in Newham, a written notice will be served within 10 working days to the parent(s) informing them of their legal duty to ensure that their child receives efficient full-time education and providing details of how to apply for a school place.
8. If family fail to follow the necessary steps in securing a school place, escalate to CME Operational Manager for consideration of enforcement action.

#### **Recording:**

All Key Actions taken by CME Officer must be recorded via Impulse SI. Record should clearly indicate:

1. the date the action was undertaken;
2. what was undertaken and with who;
3. what the follow up action is and the deadline to undertake this;
4. who is recording the action.

## **Children Missing from Education Officer (CMEO) – Risk Level 3 / 4 Key Actions**

### **Open/Intervention:**

The CMEO will be allocated and manage higher risk cases of children leaving or moving into the borough, or who are missing and their whereabouts are unknown. In these circumstances the CMEO may use the key actions used during Risk Level 1 / 2 actions to trace the child, as well as accessing other higher level databases and a wider professional network to trace and place the child either inside or outside Newham.

### **Tracking Out/Destination Unknown – Lead by CME Officer (CMEO) and reviewed by CME Operational Manager:**

#### **Key Actions:**

1. Ensure E-form makes it clear why the referrer believes that the child is no longer in Newham and provides a new/forwarding address. If this is not available, home visit to be completed within 5 working days to verify whether or not family has left Newham;
2. Check available databases (Impulse SI, Revs and Bens, CRS, Key to Success) for forwarding address details or new school details, ensuring sibling details checked when available;
3. Contact possible new Local Authority CME Officer of new child in their area and ask them to confirm they are known to the LA. If they are not known, ask them to make contact with the family via new address and confirm that they are prepared to act as lead CME Officer;
4. Once new LA has confirmed that they are happy to lead, case to be closed;
5. If still unable to trace, contact MASH Health Professional for NHS checks to commence, asking them to locate currently registered GP surgery for child, siblings and parent(s);
6. If still unable to trace, request check via National Anti-Fraud Network from Corporate Anti-Fraud Team.;
7. Once all checks are exhausted, request to close case under category 'untraceable' made to Director, Education and Skills via Interim Group Manager.;

### **Tracking In – Lead by CME Officer (CMEO) and reviewed by CME Operational Manager:**

#### **Key Actions:**

- Ensure E-form makes it clear why the referrer believes that the child is in Newham and provides a new/forwarding address;
- Check available databases (Impulse SI, Revs and Bens) for Newham address details, ensuring sibling details checked when available;
- Where child is located, Home Visit is undertaken within 5 days, taking CME Letter 1 listing the 6 closest schools and an In-Year Admissions Application form. If family is seen, initial assessment in relation to Education and Early Help/Safeguarding is undertaken;
  - From an education point of view, child should be assessed in line with current Fair Access protocol to decide whether criteria for Fair Access Referral are met. If Fair Access criteria are met, referral to next Fair Access Panel Meeting to be made. If not, in year application form to be completed;
  - From an early help/safeguarding point of view, family should be assessed to see if they would benefit from an early help assessment (need of support from more than one service) or MASH referral (child at significant risk of harm);
  - If family is not seen, CME Letter 1 and Admissions In-Year Application form must be left;

- Following enquiries and completion of the Home Visit where the child is confirmed as a CME within Newham, a written notice will be served within 10 working days to the parent(s) informing them of their legal duty to ensure that their child receives efficient full-time education and providing details of how to apply for a school place.
- If family is not seen, home visits should continue to be made until contact is made or closure criteria is met;
- If Child cannot be initially located in Newham, CME Engagement Key Worker to contact previous Local Authority CME Officer and inform them that child is not in Newham area, no further action will be taken by Newham and confirm that previous LA agrees to take the lead. If there is no agreement, then continue with key actions;
- Once it is confirmed that a school has been allocated and that the school agrees that the child has started with them, then the case can be closed;
- If child cannot be located, consider this as ‘tracking out/destination unknown’ and conduct relevant key actions.

### Case Closures – Permissions:

Closure Reason	Permission Level Required
No Longer Statutory School Age	Child Missing Education Officer and above
Another LA is now leading	Child Missing Education Operational Manager and above
Now on School Roll	Child Missing Education Operational Manager and above
School Attendance Order Request	Child Missing Education Operational Manager and above
Untraceable	Director of Education and Skills

### Checks / Actions available to CME Team – Not Exhaustive List

Home Visit, including Neighbours	Telephone Calls – All contact numbers
Sibling School Checks	Emergency Contacts – All available numbers
Letters	Employer Contacts
Impulse (All Modules) Education Database	Azures Children’s Social Care Database
Council Tax Database	LA Social Housing Database
HMRC Data Sharing	Key to Success – National Pupil Database
NHS Data Access Request	Home Office (Border Force) Checks
Other Local Authority Contact	Credit Reference Agency Checks
Police Data Access Request	Landlord / Letting Agency Checks

## APPENDIX 5: OVERVIEW OF CME PANEL

