



Children Missing Education and Missing pupils (family whereabouts unknown)

**A guide and information for schools
and partner agencies in
Gloucestershire
September 2016**

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Introduction

This pack was written by the Education Performance and Inclusion team (EP&I) to

- make schools aware of the Local Authority's responsibilities regarding children missing education (CME)
- provide additional information about Gloucestershire's procedures relating to CME
- provide a framework for schools and the LA to work together to identify children missing education and get them back into education

Schools can download this pack, the latest DfE CME guidance and other supporting materials via the following link. www.gloucestershire.gov.uk/schoolsnet/children-missing-education

This guidance does not replace any part of the Child Protection or Safeguarding procedures that already exist within Gloucestershire and they should be followed as appropriate.

Advice for schools and other professionals about CME

EP&I team

The Local Authority has a named CME officer within the EP&I team who has strategic responsibility for the work of the team in respect of CME. The Strategic Lead, Data Officers and team of Parent Advisers, manage CME cases and advise schools and other professionals about:

- the legal framework for CME
- procedures for identifying and reporting CME

The Data Officer

- collates information on all reported cases of CME of statutory school aged children in Gloucestershire maintained schools, academies, free schools, alternative provision academies, independent schools and Alternative Provision Schools (APS - formerly Pupil Referral Service).
- prepares and publishes an annual county CME report including analysis of referrals by source, age, gender etc along with outcomes of CME casework done by the wider EP&I team.
- liaises with partner agencies and other Local Authorities and schools across Britain to track pupils who may be missing education.

The Parent Adviser

- collaboratively works with schools to investigate the whereabouts of a family whose location cannot be ascertained
- works with parents/carers of children missing education (no school place) to ensure they are returned to education

Definitions

Statutory guidance means that the Local Authority should follow this guidance, unless there is good reason not to in a particular case.

Statutory guidance Children Missing Education 2013 relates to:

- The Education Act 1996
- The Education (Pupil Registration) (England) (Amendment) Regulations 2016
- The Education and Inspections Act 2006
- The Children Act 2004
- School Admissions Code December 2014
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007

Children Missing Education (CME) refers to 'any child of compulsory school age who is not registered at any formally approved education activity eg school, alternative provision, elective home education, and has been out of education provision for a substantial period of time (usually agreed as 4 weeks)'.

'Suitable and efficient' education refers to an education that achieves what it sets out to achieve and is suitable to a child's age, ability and aptitude, and any special educational needs that child may have.

Compulsory school age

A child reaches compulsory school age on or after their fifth birthday.

If they turn 5 between:

- 1st January and 31st March they are of compulsory school age on 31st March.
- 1st April and 31st August they are of compulsory school age on 31 August.

- 1st September and 31st December, then they are of compulsory school age on 31st December.

A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen.

Parent is defined in Section 576 of the 1996 Education Act as:

- all natural parents, whether they are married or not
- any person who, although not a natural parent, has parental responsibility for a child or young person
- any person who has care of a child (having care of a child or young person means that the child lives with and is looked after by that person, irrespective of their relationship).

School – For the purposes of this guide school is used to refer to all maintained schools, academies, free schools, independent schools, alternative provision schools or any education provision where a child is registered as their main education base.

The Local Authority's responsibilities regarding CME

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 1996 Education Act requires Local Authorities to make arrangements to establish (so far as it is possible to do so) the identities of children who are not pupils at schools and who are not otherwise receiving suitable education.

Statutory guidance on identifying children not receiving suitable education 2013 states that local authorities in England have a legal duty to identify, as far as it is possible to do so, children missing education (CME) and get them back into education.

Identifying CME

A child is classed as CME if they are

- of compulsory school age **and**
- not on a school roll **and**
- not receiving a suitable education otherwise than being at school, for example, at home, privately or in alternative provision.

This might be:

- A child who has left a custodial establishment or private schooling or has arrived into Gloucestershire and whose parent has been unable to secure a school place
- A child who is deemed not to be receiving a suitable education whilst EHE

CME also includes those children who are **missing** (family whereabouts unknown), and are usually children who are registered on a school roll / alternative provision

This might be:

- A child who is not at their last known address **and either**
 - has not taken up an allocated school place as expected,
or
 - has 10 or more days of continuous absence from school without explanation,
or
 - left school suddenly and the destination is unknown

The LA identifies children who may be missing education. Working with partners and other agencies, the LA:

- receives notification from an individual or agency of children who are missing education.
- undertakes case work to ensure the parent of a child missing education is offered suitable full time education.
- undertakes case work to establish the whereabouts of a family who are not at their last known address and whose destination is unknown.

Children and young people run away and go missing from home

Gloucestershire Safeguarding Children's Board (GSCB) has issued a protocol on partnership working when children and young people run away and go missing from home or care. The protocol is available at www.GSCB.org.uk

Children most at risk of missing education

Some children may face obstacles to their entitlement to education.

This can be children from families:

- fleeing domestic violence
- who are homeless, perhaps living in temporary accommodation, houses of multiple occupancy or Bed and Breakfast
- involved in anti-social behaviour
- not yet established in the UK and may not have fixed addresses or be familiar with the education system
- who can be highly mobile, eg in the armed forces, Gypsy, Roma and Traveller families

or children who are:

- under the supervision of the youth justice system
- affected by substance or alcohol misuse
- unaccompanied asylum seekers
- victims of bullying or discrimination on the grounds of race, faith, gender, disability or sexuality
- at risk of sexual exploitation, including children who have been trafficked to, or in the UK
- at risk of 'honour' based violence including forced marriage – particularly 15-16 year old girls from Indian, Pakistani or Bangladeshi families.
- at risk of female genital mutilation
- children looked after/children in care
- privately fostered

- young carers
- teenage parents
- permanently excluded from school

or children who have:

- long term medical or emotional problems.
- parents with mental health problems
- parents with learning difficulties

Who might report a child as CME?

Anyone concerned that a child is missing education, either because they are not in receipt of education provision or their family whereabouts are unknown, can make a CME referral to the Education Performance and Inclusion team (EP&I) at Gloucestershire County Council. Most referrals come from:

- **GCC Admissions**
if parents have followed normal admissions processes and it has not been possible to secure education provision for their child.
- **School**
if a child, with their family, has suddenly disappeared and attempts by the school to contact the family have failed.
- **CME Officer from another LA**
If it is believed a child has moved into Gloucestershire from that area.
- **EP&I Adviser**
if the parent adviser is made aware of a family new to area through existing community relationships and has not secured a school place through normal admissions processes. If a child registered as Electively Home Educated (EHE) is deemed not to be receiving a suitable education or has suddenly disappeared and attempts to contact have failed.
- **Social Worker/MASH (Multi Agency Safeguarding Hub)**
If a child is not on a school roll and there are concerns about the family's ability to secure suitable education provision.

CME referral procedures

For every referral, the Data Officer will run checks on education/social care databases and liaise with relevant professionals regarding potential child protection/SEND concerns.

If a child is on a school roll and has:

- stopped attending and no contact can be made with the parent to establish a reason for the absence or
 - ceased to attend the school and the forwarding address/new school is not known or
 - not returned from holiday within 10 school days of the expected date of return,
- the school should try to establish the family's whereabouts within 10 school days before making a referral to the EP&I team. (Appendix A)

The EP&I team will make further enquiries and attempts to locate the family including:

- visiting the home address, making enquiries with neighbours
- investigating all known contacts
- liaising with social care, health, housing, police, Inland Revenue and other agencies
- making contact with other LAs and CME Officers

If a child is **not on a school roll** and not receiving a suitable education, the EP&I team aim to secure education provision within 10 days of being notified.

If a parent cannot secure a school place through the usual procedures or with help from the Admissions team in Gloucestershire, and it is likely that the child will not be receiving a suitable education for 20 days or more, the EP&I team will record the child as CME and allocate a Parent Adviser to support the family. This might include:

- Brokering alternative provision
- Applying to the Fair Access Panel to name a school place
- Applying for a School Attendance Order (if parent refuses to accept an offered school place)

Once the whereabouts of the child are known, the Data Officer will update the original referrer. In rare cases where the child can not be located, the Data Officer will publish a message on the national Schools 2 Schools secure website. The school should then create a CTF using XXX XXXX.

Referrals from other LAs

When another LA contacts Gloucestershire believing a child has moved into the county, the Data Officer will find out if contact has been made with GCC Admissions team.

If the child is known to be accessing education, the Data Officer will inform the referring LA who can remove the child from their CME database.

If the child is not known to the Admissions team but an address has been given indicating the family are in county, the EP&I team will liaise with the Admissions team to ensure the family know how to find a school place for their child.

If the EP&I team is unable to locate the family in Gloucestershire, the referring LA will be informed so that they can continue to investigate the child as missing education.

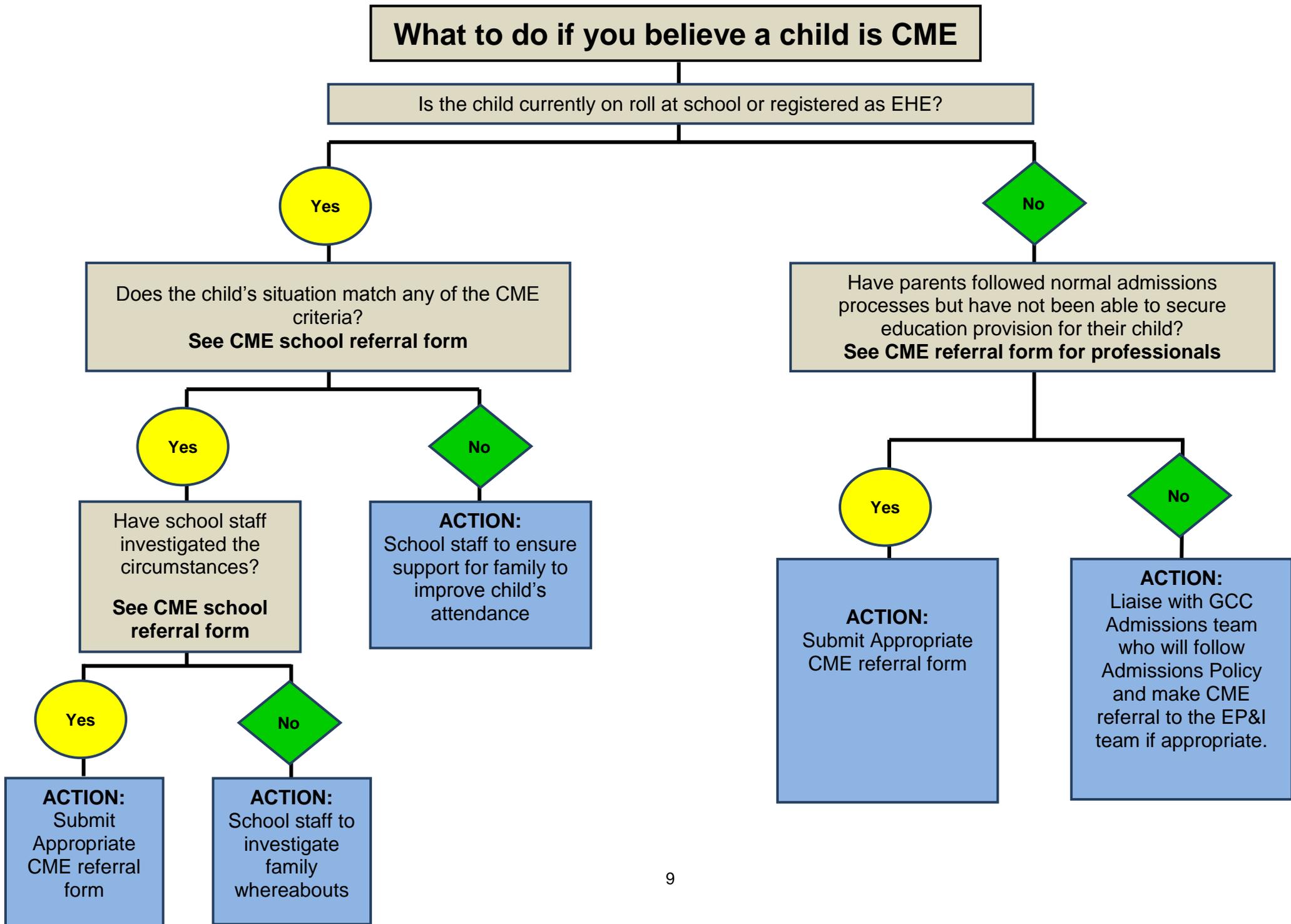
Referrals to other LAs

If a child leaves a Gloucestershire school and provides an address in a new county but no details of a new school then the CME officer at the other LA will be informed. If that officer can confirm they have located the family, the case will be closed to Gloucestershire. If the other LA is unable to locate the family, the case will remain open to Gloucestershire and the EP&I team will continue to investigate the child as missing education.

Monitoring and tracking

The LA monitors and tracks information from a variety of sources (including s2s and Capita) to establish a child's whereabouts or access to education.

What to do if you believe a child is CME



Deletions from the Admissions Register

The following guidance affects all non-standard transitions at all schools including independent schools and is based on legislation available at:

Education (Pupil Registration) (England) (Amendment) Regulations 2016
<http://www.legislation.gov.uk/uksi/2016/792/contents/made>.

The Education (Pupil Registration) (England) (Amendment) Regulations 2016 set out the grounds under which children can be removed from a school admission register. The regulations state that a return must be made to the Local Authority giving details of the deletion including full name of pupil, name and address of parent with whom they normally reside, at least one telephone number for a parent and the reason for the deletion. The requirement to make a return for deletions does not apply when a pupil has completed the final year of education provided by the school i.e. reached normal leaving age at end of Year 2 (for an infant school) or Year 6 or Year 11.

In the vast majority of cases, pupils who leave school mid-year or mid-phase transfer to another school which might be in the same area, an independent school or a school in another area or country (ground for deletion 8(b)). In other cases, a pupil may have moved away but the new school is not yet confirmed (ground for deletion 8(e)), or the pupil suddenly stops attending and the family whereabouts are unknown (ground for deletion 8(f) and 8(h)). The full set of grounds for when a pupil can be deleted from the admission register is given in the table below.

Depending on which grounds for deletion apply, there are certain actions which need to be undertaken to:

- end the pupil record in schools' Management Information System (MIS, most commonly SIMS in Gloucestershire);
- transfer pupil records to the new school using common transfer file (CTF); and
- notify the LA

The table on pages 11 and 12 confirms the actions required for each ground for deletion.

Pupil Regs Ref.	Grounds for deletion	Ending record in MIS – fields to complete		Creating CTF	Notifying LA
		Reason for leaving chose from drop-down:	Destination free text – please complete with:		
8 (a)	Where a School Attendance Order (SAO) is in place and another school is substituted on a SAO (SAO) or the Order has been revoked and other place found by LA	In-year transfer – Maintained school	Pupils new address (if applicable) DfE number for new school (if applicable) or name of new school	Upload to new school via S2S	Via B2B or Send pupil details to: missingpupils@gloucestershire.gov.uk together with confirmation of grounds for deletion.
8 (b)	Pupil is registered at another school (not dual or subsidiary registered)	In-year transfer – Maintained school Or In-year transfer – Independent school	New address (if applicable) DfE number for new school (if applicable) or name of school	Upload to new school (or MMM MMMM) via S2S	Via B2B or Send pupil details to: missingpupils@gloucestershire.gov.uk together with confirmation of grounds for deletion.
8 (c)	Pupil is dual registered and one school agrees the other school can delete	In-Year transfer – Maintained school	Main registered school DFE number or name of main school	Upload to main school via S2S	Send pupils name and (new) main school name to: missingpupils@gloucestershire.gov.uk together with confirmation of grounds for deletion.
8 (d)	School receive written notification from parent that pupil is receiving education otherwise (eg EHE)	Elective Home Education	New address (if applicable)	Upload to 916 LLLL via S2S	Send copy of de-registration letter to: ehe@gloucestershire.gov.uk
8 (e)	Pupil ceases to attend and no longer lives within a reasonable distance of the school*	In-year transfer – Maintained School Or In-year transfer – Independent School Or Left Country	New address DfE number for new school (if applicable) or name of school (if known)	Upload to new school (or MMM MMMM) via S2S	Send name and new address of pupil to: missingpupils@gloucestershire.gov.uk together with confirmation of grounds for deletion.
8 (f)	Pupil has failed to return after an authorised holiday and the school and LA have both jointly failed to ascertain where the pupil is within ten school days of expected return	Missing Pupil	Unknown	Upload to XXX XXXX via S2S	CME referral form completed and sent to LA within 10 days of expected return. LA and school jointly make enquiries to ascertain whereabouts.
8 (g)	School receive medical evidence to confirm pupil is unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age <i>and</i> neither pupil nor the parent has indicated to the school the intention to continue to attend the school, after ceasing to be of compulsory school age	Other Reason	Medical grounds	N/A	Send name and address of pupil to: missingpupils@gloucestershire.gov.uk together with confirmation of grounds for deletion

Pupil Regs Ref.	Grounds for deletion	Ending record in MIS – fields to complete		Creating CTF	Notifying LA
		Reason for leaving chose from drop-down:	Destination free text – please complete with:		
8 (h)	Pupil has been continuously absent (unauthorised) for 20 school days and the LA and school have both jointly been unable to ascertain where he is.	Missing Pupil	Unknown	Upload to XXX XXXX via S2S	CME referral form completed and sent to LA no later than 10 th day of absence. LA and school jointly make enquiries to ascertain whereabouts.
8 (i)	Pupil is detained following a court order for a period of 4 months or more and is not expected to return to school	Other reason	Detained following court order	N/A	Send name and address of pupil to: missingpupils@gloucestershire.gov.uk together with confirmation of grounds for deletion.
8 (j)	Pupil has died	Deceased	Leave blank	N/A	Discuss with EP&I team as appropriate
8 (k)	Pupil ceases to be of compulsory school age – parent/carer agrees	Normal leaving age	Leave blank	N/A	Via B2B
8 (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	N/A Criteria applies to independent schools only	N/A Criteria applies to independent schools only	N/A	Send name and address of pupil to: missingpupils@gloucestershire.gov.uk together with confirmation of grounds for deletion.
8 (m)	Pupil is permanently excluded <i>NB Pupil cannot be deleted from register until 15 schools days after GDM</i>	Permanent Exclusion	APS	Upload to APS via S2S	Send copy of exclusion letter to: exclusions@gloucestershire.gov.uk on day of permanent exclusion
8 (n)	Pupil not transferred from nursery to another class	Other reason	Leave blank	N/A	Send name and address of pupil to: missingpupils@gloucestershire.gov.uk together with confirmation of grounds for deletion.

*A reasonable travelling distance usually means

- any walking distance up to the statutory walking distance of 3 miles for pupils 8 years old and above and up to 2 miles pupils up to eight years old
- a journey of not more than 75 minutes each way for secondary age pupils and 45 minutes each way for primary age pupils by public transport

(Home to school travel and transport guidance - Statutory guidance for local authorities July 2014)

Ending record in schools Management Information System (MIS)

For SIMS users:

- Navigate to section 11 - School History under Pupil Details
- Enter date of leaving
- Choose Reason For Leaving from drop-down menu according to table above
- Enter destination detail according to table above as free-text in the Destination After Leaving box (include as much detail as possible)
- Select new school from Destination Institution (if applicable)

For more help on completing records in SIMS, please contact SIMS support Office on 01452 427272.

For assistance with other MIS, please contact your provider.

Creating CTF

The S2S system allows schools to securely share information, for example to transfer pupil records using the common transfer file protocol (CTF).

When the new school is known, the CTF can be created using the naming protocols, which include the new schools DfE number, uploaded securely to S2S and the new school can download the CTF.

If the new school is not known the CTF can be uploaded to XXX XXXX (in place of the school DfE number).

If the new school is one outside of England and Wales, or a non-maintained school, the CTF can be uploaded to MMM MMMM.

Full instructions for saving, uploading and receiving files via S2S can be found in the guide for schools at:

<https://www.gov.uk/government/publications/school-to-school-guides-for-schools-and-local-authorities>

Notifying the LA

Schools must inform the LA when they are about to delete a (compulsory school aged) pupil's name from the admission register at any non-standard transition point.

Schools are required to inform the LA of the pupil's destination school and home address if the pupil is moving to a new school (grounds for deletion 8 (a) and 8 (b)). For schools who share data with the LA through B2B, entering details of the destination school and new home address into the Destination box allows this information to be shared automatically.

For some of the grounds for deletion, notifying the LA by e-mail allows schools to provide all details in a timely manner i.e. where there is a duty for the LA to provide education following a permanent exclusion (ground for deletion 8 (m)) or register a child as being in receipt of Home Education (ground 8 (d)).

When a pupil's family whereabouts are unknown (grounds for deletion 8 (f) and 8 (h)), the LA will have already been made aware of the pupil via a CME referral and will have jointly been working with the school to try to locate the family.

USEFUL CONTACTS

Education Performance and Inclusion

Shire Hall, Gloucester GL1 2TP

Tel: 01452 427800

Data Officer for CME

Shire Hall, Gloucester GL1 2TP

Tel: 01452 328033 (procedural advice, guidance and statistics on CME)

GCC School Admissions team

Shire Hall, Gloucester GL1 2TP

01452 426015

inyear.admissions@gloucestershire.gov.uk

The Virtual School (Educational support for looked after children)

Jane Featherstone The Virtual School, Battledown Centre, Harp Hill,
Cheltenham, GL52 6PZ

Tel: 01452 328360

Children & Families Helpdesk

Tel: 01452 426565

email: childrenshelpdesk@gloucestershire.gov.uk

Children & Families Services Emergency Duty Teams

Outside of office hours (8am and 5pm Monday to Friday)

Tel: 01452 614194.

SCHOOL CME REFERRAL FORM – child whose family whereabouts are unknown

Your Details	Name:		Date:	
	School			
Child and family details	Forename (s):		Surname	
	DOB:		Gender:	
	Date last in education		Date last seen	
	Parent(s) names and all contact details			
CME criteria (Please indicate)	All attempts to contact the family have failed (see checklist below)			
	Family known to have moved away but destination school unknown			
	Child did not take up allocated school place and attempts to contact have failed			

Checklist

Action	Date completed	Outcome
Carry out first day calling (if this is an automated system the school should make telephone contact manually)		
Attempt to get in touch with all known emergency contacts (at various times of day) <i>Provide contact details</i>		
Gather further information including details of siblings from other agencies, wider school community (eg staff, other pupils, friends)		
Home visit within 5 school days if appropriate		
Social Media searches – eg contact details of a parent or school noted on Facebook		

If a child is subject to a child protection plan, is a child in care or there are reasons to be concerned for the child's safety, inform Social Care immediately and follow GSCB procedures.

If child is not located following checks, please send referral form to the EP&I team, **no later than the tenth day of absence** and continue checks as appropriate. The EP&I team will make further enquiries and attempts to locate the family including making contact with other LAs and CME Officers. In rare cases where the child cannot be located the Data Officer will publish a message on the national Schools 2 Schools secure website. The school should then create a CTF using XXX XXXX.

Please return this with any attachments or relevant information to:

Education Performance and Inclusion Team, Shire Hall, Westgate Street, Gloucester, GL1 2TP
Email: missingpupils@gloucestershire.gov.uk

Child Missing Education (CME) Referral for professionals (other than school)

CME refers to any child of compulsory school age who is not registered at any formally approved education activity eg school, alternative provision, elective home education, and has been out of education provision for a substantial period of time.

Please confirm that the child is CME or at risk of being CME. The child is not registered at a school or other approved education activity and:	
has been out of education provision for at least 20 school days or	
is at risk of being out education provision for 20 school days or more.	
Referrer contact details (name, organisation, telephone number, email):	Date of referral:
Child details	
Forenames:	Surname:
Date of birth:	Year group:
Gender:	Date last in education:
Parent names and contact details: include all known family surnames	
Summary of contact with the family to date:	

If a child is subject to a child protection plan, is a child in care or there are reasons to be concerned for the child's safety, inform Social Care immediately and follow GSCB procedures.

Please return this with any attachments or relevant information to:

Education Performance and Inclusion Team, Shire Hall, Westgate Street, Gloucester, GL1 2TP

Email: missingpupils@gloucestershire.gov.uk

Please contact Jane Lloyd Davies on 01452 328691 if you have any questions about this pack.