

This is based on Keeping Children Safe in Education (09.19) and Children Missing Education (09.16)

Rationale

All children, regardless of their circumstances, are entitled to a full-time education, which is suitable to their age, ability, aptitude and any special educational needs they may have. Local authorities have a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing education in their area. Effective information sharing between parents, schools, colleges and local authorities is critical to ensuring that all children are safe and receiving suitable education.

A child going missing from education is a potential indicator of abuse or neglect and such children are at risk of being victims of harm, exploitation or radicalisation. School staff should follow their procedures for unauthorised absence and for dealing with children that go missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of going missing in future.

School should put in place appropriate safeguarding policies, procedures and responses for children who go missing from education, particularly on repeat occasions. It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, female genital mutilation and forced marriage.

Children at particular risk of missing education

- Children at risk of harm or neglect
- Children of Gypsy, Roma, Traveller (GRT) Families
- Children of Armed Forces Families
- Missing children / runaways
- Children and young people supervised by the youth justice system
- Children who cease to attend school
- Children at points of transition

Children Missing Education (CME) are at significant risk of

- Underachieving
- Being victims of abuse
- Becoming NEET
- Becoming victims of child sexual exploitation
- Forced Marriage

School Responsibilities

The law requires all schools to have an admission register and, with the exception of schools where all pupils are boarders, an 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 consider notifying the local authority at the earliest opportunity to prevent the child from going missing from education.

It is important that the admission register is accurate and kept up to date. School 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. Attendance registers will be marked twice daily. The school 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, at such intervals as are agreed between the school and the local authority. The school will work closely with the Education Welfare Team on any attendance concerns. Our attendance officer is Kerry Goldthorpe. The school attendance and absence policy will be followed at all times.

School has a safeguarding duty under Section 175 of the Education Act 2002 and as part of this should investigate any absences from school.

Change of pupil address

Where a parent notifies a school that a pupil will live at another address, the school is 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.

The school is required to notify the local authority within five days when a pupil's name is added to the admission register. The school 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, unless the local authority requests for such information to be provided.

Reasons and codes for Removing Pupils from Roll and Notification to the Local Authority

A school cannot legally remove compulsory school-age children from roll, even if a parent makes the request in writing, unless one of the following circumstances is met: (Please note these numbers are in direct relation to the Deletions from Admission Register in The Education (Pupil Registration) (England) Regulations 2006) from the register. This duty does

not apply where the pupil has completed the school's final year, unless the local authority requests for such information to be provided.

8.1.a: School attendance order

If the pupil has a school attendance order a school can only remove the pupil from the roll if the school attendance order is revoked or the school named in the order is changed.

8.1.b: Pupil transfers to an alternative school

The pupil is now registered at another school. The only time a Removal from Roll form is not required is if the pupil is transferring to a new school at a normal intake phase transfer (i.e. nursery to reception, infant to junior, junior to secondary).

8.1.c: The pupil is on dual roll and ceases to attend one of these schools

A pupil registered at more than one school under a dual-roll arrangement can be removed from the roll of one of the schools providing the other school is in agreement.

8.1.d: Pupil has been withdrawn from the roll by parents/carers and will be educated otherwise than at school

Under section 7 of the Education Act 1996, www.opsi.gov.uk/legislation, parents have the right to educate their children outside the school system. Where this happens, the child's name will not appear on a school roll. The local authority where the pupil lives has a responsibility for providing the appropriate help and support to parents in their efforts to educate their child. They are not currently expected to provide financial support to home educators but must ensure that the pupil is receiving a suitable, efficient full-time education. This monitoring role is currently undertaken by the Attendance and Pupil Support Team and they can be contacted on 01484 221919 for further advice.

Schools **must not** seek to persuade parents to educate their child at home as a way of avoiding the school excluding the pupil or because the pupil has a poor attendance record or other problems at the school. Where a pupil's parents express an interest, or desire, to educate their pupil at home, schools should encourage them to seek advice from the CME Team before a final decision is made. Schools should also advise parents that they must notify the school in writing if they decide to withdraw their children and educate them at home.

Schools should make parents aware of the implications of an EHE declaration.

A school does not have to accept the EHE declaration from a parent if they have grounds to believe the parent will not provide a reasonable education. Where the school reasonably believes the parent is declaring EHE as a response to problems the pupil/family are experiencing with the school, then schools are strongly encouraged to contact the Education Welfare Team who will try to broker a conversation with the family.

Where a family makes an EHE declaration and then quickly follows this with a mid-year admissions application for another school, this causes great problems for the school that the parent expresses a preference for. Schools nearly always refuse to admit and the child is at risk of missing education. This also leads schools the parent is applying for to doubt that processes were properly followed at the school the child left in order to be EHE. In such circumstances the LA will consider that an EHE declaration was not properly made, so the pupil cannot be taken off roll, or the Admissions Team will not process an application for another school until after a complete term or academic year.

it is unfair that a parent or school may be bypassing the normal mid-year change of school protocols. In these situations it is vital the LA talk to the family as soon as possible. Where the pupil has a Statement or EHCP, any declaration of EHE should be raised with the SENACT team as a matter of urgency.

8.1.e: Pupil is known to have moved home address but the new school placement is unknown If a pupil is relocating, but does not have a new school place or where the house move is relatively local, and the distance from their new address to school is not unreasonable, the pupil should remain at the school until new provision has been secured.

If the distance is unreasonable and the pupil is removed from roll, at any point the school becomes aware of the pupil's new school this information should be passed to the CME Team immediately to avoid unnecessary enquiries. School should inform the parents/carers that the child has been removed from the school roll.

If a school has any concerns regarding a family's intended move abroad, for example with regard to child trafficking or forced marriage, an immediate referral to Safer Kirklees on (01484 221000) or the police should be made.

8.1.f Pupil has failed to return from previously authorised extended leave

Schools can only remove pupils who fail to return from extended leave after an additional 10 school days following the agreed date for return. However, the school must check that the pupil does not have a good reason for their absence, such as disrupted travel arrangements or illness. If the school is unable to contact the parents or has any concerns about the pupil and his/her welfare, they should make an immediate referral to Duty and Advice (01484 414960) or Education Safeguarding Team (01484 221919).

If the school has made all reasonable enquiries and they cannot locate the child/family the school must refer to the CME Team so that further checks can be carried out before a decision to remove the pupil from roll can be made. Note that the proposed changes from the government stress that the school and the LA should make enquiries collaboratively, not separately.

When removing a pupil from the school roll, schools should write to the last known address to inform parents of the decision, signposting to their home local authority's school admissions team and advising them that they must re-apply for a school place.

8.1.g A pupil is medically unfit and will remain so until after his/her official leaving date.

Schools can only remove a pupil from the school roll on medical grounds if there is substantial medical evidence to indicate that the pupil is too ill to attend school AND is unlikely to be well enough to return to school before completing his/her compulsory education. This must be undertaken in consultation with the School's Medical and Exceptional Needs Lead, the parents, the CME and Education Welfare Team and the new education provider.

These removals are not mandatory and schools should try to work with the local authority and other agencies to support the pupil's education through, for example, alternative provision dual registration at specialist schools and home tuition.

8.1.h Pupil's whereabouts are unknown

Schools are allowed to remove a pupil from the school roll where BOTH of the following conditions are met:

- the pupil has been absent from school for 20 continuous school days or more without explanation and
- the school has made all reasonable enquiries, as to their whereabouts and the CME and Education Welfare Team confirms that they cannot locate the child.

Under no circumstances should a school remove a pupil from the school roll without securing confirmation of the pupil's whereabouts or the pupil's new education provision. School needs to make all reasonable checks before referring them to the CME & Education Welfare Team.

Schools can also refer to the Children Missing Education Policy for further advice and guidance.

During the first 10 days of absence, school must make reasonable attempts to locate the child and facilitate his/her safe return to school.

School's Reasonable Enquiries to find the pupil can include:

- Refer to the Police or Social Services if there are safeguarding concerns or child is on a CP plan
- Checking with all members of staff who the child/young person may have had contact with
- Checking with the pupil's friends, siblings, and known relatives
- Making telephone calls to any numbers held/identified including emergency contacts
- Sending a letter to the last known address
- Carrying out home visits at different times to check who is at the home address and other known addresses, and check with neighbours and known friends
- Asking for the address the family is moving to
- Checking which school a child is expected to attend
- Requesting copies of flight information

This list is a guide and is not an exhaustive list.

Once school have exhausted all of their checks/ enquiries they can make in trying to locate the pupil, a referral can be made to the CME and Education Safeguarding Teams. The pupil **MUST** remain on the school roll whilst the CME and Education Safeguarding Teams carry out further checks on the pupil's whereabouts.

The CME, Education Safeguarding Teams and the School need to liaise with each other during this time to try and establish the pupil's whereabouts. Once 20 continuous days have passed, and the pupil has not been located, a decision as to whether the pupil is removed from roll can be made.

When withdrawing a pupil from the school roll, schools should write to the last known address to inform parents of the decision, signposting to their home local authority's school admissions team and advising them that they must reapply for a school place.

This is not intended to allow pupils to be removed from roll for non-attendance. It only relates to pupils that genuinely cannot be located, and it is expected that there will be some evidence to suggest that the pupil or family has moved to another area.

8.1.i A pupil is in custody

Schools are permitted to remove a pupil from roll who is serving a custodial sentence of 4 months or longer but should only do so in consultation with their Youth Offending Worker. Children who are detained purely for medical reasons, e.g. under mental health legislation, should not be treated or regarded as children who are in custody. They must be treated in the same way as other children who are unable to attend school for medical reasons (see 8.1.g).

Schools cannot remove pupils from roll who are in custody awaiting their trial, i.e. “on remand”. Nor can they remove a pupil who is serving a custodial sentence of less than 4 months.

8.1.j A pupil has died

A pupil who has died can only be removed from the roll when the school receives official notification of the death. This would normally come from the pupil’s parents but it is possible that the notification comes from another source, such as relatives or the police.

8.1.k Pupil has completed compulsory school age

Pupils in year 11 who complete statutory education should be removed from roll on the last Friday in June, unless the pupil is staying on for sixth form, in which case they should not be removed from roll. A Removal from Roll form or CTF’s is not required for these pupils.

8.1.l The pupil is leaving a school that is not maintained by the government

This relates to pupils leaving the roll of a school in the independent sector. It is not relevant to government-maintained schools, academies and free schools in Kirklees.

8.1.m Pupil has been permanently excluded

The school must inform the Pupil Referral Service of the permanent exclusion on the day of the exclusion. No removal from roll can be made until the conclusion of any appeal process.

8.1.n Nursery child leaving school

This applies to children who have been admitted to a school to receive nursery education and are not transferring to Reception or a higher class at the school. Although it is not a legal requirement to upload a CTF for children who have not reached compulsory school age (the start of the school term following their fifth birthday), it is good practice to do so.

Where a school notifies a local authority that a pupil’s name is to be deleted from the admission register, the school must provide the local authority with:

- the full name of the pupil;
- the full name and address of any parent with whom the pupil lives;
- at least one telephone number of the parent with whom the pupil lives;
- the full name and address of the parent with whom the pupil is going to live, and the date the pupil is expected to start living there, if applicable;
- the name of pupil’s destination school and the pupil’s expected start date there, if applicable; and

- the ground in regulation 8 under which the pupil's name is to be deleted from the admission register.

Compliance

It is essential that the school complies with these duties, so that the local authority can, as part of their duty to identify children of compulsory school age who are missing education and follow up with any child who might be at risk of not receiving an education and who might be at risk of being harmed, exploited or radicalised.

The school will contact the Local Authority on 01484 221000 to provide any details of children/ young people believed not to be on a school roll.