

# Doncaster Council

## Learning Opportunities, Children & Young People

### Children Missing from Education Procedures

June 2020

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|---------------------|---|--------------|
| Purpose of Document | To provide operational procedures to services working with children                                     |              |
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## 1. School Intervention

All schools, academies, free schools and alternative providers must take reasonable steps to contact parents when a child leaves a school within Doncaster Council:

- where the school has not been advised by the parent which new school the child is to attend;
- when the child is believed to have gone on an extended leave of absence; or
- when a child has not returned from an extended leave of absence when expected.

The following information will be required from the parent or carer:

- forwarding address
- contact numbers
- destination school and expected start date
- involvement from any services or agencies

Where a child has, or been subject to, a Child Protection Plan (or currently supported by a Child in Need plan) the **school** and **the local authority Attendance & Pupil Welfare Service (APWS)** must inform Doncaster Children's Services Trust Duty Team immediately.

When a child is expected to join the school either at a normal time such as Nursery, Reception or Year 7, or at any other time and he does not arrive the school must contact the parents by telephone, text, email or letter. This should be a recurring process during the first week. Contact with the School's Admission Team and any other known sources should also take place and be recorded. The child should not be removed because they have not turned up to school on the first day.

If after one week (or sooner if there are concerns for the welfare of the child) there has been no contact made, the school should confirm with the Admissions Team that the child has, or has not, been registered elsewhere. If the child's whereabouts cannot be determined a Child Missing Education Notification completed online (Portal), should be completed and the submitted to the Attendance & Pupil Welfare Service (**APWS**) no later than the tenth day of absence.

The pupil should not be removed from roll until the pupil's whereabouts and safety has been confirmed, that the pupil is registered at another school or is being educated otherwise, or cannot be traced. Only then will the APWS confirm that the child can be removed from roll. The APWS will ensure any absence does not unduly affect the schools absence returns.

If a pupil is absent for a prolonged period or fails to return from a leave of absence, the school should follow the normal 'attendance management procedures' for investigating pupil absence, such as telephone calls, letters, home visits and meetings at school. If the child does not return to school the matter should be referred to the APWS via the online facility. The pupil should not be removed from roll until the APWS agrees.

If a pupil 'disappears' without any warning the school should immediately notify the Attendance & Pupil Welfare Service.

In the event of a parent informing the school that their child is being removed to be educated at home the APWS should be notified without delay via the online notification (Portal) a copy of the parental letter to school attached. The child's name will then be placed on the LA elective home education database and arrangements made for the LA to satisfy itself that the education being provided is 'suitable', in accordance with Elective Home Education Policy.

When a pupil is deleted from the Admission register the school must clearly indicate the date and the reason for the removal from roll. In the event of a pupil moving to another school the name of the school **must** be indicated on the school's database and the pupil's records should be sent to the new school **within 15 days**. Before a child's name is removed from the school roll the LA must be informed through the Notification of Removal from a School Roll online notification.

The Education (Pupil Registration)(England) Regulations 2006, Regulation 8 (amended 2016) governs when a pupil can be removed from the admission and attendance register.

**8.—(1)** The following are prescribed as the grounds on which the name of a pupil of compulsory school age shall be deleted from the admission register—

(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 age, ability and aptitude otherwise than at school;

(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;

(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;

(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;

(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;

(f) in the case of a pupil granted leave of absence exceeding ten school days for the purpose of a holiday 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) both the proprietor and the local education authority have failed, after reasonable enquiry, to ascertain where the pupil is;

(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;

(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;

(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;

(j) that the pupil has died;

(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;

(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;

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

(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.

(2) In a case not covered by paragraph (1)(a), (j) or (m), the name of a child who has under arrangements made by a local education authority become a registered pupil at a special school shall not be removed from the admission register of that school without the consent of that authority, or if that authority refuse to give consent, without a direction of the Secretary of State.

(3) The following are prescribed as the grounds on which the name of a pupil not of compulsory school age is to be deleted from the admission register—

(a) that he has ceased to attend the school, or, in the case of a boarder, that he has ceased to be a pupil of the school;

(b) 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 agreed by the proprietor;

(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 of the school has failed, after reasonable enquiry, to ascertain where the pupil is;

(c) that the pupil has died;

(d) where the pupil has been admitted to the school to receive nursery education, he has not on completing such education transferred to a reception, or higher, class at the school; or

(e) that he has been permanently excluded from the school.

(4) For the purposes of this regulation—

(a) a pupil shall be treated as ordinarily residing at a place where the pupil is habitually and normally resident apart from temporary or occasional absences;

(b) “reception class” means a class in which education is provided which is suitable to the requirements of pupils aged five and any pupils under or over that age whom it is expedient to educate together with pupils of that age;

(c) children are to be regarded as having been admitted to a school to receive nursery education if they were placed on admission in a nursery class;

(d) the permanent exclusion of a pupil from a maintained school does not take effect until the proprietor has discharged its duties under regulations made under section 52 of the Education Act 2002(1), and—

(i) the relevant person has stated in writing that he does not intend to bring an appeal under those regulations;

(ii) the time for bringing an appeal has expired and no appeal has been brought within that time; or

(iii) an appeal brought within that time has been determined or abandoned;

(e) the permanent exclusion of a pupil from an Academy, a city technology college or a city college for the technology of the arts does not take effect until the proprietor has discharged its duties in relation to a permanent exclusion under the agreement entered into pursuant to section 482 of the Education Act 1996(2) and

(i) the relevant person has stated in writing that he does not intend to bring an appeal;

(ii) the time for bringing an appeal has expired and no appeal has been brought within that time; or

(iii) an appeal brought within that time has been determined or abandoned.

All other deletions are illegal and could result in court proceedings against the person responsible. With the exception of pupils who are subject to a school attendance order and pupils with special educational needs for whom the LA has made arrangements, there is currently no requirement for LA approval of deletions from registers.

In order to protect vulnerable children and in line with best practice requirements, pupils should not be removed from the school roll until they are advised to do so by the APWS or the Service Manager.

Schools should monitor all deletions from school rolls by race, ethnicity, gender, SEN and disability to ensure that it is fulfilling its obligations under the Race Relations (Amendment) Act 2000 and the Special Educational Needs and Disability Act (2001).

If a school learns of a school aged pupil without a school place (for example through a sibling or friend of an existing pupil, or a child is on the waiting list), the school must inform the LA’s Admissions Team and the APWS via the online facility.

## **2. The Use of DfE Sign-In**

If a school knows which school a pupil is moving to they should ensure that the Common Transfer File (CTF) is sent to the receiving school via S2S as quickly as possible. The new school may then apply for the full school record

If the new school is unknown the CTF should be coded XXXXXXXX (destination unknown) or MMMMMMMM (moved to Independent Sector or out of country including Scotland) and uploaded onto S2S in the normal way. These records are then stored in a secure area of S2S known as the Lost Pupil Database (LPD). If a CTF file is rejected schools should recode the file MMMMMMMM.

Schools should check S2S for CTF's of new pupils. If a new pupil is admitted and the CTF is not available, schools should request that the LA's Applications team (?????????????) search the Lost Pupil Database for the pupil's CTF which can then be forwarded to the school. Until a child/young person is located the LA should maintain a record of their details

Schools can look up information on schools in England by using the DfE database. This will give the address and telephone number of the school as well as its DfE number.

**Whenever a pupil joins or leaves a school then a Common Transfer File must accompany him/her.**

### **3. Excluded Pupils**

The following extract is taken from paragraph 4.3 of the DfE statutory guidance 'Exclusion from maintained schools, Academies and pupil referral units in England':

The head teacher must, without delay, notify the governing body and local authority of:

- A permanent exclusion
- Exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a school year
- Exclusions which would result in the pupil missing a public examination or national curriculum test

For all other exclusions, the head teacher must notify the local authority once per term.

The guidance also requires that the local authority must arrange suitable full-time education for no later than the sixth day of any permanent exclusion. Schools are required to arrange full-time education from the sixth school day of fixed period exclusion and the first five days of a permanent exclusion. Where schools believe a pupil is at risk of permanent exclusion, they should refer to the Doncaster Council Graduated Approach and consider a referral to the Fair Access Panel (FAP), for consideration of a placement in suitable alternative provision or a managed move. Schools should also consider an early help assessment to support the emerging needs of the young person.

Pupils who are on the roll of a PRU are subject to the same regulations. It is the 'Main' school's responsibility to monitor the attendance of those pupils on its school register with personalised learning programmes, and the quality of education provided by external providers.

### **4. Attendance & Pupil Welfare Service (APWS)**

When a child is referred to the APWS Children Missing Education (CME), by a school or other agency as being at risk of going missing from school, the case will be prioritised and case work undertaken until either the child is back in school or it has

been confirmed that the child is without a school place in which case the Admissions Team will be involved.

Truancy sweeps with the police in attendance may be carried out and school-age pupils found out of school will be stopped and enquiries made as to their educational status. If the child is found to be without a school place the child's details will be given to the Admissions Team and APWS who will undertake enquiries to secure an appropriate education placement for the young person.

The APWS has a statutory duty to inspect school registers in maintained schools and ensure that they are being kept in accordance with regulations. The service can inspect registers in Academies with permission.

Education Welfare Officer's (EWO) will ensure all information about children missing education is recorded as CME and action taken without delay.

## **5. Admissions Team**

The Local Authority Admissions Team has responsibility for:

- Ensuring that the admission arrangements meet the statutory requirements of the School Admissions Code. (Local authorities are the admission authorities for community and voluntary controlled schools. School governing bodies are the admission authority for voluntary aided schools, academies and foundation schools)
- Establishing a process to enable parents to express a preference for a place at either an infant, junior, primary or secondary school.
- Ensuring that every child who expressed a preference for a school place is allocated a single offer of a place.
- Establishing an appeals mechanism whereby parents who do not receive a place at their preferred school can appeal against the decision to an independent Appeals Panel

Co-ordinating admission arrangements for:

- Primary Sector – between all admission authorities within the Doncaster area boundary
- Secondary Sector – between all admission authorities within the Doncaster area boundary and with the neighbouring authorities.
- During the course of the academic year, processes requests for mid-year admissions and transfers between schools.
- Applying the Fair Access Protocol.

To contribute to the work of ensuring that all pupils are on a school roll and attending school, the Admissions Team works as follows;

- To ensure that children in care are given priority over other children where schools are oversubscribed
- To provide advice about admissions for families recently arrived from overseas.
- Contributes to the maintenance of an efficient pupil database which, following liaison with schools and parents as necessary, records the school places offered and those taken up or declined



- Follows-up and monitors the outcome of admission referrals made to the Authority's schools and refers to the APWS via the Business Support Team when a child fails to take up a place after making appropriate enquiries
- May be one of the first contacts for enquiries from other LAs regarding missing children, and identifying if a child is on the roll of a Doncaster school
- Processes requests for transfers of school, liaising with schools and parents to effect the transfer
- Notify the APWS when parents decline the offer of a school place and opt to electively home educate their child
- Provide timely reports to the APWS in respect of all pupils of compulsory school age who are not currently on a school roll, their allocated school and their start date

## **6. Ethnic Minority and Traveller Achievement Service (EMTAS)**

Traveller children are frequently identified as being 'missing from school'. This can be for a variety of reasons but particularly because: They fail to make a successful transition at the end of Year 6 to 7.

They live within families who frequently move from place to place within the Doncaster area, across authority boundaries and, sometimes, to other parts of the UK. They may live within families who are on the move in trailers, on some occasions camping illegally. Children with no school place usually come to the attention of the EMTAS Team through:

- Home visits made with regard to siblings who are in school
- Visit to illegal and legal encampments
- Referrals received from other authorities with information about families that are known to have moved to Doncaster
- Anonymous complaints and information from members of the public

The EMTAS Team's response to finding a child not on any school roll is to:

- Discuss with parents and facilitate an application for admission by providing appropriate advice
- When parents oppose school placement, inform the APWS if there is no indication that the child is receiving a suitable education
- Undertake home visits accompanied where there are particularly difficult issues, accompanied by an inclusion officer if necessary
- Explain the requirements where parents choose Elective Home Education, and ensure that this is followed
- Inform the appropriate local authority where a child is living outside the Doncaster area
- Keep a record of children not on any school roll and inform the APWS

## **7. Children in Care**

The Virtual School promotes the educational attainment and progress of looked after children who are the responsibility of Doncaster Council. Officers are also able to offer limited help and advice with looked after children living in Doncaster from other authorities.

The team is able to help and advise social workers, designated teachers, foster carers and residential carers with regard to school attendance, and ensure that looked after young people engage with education.

If a child in care is believed to be missing the named social worker for the child must be informed immediately by the agency that has raised concern.

Consideration should always be given to the vulnerability of these children, particularly the risk of sexual exploitation, trafficking and radicalisation should they go missing.

## **8. Private Fostering Arrangements**

If a person is looking after a child who is not related to them for a period of 28 days or more, this could be deemed to be a private fostering arrangement. The law requires that the local authority is notified of all private fostering arrangements. Advice and support is available and notification will help to ensure the child is safe. Failure to inform the local authority is an offence.

Children subject to approved arrangements and the foster carers become responsible for ensuring regular school attendance.

## **9. Business Support Team & APWS Arrangement**

LA's are responsible for ensuring that all children of compulsory education age are in receipt of suitable and efficient education appropriate to their age, aptitude and ability whether at school or otherwise.

The Business Support Officer (CME);

- Is responsible for maintaining a database as well as identifying, tracking, following up and engaging notified pupils
- Is the named contact within the LA for all referrals and works closely with the data teams to produce information and reports
- Will establish routes for raising awareness with partner agencies and updating them on procedures
- Coordinate referrals made by other LA's
- Provide reports to senior managers as required
- Cross reference cases against other known databases in order to ensure there are no safeguarding issues
- Liaise with schools re children missing education in regard to cases and refer to locality EWO's for advice and support
- Support the APWS with training to other agencies as required to expand the knowledge and processes of children missing education
- Attend data tracking and operational groups for children missing as required
- React to information received from other agencies, authorities and schools
- Undertake relevant training to keep up to date with issues – e.g. prevention of all forms of exploitation
- Attend regional meetings when invited by the APWS Service Manager

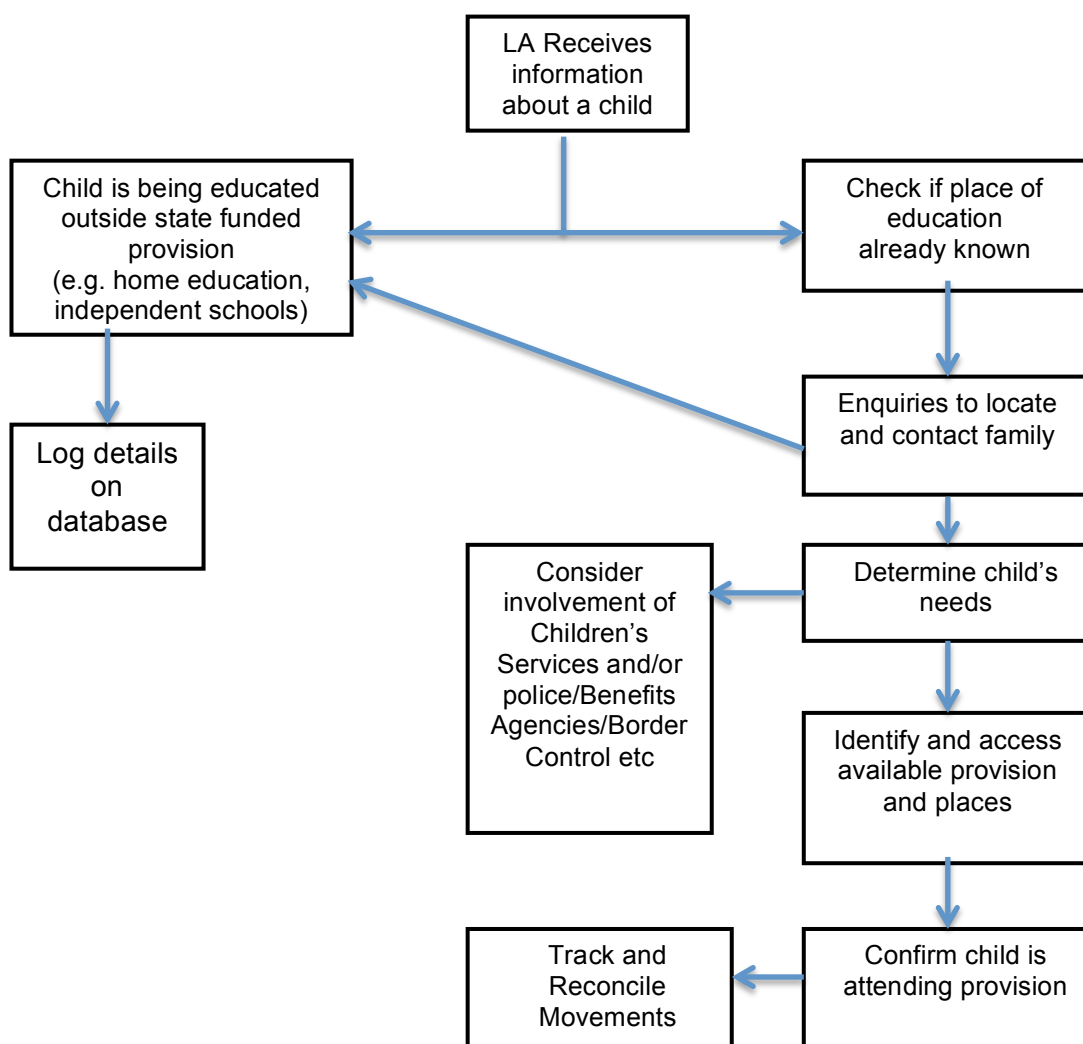
## **10. Intervention Process**

On receipt of an enquiry regarding a pupil without a school place, the Capita One and Synergy database, and other electronic records, will be checked as appropriate.

If the recorded school is different from the last known school then the recorded school will be asked if the pupil is on roll.

If Synergy shows the pupil is out of school, a check may be made with;

- Education Welfare Officers
- The SEND Team
- The Admissions Team
- EMTAS
- Children’s Services, **mandatory if concern regarding a child’s welfare**
- Children’s Safeguarding Nurse
- Other contacts as appropriate, in order to ascertain the child’s whereabouts and if see if educational provision is being provided.



If the pupil is not known to any of the above the Education Welfare Officer will investigate the circumstances of the pupil being out of school with support from the appropriate services. In particular, consideration should be given to contact with Children’s Services and the Police if there is a concern for the child’s welfare.

Every effort will be made to secure an appropriate school place, taking into consideration the pupils and parents wishes regarding placement, and where

appropriate the case will be considered at the fair access and panel. The Attendance & Pupil Welfare Service, on behalf of the LA, will take any necessary legal action.

In the event of a child not being found the EWO will liaise with the police, health and social care services as is necessary. It may also be necessary to access information from the Inland Revenue or benefits agency to assist with enquiries about a child's safety and welfare.

When the child is found consideration will be given to an Early Help Assessment (EHA), should one be required. The EHA will assess the needs of the child.

Families moving between local authority areas can sometimes lead to a child becoming 'lost' in the system and consequently missing education. Where a child has moved, LA's should check with other local authorities – either regionally or nationally and share information in order to ascertain where a child has moved. Once the location of the child is established, the relevant LA must ensure that the child is receiving an education either by attending a school or otherwise. The EWO will follow cross-boundary protocols to deal with cross border issues and will use both telephone communication and secure messaging facilities with other LA's in order to ensure checks are completed.

The APWS will seek to regularly raise awareness of their procedures with local schools, partners and agencies working with children and families and will seek a contact with the Department for Works and Pensions, the UK Border Agency and HM Revenue & Customs to assist them in tracing those children known to be missing education, should it be necessary.

The LA maintains visibility of children who have ceased to be registered and monitors progress until they are registered, by effective use of inter-local authority exchange of information. Intervention will not be closed until the child is on a school roll and attending, other appropriate provision identified or the child is deemed to have moved abroad without concern.

Reports will be compiled to provide information and statistics on children missing education.

## **11. Other agencies**

Other agencies or services frequently come into contact with school-aged children, including those working in the voluntary sector. It is an expectation that any professional coming across a school aged child will ask where that child is registered at school and why that child is not in school. In the event of a child not being on the roll of a school, the APWS must be notified without delay.

## **12. Youth Offending Service (YOS)**

Children who have been convicted of an offence or have offended and been dealt with by way of an Out of Court Disposal (OCD), may in some instances be likely to have educational engagement difficulties or may not be receiving their statutory level of education. In some instances, a young person being convicted of an offence will result in him or her being excluded from education although they may still be on a school roll.

Children aged between 10 and 18 years who have been sentenced to an order through the criminal courts or who are subject to a youth conditional caution, will be supervised by the Youth Offending Services.

In addition to supervising the court order, the supervising officer will also be responsible for promoting that young person's access to and attendance in full time education. YOS officers will identify those young people who for whatever reason are missing education and will work closely with the designated officer in the Youth Offending Service and the APWS to ensure education issues are addressed.

Where the young person meets the criteria defining Missing Education, the YOS intervention plans will incorporate appropriate work being undertaken with the APWS EWO's to ensure that children and young people continue to receive or are able to return to appropriate full-time education.

Where a young person is registered at a school prior to custody of less than 4 months, the Youth Offending Service will expect that the Education Welfare Officer will work with the YOS and the school to ensure that a school place remains open for them on release from custody so that their legal entitlement to education is not prevented. Where it is anticipated that a young person will remain in custody for more than 4 months, then liaison between the LA and the school should take place prior to any decision to remove from roll.

### **13. Further sources of information**

#### **Associated Resources (external links)**

Child abduction

International child abduction

Forced marriages (FCO) [www.fco.gov.uk](http://www.fco.gov.uk) 020 7008 0151

HM Customs and Revenue

Home Office

Working together to safeguard children

Missing Children/People

UK Border Agency

Local Safeguarding Children Board– [www.????????????????](http://www.????????????????) Tel: