



Children Missing or at Risk of Missing Education Policy

Introduction

This document follows Plymouth City Council's approach to children missing education, both in terms of policy and process and also in identification of children that are either missing education or at risk of missing education. It sets out key strategies to secure appropriate provision for all such children and young people and recognises the overall vulnerability of children and the risk therein not just because they are missing education or at risk of missing education.

Tor Bridge High endorses this document, which sets out the joint responsibilities of all agencies, all staff in schools, the Local Authority (LA) and Plymouth Safeguarding Children's Board in ensuring that all children and young people have the opportunity to access appropriate and suitable educational provision. This guidance informs all agencies about the policy and procedures to be followed in order to:

- Identify, maintain contact with and re-engage children and young people who are missing education;
- Identify and maintain contact with children and young people who are at risk of missing education;
- Track children who transfer out of Tor Bridge High to another school until such time as they are known to be receiving educational provision elsewhere.
- Consistently identify risk and to carry out joint risk assessments with partners as necessary.

The Children Act 2004 places a duty on all agencies to work together to promote the welfare of the child and to share information. There is an expectation that all agencies will subscribe to these procedures in order to protect Plymouth's children and young people and Tor Bridge High will follow these procedures.

Tor Bridge High must ensure that in each new contact, basic information about the child is recorded. This must include the child's name, address, age, the name of the child's primary carer, GP and the name of the child's school, if the child is of school age (17.97 of the Victoria Climbié Inquiry Report, Lord Laming recommendations).

In 2002, the Department for Children, Schools and Families (DCSF) set out in its strategic framework document that robust multi-agency systems should be in place

in each LA to identify and track children missing education or at risk of missing education. Tor Bridge High is and will remain part of a strong multiagency network.

The addition of Section 436A of the Education Act 1996 introduces a new duty on LA's to make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a suitable education. The duty applies to all children of compulsory school age who are not on a school roll and are not receiving a suitable education other than at school. This does not apply where parents have elected to educate their children at home.

Ofsted's report 'Pupils Missing out on Education' makes recommendations for children and young people who are not in full-time education at school. Ofsted will ask for detailed and specific data on school-age children, for whom the authority is responsible but who are not in full-time education, as part of the inspection of LA Children's Social Care. These children are often the most vulnerable and very likely to miss education. It is therefore important that in the overall strategy for preventing children missing education, those most at risk should be a key focus in terms of identification and tracking to facilitate early intervention to reduce the risk of their disengagement from education. Tor Bridge High staff hold regular meetings with our Education Welfare Officer to ensure we keep a very accurate track of student attendance, and we take swift action when such attendance falls below 95% as this becomes a safeguarding matter.

Children missing education or at risk of missing education

This policy encompasses all children and young people who are:

- Year R and fail to attend school or whose parents have not applied for a school place when statutory school age;
- Children moving into Plymouth from another area without a school place;
- Children on a part time timetable;
- Children whose attendance is below 50%;
- Children returning from Custody;
- Children missing from education;
- Children not in school for medical reasons;
- Asylum seeker children;
- Traveller children;
- Children where Elective Home Education has been deemed unsatisfactory/failed by the LA;
- Children who are permanently excluded;
- CAMHS inpatients;
- Pregnant/young mother;

- Children with complex needs where there is no suitable school;
- Children who are new to the country;

Other Statutory responsibilities of schools

All schools **must** notify the local authority within five days of adding a pupil's name to the admission register at a non-standard transition point. Schools **must** enter 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 undertake reasonable enquiries to establish the child's whereabouts and consider notifying the local authority at the earliest opportunity.

With effect from 1 September 2016, all schools **must** notify their local authority when they are about to remove a statutory school age pupil's name from the school admission register. When removing a pupil's name, the notification to the local authority **must** include: (a) the full name of the pupil, (b) the full name and address of any parent with whom the pupil normally resides, (c) at least one telephone number of the parent, (d) the pupil's future address and destination school, if applicable, and (e) the ground under which the pupil's name is to be removed from the admission register - applicable only to non-standard transition point.

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 if the deletion is under regulation 8(1), sub-paragraphs (f)(iii) and (h)(iii) of the Education (Pupil Registration) (England) Regulations 2006.

Schools **must** monitor pupils' attendance through their daily register. Schools should agree with the Inclusion Attendance and Welfare Service the intervals at which they will inform Plymouth City Council of the details of pupils who fail to attend regularly, or have missed ten school days or more without permission. Schools should monitor attendance closely and address poor or irregular attendance. It is important that pupils' poor attendance is referred to the Inclusion Attendance and Welfare Service.

Where a pupil has not returned to school for ten days after an authorised absence or is absent from school without authorisation for twenty consecutive school days, the pupil can be removed from the admission register following reasonable enquiries. This only applies if the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or unavoidable cause.

Schools **must** arrange full-time education for excluded pupils from the sixth school day of a fixed period exclusion.

Schools have a safeguarding duty in respect of their pupils, and as part of this should investigate any unexplained absences.

In line with the duty under section 10 of the Children Act 2004, the expectation is that the school and the local authority will have in place procedures designed to carry out reasonable enquiries. The type of procedures may include the appropriate person checking with relatives, neighbours, landlords - private or

social housing providers - and other local stakeholders who are involved. They should also record that they have completed these procedures. If there is reason to believe a child is in immediate danger or at risk of harm, a referral should be made to Children's Social Care (and the police if appropriate).

Tor Bridge High will inform the Local Authority if:

- A child leaves without the school being advised by the parent which new school the child is to attend; or
- When a child has not returned from a holiday or an extended holiday within two weeks of the expected date of return the school should promptly take reasonable steps to contact the parents; or

If a child fails to attend the new school following a transfer or phases and they are known to Children's Social Care or if there are particular Safeguarding concerns about the child, Tor Bridge High should immediately notify the Children's Social Care Advice and Assessment team.

Otherwise, after 10 days of non-attendance at school and after the school has been unable to contact parents, the school should refer to the Education Welfare Service using the normal referral form.

Tor Bridge High expects the Education Welfare Service to make reasonable efforts to identify the child's current whereabouts/destination. This will include:

- A home visit within 5 working days of referral to make enquiries at home (or known contacts) and neighbours as appropriate.
- Checks through LA databases within 10 working days to establish whether the child has moved within the city.
- Contact other agencies, including Housing, known to be involved with the family within 10 working days.

Once all checks have been completed and the child is still missing from education, Tor Bridge High will refer the details to the Children Missing Education Project within 5 working days to be recorded on the Children Missing Education database.

If at any point during the checking process, the child is located, the Education Welfare Service will be expected to:

- Inform the school by letter informing them of the action to be taken within 5 working days.
- Inform the school's Education Welfare Officer within 5 working days.
- Where an actual forwarding address is identified contact will be made with the Education Welfare Service of the new Local Authority within 10 working days.

- Inform the Children Missing Education Project within 5 working days.

If a child goes missing from school, but lives in another local authority area, Tor Bridge High will inform the Education Welfare Service, who will refer to the Children Missing Education Co-ordinator for that authority within 5 working days.

Where a child is removed from school roll because the parent has notified them in writing that the family are moving to another Local Authority area, the Inclusion and Attendance Manager will retain the details of the child until either attendance at an alternative school has been confirmed, or the child's details have been passed on to the Education Welfare Service responsible for the area in which the family now resides. Tor Bridge High will not take students off roll until we have firm notification from the destination school that the child will attend from a specific date.

It is the parents' duty to ensure their children receive a suitable full time education either by regular attendance at school or otherwise (section 7 of the Education Act). Some parents decide to educate their children at home. These children are not deemed to be missing education.

When parents withdraw their child to educate them at home, the name of the child can only be withdrawn from the admissions register of the school where the parents inform the school in writing (section 9 (1) (c) of the Education (Pupil Registration) Regulations 1995. It is then the duty of the Headteacher to inform the Local Authority Inclusion and Attendance Manager within 10 working days of when the pupil has been deleted from the register.

In Plymouth, the responsibility for monitoring the appropriateness of education received by children where their parents elect to educate them at home lies with the ACE Service. The ACE Service will make contact with the family and will monitor the suitability of the education on a regular, usually annual basis.

Tor Bridge High is committed to ensuring the General Data Protection Regulation GDPR is adhered to at all times within the schools. We will ensure that all data we are given is processed in line with our organisations Data Protection Policies and in line with your rights under the Data Protection Act 2018 and the EU General Data Protection Regulations.

Owner: Head of Inclusion
Date: October 2020
Review Due: October 2021

Annexe:

Legislation

There are various statutory duties upon LA's and parents (supplemented by guidance) relating to the provision of education and the safeguarding of the welfare of children and which may be relevant to children missing education.

The principal provisions are as follows:

Section 14(1) of the 1996 Education Act provides that a local education authority must make sure there are sufficient schools for providing education in their area. For these purposes, the schools must be sufficient in number, character and equipment to provide all pupils with the opportunity of appropriate education (s.14 (2)). "Appropriate education" means, broadly, education which is desirable in view of the pupils' different ages, abilities and aptitudes and the different periods for which they may be expected to remain at school (s.14(3))

Section 7 of the 1996 Education Act provides that the parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have, either by regular attendance at school or otherwise.

Section 437 (1) of the 1996 Education Act provides that if it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they must serve a notice in writing on the parent (a school attendance order) requiring him to satisfy them within the period specified in the notice that the child is receiving such education.

Section 19 (1) of the 1996 Education Act requires every local education authority to make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them. For these purposes, "suitable" education is defined as "efficient education suitable to the age, ability, aptitude and to any special educational needs the child (or young person) may have." (s.19 (6)).

Section 19(4A) of the 1996 Education Act provides: "In determining what arrangements to make under subsection (1) in the case of any child or pupil, a local education authority shall have regard to guidance given from time to time by the Secretary of State."

Education (Pupil Registration) Regulations 1995 under regulation 9(1) (c): The name of the child can only be deleted from the admissions register of the school under certain conditions.

Section 175 of the Education Act 2002 (which came into force on June 1 2004) imposes a duty upon LA's and governing bodies to exercise their functions with a view to safeguarding and promoting the welfare of children. For these purposes, "functions" includes the powers and duties of LA's and governing bodies.