

# **ESSEX COUNTY COUNCIL**

## **Children Missing from Education Policy**

### **Missing Education and Child Employment Service**

(Updated September 2016)

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## Foreword

The Children Missing Education Ofsted Report (August 2010) states that children and young people who are not being educated quickly become at risk of failing academically and socially. If their whereabouts are unknown, they may be particularly at risk of physical, emotional and psychological harm.

Children and Young People can be deemed missing from education if they are not registered on a school roll and are not receiving a suitable education otherwise than at school. These children are amongst some of the most vulnerable in Essex. Research has shown that those children who are not receiving an education are more likely to engage in criminal and anti-social behaviour and to be at risk of harm from exploitation. Essex are committed to ensuring children and young people can return to a suitable form of education as quickly as possible, therefore it is imperative that all professionals who have contact with young people work together to identify these children. We also rely on members of the public alerting us to children who may be missing from education.

In September 2016 revised statutory guidance was issued to [Local Authorities relating to Children Missing from Education](#). This policy document provides an outline of Essex County Council's procedures for identifying, registering and tracking children missing from education and how barriers will be removed to ensure they return to education as swiftly as possible.

***It is important to note that this guidance does not replace any part of the existing Child Protection (SET) procedures that already exist within Essex which should be followed as appropriate.***

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## 1. Introduction

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. Children missing education (CME) are at significant risk of underachieving, being victims of abuse, and becoming NEET (not in education, employment or training) later on in life. This document outlines the robust procedures that are to be followed within Essex to identify, locate and engage children who are CME and to ensure that Essex County Council is effectively meeting its obligations under the Education Act (1996).<sup>1</sup>

The purpose of section 436A of the Education Act 1996 is to ensure that Local Authorities' (LA) have arrangements in place which enable them to establish the identities of children in their area who are not registered pupils at a school, and are not receiving suitable education otherwise than at a school. The LA should consult the parents of the child when establishing whether the child is receiving suitable education. Local authorities should have procedures in place to prevent children becoming CME. Those children identified as not receiving suitable<sup>2</sup> education should be returned to full time education either at a school or in alternative provision. This duty only relates to children of compulsory school age<sup>3</sup>.

This policy document is designed to ensure that within Essex, there is a clear, multi-agency route in place accessible to and understood by all, outlining the procedures to follow should a child who is missing from education be identified within Essex. The Children's Act 2004<sup>4</sup> places a duty on all agencies to work together to promote the welfare of the child and to share information to support this requirement. It is anticipated that all agencies working in Essex will work with the Missing Education and Child Employment Service (MECES) to support this policy and follow the procedures outlined below in order to safeguard the education of children residing in Essex.

## 2. Who is a Child Missing from Education?

The children missing education that are the focus of this document, are;

- Children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school, for example, at home, privately, or in alternative provision.
- Children of compulsory school age who are on a school roll but have not attended for a period of 20 consecutive school days (recorded as unauthorised absence) and the whereabouts of the family is unknown

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<sup>1</sup> Education Act (1996) (school attendance) Section 436a, Chapter 2, Part 6

<sup>2</sup> Suitable education' means efficient full-time education suitable to the child's age, ability and aptitude and to any special educational needs the child may have

<sup>3</sup> A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March they are of compulsory school age on 31 March; if they turn 5 between 1 April and 31 August they are of compulsory school age on 31 August. If they turn 5 between 1 September and 31 December, then they are of compulsory school age on 31 December. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen.

<sup>4</sup> The Children's Act 2004, Section 10

This document does not apply to children who are registered at a school who are not attending regularly. The school should consider making a referral to the MECES for irregular school attendance.

### 3. Parents' responsibilities

Parents have a duty<sup>5</sup> to ensure that their children of compulsory school age are receiving an efficient full-time education. The majority of parents chose to adhere to this duty by enrolling their child at a school. However, some parents may elect to educate their children at home

### 4. Why do children go missing from education?

Children can go missing either when they fail to register with a school, or when they fall out of the education system and there is no systematic process in place to identify them and ensure they re-engage with appropriate provision. Their personal circumstances or those of their families may contribute to the withdrawal process and the failure to make a successful transition. For example because of:

- **Failure to start appropriate provision and hence never enter the system**
- **Inappropriate removal from roll**
- **Parent/Carer withdrawal from the school roll with no named destination**
- **Failure to find educational provision when moving to a new address within Essex or on arrival in Essex from another authority**

### 5. Children at particular risk of missing education

There are many circumstances where a child may become missing from education, however some children living in certain circumstances are at greater risk of becoming CME. Amongst these are: (this list is not exhaustive)

- **Pupils at risk of exploitation/harm/neglect** - Children may be missing from education because they are suffering from abuse or neglect. Where this is suspected schools must follow the child protection procedures. If there is reason to suspect that a crime has been committed or the child's safety is at risk, the police should also be involved. The Department's statutory guidance [Working Together to Safeguard Children \(2015\)](#) is available on the Department's website<sup>6</sup>. Essex have an Achievement Service for Children in Care who will inform MECES of all Essex looked after children (which will include refugees and asylum seekers) who they believe are CME. MECES will liaise with the relevant agencies to ensure these vulnerable children are returned to education as swiftly as possible.

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<sup>5</sup> Section 7 of the Education Act 1996

<sup>6</sup> Working together to safeguard children

- **Children of Gypsy, Roma and Traveller (GRT) Families** – Research has shown that many children from these families can become disengaged from education, particularly during the secondary school phase. It is therefore vital that schools inform the LA when a GRT pupil leaves the school without identifying a new destination school, particularly in the transition from primary to secondary so that they can attempt to facilitate continuity of the child's education. Although many are settled, some GRT families move regularly and their children can be at increased risk of missing education. School should seek advice from MECES before the deletion from roll takes place to ensure the child is genuinely missing and not travelling. MECES will advise schools on the best strategies for ensuring the minimum disruption to GRT pupils' education, for example dual registration with other schools or the provision of electronic or distance learning packages where these are available.

MECES works with the Essex County Traveller Unity (ECTU) to ensure children gain access to their legal entitlement to an education that meets their needs and promotes inclusion. Joint home visits between the agencies are made to traveller sites in order to promote the importance of education and attendance at school to the families.

- **Families of Armed Forces** - Families of members of the Armed Forces are likely to move frequently – both in UK and overseas and often at short notice. Schools and the LA will contact the MOD Children's Education Advisory Service (CEAS) where necessary on 01980 618244 for advice on making arrangements to ensure continuity of education for those children when the family moves.
- **Missing children/runaways** - Children who go missing or run away from home or care may be in serious danger and are vulnerable to crime, sexual exploitation or abduction as well as missing education.
- **Children and young people supervised by the Youth Justice System** - Children who have offended or are at risk of doing so are also at risk of disengaging from education. The Youth Offending Service (YOS) are responsible for supervising those young people (aged 8 to 18). In Essex, YOS ensure that children are receiving, or return to, appropriate full-time education. Where a young person was registered at a school prior to custody, the school may keep the place open for their return. Essex has devised a [policy for young people who are made subject to a custodial sentence](#) who are sentenced to more than 4 months. This policy requests that schools do not remove young people from their roll when they are sentenced to more than 4 months. Instead, schools will keep on roll and will record their attendance/absence accordingly in line with the Pupil Registration Regulations. This will mean that on their release from custody their school place will remain and there will be no delay in them returning to education.

If schools choose not to work to this policy and remove the young person from roll once they are sentenced, the YOS will alert the Fair Access Officer of the date the young person is due to be released from custody to enable education provision to be in place as soon as possible after their release. The Fair Access Officer will then alert the CME team if these young people are not placed on roll on their release and subsequently become missing from education.

It will sometimes be the case that another partner or agency is aware of the arrival or existence of a child, living in the LA area but not in education, before the LA is aware. There is a higher chance of this being the case in relation to children in the 'at risk' groups identified above as steps may be taken to avoid contact with statutory authorities in some circumstances.

Details of a child identified by an agency/professional must be shared with MECES and can be referred using the [referral form](#). When MECES are made aware of children/young people in any of these groups who may not be receiving a suitable education, advice will be sought from the relevant specialist team/partner agency.

Essex LA has a range of procedures in place that identify and support children at risk of going missing from education. Outlined below are the systems currently in place to minimise the risk;

## 6. Schools' duties

Schools, including Academies, Free Schools and Independent Schools must monitor pupils' attendance through their daily register. As from 1<sup>st</sup> September 2016 all schools must notify the LA if a pupil is to be deleted from or added to the admission register<sup>7</sup>. Essex has devised an online [referral form](#) for schools to complete to assist in meeting this requirement.

If a parent advises a school they are moving abroad, the school should be satisfied this is the case and ask to see sight of flight confirmation, details of the new address and the name of the new school.

Schools must put the pupil on the admissions register on the first day that the school expects them to attend<sup>8</sup> regardless of if they actually attend. If the pupil does not arrive at school on the expected start date the school must follow their absence procedures.

It is the responsibility of the parent/carer to contact the school when an application has been successful, to arrange a start date and ensure that the child is enrolled at the school. If however a place has been offered and the parent/carer does not make contact with the school, it is good practice for the school to attempt to make contact to arrange a start date. If this is unsuccessful within 10 days, and the pupil is not placed on roll, the school must notify the LA that the parent has not taken up the place offered as this pupil is at risk of becoming CME.

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<sup>7</sup> [Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2016](#) – Regulation 5

<sup>8</sup> Regulation 5 Education (Pupil Registration) (England) Regulations 2006

Schools must provide the LA with details of pupils who have ten continuous days of unauthorised absence and cannot establish the reason for the absence and their whereabouts unknown<sup>9</sup> by following the procedure below;

### **Action to be taken when a child is absent from school and their whereabouts is unknown;**

A registered pupil is deemed to be missing when:

- a. He or she fails to attend school without any explanation and;
- b. The school has been unable to establish the reason, or locate the pupil with any of the contact names at the last known address, or from intelligence from the wider school community; or
- c. The pupil's parents/carers have not provided any information to indicate a change of education provision, unavoidable cause for the pupil's absence or that the pupil is travelling with them whilst in pursuit of their business.

### **Pupils deemed at high risk**

If a pupil is missing from school and the child is subject to a child protection plan and/or is a looked after child, the school must notify the key worker within the **first 24 hours** of the unauthorised absence if no home contact can be made.

Where it is suspected or known that a pupil is at potential risk or harm, or where the school have information or reason to suspect the pupil has been a victim of criminal activity or at risk of Child Sexual Exploitation (CSE), notify the Family Operations Hub and/or the Police Child Abuse Investigation unit immediately, and inform MECES as soon as possible afterwards.

### **Process Timeline**

**Days 1-5:** Follow existing first day calling / contact procedures as defined by the school policy

**Days 6 -10:** Where a pupil has been absent for longer than 10 school days, the school must complete the actions set out on the ['Missing Pupil Checklist'](#) (*Appendix 1*). If the child remains missing following these checks, notify MECES by sending a copy of the completed checklist to the relevant MECES allocation panel (not later than the 10<sup>th</sup> day of absence). Keep a copy of the completed checklist in school and continue appropriate checks on a daily basis.

**Days 11-19:** Continue to make efforts within the school and assist the LA Investigation Officer and other agencies in the search. **If, during this time, the child is located and confirmed to be living outside of a reasonable distance to the school, LA Investigation Officer and school to agree date from which pupil may be removed from roll.**

**Day 20:** If after 20 days of unauthorised absence the pupil remains missing from school and has not been located elsewhere within the county/out of county, the LA Investigation Officer will write to the school to advise when the pupil can be removed from roll. If a pupil is removed from roll and their destination school is not known, the school must upload the

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<sup>9</sup> Regulation 12(3) Education (Pupil Registration) (England) Regulations 2006



pupil's records using the statutory electronic Common Transfer File (CTF) to the 'Lost Pupils' database

**CME may raise potential child protection issues and if schools believe a child or family have gone missing, the child should remain on the school roll until all enquiries have been completed by the school and LA Investigation Officer. The school and LA must record that they have completed these procedures (via Missing Pupil Checklist) before deleting them from the register.<sup>10</sup>**

**Schools cannot remove a pupil from the school roll until reasonable enquiries have been jointly carried out by school staff and LA staff over a period of no less than 20 days. Schools will be advised of when LA investigations have been completed in writing by the LA Investigation Officer. If this process has not been followed schools will be required, according to The Education (Pupil Registration) (England) Regulations 2006, to reinstate pupils back on their school roll.**

The Missing Pupil Checklist is the document used by a school to refer a child who is missing from education. If MECES are able to make contact with the family via phone and confirm their whereabouts (which is within a reasonable distance from the school) the case will be referred back to the school as a non-attendance issue and the school may wish to consider referring to MECES for irregular school attendance. If the school have concerns about the child's welfare, they should refer for a police welfare check. The role of MECES is not to request police welfare checks where the school has concerns, but to make all necessary checks to attempt to locate the child.

Schools also have safeguarding duties under section 175 of the Education Act 2002 in respect of their pupils, and as part of this should investigate any unexplained absences. Academies and independent schools have a similar safeguarding duty for their pupils<sup>11</sup>

## 7. The Role of MECES

The role of MECES is to ensure that all children within Essex are in receipt of a full time education. MECES will also ensure the correct procedures are followed when a pupil is removed from roll from an Essex school. MECES will;

- Monitor the number of children/young people that the authority are aware of who are not receiving a suitable education
- Receive referrals from professionals and the general public regarding children missing from education
- Receive information from schools on children who are absent from school and no contact can be made with parent/carers to establish reason for absence

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<sup>10</sup> Section 10 of the Children Act 2004 and section 38 of the Education and Inspections Act 2006

<sup>11</sup> Part 3 of Schedule 1 to the Independent School Standards (England) Regulations 2010 (SI 2010/1997)

- Ensure details of any Child Missing from Education (CME) are recorded on our database
- Carry out appropriate checks to trace such child and establish their educational provision
- Serve notice on parents requiring them to satisfy the LA that their child is receiving suitable education when the LA becomes aware of a child possibly not receiving a suitable education<sup>12</sup>
- Take appropriate legal action in cases of non-cooperation from parents/carers
- Ensure schools and professionals are aware of, understand and correctly follow existing procedures on CME.
- Challenge those systems and procedures that are identified as preventing children being returned swiftly to suitable education provision
- Challenge appropriately where pupils are prevented from accessing an education
- Ensure there are clearly defined links and procedures in place to deal with cross border enquiries
- Identify and strengthen links with external agencies to ensure CME are quickly traced and minimise delay in returning them to education
- Liaise with other named CME Officers from LAs across the country

**Action taken on receipt of a Missing Pupil Checklist;**

MECES will, on behalf of the LA carry out all reasonable enquiries to attempt to identify the whereabouts of the family. MECES will initially make contact with parent/carer by telephone using all contact numbers provided by the school on the checklist. If contact cannot be made by phone, a cold call home visit will be carried out to establish if the family still live at the address, why the pupil is not accessing their education and to satisfy the officer that the pupil is safe and well. If parent is not available for the home visit and there is no response to the calling cards/letters left at the address, the officer will call on neighbours to see if they are aware of the family's whereabouts.

If the pupil is not traced following all reasonable checks, MECES will write to the school to advise the date they can remove from roll (not before 20 days of continuous unauthorised absence). If contact with parent/carer is made, the officer will establish the reason for absence and advise the school of the outcome, confirming if the pupil is to remain on roll, or the date the pupil can be removed from roll.

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<sup>12</sup> Section 437(1) of the Education Act 1996

## 8. Making a CME referral

Any professional who locates a child who they believe is without suitable educational provision should notify MECES within 5 working days. It is expected that our key partners in this area of work will include:

- **Educational Establishments (i.e. Schools, Academies, Free Schools, Pupil Referral Units etc.)**
- **Children's Social Care**
- **Health Services**
- **Police and Police Authorities**
- **Youth Offending Service**
- **Housing**
- **School Admissions**
- **Essex Countywide Traveller Unit**
- **Immigration Services**
- **Voluntary and Community Organisations**

Front line staff in each of the agencies which regularly come into contact with families with children must ensure that for 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, the child's GP, **and the name of the child's school if the child is of school age. Gaps in this information should be passed on to the relevant authority in accordance with local arrangements.**<sup>13</sup>

Referrals can be made by completing the [online referral form](#) or by making contact using the details below;

**Email:** [cme@essex.gov.uk](mailto:cme@essex.gov.uk)

**Telephone:** 0333 013 8967

**Post:** Children Missing from Education  
Missing Education and Child Employment Service  
E2, Zone 2, County Hall  
Chelmsford, CM1 1QH

Members of the public are also encouraged to refer cases of concern to the CME team and guidance is published on the Essex County Council website which can be found [here](#).

To enable best efforts to search for a child/young person the following basic information should be shared (as appropriate) with the named officer:

- Name
- Date of Birth
- Gender
- Ethnicity

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<sup>13</sup> Paragraph 17.97 of the Victoria Climbié Inquiry Report, Lord Lamming

- Parents/Carers names including who has parental responsibility
- Siblings names
- Previous address
- Previous school and last date of attendance
- Possible new address and school if known and suspected
- Previous home education
- Date child/young person left area
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## **9. Enquiries to and from another Local Authority (LA)**

Families moving between local authority areas can sometimes lead to a child becoming 'lost' in the system and consequently missing education. When MECES become aware of a child moving to another LA and a school has not been identified, contact will be made with the new LA and relevant information will be shared to ensure the child is receiving an education either by attending school or otherwise.

When another LA has provided an address in Essex of a child believed to be missing from education, the family will be contacted as soon as possible. Unless concerns justify an immediate visit, initial contact will be made in writing before telephone calls or visits are made.

If no address is provided but there is reasonable evidence to suggest a child/young person could have moved to the area then initial checks will be run via School Admissions, and where possible via other local databases. Whatever the result of the search, the enquiring LA will be informed.

## **10. Conclusion**

The role of MECES is pivotal in ensuring that those children in Essex identified as missing from education are quickly identified and promptly returned to suitable education provision. By having clear guidance, policies and procedures in place across Essex all professionals and the public will be in a position to ensure support for vulnerable children within our community.

## **11. Abbreviations**

<b>CME</b>	Child/ren Missing from Education
<b>ECC</b>	Essex County Council
<b>CSE</b>	Child Sexual Exploitation
<b>CTF</b>	Common Transfer File
<b>DfE</b>	Department for Education
<b>LA</b>	Local Authority
<b>MECES</b>	Missing Education and Child Employment Service (previously known as Education Welfare Service)
<b>S2S</b>	Schools to Schools database
<b>ECTU</b>	Essex County Traveller Unit
<b>YOS</b>	Youth Offending Service

## 12. Further sources of information

### Associated resources (external links)

[Child abduction](#)

[Forced marriages](#)

[Working together to safeguard children](#)

### Other departmental advice and guidance

[Behaviour and attendance \(including exclusions, bullying and alternative provision\)](#)

[Child sexual exploitation](#)

[Child trafficking](#)

[School Admissions Code](#)

[Elective Home Education guidelines](#)

[Young runaways](#)

### Related legislation

School Attendance: Education Act 1996 (section 7, 8, 14 & 19)  
 Education Act 2002 (section 21)  
 Education and Inspections Act 2006 (section 4 & 38)  
 The Education (Pupil Registration) (England) Regulations 2006

Child protection: Children Act 1989 (section 17 & 47)  
 Children Act 2004 (section 10, 11, 12 & 17)  
 Education Act 2002 (section 175)

**APPENDIX 1  
MISSING PUPIL CHECKLIST**

To be completed by schools when;

- A pupil has gone missing<sup>14</sup> and no contact can be made with parent/carer to establish reason for absence
- Ceased to attend the school and forwarding address of the family is not known
- When a child has not returned from holiday within 10 schools days of the expected date of return<sup>15</sup>

**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' safety, Social Care must be informed immediately and the SET procedures followed.**

<b>Pupil</b>					
Pupil's name:		DOB:		UPN:	Male / Female
School:				Ethnicity (please state if not known):	
Last known address;			<i>Please delete as appropriate</i>		
			Child in Care:	Yes	No
			Subject to a child protection plan:	Yes	No
			Traveller Family	Yes	No
Parent/carer name:					
Telephone number(s)					

<b>Date last attended school:</b>	
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<b>Siblings</b>
Name(s) and DOB: (please state if no siblings are known)
School sibling(s) attend:
Following checks with sibling(s) school, are they currently attending? (please include any relevant information provided by school)

<sup>14</sup> A pupil is deemed to be missing from school when the school do not have reasonable grounds to believe the pupil is unable to attend by reason of sickness or any unavoidable cause and have failed, after reasonable enquiry, to ascertain where the pupil is

<sup>15</sup> and the school does not have reasonable grounds to believe the pupil is unable to attend school by reason of sickness or any other avoidable cause

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**Checks to be made within 1 - 10 days of absence (checks should be started no later than the 5th day of absence)**

	Date	Time	Name of person contacted	Number	Response / outcome
Carry out first day calling (if this is an automated system please make telephone contact manually)					
Attempt telephone contact with all known emergency numbers					
Write to last known address and address of emergency contact if known (please attach a copy)					

Any further information from other agencies, wider school community (e.g. staff, other pupils, friends)
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*If child is not located following checks, please send checklist to MECES allocation panel, no later than the tenth day of absence<sup>16</sup> and continue checks as appropriate (**Do not remove child from roll until advised by LA Investigation Officer**)*

Checklist completed by:	
Position:	
Date passed to Missing Education Service (please attach copy of attendance record:	

<sup>16</sup> The proprietor of every school shall make to the LA a return giving the full name and address of every registered pupil who has been absent from school, where the absence has not been treated as authorised for a continuous period of not less than ten school days (The Education (Pupil Registration) (England) Regulations, 2006)

