



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

Children Missing Education Policy 2020-2023

**‘Llwyddiant i bob plentyn
– Success for every child’**

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Introduction

The Children Act 2004 places a duty on all agencies to work together to promote the safeguarding and welfare of children and young people. All agencies also have a duty to share information. This principle underpins this policy and there is an expectation that all agencies will work together to ensure that children and young people do not 'slip through the net' and become missing.

The Children's Act 2004 and Welsh Government's 'Safeguarding Children Working Together', places a duty on all agencies to work together to promote the welfare of children and to share information.

These 'missing' children and young people will be some of the most vulnerable in the authority and it is vital therefore that services work together to identify and re-engage these children and young people with appropriate education provision as quickly as possible. Education is a child's right and if children are not receiving a suitable education, they are more likely to be vulnerable and at risk of becoming NEET (Not in Education, Employment or Training). They are also possibly more prone to offending behaviour and at high risk of a negative outcome.

Legal context-CME defined

Children (child) missing from education (CME) in this document, refers to all *'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 (home, private, or alternative provision) and who have been out of any educational provision for a substantial period of time, usually agreed as four weeks or more'*. 'Suitable education' is defined in section 7 of the Education Act 1996: "The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable – (a) to his age, ability and aptitude, and (b) to any special educational needs he may have, either by regular attendance at school or otherwise."

Relevant Legislation includes:

- Section 175 of the Education Act 2002 places a duty on local authorities to exercise their functions with a view to safeguarding and promoting the welfare of children.
- Section 436a of the Education Act 1999, as amended by section 4 of the Education and Inspections Act 2006, places a duty on all local authorities to make arrangements to establish the identities of children in their area who are not registered at a school and are not receiving a suitable education.
- Circular 06/10 statutory guidance to help prevent children and young people from missing education.
- Circular 18/06 Educational Records, School reports and the Common Transfer System – the keeping, disposal, disclosure, and transfer of pupil information.
- SAO – School Attendance Order – Under Education Act 1996, Section 437-443. Where a parent of a compulsory school age pupil fails to prove that they are receiving a suitable education, and where the Local Authority believes that the child should attend school. A School Attendance Order will be used to direct a parent to send their child to the nominated school and should be used when a child is not on role.
- The Social Services and Wellbeing (Wales) Act 2015 places a duty on agencies to report a child or adult at risk.
- The Children Act 1989, Section 47, remains the key piece of legislation for investigating concerns that a child is at risk of harm. A child who goes missing from education may be

considered, in some cases, to be at risk of harm. It is important that if a child who is already known to Social Services as a child in need of protection that this is reported to the child's social worker as early as possible. In addition, if a school has concerns that are heightened by a child going missing from education, even if there is no current Social Services involvement, this should be reported to the statutory authorities, Social Services and Police.

- The Children's Act 2004 and Welsh Assembly Government's Safeguarding Children Working Together under the Children's Act 2004 places a duty on all agencies to work together to promote the welfare of children and to share information.
- Wales safeguarding procedures April 2020.

Children missing education are:

- Children of compulsory school age who are not on a school roll and not being educated otherwise (e.g. at home, privately or in alternative provision).

Children fall out of the education system and are at risk of 'going missing' due to a wide range of factors including:

- they fail to start appropriate provision and so never enter the system (e.g. pre-school to Yr 1, new to area and no application made to school);
- cease to attend due to exclusion (e.g. illegal or unofficial exclusions) or withdrawal, removal from roll with no named destination; or
- fail to complete a transition between schools (e.g. not obtaining, being unable to find a suitable school place after moving to a new LA or within the Merthyr Borough).

Vulnerable groups

There are also some specific groups of vulnerable children and young people who may be more at risk of missing education:

- young people who have committed offences and are within the criminal justice system;
- children living in women's refuges;
- families fleeing domestic violence;
- children of homeless families, perhaps living in temporary accommodation, house of multiple occupancy or Bed and Breakfast;
- young runaways;
- children with long term medical or emotional problems;
- children affected by substance misuse;
- unaccompanied asylum seekers;
- children of refugees and asylum-seeking families;
- children in new immigrant families who are not yet established in the UK and may not have fixed addresses;
- children who have been trafficked to, or within the UK;
- children who are or have been looked after (CLA);

- children who are privately fostered;
- young carers;
- children previously educated in the private sector
- children whose parents have withdrawn them to elective home educate, but are not receiving suitable education
- children from transient families;
- children who are taken on extended holidays or heritage visits by their family; children of parents that are in the armed forces and move on regular basis; teenage mothers; children who are permanently excluded from school, particularly those excluded illegally, e.g. for problematic behaviour or offending. Children from Gypsy, Roma and traveller families (GRT).

The LA is obliged to keep a register of pupils electively educated at home. This is maintained by the Education Welfare Service and the Senior Education Welfare Officer.

The database is regularly updated to take account of any changes to the status of the children and young people concerned e.g. where an alternative educational provision has been made. Children will not be removed from the database until the LA is satisfied that the child has been located and is receiving a suitable education or has been transferred to another LA's CME database due to information as to their location, or until the child ceases to be of statutory school age. Efforts to locate children who remain on the CME database will continue to be made periodically such as via re-entering of their details on the School 2 School database.

Responsibility of the school

Schools and other education providers are responsible for monitoring and identifying pupils who are on their rolls and who are missing or at risk of missing education.

Children who are on a school roll may go 'missing' because they:

1. fail to start at a school having accepted a place;
2. fail to attend regularly;
3. stop attending altogether; or
4. leave the school without ongoing provision being identified.

Schools will have their own procedures for the monitoring of pupil attendance although they are advised to adopt a staged approach to the management of pupils with poor attendance. Where a pupil's attendance is less than 80%, they are to be regarded as persistent absentees and schools should consider what actions they can take, or make a referral to their Education Inclusion Officer (if the school has bought into the EWS-SLA), who can then support the school's efforts to re-engage the child in education through casework and any necessary legal action.

Under the terms of the Education (Pupil Registration) (Wales) Regulations 2010, both the school and the local authority must make exhaustive efforts to trace pupils before any deletion is made. Schools must refer cases to the Education Welfare Service after 20 days absence (or 10 days following a school holiday) via the notification to LA form (see **Appendix 1**) unless there are concerns about the pupil's wellbeing in which case the enquiries should start immediately.

The pupil must remain on the school roll until all reasonable enquiries are completed even if this means that the pupil will amass more than 20 days absence.

Schools must advise their Education Inclusion Officer/ Education Welfare Service of any pupil who has 10 days or more continuous unauthorised absence in order that steps can be taken to ensure that the pupil does not go missing from education and that they are safe.

If the pupil is located, then it will be usual for a pupil to remain on the school's roll and for the case to be dealt with as one of persistent absence.

4. The Education (Pupil Registration) (Wales) Regulations 2010 make provision for schools to delete compulsory school-age children only where any of the following apply:

- the school is replaced by another school on a School Attendance Order;
- a School Attendance Order is revoked by the local authority;
- completion of compulsory school age;
- permanent exclusion;
- death of the pupil;
- transfer between schools;
- pupil withdrawn to be educated outside the school system;
- failure to return from an extended family holiday after both the school and the local authority have tried to locate the pupil;
- a medical condition prevents their attendance and return to the school before ending compulsory school-age;
- in custody for more than four months;
- 20 days continuous unauthorised absence and both the local authority and school have tried to locate the pupil;
- left the school but not known where he/she has gone after both the school and the local authority have tried to locate the pupil.

If schools are notified by parents/carers that a pupil is to leave the school, every effort must be made to establish what arrangements are being made for the pupil's continuing education. In the vast majority of cases, the pupil will be transferring to another school and often one within the authority. In these cases, schools should communicate with the new school to establish the date on which the pupil is to start so that the date for their deletion from the old school roll can be determined. There should not normally be a break in the continuity of a pupil's educational provision. Schools must notify the local authority of the deletion and send a completed Common Transfer Form (CTF) to the S2S site/transferring school.

Contacts

Inclusion Manager- Schools Department
People and Performance Directorate
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Senior Education Welfare Officer
Schools Department
People and Performance Directorate
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Appendix 1

Form (1)

Notification to the Local Authority of a Child or Young Person Missing Education



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This form should be completed by any professional or agency undertaking an assessment or being aware of a child or young person between the ages of 3-16, who does not appear to be attending a school.

		Male/Female
Address:		Telephone:
Parent(s) Carer(s) details:		
Relationship:		
Previous address if new to area:		
To the best of your knowledge, is the child or young person: Refugee/Asylum Seeker: YES/NO		

On the Child Protection Register: YES/NO

In Public Care: YES/NO

Reason for Referral:

Not registered at a school: YES/NO

Not known if registered at a school: YES/NO

How did this child/young person come to your attention and what are your concerns?

Any additional information about previous educational provision: (*past or present e.g. date of last education provision, known attendance difficulties etc*)

Are any other agencies known to be involved with the child/young person concerned? *Please give details:*

Any other relevant information including any safety factors to be acknowledged when visiting this family:

Details of Agency Making the Referral:	
Referrers Name:	
Designation:	
Address:	
Tel No:	Email:
Reason for involvement of professional making the referral and any other relevant information:	
Date that child/young person became known to agency as missing education:	

Signed: _____

Designation: _____

Date: _____