

Children Missing Education (CME) Policy

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Introduction and Context

Powys County Council (PCC) is committed to improving the quality of life for all in Powys and making it a place where children and young people are valued, a place that provides a framework which enables children and young people to have high aspirations and to realise their dreams and a place that ensures that all children and young people have every opportunity to fulfil their potential.

PCC is concerned about any child missing from education, as it is not just attainment at risk, but also potentially safety and welfare. Children who are not receiving a suitable education are more likely to be vulnerable and at risk of negative outcomes which may have implications on later life chances. They may be from disadvantaged families, travelling communities, immigrant families, looked after children, unaccompanied asylum seekers, or at risk of neglect or abuse. They are also at greater risk of becoming NEET (Not in Education, Employment or Training) at age 16. Subsequently, a key concept of the Children Missing Education (CME) Policy is to ensure that children missing, or at risk of missing, education are identified, tracked and re-engaged in appropriate full-time education with lasting success, and that children who move out of Powys are tracked until they are engaged in education elsewhere, so that no child 'slips through the net'.

The policy identifies:

- that PCC accepts its responsibility to locate, assess, monitor and track children missing from education in order for them to reach their full potential
- that the responsibility should be carried out through a strategic and multi-agency framework where agencies share information on the identification of children and young people missing from education via a comprehensible notification process
- the needs of vulnerable groups of children missing education and fulfilling their potential
- that a range of measures should be implemented to ensure the reduction of the likelihood of children and young people missing education, such as measures to reduce the likelihood of children falling out of the education system through audits of attendance rates across schools

PCC are committed to the principles and values of the United Nations Convention on the Rights of the Child (UNCRC) in all aspects of our work. Everybody has the right to feel valued and entitled to the respect of others, both within and out of the formal learning environment.

PCC is committed to the principles of inclusion and equality and recognises that these are essential to the promotion of positive behaviour. This is underpinned by a commitment to fostering the well-being of all pupils and young people. The creation of nurturing, healthy and safe environments is crucial in enabling pupils and young people to thrive.

PCC recognises the need to create an ethos that is engaging, empowering and supportive in order for learning and positive behaviour to develop. The cornerstones of trust, respect, inclusion and high expectations of all are integral to creating a well-disciplined learning environment.

PCC has adopted the Powys Children's Pledge. The pledge forms a commitment to everyone under the age of 25. The pledge is based on what children and young people have said is important to them.

Promises within the pledge include providing access to information, listening to views, providing safe environments, and treating all children equally. The pledge is a commitment to help children and young people to 'Start Well' through equal access to services, support and life opportunities. The pledge reminds us all of our duty of care to children, in line with the Health and Care Strategy for Powys and the council's vision and values.

- [Powys Children's Pledge](#)

Legal Context and Relevant Welsh Government Guidance

The Welsh Government's guidance document Inclusion and Pupil Support, 203/2016 highlights the factors necessary to promoting positive behaviour

- Section 175 of the Education Act 2002, which 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 education authorities to make arrangements to establish (so far as it is possible to do so) the identities of children in their area who are not registered at a school and are not receiving a suitable education
- The Children Act 2004 places a duty on all agencies to work together to promote the safeguarding and welfare of children and to share information. Section 10 requires the local authority to make arrangements to promote co-operation between the local authority, partners and other bodies working with children in the local authority area to improve the well-being of children, which includes protection from harm or neglect. Section 11 requires organisations to make arrangements for ensuring that their functions, and services provided on their behalf, are discharged having regard to the need to safeguard and promote the welfare of children
- Shared Planning for Better Outcomes (WAG, 31/07) advises that all children and young people should “engage in full-time education; have any barriers to learning identified early and removed; reach their full potential; continue in personal and informal education training”
- Circular 05/08 Safeguarding Children in Education. This identifies vulnerable groups likely to go missing from education and how “every practitioner working with a child has a responsibility to inform the local authority if they know or suspect that a child is not receiving education”
- Circular 18/06 Educational Records, School Reports and the Common Transfer System - the keeping, disposal, disclosure and transfer of pupil information
- Circular 06/10 Statutory guidance to help prevent children and young people from missing education

Purpose

The purpose of the Children Missing Education (CME) policy is to enable the PCC to fulfil its statutory duty to provide education for all children of compulsory school age. It also outlines the processes in place to identify and track children and young people missing from education, identify those at risk of becoming missing from education and the monitoring systems to ensure that action is taken to re-engage them with 'suitable education'. 'Suitable education' is defined as

efficient fulltime education suitable to their age, ability and aptitude and to any special educational needs.

This policy applies to children of compulsory school age who are not on school roll, who are not receiving a suitable education otherwise than being at school (e.g. at home, privately or in alternative provision) and who have been out of any educational provision for a substantial period of time, usually agreed as four weeks or more. In relation to children who are registered at a school and not attending regularly, this would be subject to interventions through the existing attendance strategies and education welfare procedures of the Education Welfare Service (EWS) Team.

The duty to identify children not receiving an education does not apply to children whose parents have chosen to electively home educate them, as parents have a duty to ensure that their children receive an efficient and suitable full-time education, either by regular attendance at school or otherwise (Section 7, Education Act 1996), and they may arrange this outside the state or independent school system.

There is an expectation under the Children's Act 2004 that all agencies will work together to promote the safeguarding and welfare of children and to share information so that children and young people do not 'slip through the net' and become missing. Therefore, the CME Policy is intended to inform such agencies about their role in assisting to identify children missing education and to make people aware of the notification process that will be widely accessible and user-friendly.

This policy should be read in conjunction with the Welsh Government & Individual School Attendance Policy. Existing safeguarding procedures for reporting and recording child protection concerns must be observed at all times.

Definition of Children Missing from Education

The national definition of a child missing from education is:

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) and who have been out of any educational provision for a substantial period of time, usually agreed as four weeks or more.

A number of risk factors have been identified that may negate the engagement and tracking of certain vulnerable groups. Children and young people from these groups often have complex needs due to difficult family dynamics or social or lifestyle factors, all of which may contribute to the withdrawal process and failure to make successful transition. They may have experienced specific life events that make them more at risk of going missing from education and who face tougher obstacles to re-engage. Therefore, it is vital that services work together to identify and re-engage these children and young people with appropriate education as quickly as possible

This list is not exhaustive but could include children and young people who:

- are within the youth justice system
- live in women's refuges
- are from homeless families perhaps living in temporary accommodation or bed and breakfast
- are from families fleeing domestic violence
- have long term medical or emotional problems
- are young carers
- have parents with mental health problems
- have parents with learning difficulties
- are affected by substance misuse
- were previously educated in the Independent sector and have been excluded or withdrawn
- have been withdrawn by their parents for elective home education but are not receiving a suitable education
- are Looked After by the local authority; are privately fostered; or go missing from care
- are unaccompanied asylum seeking children
- are on the Child Protection register
- have been bullied
- are from asylum seeking or refugee families
- are from Gypsy, Traveller or Roma background
- are from families who may be highly mobile for e.g. have parents in the armed forces
- are taken on extended holidays or heritage visits by their families

- are young parents and pregnant young women.

There will be instances where the Authority or school is unaware of children with complex issues, but may come to the attention of other agencies e.g. community organisations, and include children:

- at risk of forced marriage and honour-based violence
- at risk of sexual exploitation, including children who have been trafficked to or within the UK
- involved with their families in the witness protection programme and may be required to relocate without explanation or trace
- from families who are involved in fraud, social difficulties, crime and anti-social behaviour
- young runaways
- are from migrant worker families who may not be familiar with the education system
- are newly arrived immigrant families
- are from families who disappear without trace when asylum has not been granted or if accommodation has not been allocated in their preferred location

These children can only be identified via multi-agency involvement, thus requiring strong partnership working and clear referral procedures.

How and Why Do Children Go Missing from Education

In order to create a positive learning culture within a school, effective interventions need to be implemented. We will consider the following interventions:

Children fail to engage in, or go missing from, education for a variety of reasons, including:

- They may simply move, and their families do not tell either the new or old authorities
- They may move area and do not register with a school, or depending on their circumstances may not see re-enrolment at school as a matter of urgency even if previously their children had been good attendees, or if children are nearing school leaving age the family may not see the relevance of returning to education
- They may be unable to attend their preferred school as no places are available and do not take up the offer of an alternative place
- They may never enter the education system because they fail to start appropriate provision at the start of compulsory school age (there is no requirement for parents to inform local authorities that they intend to educate at home if the child has never attended school)
- They may be withdrawn by their parents who elect to educate at home and both parents and the school fail to notify the local authority
- They may cease to attend school due to disputes, parental dissatisfaction, unofficial exclusion or removal from school roll
- They may fail to complete a transition between providers, for example from primary to secondary school or from a school to alternative provision
- They may enter the country and do not register with a school
- They may move into or out of the Looked after Children (LAC) system or the secure estate without prior notice or planning
- They may be excluded or withdrawn from independent schools
- They may not wish to be found and may change names and move quickly from place to place.

To avoid the opportunity of this happening, a series of systematic processes and procedures must be in place and links between agencies must be strengthened and formalised.

The Powys procedures for locating a missing pupil are detailed in Appendix 2.

Reducing the Risk

A number of processes are in place to reduce the risk of children going missing from education:

- Measures to reduce the likelihood that children fall out of education e.g. monitor attendance Measures to identify and locate children missing from education e.g. termly nil attendance reports and information received by the EWS Team.
- CME database maintained by the ALN Department
- Measures to re-engage children missing from education e.g. referrals to the EWS Team

Identification and Notification Processes

PCC has a named CME Officer to lead the children missing education agenda in Powys, develop a coordinated approach to policy and procedures and to ensure a point of contact for all agencies with regard to children missing from education. The CME Officer works closely with other departments and agencies to support a multi-disciplinary approach to identifying children missing from, or at risk of missing, education.

To raise awareness of the CME policy and referral procedures, the CME Officer will:

- Attend strategic and operational meetings to raise awareness of correct referral routes
- Support schools, settings and agencies to ensure that procedures are in place to minimise the possibility of children going missing from education
- Contact senior managers in all agencies if changes in personnel / procedure occur
- Oversee the audit of school compliance with legislation relating to the maintenance of registers

The CME policy differentiates the role of stakeholders (who may become aware of a child missing or at risk of missing education) from agencies who provide support services to vulnerable groups.

Receiving Notification - Pupils Not on School Roll - the role of Partner Agencies

There is a fundamental principle that all officers of Powys Local Authority and Partners have some level of responsibility around the issue of children missing from education, in terms of ensuring that children are identified and tracked, referred appropriately, their needs assessed and coordinated interventions put in place. Therefore, as notification can be received from within the local authority, external agencies, the public, schools, children and young people and other local authorities, it is vital that all agencies understand and use the referral route consistently. Although this level of multi-agency involvement may result in referrals being made for children and young people already known and on school roll, given the concerns around the safeguarding and welfare of these vulnerable children, it is more beneficial than not receiving notification.

The named CME Officer must be notified of any child or young person thought to be missing from education using the referral form that is available.

CME Lead Officer for PCC	Mike Wheeler
Telephone	01597 826281
Email	mike.wheeler@powys.gov.uk
Address	County Hall, Spa Road East, Llandrindod Wells, Powys, LD1 5LG

Referrals can be made via the following methods:

- CME referral form to CME Officer (referrer to keep a copy and acknowledgement sent out)
- S2S Lost Pupil Database
- Contacting the EWS Team (to ensure the monitoring of referrals) and CME Officer.

Referral from and to other local authorities / agencies can be made via the following methods:

- CME referral form to CME Officer (referrer to keep a copy and acknowledgement sent out)
- S2S secure messaging
- Contacting the EWS Team (to ensure the monitoring of referrals) and CME Officer.

The CME Officer works closely with the EWS Team and once a referral is received the child's name is added to the CME database that is managed by the ALN Department. Details are then checked against the Authority's pupil information system and relevant departments and agencies are contacted to locate the child and support them back into education.

Where necessary, the child's details are referred to another authority's CME Officer or Education Welfare Service (EWS)/Education Social Work (EWS) Team to track and support the child. The database is regularly updated to take account of any changes to the status of the child e.g. where education provision has been made.

The Powys Referral Form can be found in Appendix 4.

Receiving notification - pupils on roll at a school - The role of parents and the school

A school registered pupil is deemed to be at risk of missing education when the pupil:

- fails to attend school without explanation
- is expected to start at the school and does not arrive
- fails to return from a planned holiday
- moves out of the authority and the school is informed that they will not attend anymore

Role of the Parent

Parents have a duty to seek to register their child at school as soon as they reach school age or move into an area. Parents must inform school should they wish to remove a child and provide details of the new school, the new area, or if they elect to undertake home education. Parents have a duty to ensure that their child attends school at all times unless they have a legitimate reason and the school must be informed of the reason for non-attendance on the first day of absence.

Role of Schools

CME is a safeguarding issue, but primarily the responsibility of the Head teacher and Governing Body. Schools therefore have a vital role to play in the prevention of children missing from education, and especially in terms of monitoring, control and management of attendance and locations. Schools should follow the procedures for absence in accordance with the Powys Attendance Policy and Policy for Extended Holidays.

Further details of processes are found in the CME Checklist for Schools and the Unexplained Absence Procedures in Appendix 4.

What must schools do on the first day of non-attendance?

Schools undertake daily monitoring of attendance and alert parents immediately if a pupil fails to attend and undertake checks to determine the reason why. If the school cannot ascertain a reason for non-attendance, the school Child Protection Coordinator must be informed, a referral form sent to the CME Officer and the EWS contacted within 10 school days of non-attendance. However, if the pupil is a Looked after Child (LAC), or on the Child Protection register and disappears without warning, the school must immediately notify the Safeguarding Officer and EWS Team directly on the first day of absence. If a pupil has a Statement of Special Educational Need (SEN), the Statutory Assessment Team should also be notified.

What if the school is informed that a family is moving but a new school is NOT identified?

In the event of a parent informing school that they are moving to another local authority without identifying a new school, the school should upload the pupil information after 20 school days using a Common Transfer File (CTF) onto the secure School 2 School (S2S) website using the code XXXXXXXX (destination unknown). The school must also inform the EWS Team who will inform the CME Officer and Admissions Team in the current local authority and also make contact with the Education Welfare Service in the receiving local authority.

What if the school is informed that a family is moving, and a new school IS identified?

In the event of a pupil moving to a known school, the name of the school and leaving date should be recorded in the releasing schools' MIS system and a CTF of the pupil's records should be created and sent to the new school within 15 days via S2S.

What if the school is informed that a parent is going to undertake elective home education?

In the event of parents informing the school in writing that they are removing the child to educate him/her at home, the head teacher should inform the Home Education Officer in the LA and the EWS Team within 10 days of a pupil being deleted from the register and record the date and reason for removal. The EHE Officer will arrange to contact the parent to provide an information pack and forms for the parent to complete to secure support from Local Authority Officers. Although pupils with Statements of SEN can be home educated, the Local Authority is responsible for ensuring that the education received is suitable in liaison with the Statementing Officer and annual reviews. The statement must stay in force and the local

authority must ensure that parents can meet the special educational needs described in the Statement.

What should the school do once a child has been referred?

When a school refers a child to the Local Authority via the CME referral form and notifying the EWS Team, the school should keep the child on roll for a further 20 days pending investigation by the local authority (via the EWS Team). The outcome may be that the child is located and remains on roll, started a new school or is not located, referred to appropriate agencies and still 'missing'. Even if the investigation amasses 20 days, schools should never remove a pupil from school roll until all avenues have been exhausted and the local authority (via the EWS Team) has advised in writing that it is appropriate to do so. If the EWS Team has not been able to locate a child and the EWS has advised the school to remove the child's name from the register, the discharging school must ensure that the CTF Transfer File is coded XXXXXXXX (destination unknown) and uploaded onto S2S. The records are stored in a secure area of S2S known as the 'Lost Pupil Database'. Schools should not submit the CTF to the Lost Pupil Database without the agreement of the EWS Team.

Identifying a Child as Missing from Education – Role of Local Authority Departments

CME Officer

The CME Officer works with other departments and agencies to fulfil the local authority's statutory responsibility in relation to school attendance. The CME Officer carries out investigations where pupils are missing from school or have left school with no following address and makes reasonable efforts to identify a child's whereabouts. This includes:

- Inspecting school registers to ensure they are kept in accordance with regulations, including termly investigations into nil attendances and regular monitoring of pupils who have been removed from roll to ensure that legislation is followed
- Checking the Council databases (Admissions, MIS and WCCIS)
- Checking the elective home education register
- Undertaking home visits where appropriate of a referral to make enquiries
- Contacting other departments and agencies involved with the family
- Recording and updating the child's details on the CME database
- Maintaining the child's details on the CME database when a child has disappeared without a known destination and monitoring this as the child may re-appear in the county or elsewhere
- Liaising with Admissions re. S2S and referring cases to Safeguarding and Support and Police

If the child is located the CME Officer will:

- Inform the school of the action to be taken
- Make contact with EWS Team in the new authority when a forwarding address is identified
- Update the CME database regularly as the child's status changes
- Close the referral once the child is located and tracked into provision.

- The Admissions Team

PCC is responsible for determining the criteria and procedure for admissions and for the admission of all pupils to community, primary, secondary, special and voluntary controlled schools. The governing bodies of aided and foundation schools are responsible for determining the criteria and procedure arrangements for admission and for the admission of pupils to their schools. The Admissions Team is responsible for carrying out this statutory function of the authority. Children may not be on school roll where a parent has not accepted a place at phase transfer. For example, if a parent of a Year 6 pupil has not applied for secondary education, or a parent of a nursery pupil has not applied for a reception place, the Admissions Team would attempt to contact the parent. If this is not successful, the Admissions Team would contact the school to pursue and would contact the EWS where necessary. However, if a place is offered and a parent has not accepted, the Admissions Team would follow this up with a reminder letter to parents, followed by a telephone call and finally by contacting the school to investigate further. The Admissions Team also receives requests for places where families move to Powys as a mid-term transfer. The Team works to admit a child wherever possible to their preferred school. To ensure continuity of transfer, the previous school uploads the CTF onto S2S and the receiving school downloads the file which includes the Unique Pupil Number so that the child remains in the system and tracked.

The Management Information Systems Team (MIS Team)

The MIS Team is responsible for the management and system administration of the Education Management Software and is responsible for the provision of management information. Data is transferred from schools to the Local Education Authority on a daily basis. Schools are responsible for the maintenance of school level data in their Teacher Centre/SIMS software under MIS guidance. They also receive training and guidance on the use of the S2S system. Therefore, centrally MIS can collate all education data within the Education Department and on request can provide reports to support departments with their role to prevent children missing or at risk of going missing from education. For example, the MIS Team currently routinely provide the following:

- termly attendance

Identifying a Child at Risk of Missing Education - Role of Departments

In addition to schools' own practice of regularly screening registers and making referrals, and the EWS Team receiving termly nil attendance reports to identify and monitor children at risk of missing education, specific procedures have been formalised pertaining to each group of 'at risk' children. Many of the vulnerable groups of children will be identified as missing by the school, thus schools will follow the CME Checklist for Schools and Unexplained Absence Procedures, which involve schools contacting parents/carers on the first day a pupil is absent without explanation, including cases where the pupil skips lessons after registration. This ensures that parents/carers are aware that the child is not in school and enables them to take steps to establish that the child is safe. If there is no answer, or the person who answered was not the parent/carer and the school is not reassured that the child is at home or known to be safe, or the parent/carer answered but the child is not with them, the school should consider (with the school Child Protection Coordinator and using the LEA procedures), the degree of

vulnerability of the child and make a referral to the EWS Team, Police and PPD. However, if the pupil is a Looked after Child (LAC), or on the Child Protection register and disappears without warning, the school must immediately the LA immediately.

The CME Checklist for Schools and Unexplained Absence Procedures can be found in full in Appendix 3.

Children who may be victims of crime – unexplained absence

There are circumstances when a pupil is absent without explanation and although most cases are minor and the child returns quickly or believed not to be in danger, there are serious or complex cases, including those where a child may be a victim of crime, such as being abducted by a parent/ stranger. Schools should follow the Unexplained Absence Procedures if a child is thought to be a victim of crime and in liaison with the school Child Protection Coordinator, assess the vulnerability and make a referral to the EWS Team.

Young Runaways

Where a child or young person goes missing, they are vulnerable to not just missing education, but also in relation to both safeguarding and criminal justice issues. Whatever the reasons for running away, it is often a sign that something is wrong in the child or young person's life and a response must be made quickly. It is also vital to recognise that another trigger for going missing might be that the child or young person is being subjected to abuse, and in these instances the local child protection arrangements would be instigated. Schools, because of their daily registration, have a key role to play in identifying when a child is missing from school and would follow the CME Checklist for Schools and Unexplained Absence Procedures and make a referral to the EWS Team and contact the Police.

Children and Young People Service

Children who are taken on extended holidays or heritage visits by their family

There will be some pupils whose families have work and family commitments abroad that can lead to the situation where visits are made overseas for extended periods of more than two weeks. In these circumstances, schools should follow their own policies on extended absence, and WAG guidance. Schools should make all parents aware of the importance of informing the school of any planned extended holidays or events and agreeing with the school the period of extended leave, including the date of return, and that if parents go on an extended visit without notifying the school in advance then the child's name may be removed from the register. Where possible schools should seek to obtain contact details for the visit and details of a relative/friend who could be contacted in the UK if required. If the child does not return after the agreed date, this should prompt welfare concerns and the school should follow normal procedures for investigating absence (phone calls, letters). If no satisfactory explanation is received the school should make a referral within 10 days and contact the EWS Team for investigation. If there are additional concerns, particularly if a school is concerned that an older pupil is taken out of the country against their will, and forced marriage may be a risk, or that there may be another Child Protection issue associated with extended leave, concerns should immediately be referred to the Safeguarding Department.

Children who are on the Child Protection Register

The Child Protection Department follows the All Wales Child Protection Procedures and Recommendation 24 of the Climbé report which states that during the course of an assessment, if Social Services establish that a school age child is not attending school, they must alert the education authorities and ensure that in the interim the child is subject to adequate day-care and supervision arrangements (paragraph 4.143). Education professionals attend Core Group meetings on a regular basis to contribute on a multi-agency basis to Child Protection Plans and under the Child Protection Procedures (2008) if a strategy meeting relating is convened, the EWS Team should always be alerted if at any time Safeguarding and Support staff establish that a child is not attending school. However, all agencies have a responsibility for children subject to a Child Protection Plan and if a child goes missing, or there are concerns about the welfare of a child, ALN Manager for Safeguarding Support must be informed immediately by the agency that raised the concern. Schools also have clear and specific School Child Protection Procedures to follow and receive advice, training and support to meet their responsibilities to safeguard and promote the welfare of children.

Locating a Child, Determining Needs and Identifying Provision

Children who are developing poor attendance levels are identified through schools' own practice of screening registers and making referrals to the EWS Team, as well as via the termly nil attendance reports produced for investigation by the ALN Team and the use of S2S and Lost Pupil Database.

Schools must contact parents/carers on the first day of absence to locate the child and once the school has completed the processes to locate the pupil listed in the CME Checklist for Schools, they should refer the case to the EWS within 10 days. If the child is LAC or on the Child Protection register, the case must be immediately referred to Safeguarding. All referrals are recorded on a CME database which records the education status of children missing from education and details the progress made to access education.

The database is updated regularly by the ALN Department to take account of any changes, as all steps to locate a child should be recorded contemporaneously and kept confidential, as full records would be required if a child is reported missing to the police, a victim of crime, or if a Serious Case Review (SCR) is carried out. Details recorded on the CME database will include:

- Child's personal details and date referred to the CME Officer
- Date left education without known destination or date identified and referred if new to the area
- Last known educational placement
- Date it was considered that home education provision was not suitable
- Date of assessment if required
- Date and form of provision determined, and date moved into provision

The CME Checklist for Schools and Unexplained Absence Procedures can be found in Appendix 3.

Schools should regularly inform parents of the importance of notifying the school or any planned family moves or events and providing a forwarding address if they are made aware that a child is moving. However, if a family does leave without notice, the following procedures are taken:

- The Admissions Team has a system of contacting local authorities to search for a child
- The Education (Pupil Registration) Regulations 1995 Regulation 9(1)(g) states that where a pupil has been continuously absent for four or more weeks, his name may not be deleted from the admissions register until both the school and the local education authority have failed, after reasonable enquiry, to locate the pupil. In Powys the LEA would be the CME Officer

Procedures for admissions, transfers and transitions are outlined in the 'Parents Guide to Education in Powys'. In terms of registrations and transitions, the Admissions Team sends application information to all schools to disseminate to parents/carers of children due to commence full-time education and follows up those who fail to complete an application. The 'Parents Guide to Education in Powys' is also available on the PCC internet for parents/carers to access. The Admissions Team also tracks transitions by sending application information to

parents/carers of all Year 6 pupils via schools and again follows up cases of non-submission in liaison with the primary school to ensure that parents/carers apply for secondary education. In the main admissions round and in the case of in-year admissions, where a place is offered and the child does not attend, the school contacts the EWS Team to investigate further.

If a school knows which school a pupil is moving to they must send the Common Transfer File (CTF) to the receiving school via School 2 School (S2S) no later than 15 school days after the pupil ceases to be registered at the previous school. The new school may then apply for the full school record. An automated email will inform receiving schools that a CTF is available for collection. If the new school is unknown and all 'reasonable efforts' to locate the child have been unsuccessful, after 4 weeks the EWS team may agree for the child to be removed from roll and a lost pupil CTF to be created and coded XXXXXXXX (destination unknown) or MMMMMMMM (moved to Independent Sector or out of country). This will be uploaded onto S2S and stored in the Lost Pupil Database. If a new pupil is admitted and the CTF is not available, the Lost Pupil Database can be searched by the Local Authority and if found can be forwarded to the school. This process is detailed in Circular 18/2006 Education Records, School Reports and the Common Transfer System and advice about S2S and the CTF system can be obtained from Powys MIS Team.

The Admissions Officer runs reports during the allocation process at all entry levels to identify 'unallocated students' and track those who have yet to submit applications for places during the annual admission round. Schools are also contacted at the beginning of the academic year to check that all allocated pupils attend.

Identifying children missing from education is only part of the task; placement in appropriate provision is vital. Once children have been identified and contact established with the family, they are referred to the appropriate service. In many cases parents require advice and support to access placements, thus the Admissions Team assist parents in this process and liaise with other departments and services to support the child into an appropriate setting where their needs will be met. Details of progress made to access education are recorded in the CME database.

Information about children not in suitable education, awaiting placement, permanently excluded, educated otherwise or in custody is provided to Careers Wales annually and if not known by Careers Wales should be followed up as part of the Careers Wales annual 'Destinations' survey.

Monitoring Attendance

All schools and alternative providers are required to have systems in place for monitoring attendance. Consistent with the duty to safeguard the welfare of children, all schools, settings and local authority services should have robust procedures for tracking the whereabouts of children.

Every school should refer continuous pupil absences of more than 10 school days to the EWS Team for investigation where the reason for the absence is unknown. School should only delete a child's name from the register in liaison with the EWS Team. Schools should keep evidence that supports the reason and date that a pupil was removed from roll and retain written documentation for all pupils moving to other schools to demonstrate their whereabouts and justify their removal from roll. Prior to any school removing a pupil from school roll (other than for permanent exclusion or the normal transfer process), the school must inform the EWS Team.

Children are tracked into provision via the Admissions Team processes until attendance is confirmed and details of the school recorded against the child. Good practice suggests that attendance is monitored for one term to ensure that there is no repetition of the issues that resulted in the child previously going 'missing'. However, where a child is due to start or transfer school and does not arrive, the school should make contact with the parent/carer. If the school receives no response within a week, they should contact the EWS for assistance. Where Child Protection concerns exist or a social worker is involved, the school must contact Safeguarding Manager immediately.

Tracking and Cross Boundary Arrangement

If a child goes missing from a Powys school but lives in another authority and the school fails to locate the child after contacting the parent and following the processes in the CME Checklist for Schools, the school would contact the EWS Team to contact the counterparts in the home authority. If Child Protection concerns exist, the school must contact Safeguarding Manager immediately. If a child is permanently excluded from a Powys school but lives in another authority, the host authority is responsible for providing education for the child until the permanent exclusion is ratified.

Information and Data Sharing

Sharing information is vital for early intervention to ensure that children receive the services that they require, to protect them from harm from abuse or neglect, and to prevent them from offending. Agencies and professionals have an individual and collective responsibility to provide a duty of care which includes the duty to share and exchange information, particularly in terms of Child Protection. In these circumstances there should be no barriers to the sharing and exchanging of information so that a proper assessment can be made to identify vulnerability, needs and most importantly risks, so as to inform an appropriate course of action. Information sharing also falls under the Fair Processing Notice (Privacy Notice) and Education (Pupil Information) (Wales) Regulations 2004 as amended in 2007, and secure systems are used to share personal information and if further information needs to be sent across authorities S2S would be used.

A list of the legislative basis upon which information sharing sits is detailed in Appendix 1.

Conclusion

This policy supports the collaboration between stakeholders to support children missing from education, as it is vital that clear processes are in place to identify, refer, track and monitor children missing, or at risk of missing education, as safeguarding children in everybody's business.

Appendices

Appendix 1 – Legislation and Statutory Functions

- Section 7 of the Education Act 1996 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 8 of the Education Act 1996 provides that compulsory school age starts on the relevant day on or after a child's fifth birthday and ends on the specified day of the school in which the child's sixteenth birthday falls. Regulations provide that the relevant days are the 31 August, 31 December and that the specified day is the last Friday of June.
- Section 14(1) of the Education Act 1996 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 19 (1) of the Education Act 1996 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 Education Act 1996 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."
- Section 436A of the Education Act 1996 requires local authorities to make arrangements to establish the identities of children in their area who are not receiving suitable education.
- Section 437 (1) of the Education Act 1996 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 (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 LEAs 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 LEAs and governing bodies.
- The Children Act 2004 includes various provisions relating to safeguarding and promotion of welfare of children in Wales (section 25 – 29) including: a duty upon each Children's Services authority to promote co-operation between it and various other bodies to improve the well-being of children so far as relating to (amongst other things)

education and training a duty upon various bodies including Children's Services authorities to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of Children provision for the Secretary of State to put into place information databases for the purposes of arrangements under section 175 of the Education Act 2002 or (a) and (b) above, and a framework for the sharing of information contained in such data bases for such purposes.

- Section 52 Children Act 2004 Duty on the local authority to safeguard and promote the welfare of a child looked after by them, includes in particular a duty to promote a child's educational achievement.

The Children Act 1989 includes the following provisions:

- Section 17, defines a child 'in need if s/he is unlikely to achieve or maintain (or have the opportunity to) a reasonable standard of health or development without the provision for him/her of services; or his/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services; or s/he is disabled.
- Section 47, Children Act 1989 places a duty on local authorities to make enquiries into the circumstances of children considered to be at risk of 'significant harm' and, where these enquiries indicate the need, to undertake a full investigation into the child's circumstances.
- Section 47(1) provides 'where as a result of any such enquiries, it appears that there are matters connected with the child's education which should be investigated, they shall consult the relevant local education authority'.
- Section 31 states that 'harm' means, ill treatment of health or development. 'Development' means physical, intellectual, emotional, social or behavioural development

United Nations Convention on the Rights of the Child

Legislation and practice in child protection are underpinned by principles derived from Articles of the United Nations Convention on the Rights of the Child, ratified by the UK Government in 1991. These principles are:- each child has a right to be treated as an individual; each child who can form a view on matters affecting him or her has the right to express those views if he or she so wishes; parents should normally be responsible for the upbringing of their children and should share that responsibility; each child has the right to protection from all forms of abuse, neglect or exploitation; so far as is consistent with safeguarding and promoting the child's welfare, public authorities should promote the upbringing of children by their families; and any intervention by a public authority in the life of a child must be properly justified and should be supported by services from all relevant agencies working in collaboration.

The European Convention of Human Rights (ECHR) /The Human Rights Act 1998

Missing person enquiries are conducted within the legal parameters specified by common law in terms of a duty to provide care and protection and within a mixture of legal conventions, case law, internal law in terms of ECHR and domestic laws, for example the Human Rights Act 1998. The rights and freedoms of the Convention that may be particularly relevant to the investigation of missing persons include:

Article 2 Right to Life

This places a positive responsibility on the police service to respond effectively to all reports of missing persons so as to identify those cases that require more attention to minimise the number of cases that end in loss of life or harm to individuals

- Article 2 Protocol 1 of the European Convention on Human Rights provides that: “No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.” The general right to education comprises four separate rights
 - I. A right of access to such educational establishments as exist
 - II. A right to an effective (but not the most effective possible) education
 - III. A right to official recognition of academic qualifications
 - IV. As regards the right to an effective education, for the right to education to be V. meaningful the quality of the education must reach a minimum standard.
- Article 8 Right to Respect for Private and Family Life When investigating the circumstances of any disappearance or appointing an Investigating Officer/Family Liaison Officer, cognisance must be taken of the intrusion involved into the private life of that individual or family. Of particular note are those situations where an individual disappears deliberately; the right to do so should be respected but it must be balanced with the rights of the child, young person, family and the wider community. In general terms these rights should only be interfered with where the action is prescribed by law and it is necessary in a democratic society for reasons of
 - Public safety
 - Preventing disorder and crime
 - Protecting health and morals
 - Protecting the rights and freedoms of others

The Data Protection Act 1998

All those involved with children are likely to hold personal information about them, including sensitive personal information. The Act covers how personal information about living, identifiable people is to be protected. All organisations that hold or process personal data must comply. The Act requires that data is gathered and processed fairly, is held securely and is used solely for the purpose for which it was collated.

- **School Standards and Framework Act 1998 Sections 86 and 86A of the School Standards and Framework Act 1998** require admission authorities to make arrangements enabling the parents of children in their area, to express a preference for a school and to give reasons for that preference. Where a parent expresses preference according to those arrangements sections 86 and 86B place a specific duty on admission authorities to comply with that preference, subject to certain exceptions. If parent's preferences are not met there is a statutory right of appeal provided for by section 94 of the School Standards and Framework Act 1998

- **Forced Marriage (Civil Protection) Act 2008**
- **Section 55 of the Borders, Citizenship and Immigration Act 2009** places a duty on the United Kingdom Borders Agency (UKBA) to safeguard the welfare of children. This is similar to the duty of safeguarding under section 28 of the Children Act 2004 which applies to local authorities and their partners. Section 55 of the Borders, Citizenship and Immigration Act 2009 repeals section 21 of the UK Borders Act 2007.

Related Guidance and Information

- [Welsh Assembly Government's Inclusion and Pupil Support - Circular No: 47/200](#)
- [Welsh Assembly Government's Exclusion from Schools and Pupil Referral Units - Circular No 1/2004](#)
- [Circular No. 005/2008: Safeguarding Children in Education: The role of local authorities and governing bodies under the Education Act 2002](#)
- [All Wales Child Protection Procedures 2008 - Produced on behalf of all Local Safeguarding Children Boards in Wales](#)
- [Behaving and Attending: Action Plan Responding to the National Behaviour and Attendance Review](#)
- [School Admissions Code and Appeals Code: Statutory code Document No:002/2009](#)
- [School Admissions Code and Appeals Code: Statutory Code Document No: No:003/2009](#)

These Codes impose requirements and offer guidance relating to the discharge of school admissions functions and contain specific guidance in relation to vulnerable children

- Section 5 (Children Missing Education and the Lost Pupil Database) – Educational Records, School Reports and the Common Transfer System – the keeping, disposal, disclosure and transfer of pupil information. Guidance May 2006
- Section 164 of the Education & Inspections Act 2006 amends the Education Act 1996 (provision of information about individual pupil), by inserting a new section after 537A. This new section 537B relates to the provision of information about children receiving funded education outside of school and in January 210 will introduce an individual level data collection on children educated otherwise than at school (EOTAS). The collection will focus on children educated otherwise than at school as defined in Section 19(1) of the Education Act 1996 i.e. those children of compulsory school age who, by reason of illness, exclusion or otherwise may not for any period receive suitable education
- Welsh Assembly Government's guidance on 'The learning journey for young people placed by the Youth Justice Board (YJB) in Secure Children's Homes (SCHs) in Wales' Circular No:020/2009
- All Wales Youth Offending Strategy: Delivery Plan 2009-2011. This has identified 6 priority areas including increasing engagement in education and training
- Extending Entitlement: Support for 11 to 25 Year Olds in Wales, 2002
- Extending Entitlement: Making It Real, 2004
- All Wales Attendance Framework – Sept 2009
- Multi-agency practice guidelines: Handling cases of Forced Marriage – July 2009
- Towards a Stable Life and a Brighter Future - Regulations and guidance to strengthen arrangements for the placement, health, education and wellbeing of looked after children – WAG, 2007

- The Children's Act 1989 states that all public agencies should work together to exchange and share information for the welfare and protection of children in the area
- The Children Act 2004 imposes a specific duty to co-operate to improve children's well-being (s.25) and implies a duty to share information for strategic planning, and to put in place arrangements to facilitate sharing information about individual children to improve well-being
- Section 28 of the 2004 Act also contains a duty to safeguard and promote the wellbeing of children (also included in the Education Act 2002)
- Section 27 of the Children Act 1989 states that a local authority may request help from any local authority and other agencies in exercising their duty to provide support and services to children in need and Education staff have a duty to gather information regarding concerns
- Sections 25 and 28 of the Children Act 2004 and 2006 Education and Inspections Act require the Authority and agencies to work together to improve the well-being of children and to safeguard and promote the welfare and wellbeing of all children. Children who are missing in education are at risk of social exclusion and are unlikely to be able to achieve in the future without having consistent educational provision
- Section 2, Local Government Act 2000 places a responsibility on local authorities to promote the economic, social or environmental wellbeing of children and families in the area. This includes the elimination or reduction of risk factors
- Section 115, The Crime and Disorder Act 1998 authorises relevant authorities to disclose information where it is 'necessary or expedient' for the purposes of prevention or reduction of crime and identification and apprehension of offenders or suspected offenders
- In order to ensure that the Human Rights Act is also complied with, and particularly Article 8 of the European Convention, any information sharing would need to be necessary, proportionate and in accordance with one of the legitimate aims set out in the Article, e.g., protecting the rights of others. So far as the common law of confidentiality is concerned, in the absence of consent, there would need to be an overriding public interest to justify disclosure – this would for example ordinarily include situations where there is a risk to the protection or well-being of the child without the information being shared.
- Safeguarding Children: Working Together under the Children Act 2004 provides guidance on information sharing in respect of children and young people. It covers all services, including health; education; early years and childcare; social care; youth offending; police; advisory and support services and leisure.

Help at a Glance

Local Authority Officer	Group
Hayley Smith hayley.smith1@powys.gov.uk	Interim Senior Manager ALN & Inclusion Challenge Adviser
Imtiaz Bhatti imtiaz.bhatti@powys.gov.uk	Senior Manager ALN & Inclusion 'Other Groups' Pupils from Minority Ethnic Backgrounds Asylum Seeking and Refugee Children Gypsy, Roma and Traveller Children Children of Migrant Workers EAL
Simon Anderson simon.anderson@powys.gov.uk	Additional Learning Needs Manager Statementing Officer PIP Children from families in difficult circumstances Disabled Pupils Pupils with Healthcare Needs Service Children
Sian Fielding sian.fielding@powys.gov.uk	More Able and Talented Pupils Challenge Adviser
Alun Flynn alun.flynn@powys.gov.uk	Principle Educational Psychologist
Michael Gedrim michael.gedrim@powys.gov.uk	Additional Learning Needs Manager Children Looked After by the Local Authority Young Carers Lesbian, Gay, Bisexual and Transgender Pupils (LGBT)
Heidi Lorenz heidi.lorenz@powys.gov.uk	Sensory Service Lead Adaptive Technology
Mike Wheeler mike.wheeler@powys.gov.uk	Additional Learning Needs Manager Behaviour and Attendance Pupils from Minority Ethnic Backgrounds Asylum Seeking and Refugee Children Gypsy, Roma and Traveller Children Children of Migrant Workers Pupils who are pregnant or are Young Parents Children and Young People who Offend School Refusers or School Phobic Children who Performs or have Employment
ALN Department alndepartment@powys.gov.uk	

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