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Providing Children's Services for the Royal Borough of Windsor and Maidenhead

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Royal Borough  
of Windsor &  
Maidenhead

# Children Missing Education (CME)

## July 2019

# Identifying and maintaining contact with children missing or at risk of going missing from Education

## CONTENTS

- 1 **Background**
- 2 **Introduction**
- 3 **Why do children go missing from education?**
- 4 **The role of schools**
- 5 **Leavers from school**
- 6 **Reasonable enquiry procedure for unplanned leavers and no-shows**
- 7 **Notifying the Local Authority**
- 8 **The role of the Local Authority and the CME Register**
- 9 **Pupils leaving school to be home educated by parents**
- 10 **Electronic transfer of pupil data**
- 11 **Contact details at the Local Authority.**

**Appendix A – Legislation and Guidance**

**Appendix B – Deletions from Admissions Register**

**Appendix C – CME Referral form**

# Identifying and Maintaining Contact with Children Missing or At Risk of Going Missing from Education

1.

## 2. **Background**

The Laming Inquiry Report into the death of Victoria Climbié was published in 2003 and led to many changes in legislation and practice, many of which were implemented in the Children Act 2004. One important aspect was to identify the most vulnerable groups including children not on a school roll and ensure best practice in inter-agency working. As part of this, Local Authorities each have a duty to make arrangements to identify, as far as it is possible to do so, children missing education (CME).

For the most recent statutory guidance on Children Missing Education, please see the following document:

<https://www.gov.uk/government/publications/children-missing-education>

## 3. **Introduction**

This guidance is intended to inform Local Authority (LA) officers, schools, governing bodies and other involved agencies about the policy and procedures to be followed in order to identify and maintain contact with children missing education and current developments for identifying those at risk of going missing from education. This guidance should be read in conjunction with current legislation and guidance listed in Appendix A.

The term 'Children Missing from Education' (CME) refers to all children of compulsory school age who are neither on a school roll, nor being educated otherwise, alternative provision or electively home educated. It applies to children who have been out of any educational

provision for a substantial period of time (usually agreed as four weeks or more).

This policy has been designed to help the Council meet its statutory duties relating to the provision of education and the safeguarding and welfare of children. It is related to current Legislation and Related Guidance (as detailed in Appendix A) and supports Directorate developments within Information Sharing and Assessment (ISA), in line with the Children Act and 'Every Child Matters'.

The policy has been constructed in accordance with the DfES, CME Good Practice Guidance (July 2004). The self evaluation tool included within that guidance was used to assess the Local Authority's current position and identify a standard operating procedure in relation to the following five key areas of Children Missing Education (CME): -

- Strategic Management and Leadership
- Networks and Points of Contact
- Information Systems
- Provision Brokering Services
- Effective Pupil Tracking Systems

#### **4. Why Do Children go Missing from Education**

Children can fall out of the education system because they

- fail to start appropriate provision and hence never enter the system;
- cease to attend, due to exclusion (e.g. illegal unofficial exclusions);
- live a life style which involves travelling;
- they are withdrawn by their parents; or
- fail to complete a transition between providers (e.g. being unable to find a suitable school place after moving to a new Local Authority).

To limit the opportunity for children to go missing when they fall out of the education system,

RBWM has a range of processes and procedures. These include:

- Monitoring school attendance and auditing school registers;
- Maintenance of a 'Central Register' of children missing from education;
- Monitoring of children educated by their parents
- Identifying children who are 'travelling'
- Close liaison with the School Admissions Team and designated CME officers in other Local Authorities to monitor children new to the area or moving between schools to ensure they are tracked into education
- Multi agency agreement on procedures to be adopted when children go missing or run away from home or from the care of the local authority

Children who are poor or irregular attenders are in many cases more likely to be vulnerable and some will become children missing education. Poor and irregular attendance must be discussed with the Education Welfare Service.

**First day contact:** phone the parent/carer and all additional contact numbers if unable to get in touch with parents/carers. Make a record of calls made, time, date and conversations.

School administrative staff or support staff should contact parents on any day a registered pupil is absent without explanation, including in cases where the pupil skips lessons after registration. By contacting the parent the school also ensures that the parent is aware that the child is not in school enabling the parent to take steps, where necessary, to establish the child is safe.

Further information is available from the Education Welfare Service.

Government guidance on attendance can be found at:

<https://www.gov.uk/school-attendance-absence/overview>

## 5. The Role of Schools

When a pupil is expected to join the school either at a normal time of starting (eg Nursery, Reception or Years 5,7 or 9) or at any time and s/he does not arrive the school should firstly try to make contact with the parents by telephone or letter. If after one week no contact has been made the school should contact the Admissions Department to find out if the child has been registered elsewhere. After two weeks the school should inform the Education Welfare Service who will follow the procedures for 'missing pupils' outlined below. The pupil **should not be removed from roll** until the Education Welfare Officer has ascertained the pupil's whereabouts and safety and has confirmed that the pupil is registered at another school or is being educated otherwise.

If a pupil is absent for a prolonged period (other than agreed extended leave of absence) or fails to return from a holiday on the date agreed with parents, the school should follow the normal procedures for investigating pupil absence (i.e. telephone calls, letters, invitations to meetings at the school etc). The matter should also be referred to the Education Welfare Officer. The pupil **should not be removed from roll** until the Education Welfare Officer has made all reasonable attempts to ascertain the pupil's whereabouts and safety or has confirmed that the pupil is registered at another school or is being educated otherwise. Where a pupil has a statement of SEN the SEN team should also be notified.

If a pupil 'disappears' without any warning the school should immediately notify the Education Welfare Service and also the Local Authority Lead Officer for Child Protection.

There are strict rules on when schools can delete pupils from their admissions register. These are outlined in Regulation 9 of the Education (Pupil Registration) Regulations 1995 as amended (see Appendix B).

When a pupil is deleted from the Admission register the school must clearly indicate the date and the reason for the removal from roll. In the event of a pupil moving to another known school the name of the school and leaving date should be indicated in the releasing schools MIS system.

An electronic Common Transfer File (CTF) of the pupil's records should be generated and sent to the new school within 15 days via s2s. If a child's name is removed from the school roll the Local Authority must be informed.

In the event of a parent informing the school in writing that s/he is removing the child to educate him/her at home the school should in the first instance inform the allocated Education Welfare Officer who will ensure that contact is made with the parents by letter, and the local procedures are put in place for monitoring the situation.

## 6. Leavers

### **Registers and Pupil Registration Regulations**

The Pupil Registration Regulations apply to **all** schools.

The only circumstances in which a registered pupil can be deleted from the school register are outlined in [regulation 8 of the Education \(Pupil Registration\) \(England\) Regulations 2006](#) as amended by the Education (Pupil Registration) (England) (Amendment) Regulations 2016.

When the circumstances of a child absent from school are not known, both the school and Local Authority must carry out a 'reasonable enquiry' as detailed in the following School Procedures and Attendance Worker Procedures.

Please see the latest Government School Attendance Guidance (November 2016):

<https://www.gov.uk/government/publications/school-attendance>.

The following summary of the regulations and guidance is not comprehensive but is relevant to children missing or at risk of missing education. Of particular note are regulations 5, 8 and 12 of the Education (Pupil Registration) (England) Regulations 2006 as amended by the Education (Pupil Registration) (England) (Amendment) Regulations 2016:

**Regulation 5 (3)** Specifies that pupils join the school roll, i.e. must be listed in both the admissions and attendance registers, on the expected first day of attendance. It follows that the usual procedures for dealing absence therefore apply even where the pupil does not arrive on that day.

**Regulation 8** Sets out the **only** circumstances in which pupils of compulsory school age can be deleted from the register. Appendix B sets out the grounds under regulation 8 and has been resolved against amendments:

## 6. Reasonable Enquiry Procedure for Unplanned Leavers and No-shows

These procedures do not replace any safeguarding or child protection procedures or guidance but are to be used in conjunction with them.

In line with the duty on all Children's Services Authorities to safeguard the welfare of children (s. 11 of the Children Act 2014), both the school and the Local Authority will put in place procedures designed to track the whereabouts of the child and to record that they have completed these procedures. These procedures apply only when contact has not been possible with the family and/or explanation provided is not reasonable or satisfactory.

### **When a reasonable enquiry should be carried out:**

- Any pupil on a school roll who ceases to attend and the destination school and forwarding address is not yet known.
- Pupils on a pre-admission list/register for Reception or Years 5,7, or 9 who do not arrive on the expected start date.
- Pupils who have not returned after a school/term-time holiday.

## 6.1 Leavers Protocols for Schools

**Planned Absence:** Parents are always asked and expected to inform the school in advance of any planned absence. This should be included in the school's attendance policy.

**Planned Leaving:** When a school becomes aware that a child is leaving, the school should make every attempt to obtain forward address / contact details from the parents. Parents may be given a school compliments slip to hand in to any new school so contact can be made to the RBWM school.

## 6.2 Reasonable Enquiry- School Actions Checklist

In the case of a pupil being absent without explanation (including Reception and Years 5, 7 and 9 pre-admission list and in-year admissions offered a start date), schools must log their actions (letters, emails, phone calls, decisions).

### Day 1:

- Assessment of vulnerability.
- First day calling to the parent and other contacts to establish the cause of absence and when the child is likely to return.
- Email the parents if you have an email address.
- Seek information from staff (subject tutors, form tutor, other staff who may have had contact with the pupil), pupils, other parents and other schools if pupil has siblings attending other schools, to try and determine the family circumstances as they may know, for example, if the family were intending to move or go on holiday
- Where concerns exist and there is no reasonable explanation or contact, consider escalating to a higher level to the school's designated CP Lead.
- All children with an unauthorised absence who are looked after by the Local Authority or are currently open to Children's Social Care, should be referred to the school's CP Lead.

**Day 3:**

- Best Practice is to send a letter and email again on the third day of absence if still unable to contact the family by phone and they have not responded to messages left.

**Day 10:**

If no response to letters, phone messages or emails within a week, the school must notify the RBWM Education Welfare Service who will then make further checks:

**Day 20:**

After all reasonable checks have been conducted, matters may be resolved or sufficient information gathered to consider removing the child from the school roll. While it is the school's decision to remove a pupil from their school roll, they must indicate which of the fifteen legal reasons under the Education (Pupil Registration) (England) Regulations 2006 the pupil is being removed from the school roll.

Once removal from roll, the School Administrator must upload the child's CTF on the S2S database entering XXXXXXXX into the destination field (pupils with no known destination) so any new school will be able to make contact.

Letter to be sent to last known address informing that pupil is being removed from the school roll and the Education Welfare Service have been notified.

Keep a copy of the letter in the pupil file.

## **7. Notification Routes**

The Education Welfare Service will maintain a list of children known to be missing from education. Any statutory or voluntary agency from within the borough should notify that person if they identify any such child. Schools are asked to discuss concerns with their

allocated Education Welfare Officer in the first instance, and then to use the Referral form (Appendix C). However, it is recognised that notifications come from many other sources including those from other Local Authorities and anonymous information from members of the public.

## **8. The role of the Local Authority**

Following receipt of a CME referral, the Local Authority will meet its statutory obligations to make all reasonable attempts to track a pupil and establish their whereabouts, following local safeguarding procedures and working collaboratively with other agencies and local authorities where necessary.

Local Authorities have a statutory duty under the 1996 Education Act to maintain a register of Children Missing Education. A database of children who are CME is held by the CME Officer, and updated regularly. As soon as a child who is CME is identified or referred by a school or another local authority, their basic details (name, date of birth, address and any contact details) are added to the database, with details of how they have become CME and records of contacts made with the family. This ensures that all children living within the local authority who are CME are monitored and tracked into onward education. They are closed on the database as soon as it is confirmed that they are accessing education elsewhere, or another local authority has taken responsibility for the child. Additionally, children who are CME are added to the case recording system used by the local authority (PARIS) and marked as CME until such time as they have returned to education.

The CME database is only accessible to the named CME officers and the Education Welfare Service.

## **9. Children withdrawn from school to be home educated by parents**

A register of children home educated by their parents is maintained by the School Support Service. There is a separate Achieving for Children (RBWM) policy available.

## 10. Electronic transfer of pupil data

[Section 5 \(5\) of the Education \(Pupil Information\) \(England\) Regulations 2005](#) places a duty on schools to transfer pupil data electronically (the Common Transfer File, CTF) via S2S when a pupil moves to a new school within 15 days.

The Department for Education has a secure internet site [School to School \(S2S\)](#) for the electronic transfer of information (CTFs) when a child moves school. Failure to meet this duty is a criminal offence and could lead to prosecution.

All leavers must therefore be accounted for on S2S by one of three options:

- Admitted to a new school in the maintained sector- the transfer of pupil data using the CTF will be carried out and confirmed with the new school.
- Moving abroad, into private provision or to be educated at home- will be entered on the Lost Pupil Database as MMMMMMM.
- Leavers with unknown destination- entered on the Lost Pupil Database as XXXXXXX. This should be done after the school and Attendance Worker have completed the Reasonable Enquiry Form and made a referral to Children Missing Education.
- In exceptional cases it may not be considered appropriate to pass on details of a pupil's history to a new school. Each case would need to be judged on its merits in consultation with relevant parties. Examples include a family fleeing domestic abuse or a family in a witness protection programme. Further guidance can be found at:  
<https://www.gov.uk/government/publications/common-transfer-file-16-specification>.

## 11. Contacting the Education Welfare Service

Schools are asked to discuss possible CME cases with their allocated Education Welfare Officer in the first instance. Further advice is available from:

**CME Officer: Pippa Tolfree**

[Pippa.tolfree@achievingforchildren.org.uk](mailto:Pippa.tolfree@achievingforchildren.org.uk)

**Contact:** 01628 683521

**Address:** Town Hall, Maidenhead

### APPENDIX A

## Legislation & Guidance

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### Legislation

There are various statutory duties upon LAs and parents (supplemented by guidance) relating to the provision of education and the safeguarding of the welfare of children and which may be relevant to children missing education. It is intended that from 2007 there will be a statutory duty on all Local Authorities in England and Wales to have CME systems and procedures in place.

The principal provisions are as follows:

Section 14(1) of the 1996 Education Act provides that a local education authority must make sure that there are sufficient schools for providing education in their area. For these purposes, the schools must be sufficient in number, character and equipment to provide all pupils with

the opportunity of appropriate education (s. 14(2)). “Appropriate education” means, broadly education which is desirable in view of the pupils’ different ages, abilities and aptitudes and the different periods for which they may be expected to remain at school (s. 14(3)).

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

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

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

Moreover, section 19(4A) of the 1996 Education Act provides:

“In determining what arrangements to make under subsection (1) in the case of any child or pupil, a local education authority shall have regard to guidance given from time to time by the Secretary of State.”

s. 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.

## Related Guidance

Guidance of the LEA responsibility for arranging education outside of school is set out in the following guidance:

'Children Missing Education – Statutory Guidance for Local Authorities' November 2013, updated September 2016

"Keeping Children Safe in Education" published September 2016

LAs decide what is suitable education out of school for a particular child, in consultation with parents, in line with their own policies, the efficient use of resources and having regard to this guidance. LEAs cannot decide not to arrange any education, to make arrangements which do not provide suitable education for that child.

Guidance for LEAs for schools on monitoring attendance is contained within

[www.dfes.gov.uk/behaviourandattendance/](http://www.dfes.gov.uk/behaviourandattendance/).

Good practice for Gypsy/Traveller Achievement and for Supporting Asylum Seeking and Refugee children which are part of the Department's Aiming High strategy to raise Minority Ethnic Achievement: Aiming High: Guidance on Supporting the Education of Asylum Seeking and Refugee Children – A Guide to Good Practice

Ref: DfES/0287/2004 (Issued April 2004); Aiming High: Raising the Achievement of Gypsy/Traveller pupils – A Guide to Good Practice Ref: DfES/0443/2003 (Issued July 2003).

Details of how to obtain copies of these publications can be found on:

[www.standards.dfes.gov.uk/ethnicminorities](http://www.standards.dfes.gov.uk/ethnicminorities)

New guidance will soon be issued on safeguarding and promoting the welfare of children to coincide with the introduction of section 175 of the Education Act 2002. The guidance aims to: explain the effect of section 175 and the responsibilities it gives LEAs, and the Governing bodies of schools and FE institutions in regard to safeguarding and promoting the welfare of children.

New guidance will also be issued on "Guidance for LEAs – PRUs and Alternative Provision"

including a paper on “Commissioning Alternative Provision – the Role of the LEA”. This guidance is currently the subject of a consultation exercise which will end on 12 August 2004. The consultation is available at [www.dfes.gov.uk/consultations](http://www.dfes.gov.uk/consultations)

The Children Act 2004 includes various provisions relating to safeguarding and promotion of welfare of children, including:

- a) 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;
- b) 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; and
- c) Provision for the Secretary of State to put into place information databases for the purposes of arrangements under s.175 of the Education Act 2002 or (a) and (b) above, and a framework for the sharing of information contained in such databases for such purposes.

## **APPENDIX B**

### **Deletions from Admission Register**

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The following are prescribed as the grounds on which the name of a pupil of compulsory school age shall be deleted from the admission register—

- a. where the pupil is registered at the school in accordance with the requirements of a school attendance order, that another school is substituted by the local education authority for that named in the order or the order is revoked by the local education authority on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his age, ability and aptitude otherwise than at school;

(b) except as provided in regulation 10, in a case not falling within sub-paragraph (a) of this paragraph, that he has been registered as a pupil of another school;

I in a case not falling within sub-paragraph (a) of this paragraph, that he has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school;

(d) except in the case of a boarder, that he has ceased to attend the school and no longer ordinarily resides at a place which is a reasonable distance from the school at which he is registered;

(e) in the case of a pupil granted leave of absence exceeding ten school days for the purpose of a holiday in accordance with regulation 8(3), that the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted, and the proprietor is not satisfied that the pupil is unable to attend the school by reason of sickness or any unavoidable cause;

(f) that he is certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age;

(g) that he has been continuously absent from school for a period of not less than four weeks and both the proprietor of the school and the local education authority have failed, after reasonable enquiry, to locate the pupil;

(h) that the pupil has died;

b. that he will cease to be of compulsory school age before the school next meets and intends to cease to attend the school;

(j) in the case of a pupil at a school other than a maintained school, that he has ceased to be a pupil of the school;

(k) where the pupil is registered at a maintained school, that he has been permanently excluded from the school; or

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

In a case not covered by paragraph (1) (a), (h) or (k), or regulation 10, the name of a child who has under arrangements made by a local education authority become a registered pupil at a special school shall not be removed from the admission register of that school without the consent of that authority or, if that authority refuse to give consent, without a direction of the Secretary of State”

**APPENDIX C**

***Tracking Missing Pupil Checklist***

*To be completed for pupils who have gone ‘missing’ or where a forwarding school or address is not known.*

**School to complete the following actions to locate the pupil:**

Description	Comments	Date completed
Ask the friends of missing pupils for any current information		
Check internal school records, class teacher, SENCO, HOY, Health, Learning Mentor etc		
Contact ALL contact number’s on the pupils file		
Check records to see if there are any siblings at another school – ring school		
Check with Admissions 01628 683800		

If after completing the above, you are unable to locate the child please provide the following information.

Name of referring school:	
Name of previous school if known:	

Full name/s of child and any known aliases:		DOB		Ethnicity
Names of siblings at different schools:				
Last known address: Who was the child living with?				
Previous address if known:				
Parent Names and contact (telephone numbers details: and email address, including any emergency contact numbers)	Parents:		Other emergency contacts:	
Name and address of GP surgery:				
Date of last contact with family:		Date last attended school:		
Involvement with social care:				
SEN status:	Details:			

<p>Please include here any known additional and relevant information about the child or family so that, if necessary, further enquiries can be made with other LAs and agencies.</p>

I confirm that the above checks have been undertaken and that I have been unable to trace this child.

School Representative: \_\_\_\_\_

Job Title: \_\_\_\_\_

Date: \_\_\_\_\_

## Acronyms and Glossary

<b>Term</b>	<b>Definition</b>
CME	Child Missing Education
CP	Child Protection
CYPDS	Children & Young People Disability Service
CTF	Common Transfer File
DfE	Department for Education
EHCP	Education Health Care Plan
EHH	Early Health Hub
EWO	Education Welfare Officer
EWS	Education Welfare Service
FE	Further Education
GP	General Practitioner (Doctor)
GRT	Gypsy, Roma & Traveller
HOY	Head of Year
I(C)T	Information (and Communications) Technologies
LA	Local Authority

LEA	Local Education Authority
ISA	Information Sharing & Assessment
MASH	Multi Agency Safeguarding Hub
PRU	Pupil Referral Unit
RBWM	Royal Borough of Windsor & Maidenhead
S2S	School to School
SENCO	Special Educational Needs Co-ordinator
SEN(D)	Special Educational Needs (& Disabilities)
SPA	Single Point of Access