

Children Missing Education (CME) Policy

Children and Young People's Services

Access to Education
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August 2020

1. Introduction

- 1.1. Statutory Department for Education (DfE) guidance, Children Missing Education (September 2016) (hereafter referred to as the 'Guidance') sets out the key principles to enable local authorities (LA's) in England to implement their legal duty under section 436A of the Education Act 1996 to make arrangements to identify, as far as it is possible to do so, children missing education (CME). Local authorities should be able to demonstrate that they have considered this statutory guidance and, where it is not followed, the local authority should have reasonable grounds for not doing so.
- 1.2. All children, regardless of their circumstances, are entitled to an efficient, full time education which is suitable to their age, ability, aptitude and any special educational needs they may have; Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation (including travel to conflict zones), and becoming NEET (not in education, employment or training) later in life.
- 1.3. Effective information sharing between parents, schools and local authorities (LA's) is critical to ensuring that all children of compulsory school age are safe and receiving suitable education. LA's should focus their resources effectively in intervening early in the lives of vulnerable children to help prevent poor outcomes.
- 1.4. This policy sets out how the LA and partner agencies will aim to ensure that all children missing from, or at risk of going missing from education are identified, tracked, monitored and supported.
- 1.5. This policy operates in conjunction with other relevant legislation and guidance such as the Department for Education (DfE) April 2019 amended guidance for Elective Home Education (EHE), for example.
- 1.6. **This policy does not replace any Child Protection Procedures. All existing procedures and reporting, referral and recording mechanisms in relation to child protection, must be followed at all times.**

2. Definitions

- 2.1. Government Statutory Guidance (Guidance) defines that *Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school.*
- 2.2. *A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March, then they are of compulsory school age on 31 March; if they turn 5 between 1 April and 31 August, then they are of compulsory school age on 31 August. If they turn 5 between 1 September and 31 December, then they are of compulsory school age on 31 December. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen*
- 2.3. *A child or young person will also be deemed as missing from education:*
 - 2.3.1. *If they move out of the area without providing the name of a receiving school*
 - 2.3.2. *If they move into the area without a school place*

- 2.4. If a child/young person has been reported as having moved to another local authority area and it has been confirmed by that authority that the child/young person is resident in their area and is on roll at a school in that authority, the pupil can be removed from the roll of the Rotherham school on the last day of attendance.
- 2.5. Rotherham MBC (**LA**), Children and Young People's Services (**CYPS**) holds the statutory duty for Children Missing Education (**CME**).
- 2.6. **CME** is one function within the wider Access to Education (**A2E**) service within Education.
- 2.7. A2E service includes functions such as School Admissions and Appeals, Exclusions, CME, EHE, School Place Planning and Child Employment.

3. Reasons why Children may become Missing from Education

- 3.1. There are a number of reasons why a child or young person ceases to engage with or goes missing from education. Some examples are discussed in the Guidance and related documents.

4. Local demographic information of note - Migrant Worker and Asylum Children

- 4.1. Rotherham has a cohort of transient families within the wider community, therefore comprehensive information, including accurate contact information, about the child and parent or guardian should be maintained for every child. Any Children Missing Education referral should include all information held about the child and parent/carer.

5. Access to Education (A2E)

- 5.1. Admissions staff monitor first admission to a school, infant and junior school transfers and junior to secondary transfers.
- 5.2. Where approval for a school place is given, parents are responsible for contacting the school to arrange an appointment for admission within two weeks of receipt of their confirmation letter. For any child who does not arrive at the school where they have been made an offer, schools should contact Admissions for checks to be made. Should the child still not be found, a referral should be made by Admissions staff to the Children Missing Education inbox at cme@rotherham.gov.uk
- 5.3. Where a request to move schools within Rotherham is made via an internal transfer, the child will remain on the roll of the original school until they start attending their new school.

6. Moving to Rotherham

- 6.1. Children who reside in another LA whose parents wish for them to attend a Rotherham School should make an application to their home authority.
- 6.2. Parents can apply for a place at any school of their choice. The place will either be approved or refused by the school. Parent's/carer's have the right of appeal where a school place is refused. If parents wish to appeal against a schools decision to refuse a place, this is outlined in the letter advising of the schools decision and advice is also available via the Rotherham Council website at <https://www.rotherham.gov.uk/schools-schooling/school-admission-appeals>.
- 6.3. CME and Admissions staff liaise closely regarding places for children identified as missing education.
- 6.4. The protocols detailed in this policy will help to ensure that once a child or young person is identified as CME, suitable provision will be provided at the earliest opportunity.

7. Information for Schools

- 7.1. Schools have a duty to monitor attendance through registration and to inform the LA where the attendance of an individual is causing concern. This may involve a referral to the Early Help service if support is required for a family to improve attendance or to CME where:
 - 7.1.1. The child fails to attend without explanation
 - 7.1.2. The child is expected to start at school but does not arrive
 - 7.1.3. The child does not return from a planned holiday (authorised or unauthorised)
 - 7.1.4. The child leaves the authority without a destination.
- 7.2. If school staff members have been unable to contact the parent where the child is missing or at risk of becoming CME, the process of notification and referral should begin at the earliest opportunity. Referrals to the CME inbox will be accepted following the completion of the CME referral form and school must have made adequate attempts to locate the child and family, such as through home visits and calling family members/liasing with other relevant schools etc. The responsibilities of schools in this process are clarified in the Guidance.
- 7.3. Please note that children will only be placed on the out of school/CME register after **20 school days** of unauthorised absence, unless there is evidence to show the child is elsewhere (Education (Pupil Registration) Regulations 2006).
- 7.4. A decision to remove any child from the school roll is a head teacher/Governing Body decision. A school is very strongly advised that a child referred as Missing from Education should only be removed from the school roll following consultation with the Children Missing Education Monitoring Officer and receipt of a letter confirming that the CME Officer has completed all available checks to try and trace a child.

8. The Process of Referral and Removal from Roll of Children Missing Education

- 8.1. School will carry out initial checks to try to locate the child and only complete the Referral to CME once school checks have been exhausted.
- 8.2. In the referral, care should be taken to include: all relevant information relating to contact; an explanation of what checks and enquiries have been made so far; emergency telephone numbers and the last date the child attended school.
- 8.3. The completed referral form should be submitted by email to: cme@rotherham.gov.uk
- 8.4. A range of additional multi-agency checks will be made by LA Officers to try and locate a child and family.
- 8.5. Only when all school **and** all LA checks have been completed should the pupil be removed from the school roll. A letter will be sent to school to confirm when all LA checks possible have been completed.
- 8.6. Pupils will be tracked by the CME Monitoring Officer once the pupil has been removed from the roll of the Rotherham school.
- 8.7. Where a child is traced to another school, the Education (Pupil Information) (England) Regulations 2000 (as amended) governs the transfer of information from school to school when a pupil changes schools. Regulation 10(3) provides that: 'The Headteacher of the pupil's old school shall send the information (the common transfer information and educational records (CTF)) within fifteen school days of the pupil ceasing to be registered at the school.
- 8.8. A CTF file can be imported into the school's management information system so that manual data input is reduced for improved efficiency, accuracy and speed of data transfer. The CTF should be used both at the normal transfer time, and when pupils leave the school during the year using a secure transfer method.

9. Movement of Children

- 9.1. The school population is not static as families move home for a wide variety of reasons. In accordance with CME regulations there is a duty on all schools and academies to notify the LA of ALL leavers, new admissions and pupils with a change of address within **5 working days**. Schools are required to report on pupil movement on and off the school roll.
- 9.2. School data should be kept fully up to date and a regular uploading of data to the LA through an automated task (using B2B or similar) is the preferred method to ensure that shared data is current and available in a timely manner. Such use of IT systems reduces the need for paper data transfer, reduces staff time in schools and reduces transcription errors.
- 9.3. Schools should therefore ensure that the following information is entered quickly into pupil management systems (SIMS, Arbor, RM etc.) and submitted on at least a weekly basis via secure data transfer to the LA. The information entered must include:
 - 9.3.1. details of all new children admitted to a school
 - 9.3.2. address changes as provided by parent/carer with start and end dates.

9.3.3. details of all pupils who are being de-registered - data must include the education destination of the child concerned.

9.3.4. **Please see further CME instruction for leavers outside of Rotherham below.**

9.4. If a child is leaving a school to **transfer** to another **within Rotherham**, entering information onto the IT system and uploading it to the central system will suffice and no other paper transfer form is required as long as it is completed within 5 working days. This is because there will already have been a school transfer request submitted by the parent/carer via the School Admissions Team. The wider Access to Education Team will monitor that the transfer has taken place.

9.5. If a child is leaving a school and **transferring outside Rotherham** either to another authority, overseas or known destination including confirmed school it will be necessary to notify the CME Monitoring Officer by completing the Leavers out of Rotherham form (**Appendix B**) email to CME@rotherham.gov.uk. Guidance and support is available to schools and other partners as appropriate.

9.6. If a pupil leaves a school without a destination school identified, that pupil is deemed to be CME and the referral procedures should be followed (**Appendix A**). This pupil should not be classified as a leaver on the leavers out of Rotherham form (**Appendix B**) Form. This pupil can only be shown as an official 'leaver' if/when a de-registration date has been agreed following communication between the LA and Head teacher.

10. Working with Key Stakeholders and Information sharing

10.1. A2E works in partnership with key stakeholders within Rotherham and wider to ensure positive outcomes for children and young people. The continued development of inter agency work, information sharing protocols and clear referral routes will ensure that every effort will be made to engage vulnerable children and young people. Relevant Partner Agencies may include but are not exclusively, as follows:

- Police
- UK Border Agency – Immigration Services
- Health – School Health, Accident and Emergency, GPs.
- Housing and Homeless organisations
- Voluntary and Community Groups
- Children's Social Care
- Schools and other educational establishments
- Youth Offending Team
- Other Local Authority services
- External Local Authorities
- Members of the Public

10.2. If a professional receives information about a child who is not on the roll of a school or is not receiving education, they should bring this to the attention of relevant managers and/or inform cme@rotherham.gov.uk

10.3. In order to effectively identify, track and engage children missing from education, it is necessary to share information with appropriate agencies. Information sharing is carried out securely, fairly and is compliant with GDPR legislation that protects data and personal/sensitive information in line with RMBC Data Sharing protocols.

11. Notification and Referral

- 11.1. It is important that staff across organisations are made aware of referral procedures for any children missing education. Awareness around this is a shared, multi-agency responsibility. A referral form (CME 1) is attached as Appendix A .

12. Process following Children Missing Education Pathway notification:

- 12.1. Referral logged on central database (out of school register)
- 12.2. Range of checks made on available LA databases
- 12.3. Enquiries made with other agencies and stakeholders supported by information sharing protocols and agreements.
- 12.4. Checks made with agencies known to be involved with the family
- 12.5. Checks made to specific prospective host Local Authorities where intelligence is available that a family may have moved area.
- 12.6. Where appropriate, a safe and well visit to be made to the address by LA Officer/s
- 12.7. When a child is located, the referrer is notified by the officer, if appropriate.
- 12.8. Tracking will continue to take place until the child is placed on the roll of a school, in alternative educational provision, or located.
- 12.9. If the child is located in another authority, tracking will continue by RMBC until responsibility for the child's education is taken by that authority.
- 12.10. Where concerns exist relating to the safety and welfare of any child missing from education, referral to other agencies such as Police and Social Care are made immediately.

13. Monitoring and Review

- 13.1. CME performance information feeds into other related work areas, such as the 'Missing' Strategic and Operational Groups, when required. It should be noted that children missing education (CME) are rarely those children who are missing from home.

14. Information Systems

- 14.1. **Rotherham MBC currently uses Capita ONE as the Education Management System (EMS). CME information is stored securely within this system and cross matching of data across wider CYPs systems take place such as Liquid Logic to inform operational and strategic progress.**

15. Relevant Legislation

- 15.1. Identifying children not receiving a suitable education is a key part of discharging the responsibility to safeguard and promote the welfare of children. Local Authorities should use the powers identified above and work with their partner agencies to ensure that appropriate measures are in place to share information when identifying children not receiving education.
- 15.2. **Children Act 1989** provision of services for children in need and their families and others.

- 15.2.1. Under the terms of Section 17 of the Act, every child under the age of 18 years is entitled to a full assessment of his/her needs and, if approached, social services have a legal duty to carry out this assessment and can be challenged if they fail to respond to any request for a section 17 child-in-need assessment. Section 17 places a general duty on social services to safeguard and promote the welfare of children 'in need' living in the area and to ensure appropriate services are provided for those children.

15.3. Children Act 2004

- 15.3.1. **Section 10** requires each Local Authority to make arrangements to promote co-operation between the Local Authority, each of their relevant partners and such other persons or bodies working with children in the Local Authority's area, as the Local Authority consider appropriate. These arrangements should be made with a view to improving the wellbeing of children in the authority's area – which includes the protection from harm or neglect alongside other outcomes.
- 15.3.2. **Section 11** requires a range of organisations to make arrangements for ensuring that their functions and services provided on their behalf, are discharged having regard to meeting the need to safeguard and promote the welfare of children.
- 15.3.3. **Section 12** enables the Secretary of state to require Local Authorities to establish and operate databases relating to Section 10 or 11 duties (above) or the section 175 duty (below), or to establish and operate databases nationally.
- 15.3.4. **Section 17** enables the Secretary of State to require Local Authorities to prepare and publish a plan setting out the Authority's strategy for discharging their functions in relation to children and relevant young persons. The Children and Young Person's Regulations (England) 2005 requires Local Authorities to review the plan annually.
- 15.3.5. **Section 63** of the Children Act 2004 amended schedule 5 of the Tax Credits Act 2002 enabling the Inland Revenue to provide Local Authorities with '*...information, other than information relating to a person's income, which is held for the purposes of functions relating to tax credits, child benefit or guardian's allowance by the Board*'. This information can only be requested where it is needed in order for the Local Authority to fulfil their statutory responsibilities to safeguard and promote the welfare of children. Such enquiries will generally be made under section 47 of the Children Act 1989, which requires Local Authorities to make enquiries where they suspect a child is suffering or is likely to suffer significant harm.
- 15.3.6. **Section 47** Councils with Social Services responsibilities are required to conduct enquiries in accordance with section 47 of the Children Act, 1989, when they receive information that a child is suffering or likely to suffer significant harm

15.4. **Education Act 1996**

- 15.4.1. **Section 7** provides that the parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable to his/her age, ability and aptitude and to any special educational needs he/she may have, either by regular attendance at school or otherwise.
- 15.4.2. **Section 8** 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 year in which the child's 16th birthday falls.
- 15.4.3. **Section 14(1)** provides that a Local 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 (section 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 (section 14(3)).
- 15.4.4. **Section 19(1)** requires every Local Authority to make arrangements for the provision of suitable education at school or otherwise that 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.

15.5. **Education Act 2002**

- 15.5.1. **Section 175** puts a duty on all Local Authorities, maintained schools and further education institutions (including sixth form colleges), to exercise their functions with a view to safeguarding and promoting the welfare of children (pupils and students under the age of 18 years in the case of schools and colleges). The same duty is expected of Independent Schools, including Academies under section 157 of the same Act.

16. Deletions from the School Admission and Attendance Register

- 16.1. Deletions from the admission and attendance registers must be made in line with the provisions of Regulation 8 of the Education (Pupil Registration) Regulations 2006 (SI 2006/1751). The name of the pupil of compulsory school age may only be deleted from the attendance register of the grounds named in this regulation. Under Regulation 12(3), schools must also inform the Local Authority of deletions of compulsory school age pupils who are:
- Ceasing to attend school
 - Being withdrawn to be educated outside the school system
 - Unlikely to return to school whilst of compulsory school age, as certified by the school medical officer
 - Being in custody, although schools are asked to discuss this with the Education Inclusion Officer at the Youth Offending Service
 - Being permanently excluded

In consideration of the duty on all Children's Services to safeguard the welfare of children and young people (Section 11 Children Act 2004), the expectation is that both the school and the Local Authority will put in place procedures to track the whereabouts of the child and to record that they have been completed before deleting them from the register. The type of procedures may include the appropriate checking with neighbours, relatives, private or public landlords and other stakeholders who may be involved. If there is a reason to believe that the child or young person may be at risk of significant harm Local Safeguarding Procedures should be followed.

Appendix A

Children Missing Education Access To Education

2nd Floor Wing C, Riverside House
Main Street
Rotherham
S60 1AE
Tel: (01709) 254193
Email: cme@rotherham.gov.uk

Ref: **Children Missing Education (CME)**

FAO: The Head Teacher, School Attendance Officer or relevant person responsible for CME

Dear Colleague,

In order to ensure that schools are supported by the Local Authority (LA), please find attached the CME Referral Form and procedure to be followed.

Please note that it is the school's responsibility, as per Pupil Registration Regulations (2006), to inform the LA of any child who has 10 school days of continuous absence (or sooner if you have evidence that the child is CME.)

Every school should carry out the functions in the **School Checklist** and only if all checks have been carried out, (including a home visit) and it is confirmed the family are no longer living at the address then the school should submit the completed checklist direct to CME@rotherham.gov.uk please.

Adhering to this protocol ensures that Children Missing Education can be located and tracked more effectively and so is important. This process compliments Rotherham's safeguarding children procedures and does not replace the responsibility to report concerns to the MASH if there are concerns about a child.

Children who have been referred as Children Missing Education should remain on school roll and are only removed from roll once the school has confirmation in writing that all LA checks have been completed. This confirmation will be communicated by way of a de-registration letter.

Please note that children are only be placed on the CME register **after 20 days unauthorised absence** unless there is evidence which places the child elsewhere and this has been confirmed with evidence recorded.

Yours faithfully,

Dean Fenton
Marie Boswell

Access to Education Service

CME REFERRAL FORM			
DATE:			
NAME OF SCHOOL:		School Email Address:	

CHILD/YOUNG PERSON'S DETAILS					
NAME:		D.O.B:		Ethnicity:	
Previous Address:				Postcode:	
New Home Address:				Postcode:	
ATTENDANCE %					
EHCP:					
Date Last attended School:	DD/MM/YYYY				

PARENTAL INFORMATION:			
Mother:		Contact Details:	
Father:		Contact Details:	

EMERGENCY CONTACT DETAILS					
Name:		Relationship to child:		Contact Details:	
Name:		Relationship to child:		Contact Details:	

SIBLING INFORMATION					
Name:		D.O.B:		School:	
Name:		D.O.B:		School:	

CHECKLIST OF ACTIONS TAKEN TO SUPPORT ACTIVITY AROUND CME				
	Action	Date Required:	Who is responsible?	Comments
1.	Telephone calls to be made to all known contact numbers (including extended family) and correspondence to be sent to the family HV completed			

2.	Check with all staff that know the child/ren as well as siblings and peers			
3.	Colleagues from other schools (of siblings) to be contacted and checks made to ascertain whereabouts.			
4.	Record any current or previous concerns about the child's wellbeing.			
5.	Any other relevant information			

Checklist completed by:		Date:	
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Please complete all of the above checks and record as much information as possible regarding the outcome of your enquiries and submit to CME@rotherham.gov.uk

Appendix B

MOVEMENT OF CHILDREN SUBMISSION FORM

LEAVERS OUT OF LOCAL AUTHORITY ONLY

Date:			
School:			
School Email Address:			
Name of Child/Young Person:		D.O.B:	

New Home Address:		Postcode:	
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Parental Information:			
Mother:		Contact Details:	
Father:		Contact Details:	

New Local Authority:	
Name & Full address of new school (including postcode)	
Confirmed Start Date:	
Date taken off School Roll:	

DECLARATION:			
I can confirm that the child named above is now on roll at his/her school as stated above.			
Name:		Signature:	
			Date:

Rotherham Metropolitan Borough Council has a designated Children Missing from Education Officer. If you have any concerns regarding a young person, please contact:

Michelle Dennis
Children Missing from Education Monitoring Officer
Riverside House
Main Street
Rotherham
S60 1AE

Tel: 01709 254193
Email: cme@rotherham.gov.uk