



**Northern Lights**  
LEARNING TRUST

# **MISSING FROM EDUCATION** **POLICY**

<b>Review Date:</b>	<b>Summer 2020</b>
<b>Next review date:</b>	<b>Summer 2021</b>
<b>Person in charge:</b>	<b>CEO</b>
<b>Link Governor:</b>	<b>Chair of Board</b>

## **Pastoral Care/Spiritual Development**

The quality of relationships between all members of school, staff and pupils, and the relationship with parents and carers is the area that is most commonly associated with the ethos of a church school. It is expressed in the terms of sharing and caring. Jesus was clear in his instructions to the disciples on this matter.

‘Love your neighbour as yourself’ – Matthew 22:39.

‘This is my commandment: love each other’ - John 15:17.

Everyone associated with the school is made in the image of God and is to be loved. This is the commandment from which schools within the Northern Lights Learning Trust derive its policy for pastoral care.

We have a series of overlapping networks of relationships, which includes governors, staff, children, parents, church members, and members of the community which the school seeks to serve. Our pastoral work will strive to meet the significant challenge to create and maintain such networks in ways which reflect the Gospel. Those who are in leadership roles, which include all who have a particular responsibility, ensure that by their personal example they set the highest standards expected.

It is from this premise that Christian love will pervade all aspects of life in schools within the Northern Lights Learning Trust. It will influence how we reward and teach discipline. It will affect how we value work and the achievements of pupils and staff. It will be seen in the way in which the school environment is created and cared for, in the way in which the needs of pupils, parents, and community are met, and in the way in which teaching and non-teaching staff work together effectively as a team. Pastoral care pervades all aspects of school life and therefore will be reflected in the way the schools are organised and the policies are written and implemented.

**The Trust’s Policy for Children Missing or at Risk of Missing Education Policy is part of the Trust’s pastoral and safeguarding systems.**

**Please refer to current documents on the Government website for any up to date details should this policy need to be enforced. Children missing education [ Statutory Guidance for local authorities, September 2016]**

### **1. Overview**

This document sets out the TRUST’s approach to children missing education, both in terms of policy and process and in identification of children that are either missing education or at risk of missing education. It also sets out key strategies to secure appropriate provision for all children and young people and recognises the overall vulnerability of children and the risk therein not just because they are missing education or at risk of missing education.

This document sets out the joint responsibilities of all agencies, the Northern Lights Learning Trust, all staff in schools and the Local Authority (LA) in ensuring that all children and young people have the opportunity to access appropriate and suitable educational provision. This guidance informs all agencies about the policy and procedures to be followed in order to:

- Identify, maintain contact and re-engage children who reside in Sunderland and are missing education;
- Identify and maintain contact with children and young people residing in Sunderland who are at risk of missing education;  
Track children who move out of Sunderland until such time as they are known elsewhere.
- Consistently identify risk and to carry out joint risk assessments with partners as necessary.



The Children Act 2004 places a duty on all agencies to work together to promote the welfare of the child and to share information. There is an expectation that all agencies will subscribe to these procedures in order to protect children and young people.

All frontline staff in each agency that come into contact with families must ensure that in each new contact, basic information about the child is recorded. This must include the child's name, address, age, the name of the child's primary carer, GP and the name of the child's school, if the child is of school age (17.97 of the Victoria Climbié Inquiry Report, Lord Laming recommendations).

In 2002, the Department for Children, Schools and Families (DCSF) set out in its strategic framework document that robust multi-agency systems should be in place in each LA to identify and track children missing education or at risk of missing education.

The addition of Section 436A of the Education Act 1996 introduces a new duty on LA's to make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a suitable education. The duty applies to all children of compulsory school age who are not on a school roll and are not receiving a suitable education other than at school. This does not apply where parents have elected to educate their children at home.

Ofsted's report 'Pupils Missing out on Education' makes recommendations for children and young people who are not in full-time education at school. Ofsted will ask for detailed and specific data on school-age children, for whom the authority is responsible but who are not in full-time education, as part of the inspection of LA Children's Social Care. These children are often the most vulnerable and very likely to become missing. It is therefore important that in the overall strategy for preventing children becoming missing, those most at risk should be a key focus in terms of identification and tracking to facilitate early intervention to reduce the risk of their disengagement from education.

## **2. Missing Children**

The schools within the Northern Lights Learning Trust are committed to ensuring that we quickly locate all pupils who go missing or are lost from schools in Sunderland and we support other LA's in locating their missing/lost pupils.

We believe that we can best achieve this if our procedures:

- Are underpinned by the relevant legal requirements in relation to missing/lost pupils;
- Interconnect with the DFE central s2s (school-to-school) Lost Pupils Database;
- Are consistent with and support local safeguarding arrangements and best practice.

We will closely monitor the operation of our missing/lost children procedures to ensure best practice with regard to child protection.

## **3. Children missing education or at risk of missing education** This

policy encompasses all children and young people who are:

- Year R and fail to attend school or whose parents have not applied for a school place when statutory school age;
- Children moving into Sunderland from another area without a school place;
- Children on a part time timetable;
- Children whose attendance is below 50%;
- Children returning from Custody;

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Children missing from education;

- Children not in school for medical reasons;
- Asylum seeker children;
- Traveller children;
- Children where Elective Home Education has been deemed unsatisfactory/failed by the LA;
- Children who are permanently excluded;
- CAMHS inpatients;
- Children with complex needs where there is no suitable school;
- Children who are new to the country; □ Children at risk of being trafficked:
- Children at risk of being placed in a forced marriage:
- Girls at risk of female genital mutilation
- Other

#### **4. Role of the Children Missing Education Project**

The Inclusion and Attendance Manager is the named officer with responsibility for coordinating the Children Missing Education Project.

It is the responsibility of all agencies to alert the Children Missing Education Project if they believe a child is either missing education or at risk of missing education.

Children and young people can refer themselves to the Children Missing Education Project if they need help to access education provision or if they believe that another child is missing education.

Members of the public can report a child who they believe is missing education.

Robust processes for monitoring and tracking pupils will reduce the risk of children disengaging with the education system and becoming a child missing education.

Children Missing Education Team at the LA will record details of the children and each child will be monitored on the CME list until re-engagement in education is secured.

All concerned regarding children and young people missing education will be routed through a single point of referral. The Inclusion and Attendance Manager will be the key central point for the Children Missing Education group. Upon receipt of the notification, the Inclusion and Attendance Manager will be responsible for:

- Coordinating the tracking process of pupils when their whereabouts are unknown;
- Maintaining and update the Children Missing Education database;
- Coordinating referrals to appropriate services to support the child or young person back into education;
- Ensuring the accurate compilation of data and actions related to identifying children missing education;
- Undertaking regular monitoring and review of individual children held on the CME list;
- Providing relevant data for senior officers and members, also producing an annual report;
- Undertaking regular review of processes to ensure that tracking processes are effective;

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Coordinating receipt of school notifications regarding children and young people leaving their provision and undertake regular audit and reconciliation of the children and young people joining new provisions.

To raise awareness of the Children Missing Education Policy and process, the Inclusion and Attendance Manager will:

- Circulate details of the notification routes to all relevant areas of the LA and partner agencies on an annual basis.
- Contact senior managers in all agencies if a change of personnel or process occurs.
- Make contact with teams both in and beyond the LA to further disseminate the notification of referral routes.
- Remind schools annually to adhere to the Education (Pupils Registration) Regulations 2006, and local policy on the removal of children from school roll and to create a Common Transfer File (uploaded into the secure S2S website) where a child has left the school to an unknown destination.

The Children Missing Education Team will maintain and continuously monitor a database of referrals. This will record the educational status of all children who are not in education or at risk of missing education.

Details recorded will include:

- Date referred to the Children Missing Education Project
- Actions taken to locate a missing child
- Actions taken to reengage a child in suitable full-time education □ Provision offered.
- Provision start date
- Date of confirmed attendance
- Review dates
- Date when placement is deemed secure (following 1 terms attendance)

#### **Procedure for locating a missing child**

Children's Services [attendance] will coordinate an appropriate response with regard to the following cohorts of children:

- Preschool children from the point of application to when attendance is confirmed.
- Children transferring between provisions in Sunderland.
- Children transferring between phases (e.g. Primary to Secondary).
- Children leaving a Sunderland provision where the destination is unknown.
- Children moving into Sunderland requiring new provision, where a school place is not available.

If a child leaves one of the schools within the Trust:

- Without the school being advised by the parent which new school the child is to attend; or
- When a child has not returned from a holiday or an extended holiday within two weeks of the expected date of return the school should promptly take reasonable steps to contact the parents;  
or

- If a child fails to attend the new school following a transfer or phases, the following action will be taken:

**If the child is known to Children’s Social Care or if a school/agency has particular Safeguarding concerns about the child, the school/agency should immediately notify the Children’s Social Care Advice and Assessment team.**

Otherwise, after 5 days of non-attendance at school and after the school has been unable to contact parents, the school should refer to the Attendance service used by the TRUST and LA Attendance using the normal referral form.

The Attendance Service will make reasonable efforts to identify the child’s current whereabouts/destination. This will include:

- A home visit within 5 working days of referral to make enquiries at home (or known contacts) and neighbours as appropriate.
- Checks through LA databases within 10 working days to establish whether the child has moved within the city.
- Contact other agencies known to be involved with the family within 10 working days.

Once all checks have been completed and the child is still missing. Refer the details to the Children Missing Education Team within 5 working days to be recorded on the Children Missing Education database. If at any point during the checking process, the child is located, the Education Welfare Service will:

- Inform the school by letter informing them of the action to be taken within 5 working days.
- Inform the LA Attendance team within 5 working days.
- Where an actual forwarding address is identified contact will be made with the Attendance service of the new Local Authority within 10 working days.
- Inform the Children Missing Education Team within 5 working days.

Following reasonable enquiries, if the child is still missing, the Inclusion and Attendance Manager will make arrangements for the Children Missing Education Team to contact both local and national agencies who may have information e.g. jobcentre, other authorities , NHS etc. The Inclusion and Attendance Manager will make arrangements to review and follow up each missing child fortnightly until the child’s whereabouts is established.

If the child is located the process detailed above will be followed and the referral closed, the child’s name will then be removed from the Children Missing Education database within 5 working days.

The child must not be removed from the school roll until notified by the Attendance Team that it is appropriate to do so.

### **Tracking and cross boundary arrangements**

If a child goes missing from a Sunderland school, but lives in another local authority area, the Attendance Service will refer to the Children Missing Education Co-ordinator for that authority within 5 working days.

If a child is permanently excluded from a Sunderland school, but lives in another authority, information is sent to the home authority by the Inclusion and Attendance Manager within 48 hours so that interim education support may be provided.

Where a child is removed from a school roll because the parent has notified them in writing that the family are moving to another Local Authority area, the Inclusion and Attendance Manager will retain the details of the child until either attendance at an alternative school has been confirmed, or the child’s

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details have been passed on to the Attendance Service responsible for the area in which the family now resides.

### **Role of the School Admissions Team**

Where children and young people move into the area and/or find themselves without a school place, the School Admissions Team are likely to be the first point of contact for the parents/carers. All parents or

carers will be required to complete an application for a change of school place. The admissions team will undertake a number of initial investigations based on information provided by the parents and the child's previous school and discuss with the Inclusion and Attendance Manager, any issues that may impact on their ability to offer a school place quickly.

### **Elective Home Education**

It is the parents' duty to ensure their children receive a suitable full time education either by regular attendance at school or otherwise (section 7 of the Education Act). Some parents decide to educate their children at home. These children are not deemed to be missing education. The parents have no responsibility to inform the local authority if the child has not started school, although many of them do. The local authority would expect to identify these children through the process set out previously. Any such children identified in this way or through any other notification route will be recorded on the pupil database and categorised as home educated by the LA.

The LA will continue to track these children until the Elective Home Education Team confirms that the home education that the child is receiving is suitable.

When parents withdraw their child to educate them at home, the name of the child can only be withdrawn from the admissions register of the school where the parents inform the school in writing (section 9 (1) (c) of the Education (Pupil Registration) Regulations 1995. It is then the duty of the head teacher to inform the Inclusion and Attendance Manager within 10 working days of when the pupil has been deleted from the register.

The responsibility for monitoring the appropriateness of education received by children where their parents elect to educate them at home lies with the LA. The LA will make contact with the family and will monitor the suitability of the education on a regular, usually annual basis. If the LA Team judge the provision of education unsatisfactory the LA Policy for Elective Home Education gives details of the process that will be followed, which will include close links between Inclusion and Attendance Manager and Children's Services as, under certain circumstances, it is possible for the Local Authority to issue a school attendance order. Any child where the provision of home education is deemed to be unsatisfactory and a school attendance order has been issued will be placed on the CME list.

### **Legislation**

There are various statutory duties upon LA's 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.

The principal provisions are as follows:

**Section 14(1) of the 1996 Education Act** 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 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.



**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)).

**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."

**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 LA's 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 LA's and governing bodies.

**2013 Government Statutory Guidance Children Missing from Education:** Statutory Guidance for Local Authorities

## **APPENDIX A**

**The Children Act 2004** includes various provisions relating to safeguarding and promotion of welfare of children, 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 s.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.