



**The Khalsa Academy Wolverhampton – A Khalsa Academies Trust School**

# Children Missing Education Policy

**This policy is applicable to The Khalsa Academy Wolverhampton**

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## Statement of Intent

*All children are entitled to a full-time education, regardless of their circumstances. Unfortunately, children missing education (CME) risk underachieving, being victims of abuse, and not being in education, employment or training (NEET) in later life.*

*The LA has a legal duty to identify when there are CME and help them back into education.*

*This policy highlights what our school will do to help the LA with its duty.*

*This policy aligns with the school 'Safeguarding and Child Protection' and 'Attendance' policies and The Khalsa Academy Wolverhampton Safeguarding Statement*

***The Khalsa Academy Wolverhampton is committed to safeguarding children. We believe that children and young people should never experience abuse of any kind. We have a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that protects them. We expect that all staff, volunteers, outside agencies and service providers adhere to our policies and share in our commitment to safeguard all children in our care.***

### 1. Legal Framework

- 1.1. This policy has due regard to legislation and statutory guidance, including, but not limited to, the following (see Appendix 1 for excerpts):
- DfE (2018) 'Working together to safeguard children'
  - DfE (2018) 'Keeping children safe in education'
  - DfE (2016) 'Children missing education'
  - DfE (2018) 'School attendance'
  - The Education Act 1996
  - The Education Act 2002
  - The Education and Inspections Act 2006
  - The Children Act 1989
  - The Children Act 2004
  - The Education (Student Registration) (England) Regulations 2006
  - The Education (Student Information) (England) Regulations 2005
  - The School Information (England) Regulations 2008 (as amended in 2018)
  - The Education (Provision of Full-Time Education for Excluded Students) (England) Regulations 2007

- 1.2. This is a non-statutory policy, however, Keeping Children Safe in Education expects: Governing boards and schools to have appropriate safeguarding measures in place when responding to children who go missing from education. This policy, the Attendance Policy and the Safeguarding and Child Protection Policy are written and implemented together to ensure that all staff are aware that CME can be a vital warning sign of a range of safeguarding possibilities and know the school's unauthorised absence and CME procedures.

## 2. Definitions

- 2.1. For the purpose of this policy, a "child missing education" is defined as a child or young person of compulsory school age who is not attending school, not placed in alternative provision by an LA, and who is not receiving a suitable education elsewhere. This definition also includes children who are receiving an education, but one that is not suitable; this could include children who are not receiving full-time education suitable to their needs, e.g. age, ability, aptitude, SEND.

### 2.2. Definition of Children at Risk of Missing Education

Children and young people with poor school attendance are often the most vulnerable and are more likely to become children missing from education. It is the responsibility of the school to identify and monitor the attendance of children who are at risk of missing education. The monitoring of children at risk of missing education is carried out in partnership with the local authority where attendance of individual pupils gives cause for concern with the aim of reducing the risk in the future.

## 3. Why children go Missing from Education

- 3.1. Children and young people can go missing from school or agreed education provision, for a wide variety of reasons. Their personal circumstances or those of their families may contribute to the withdrawal process. Children can go missing when there is no systematic process in place to identify them and ensure they re-engage with appropriate provision.

The most common reasons children miss education include:

- Failing to be registered at a school at the age of five and from primary to secondary
- Failing to make a successful transition
- Exclusion
- Mid-year transfer of school
- Families moving into a new area

- Frequent moves of house including periods of homelessness or periods in a refuge
- Family breakdown
- Frequent absence leading to low attendance (especially Yr 10 and 11)
- Victims of bullying
- Disaffection resulting in parents withdrawing the student

3.2. Aside from these reasons, if a child is missing from school, particularly repeatedly, this can act as a vital warning sign to a range of safeguarding concerns, such as the following:

- Abuse and neglect – including sexual abuse or exploitation and criminal exploitation
- Mental health issues – such as risk of substance abuse, risk of travelling to conflict zones, risk of FGM or risk of forced marriage

#### 4. Children at Particular Risk of Missing Education

4.1. There could be many reasons for a child to be missing from education, the LA will make a judgement on a case-by-case basis. The following list indicates students who are most at risk of missing education:

**Students at risk of harm or neglect** – where this is suspected, local child protection procedures will be followed; however, if a child is in immediate danger or at risk of harm, a referral will be made immediately by the DSL or Deputy DSL's to children's social care (and the police if appropriate). The LA officers responsible for CME will check a referral has been made and will contact children's social care if this is not the case. Should there be a reason to suspect a crime has been committed or the child's safety is at risk, the LA will contact the police.

**Children falling into this category include:**

- children suffering abuse
- children involved in substance misuse
- young people being forced into marriage
- children being taken abroad for FGM procedures
- children with poor mental health, suffering from trauma
- children who are victims or witnesses to domestic violence
- children living in a women's refuge
- teen pregnancy
- children at risk of criminal or sexual exploitation

**Looked After Children** – these children are supervised by the designated lead for LAC. Where concerns exist the LA safeguarding team will be immediately informed.

**Children of Gypsy, Roma and Traveller (GRT) families** – when a GRT student leaves the school without naming their next destination school, the school will contact the LA. If necessary, the school will consult the **LA Traveller Education Support Services/named CME officer** for advice on the best strategies to ensure minimal disruption to the GRT student's education.

**Children of service personnel** – the school will contact the Ministry of Defence Children's Education Advisory Service for advice to ensure continuity of education for these children.

**Missing children/runaways** – should the school suspect a child has gone missing/run away, the DSL will contact the relevant LA safeguarding team.

**Children and young people supervised by the Youth Justice System** – in this case, LA youth offending teams are responsible for supervising children (aged 8 to 18). Where a young person is registered at the school prior to custody, the school will keep the place open for their return.

**Children who cease to attend school** – where the reason for a child who has stopped attending a school is not known, the LA will investigate the situation.

**Children of migrant families** – there is an increased risk of a child missing education if they are part of a new migrant family who may not yet have settled into a fixed address, or may have arrived into an LA area without the authority becoming aware. This is of particular significance at The Khalsa Academy Wolverhampton with many of our students having recently migrated to the country.

## 5. Roles and Responsibilities

### The school

All schools have a duty under section 10 of the Children's Act 2004 to work in partnership with the local authority with a view to improving the wellbeing of children in the authority's area. Section 175 of the Education Act puts a duty on all schools to exercise their functions with a view to safeguarding and promoting the welfare of children. This includes identifying children who are not receiving education.

It is expected that schools and academies will have carried out all reasonable enquiries (see section 8.1) within their capacity to ascertain the whereabouts of the young person and engaging them in education prior to informing the local authority that the child is missing education.

Where it has been brought to the attention of the local authority that a child is missing education and the school/academy has failed to report a

child as CME, the local authority will write to the school/academy requesting details of the child's attendance.

- 5.1. The school will enter students on the admissions register at the beginning of the first day on which it has been agreed by the school, or the day that the school has been notified, that the student will attend the school.
- 5.2. In the event that a student fails to attend the school on the agreed or notified date, the school will undertake reasonable enquiries to establish the reason for this absence and will consider notifying the LA at the earliest opportunity.
- 5.3. The school will keep an accurate and up-to-date admissions register by encouraging parents to inform them of any changes.
- 5.4. The school will monitor students' attendance through a daily register.
- 5.5. The school will agree with the LA what intervals are best to inform them of students who are regularly absent from school, or who have missed 10 school days or more without permission.
- 5.6. Where a student has not returned to school for 10 days after an authorised absence, or is absent from the school without authorisation for 20 consecutive school days, the school will remove the student from the admissions register if the school and the LA have failed to establish the whereabouts of the child after making reasonable enquiries.
- 5.7. The school will notify the LA if any student is to be deleted from the admissions register in the circumstance outlined in Regulation 8 of the Education (Student Registration) (England) Regulations 2006 (as amended in 2016).
- 5.8. Students who remain on the school roll are not necessarily missing education but will be monitored and attendance will be addressed when it is poor.
- 5.9. The school will arrange full-time education for excluded students from the sixth school day of a fixed-period exclusion.
- 5.10. The school will provide information to the LA regarding standard transitions, if requested to do so by the LA.

### **Staff members**

- 5.11. All staff will be alert to the potential need to implement early help for a student who is frequently missing/goes missing from care or home.
- 5.12. All staff will be aware of the school's unauthorised absence and children missing from education procedures.
- 5.13. Where staff have concerns about students relating to CME, staff will use their professional judgement and knowledge of individual students to

inform their decision as to whether welfare concerns should be escalated to the **DSL or DDSL's**.

## **The LA**

- 5.14. Under the Education Act 1996, the LA has a duty to establish the identities of children in the area who are not registered students at a school and are not receiving education provision otherwise.
- 5.15. The LA will provide full-time education for permanently excluded students from the sixth school day of a fixed-period exclusion.
- 5.16. When it is brought to the LA's attention that a child may not be receiving a suitable education, the LA will serve notices on parents to assure the LA that their child is receiving such an education.
- 5.17. The LA will issue School Attendance Orders to parents who fail to assure the LA that their child is receiving a suitable education, and the LA believes that the child should attend school.
- 5.18. The LA will prosecute parents that do not comply with a School Attendance Order.
- 5.19. The LA will prosecute or fine parents/carers of school-registered children who fail to ensure their child attends school regularly.
- 5.20. The LA will ensure that children identified as not receiving suitable education are returned to full-time education either at the school or elsewhere.
- 5.21. The LA will ensure that the school demonstrates prompt action and effective early intervention procedures to ensure children are safe and receiving suitable education.
- 5.22. The LA will apply to court for an Education Supervision Order for a CME.
- 5.23. The LA will ensure that children who return to full-time education are appropriately supported, taking into account the reasons why they missed education in the first place.
- 5.24. Students with SEN statements, or EHC plans, are able to be home educated. If the statement/EHC plan sets out the provision that the student should receive at home, or names a school where the provision will be received, but the parent/carer chooses to home educate the child, the LA will arrange the provision and ensure that it is suitable to the child's special educational needs. The LA will review this statement annually.
- 5.25. The LA is responsible for liaising and sharing information with other agencies to support children who miss education.



- 5.26. The LA is responsible for referring to the LA children's social care where there is concern for a child's welfare, as well as the police if there is reason to suspect a crime has been committed.

## Parents

- 5.27. Parents are responsible for ensuring that their children, who are of compulsory school age, are receiving suitable full-time education.
- 5.28. Parents are responsible for notifying the school in writing where they will be home-schooling their child, for the child to be removed from the admissions register.
- 5.29. Parents will notify the school regarding any absences or changes to the student's education arrangements.
- 5.30. Parents are responsible for providing the school with more than one emergency contact number where possible.

## 6. Induction and Training

- 6.1. The safeguarding response to children who go missing from education will be explained to staff during their induction.
- 6.2. All staff will receive regular safeguarding and child protection training, including an update on the various safeguarding concern possibilities that CME could represent, any changes to the early help process and staff members' role in this process.

## 7. Working with others

- 7.1. Families moving from one LA to another can sometimes lead to a child being lost in the system and consequently missing education. When a child moves, LAs will work with other LAs, regionally or nationally, to ensure this does not happen.
- 7.2. The LA will raise awareness of its procedures with local schools, partners and agencies working with children and families.
- 7.3. To assist them in tracing CME, the LA has contacts with the **Department for Work and Pensions**, the **UK Border Agency** and **HMRC**.

- 7.4. The school uses a secure internet system, **school2school** and or CPOMS to allow schools to transfer student information when a child moves education setting.

## 8. Safeguarding

All safeguarding processes in relation to children missing education adhere to the guidelines specified in the The Khalsa Academy Wolverhampton Safeguarding and Child Protection Policy. Specific relevant sections of this policy are: 5.2.1, 5.4 and 9.2.

Section 9.2 references our role in following the Wolverhampton LA procedure.

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- 8.1. For the purpose of this policy, “**reasonable enquiries**” are defined as limited, investigative powers that the school may action to determine a child’s whereabouts and whether they may be in danger.
- 8.2. In line with the Children Act 2004, the school will follow appropriate procedures when carrying out reasonable enquiries, such as the **DSL** conducting discussions with neighbours, relatives or landlords, to determine whether a child may be at risk of harm.
- 8.3. The **DSL** will record that they have completed these procedures and, if necessary, make a referral to the children’s social care or police.
- 8.4. Where the whereabouts and safety of a child is unknown, the school, in conjunction with the LA, may carry out the following actions:
- Make contact with the parent/carer, relatives and neighbours using known contact details
  - Check data transfer systems such as school2school or Key to Success
  - Follow local information sharing arrangements, and making enquiries via other local databases and agencies where possible
  - Check with UK Visas and Immigration and/or the Border Force
  - Check with agencies known to be involved with the family
  - Check with the LA and school from which the student moved originally
  - Check with the LA where the student lives, if this is different to where the school is located

- Check with the Ministry of Defence Children's Education Advisory Service in the case of children of Service Personnel
- Conduct home visits via an appropriate team, following local guidance concerning risk assessments, and making enquiries with neighbours or relatives, if appropriate

**NB.** This list is not exhaustive – the school and LA will use their judgement towards what reasonable enquiries are appropriate, once all the facts of the case have been considered.

## 9. Admissions Register

- 9.1. The school will ensure that the admissions register is kept up to date at all times, and will encourage parents/carers to notify the school of any changes as they occur, such as via email or newsletters.
- 9.2. Students will be recorded on the admissions register at the beginning of the first day on which it has been agreed by the school, or the day that the school has been notified, as the date that the student will attend the school.
- 9.3. Once a student has been recorded on the admissions register, the school will notify the LA within five days, and will supply the LA with all of the details contained on the admissions register for the new student.
- 9.4. Where a parent/carer notifies the school that a student will live at another address, the school will record the following information on the admissions register:
- The full name of the parent/carer with whom the student will live
  - The new address
  - The date from when it is expected the student will live at this address
- 9.5. Where a parent notifies the school that the student is registered at another school, or will be attending a different school in future, the school will record the following information on the admissions register:
- The name of the new school
  - The date when the student first attended, or is due to attend, that school
- 9.6. Parents are able to elect to educate their children at home, and will subsequently withdraw them from school. This can happen at any time, unless the student is subject to a School Attendance Order. If a parent notifies the school, the student will be deleted from our admissions register and inform the LA.

## 10. Removing a student from the Admissions Register

10.1. The school will inform the LA of any student who will be deleted from the admissions register where they:

- Have been taken out of school by their parents and are being educated outside the school system, e.g. home-schooled.
- Have ceased to attend school and no longer live within a reasonable distance of the school.
- Have been 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, and neither they nor their parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age.
- Are in custody for a period of more than four months due to a final court order, and the school does not reasonably believe they will be returning at the end of that period.
- Have been permanently excluded.
- Have died.
- Have been registered at another school where it is not indicated this should be the case.
- Are registered at more than one school, but have failed to attend the school and the proprietor of any other schools concerned have consented to the deletion.
- Have been granted authorised leave, but failed to attend school within:
  - 10 school days after the period of authorised absence ended, and:
    - There is reason to believe the student is not unable to attend school.
    - The LA and school are unable to determine the student's whereabouts after making joint reasonable enquiries.
- Have been continuously absent from school for a period of not less than 20 school days, and:
  - The absence was not authorised.
  - There is reason to believe the student is not unable to attend school.
  - The LA and school is unable to determine the student's whereabouts after making joint reasonable enquiries.
- Will cease to be of compulsory school age before the school next meets, and the relevant person has indicated the student will not attend the school, or, the student does not meet the academic entry requirements for sixth form.

10.2. The school will notify the LA that a student is to be removed from the admissions register as soon as any of the above criteria are met, and no later than the time at which the student's name is actually removed.

10.3. If a student's name is to be removed from the admissions register, the school will provide the LA with the following information:

- The full name of the student
- The full name and address of any parent/carer with whom the student lives
- At least one telephone number of the parent/carer with whom the student lives
- The full name and address of the parent/carer who the student is going to live with and the date the student is expected to start living there, if applicable
- The name of the student's new school and their expected start date, if applicable
- The grounds for removal from the admissions register under Regulation 8 of the Education (Student Registration) (England) Regulations 2006 (as amended), as outlined in section 10 of this policy

## Appendix 1 – Linked School Policies

The following or similarly named policies and procedures are relevant to Children Missing in Education:

- Anti-bullying policy
- Attendance policy
- Behaviour Policy
- Data Protection policy
- Equalities Information and Objectives (public sector equality duty) statement
- Keeping records of Child Protection and welfare concerns protocols
- Pastoral Care policy
- Prevention of Radicalisation, Extremism and Terrorism
- Personal, Social and Health Education policy
- Register of pupils' attendance
- Safeguarding and Child Protection Policy
- Sex (and Relationship Education) policy
- Special Educational Needs and Disabilities policy
- Spiritual, Moral, Social and Cultural Development policy
- Supporting pupils with Medical Conditions
- Teachers' standards, DfE guidance available on GOV.UK website