

## **Derbyshire's Policy on Children Missing from Education**

Children Missing from Education fall into two broad categories. Those whose whereabouts and circumstances are known to the Authority but who have, for whatever reason, been out of education for four school weeks or more and those who are "lost"; children who have apparently disappeared; the Authority knows neither where they are nor anything of their circumstances or possibly even of their existence.

Both categories of children may be being denied the right to receive an education as well as being more vulnerable and exposed to a greater risk of harm. Neither position is acceptable.

### **Why children go missing from education**

The primary ways in which children can go missing from education are illustrated below in a simplified model of an educational career. A child would typically start school (or an appropriate alternative form of educational provision) rising 5 or on entry to the country. The child would then attend school or Elective Home Education, with periodic moves of school (e.g. from primary to secondary, or due to a move of home) until finishing mandatory education at age 16, or until leaving the country.

Children fall out of the education system because they:

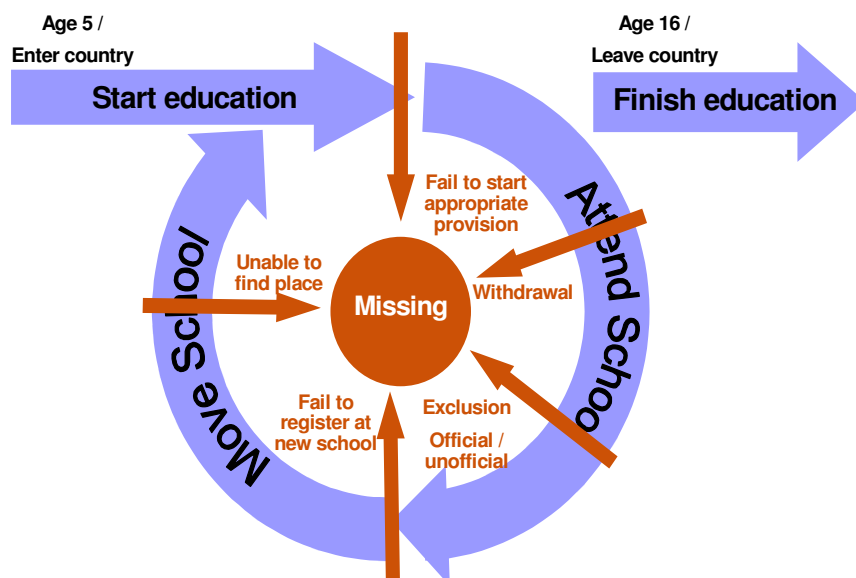
- fail to start appropriate provision and hence never enter the system;
- cease to attend, due to exclusion (e.g. illegal unofficial exclusions) or withdrawal; or
- fail to complete a transition between providers (e.g. being unable to find a suitable school place after moving to a new LA).

Their personal circumstances or those of their families may contribute to the withdrawal process and the failure to make a transition.

Children go missing when they fall out of the education system and there is no systematic process in place to:

- identify those children; and
- ensure that they re-engage with appropriate provision (which may include services outside of school to meet their needs).

The following diagram illustrates the main ways in which a child can fall out of educational provision and hence become missing:



There are also other circumstances by which a child could go missing. Families may move out of an area and leave no forwarding details. Where a family, or part of a family, move in crisis, particularly when evading debt or violence, there is often a series of moves over a short period of time. In these circumstances it is possible for authorities to lose track of the children.

It is not uncommon for children to “run away” from home. Most cases are relatively minor. A child leaves home but returns quickly, typically within forty eight hours, or finds alternative accommodation, often with a friend or relative.

There are more serious cases where a child may become a victim of crime, including homicide, as a consequence of leaving home or be a victim of abduction by a parent or stranger.

### **Reducing the Risk of Children Going Missing from Education**

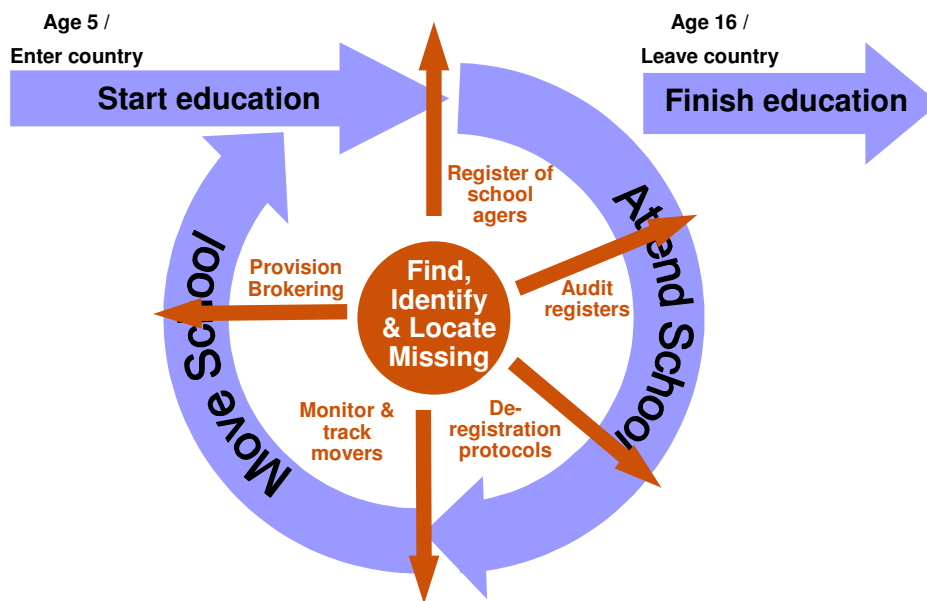
To reduce the risk that children fall out of the education system and go missing.

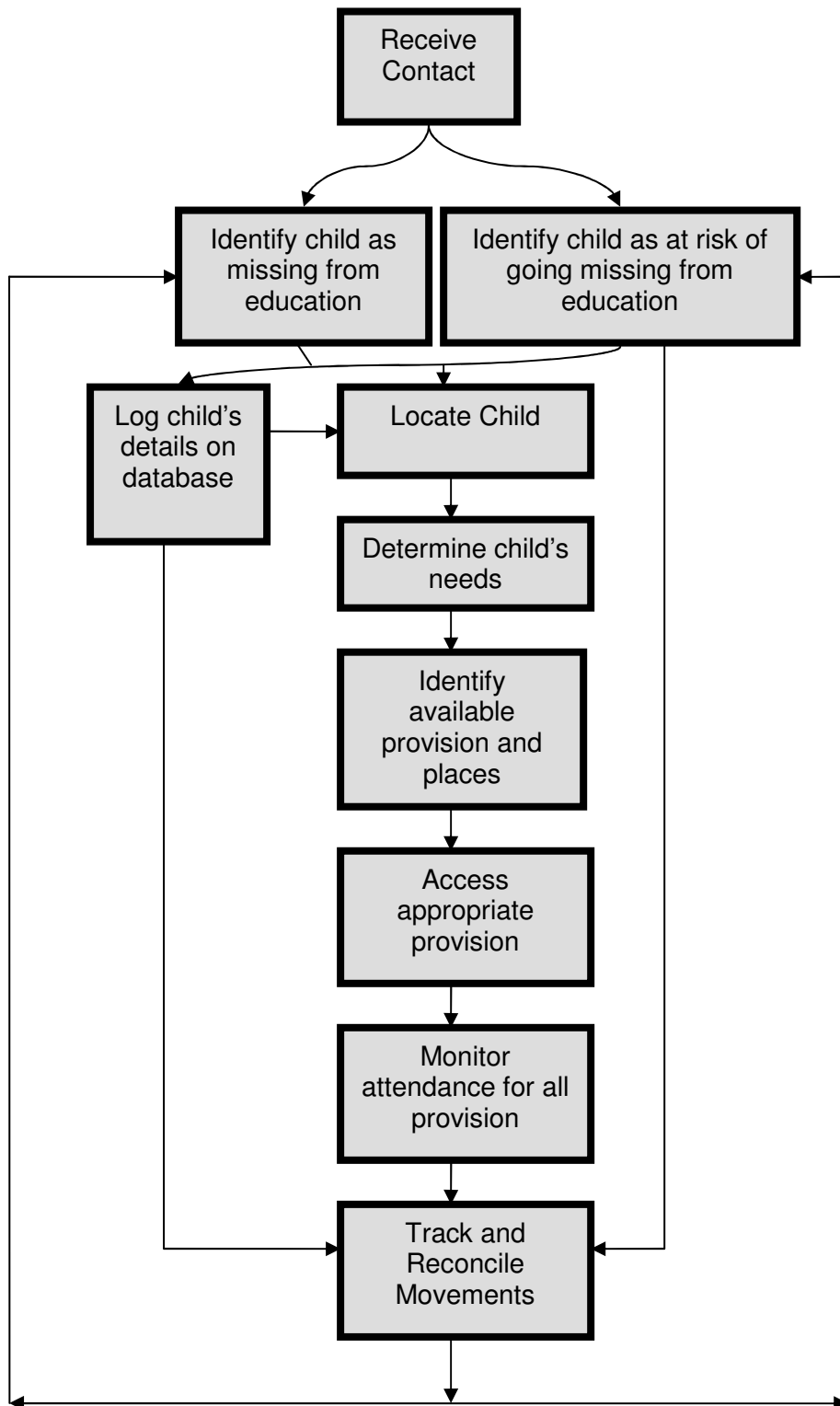
Existing good practice broadly falls into three categories:

- measures to reduce the likelihood that children fall out of the education system, such as audits of the rolls and registers of schools;
- measures to identify and locate children missing education, such as truancy sweeps and the provision of named points of contact to receive notification of children from and to other agencies both local and national; and
- measures to re-engage the missing with appropriate educational provision, such as the Hard to Place Panel.

## Process Steps

! The process steps to prevent children missing from education are:





**Receive Contact:**

The process by which the LA is notified about a child missing or at risk of going missing from education

**Named Person:**

**Dave Wallace, Principal Education Welfare Officer**

**Tel: 01629 536521**

**[dave.wallace@derbyshire.gov.uk](mailto:dave.wallace@derbyshire.gov.uk)**

**Marilyn Simcock, Co-ordinator for Missing Children**

**Tel: 01629 536520**

**[marilyn.simcock@derbyshire.gov.uk](mailto:marilyn.simcock@derbyshire.gov.uk)**

**Rachael Hand, Co-ordinator for Missing Children**

**Tel: 01629 538139**

**[rachael.hand@derbyshire.gov.uk](mailto:rachael.hand@derbyshire.gov.uk)**

Notifications to the above can be received from within the Local Authority boundaries, from colleagues within the Authority and other agencies, and from other Authorities around the country.

**Identifying and engaging Stakeholders**

In order to prevent children from going missing from education, or to find and re-engage them if they have gone missing, it is essential that a wide variety of agencies acknowledge a safeguarding responsibility in this area. This may involve information sharing, an operational involvement or support for other agencies.

Stake holders include school administrative, management and teaching staff, Housing Departments, Homeless Hostels and Women's Refuges, Accident and Emergency units, NHS walk in services, the staff of the Children's and Younger Adult's Service, Police, Youth Justice Service, Connexions staff, Youth workers, Drug Action teams, the general public (Call Derbyshire) and voluntary services. Representatives of the above sit on the Children and Young Persons Strategy Group.

Awareness of their roles will be raised through school Inset training on attendance, the Authority's Safeguarding training programme and through joint training initiatives with the Education Welfare Service.

Plans are being considered for the data collected prior to compulsory school age to be used to identify those children who may become missing from their education provision.

### **Notification routes**

All contributors to the Children and Young Persons Strategy Group and any other agencies identified as above or through the Attendance sub-group of the CYPSPG will be notified of the Authority's policy and processes for children who are missing, or in danger of going missing, from education.

### **Identify child as missing from education:**

The process by which the LA determines that the notified child is not registered with an educational provider

A central database (Tribal) is kept of all children on roll in Derbyshire schools. A separate database of children known to be educated otherwise, Elective Home Education, is kept by Derbyshire's Advisory and Inspection Service (DAIS). Discussions are underway to include this data on the central database.

### **Children on roll of a school**

All schools have been made aware of their responsibilities regarding placing and removing children's names from a school roll and the marking of attendance registers. This advice is included in the Attendance Good Practice Guide issued to all schools as a hard copy and also made available on the Derbyshire Net for Learning website.

The Education Welfare Service works with schools, regularly meeting with staff to identify children missing from education or at risk of doing so. The facility for remote access to, and therefore remote monitoring of, schools' attendance registers, exists in several of our secondary schools and plans are in progress to roll out this facility across all schools.

Termly, six times per year, all schools' attendance is gathered centrally and analysed in order to identify attendance concerns.

At present children on the roll of private education providers, such as public schools and "prep" schools, are not monitored in this way.

### **Parents who choose to provide education**

Parents have a duty to ensure that their children receive a suitable full time education either by regular attendance at school or otherwise (under Section 7 of the Education Act 1996). Some parents decide, as they are entitled, to provide suitable education by educating their children at home.

When parents withdraw their child from school to do this, and the child is of compulsory school age, the name of the child can only be deleted from the admissions register of the school where the parents inform the school in writing as provided by the *Education (Pupil Registration)*

*Regulations 1995 under Regulation 9(1)(c):* “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”.

It is then the duty of the proprietor of the school to inform the LA within 10 working days *under Regulation 13 (3):* “when the name of a pupil has been deleted from the admission register in accordance with regulation 9(1)(c) the proprietor shall make a return to the Local Authority giving the full name and address of that pupil within the ten school days immediately following the date on which the pupil's name was so deleted”.

Although children and young people with statements of special educational needs can be home educated, the LA remains responsible for ensuring that the education the child receives is suitable. The statement must stay in force and the LA must ensure that parents can make suitable provision, including providing for their child's special educational needs. If the parent's arrangements are suitable, the LA is relieved of their duty to arrange the provision directly, but it still remains the LA's duty to ensure the child's needs are met.

In order to be able to check if a child is already known to be receiving education at home the Authority keeps a list of such children. All known cases of Elective Home Education are visited by consultants based with DAIS who provide advice and support and evaluate the worth of the education provision.

The parent does not have to inform anyone if their child never starts school. If the child's name is provided to the Authority as a child who may be missing education, then the parents are contacted by consultants, as above, to find out if the child is receiving an education. In the interests of the child, parents and the Authority the initial contact is clear, but not threatening. A collaborative partnership between parents and the LA will be more effective for the child than one that is based on mutual mistrust.

The Authority does intervene if they have reason to believe that parents are not providing a suitable education and may issue a School Attendance Order (SAO) (under section 437(1) of the Education Act 1996). Further, the Authority may apply to court for a child assessment order under s.43 of the Children Act 1989 if they have reasonable cause

to do so (which will only be where there is a risk of significant harm to the child).

The Authorities contact for Elective Home Education is:

**Jane Gregory, Advisor, Tel: 01629 580000 ext. 2784**

e-mail [jane.gregory@derbyshire.gov.uk](mailto:jane.gregory@derbyshire.gov.uk)

For more information:

[http://www.dfes.gov.uk/exclusions/related\\_policies/home\\_education.cfm](http://www.dfes.gov.uk/exclusions/related_policies/home_education.cfm)

<http://www.parentcentre.gov.uk/index.cfm>

## **Identify child at risk of going missing from education:**

The process by which the LA determines that the notified child is registered with an educational provider but is at risk of going missing

### **Attendance Registers**

The Authority holds a central database holding the names of all children on roll in its schools and those waiting for a school place.

Children absent from school for two consecutive weeks will be referred to the Education Welfare Service. Children may not be removed from a school roll for non-attendance, even after 28 days, without the approval of the Education Welfare Service. Before this approval is given local searches and enquiries will have been made.

If the child has moved out of the area but enquiries have established a likely destination the Education Welfare Service will initiate enquiries in that area, alerting local Education Welfare Services or Co-ordinators for Children Missing from Education of the probable arrival of that child in their area. Until confirmation has been received that the child has been found the “unknown destination” process is also followed as below. A child’s name is left on Tribal with a “missing child” marker against it.

If the child has moved out of the area and no information is available as to where they’ve moved the school is reminded to upload the Common Transfer Form (CTF) to S2S and the Co-ordinator for Children Missing from Education (CCME) enters the child’s details on the Authority’s “Tribal” data system with a review date.

### **Multi-agency thresholds**

There is general agreement that some children who have experienced certain life events are more at risk of going missing from education. These include:

- Young people who have committed offences;
- Children living in women’s refuges;
- Children of homeless families perhaps living in temporary accommodation, house of multiple occupancy or Bed and Breakfast;
- Young runaways;

- Children with long term medical or emotional problems;
- Unaccompanied asylum seekers and refugees or children of asylum seeking families;
- Looked after children;
- Children with a Gypsy/Traveller background;
- Young carers;
- Children from transient families;
- Teenage mothers;
- Children who are permanently excluded from school.
- Chronic truants.
- Children with a previous history of mobility leading to extended gaps in their education.

Children who are excluded from schools should not miss education. Pupils excluded for a fixed period return to their school at the end of their exclusion. Derbyshire is committed to providing full time education to all permanently excluded pupils. Some pupils are unofficially excluded by schools. This is illegal and will be challenged when identified by the Authority. An unofficial exclusion increases the risk that a child may go missing from education.

Should a child leave a Derbyshire school:

- without the school being advised by the parent which new school the child is to attend, or
- when the child is believed to have gone on an extended holiday,
- when a child has not returned from an extended holiday when expected,

the school should promptly take reasonable steps to contact the parents/carers. If no satisfactory outcome results the school makes a referral to the Education Welfare Service who will proceed as for a missing child as above. Should there be child protection concerns the school immediately notifies Social Care Workers within the Children and Younger Adults Service and the relevant Safeguarding Officer.

## **Looked After Children**

The recent Social Exclusion Unit report - *A better education for children in care* - identified that young children in care spend too much time out of school or other place of learning - i.e. missing education. As these young people are in the care of the Local Authority, it is imperative that the Authority has systems in place that can quickly deal with any issues around education placement for looked after children.

Derbyshire's admissions policy gives priority to Children who are Looked After. Systems for monitoring the attendance and attainment of these children are being further developed.

At present weekly monitoring occurs with the Corporate Parenting role being given a more personal face by Heads of Service each taking oversight of a small group of looked after children and responding to monthly reports of their attendance, attainment and number of placements by interrogating the responsible agencies where they have concerns. There is a Looked After Children Strategy Group that meets regularly to review the progress of these children and a Corporate Parenting Officer who co-ordinates all matters relating to these Children's education. A "Guide to Supporting the Education of Looked After Children and Young People" has been developed and issued to all Derbyshire schools and training in its use has been provided.

All schools have a designated teacher for looked after children. These teachers are ideally placed to assist when identifying those looked after children currently in school who may be at greater risk of going missing from education.

Stability of schooling is essential for children who are looked after by local authorities. Where children go missing from their care placement, they are rarely absent for long. It will be important that their school place is kept open until there is agreement between the school and the Authority with responsibility for their care that this place is no longer necessary.

Where a change of care placement necessitates a change of school education, social care colleagues work to identify appropriate education provision simultaneously. There is a duty to ensure that looked after children re-engage with education within twenty days.

Each Area Education Welfare team has a named officer with responsibility for Looked After Children. These officers meet with residential centre staff regularly and joint training with residential centre staff and EWOs has taken place.

All queries to:

**Sue Owen: Corporate Parenting Officer, Tel 01246 204851**

e-mail [sue.owen@derbyshire.gov.uk](mailto:sue.owen@derbyshire.gov.uk)

## **Children in Need of a Child Protection Plan and “Children in Need”**

If a child or young person is at risk of going missing from education and they are a Child in Need of a Child Protection Plan, or where children have been assessed by Social Care Service as being ‘in need’ and their families are working with the Service, or if a child is looked after, then processes within education need to take this into account.

Authorities are under a statutory duty to ensure that an educational placement is secured prior to any change in care placement, including when a young person is moved from a care placement in one Local Authority to one in another Local Authority, or, if placed in an emergency, that an educational placement is secured within twenty school days.

*Working Together to Safeguard Children (1999)* issued jointly by Department of Health, Home Office and Department for Education and Employment states:

### “Children and Families Who Go Missing

6.50 Local agencies and professionals should bear in mind when working with children and families where there are outstanding child protection concerns (including where the concerns are about an unborn child who may be at future risk of significant harm) that a series of missed appointments or abortive home visits may indicate that the family have suddenly and unexpectedly moved out of the area. Social services and the police should be informed immediately such concerns arise.

6.51 Particular consideration needs to be given to appropriate legal interventions, where it appears that a child, for whom there are outstanding child protection concerns, may be removed from the UK by his/her family in order to evade the involvement of agencies with safeguarding responsibilities.”

*What to do if you're worried a Child Is Being Abused (2003)* contains guidance on what actions an individual should take to safeguard a child about whom there are concerns. It is essential that professionals working with children take a consistent approach when children, where there are child protection concerns, go missing from school.

Social Care Service have responsibility for Children in Need of a Child Protection Plan. If such a child goes missing, the relevant Social Care

Service office would take steps to locate the child. This may involve contacting Safeguarding Officers in other Local Authorities.

For all concerns contact the Social Care duty officer placed in the Children and Younger Adults Department at Area Offices or

**Paul Saunders; Child Protection Manager, Tel: 01773 728743**  
e-mail [paul.saunders@derbyshire.gov.uk](mailto:paul.saunders@derbyshire.gov.uk)

**Log child's details on database:**

The process by which the LA records the details of the identified child to enable subsequent monitoring of their status

Guidance was given in *Circular No. 11/99 Social Inclusion: the LA role in Pupil Support*: "a central register of children who are out of school for any reason will help the LA to ensure that vulnerable groups do not become lost in the system between education and employment."

**Referrals received from in county sources**

These are received:

- 1) By school to Education Welfare Officer.

Children absent from school for two consecutive weeks will be referred to the Education Welfare Service. Children may not be removed from a school roll for non-attendance, even after 28 days, without the approval of the Education Welfare Service. Before this approval is given local searches and enquiries will have been made. At any stage in the search, and definitely when the EWO has given their approval to take off role, the EWO will alert the Co-ordinator for Children Missing from Education (CCME) and ask her/him to carry out a wider search.

The EWO will also remind the school to upload the Common Transfer Form (CTF) to S2S. The CTF will be marked with XXXXXXXX as the child's destination if the child is "lost" and will then be held on the national Lost Pupil Database to be removed only when the whereabouts of the child has been determined. If the child is believed to have moved abroad the CTF is marked MMMMMMMM.

- 2) Regular checking of Tribal database

During term time a weekly trawl is conducted using the Authority's Tribal database to identify any child missing a solid block of twenty eight days. Enquiries are made via the Education Welfare Service. If the child's whereabouts are known and there is agency involvement the child's name is placed on the "monitoring" list. If not known the information is passed to the CCME.

## **Search procedure**

The CCME marks the pupil's records on the Tribal database with a flag that pupil is currently missing and includes the date the pupil last attended school. The flag has the benefit of being very visible to other services that use the system. If any service subsequently becomes involved with that pupil then the missing child flag will alert them and they can inform EWS as to their whereabouts. Appropriate processes can then be followed to ensure the pupil is receiving an education.

If the child has moved out of the area but enquiries have established a likely destination the CCME will initiate enquiries in that area, alerting local Education Welfare Services or Co-ordinators for Children Missing from Education of the probable arrival of that child in their area.

If it is possible that the child may have moved to other named counties, the CCME contacts the Education Welfare Services of those counties and places messages on S2S secure website.

Until confirmation has been received that the child has been found the child's name is left on the Tribal database with the missing child flag.

## **Referrals received from out of county**

These are received

- 1) By communication from another Authority. They are passed to the CCME who initially searches Tribal and the Admissions database to establish if they are on roll in any Derbyshire school. If they are not on Tribal, the names may be placed on a circular to schools. If a probable address is provided, the CCME asks an EWO to visit and to assess and oversee the case until an education provision has been identified and accessed.
- 2) Every two weeks the CCME scrutinises S2S messages for children missing from our 13 neighbouring authorities and Nottingham City plus any child where there is reason to believe that they have moved to Derbyshire.

## **All referrals**

A search is made by Tribal, possible visit from EWO (if there is an address) and by circulating names to schools.

All referrals where the child is not found are reviewed by the CCME three months later. The CCME contacts referrers and ascertains the level of concern and the next steps to be taken.

## **Children Found**

Referrers are notified immediately a child is found. The date the child is found and the new school are marked on Tribal, and the alert flag removed. Where a child has moved out of county, the CCME verifies with the new school that they are on roll. Their records are then placed in the “No Further Action” section of Tribal.

## **Child Protection referrals**

The CCME ensures relevant Safeguarding Managers within district teams are informed.

## **Regular Checks**

Because of the need to ensure that the CTFs in the Lost Pupil Database and Tribal reflect those children actually missing, the CCME carries out routine checks with

- 1) Schools using the current S2S “pupils not downloaded” report
- 2) Tribal using the S2S “downloaded pupils” report.

## **Policy Development**

This policy is a work in progress. Agreements have to be determined with all safeguarding stakeholders in order to identify precise expectations and responsibilities and the processes necessary to ensure their effective application.

Information sharing agreements are underwritten by Derbyshire Partnership Forum Information Sharing Protocol. Talks aimed at clarifying the operational application of this protocol have taken place with Police, Youth Justice Service and colleagues within the Children and Younger Adults Department. An information sharing agreement has been reached with the Inland Revenue.

## 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. The principal provisions are as follows:

**Section 14(1) of the 1996 Education Act** 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 (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 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 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 LAs 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 LAs and governing bodies.

## Related Guidance

Guidance of the LA responsibility for arranging education outside of school is set out in ***Circular No. 11/99 Social Inclusion: the LA role in Pupil Support***: 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. LAs cannot decide not to arrange any education, to make arrangements which do not provide suitable education for that child.

Guidance for LAs 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)

**ANNEX B: MISSING CHILDREN – EWO FLOWCHART**

