

Report to the Education and Vulnerable Children Overview and Scrutiny Committee

20 January 2016

Pupils who leave school without trace – children missing education (CME)

Purpose of the Report: To inform Members of the procedures in place to safeguard and identify the whereabouts of pupils who leave Birmingham schools and academies and the whereabouts of the pupil/family is unknown.

Recommendation

That Members note the information contained in this report.

Contact Officer Details

Name: Michael Innocenti
Job title: Pupil Placements Manager
Telephone: 0121 464 7215

Name: Karen Prosser
Job Title: Left School No Trace (LSNT) Team Manager
Tel: 0121 303 4983

Name: Julie Newbold
Job Title: Head of School Admissions and Pupil Placements.
Tel: 0121 303 2268

Email: michael.innocenti@birmingham.gov.uk
karen.prosser@birmingham.gov.uk
julie.newbold@birmingham.gov.uk

Background

The Legal and City context

Education Act 1996

All children regardless of their circumstances are entitled to a full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Children missing from education (CME) are at significant risk of underachieving, being victims of abuse and becoming NEET (not in education, employment or training) later on in life.

All local authorities have a statutory duty, under section 436A of the Education Act 1996 to ensure there are arrangements in place to establish the identities of children in their area who are not registered at a school or receiving suitable education otherwise, such as elective home education. Local authorities should have procedures in place to prevent children becoming CME.

Education (Pupil Registration) (England) Regulations 2006

Under Section 8h of the Education (Pupil Registration) (England) Regulations 2006, schools can delete a pupil from the admission register when a pupil *has been continuously absent from the school for a period of not less than twenty school days and*

- (i) at no time was his absence during that period authorised by the proprietor in accordance with regulation 6(2);*
- (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and*
- (ii) both the proprietor of the school and the local education authority have failed, after reasonable enquiry, to ascertain where the pupil is.*

Birmingham Local Authority

The Left School No Trace Team (LSNT), within the School Admissions and Pupil Placements Service, is responsible for receiving referrals from schools and academies in respect of pupils who may be at risk of becoming CME.

CME is different to children missing or absent from home or care. Any such referrals are made to the Multi-Agency Safeguarding Hub (MASH) or directly to the Police. Process and procedures are included with the **“Missing from Home or Care – Practice Guidance for Children’s Service January 2016”**.

Birmingham Local Authority is aware, along with all local authorities, that from time to time a pupil (and the family) may leave their school without explanation. This can be for a number of reasons:-

- a) The family move within the city but the parents fail to inform the school of the house move/transfer to a new school
- b) The family move out of the city and relocate to a new area within the UK but parents fail to inform the school.
- c) The family relocate abroad and fail to advise the school. .
- d) The family are displaced as a result of 'crisis' e.g. domestic violence, homelessness.
- e) Parent/school disagreement and parents withdraw the child from school.
- f) Due to family separation

This report aims to advise Members about the process and procedures in place to ensure the local authority is notified and what actions are taken to ensure the child is receiving a suitable education.

- Following receipt of the referral, if LSNT or the Pupil Placements Manager believes there are any safeguarding concerns, the school is advised that a referral must be made to MASH.
- Advice and guidance in respect of children who leave schools without trace is circulated and updated annually to all Birmingham schools and academies (Appendix 1)
- The LSNT team receives between 40 and 50 referrals each month from Birmingham schools and academies with peaks experienced each September which coincide with end of academic year family movements. For example, the average number of referrals received in September 2013, 2014 and 2015 numbered 166.
- Success in locating pupils who leave schools with their families without trace was 86.79% in academic year 2013/14 and 85.5% in 2014/15. All children not located were referred to the Hard to Find Panel where a collective decision, based on information available, was made to either close the case (where information was received to suggest a family has re-located abroad and where there were no safeguarding concerns) or to initiate further actions as appropriate.

Procedure

- **Any child who goes missing from school, where there are safeguarding concerns, must be referred with immediate effect by the school to the MASH and/or the Police. Because there are safeguarding concerns, such cases are not referred to the CME/Left School No Place Team (LSNT Team.)**
- The Left School No Trace Team in accordance with statutory regulations receive referrals from schools in respect of pupils who have been absent from school for a period of **20 days or more**, the absence has not been authorised by the Head Teacher, the school have failed to locate the pupil and the school has no significant safeguarding concerns for the pupil.

- Upon receipt, all LSNT/CME referrals received from schools are appraised by the Head of Pupil Placements or, in his absence, the LSNT Team Manager.
- All referrals are cross referenced with CareFirst (Children's Social Care data) to ascertain if the family are known to CSC. If the family is known to CSC, a notification is sent to the named Social Worker and discussions are held with the Head Teacher.
- If the Pupil Placements Manager or LSNT Team Manager believes there are any safeguarding concerns, the school is advised that a referral must be made to MASH. However, schools are expected and advised to carry out a full risk assessment prior to submitting a referral to the LSNT Team.
- For each referral an individual named LSNT Officer is allocated the case. The LSNT Officer works to ascertain the whereabouts of the pupil and his/her family and remains in contact with the referring school.
- If the pupil is located, the LSNT Officer will ensure the child is in receipt of suitable education and/or a notification of child out of school is made to the appropriate agency.
- LSNT Team aim to locate the family by a variety of means and currently has access to a number of data sources including; NHS Child Health (local & national NHS database) BCC Housing & Council Tax Benefit, Leisure Service membership (libraries & gyms), Electoral Roll, Children's' Social Care, Housing Rents and Homelessness. The LSNT Team have recently secured access to Birmingham City Council's Data Warehouse which has assisted greatly with locating pupils who have moved within the city.
- All LSNT Officers have regular contact with Regional local authorities, as it is fairly common for families to move to neighbouring authorities.
- LSNT Officers exchange data within the Data Protection Remit (safeguarding vulnerable children) with other LA's both nationally and locally.
- The vast majority of pupils and their families are found by the Left School No Trace Team. Once located, the LSNT Team either ensures that the child is in receipt of a suitable education or, in the case of a move to another LA, the LSNT ensure the appropriate bodies are informed of the family now residing in the area.
- For those cases where the LSNT has exhausted all of its reasonable enquiries and has failed to ascertain where a pupil is living, a *Hard to Find Panel* has been established. The Panel completes a Risk Assessment for all pupils that cannot be located.
- The Panel is comprised of the Assistant Director Education and Skills, Head of School Admissions and Pupil Placements Service, Pupil Placements Manager, LSNT Team Manager and a representative from MASH.
- A comprehensive report is provided by the LSNT Team Manager detailing all actions taken by both the LA and the school to try and ascertain where the pupil is

living. If there is no risk evident the case is closed. If there is any element of risk, the case is referred to Children's Social Care.

- The majority of cases referred to the Hard to Find Panel are in respect of pupils who have left the UK with their families (*believed to be abroad*). The LSNT Team currently cannot access data to evidence travel, but does make referrals to the UK Borders Agency for follow up if required.
- A clear audit trail exists for all referrals.

Key Issues

- Following a change in Government legislation and Birmingham City Council Cabinet approval, all in-year applications for school places are made directly to schools and academies. This can create difficulty if a child leaves the current school and the parent/carers do not inform the existing school of a move. Often schools make a referral to the LSNT Team and the family are found to be residing in another area of the city, or have moved to a neighbouring authority.
- The LSNT Team maintain sound information sharing and collaborative relationships in respect of pupil movements, with all of our neighbouring local authorities.
- The UK Border Agency is able to provide information in relation to cases of children/families deported, on linked time visas, where a crime has been committed, or where voluntary repatriation has taken place but is not able to confirm any 'routine' movements abroad.
- Guidance issued to schools advises of the LA's expectations in respect of robust 'reasonable enquiry' and, critically, on the necessity of taking prompt actions to escalate safeguarding concerns via a prompt referral to the MASH Team. Where our data analysis indicates that the number of children missing from an individual school, or a network of schools is particularly disproportionate, contact is made with the school and advice and training sessions are given to school staff.
- Revised schools guidance to be issued in January 2016 will ask schools to include information in their regular parental newsletters and school prospectus, reminding parents of the importance of informing the school of any intention to move out of the locality and withdraw their child from the school, and to include details of their new address/location.

The governance of children missing from school is incorporated within the Directorate's Missing Children Strategy/Procedure via the Missing (children) Operational Group which, in turn, reports to the Birmingham Safeguarding Children Board.

List of Appendices

1. Schools Advice and Guidance.

Appendix 1.



25 January 2015

TO: Head teachers, designated school attendance staff and designated school admissions staff of all Birmingham primary, secondary, special schools, academies, free schools.

RE: Procedure for safeguarding pupils who have 20 continuous days unauthorised absence whose whereabouts are unknown (pupils who leave school without trace).

ACTION REQUIRED: Note the advice for reporting pupils who have left school without trace and of schools' duty to carry out reasonable enquires to try and establish the whereabouts of these pupils. Please destroy any advisory briefings relating to these pupils which pre-date this updated advice.

REPLY: N/A.

CONTACT OFFICERS: **Karen Prosser**, Left School No Trace Team (Formerly the CME Team) Tel: 0121 303 4983.

Left School No Trace Team (for referrals): cme@birmingham.gcsx.gov.uk

Michael Innocenti, Pupil Placements Manager Tel: 0121 464 7215, email: michael.innocenti@birmingham.gov.uk

SCOPE: This advice relates to pupils who have 20 school days continuous unauthorised absence whose whereabouts, following reasonable enquiries, are unknown. This is prescribed in The Education (Pupil Registration)(England) Regulations 2006, as amended 2013, Sections 8.1.f. and 8.1.h.)

Children missing from school without trace may be at significant risk. Schools not only play a pivotal role in reducing the risk of children going missing from school but, along with the local authority, have a statutory duty under the Education Pupil Registration Regulations to carry out reasonable enquiries for pupils who cannot be located following 20 days continuous unauthorised absence.

Fortunately, most of the pupils referred to the 'Left School No Trace (LSNT) team (formerly known as the CME Team) are quickly located and are found to have either moved address with their families or have relocated to an address in another local authority area. However, your school's prompt and thorough enquiry remains a critical requirement to ensure, as far as you are able to do so, that these missing pupils are effectively safeguarded. The outcome of your enquiry *must* be recorded on the attached, revised 'Pupil Left School No Trace' referral form (appendix 1).

Given the above, it would be good practice to regularly remind parents, either via the school's regular news letter to parents, or via the school prospectus, that they should inform the school of their decision to withdraw their child from school in advance of their leaving, confirming their new address and the name of the next school their child will be attending.

SCHOOL'S RISK ASSESSMENT: Critically, where you have concerns for a pupil, enquiries into her/his absence and whereabouts should proceed well before 20 days unauthorised absence has elapsed. Any safeguarding concerns you have for the pupil should be reported, without delay to the MASH team, – (Multi-Agency Safeguarding Hub) on 0121 303 1888.

Please note that for matters of urgency, where you suspect that a child may be at risk of harm, you are required to select option one for MASH or, if you think a crime has been or may be committed against the child, you must refer to the Police.

Schools should only remove a pupil from the school roll after such enquiries have failed to locate the pupil, but please be mindful that school proprietors risk prosecution if pupils with 20 days unauthorised absence are removed from the school roll and their location, i.e. their address of habitation, is known.

REFERRAL PROCEDURE TO THE LSNT TEAM: Please continue to refer all pupils who fall within the scope of the above sections of the Pupil Registration Regulations (where your reasonable enquiries fail to identify the pupil's new address or location) to the LSNT Team using the revised 'Pupil Left School No Trace' referral form (appendix 1).

In circumstances where parents verbally advise schools of relocation or emigration and documentary proof of travel abroad is not provided; *schools as a matter of practice* need to consider the following factors before referring these pupils to the LSNT Team:-

1. Is the information indicating the pupil has moved abroad from a reliable source?
2. Do you have significant concerns for the pupil, or is the pupil known to Children's Social Care or subject to a Child Protection Plan or investigation?
3. Does the pupil have a statement of special educational needs?

If the information source is reliable, and your risk assessment and knowledge of the pupil determines that there are no safeguarding concerns for the pupil, then the information should be accepted and the pupil should be deleted from your registers. School Admissions and Pupil Placements should be informed of the deletion through your completion and return of **the In Year Notification of Pupil Movement Form**, or as commonly referred to; the Pupil Movement Form (appendix 2). However, if you have any concerns for the pupil, or you are aware of Children's Social Care Service's involvement, we advise that prompt action must be taken to escalate the matter. This must be done by contacting the Social Worker known to be working with the pupil or by telephoning and reporting your concerns to 'MASH' (Multi Agency Safeguarding Hub - option one. Telephone: - 0121 303 1888).

Where you are concerned that a pupil may be in need of immediate protection, for example, where s/he is missing without her/his parents/guardians, or where you suspect that s/he may be a victim of abuse, forced marriage, female genital mutilation (FGM) or child trafficking, you should refer the matter promptly to the Police and MASH who in turn will advise you to submit a referral to the LSNT team outlining your actions..

If the pupil has a statement of special educational needs, contact should be made with SENAR (the Special Educational Needs Assessment & Review Service) by telephoning 0121 303 3525/4314. SENAR may be able to provide you with further information in respect of the pupil's movement. If you are the named school on the statement, you will be guided by SENAR officers in matters of removal from roll.

REASONABLE ENQUIRIES:

Please be advised that your school's prompt reasonable enquiry is a statutory requirement. The outcomes of your enquiries should be recorded accurately on the attached 'Pupil Left School No Trace' referral form (appendix 1).

In carrying out a reasonable enquiry into the whereabouts of a pupil whose whereabouts cannot be traced, school staff should:-

- Check with all members of staff who the pupil may have had contact with.
- Check with the pupil's friends, siblings and known relatives at this school or other schools.
- Make telephone calls to any numbers held or identified.
- Make a visit to the last known address of the pupil.
- If possible, enquire of neighbours as to the location of the family.
- Send a letter to the last known address and record the outcome.

The timescales for these actions will depend on the perceived level of vulnerability and risk, which is a matter of professional judgement, but the following questions should be considered:

- Is there good reason to believe that a crime may have been committed? E.g. is this a very sudden, unexpected situation? Are there cultural reasons to suspect that the pupil is at risk? Have there been past suspicions concerning the pupil and family which, together with the sudden disappearance, are worrying? If so, a prompt referral to the Police should be made.
- Is the pupil subject to a Child Protection plan or investigation?
- Is the pupil looked after?
- Is there current Social Care Service involvement?

In the three instances above, MASH should be informed immediately.

Also, please note that the Common Transfer File (CTF) for any pupil removed from roll who cannot be located, or is believed to have moved abroad, must be sent within 15 school days through the School to School system (S2S) using XXXXXXXX (7X) as the destination or MMMMMMMM (7M) for confirmed destination abroad. Detailed guidance on compiling and sending the CTF is available at www.teachernet.gov.uk/s2s

Many thanks for your cooperation in this matter and for your continuing commitment to safeguarding all our children and young people and, if you have any questions in respect of this advice, then please do not hesitate to contact us.

Karen Prosser
Team Manager, Left School No Trace
School Admissions and Pupil Placement Service
0121 303 4983
Secure email address:- cme@birmingham.gcsx.gov.uk

Michael Innocenti
Pupil Placements Manager
School Admissions and Pupil Placement Service
0121 464 7215