

**CHILDREN MISSING EDUCATION
(CME)
“Everyone’s Responsibility”**

**SUFFOLK COUNTY COUNCIL
Children Missing Education (CME) Protocol
V1.1 Revised April 2020**

Contents

Part One - Background

- 1. Introduction: Pupil Regulations 8.1 and CME Work Flowcharts 1 & 2**
- 2. When a child is missing from education and when they are not missing**
- 3. Reducing the Risk of Children going missing from education**
- 4. Maintaining a database of Children Missing Education**
- 5. Identifying and engaging key stakeholders**

Part Two – How to Refer a Child Missing Education

- 6. Alerting the Local Authority (LA) that a child or young person is suspected of being missing from Education: Partner agencies**

Part Three - Procedures

- 7. New Admission: When a Pupil is placed on the Attendance Register**
- 8. Children failing to attend regularly at school or alternative provision**
- 9. Children who fail to transfer after Nursery, Years 2, 4, 6 or 8**
- 10. Children whose names are removed from a School Roll**
- 11. Children who go missing from school or alternative provision**
- 12. S2S (School to School)**
- 13. Children discovered without any educational provision**
- 14. School Attendance Order Protocol**
- 15. Reducing Exclusions**
- 16. Children whose parents decide to Electively Home Educate**
- 17. Case Escalation and Alert Procedures**
- 18. CHILDREN MISSING EDUCATION “Everyone’s Responsibility”**
- 19. CME Contact Information**
- 20. Information for Schools: Eight Pupil Scenarios for Schools**

Appendices:

Appendix 1: CME Flowchart 1

Appendix 2: CME Flowchart 2

Appendix 3: SAO1 Specimen Letter

Appendix 4: SAO2 Specimen Letter

Appendix 5: SAO2A Specimen Letter

Appendix 6: SAO3 Specimen Letter

Appendix 7: SAO4 Specimen Letter

Appendix 8: SAO5 Specimen Letter

Appendix 9: SAO6 Specimen Letter

Part One - Background

1.0 Introduction, Pupil Regulations 8.1 and CME Work Flowcharts

1.1 Children Missing Education (CME) fall into two broad categories.

The first category is those whose whereabouts and circumstances are known to the local authority, but who have, for whatever reason, been out of education for ten school days (in the first instance contact the allocated Education Welfare Officer (EWO) for school or Early Help Team).

The second category are those who are “lost”; children who have apparently disappeared; the authority knows neither where they are residing, nor anything of their circumstances or possibly were not previously aware of their existence.

Both these categories of children and young people may be being denied the right to receive an appropriate education as well as being vulnerable and exposed to a greater risk of harm. Neither situation is acceptable. It is the responsibility of all agencies that work with children and young people to support in the identification and notification to the Local Authority (LA) of children suspected of missing education.

1.2 Suffolk County Council is committed to:

Ensuring that all children who are registered at school or an alternative provision attend regularly and that cases of poor attendance are followed up as quickly as possible.

Identifying children who fail to transfer after Nursery, into the Reception Year and into the following Year Groups: Year 3, (Junior schools) Year 5,(Middle schools) Year 7(Secondary schools – Two tier system) and Year 9, (High schools – Three tier system)

Ensuring that immediate steps are put in place to try to locate children who go missing from school in Suffolk and that assistance is given to other local authority areas from which children are missing, working closely with other local authorities to locate children who appear to be missing.

Investigating and following up on cases of children who are found without any educational provision.

Monitoring children whose parents decide to electively home educate them, within the powers available to Local Authorities (LA's).

Maintain a database of children who appear to be missing from education.

1.3 Suffolk County Council will ensure that maintained schools, academies, free schools, foundation schools, voluntary aided, independent schools, and professionals within the county are aware of their responsibilities in relation to Children Missing Education (CME) and that they are appropriately supported to meet those responsibilities.

1.4 The Education Act 1996 (S.436A): Pupil Regulations 8.1 Codes (a) to (o) (Amended 01 September 2016) places a duty on schools and local authorities (LA's) to work jointly to identify children not receiving an education.

The Education Act 2002, (S.175) places a statutory duty on schools and local authorities, in all their functions, to safeguard and promote the welfare of children.

Below are The Pupil Regulations 8.1 Codes (a) to (o) (as Amended 01 September 2016):

Grounds for deleting a pupil of compulsory school age from the school admission register set out in the Education (Pupil Registration) (England) Regulations 2006, as amended

1	<p>8(1) (a) - where the pupil is registered at the school in accordance with the requirements of a school attendance order, that another school is substituted by the local authority for that named in the order or the order is revoked by the local authority on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his age, ability and aptitude otherwise than at school.</p> <p align="center">School attendance order has named a different school or family decide to EHE whilst subject to a SAO</p>
2	<p>8(1) (b) - except where it has been agreed by the proprietor that the pupil should be registered at more than one school, in a case not falling within sub-paragraph (a) or regulation 9, that he has been registered as a pupil at another school.</p> <p align="center">Moved to another school</p>
3	<p>8(1) (c) - where a pupil is registered at more than one school, and in a case not falling within sub-paragraph (j) or (m) or regulation 9, that he has ceased to attend the school and the proprietor of any other school at which he is registered has given consent to the deletion.</p> <p align="center">Where a child is dual registered and becomes single registered</p>
4	<p>8(1) (d) - in a case not falling within sub-paragraph (a) of this paragraph, 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.</p> <p align="center">Parents decide to EHE</p>
5	<p>8(1) (e) - except in the case of a boarder, that he has ceased to attend the school and no longer ordinarily resides at a place which is a reasonable distance from the school at which he is registered.</p> <p align="center">Moved a significant distance away from the school on roll at</p>
6	<p>8(1) (f) - in the case of a pupil granted leave of absence in accordance with regulation 7(1A), that:</p> <ul style="list-style-type: none"> (i) the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted; (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 (iii) the proprietor and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is. <p align="center">Deletion due to Leave of Absence</p>
7	<p>8(1) (g) - that he is 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 he nor his parent has indicated to the school the intention to continue to attend the school after ceasing to be of compulsory school age</p> <p align="center">Medically unfit</p>
8	<p>8(1) (h) - that he has been continuously absent from the school for a period of not less than twenty school days and:</p> <ul style="list-style-type: none"> (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 (iii) the proprietor of the school and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is. <p align="center">School & LA not able to locate the child after all reasonable enquiries have been made</p>
9	<p>8(1) (i) - that he is detained in pursuance of a final order made by a court or of an order of recall made by a court or the Secretary of State, that order being for a period of not less than four months, and the proprietor does not have reasonable grounds to believe that the pupil will return to the school at the end of that period.</p> <p align="center">Serving a custodial sentence</p>
10	<p>8(1) (j) - that the pupil has died.</p>

	Child has died
11	<p>8(1) (k) - that the pupil will cease to be of compulsory school age before the school next meets and—</p> <p>(i) the relevant person has indicated that the pupil will cease to attend the school; or</p> <p>(ii) the pupil does not meet the academic entry requirements for admission to the school's sixth form.</p> <p style="text-align: center;">End of Year 11</p>
12	<p>8(1) (l) - in the case of a pupil at a school other than a maintained school, an Academy, a city technology college or a city college for the technology of the arts, that he has ceased to be a pupil of the school.</p> <p style="text-align: center;">Independent school deletion</p>
13	<p>8(1) (m) - that he has been permanently excluded from the school.</p> <p style="text-align: center;">Permanently Excluded</p>
14	<p>8(1) (n) - where the pupil has been admitted to the school to receive nursery education, that he has not on completing such education transferred to a reception, or higher, class at the school.</p> <p style="text-align: center;">School nursery child who doesn't get a place in Reception at the school</p>
15	<p>8(1) (o) where—</p> <p>(i) the pupil is a boarder at a maintained school or an Academy;</p> <p>(ii) charges for board and lodging are payable by the parent of the pupil; and</p> <p>(iii) those charges remain unpaid by the pupil's parent at the end of the school term to which they relate.</p> <p style="text-align: center;">Payment not received by school for board</p>

1.5 It is recognised that: “Basic to safeguarding children is to ensure their attendance at school.” (*OFSTED 2002*). Children are best protected by regularly attending school where they will be safe from harm and where there are professionals to monitor their well-being.

1.6 Children Missing Education Work Flowcharts below:



CME Flowchart 1
.docx



CME Flowchart
2.docx

(See Appendix 1 for CME Flowchart 1 and Appendix 2 for CME Flowchart 2)

2.0 When a child is missing from education and when they are not missing:

2.1 A child or young person is missing from education if they are of Statutory School Age (SSA), (or compulsory) school age, (this being the term after the child reaches 5 years old to the last Friday in June in Year 11 (in the child's chronological year group) and they are not on a school roll and no alternative education arrangements have been made for them.

2.2 A child is **NOT** missing education if they are:

- on a school roll but are not attending regularly.
- they are being home educated to an adequate and suitable standard, as required by their age and aptitude.
- they are in temporary alternative provision such as a Pupil Referral Unit.
- they attend a specialist provision

- In the case of non-attendance, a referral should be made either to the Education Welfare Officer or schools Attendance Officer for further enquiries to be undertaken.

2.3 Some children and young people, often the most vulnerable, are at greater risk of going missing from education. These include:

- looked after children or children living in women's refuges
- young runaways
- children who are privately fostered
- young carers
- children from transient families
- teenage mothers
- young offenders
- children permanently excluded from school
- children of homeless families, perhaps living in temporary accommodation
- children with long term medical or emotional problems
- unaccompanied asylum seekers
- children of refugees or asylum seekers
- children in new immigrant families not yet established in the UK
- children from a Gypsy, Roma, or Traveller background
- children from Military Service families

2.4 Children missing from education are at much greater risk of:

- physical harm
- sexual exploitation
- becoming involved in crime
- demonstrating anti-social behaviour
- abusing drugs and alcohol
- being illegally employed

- forced marriages
- human trafficking

2.5 Central to helping to safeguard children and young people it is the responsibility of the Local Authority (LA), schools and other agencies to work closely together to identify children missing education and ensure that suitable education provision is made for them.

3.0 Reducing the risk of children going missing from education

3.1 Making sure that children don't 'go missing' from education is a priority for the Suffolk County Council.

3.2 Minimising the risk to children, who have attended an education provision in Suffolk and to stop them simply 'disappearing' is greatly reduced by ensuring that all Suffolk schools have robust processes in place for school registration and the removal of children from the school roll.

3.3 Good practice in Suffolk includes:

- measures to reduce the likelihood that children 'disappear' from the education system, i.e. a clear process for removing a child from a school roll.
- The CME Officer will visit the school, at a mutually convenient time to offer support, guidance and staff training for CME processes.
- Regular CME information sessions are held, either by the CME Officer or jointly with other SCC Professionals.
- measures to identify and locate Children Missing Education, such as timely CME Welfare Checks, to be undertaken by the CME Officer and / or Education Welfare Officer (EWO), located in the relevant area.
- measures to re-engage with the missing child (and their Parent(s) / carer(s)) with the appropriate education provision, working with the Admissions team, SEND Family Service Teams, EHE Team, the allocated Social Worker (SW), Family Support Practitioner (FSP), Youth Offending Service (YOS) worker, Early Help Teams and Professionals based in Children's Centres.

3.4 Therefore, schools have a clear responsibility to ensure, when children move from school to school, to follow the correct procedures (See Part 3)

3.5 Therefore schools also have a clear responsibility to ensure, when a child is offered a place at school, to follow the correct procedures when placing on the Admissions and Attendance Registers. (See [Part Three: Procedures in Section 7](#))

3.6 All agencies who encounter children and families also have a responsibility to alert the Local Authority, through the Children Missing Education Team, if they suspect that a child is missing from education.

4.0 Maintaining a database of Children Missing Education

4.1 The Suffolk Family Focus Attendance Service (SFFAS), maintains the Children Missing Education (CME) database. The Children Missing Education Officer manages the database through day to day processes.

4.2 The database is being continually developed to provide better information to ensure that children are tracked effectively and for annual reporting.

5.0 Identifying and engaging key stakeholders

5.1 Preventing children going missing from education, or to find and re-engage them after they have gone missing, it is crucial that a wide variety of agencies acknowledge a safeguarding responsibility in this area. Crucially, all agencies have a responsibility to identify their role in reducing the risk of children missing from education and this is a priority for Suffolk County Council.

5.2 Effective multi-agency work in this area will involve information sharing, an operational involvement and recognition on the part of all key agencies of their responsibility to alert the local authority in every case where they suspect a child is missing from education.

Reducing the risk of Children Missing Education and rapidly identifying and securing provision for children identified as missing involves joint working across many agencies.

5.3 Key stakeholders include:

- Education (maintained schools, Independent schools, Academies, Free schools, Foundation schools, Voluntary Aided schools, Elective Home Education, Other Professionals, Pupil Referral Units, Special schools, and Colleges)

- Children's Social Care
- Health (Strategic Health Authorities, Primary Care Trusts)
- Police and police authorities
- Youth Justice Teams
- Young Offender Institutions
- Children's Homes
- Housing providers
- Early Help Integrated Teams
- Children's Centres

Other important partners are:

- HM Revenue and Customs
- UK Border Force Agency
- DWP
- Public Protection/ Fire Service
- Crime and Disorder Reduction Partnership agencies
- Voluntary and community organisations, including faith groups and Youth Services
- Women's Refuges
- Local Authority CME Officers and related teams

Part Two – How to refer a Child Missing Education

6.0 Alerting the Local Authority (LA) that a child or young person of statutory school age is suspected of Missing Education

- 6.1 As stated above identifying children missing from education and intervening rapidly relies on all professionals and agencies working together.
- 6.2 It is therefore essential that all agencies working with children and families are aware of the need to alert the LA when they suspect that a child may be missing from education.

6.3 From 01 September 2019, all Suffolk School CME Referrals will be made via the CME Schools Portal. The link below, when copied into your browser, will access the CME Schools Portal:

<https://sccschoolsportalprod.azurewebsites.net/dashboard>

- 6.4 The Children Missing Education Team will follow up all referrals, working closely with members of the Suffolk Family Focus Attendance Service (SFFAS) and other Local Authority (LA) services, such as Social Care Services.

6.5 The Children Missing Education Officer is available to provide staff information sessions, (by prior arrangement) and support to partner agency teams, Suffolk schools and key stakeholders to raise the profile of CME work.

6.6 The public has a role to play in identifying children missing from education) The general public CME Reporting Template is available at www.suffolk.gov.uk/cme. Please notify the Children Missing Education Team, as soon as possible, if you suspect that a child is missing from education.

Contact details:

Email: CME@Suffolk.gov.uk

Postal Address:

Children Missing Education Team
(CYP) Services, Suffolk County Council
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

Telephone: Contact Centre 0345 606 6172

Portal: <https://sccschoolsportalprod.azurewebsites.net/dashboard>

Part Three - Procedures

7.0 New Admissions: When a Pupil is placed onto the Admissions Register

7.1 Regulation 5 of the Education (Pupil Registration) (England) Regulations 2006 (as amended) requires that a school must have an entry in its Admissions Register, which is often referred to as the "School Roll", for each pupil attending, or who is expected to be attending, the school. Regulation 5 states that a pupil is a pupil at the school, and so needs to have an entry in the Admissions Register, from the beginning of the first day on which the school has agreed, or has been notified, that the pupil will attend the school. This date is the first day the pupil is expected to physically be present at the school.

7.2 Please note that if it helps the school's administration then it is possible to set up records in both the Admissions Register and Attendance Register before this date in preparation for the child's first attendance day. However, if this is done then the record in the Admissions Register does not have legal effect until the child's

expected first day, and until that day then the Admissions Register should be marked with the absence code Z: "Pupil not on admission register".

7.3 The Education Act 2002, (S.175) places a statutory duty on schools and local authorities, in all their functions, to safeguard and promote the welfare of children.

7.4 School must place a pupil on their Admissions and Attendance Registers from the agreed first expected attendance date and follow their Attendance Policy for any unauthorised non-attendance. School may wish to refer to their Education Welfare Office, (EWO), if applicable.

7.5 School must treat any non-attendance and non-engagement from the agreed start date as an attendance issue and follow their Attendance policy.

7.6 In cases of non-engagement from the Parent(s) resulting in the child not being presented at school, the school must make all reasonable attempts to contact the Parent(s) in order to facilitate the child into the school.

7.7 If, after all reasonable enquiries have been made and the child has not been located, then the CME Referral must be made via the CME Schools Portal. This alerts the CME Officer to a child missing education, allowing for investigations to begin to ensure the wellbeing and safeguarding of the child. This also allows the CME Officer to engage with the Parent(s) and any other LA Professional, in working towards finding a suitable and appropriate education for the child.

7.8 To ensure that a pupil does not 'simply disappear' best practice would be to place the pupil onto the Admissions Register when the place has been offered, to ensure that all reasonable enquiries are made, as stated above and for any subsequent CME Referral to be made, if / when appropriate.

8.0 Children failing to attend regularly at school or alternative provision

- 8.1 Children who fail to attend regularly at the schools where they are registered should be referred to Suffolk Family Focus Attendance Services (SFFAS) and procedures followed as in the Technical Guidance. (*Education Attendance Service Working Practices and Procedures 2020*).

9.0 Children who fail to transfer after Nursery, Years 2, 4, 6 or 8

- 9.1 Each September, the School Admissions Team will identify children who have not transferred into their next phase of education school. The Suffolk Family Focus Attendance Service (SFFAS) will ensure that this list of children, who fail to transfer, is obtained and actioned. The Children Missing Education Officer to co-ordinate
 - a. The SFFAS will contact and arrange to visit the homes of children whose current educational provision has not been identified. Parents will be encouraged and supported to register their children at a school. If they fail to do this and do not make any suitable alternate education provision, the School Attendance Order (SAO) process will be considered by the CME Officer and/or The Strategic Lead Officer for the SFFAS.
 - b. It is important that schools also refer to an EWO or the CME Team, immediately, where a child has been discovered without a current school place
- 9.2 It is important that these checks and procedures are carried out in a reasonable time frame, after the beginning of the autumn term.
- 9.3 If the family cannot be found within Suffolk, the Education Welfare Officer (EWO) assigned to the case will liaise with the CME Team for further investigation.

10 Children who are Removed from a School Roll

- 10.1 Removing a child from the school roll should be done in accordance with the Pupil Registration Regulations 2012, 8.1 (a) to (o), updated 01 September 2016. It is important that schools follow the process properly, as this is a point where children may disappear from education.
- 10.2 Safeguarding is a limiting judgement in Ofsted inspections and one of the areas that will be considered as part of the inspection process is that schools follow the Pupil Regulations procedures correctly when removing children from the school roll.
- 10.3 When parents inform a school that the family is moving out of the area, the school should ask for the address the family is moving to, the exact date of the move and the name of the school the child is to attend. They should also attempt to acquire an email address from parents and up-to-date telephone numbers.

- 10.4 When a statutory school age child is removed or admitted within an academic year, legislation introduced on 01 September 2016 requires that **all** schools, including academies, free schools and independent schools complete the Children Missing Education referral form as either a CME, pupil removal, EHE or pupil admitted referral. The form must be completed and emailed to the CME Team at CME@Suffolk.gov.uk. This allows the CME Team to follow up the case appropriately. From 01 September 2019. The CME Schools Portal has been introduced for the submission of all CME Referrals, by a Suffolk School.
- 10.5 Where a school needs to update the original information via the Portal CME Referral form, usually due to obtaining further information, an email should be sent with the details to the CME email address. (Do not complete another CME Referral form or update the original form as this creates duplication).
- 10.6 For all schools, any CME Referrals should be made within 5 school days, whenever possible. However, when making the Roll Removal referral under Pupil Regulations, 8.1, code (b), only submit when the destination school has confirmed receipt of the child. For example, when a child leaves at the end of term and the destination school is known and the child is expected to start after the school break, the Roll Removal Referral will also need to be made at the beginning of the new term, after confirmation of arrival.
- 10.7 On each visit of an Education Welfare Officer (EWO) to a school, the Officer will enquire whether any child's name has been removed from roll since the previous visit.
- The EWO will ascertain if the school has used S2S to transfer the child's file, check that the school has completed and made the CHILDREN MISSING EDUCATION Referral. And that the school has checked the child's arrival at the next school prior to referral to identify whether the referral is a roll removal or CME.
- 10.8 New government legislation introduced 01 September 2016 requires schools and LAs to work collaboratively together. Schools are required to make reasonable enquiries to follow up the child's absence, including visits to the last known residence prior to referral. This responsibility applies to all schools regardless of their category [Free / Independent / Academy / Maintained / Foundation / Special Schools or Pupil Referral Units].

11 Children who go missing from school or alternative provision

11.1 EWOs will take an immediate referral on any child (However, if they are on the child protection register or are subject to a S.47 enquiry, in which case an immediate referral should be made by the school to Social Care Services) who is absent from school, where the school is unable to make contact with the home and where there is the possibility that the child has gone missing with their parent(s).

11.2 The EWO taking the referral should visit the home within 72 working hours, (three school days), (a Colleague may be required to accompany the EWO) and any other address at which the child may be residing. Enquiries may be made of neighbours. It is important that these should be discreet and limited to asking if the family's whereabouts are known.

11.3 EWOs must exercise their professional judgement in deciding whether to refer to Social Care Services and/or Police if they find the child. They must, however, do so if they are unable to locate the child within 72 working hours of referral by the school, and immediately if they have reasonable cause to suspect the child may be at risk of harm.

EWOs must report the outcomes of any enquiries undertaken to the Children Missing Education Officer and follow all procedures laid out in this Child Missing Education protocol, *updated March 2020*.

11.4 Children with alternative provision arranged by the LA

The appropriate SEND Family Services Team must follow the above procedures for children who go 'missing' from alternative provision. It is their responsibility to notify Social Care and the SFFAS where children have a Child Protection Plan or are subject to Child Protection investigations. The EWO's will follow the procedure described above for children missing from school.

11.5 Social workers and the police must share with each other information about children who appear to be missing with their families. They must agree a comprehensive strategy for tracking the child and responding to any needs and dangers that might reasonably be anticipated.

12 S2S (School to School)

- 12.1 The DofE School to School (S2S) website is used by education establishments to transfer pupil data electronically. It is a statutory requirement for schools to transfer pupil data electronically rather than using paper.
- 12.2 This applies for all transfers both in and out of county schools, independent schools, education overseas and 'lost' pupils. To access this site, a school will require a username and password.
- 12.3 When a child leaves a school at **any** time of the year (whether at usual transfer times or not) and for **any** reason, schools should create a Common Transfer File (CTF) and send it to the DFE secure S2S website. This website assists in tracking pupils who appear to be 'lost'.
- 12.4 If, after 20 consecutive school days of unauthorised non-attendance, it has been established that the pupil is no longer residing at the last known address and the pupil cannot be found, or in any case if a child's future school is not known, schools should create a CTF in the usual way with the code XXXXXXXX as the destination. The file will go to the 'Lost Pupil Database' of S2S which other local authorities will be able to search.
- 12.5 Should a child leave a Suffolk school to be home educated, attend an independent school, or attend a school outside England and Wales, schools should (having first received written notification from the parents of their intentions), remove the child's name from roll and upload a CTF, using the destination code MMMMMMMM, to S2S. The file will be held in the database of pupils who have moved outside the maintained system.
- 12.6 The designated person for CME will ensure that the names of children missing education in Suffolk (whether from school or alternative provision) are posted on the S2S website for other Local Authorities to check whether they have registered at any of their schools or are otherwise known to them. This will be done at the end of each term or half term break
- 12.7 Similarly, the designated person for CME will ensure that messages posted on the S2S website by other Local Authorities are read at the end of each term or half term break and that a search against EMS is carried out to see whether children 'lost' from those Authorities have registered in any of Suffolk's maintained schools.

13 Children discovered without any educational provision

- 13.1 Professionals in **any** service or agency within the county who become aware of a child of compulsory school age who does not appear to be registered at a school or in receipt of alternative provision should notify the SFFAS.
- 13.2 The Education Welfare Officer (EWO) will make enquiries regarding these children and inform the appropriate Team(s) teams.
- 13.3 The Education Welfare Officer will contact and arrange to visit the homes of children whose educational provision is not known. Where appropriate, parents will be encouraged and supported to register their children at a school.

If parents fail to do this, the Strategic Lead for the Attendance Team or CME Officer will, if deemed appropriate, begin the School Attendance Order process. Cases of a complex nature, requiring a different approach will be referred to the Strategic Lead Co-Ordinator for the Attendance Team for consideration and in further consultation with the CME Officer.

14 School Attendance Order (SAO) Referrals and Process

14.1 SAO Cases are referred directly from the EHE Team, as notice to Satisfy cases or as a result of CME referrals requiring an Education Welfare Officer (EWO) or CME Officer (CMEO), welfare check home visit and / or through CME investigations.

14.2 The SAO case criteria will include the following:

- A statutory school age (SSA) child is resident at a Suffolk address
- The child is not registered on a school roll or there is no suitable and appropriate alternate education provision currently in place.
- The child does not have an Education Health Care Plan (EHCP) with a named school in it, (although a SAO can also be issued and name the same school as in the child's EHCP, after consulting with SEND Family Services.

14.3 Once a SAO case is identified, the case is entered onto the SAO Database & opened to CME (if not already an ongoing CME case). The SAO process begins with the SAO Letters issued in the following order:

14.4 Issue of SAO1 Letter, (Notice to Satisfy). This is issued to each Parent for each child, advising them of the need to satisfy the Local Authority that the child is receiving suitable education and if there is a failure to do this, the Local Authority (LA) will decide which school it would be appropriate for the child to attend and will make and serve a School Attendance Order. The parent is given 15 calendar days to respond



Specimen Sample
SAO1 Notice to Satisfy

14.5 Issue of SAO2 Letter x2 (Notice to Consult with XXX School with the Intention to name on a SAO). One letter is sent to the Headteacher of the School & one to the Chair of Governors. The school then has 15 calendar days to respond, (provision will be made for any school term break which occurs within the 15 calendar days). The SAO2 letter states that the Local Authority wishes to consult with the school regarding placing a child under a School Attendance Order and that the SAO2A Letter will be issued after a period of not less than 15 days, following positive consultation or if no response has been received from the school.



Specimen Only SAO2
Consult Letter.pdf

14.6 Issue of SAO2A Letter x2 (Preliminary Intention to name the School). One letter is sent to the Headteacher of the School & one to the Chair of Governors. The school then has 15 calendar days to respond, (provision will be made for any school term break which occurs within the 15 calendar days). This letter states that the Local Authority has decided to make a School Attendance Order in respect of a child and intends to name the school as the school named in the Order. The school has the option to apply to the Secretary of State for a direction within 15 days of receipt of the Notice. The decision to comply with the SAO2 or to make a direction to the Secretary of State, is for the school Chair of Governors to make, however a copy is also issued to the Headteacher, for their information.



SAO2A Specimen
Only Intention Letter .

14.7 Issue of the SAO3 Letter (Notice of Intention to Serve a School Attendance Order Child without a Statement of Special Educational Needs). Letter sent to the Parent. This letter advises the parent of which school or schools that the LA intends to name in the Order and the options the Parent has regarding making an alternate school provision. A school application will be sent with the SAO3 Letter. The Parent is given not less than seven calendar days to respond.



SAO3 Specimen Only
to Parent.pdf

14.8 OR Issue of SAO4 Letter (Notice of Intention to Serve a School Attendance Order Child with a Statement of Special Educational Needs). This letter is sent to the relevant School stating that the child's Statement of Special Educational Needs does not name a school & that the Statement will therefore be amended to specify a school. Once this has been completed, the school will be named in the School Attendance Order.



SAO4 Specimen
Only.pdf

14.9 Issue of SAO5 Letter (The Order) (Education Act 1996). The Order is issued to each Parent for each child and states that the parent has failed to satisfy the Authority that the Child is receiving suitable education, either by regular attendance at school or otherwise & in the opinion of the Authority the child should attend the named school and the parent is required to register their child as a pupil at the school.

14.10 AND Issue of the SAO6 Letter (Admission to School). This letter is sent with the SAO5 letter to each Parent, for each child, it advises of the need to contact the school to make the necessary admissions arrangements. Also offered is an offer for an appointment to discuss further, either at the named school or at the Local Authority office. The SAO5 also advises that failure to comply with the Order will lead to prosecution of failing to ensure the education of the child.



SAO6 Specimen
Admission Letter Only

A copy of the SAO5. The Order and SAO6, Admissions letter will be emailed to the named school and the relevant EWO, Admissions and EHE Teams and any other appropriate SCC Professional, (where applicable).

14.11 The child will be placed on roll at the named school at a date agreed by the CME Officer and the school, the case will then be closed to the CME Team. For any non-engagement or non-attendance, the school will follow their Attendance Policy and the EWO will monitor and liaise with the CMEO. The SAO remains in place for the remaining statutory school years of the child, or until the child reaches their chronological Transfer Year age group, i.e. leaving primary school Year 6 to transfer to secondary school in Year 7.

14.12 Issue of the SAO7, Final Notice Letter. This letter is sent when no response has been received from the parent and the child has not been presented to the school for education. It states that the local authority intends to take legal proceedings and in failing to meet your legal responsibilities in this matter, you are now served a FINAL NOTICE that Suffolk County Council is about to begin legal proceedings against you.

14.13 If the child is offered a school place and is on a school Admissions Register, before the 15 calendar days after the issue of the SAO1 Letter, then the SAO process will cease. If the child is offered a school place and is on a school Admissions Register, after the 15 calendar days, following the issue of the SAO1 Letter, then this school, (if a suitable school, providing an adequate full time education), will be named on the SAO5, The Order. If the child continues in full time elective home education and the EHE Consultant / EHE Team receive satisfactory evidence of this from the parent / carer, then the SAO process will cease.

(See Appendices numbers three through nine for SAO Specimen letters)

15 Reducing exclusions

- 15.1 Suffolk County Council is committed to reducing the number of children excluded from school and the number of days lost to exclusion.
- 15.2 Where schools have put appropriate support in place and consider there is no alternative to exclusion, they must always follow the Discipline / Exclusion procedure. Schools will be challenged if they appear not to have done so.
- 15.3 Exclusions will be recorded on EMS [data management system used by SCC]. Children who have been permanently excluded from school will be found alternative schools, Pupil Referral Unit places or alternative provision by the SEND Family Services Team. SEND Family Services will place the child in alternative provision and progress to achieve the above will be tracked and monitored by the CME team. CME cases are only resolved after the pupil has been confirmed as on roll at the school / educating setting. Any non-attendance will be reported to the Suffolk Family Focus Attendance Service (SFFAS).
- 15.4 A CME Referral needs to be made to the CME Team, by the school the pupil has been permanently excluded (PEX'd) from. The CME Referral should be made after the 15 day Appeal date has elapsed, (where no Parental Appeal has been made or the Appeal was unsuccessful).

16 Children whose parents decide to Electively Home Educate

- 16.1 *'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).

Parents 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 informs the school in writing as provided by the *Education (Pupil Registration) Regulations* Amended 01 September 2016, 8.1, code d "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".

- 16.2 The duty of the proprietor (Headteacher) of the school is to inform the LA within 10 working days *under Pupil Regulations 2012*) "when the name of a pupil has been deleted from the admission register in accordance with regulation) 8.1 (d) the proprietor shall make a return to the local authority giving the full name and address of that pupil within 5 school days immediately following the date on which the pupil's name was so deleted". EHE FORM 1 must be completed and returned to the Elective Home Education (EHE) Team at EHE@Suffolk.gov.uk. A copy of the de-registration letter also needs to be emailed to the Children Missing Education Team at CME@Suffolk.gov.uk via the CME school portal.

- 16.3 Although children and young people with Educational and Health Care Plans [EHC] may be home educated, the SEND Family Services Co-Ordinator, on behalf of the LA must give permission for this to be agreed and remains responsible for ensuring that the education the child receives is suitable, and meets the child's needs.

- 16.4 However, if a child's name is provided to the local authority as a child who may be missing education, investigations will follow. The CME Team will contact parents to ascertain if the child is receiving an education and liaise with the EHE Team, as appropriate.

- 16.5 In the interests of the child, parents, and the local authority the initial contact is intended to support the development of a positive relationship between the home educator and the LA. Collaborative partnership between parents and the LA is in everyone's interest.

- 16.6 The LA 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).
- 16.7 The LA EHE Advisors and Consultants will seek to build positive relationships with as many home-educating families as possible. The Local Authority will record and track on EMS, those children whose parents elect to home educate them. The EHE and CME Teams will work together, where appropriate to do so.

17 Case Escalation and Alert Procedures

17.1 The following systems are in place to monitor and prioritise cases:

Flag alerts to be placed on the following data systems:

- **EMS:** on cases where the referral has no receiving school offered or named and on selected CME cases, as deemed appropriate by the CME Officer.
- **Liquid Logic:** the system is to be accessed and the relevant information extracted to further the CME case, as needed.
- **S2S:** After all enquiries have been exhausted and the child's whereabouts cannot be established, the case is loaded onto S2S

Other actions:

17.2 When a child is potentially mis-identified by a school as a CME referral, however the child remains on roll, a member of the CME Team will contact the school to recommend they contact their EWO to follow up. The school will be advised to follow their Attendance Policy.

17.3 If the child has not been traced after all reasonable attendance enquiries have been made, jointly by all relevant professionals and the school, then a CME referral will need to be completed, after, either 10 or 20 school days, depending on the circumstances and under which Pupil Regulation, @8.1 the pupil is to be removed from roll.

17.4 If the child has been offered a place but school have failed to place that child on their roll, the CME Officer will phone the school to challenge this and request they do so.

17.5 Weekly Case review with Manager and / or cases will be escalated from the CME Officer as Cases of Concern. These cases will be discussed, and the agreed appropriate action taken.

18.0 Children Missing Education - Everyone's responsibility

- 18.1 The Protocols set out in this policy must be consistently followed by all CYP staff, school staff and staff in partner agencies to collectively reduce the likelihood of Children Missing Education.
- 18.2 If, at any time, in the procedures described above, a child is at risk of harm, the person with the concerns **must** make an **immediate** referral to Social Care Services in line with Suffolk Safeguarding Board Procedures. These can be found, together with the referral guidance at <https://www.suffolk.gov.uk/children-families-and-learning/schools/pupil-attendance-and-welfare/children-missing-from-education/>

19 CME Contact Information

If you require further information or guidance on any aspect of CME, please email CME@suffolk.gov.uk

Or call the Customer Contact Centre: 0345 606 6172

The Children Missing Education Team
Children and Young People (CYP) Services
Suffolk County Council
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

Portal: <https://sccschoolsportalprod.azurewebsites.net/dashboard>

20. Information for Schools: Eight Pupil Scenarios for Schools

Eight Scenarios - To Aid Schools with making CME Referrals. Updated February 2020.

- *20.1. Parent has told school that the pupil will not be attending anymore as they will be **home educating***
- Parents **must** put in writing a de-registration letter / email and it must state that they will be taking responsibility for their child's education EHE (Elective Home Educating) and state the date the EHE will start.
- Once the de-registration letter has been received, school **MUST** remove from roll and email a copy of the de-registration letter & a completed FORM1 to the EHE Team at EHE@Suffolk.gov.uk.
- Schools must keep the pupil on roll, until an adequate de-registration letter has been received.
- School must make the CME Referral via the CME Schools Portal and email a copy of the de-reg letter to CME@Suffolk.gov.uk.

- *20.2. Parent has told school that they are **emigrating...***
- Schools must ask the parents where they are moving to, as a forwarding address is needed by the CME Team.
- School to provide the name, address & contact details of the destination school (or as much detail as possible).
- A moving date must be sort by schools, after making all reasonable enquiries and up to date contact details provided for parents, i.e. phone no.s & email addresses.
- **Reasonable enquiries include:** schools making regular phone calls to parent(s) / carers, making enquiries with other contacts, such as friends, wider family members and / or parents of known schoolfriends, etc. Issuing emails and reminders to the parent(s) and making a home visit. Please note that more than one home visit may be necessary to establish if the pupil / family are still resident at the last known address, or are merely out of the house at the time of the visit, or that they may be at home and choosing not to answer the door, or whether they have actually left the property and are no longer resident at the address.
- The CME will follow up with families and/or overseas schools, to ensure the safeguarding of all children leaving Suffolk.

20.3. Parent has told school they have ***moved house***

- After a house move, the pupil should still attend their registered school until a new school is offered.
- If the move is a significant distance away from the school and travelling is an 'unreasonable' distance from the school, then the pupil may be removed from roll, please discuss with the CME Team, if in any doubt.
- The CME Officer will discuss and advise if a pupil may be removed from the school roll, after all reasonable enquiries have been completed by the school and LA (usually the EWO, if applicable) after 20 school days have elapsed AND it has been established that the pupil / family have left the last known address.
- The school will be required to make all reasonable enquiries, (see scenario 20.2 above), to gain a forwarding address and details of the destination school.
- The CME Officer will assess and decide if all reasonable enquiries have been made and will refuse the CME Referral, if not. Reasonable enquiries include telephoning and emailing regularly and making a home visit to the last known address, (more than one visit may be necessary to establish if resident or not).

- 20.4. A child has been ***Permanently Excluded (PEX)***

- School must make the CME Referral, after the PEX Appeal Hearing Date has passed, (15 school days) and once the permanent exclusion has been upheld.
- This is in addition to the required SEND Family Services referral. The CME Team and SEND FS Team will share relevant information and work together to achieve a FT education either on a school roll or an appropriate education setting.

- 20.5. Pupil has not attended school for a few days, ***and school have not received any contact from the parent...***

- This is an Attendance issue and a CME referral should NOT be made, at this time.
- The school must carry out all reasonable enquiries to find out where the pupil is. (please see 20.2 above for the definition of reasonable enquiries).
- If it has been established that the pupil is still living at the known address, then this will be an ongoing ATTENDANCE issue.

- The school will need to consider making an EWO referral. If the school does not have a dedicated EWO, the Attendance Officer of the School/Academy will need to investigate. Do **not** make a CME Referral in this circumstance.

20.6. Parent has advised they are *going abroad for 6 weeks, (or more), but will return.....*

- If the school is happy to keep the place for the pupil, whilst out outside of the UK, (and it is preferable for safeguarding reasons), then the school may keep the place open, to ensure the pupil returns to the school on their return.
- School to ascertain as much information as to where the family are going, i.e an address or at least the destination country, contact details and an estimated return date to the UK & return address, if known.
- Suggest to parents that they write to the school to advise of a return date to the UK, if not known at the time of leaving.
- If school is recording as unauthorised non-attendance, inform the parents that the pupil will be removed from the school roll and the parent will need to re-apply to a school on their return to the UK. Advise they may not get back into their preferred school.
- A CME Referral can only be made after it has been established that the pupil / family are not resident at the last known address and after all reasonable enquiries have been made, (see 20.2 above) and after the 20 school days have elapsed.
- *20.7 A **pupil** was due to start at school, a few days ago, but **has not arrived at school..... (this also applies to new Reception or Year 7 pupils / other transfer year groups)***
- School needs to telephone all contact numbers, visit the last known address and make all reasonable enquiries. (see 20.2 above).
- After all reasonable enquiries have been made, if it is established that the pupil is living at the known address, the pupil **MUST** remain on the school roll. A referral to the EWO for non-attendance will need to be considered. NB Even if a Parent states that the school place is no longer wanted, but they fail to provide details of any alternate education provision, the pupil **MUST** remain on the school roll.
- The school will need to follow their school Attendance Policy.

- 20.8 Pupil leaves to go to another school, either within Suffolk, out of County or abroad and is **CONFIRMED as on roll at the new (destination) school...**
- If the new (destination) school name is known, the start date has been confirmed and the new school has confirmed that the pupil has arrived at the school, then a CME Referral, Roll removal form, needs to be submitted via the CME Schools Portal. (this would be under Pupil Regulations 8.1 code (b). The LA retains this information on behalf of the DfE.

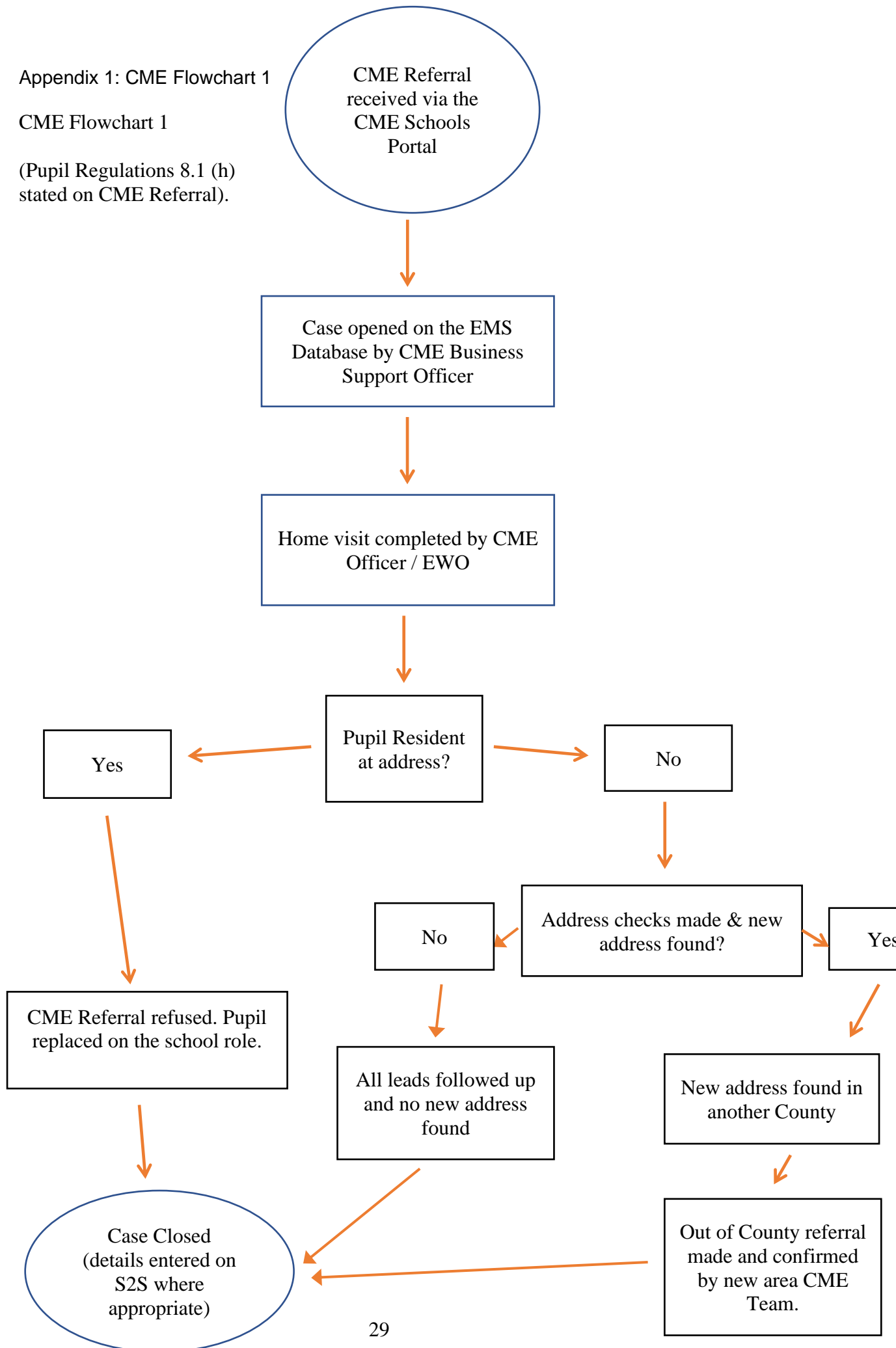
NB On making the CME Referral, via the CME Schools Portal, schools may back date the pupil's leaving date to the last date the pupil attended the school. In the case of a PEX student, this will be back dated to the last day of the original exclusion period, i.e. if the exclusion decision was made on Monday 1st of the month for a week, the back dated date would be Friday 5th of the month. This ensures that all school attendance figures are not impacted by the amount of time the CME reasonable enquiries have taken. Please note that this is only after all reasonable enquiries have been undertaken and stated on the CME Referral form and the Referral complies with an appropriate ground for pupil removal as defined in the Pupil Regulations 8.1 updated 01 September 2016, Codes (a) to (o).

Appendices:

Appendix 1: CME Flowchart 1

CME Flowchart 1

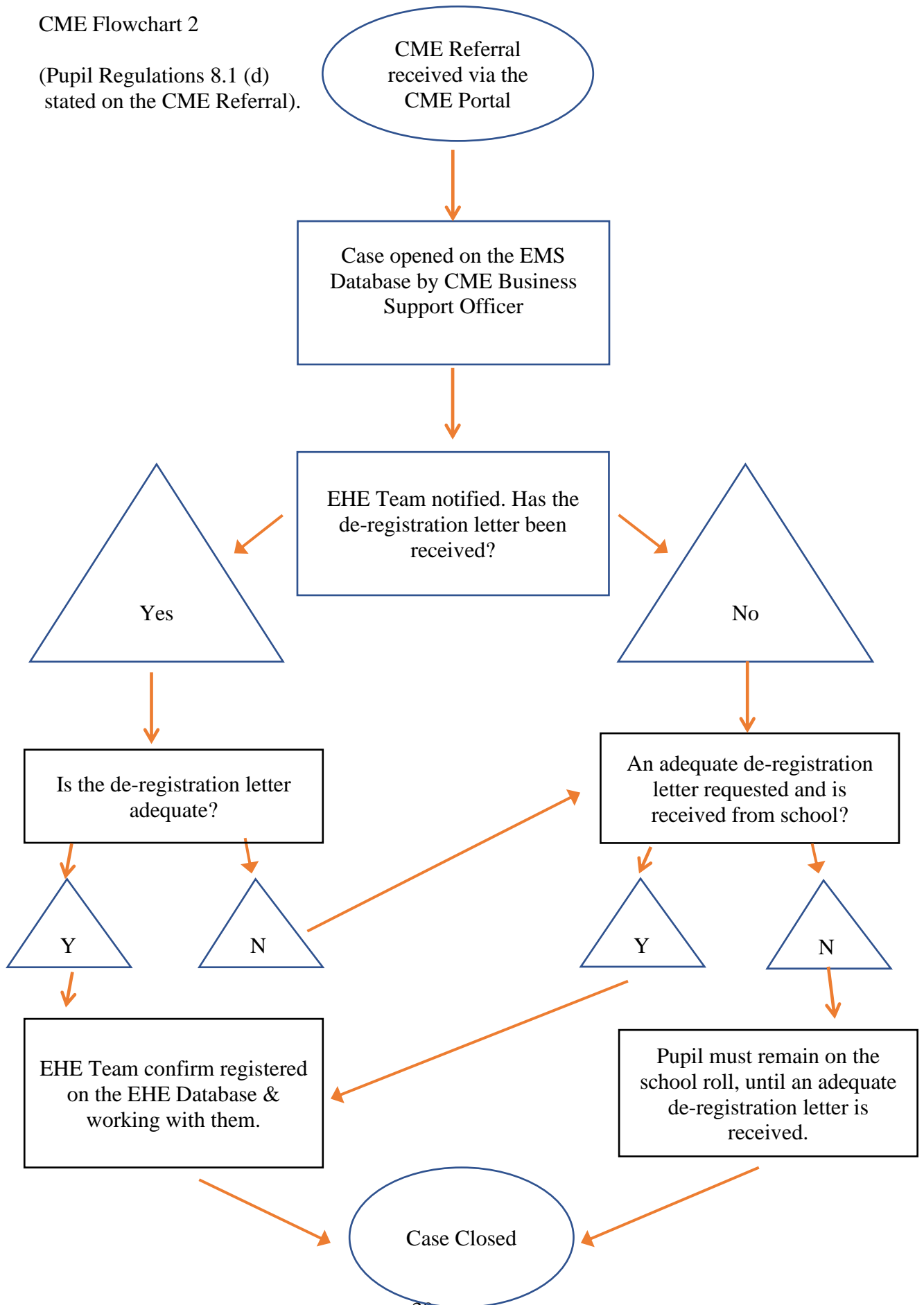
(Pupil Regulations 8.1 (h) stated on CME Referral).



Appendix 2: CME Flowchart 2

CME Flowchart 2

(Pupil Regulations 8.1 (d) stated on the CME Referral).



Appendix 3: SAO1 Notice To Satisfy Specimen Letter

Dear Mr Example

**Re: EDUCATION ACT 1996 SECTION 437
Notice Requiring Parent to Show a Child is Receiving Suitable
Education**

This Notice Relates to: **Junior Example (01-09-XX)**

This Local Authority has reason to believe that **Junior Example** who is a child of compulsory school age is not attending school regularly or otherwise receiving suitable education.

You are required to satisfy the Local Authority by **DD Month YYYY** that **Junior Example** is receiving suitable education.

If you fail to satisfy the Local Authority by **DD Month YYYY** that **Junior Example** is receiving suitable education and the Local Authority decides it would be appropriate for **Junior Example** to attend school, the Local Authority will make and serve a School Attendance Order on you.

The School Attendance Order will require you to register **Junior Example** as a pupil at the school named in the order.

If you are Electively Home Educating your child, you need to satisfy the Local Authority that a suitable education is taking place. You will need to provide information demonstrating that the elective home education in place is an efficient full-time education, suitable to your child's age, ability and aptitude and to any special educational needs they may have.

EDUCATION ACT 1996 SECTION 439(5)

**Notice to consult with (Name of School) with the Intention to name
on a School Attendance Order**

To: The Headteacher / The Chair of Governors

Address: (School Address)

This Notice Relates to: **(Sample A) (01/09/XXXX)**

The Local Authority (LA) has decided that a School Attendance Order needs to be issued for (Name of Child) and (Name of School) has been identified as the school to be named. Therefore, the LA is required to consult with (Name of School).

Please contact the LA as soon as possible, or within 15 calendar days to confirm your agreement or provide adequate reasons as to why (Name of School) should not be named.

This notice relates to a Year X pupil. (from September 20XX). As part of your response, please provide the number of spaces available in the year group and if over the Published Admissions Number (PAN).

If the LA has not been contacted within 15 calendar days of the date of this notice, then the LA shall assume that (Name of School) does not wish to consult and will place (Name of Child) onto their Admissions Register from a jointly agreed start date. Also, that Name of School will not make a direction to the Secretary of State.

The SAO2, Preliminary Notice of the Intention to Name on a School Attendance Order Notice, will be issued after 15 calendar days, following successful consultation or if the LA has not been contacted by (Name of School).

EDUCATION ACT 1996 SECTION 439(6)

**Preliminary Notice of the Intention to name
(Name of School) on a School Attendance Order**

To: The Chair of Governors / Headteacher

Address: (Address)

This Notice Relates to: **(Sample B) (DOB)**

Further to the SAO2, Notice to Consult Letter, issued on DD Month 2020, to which you [have agreed / did not respond to / failed to provide adequate reasons for non-admission](#), the Local Authority (LA) has decided to make a School Attendance Order.

School Attendance Order will be issued in respect of **(Sample B) (DOB)** and to name **(Name of School)**, as the school named in the Order. This Order relates to a Year Group **X place (from September 20XX)**.

If you disagree with this School Attendance Order, you can apply to the Secretary of State for a direction, within 15 calendar days of receipt of this Notice.

You must advise the LA of your application to the Secretary of State, if you make one.

EDUCATION ACT 1996 SECTION 438 (2)

Notice of Intention to Serve a School Attendance Order for a Child without a Statement of Special Educational Needs (EHCP)

To: Mrs C Example

Address: (Address)

This Notice Relates to: (Junior Example) (DOB)

The Local Authority (LA) has decided to make a School Attendance Order in respect of Junior Example. This Order will be served on you on (XX/XX/XXXX). This Order requires you to make a school admission application.

The LA intends to name (Example School) in the Order. In addition, the LA considers (one or more alternative schools) would be suitable alternatives / a suitable alternative. The Order will require you to register your child to attend the named school.

You have the right to choose one of the alternative schools named above. If you do choose one of them this will be the school named in the Order. If you do want to choose one of the (alternative schools/the alternative school) you must do so by (Date).

You have the right to choose any other maintained school, to be named in the School Attendance Order. If you do choose another maintained school and (Child's Name) is offered a place that school will be named in the School Attendance Order. You must notify the LA of both the application and the offer of a place at your chosen school by (Date).

If you apply to the LA for (Child's Name) to be educated in a school which is not maintained and the LA agrees to pay the fees of that school and (Child's Name) is offered a place at the school; that school will be named in the School Attendance Order. You must apply to the LA and the arrangements for (Child's Name) admission must be finalised by (Date).

If you make arrangements for (Child's Name) to be educated in a suitable independent school and (Child's Name) is offered a place at that school; that school will be named in the Order. You must notify the LA of the arrangements and the offer of a place by (Date).

EDUCATION ACT 1996 SECTION 441

**Notice of Intention to Serve a School Attendance Order to a
Child with an Education Health Care Plan**

To: Example D

Address: (Address)

This Notice Relates to: **Child's Name (Date of Birth)**

The Local Authority (LA) has decided to make a School Attendance Order in respect of **Junior Example**. This Order will be served on you on xx/xx/xxxx.

The LA will name **(School named in Statement)** in the Order.

Junior Example's Education Health Care Plan (EHCP) does not name a school. The EHCP will therefore be amended to specify a school. Once this has been done that school will be named in the School Attendance Order.

All correspondence should be sent to:

Vanessa Williams
Lead Children Missing Education Officer

SCHOOL ATTENDANCE ORDER

Education Act 1996

Suffolk County Council (the Authority)

As you **Mr E Example Only** of XX Address, being the parent* of a child of compulsory school age in the area of the Authority, have failed to satisfy the Authority in accordance with the requirements of the notice served on you under section 441/438 of the Education Act 1996 by the Authority on [Date of Notice to Satisfy SA01] that **Child Example E** is receiving suitable education, either by regular attendance at school or otherwise.

And as, in the opinion of the Authority, [**Child Example E**] should attend school:

You are required to cause [**Child Example E**] to become a registered pupil at the following school:

[Sample School]
[Address]

being the school (specified by the Authority) (selected by you) (determined by a direction of the Secretary of State for Education and Skills) (as the school to be named in this Order) (specified in the Statement for the child under section 324 of the Education Act 1996).

Failure to comply with the requirements of this Order is an offence unless you can prove that [**Child Example E**] is receiving suitable education otherwise than at school.

Signed:

Vanessa Williams, Lead Children Missing Education (CME) Officer

- * A parent, for the purpose of this Order, includes any person
- (a) who is not his/her parent but who has parental responsibility for him/her; or
 - (b) who has care of him/her

Appendix 9: SAO6 Admission Specimen Letter

Addressee Only
Ms F Example

Dear Ms F Example

RE: Junior Example F

I enclose a School Attendance Order naming, **Sample School F** for your child to attend. This means you need to contact **Sample School F** to discuss admission on XXXX.

I am available to meet with you either at the **Sample School F** or Local Authority office to discuss this matter further. If you wish an appointment with me, please contact me on the above telephone number.

Failure to comply with the Order will lead to prosecution of failing to ensure the education of your child.

Yours sincerely

Vanessa Williams
Lead Children Missing Education (CME) Officer

Encl.

Remember a child missing education is 'everyone's responsibility'.

Thank you for reading.

**SUFFOLK COUNTY COUNCIL
Children Missing Education (CME) Protocol
V1.0 Revised March 2020**

