

Education Access Team including joint enquiries and children missing education.

Policy and procedure

September 2023

Contents

- 1. Introduction**
- 2. Legislation and relevant documentation**
- 3. Team structure**
- 4. Roles and responsibilities**
- 5. Children Missing Education process in Bradford (not on the roll of a school)**
- 6. Families new to Bradford**
- 7. Joint Enquiries process in Bradford (children who are on the roll of a school whose absence is unexplained and their whereabouts unknown)**
- 8. Removing from the register and next steps**

1. Introduction

- 1.1 Children Missing Education (CME) is a term used by the Department for Education (DfE) to describe children of compulsory school age who are not registered pupils at a school and are not receiving a suitable education otherwise than at a school.
- 1.2 All children, regardless of their circumstances, are entitled to an efficient, full time education which is suitable to their age, ability, aptitude and any special education needs they may have.
- 1.3 Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life.
- 1.4 Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education.

2. Legislation and relevant documentation

- 2.1 [The Children Act 2004](#) places a duty on all agencies to make arrangements to safeguard and promote the welfare of children, including sharing information to support in this duty.
- 2.2 [The Education Act 1996](#) places a duty on local authorities under 436A to make arrangements to establish the identities of compulsory school aged children who are not registered pupils at a school and are not receiving a suitable education otherwise. The Act also places a duty upon parents to secure their compulsory school aged children an efficient full-time education suitable to his age, ability and aptitude and to any special educational needs or additional learning needs, either by regular attendance at school or otherwise. The Act defines compulsory school age under section 8.
- 2.3 [The Education \(Pupil Registration\) \(England\) Regulations 2006](#) define the grounds under which a child can lawfully be removed from a school's admissions register.
- 2.4 [Children Missing Education: Statutory guidance for local authorities 2016](#) sets out key principles to enable local authorities in England to implement their legal duty under 436A of the Education Act 1996.
- 2.5 [Keeping children safe in education: Statutory guidance for schools and colleges](#) on safeguarding children and safer recruitment 2022 provides guidance to schools and colleges in England which they must have regard to when carrying out their duties to safeguard and promote the welfare of children. KCSIE emphasises that safeguarding is a shared responsibility and that anyone who has contact with children has a part to play in ensuring their welfare. In this, schools are particularly important as they are in a position to identify concerns early, provide help for children, promote children's welfare and prevent concerns from escalating.
- 2.6 [Working together to improve school attendance](#) provides guidance to help schools, academy trusts, governing bodies and local authorities maintain high levels of school attendance, including roles and responsibilities.
- 2.7 [CBMDC Fair Access Protocol for Children and Young People](#) is used for eligible children or young people who have not secured a school or academy place under the in-year

admission procedures. As per the School admissions code 2021, Local Authorities must have a Fair Access Protocol to ensure that unplaced and vulnerable children, and those who are having difficulty in securing a school place in-year, are allocated a school place as quickly as possible.

- 2.8 [CBMDC CME guidance on Bradford Schools Online](#) is for schools and other professionals explains the context and processes associated with CME in Bradford.

3. Team structure

- 3.1 The Education Access Team sits within the Education Safeguarding Team, under City of Bradford Metropolitan District Council directorate of Children's Services.
- 3.2 The team consists of a team manager, 3 Senior Education Access Officers, 2 Business Support Officers, 1 Referral Officer, 5 Education Access Officers and 2 Refugee Education Officers. Enhanced DBS clearance is mandatory for all our staff and specific mandatory training is delivered including Safeguarding, Equality and Diversity and Health and Safety including lone worker arrangements.

4. Roles and responsibilities

- 4.1 Parents and carers have a duty to ensure that their children of compulsory school age are receiving suitable full-time education. Some parents may elect to educate their children at home and may withdraw them from school at any time to do so, unless they are subject to a School Attendance Order.
- 4.2 Where a parent notifies the school in writing that they are home educating, the school must delete the child's name from the admission register and inform the local authority. Keeping Children Safe in Education suggests that schools and local authorities coordinate a meeting to ensure that the parent fully understands the implications of their choice. However, where parents orally indicate that they intend to withdraw their child to be home educated, the school should consider notifying the local authority at the earliest opportunity. Notification to the local authority in respect of [Elective Home Education](#) should be made to ElectiveHEducation@bradford.gov.uk or 01274 439340.
- 4.3 Children with Education, Health and Care (EHC) plans can be home educated. Where the EHC plan sets out SEN provision that the child should receive at home, the local authority is under a duty to arrange that provision. Where the EHC plan names a school or type of school as the place where the child should receive his or her education but the parent chooses to home educate their child, the local authority must assure itself that the provision being made by the parent is suitable. In such cases, the local authority must review the plan or statement annually to assure itself that the provision set out in it continue to be appropriate and that the child's SEN continue to be met. Further information on EHC Plans can be found on the [Bradford Local Offer](#) website.
- 4.4 All schools must enter pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, the pupil will attend the school. Notifications to the local authority of children being entered on the admission register at non-standard transition points should be completed via the [Bradford Schools Online on-roll proforma](#).

- 4.5 If a pupil fails to attend on the agreed or notified date, the school should undertake reasonable enquiries to establish the child's whereabouts and consider notify the local authority at the earliest opportunity, within at least 10 school days, via a Joint Enquiries referral form sent securely to CME@bradford.gov.uk
- 4.6 Where a pupil has not returned to school for 10 days after an authorised absence or is absent from school without authorisation for 20 consecutive days, the pupil can be removed from the admission register when the school and the local authority have failed, after jointly making reasonable enquiries, to establish the whereabouts of the child. This only applies if the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or unavoidable cause. School should refer to the local authority at the earliest opportunity, within at least 10 school days, via a Joint Enquiries referral form sent securely to CME@bradford.gov.uk. The local authority will conduct enquiries in addition to the school enquiries, and once it is established that these joint enquiries have failed to the establish the whereabouts of the child, the school can consider removing the pupil from the register.
- 4.7 A pupil's name can only be deleted from the admission register for a reason set out in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended. A pupil's name must not be removed for any other reason and doing so would constitute off-rolling. It is a school proprietor's decision & responsibility to remove children from their school register, the local authority will provide support and advice where required. If school proprietors are in doubt, they should seek legal advice.
- 4.8 In accordance with regulation 12(6) of the Education (Pupil Registration) (England) Regulations 2006 as amended, all schools must notify the local authority when a pupil's name is to be deleted from the admission register at non-standard transition points under any of the reasons set out in regulation 8, as soon as the pupil's name is to be deleted. Notifications to the local authority of children being removed from the admission register at non-standard transition points should be completed via the [Bradford Schools Online on-roll proforma](#).
- 4.9 Where a pupil is registered at a special school under arrangements made by a local authority, the pupil's name cannot be deleted without the consent of the local authority or, if the local authority refuses to give consent, without a direction from the Secretary of State, unless the pupil is registered at the school as a result of a school attendance order, but school has now been named on that order or the order is revoked because arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude somewhere other than at a school, and the pupil's name is deleted under regulation 8(1)(a); or the pupil has died, and the pupil's name is deleted under regulation 8(1)(j); or the pupil has been permanently excluded from the school, and the pupil's name is deleted under regulation 8(1)(m)
- 4.10 If a mainstream school is to remove a child with an EHCP from roll, they should make contact with the local authority SEND team, as a review of the EHCP is needed.
- 4.11 Local authorities have a duty under section 436A of the Education Act 1996 to make arrangement to establish the identities of compulsory school aged children in their area who are not registered pupils at a school and are not receiving an education otherwise. This does not include children who are receiving tuition provided by the local authority,

children who are registered at an education provision but not attending regularly or children who are being electively home educated unless the local authority is not satisfied that the home education is a suitable full-time education.

- 4.12 As defined by Ofsted: *“Off-rolling is the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”* Schools who do not notify the Local Authority of children being removed from their roll as per the guidance above may potentially place children at risk of significant harm by failing to ensure that children receive appropriate support. Local Authorities are duty bound to notify Ofsted of any safeguarding incidents. A failure to comply with Education (Pupil Registration) Regulations i.e. by failing to notify the local authority of a child being removed from roll or incorrectly removing a child from roll is a criminal offence under Section 434(6) of the Education Act 1996. It is therefore very important that schools contact the Education Safeguarding Team if they are in any doubt whether or not they need to notify the local authority of a child being removed from roll.

5. Children Missing Education process in Bradford (not on the roll of a school)

- 5.1 Every child recorded or believed to be a CBMDC resident of compulsory school age will be captured as part of our CME processes if they are not believed to be in receipt of a suitable, full-time education.
- 5.2 Information is taken from our education database, as well as received as part of data sharing agreements with other agencies working with children in Bradford. Professionals should use the CME referral form which can be requested by contacting us or visiting our page on [Bradford Schools Online](#). Referrals may also be received from the public by telephone (01274 438877) or email (CME@bradford.gov.uk). Working Together to Safeguard Children 2018 states that fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and safety of children. These principles underpin this policy and there is an expectation that all agencies will work together to ensure children missing education are identified and they have access to a suitable, full-time education as soon as possible.
- 5.3 When the local authority becomes aware of a child of compulsory school age who is reportedly in the Bradford district but not registered at a school or receiving suitable education otherwise, we will make reasonable enquiries to determine whether this is the case. These enquiries might include attempting contact with parents/carers, contacting relatives or close contacts, checking local databases including Capita and LCS, checking national databases including school2school and get information about pupils, liaising with internal teams such as school admissions, conducting checks with partner agencies such as health, police and Childrens Social Care, undertaking home visits, sending written correspondence, contacting Border Force, contacting other local authorities and officials in other countries. This list is not exhaustive; cases are taken on an individual basis meaning that enquiries may differ case to case. We endeavour to

complete all reasonable and necessary checks in as short a time as possible, however timescales are often dictated by process especially as we liaise with multiple external agencies.

- 5.4 These enquiries will be recorded on our education database to provide a clear record of any actions taken. Involvement will continue until the child is confirmed to be in receipt of a suitable, full-time education or they have been confirmed to be out of area.
- 5.5 The local authority has joint working and information sharing arrangements in place to support the function of tracking and enquiring in relation to children who are missing from education. Working together to safeguarding children statutory guidance supports this inter-agency working to safeguard and promote the welfare of children.
- 5.6 Any safeguarding concerns will be reported to Bradford Childrens Foundation Trust and/or the police in line with safeguarding protocols.

6. Families new to Bradford

- 6.1 The Education Access Team also offer a service to families who are new to the Bradford district who may need additional support to secure initial access to education. Referrals can be made by professionals or families themselves. Professionals can refer for support and signposting for families new to Bradford by submitting the Education Access referral form securely to education.access@bradford.gov.uk The referral form should be accompanied by the 'Consent to sharing information' document that has been understood and signed by parent and young person (if applicable). Families can self-refer by contacting 01274 439393 or attending the drop-in on Tuesday's between 9:30-11:30 at Britannia House, BD1 1EE.
- 6.2 Referrals are triaged at the point of receipt and may result in ongoing case work, advice, signpost and close or no further action. Ongoing case work will not usually be offered to families who already have the involvement of a Social Worker or Targeted Early Help Worker. Referrers will be notified of the outcome. Where case work is agreed, an Education Access Officer will be assigned who will liaise the team around the family to offer support to the family to access to education. Case work will be reviewed on a regular basis against the outcome of supporting children and young people to secure initial access to education. Exit strategies will be agreed dependent on outcome but will always be shared with the family and other agencies supporting. This may include step-up/step-down referrals including Early Help and Children' Social Care. Education Access Team case work will always be time-limited i.e. closure once child starts school or in cases on non-engagement, i.e. closure and referral to Children's Social Care, closure and recommendation of Early Help support led by school or other agency and/or referral into the Attendance and Legal Team.
- 6.3 Education Access Officers will work with families to provide support and guidance as required, advocate for the family in the admissions process including supporting the submission of ICAFs or other school admission forms, encourage and empower families being supported to come together to utilise their own resources and strengths to overcome challenges, support education settings where required and within remit to secure the placement (including supporting pre-admission process), work in partnership with other agencies to contribute to effective outcomes e.g. SEND Team, Early Help,

School Admissions, engage with third-party agencies as appropriate in effectively delivering support for families (e.g. MEARS and Horton Housing, coordinate exit strategies to Education Access Team involvement and remain open to related future support requests following closure. Where required, officers will support Lead Practitioners in undertaking an Early Help assessment.

- 6.4 Refugee and asylum seeker children have the same entitlement to education as other children in the UK however they can often find it harder to access education due a number of barriers which may include language, past experience and trauma. The Education Access Team aim to support refugee and asylum seekers into education through practical support and advice. The Education Access Team is also on hand to provide advice and support to schools who have refugee and asylum seeker children on roll. Please see our 'Quick guide to refugees and asylum seekers' or contact our Refugee Education Officers on 01274 439393. The Education Access team only support with FSM enquiries for Asylum Seekers. If you have any other queries relating to FSM, please contact 01274 432772.
- 6.5 Children from GTRSB communities have the same entitlement to education as other children but can sometimes have lower educational outcomes than their peers. The Education Access Team are on hand to provide advice, guidance and support to GRTSB families in relation to education access.

7. Joint Enquiries process in Bradford (children who are on the roll of a school whose absence is unexplained and their whereabouts unknown)

- 7.1 CBMDC provides a referral service to all maintained schools, academies, free schools and independent schools for pupils whose absence is unexplained and their whereabouts are unknown.
- 7.2 Referrals should be submitted using the Joint Enquiries referral form to CME@bradford.gov.uk by schools when they believe a child's absence to be unexplained and upon doing their enquiries as part of their attendance procedures, the pupils whereabouts is unknown. Referrals must be fully complete, incomplete referrals will be returned to the sender and will need to be resubmitted in full completeness before action is taken.
- 7.3 School enquiries should include, as a minimum, contacting the parent/carer or other key contacts if the parent/carer is not contactable, making enquiries with class teachers and friends where appropriate, liaising with sibling schools, conducting home visits (one of which should be within 5 days before referral, sending correspondence to the family, checking with previous schools if appropriate, checking with other agencies known to be working with the family. If schools are provided with a forwarding address, it is expected that schools will make enquiries with the new local authority to attempt to get confirmation of the family's arrival in the new local authority. If the new local authority can confirm they are aware of the family residing in their area, the school do not need to make a Joint Enquiries referral, they need to record this clearly on their system and

follow off-rolling procedures including notification to the local authority via the [Bradford Schools Online off-roll proforma](#).

- 7.4 School enquiries should continue past the point of referral to the local authority, it is expected that schools continue their efforts to ascertain where the pupils is within their means and it is important that they update the local authority of any new information as a result of these enquiries.
- 7.5 Once the local authority receives the referral and accepts it, the referral will be triaged and then uploaded onto our education database. At triage, each referral received is risk assessed by auditing safeguarding concerns identified in the referral including current or historic children's services involvement.
- 7.6 Those referrals with identified markers are prioritised and we aim to complete initial enquiries within 5 working days (where a Social Worker is involved, contact during the 5 days is made to ensure sharing of information received).
- 7.7 We will undertake reasonable enquiries which might include attempting contact with parents/carers, contacting relatives or close contacts, checking local databases including Capita and LCS, checking national databases including school2school and Get Information About Pupils (GIAP), liaising with internal teams such as school admissions, conducting checks with partner agencies such as health, police and Childrens Social Care, undertaking home visits, sending written correspondence, contacting Border Force, contacting other local authorities and officials in other countries. address, contacting other local authorities where required. This list is not exhaustive; cases are taken on an individual basis meaning that enquiries may differ case to case. We endeavour to complete all reasonable and necessary checks in as short a time as possible, however timescales are often dictated by process especially as we liaise with multiple external agencies.
- 7.8 Once reasonable enquiries by the local authority have been concluded, the local authority will make contact with the school to advise of this. If it is agreed by both parties that the joint reasonable enquiries have failed to ascertain where the pupil is, and that the other grounds in 8(1)(h) of the Education (Pupil Registration) Regulations 2006 are met then the proprietor can look to remove from the register if they are satisfied that the grounds for removal have been met. If the proprietor believes the grounds for removal have been met, they should remove from roll and within 5 days and notify the local authority of the removal via the [Bradford Schools Online off-roll proforma](#). Pupils who are not located during joint enquiries will be recorded as such on our education database and will be reviewed annually.
- 7.9 Pupils who are located in Bradford during joint enquiries will return to the school in which they were on roll at prior to their CME status. If the school is no longer within reasonable travelling distance in line with [DfE guidance](#), they will be supported by the Education Access Team to seek a nearer school place. If it is believed that 8(1)(e) of the Education (Pupil Registration) Regulations 2006 are met, the proprietor can look to remove from the register if they are satisfied that the grounds for removal have been met. If the proprietor believes the grounds for removal have been met, they should remove from roll and within 5 days and notify the local authority of the removal via the [Bradford Schools Online off-roll proforma](#).

- 7.10 Pupils who are located outside of Bradford, in another Local Authority within UK should be confirmed by the receiving authority to check their residence. If it is believed that 8(1)(e) of the Education (Pupil Registration) Regulations 2006 are met, the proprietor can look to remove from the register if they are satisfied that the grounds for removal have been met. If the proprietor believes the grounds for removal have been met, they should remove from roll and within 5 days and notify the local authority of the removal via the [Bradford Schools Online off-roll proforma](#).
- 7.11 Pupils who are located outside of the country, where it is believed they are no longer ordinarily resident in Bradford, should be considered under 8(1)(e) of the Education (Pupil Registration) Regulations 2006. If the proprietor believes the grounds for removal have been met, they should remove from roll and within 5 days and notify the local authority of the removal via the [Bradford Schools Online off-roll proforma](#).
- 7.12 In all cases of removal from roll, the proprietor of the school should seek legal advice in uncertain cases.
- 7.13 Where practice and procedure falls short of expectations, action will be taken to escalate this. This includes practice within the team and externally.
- 7.14 The local authority undertakes regular reviews and evaluations of the policies and procedures in place for children missing education (CME).

8. Removing from the register and next steps

- 8.1 A pupil's name can only be deleted from the admission register for a reason set out in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended. A pupil's name must not be removed for any other reason and doing so would constitute off-rolling. It is a school proprietor's decision & responsibility to remove children from their school register, the local authority will provide support and advice where required. If school proprietors are in doubt, they should seek legal advice.
- 8.2 In accordance with regulation 12(6) of the Education (Pupil Registration) (England) Regulations 2006 as amended, all schools must notify the local authority when a pupil's name is to be deleted from the admission register at non-standard transition points under any of the reasons set out in regulation 8, as soon as the pupil's name is to be deleted. Notifications to the local authority of children being removed from the admission register at non-standard transition points should be completed via the [Bradford Schools Online on-roll proforma](#).
- 8.3 When a pupil transfers from a school in your area and the destination school is not known, the school should create a CTF file using XXX for the destination LA and XXXX as the destination school number, and upload it. Each file should hold information on only one pupil. When a pupil moves to a non-maintained school or one outside England and Wales then the school should use MMMMMMM as the destination code. This enables the CTF to be stored securely and to be available if the pupil returns to a maintained school. Further guidance be found [online](#).

9. Contacts

CME 01274 438877 / CME@bradford.gov.uk

Education Access 01274 439393 / education.access@bradford.gov.uk

School Admissions 01274 439200 / schooladmissions@bradford.gov.uk

SEND 01274 435750 / SEN@bradford.gov.uk

Elective Home Education 01274 439340 / ElectiveHEducation@bradford.gov.uk

Childrens Social Care 01274 433999