



# FIVE RIVERS CHILD CARE LTD

## Children Missing from Education without prior authorisation

***' Five Rivers is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment '***

Policy Owner	Headteacher
Authoriser	Head Of Education
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## Children Missing Education and leaving school without authorisation policy and procedure

### Policy Statement

#### **Who is a child missing from education?**

Section 7 of the Education Act 1996 places the following obligation on parents: 'The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable:

- (a) to his age, ability and aptitude, and
- (b) to any special educational need's he may have, either by regular attendance at school or otherwise' 2

Children Missing from Education (CME) in this document refers to all children of compulsory school age who are either not on school roll or not being educated other than at school e.g. privately or in alternative provision and who have been out of any educational provision for a substantial period of time.

It refers to children of compulsory school age who are on roll at a school and have been missing through unauthorised absence for 10 consecutive days (although a shorter time is appropriate where there are child protection concerns).

#### **To abscond is to 'leave without permission'.**

Under Section 3 of the Health and Safety at Work Act, 1974 and in Common Law, schools and other education settings owe a duty of care towards their pupils. This duty of care requires that all reasonable steps are taken to ensure that pupils are safe and remain within the care of the school at all times throughout the school day and during school led activities.

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

Children fall out of the education system and are at risk of 'going missing' due to a wide range of reasons and some examples of which are listed below:

They fail to start appropriate provision and so never enter the system

Cease to attend, due to exclusion (e.g. illegal or unofficial exclusions) or withdrawal; removal from roll with no named destination; or

Fail to complete a transition between providers (e.g. being unable to find a suitable school place after moving to a new LA).

## **Policy and procedure**

The following set of principles provide the guidance to be followed in the event of children going missing/absent from the school and establish common procedures to manage these situations. They will minimise risk and set out when it is appropriate to involve the police. These guidelines are to provide some structure to support the thinking at times when anxiety levels can be very high. They are not to be interpreted so that they stop any thinking.

### **Missing from Education**

Five Rivers Child Care are responsible for taking all reasonable steps to prevent children and young people from leaving. However, if a child/young person is absent without consent or is missing or has 'run away', the primary objective is to **locate and return the child/young person to a safe environment**.

A child going missing from education is a potential indicator of abuse or neglect. Staff members should discuss with parents/carers the reason for the child missing from education, particularly on repeat occasions, to help identify the risk of abuse and neglect including sexual abuse or exploitation and to help prevent the risks of their going missing in future.

As a school, we have safeguarding duties under section 175 of the Education Act 2002, and recently Keeping Children Safe in Education 2021, in respect of our pupils, therefore we will investigate any unexplained absences.

If there are concerns with a child missing from education, the DSL must be informed to make a decision on the next step.

*Philomena Protocol: Police forces around the country are currently signing up to the Philomena Protocol which has been created to outline a clear pathway for the reporting of missing children and young people in care. Each school is to contact their local Police force to determine if this protocol is available in their area, if this is the case, the school is to sign up for this service to support their reporting of missing children and young people in their care.*

- **It is important to remember that repeat episodes of a child going missing can indicate sexual exploitation and should not be viewed as a normal pattern of behaviour.**

### Terms and Definitions

The below table sets out a number of terms and definitions used within this document:

Term	Definition
1ACE	1 Another Chance Education
Missing	Anyone whose whereabouts cannot be established and where the circumstances are out of character, or the context suggests the person may be subject of crime or at risk of harm to themselves or another
Absent	A person not at a place where they are expected or required to be
CME	Children Missing Education

### Data Protection

Five Rivers Child Care supports the objectives of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and other legislation relating to Data Processing, including the Human Rights Act 1998, Regulation of Investigatory Powers Act 2000, and the Freedom of Information Act 2000. Five Rivers Child Care has a statutory obligation to process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018

Every member of Five Rivers Child Care has an obligation to ensure that the information they process (use) is collected, maintained and disclosed in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and the Five Rivers Child Care Data Protection Policy.

### Disclosure of Information

Any use or disclosure of information held within Five Rivers Child Care, without there being a legitimate purpose or legal basis, will be classed as unauthorised and is a criminal offence under Section 55 of the Act Right of Access (Subject Access Requests).

### What we will do as a School – Each school will refer to their local authority protocol

When a pupil is expected to join the school at any time and they do not arrive, the school will firstly try to contact the parents by phone or a visit to the home.

If after one week no contact has been made the school will contact the county referrer, county Admissions and Student Services to find out if the child had been registered elsewhere.

After two weeks (10 school days) the school will complete a referral to the Local Authority Attendance Improvement Service (See Appendix B) and ESS who will follow the procedures for 'missing pupils.

Our school will at the very minimum has made reasonable enquiries as to the missing child's whereabouts.

If a pupil is absent for a prolonged period or fails to return from a holiday the school will follow the normal procedures for investigating pupil absence (i.e. telephone calls, letters, invitations to meetings at the school etc).

If the child does not return to school the matter will be referred to the Local Authority Attendance Improvement Service within two weeks and the Local Authority will follow the procedures for 'missing pupils.

If a pupil 'disappears' without any warning the school will immediately notify the Local Authority Attendance Improvement Service.

If there are safeguarding concerns, a referral will be made directly to the commissioning authority Children's Social care Services.

A CME form will be completed by the school when:

The school has been informed that a child is moving out of area but the details of the new school are not provided.

The school has been informed that the child is moving out of area, details of the new school are provided but after 15 days, no confirmation has been received.

A pupil has 10 unauthorised school days with no notification as to why and no contact can be made with parents/carers.

There are strict rules on when schools can delete pupils from their Admissions Register.

These are outlined in Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 and amendments.

When a pupil is deleted from the Admission Register the school will clearly indicate the date and the reason for the removal from roll and the Local Authority will be notified.

In the event of a pupil moving to another school, the name of the school should be indicated and the pupil's records should be sent to the new school within 15 days.

Where the pupil is subject to a child protection plan or there are safeguarding concerns and the school holds a child protection file this must be sent to the new school as soon as possible.

If a child's name is removed from the school roll the LA must be informed.  
Admissions and Student Services will be informed:

In the event of a parent informing the school that s/he is removing the child to educate him/her at home the Admissions and Student Services Officer will be informed. If the pupil has moved or transferred and is on roll at another school

If the pupil is to be removed from roll for any other reason the AIO and commissioning authority will be informed of the proposed deletion and given time to make appropriate enquiries about the child's whereabouts.

School, in liaison with their allocated Local Authority will fully co-operate with any investigation into cases of non-attendance at school

The commissioning authority's agreement to removal from roll will always be sought  
School will monitor all deletions from school roll by race, ethnicity, gender, SEN and disability to ensure that we are fulfilling our obligations under the Race Relations (Amendment) Act 2000 and the Special Educational Needs and Disability Act (2001).

If a pupil is resident of another Local Authority, it is the school's responsibility to notify the Local Authority that pupil resides in of any of the circumstances above.

The DfE has stated that it is no longer acceptable for schools to back date the off-roll date to the beginning of enquiries once it is agreed a pupil can be removed from roll.

The school can only back date the date of removal to when confirmation has been received.

### [Missing Child Procedure](#)

Many children have experienced significant trauma or rejection in early life as well as exposure to alcohol, illegal drugs or domestic violence, often as an unborn child.

Some young people may have additional physical disabilities and medical conditions or moderate, even severe, learning disabilities.

**Where a pupil attempts or is seen to be leaving the school premises without authorisation the following procedures should be followed:**

If a child/young person indicates that they propose to leave school/site without consent, Five Rivers Child Care staff members must remain aware that a child/young person might want a staff member to stop them, or at least give them a good reason for not going.

This can include Physical Intervention, to prevent significant harm. However, the use of such interventions may only be used as a last resort if they are immediately necessary, and the harm is likely in the predictable future. The restrictions or interventions must be proportionate and must be compliant with Pro Active Response. Five Rivers Child Care must also consider the child/young person's Plan or ISP which may state that specific strategies must be used.

Staff must follow the student and must try to persuade the student to stay in the school.

If a student is deemed to be a high risk to himself or other people, then staff should adhere to the *Positive Handling* Policy with reference to holding the student, if appropriate.

At all times staff must be aware that active pursuit may encourage the student to leave the immediate vicinity of the school and may also cause the pupil to panic, possibly putting him or herself at risk by running onto a busy road, for example.

If the student has left the immediate vicinity of the school, the DSL, Headteacher or SLT members must be contacted immediately, and the lead person will direct the course of action.

Staff (minimum of 2) will follow the student and engage in a local search, following the student at a safe distance if in view.

The SLT lead may direct additional staff to join the search in a vehicle, taking a mobile phone to contact school.

The SLT lead will contact the student's parents/carers and Social Worker.

If the searching staff lose sight of the student they must contact the school office giving details of their location and the clothes which the student is wearing, in order that they may call the police.

If the pupil(s) has left the immediate vicinity of the school grounds and is no longer visible then the SLT will make a decision as to how to take matters further, which will take into account the age of the student, the prevailing weather conditions, the nature of the incident which led to the pupil absconding, the pupil's previous history of being involved in episodes of absconding and their outcomes.

If the student returns of their own volition, parents/carers and the police will be informed as soon as possible.

Upon his or her return to school, and when the student is calm, the student must be seen by the SLT so that the reasons for leaving school may be discussed in detail. At this point a decision will be made as to the appropriateness of further actions.

A written report will be recorded on Clearcare

### Assess risk

Staff should regularly review the levels of risk all children pose to themselves and others, and this informed view should assist the decision-making process. Risk should be dynamically assessed on the day

The child's individual risk assessment should be adhered to

Where a child frequently goes missing, areas they are known to frequent should be recorded on their risk assessment.

If a child is out of sight for 10 minutes the home and the police should be called

*This decision to call the police refers to:*

- The risk posed is immediate and there are substantial grounds for believing that the child is in danger through their own vulnerability
- The child may have been the victim of a serious crime
- The risk posed is immediate and there are substantial grounds for believing that the public is in danger.
- The level of risk the child or children pose to themselves, and others is informed by the knowledge and understanding that we have of them. This should be based on, amongst other things:
  - The personalities involved and the combined dynamic if in a group
  - The emotional and chronological age and stage of the child/children.
  - The context of the running off/ abscond, e.g. premeditated; result of an incident/crisis within the school or family.
  - The time of the incident and weather conditions e.g. day/night, warm/ cold, wet/dry etc.
  - The health of the child, e.g. whether the child is receiving treatment for a medical condition.
  - Knowledge of the surrounding area and the risk it may pose to the young person

### Notifying the Police and Social Worker/Local Authority and Sharing Information

When staff members notify the Police (in the area where they have become absent e.g. if on an activity away from school), Social Worker or others e.g. Youth Offending Worker/ Team,



it is vital to provide information about the circumstances and [risk factors](#) that led to the notification; but it is also important to discuss possible strategies for finding and recovering the child/young person safely. Agreements will also be reached about others who may need to know the child is unauthorised absence, missing person or absconding e.g., the child/young person's parents.

It is advisable that a Police Risk Identification Checklist form will be completed for all children and young people at the point of admission. If the child/young person has a history of Absence/Missing and the local Police force are signed up to the Philomena Protocol, a 'grab bag' can be completed. The child/young person's ISP will be reviewed regularly, and after any absence, but they will require the following information:

- A description of the child/young person, possibly a photograph
  - When the child/young person was last seen and with whom
  - A recent photograph of the child/young person
  - Family addresses
  - Other addresses of people the child/young person may contact
  - Any previous history of the child/young person going missing
  - The name and address of the child/young person's GP and Dentist.
- NB: Please note that any personal information regarding the child/young person or family must not be shared unless the risk is deemed to be 'High' in line with GDPR Regulations.

The Police, Social Worker and others notified must then be updated as circumstances change, and when the child/young person returns.

Five Rivers Child Care will record the incident on the following, and update these records as circumstances change or decisions/actions taken:

- Child/young person's Daily Log
- Incident Report.
- Missing and Return Form

***Consideration should be given to the following guidelines when assessing the level of risk and when police involvement is required:***

#### **Risk Level Response**

- **High risk Call Police immediately out of sight** (e.g. Child looked after with high level risk already notified to police as noted in child's risk assessment, antecedents to abscond notified at handover IE wanting to get back to a parent, incident in home, crisis in home, new child, chaotic and un-integrated, dark, cold and wet)
- **Medium Risk Call Police after 10 minutes without eyes on** (e.g. child at school a year, chaotic but able to think, early evening, dry)

[Strategies following leaving site:](#)

*It is important that following an incident the issues that arise are addressed and staff should:*

- Review the individual risk assessment for the student involved.
- Review the student's IBSP.
- Where appropriate, talk through the incident with the student involved. Ensure that a record is kept of the discussion held with the student
- Complete an incident form on Clearcare (a copy of which should be placed in the student's personal files).
- Keep all colleagues informed and discuss the incident in staff meetings and/or in supervision meetings.
- Review timetabling and place of education
- Review procedures for the individual every half term to ensure appropriate control measures are in place and that all staff are fully informed.

Where a child is missing and reported to the police the child's referring authority (Social Worker, Emergency Duty Team, EDT) must also be informed and kept up to date with developments. Agreed communication protocols for families and carers should be followed. At the end of the incident, it is important that **all** those who have been involved are aware of the outcome.

**Appendix 1 - Example School Procedure if a child is missing / absconds.**

**Staff member informs SLT / Head that pupil is possibly missing / absconding**

**Staff check location of pupil / if pupil still on premises by:**

- Staff check last known location, known hiding points / calm down areas / areas pupil may regularly go to if absconding
- Staff members man any points of easy exit from school grounds / building whilst others sweep building / grounds systematically.

