

Appendix 2

***Brighton & Hove Missing Children
Practice Guidelines***

The following guidelines must be read in conjunction with Brighton & Hove Missing Children Policy

[Brighton & Hove Runaway and Missing from Home Practice Guidelines](#)

[Brighton & Hove Missing from Care Practice Guidelines](#)

[Brighton & Hove Missing from Education Practice Guidelines](#)

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Brighton & Hove Runaway and Missing from Home Practice Guidelines

September 2013

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1. Introduction

Children who begin going missing from home regularly either do already or can begin to face a range of significant risks and crises in their lives. This repeat runaway behaviour can indicate problematic or abusive relationships with parents/carers or the beginnings of links with peers or adults who are encouraging their missing behaviour or perhaps even harbouring them without informing their parents. There is the risk of family breakdown, coming into care at a point where the young person has insufficient investment in doing so. There is the risk through their peer group or young adult associations of being drawn into child sexual exploitation, offending and substance misuse. They may also at this point be falling out of full time school attendance or facing regular fixed term exclusions. The significance to agencies of those young people known to be exposed to a range of such problems and risks should be great and hence it is no coincidence that the new Statutory Guidance urges Local Authorities to develop risk grading tools and triggers from these for ongoing missing cases.

For sections on **Core Principles, understanding why children go missing, assessing risk, classifications, return interviews, information sharing and single points of contact** please see the main Brighton & Hove Missing Children Policy.

2. Scope

The missing from home section of the policy draws from the definitions and understandings of runaway behaviour set out in the over-arching missing policy.

The missing from home section of this policy relates to children and young people who reside full time with their parents or with relatives with informal or formal parental responsibility and who are not in the care of this or another local authority and who are absent or missing from this care without arrangement.

The 2013 national Statutory Guidance requires Local Authorities to have a means of assessing and if necessary re-assessing the risks young people may be facing whilst absent and missing.

This missing from home policy uses the London MASH Risk Grading Matrix as the tool for Local Authorities to analyse risk at the point of receiving missing from home reports from police or others and also to allow us to re-evaluate this risk during the course of a missing from home episode, depending on the duration of this episode and the information gathered.

3. What to do before confirming that a child/young person is missing from home

Where we are working with young people who runaway/go missing from home and we are told by parents/carers that they have done so workers should be familiar with police

requirements that parents make their own initial basic enquiries before police are contacted.

- Fully search the accommodation and surrounding area/vehicles.
- Check the home for any important leads (eg mobile phones, diaries, letters, notes explaining absence, email and website activity etc), which may inform/assist the investigation to recover the child.
- Spoken with other children in the family or who live in the home to obtain relevant information about the missing child.
- Made all appropriate enquiries regards the whereabouts of the child including trying to contact the child themselves, friends, family, associates, appropriate locations, local hospitals and the local police custody office.

Having done this then the police should be informed if the whereabouts and safety of the child/young person cannot be confirmed. Police will require particular information from parents, (see following).

- Description of the child including their clothing.
- Details of where the child was last seen and with whom.
- Recent photograph.
- Relevant addresses, known associates and addresses frequented.
- Previous history of absenteeism and circumstances of where found.
- Circumstances under which the child is absent.
- Any factors that increase the risk to the child.

4. An agreed framework to assess and clarify risk

The framework set out below from the London MASH is the most detailed on the existing risk frameworks considered and so it is felt that this offers practitioners the best chance of this being well understood and consistently applied in Brighton & Hove.

It is important to refer back to definitions and principles in implementing such a tool. Going missing in itself is risky, but particularly when repeated and for a prolonged period of time. Some young people, with stable home situations, may stay out later than agreed at a party or social event and as a result the police are contacted by worried parents. If this occurs as a one off then the need for follow up may be minimal. Some young people, however, can begin with few evident risk factors within their family, link in with a concerning peer group or adult cohort and quite quickly escalate up the scale of risk and concern.

BLUE – NOT SAFEGUARDING = LEVEL 1

- Children with no additional needs and whose developmental needs are met by universal services, the Early Help pathway and where necessary a lead professional.

Indicators/Risk Factors

Subject Indicators

- Achieving key stages
- Good attendance at school/college/training
- No barriers to learning
- Planned progression beyond statutory school age
- Good physical health with age appropriate developmental milestones including speech and language
- Good mental health and psychological well-being
- Good quality early attachments, confident in social situations
- Knowledgeable about sex and relationships and consistent use of contraception if sexually active
- Stable families where parents are able to meet the child's needs
- Age appropriate independent living skills

Household Indicators

- Supportive family relationships
- Child fully supported financially
- Good quality stable housing
- Good social and friendship networks exist
- Safe and secure environment
- Access to consistent and positive activities

Adult Indicators

- Parents able to provide care for child's needs
- Parents provide secure and caring parenting
- Parents provide appropriate guidance and boundaries to help the child develop appropriate value

GREEN – Requires determination of RISK = LEVEL 2

These children have low level additional needs that are likely to be short-term and that may be known but are not being met or with additional needs – requiring multi-agency assessment and intervention.

Indicators/Risk Factors

Subject Indicators

- Occasional truanting or non-attendance
- School action or school action plus
- Identifies language and communication difficulties
- Reduced access to books, toys or educational materials
- Few or no qualifications
- NEET
- Slow in reaching developmental milestones
- Missing immunizations or checks
- Minor health problems which can be maintained in a mainstream school
- Low level mental health or emotional issues requiring intervention
- Pro-offending behaviour and attitudes
- Early onset of offending behaviour or activity (10-14)
- Coming to notice of police through low level offending
- Expressing wish to become pregnant at a young age
- Early onset of sexual activity (13-14)
- Sexually active (15+) with inconsistent use of contraception
- Low level substance misuse (current or historical)
- Poor self-esteem
- Lack of age appropriate behaviour and independent living skills that increase vulnerability to social exclusion

Household Indicators

- Parents/carers have relationship difficulties which may affect the child
- Parents request advice to manage their child's behaviour
- Children affected by difficult family relationships or bullying
- Overcrowding
- Families affected by low income or unemployment
- Insufficient facilities to meet needs e.g. transport or access issues
- Family require advice regarding social exclusion e.g. hate crimes
- Associating with anti-social or criminally active peers
- Limited access to contraceptive and sexual health advice, information and services

Adult Indicators

- Inconsistent care e. g. inappropriate child care arrangements or young inexperienced parent
- Inconsistent parenting, but development not significantly impaired

- Lack of response to concerns raised regarding child

AMBER –To be screened to DETERMINE RISK = LEVEL 3

These children may be eligible for a child in need service from children’s Social Care and are at risk of moving to a high level of risk if they do not receive early intervention. These may include children who have been assessed as “high risk” in the recent past, or children who have been adopted and now require additional support. If a Social Worker is allocated they will act as the Lead Professional.

Indicators/Risk Factors

Subject Indicators

- Short-term exclusions or at risk of permanent exclusion, persistent truanting
- Statement of Special Educational Needs
- No access to books, toys or educational materials
- Disability requiring specialist support to be maintained in mainstream setting
- Physical and emotional development raising significant concerns
- Chronic/recurring health problems
- Missed appointments – routine and non-routine
- Under 16 and has had (or caused) a previous pregnancy ending in still birth, abortion and miscarriage
- 16+ and has had (or caused) 2 or more previous pregnancies or is a teenage parent
- Under 18 and pregnant
- Coming to notice of police on a regular basis but not progressed
- Received fixed penalty notice, reprimand, final warning or triage of diversionary intervention
- Evidence of regular/frequent drug use which may be combined with other risk factors
- Evidence of escalation of substance use
- Evidence of changing attitudes and more disregard to risk
- Mental health issues requiring specialist intervention in the community
- Significant low self-esteem
- Victim of crime including discrimination
- Lack of age appropriate behaviour and independent living skills, likely to impair development

Household Indicators

- History of domestic violence
- Risk of relationship breakdown with parent or carer and the child
- Young carers; privately fostered; children of prisoners; periods of LAC
- Child appears to have undifferentiated attachments
- Severe overcrowding; temporary accommodation; homeless; unemployment
- Family require support services as a result of social exclusion
- Parents socially excluded, no access to local facilities

Adult indicators

- Physical care or supervision of child is inadequate
- Parental learning disability, parental substance misuse or mental health impacting on parent's ability to meet the needs of the child
- Parental non-compliance
- Inconsistent parenting impairing emotional or behavioural development
- Parent provides inconsistent boundaries or responses

RED –ENHANCED DETERMINATION OF RISK = LEVEL 4

Many of these notifications will initiate a S.47 as they may be children experiencing significant harm that require statutory intervention such as child protection or legal intervention. These children may also need to be accommodated by the Local Authority either on a voluntary basis or by the way of Court Order.

Indicators/Risk Factors

Subject Indicators

- Chronic non-attendance, truanting
- Permanently excluded, frequent exclusions or no educational provision
- No parental support for education
- High level disability which cannot be maintained in a mainstream setting
- Serious physical and emotional health problems
- Challenging behaviour resulting in serious risk to the child and others
- Failure or rejection to address serious (re)offending behaviour. Likely to be in cohort of youth offending management
- Evasive, inconsistent or shut down with carers and social workers or other key professionals about where they have been & who with when missing.
- Appears to be receiving sums of money regularly from unknown sources
- Known to be part of gang or postcode-derived collective
- Complex mental health issues requiring specialist interventions
- In sexually exploitative relationship
- Teenage parent under 16
- Under 13 engaged in sexual activity
- Frequently go missing from home for long periods
- Distorted self-image
- Young people who appear to be experiencing current harm through their use of substances

- Young people with complicated substance problems requiring specific interventions and/or child protection
- Other young people in their peer group or former peer group begin to express concerns about them
- Young people with complex needs whose issues are exacerbated by substance use
- Severe lack of age appropriate behaviour and independent living skills likely to result in significant harm e.g. bullying, isolation

Household Indicators

- Suspicion of physical, emotional, sexual abuse or neglect
- High levels of domestic violence that put the child at risk
- Parents who are unable to care for the child
- Children who need to be looked after outside of their own family
- No fixed abode or homeless
- Family unable to gain employment or extreme poverty
- Child or family needs immediate support and protection due to harassment/discrimination and no access to community resources

Adult Indicators

- Parent is unable to meet child's needs without support
- Parents unable to manage and risk of family breakdown
- Parent does not offer good role model e.g. condones anti-social behaviour

5. Guidance on responses to different scenarios and risk grading including triggers for Single Assessment & Section 47 Investigation

a) New/evolving cases

BLUE - This risk grading category would fit with usually first time incidents or those where a second missing episode was a few hours and where a gap between first and second missing episode was over 6 months. Response would be to re-direct to single agency support or CAF and Early Help pathway.

GREEN - This risk grading category is broadly for young people with lower risk indicators who have gone missing more than once. This can mean however that as information is gathered or a missing episode is prolonged that a decision is needed to upgrade the response to Amber. A Green Level Response would be for consideration of Single Assessment.

Where the child/young person is already open under a CIN Plan or CP then there need not be repeat single assessments for repeat episodes, however there should be evidence in the young person's plan and their review of the risk grading given and of actions/interventions being taken to address this behaviour and also in reviews and supervision notes of an ongoing risk assessment being updated by new incidents and consideration of upgrading new incidents and having a strategy meeting.

AMBER - This risk grading category relates to those young people who may go missing repeatedly, (i.e. 3 or more times), and where there are ongoing risk factors/risk-taking behaviours. A single assessment is mandatory for Amber graded missing episodes. Where more concerning information is received it may be necessary to hold a strategy discussion.

Where a young person is subject already to a CIN Plan or CP plan then if there are ongoing missing episodes and the young person's needs have not been re-assessed for 6 months they should be subject to an updating assessment.

RED - This risk grading category relates to those cases where there are multiple risk factors and evidence that significant harm may be being caused. These risks are viewed as being both significant and/or immediate. In Red graded cases a Strategy Meeting is always necessary and full S.47 investigation is likely unless the risks can be quickly tackled.

For open CIN or CP Plan cases with ongoing missing episodes there should be consideration of red graded cases going to either Vulnerable Children's Liason Group or Care Planning forum in order that managers can review risks and thresholds and agree a proportionate and effective care plan.

Police responses to the risk grading system.

Discussions have been held with key staff in Sussex Police regarding this system. What Sussex Police have agreed is that they will look at cases where the Local Authority Children's Services grade young people as an amber or red risk sympathetically and will use the intelligence to influence the grading of response which they provide. Whilst Police cannot agree to give immediate priority to all cases graded red by us when they have other life and limb priorities to attend to they are clear that they should consider all information about higher level concerns and risks carefully to plan an appropriate response. Getting the right result in this will depend on prompt and good communication and dialogue.

Information exchange regarding missing from education.

From the point of this policy being issued all single assessments, re-assessments and section 47s which are addressing young people going missing from home MUST seek and record information on whether the young person is also viewed as missing from education.

Implementation

Scoping with the carefirst and performance team will be necessary to establish this system on the database with a plan as to how long would be necessary to launch this. There would need to be amendments to the initial contact form, the single assessment form and the risks, strengths and needs form.

It is also felt that to properly implement this system there would need to be frequent information sharing between police and social work teams as to which young people remain missing beyond a day or so. In view of this it seems likely that a police computer with Compact access would need to be available at the MASH.

6. Conducting Safe & Well Checks when children & young people are found

Safe and Well checks are an essential initial response for first point of contact agencies once young people are located. They may be carried out by social workers, police officers, care staff or other authorised staff. This is in order to we can ensure that any immediate care needs a young person has are met, whether for food, medical attention, someone to talk to, to disclose to or to have adults who can help them feel safe from any immediate risks they feel are continuing.

They may lead to other forms of help being provided, (e.g. medical appointment), non-uniformed police officer being called to speak to and listen to the young person.

If the young person feels able to disclose more fully where they have been, what they have been doing and who with, then this can be reported back as a full return interview. That

young person has chosen for a reason to engage with and trust that adult with important information and so it appears then superfluous to send someone else to do the same.

Agencies should confirm with social workers, if allocated, that these safe and well checks have been done.

7. Information sharing arrangements between Local Authorities

There is more information available within the missing from care section of this policy. It is crucial however that if young people go missing from home to addresses linked with people in other local authorities, that we speak with those other LAs and also be of assistance if the converse is the case.

8. Preventive approaches in Brighton & Hove to avoid or reduce missing episodes

The implication of the risk grading system is that it is prompting and proposing action at all levels from the blue level/early reports upwards. In fact all interventions at very level are aimed at preventing/reducing missing episodes and also harm minimisation for those whose risk taking behaviour is quite entrenched.

Part of the aim of this policy is to ensure that as far as possible this is addressed throughout the tiers of involvement.

Referring back to the principles of this missing from home policy it seems clear that trying to work with young people to understand and address the causes of their runaway behaviour with them is a key part of success.

9. Support to families whilst their child is missing from home and follow up support

For young people missing from home and not yet allocated to a social worker then the primary contact for parents will be the assigned contact within Sussex Police.

For young people who have run away from home a number of times and who have a social worker then the Police will continue to be the main point of contact with any key information which will assist in locating the young person. The role of the social worker is to be involved in looking at services the young person and the family need once the young person is located. The social worker will also be looking at links with other young people or young adults which are influencing the missing episodes and working with others to ensure that responses are co-ordinated for addressing the behaviour/influence of linked young people or adults. This can include working with the police to seek evidence for use of Harbouring Warnings to adults who take in missing young people

without agreement of their parents/carers. As with young people in care it is not solely the police role to seek to locate missing young people and social workers can play a key role in ringing or visiting known associates during a missing episode.

In some families there may be particular relatives who young people are more prepared to listen to. In those circumstances they should be encouraged to ring the young person directly and ask them to return home or at least to meet with the social worker.

If the young person has any current bail, remand or youth justice order conditions around residence or curfew then it is key that the relevant staff at the Youth Offending Service are kept apprised of such missing episodes.

10. Responses to repeat runaways from home

Following single assessment if run away/missing incidents are continuing then this is likely at a minimum to meet the threshold for a child in need plan.

It is noted that in the Children in Need Policy that there is an emphasis on flexible levels of visiting frequency determined by the assessed risk and the focus of that visiting. It is also noted that this policy allows for young people and parents to contribute to their plans. It can be the experience that child protection plans offer older children less flexibility in terms of how they engage with us and it is felt that this should be at least a factor in determining whether a CIN Plan or CP Plan is more beneficial for that young person, although clearly assessed levels of risk are crucial too in making a decision around CP plans. In either tier of involvement repeat missing from home young people require pro-active engagement and help.

Please see sections 3 & 4 for information on risk grading and upgrading where missing episodes continue.

Where it is felt that normally agreed processes are not effective and missing episodes are continuing then agencies should refer the young person to the **Vulnerable Children's Liaison Group**. It is proposed that the scope of this group, which currently addresses young people who regularly go missing and who are vulnerable to CSE should also encompass nominations for discussions around those who are viewed as missing from education and where also normal remedial processes are not helping. (See Appendix 3 – Amended Terms of Reference).

11. Links with Child Sexual Exploitation Strategy and with WISE

The Child Sexual Exploitation, (CSE), Pathway in Brighton & Hove sets out how those young people being actively worked with by WISE can be discussed in the fortnightly CSE Operational Meeting with WISE worker, Police leads and ACAS manager. Those of

continuing concern, where normal processes are not impacting are referred up to the **Vulnerable Children's Liaison Group**. In a number of cases the young people are both regularly missing and also seen as at risk of CSE and both of these issues would be part of the focus of discussion and planning at the Vulnerable Children's Liaison Group.

12 - the 16 & 17 year old age group – including those in unstable accommodation

The new National Statutory Guidance urges Local Authorities not to overlook the needs of 16 & 17 year olds who can be as at much or more risk as their younger counterparts when regularly missing. Their legal ability to consent to sexual activity for example should not disguise their vulnerability to exploitation, particularly in combination with alcohol or drugs. Some of these 16 & 17 year olds may have experienced partial or total family breakdown and be sofa surfing or living in temporary or supported accommodation. Who in these cases is ensuring they are staying somewhere safe each night and keeping themselves safe?

The new Council Joint Commissioning Strategy for homeless young people is aiming to look at tiers of support and accommodation provision for just such vulnerable young people.

It is agreed within this policy that these young people should be considered under the risk grading matrix in section 3 and subject to the agreed processes through ACAS or CIN Team as needed.

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Brighton & Hove Missing from Care Practice Guidelines

November 2013

Scope

Guiding Principles

Procedures to be followed

Secure Accommodation

Missing From Care Interviews

Scope

These procedures relate to all Looked After Children who are looked after by Brighton and Hove City Council, whether they are placed in or outside of the City boundary. These procedures relate to children who are the subject of:–

- Police Powers of Protection, Section 46 Children Act 1989
- Emergency Protection Orders, Section 44 Children Act 1989
- Interim Care Order, Section 38 Children Act 1989
- Section 20 Accommodated 1989 Children Act 1989
- Remanded into Local Authority Care
- Placement Order but not yet adopted under Section 52 of the Adoption and Children Act 2002

Young people aged 18 and over who are care leavers having previously been a Looked After Child are covered by separate procedures. (Missing Care Leaver Procedure).

Guiding Principles

(Please see also Core principles in the main Brighton & Hove Missing Children Policy).

1. When children/young people go missing from care their welfare and protection is paramount.
 2. Children/young people go missing for a variety of reasons. They must be found as quickly as possible, returned to a safe place, and have a clear opportunity to say what made them go missing. Workers must listen to their reasons with respect and act accordingly and then assist the child/young person from feeling they need to go missing again.
 3. All appropriate information must be shared with the Police and other professional agencies in order to facilitate the safe return of a child/young person.
 4. Planning ahead for the possibility of a child/young person going missing is essential and should form part of the placement plan for the child or young person. Early strategies, appropriate interventions and pro-active support from workers/carers should be in place to encourage children/young people not to go missing. There is a link between going missing and placement stability, and placement stability/network meetings must be held where it is believed there is a risk of a young person going missing.
 5. There is a clear link between missing and increased risk of sexual exploitation. Workers must be very alert to potential signs of sexual exploitation. The definition of sexual exploitation from the National Working Group is as follows, 'the sexual exploitation of children and young people under 18 involves situations, contexts and relationships where young people (or a third person or persons) receive something (e.g. food, accommodation, drugs, alcohol, affection, money) as a result of performing and/or other performing on them, sexual activities'.
- Child sexual exploitation can occur through use of technology without the child's immediate recognition, for example the persuasion to post sexual images on the internet with no immediate payment or gain. In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength, economic and/or other resources.
6. When children/young people are missing, we need to be careful about making judgements they are safe. We do not know what we do not know and no assumptions about safety must be made in the absence of clear verified information.
 7. All care plans and risk assessments should be regularly reviewed, updated and recorded to include the following:-

- i. the degree and nature of risk and vulnerability if the child goes missing;
- ii. the views of the child/young person and those with potential responsibility to be taken if the child/young person goes missing;
- iii. the level of supervision/support that care staff will provide for the child
- iv. how parents/carers and significant other family members will be informed if the child/young person goes missing;
- v. consideration of any external influences in a child/young person's life;
- vi. the likelihood of the child being harboured, any previous episodes, location frequented by the child/young person and trigger incidents;
- vii. agreed interventions.

8. Where children in care go missing social work staff, involved care staff and their managers should be pro-active alongside the police in checking known contact phone numbers and addresses in order to ensure that very active attempts are made to find the child/young person by all who know them. During Council working hours it is not expected that the search responsibilities rest just with the police.

Procedures to be followed

As of June 2013 definitions of absent and missing were introduced.

Missing – a missing person is anyone whose whereabouts are unknown, whatever the circumstances of disappearance. He or she will be considered missing until located and his or her wellbeing, or otherwise established.

Absent - 'A person not at a place where they are expected, or required to be'. The clear expectation is that unless there is clear, verifiable information that confirms a child/young person is safe, they must be deemed to be missing and every child regardless of circumstances must be deemed by the Local Authority as missing within four hours.

These definitions strengthen the ability for the Local Authority to deem a young person missing at an early point, rather than wait several hours to see if they return. Sussex Police will listen to views about an early pro-active response where social care staff can present evidence that the whereabouts of the young person are not known and also that there are known and significant risks.

Immediately information comes to light that a child/young person is missing a Missing from Care Record must be opened on Carefirst. A missing form must be sent the same day to:-

- Head of Service
- Head of Safeguarding
- Assistant Director
- Child/young person's IRO

- EDS

This form must include information relating to the following:-

- Name of child/young person
- Date of Birth
- Placement
- Care status
- Circumstances relating to the child/young person going missing
- Specific risks relating to the child/young person being missing

Immediately upon being found the same people must be informed of the child/young persons return and any relevant information relating to the period when missing.

In all circumstances where a child/young person in care has been **missing for more than 24 hours, a Strategy Meeting must be called** to which the Police are invited. In all cases where a child/young person goes missing who is the subject of Police Protection, the Police must be informed immediately. (This meeting must take place within 3 days of a child/young person being missing). If the circumstances relating to a child/young person are particularly concerning then an immediate Strategy Meeting should be convened. If the child/young person is found before the Strategy Meeting takes place, consideration must be given to the Strategy Meeting going ahead to consider the circumstances relating to the child/young person's missing episode.

The Strategy Meeting needs to consider the following:-

- Information relating to potential risk/harm
- At what stage publicity will be sought (this needs to be agreed by CiC Service Manager)
- Information relating to possible locations
- What contact has there been with child/young person
- Whether secure accommodation should be considered
- A clear strategy for finding the child/young person
- Any additional specific information which should be passed

All Strategy Meetings must be minuted and the minutes circulated within 48 hours of the meeting. A date must be set for the next Strategy Meeting in the event of a child/young person not being found (this will need to be brought forward if there is evidence of potential/actual harm/risks increasing).

Upon return a Missing from Care Interview must be held (see section of Missing from Care Interviews).

In situations where a child/young person is missing for periods of time, but not enough to trigger the action points in the protocol, a Strategy Meeting must be considered with any rationale not to hold a Strategy Meeting clearly recorded.

Regardless of the circumstances where there have been **three missing or absent episodes within a six month period, then a Planning Meeting must be convened** (Police must be invited). This should look at the broader care planning issues around the young person as well as looking at specific missing episodes.

An agreed framework to assess and clarify risk

(Please see also the Principles around assessing risk in the Brighton & Hove Missing Children Policy).

The framework set out below from the London MASH is the most detailed on the existing risk frameworks considered and so it is felt that this offers practitioners the best chance of this being well understood and consistently applied in Brighton & Hove.

It is important to refer back to definitions and principles in implementing such a tool. Going missing in itself is risky, but particularly when repeated and for a prolonged period of time. Some young people, with stable home situations, may stay out later than agreed at a party or social event and as a result the police are contacted by worried parents. If this occurs as a one off then the need for follow up may be minimal. Some young people, however, can begin with few evident risk factors within their family, link in with a concerning peer group or adult cohort and quite quickly escalate up the scale of risk and concern.

In applying this grading also to young people missing from care it is acknowledged that such grading may be applied fairly quickly in the circumstances that we know the young person and their risk taking behaviours well. The blue grading used in the missing from home section will not be used for children in care. It is expected that if young people in care go missing on a repeated basis then they are likely to be graded as Orange or Red, rather than the lower gradings. Most young people in care are in care due to the instability and difficulty in their lives and consequently are more likely to experience a number of vulnerabilities compared to the general population.

GREEN – Requires determination of RISK = LEVEL 2

These children have low level additional needs that are likely to be short-term and that may be known but are not being met or with additional needs – requiring multi-agency intervention. Having a lead professional or team around the child.

Indicators/Risk Factors

Subject Indicators

- Occasional truanting or non-attendance
- School action or school action plus
- Identifies language and communication difficulties
- Few or no qualifications
- Slow in reaching developmental milestones
- Minor health problems which can be maintained in a mainstream school
- Low level mental health or emotional issues requiring intervention
- Pro-offending behaviour and attitudes
- Early onset of offending behaviour or activity (10-14)
- Coming to notice of police through low level offending
- Expressing wish to become pregnant at a young age
- Early onset of sexual activity (13-14)
- Sexually active (15+) with inconsistent use of contraception
- Low level substance misuse (current or historical)
- Poor self-esteem
- Lack of age appropriate behaviour and independent living skills that increase vulnerability to social exclusion

Household Indicators

- Parents/carers request advice to manage their child's behaviour
- Family require advice regarding social exclusion e.g. hate crimes
- Child or young person unsettled in placement and struggling to form positive, stable relationships there
- Associating with anti-social or criminally active peers
- Not accessing contraceptive and sexual health advice, information and services
- Young person is now in care but experienced the above difficulties in their background.

Adult Indicators

- Where living at home - Inconsistent care e. g. inappropriate child care arrangements or young inexperienced parent
- Where living at home - Inconsistent parenting, but development not significantly impaired
- Where living at home - Lack of response to concerns raised regarding child OR
- Young person is now in care but experienced the above difficulties in their background.

AMBER –To be screened to DETERMINE RISK = LEVEL 3

For young people in care they may or may not be happy to be in care and also have positive relations with their foster carers or care workers. For a few young people this

unhappiness can play out by regularly going missing – either to run away from care situations they don't like or to run away to friends or family who might explicitly or complicitly encourage or allow this. In each case the risks associated with the people or places they run to must be as fully investigated as possible. Additionally preventive strategies, working closely with the young person, must be developed to address such underlying causes of runaway behaviour for young people in care. These may include children who have been assessed as “high risk” in the recent past, or children who have been adopted and now require additional support. If a Social Worker is allocated they will act as the Lead Professional.

Indicators/Risk Factors

Subject Indicators

- Short-term exclusions or at risk of permanent exclusion, persistent truanting
- Statement of Special Educational Needs
- Disability requiring specialist support to be maintained in mainstream setting
- Physical and emotional development raising significant concerns
- Chronic/recurring health problems which young person not accepting help with
- Young person missing appointments – routine and non-routine
- Under 16 and has had (or caused) a previous pregnancy ending in still birth, abortion and miscarriage
- 16+ and has had (or caused) 2 or more previous pregnancies or is a teenage parent
- Under 18 and pregnant
- Coming to notice of police on a regular basis but not progressed
- Received fixed penalty notice, reprimand, final warning or triage of diversionary intervention
- Evidence of regular/frequent drug use which may be combined with other risk factors
- Evidence of escalation of substance use
- Evidence of changing attitudes and more disregard to risk
- Mental health issues requiring specialist intervention in the community
- Significant low self-esteem
- Victim of crime including discrimination
- Lack of age appropriate behaviour and independent living skills, likely to impair development

Household Indicators

- When living at home - history of domestic violence, risk of relationship breakdown with parent or carer and the child; privately fostered; children of prisoners; periods of LAC
- Child appears to have undifferentiated attachments
- When living at home - Severe overcrowding; temporary accommodation; homeless; unemployment, family require support services as a result of social exclusion, no access to local facilities OR

- For children and young people in care some of these factors may have been present recently in their family background.

Adult indicators

- When living at home - Physical care or supervision of child is inadequate or parental learning disability, parental substance misuse or mental health impacting on parent's ability to meet the needs of the child, non-compliance with professionals, inconsistent parenting impairing emotional or behavioural development, inconsistent boundaries or responses OR
- For children and young people in care some of these factors may have been present in their recent family background.

RED – ENHANCED DETERMINATION OF RISK = LEVEL 4

Many of these notifications will initiate a S.47 as they may be children experiencing significant harm that require statutory intervention such as child protection or legal intervention. These children may also need to be accommodated by the Local Authority either on a voluntary basis or by the way of Court Order.

Indicators/Risk Factors

Subject Indicators

- Chronic non-attendance, truanting
- Permanently excluded, frequent exclusions or no educational provision
- High level disability which cannot be maintained in a mainstream setting
- Serious physical and emotional health problems
- Challenging behaviour resulting in serious risk to the child and others
- Failure or rejection to address serious (re)offending behaviour. Likely to be in cohort of youth offending management
- Evasive, inconsistent or shut down with carers and social workers or other key professionals about where they have been & who with when missing.
- Known to be part of gang or postcode-derived collective
- Part of a peer group who mutually influence going missing from foster or children's home as well as pro-offending and risk taking behaviour
- Appears to be receiving sums of money regularly from unknown sources
- Complex mental health issues requiring specialist interventions
- In sexually exploitative relationship
- Teenage parent under 16
- Under 13 engaged in sexual activity
- Frequently go missing from foster or children's home for long periods
- Distorted self-image
- Young people who appear to be experiencing current harm through their use of substances

- Young people with complicated substance problems requiring specific interventions and/or child protection
- Other young people in their peer group or former peer group begin to express concerns about them
- Young people with complex needs whose issues are exacerbated by substance use
- Severe lack of age appropriate behaviour and independent living skills likely to result in significant harm e.g. bullying, isolation

Household Indicators

- Young person has a history of being exposed whilst at home to a range of risk factors, instability and abuse caused by adult mental health, substance misuse, learning difficulty and domestic abuse and this has begun to cause significant issues in the young person forming stable and trusting relationships with carers and professionals.
- Young person is finding it hard to make a commitment to being in their foster home or children's home due to above reasons
- Strong push and pull factors repeatedly influencing the child or young person's behaviour.
- No-one in network of carers and key professionals is able to get clear information from the young person on what they are doing for large periods of time.

Guidance on responses to different scenarios and risk grading including triggers for Single Assessment & Section 47 Investigation

GREEN - This risk grading category is broadly for young people with lower risk indicators who have gone missing more than once but not repeatedly. This can mean however that as information is gathered or a missing episode is prolonged that a decision is needed to upgrade the response to Amber. A Green Level Response would be for consideration of Single Assessment. For young people in care a strategy meeting would be held and it is expected that this would contain an updated assessment of risk in view of the missing episode or episode. For those young people in care who go missing regularly managers may take the view that a free-standing risk assessment is necessary.

For young people in care there must be evidence in reviews and supervision notes of an ongoing risk assessment being updated by new incidents and consideration of upgrading new incidents on top of the evidence of this in the strategy meetings.

AMBER - This risk grading category relates to those young people who may go missing repeatedly, (i.e. 3 or more times), and where there are ongoing risk factors/risk-taking

behaviours. A single assessment is mandatory for Amber graded missing episodes. Where more concerning information is received it may be necessary to hold a strategy discussion.

Where a young person is subject already to a CIN Plan or CP plan then if there are ongoing missing episodes and the young person's needs have not been re-assessed for 6 months they should be subject to an updating assessment.

RED - This risk grading category relates to those cases where there are multiple risk factors and evidence that significant harm may be being caused. These risks are viewed as being both significant and/or immediate. Strategy Meetings for missing young people in care in this red risk band should always re-evaluate risks and recommend pro-active actions to address these risks. Red graded children in care cases should normally be referred to Vulnerable Children's Liason Group or Care Planning forum in order that managers can review risks and thresholds and agree a proportionate and effective care plan, unless actions agreed at strategy meetings or child in care reviews are starting to be effective in reducing risk. In some of these cases managers will need to be aware of whether legal advice is becoming necessary to test whether secure accommodation thresholds on welfare grounds are being met.

Police responses to the risk grading system.

Discussions have been held with key staff in Sussex Police regarding this risk grading system and they have agreed that they will work closely with social work teams to look sympathetically at cases where the Local Authority Children's Services grade young people as an amber or red risk and will use the intelligence the local authority provides to influence the grading of response which they provide. Getting the right result in this will depend on prompt and clear communication between our services.

Secure Accommodation (Section 25 1989 CA)

Section 25 of the Children Act sets out the criteria which must be met before a child can be placed in secure accommodation. It states that a child being looked after by the Local Authority may not be placed, and if placed, may not be kept in secure accommodation unless it appears:-

- a. that he/she has a history of absconding and is likely to abscond from anything other than secure accommodation, and
- b. if he/she absconds he/she is likely to suffer significant harm or,
- c. if he/she is kept in anything other than secure accommodation he/she is likely to injure him/herself or other persons.

If the criteria are satisfied, there is a mandatory duty on the Court to make the Order. Children under the age of 13 cannot be placed in secure accommodation without the permission of the Secretary of State.

A child/young person may be placed in secure accommodation for up to 72 hours without a Court Order. This can only be agreed at Assistant Director/Director level.

A Court may make an Order for up to 3 months on a first application, but can make an Order for 6 months on a subsequent application (after 3 months).

These Orders are Orders of last resort and once made should only continue as is necessary and unavoidable.

In circumstances where a Secure order may, as part of the Care Plan, have to be considered, an advocate for the young person must be identified, to help explain a potential outcome of continued absconding/risk taking behaviour. Secure accommodation will only be considered when all other interventions have been exhausted.

Missing from Care Interviews

Missing from Care Interviews must be undertaken in all cases where a young person has been missing for more than 6 hours.

These interviews must be considered by the Social Worker and not by the carer (mindful that it may be circumstances in the young person's placement environment which contributed to them going missing).

Consideration must always be given to approaching the Advocacy Service regarding an Independent Advocate undertaking the interview. Consideration must always be given to cases where there are repeated missing episodes for a referral for an Independent Visitor.

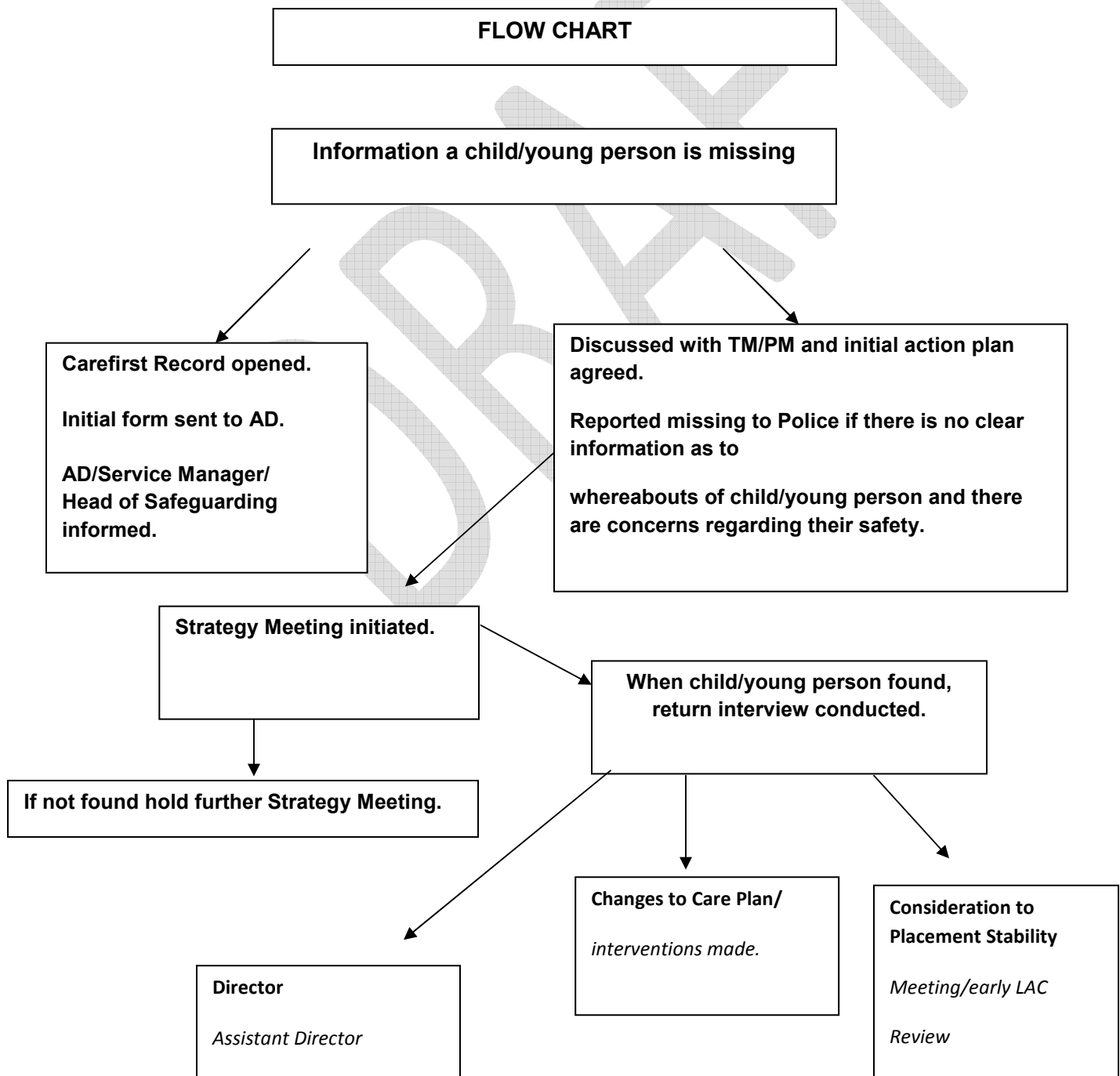
The purpose of Missing from Care Interviews is to clarify (amongst others) the following:-

- Are they well?
- Where have they been?
- Who were they with?
- Has any exploitation taken place?
- Did they feel safe?
- Who did they contact?
- Where did they go?
- What can we do too?
- How can we help you too?
- What is going on in placement?
- What would have stopped you going?
- If you are away you will?
- Being clear how information they give you will be shared
- If they do not have an advocate, do they want one?

The details of the Missing from Care Interviews must be clearly recorded on the case file. The episode must be discussed in supervision and an analysis of risk/harm completed. Any changes to the Care Plan must be considered such as changes to:-

- Care Plan (bring forward LAC Review)
- Contact arrangements
- Expectations
- Return home or placement with extended family members
- Health Care Plan
- PEP or POP
- Identity Plan

The Supervision Record must also indicate what interventions are being pursued to address the issues of missing.



Brighton & Hove Children Missing Education Practice Guidelines

October 2013

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1. Introduction

This policy outlines Brighton & Hove City Council's procedures for identifying, registering and tracking children missing education and to develop strategies for identifying those at risk of missing education. It is intended to ensure Brighton and Hove City Council is meeting its statutory duty to identify and support those children identified as missing, or at risk of becoming missing from education.

Children Missing from Education (CME) in this document refers to all children of statutory school age who are not receiving a suitable education by being registered at school or otherwise.

This policy has been produced to assist the Local Authority to meet its statutory responsibilities relating to the provision of education and the safeguarding and welfare of children. It is related to current Legislation and Related Guidance (S436A – Education and Inspections Bill 2006) and the recommendations of Every Child Matters 2004 to ensure that every child and young person has the opportunity to fulfil their potential and no child slips through the net.

The **national definition** of a child missing education is:

- Not on a school roll or being educated otherwise (e.g. at home, privately or in alternative provision) and who have been out of educational provision for more than four weeks.
- Registered at school, but for a period of four weeks or more, have not attended school or alternative education provision.
- Registered at school but their family has moved without providing a forwarding address or details of a new school.

2. Why Children go Missing from Education

Children may go missing from the education system because they:

- Fail to start appropriate provision and do not enter the system.
- Fail to complete transition at Key Stage 2 to 3 and 3 to 4 (eg not given school of choice)
- Cease to attend due to unofficial exclusion
- Withdrawn by parent/carer
- Transfer between Local Authorities
- Permanent exclusion
- Move to another authority or return to their country of origin

Children missing from education are at a greater risk of:

- Physical harm and exploitation
- Substance abuse
- Anti-social behaviour
- Crime
- Illegal employment
- Becoming Not in Employment, Education or Training (NEET)

It is therefore essential to have a systematic and robust process in place to log the incident, track the progress of searching for the child and when located ensure the child is returned to education in a speedy and efficient manner.

3. Reducing the Risk of Children Going Missing from Education

This policy identifies the procedures currently in place to reduce the risk of children falling out of the education system and going missing.

The Education (Pupil Information) (England) Regulations 2000 (SI 2000/297) (as amended by SI 2001/1212 and SI 2002/1680) govern the transfer of information from school to school when a child moves school. In particular, regulation 10(3) provides that “The Headteacher of the pupil’s old school shall send the information (the common transfer information and educational records) within 15 school days of the pupil’s ceasing to be registered at the school”

CTF 2 is the electronic version of the Common Transfer Form which schools are statutorily required to send to a pupil’s receiving school within 15 days of their leaving. The CTF guidance to schools issued by the Department of Education helps to make a positive contribution to inter-authority working, ensuring that children do not disappear from the system. The Children Missing Education Officer is the nominated officer who is responsible for searching the Lost Pupil Database for details of children with no recent school history. This is supplemented by local authority guidance both to ensure that schools continue to follow Brighton & Hove’s policies in respect of casual admissions, removing students from roll, referrals to the Access to Education Service and to promote consistency in school administrative procedures.

It is essential to have systems in place that ensure that all children, once identified and located, are not subsequently allowed to disappear. These include:

- Sharing and receiving information from other agencies to identify those at risk of becoming CME.
- Regular training of school staff on CME procedures.
- Ensuring all partner agencies have access to updated information on CME.

- Regular truancy sweeps by the Access to Education Service.
- Continue to develop procedures that identify children missing education through liaison with other Local Authorities and access to national database School to School (S2S).
- Putting measures in place to re-engage CME, e.g. referral to relevant education panels for further professional support.

The officer undertaking the registration and monitoring of these children will play a key role in achieving this.

The Children Missing Education Officer is located in the Access to Education Service.

3a. The role of the children Missing Education Officer

- Maintain and update the Children Missing Education Database
- Undertake the tracking process of CME
- Co-ordinate casework and contribute to assessment to determine appropriate provision for a child
- Provide relevant data as required and an annual report
- Raise awareness of procedures via presentations and training to teams on referral routes and circulating leaflets to professionals and public.
- Reminding school of the Education (Pupils Registration England) Regs 2006 regarding the removal of children from school rolls and the need to create a Common Transfer File (uploaded onto the DFE S2S secure website) when a child has left school to an unknown destination.

4. Identifying and Engaging Stakeholders

In paragraph 17.97 of the Victoria Climbié Inquiry Report, Lord Laming recommended that: “Front line staff in each of the agencies which regularly come into contact with families with children must ensure that in each new contact, basic information about the child is recorded. This must include the child’s name, address, age, the name of the child’s primary carer, the child’s GP and the name of the child’s school if the child is of school age. Gaps in this information should be passed on to the relevant authority in accordance with local arrangements”

It is necessary to continue to raise awareness amongst Stakeholders about how to inform the LA about children missing from education, in order to ensure that agencies apply this principle consistently. It is often the case that another agency is aware of the arrival or the existence of a child living in an LA but not in education, before the LA is aware.

Stakeholders include School secretaries/administrators, Housing, A & E Departments, Health services, Social Care, Police, Homeless Hostels, Women’s Refuge, and SEN Caseworkers.

Up to date information on how to contact the CME Officer to make a referral is sent to all agencies working with children to raise awareness of the need to track and monitor missing children. This will remind agencies of the need to notify the LA if they suspect a child is missing from education. This will identify children at risk who have entered Brighton and Hove. This process is repeated on an annual basis.

5. Information Sharing

In order to locate children and young people who are believed to be resident in Brighton & Hove, a network of agencies with which information can be shared is in place. The key partner agencies are:

- Schools – academies, maintained, special schools and independent schools.
- School Admissions
- Children’s Social Care
- Health
- Police authorities
- Youth Offending Services
- Housing providers
- 14-16 providers
- NB – separate arrangements are in place for children in care who miss education through Welfare Call who proactively call schools to check attendance of children in care.

It is to be remembered that children who are both missing from education provision and whose current whereabouts are unknown are likely to be deemed vulnerable.

It is in the interests of other agencies for children to be enrolled in education and attending regularly, not only because of the welfare of the child but also in order that agencies can fulfil their responsibilities.

6. Common Assessment Framework

The use of the Common Assessment Framework (CAF) is key in assessing needs and improving services to children, young people and families. A CAF enables a child’s needs to be assessed in a multi-agency way, to decide what, if any, response is needed. If a response is required it is likely to be of a lower order than if the issue had been allowed to escalate.

The CAF enables practitioners to liaise with any other professionals who might have already completed an assessment for the child and share concerns with them. This means that professionals from different agencies can work more effectively together, build a picture of a child’s needs over time and develop a more appropriate response.

7. Locating and Referral

A clear and easily accessible referral form is available on the Brighton and Hove City Council website and attached as Appendix 2.

Referral from within Brighton & Hove City Council

- The child does not appear at entry to Reception
- The child does not appear at the allocated school at transition from Infant to Junior and Primary to Secondary
- Referral from school to the MASH or Early Help Hub when child ceases to attend (not attended for 2 weeks and there has been no contact with parents)
- Children permanently excluded from school
- Children stopped on a Truancy Sweep
- Children placed in a Women's Refuge
- Children Educated Other than at School
- Children removed from the school roll (unofficial exclusion)
- Children in care who are not attending school should be notified immediately to key social worker or through Welfare Call.

Referral of pupils who may be new to Brighton & Hove

It is the responsibility of all officers within Children's Services to notify the Children Missing Education Officer of any information received from another Authority regarding a child who may be missing from education who it is believed is residing in Brighton & Hove.

Once this information has been logged on the Children Missing Education database the CME officer will undertake investigations to try and locate the child. This may include visiting an address where the child is believed to be living. Contact may also be made to other agencies e.g. Social Care, Police, Housing and Health. Close liaison with School Admissions will take place to check if a preference form has been received.

If the child is found, discussions will take place with the parent and School Admissions to secure educational provision. If the child is not found within two months, the CME Officer will update the database and inform the notifier.

Parents of children moving into Brighton & Hove will often contact school admissions directly to seek a school placement.

There will be occasions when School Admissions are unable to allocate the school preferred by the parent and the parent will inform Admissions that they do not intend taking up the school place offered or the school allocated will inform school admissions or the CME officer that the parents are not taking up the allocated place. The Children Missing Education officer will then make further enquiries and work with the parent regarding educational provision.

If the parent informs the admissions team or the school that they intend to home educate this must be referred immediately to Gavin Thomas, Education Other Than at School Co-ordinator.

8. Truancy Sweeps

Brighton & Hove Access to Education Service work with Sussex Police undertaking regular truancy sweeps across the city. Guidelines agreed between Brighton & Hove Access to Education Service and Sussex Police are in place.

A number of truancy sweeps will take place per academic year and areas will be targeted in line with local information obtained from Police, Schools and from members of the public who may contact the Access to Education service to inform them where young people are known to be.

These operations have proved to be effective in identifying children who are outside of the education system. The majority of those identified on sweeps are accompanied by an adult and are absent from school for a justifiable reason.

Any young person identified on a truancy sweep as not being registered at school will be referred to the Children Missing Education officer.

9. School admissions – Rising 5's, Primary and Secondary Transfer

There are close links between the CME Officer, schools and school admissions. When children do not take up school places that have been offered the school will inform school admissions who will, after some initial checks, refer the pupil to the CME Officer for further investigation.

In order to ensure these children are identified as early as possible and to enable the Access to Education Service to undertake enquiries regarding their educational provision, the following has been agreed.

- School Admissions will provide the CME Officer with a copy of the list issued to schools for entry to Reception and transfer to Year 7.
- The CME Officer will identify with all schools at the beginning of term children who have not arrived. They will then check with School Admissions to ascertain whether an alternative school placement has been allocated or whether contact has been received from the parent i.e placement at independent school. They will also check with the EOTAS Service whether the parent has informed the LA that they intend to educate other than as school. This should be completed within 5 school days.
- If after these investigations it is found that the child does not appear to be receiving an education, the CME Officer or the EOTAS Service will write to parents making arrangements to visit the home address to establish what

arrangements are being made for the child's education. This should be done within a further 5 school days.

- If it is felt that the child is not receiving an appropriate education under the terms of the Education Act 1996, the Access to Education Service will serve a Notice of a School Attendance Order requiring the parent to register their child at a school to be agreed by School Admissions.

10. Children Placed in Women's Refuge

Women fleeing domestic violence may be allocated a place at a Women's Refuge. The whereabouts of the women and any children entering the Refuge must be kept confidential. The children will need to be kept safe, found a school place without delay ensuring understanding and empathy of parental preference to ensure disruption to the child's education is kept to a minimum and allow them to have a structured day at a time when their lives may be in turmoil.

There is a named Access to Education Officer with responsibility for children placed in the Women's Refuge (this must always be a female worker). The Access to Education Officer will be contacted by the Refuge when a school age child becomes resident. They will visit the parent and support them to complete a preference form. The Access to Education Officer will then liaise with School Admissions to allocate a school place and discuss any transport implications.

The Access to Education Officer will contact the child's previous school and arrange for school files etc to be sent direct to the LA, thus preserving the anonymity of the child's whereabouts.

The receiving school will contact the Access to Education Officer once the child has started. When a permanent address is identified for the family within Brighton & Hove and should a change of school be necessary, normal transfer procedures will apply.

11. Children Educated Other Than At School

Section 7 of the Education Act 1996 provides that: "the parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable to age, ability and aptitude and to any special educational needs he/she may have, either by regular attendance at school or otherwise". This allows parents to remove their child from school and provide them with education 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 when the parents inform the school in writing as provided by the *Education (Pupil Registration) Regulations 1995 under Regulation 9(1)(c)* "that he/she has ceased to attend

the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school”

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

Parents of pupils with Statements of SEN may educate their children at home even though the LA remains responsible for ensuring that the education the child receives is suitable. The Statement must stay in force and the LA must ensure that parents can make suitable provision, including providing for all their children’s special educational needs. If parent’s arrangements are suitable, the LA is relieved of their duty to arrange provision directly, but it still remains the LAs duty to ensure the children’s needs are met.

Parents do not need to inform anyone if their child never starts school. The procedure for identifying and monitoring any child of statutory school age and who is known to the LA that fails to start school at 4+ is outlined in Flowcharts 1 and 2

The LA can intervene if it has reason to believe that parents are not providing a suitable education and may issue a School Attendance Order under section 437(1) of the Education Act 1996. It may also apply to court for a child assessment order under S43 of the Children Act 1989 if it has reasonable cause to do so (which will only be where there is a risk of significant harm to the child)

The Access to Education Service and the Education Other Than at School Service have agreed a joint protocol for identifying and monitoring children removed from school to be educated at home. The Elective Home Education policy can be found at:

<http://www.brighton-hove.gov.uk/content/children-and-education/schools/home-education>

12. Children Who Cease to Attend School

If a child ceases to attend school or fails to return from a holiday and the school has not been informed that the child has transferred to another school, it should upload the Common Transfer File (CTF) to the S2S database. It should inform the CME Officer. The school should also provide any additional information which may be useful e.g. other agency involvement.

Social Care has a responsibility for children on the Child Protection Register. If a child on the CPR goes missing, Social Care must be informed

If a Looked After Child goes missing, social care will hold the case and links are in place to ensure that the CME officer works with both the school and social care.

Once referred, the school must keep the CME Officer informed of any additional information it receives about the child.

The CME Officer will complete initial enquiries:

- Home visit - forwarding address identified
- Information forwarded to receiving Authority
- School admissions in receiving Authority contacted
- Receiving school identified
- School records transferred

If the whereabouts of a child are identified, no further action is required

If whereabouts not identified:

- Enquiries should be made of other sources using appropriate forms e.g. Social Care, NHS, Police and other agencies as appropriate

Depending on the information received from other agencies, the case may need further investigation and may need further monitoring.

13. Children Being Removed from School Roll - Guidance

Deletions from the admission register are provided by the Education (Pupil Registration) Regulations 1995 (S1 1995/2089), as amended by the Education (Pupil Registration) (Amendment) Regulations 1997 (S1 1997/2624) and the Education (Pupil Registration) (Amendment) (England) Regulations 2001 (S1 2001/2802) and the name of a pupil of compulsory school age may only be deleted from the attendance register on the ground prescribed by these regulations. The pupil registration regulations can be found at:

<http://www.legislation.gov.uk/ukxi/2006/1751/regulation/8/made>

14. Children Permanently Excluded from School

Section 19(1) of the Education Act 1996 requires every Local Authority to make arrangements for the provision of suitable education at school or otherwise for those children of compulsory school age who are permanently excluded from school.

Once a pupil has been permanently excluded from school, the school must inform the Exclusions Co-ordinator. The Governing Body must convene a meeting within 15 school days to determine whether or not the exclusion is to be upheld.

The Exclusions Co-ordinator will attend the Governors meeting. If the exclusion is upheld by the Governors, the Exclusions Co-ordinator will arrange to either send by post or visit the parent at home to obtain a completed preference form.

If the child is resident in Brighton & Hove the form will then be passed to School Admissions to identify an alternative placement to support the LAs responsibility to provide alternative placement within the statutory timescales. If the child resides in another Authority's area , the Exclusions Co-ordinator will inform the relevant Authority that the child has been excluded. It is the responsibility of the Authority in which the child resides to identify appropriate provision and monitor the child.

If the form is not completed on the same day as the exclusion meeting, within the following 5 school days, the Exclusions Co-ordinator will arrange for a visit to the home to take place in order to complete it. School Admissions will then allocate a school place and inform the Exclusions Co-ordinator.

The Exclusions Co-ordinator will liaise with school/parent/pupil regarding integration into the receiving school ensuring the parents are aware of their legal responsibility for ensuring regular attendance even if the pupil is on a part-time timetable as part of the integration.

15. Children with a Gypsy/Traveller background and children from transient families.

East Sussex Traveller Education Service work with Brighton & Hove Children's Services to ensure that Traveller children and those from other transient backgrounds gain access to their legal entitlement to an education that meets their needs, promotes the inclusion and achievement of Traveller children and to enable Traveller children and families to become independent users of the education system.

A protocol is in place which outlines the admission, re-admission and removal from the school roll of highly mobile children. More details are available at:

<http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/travellers/Traveller Commissioning Strategy 2012.pdf>

16. Fair Access Protocol

Details of the Fair Access Protocol can be requested from Brighton and Hove City Council, School Admissions.

17. Unofficial exclusions and reduced timetables for pupils.

In order to ensure the safeguarding and welfare of children and young people it is vital that pupils are not excluded unofficially or placed on a reduced timetable without alternative provision during school hours. For information related to unofficial exclusions please see Appendix 4.

18. *Young People Not in Education, Employment or Training*

The Youth Employability Service (YES) works with young people who are not in Education, Employment or Training (NEET). In addition, as part of the Early Help Strategy, YES offers support to young people in year 11 who are deemed to be at risk of becoming NEET. Most of the client group are between 16 and 18 and have left compulsory education, so they do not officially fall under this policy. However, with the Raising of the Participation Age (RPA) by 2015 all young people should remain in learning up to their 18th birthday. As part of RPA, YES is required to track all young people aged 16 to 18 to ascertain their current situation in terms of their learning and this information is recorded on the Aspire database.

YES advisers can be contacted to check whether they have any information about a young person who is missing from education or information about older siblings which might be helpful. YES also has a well-used social media / Facebook presence which could prove to be a useful means of contacting or getting information about a missing young person.

19. *Child Sexual Exploitation and Trafficking*

Child trafficking is the recruitment and movement of children for the purpose of exploitation, whether or not they have been forced or deceived. This includes sexual exploitation, forced labour such as domestic servitude and forced criminality.

A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point. One of the key indicators in identifying cases is that children can be regularly missing school or education or not taking part in education.

The CME Officer liaises on a regular basis with the Missing Persons and CSE Co-ordinator, Sussex Police. CSE and Trafficking training is undertaken and referral routes to relevant agencies are clear, including referral to Social Care and/or use of the National Referral Mechanism (NRM).

Appendix 1

Children Missing Education – Schools Referral Procedure

Pupil Absent and School unable to contact parents

When school identifies that a pupil is not in school and remains absent for 10 school days all efforts should be made to locate the pupil before referring to the Access to Education Team for further investigation.

Where the pupil remains absent from school, the school will contact the Children Missing Education Officer.

The pupil must remain on roll until all reasonable enquiries have been completed.

The pupil must remain on roll until at least 20 days of unauthorised absence.

Once it has been confirmed that the pupil may be deleted from the register the school must upload the pupil's CTF (Common Transfer File) to the Lost Pupil Databases via the S2S website with an agreed file destination and then to inform the Children Missing Education Officer.

Notice of withdrawal of pupil and name of new school provided

When the school is advised that a pupil is to be withdrawn it should complete a School Leaver CME Referral Form and forward it to the CME Officer.

The CME Officer will contact the receiving local authority to ensure that an application for a school place has been made.

The school should transfer the pupil's CTF to the new school, where applicable.

Notice of withdrawal of pupil and name of new school not provided

When a school is advised that a pupil is to be withdrawn it should complete the School Leaver CME Referral Form and forward it to the CME Officer as soon as possible.

The CME officer will contact relevant parties to try and ascertain pupil whereabouts.

If future provision remains unknown the pupil's CTF should be transferred to the S2S Lost Pupil Database using an agreed destination code.

The pupil must remain on roll for 20 days.

Notice of withdrawal of pupil when family move abroad

When a school is advised that a pupil is to be withdrawn and will be moving abroad it should complete the School Leaver CME Referral Form and forward it to the CME Officer as soon as possible.

Once the pupil has completed his/her last day, they may be removed from the school roll.

The pupil's CTF should be transferred to the Lost Pupil Database via S2S using the agreed given destination code.

When a pupil is withdrawn without warning

When a school is advised that a pupil has been withdrawn without advance warning it should contact the Children Missing Education Officer immediately.

The CME Officer and school will work together to try and locate the pupil in the first instance.

The CME Officer will carry out further investigations. If there is no further contact with the family or from a new school, the pupil may be deleted from the register after 20 school days since the pupil's last attendance.

If future provision is still unknown the pupil's CTF should be transferred to the Lost Pupil Database via S2S using the agreed given destination code.

When a pupil is withdrawn to be home educated

As soon as a school is advised that a child is being withdrawn to be educated at home it should inform the Education Other than at School service (using the referral to Children Missing Education form).

The notification **must** be received in writing from the parents.

Once this notification has been received the pupil may be deleted from the school roll.

The pupil's CTF should then be transferred to the local authority via S2S using the agreed given destination code.

When a reception age pupil fails to arrive

When a place has been accepted

If the pupil fails to attend on the start date, the school must follow up the absence in the usual way to establish the reason.

If the school is unable to contact the family, the pupil should remain on roll and their education welfare officer or equivalent should conduct enquiries and refer to the CME Officer.

If the pupil remains absent after 20 school days and if all reasonable enquiries have been made the pupil can be removed from the school register.

When a place has not been accepted

If the family has not accepted a school place then the pupil need not be placed on roll. The school may wish to keep the place open until the pupil has been confirmed in provision elsewhere.

The CME Officer should be informed so that appropriate enquiries can be made.

When a pupil fails to make the transition to Secondary School

When contact made with family

If the school have been advised by parent that the pupil will not be attending the pupil need not be placed on roll.

The CME Officer must be informed.

When no contact made with family

If no contact has been made with the family to say that the pupil will not be attending, the pupil should be placed on roll and absence followed up in the usual way.

If the pupil remains absent after 20 school days the school should contact the CME Officer to make further enquires.

Appendix 2



Children Missing Education Referral Form

This form should be used to refer any child believed to be missing school/out of education.

Please complete as much of the form as possible.

Young Person's Name:	
Date of Birth:	
Address:	
Last School:	
Any other relevant information:	
Referrer's Name:	
Contact details:	

Please send completed form to:

Children Missing Education Officer
Access to Education Service
Brighton and Hove City Council
Kings House
Grand Avenue
Hove
BN3 2SU
Phone: 01273 291310
e-mail: cme@brighton-hove.gov.uk

Appendix 3



Referral to the Access to Education Service Pupil Removed from School Roll

To: Sarah Barker, Children Missing Education Officer

School:

Referred by:

Position:

Childs Name:	DOB
Childs Address:	Name of Parent/Carer:
	Parent/Carer Phone No:
Date last attended:	Date removed from school roll:
Reason for removal as specified in the Pupil Registration Regulations:	

Has the pupil moved to another area

YES/NO

Has contact been made with receiving authority (give details)YES/NO

Has receiving school been identified (give details)

YES/NO

CTF completed

YES/NO

Child admitted to receiving school

YES/NO

(give details)

If child's whereabouts are not clear the LA and School must work together to try and establish where the child is before the child can be taken off roll.

Please return this form to: Sarah Barker, CME Officer, Brighton and Hove City Council, 3rd Floor, Kings House, Grand Avenue, Hove BN3

Appendix 4

Unofficial Exclusions and Reduced Timetables for Pupils

1. Introduction
2. Promoting positive behaviour and early intervention
3. The Brighton & Hove Context
4. The legal context – removing pupils from school roll and from school site
5. Reduced timetables and unofficial exclusions
6. Procedures for managing reduced timetables
7. Dual Placements
8. Formal reporting to the Local Authority

1. Introduction

This good practice guidance seeks to clarify the terms under which the school timetable may be reduced for particular pupils and how Brighton & Hove Education Access to Education Service together with our schools can jointly manage this. The main source material is 'Improving Behaviour and Attendance: Guidance on Exclusion for Schools and Pupil Referral Units' – September 2008. Head teachers, teachers-in-charge of PRUs, governing bodies (and PRU Management Committees), LAs and Independent Appeal Panels "must by law have regard" to the DCSF guidance.

In order to safeguard and promote the welfare of children and young people in Brighton & Hove, it is vital that pupils are not excluded unofficially or placed on a reduced timetable without alternative provision during school hours. This is particularly important for children in care. Brighton & Hove Children's Services acknowledge the additional pressure that can be placed on foster placements and therefore strongly advise schools not to exclude or reduce timetables for children in care.

This guidance should be read in conjunction with Brighton & Hove's Attendance Strategy, Behaviour Strategy and the Children Missing Education Strategy and should meet the legal requirements set out in the Pupil Registration Regulations 1995. Advice on Keeping Pupil Registers and School Attendance Codes can be found on www.dcsf.gov.uk/schoolattendance.

2. Promoting positive behaviour and early intervention

It is a fundamental human right, enshrined in the UN Convention on The Rights of the Child, and put into force through European and domestic legislation, that children have a right to an education.

Schools have a duty to have effective policies and training in place, which enables the promotion of good behaviour and consistently managed procedures for dealing with misbehaviour. (See Part 1 of the DCSF guidance)

Excluding a child is therefore a serious matter, and in order to be lawful must only be done in accordance with the law. Schools that use practices to remove a child from school - temporarily or permanently - otherwise than in accordance with the law, render themselves liable to criminal prosecution or civil complaint.

3. **The Brighton & Hove Context**

An alternative to exclusion is the use of an inclusion room as part of a school's behaviour policy. Some of our schools have used this strategy very effectively to maintain the inclusion of pupils and reduce exclusions. Governors have a role in agreeing and monitoring school behaviour policy.

Brighton & Hove Children's Services is committed to working in partnership with schools to address incidents of unofficial or illegal exclusions which can result in pupils falling out of education for indefinite periods, sometimes becoming lost to the education system, resulting in considerable disadvantage. Brighton & Hove Children's Services has a duty to ensure that Children Missing Education are identified and that action is put into place to resume full time education as soon as possible. We already have effective strategies in place to reduce the number of pupils excluded from school and these have been extremely successful.

4. **The legal context - deleting pupils from the school roll**

Regulation 8 of the Pupil Registration Regulations 1995 which can be found on www.opsi.gov.uk/legislation stipulates the circumstances when schools can delete pupils from the registers; they cannot delete pupils from the registers in circumstances other than those stipulated in the regulations and they cannot delete pupils from the attendance register until they are deleted from the admissions register. In 2006 further amendments were made to this legislation:

- i. Schools can agree to all pupils registering at more than one school rather than only those in special circumstances, which was the case in the 1995 regulations. Linked with this change is a new restriction that pupils registered at more than one school cannot be deleted from a school's registers unless one of the other schools agrees to the deletion.
- ii. The 2006 regulations introduce a requirement that both the school and the local authority make reasonable enquiry to locate a pupil who fails to return from extended leave of absence before deleting the pupil from the registers.
- iii. If a pupil is certified as unlikely to return to school for health reasons, the pupil or his parents must indicate that the pupil does not intend to continue his education at the school beyond compulsory school-age.

- iv. The regulation allowing the deletion of pupils with four week continuous absence is now restricted to unauthorised absence but retains the requirement for both the school and the local authority to try to locate the pupil before the deletion is made.
- v. Schools can only delete pupils who are in custody if they are serving a sentence of at least four months. They cannot delete pupils who are in custody for any other reason.

The legal context – ‘Removing pupils from a school site’

Pupils regularly receive their education at locations other than the site of the school at which they are registered, for example, field trips, sporting activities, work experience and provision at Further Education colleges. These are routine arrangements for groups of pupils. There are three exceptional circumstances in which pupils may be removed from school sites, these are:-

1. There is sufficient evidence that a pupil has committed a disciplinary offence and in these circumstances the pupil may be excluded from school for a fixed period or permanently, but only in accordance with the Education Act and Regulations.
2. A pupil is accused of a serious criminal offence, which took place outside the school's jurisdiction. In these circumstances the head teacher may consider that in the best interests of the pupil concerned and of the school community as a whole that the pupil should be educated off site for a fixed period. This arrangement is subject to regular review and is not an exclusion. (See paragraphs 29 - 31 of the DCSF guidance).
3. If, for medical reasons (for example, the child is suffering from a serious communicable disease) a pupil's presence on the school site represents a serious risk to the health or safety of other pupils or school staff. In these circumstances the head may send the pupil home that day after consultation with the parents. This is not an exclusion and but an authorised absence for medical reasons. (See paragraph 34 of the guidance)

These are the **only** circumstances in which pupils may be legally removed from the school site. In all of these circumstances, the child must remain on the school roll.

Parents should never be pressured into removing their child from the school under threat of a permanent exclusion, nor should pupils' names be deleted from the school roll on disciplinary grounds unless the formal permanent exclusion procedures set out in statute and in the DCSF guidance have been adhered to (see section on unofficial exclusion in paragraphs 25 - 28 of the guidance).

Permanently excluded pupils may not be taken off roll until the Discipline Committee has ratified the exclusion and the period during which an appeal by parents or pupil (over 18 years old) can be lodged has expired. For the circumstances in which a pupil may be removed from a school roll please refer to the Education Pupil Registration Regulations 2006 (DCSF).

Informal or unofficial exclusions are illegal regardless of whether they are agreed with parents or carers. Legal issues include:-

- They amount to a breach of the child's fundamental right to education
- The school has a duty to safeguard the welfare of its pupils and by sending a child home unlawfully, Head teachers may be in breach of this duty especially where the child suffers harm as a result
- For pupils with Special Educational Needs reduced timetables contravene the SEN Disability Act and the Disabilities Discrimination Act and may impede the fulfilment of a child's Statement
- There is no Department of Education guidance on managing reduced attendance and consequently arrangements have no legal basis
- There is no mechanism for review or appeal if formal exclusions process not followed, however parents and students may give informed consent to a managed move to avoid permanent exclusion
- There is no educational provision for pupils unofficially excluded
- It is a criminal offence to keep registers incorrectly, or to remove a child from the school roll otherwise than in accordance with the Regulations
- Department of Education Exclusions guidance to schools and LAs, revised September 2008, contains explicit reference to illegality of unofficial exclusions.

5. Reduced timetables and unofficial exclusions

It is for the reasons set out above that we need to work together to ensure that pupils and schools are supported and that children remain safe. Head teachers (and those in an 'acting' role) in schools are sometimes tempted to 'soften the blow' of a formal exclusion by sending pupils home for a 'cooling off' period or recommending that parents keep their children at home for a variety of reasons. Such informal agreements with parents are often justified as avoiding an exclusion that would appear in the child's school record or as a means of maintaining the child in school. However, they do not allow the true nature of a child's Special Educational Needs to be recorded nor do they enable Head teachers to analyse issues at whole school or group level, which can be addressed through positive support and interventions. Examples of unofficial exclusion reported to the LA include:-

- Pupils sent home for disciplinary reasons without formal exclusion procedures being followed - this may include informal arrangements being made with parents or by coercion
- Pupils who should be marked as unauthorised absence marked as authorised absence, or in worst case scenarios as attending
- Pupils sent home where there are attendance problems – particularly where legal proceedings are in process
- following a fixed period exclusion, a pupil remains out of school
- awaiting a reintegration interview which may be indefinitely delayed and the pupil does not return to school (see paragraph 20 of the exclusions guidance for information on reintegration interviews);

- parents being advised that if their child returns to school after the fixed period ends, that the child will be permanently excluded
- Pupils sent home or advised not to attend during the period of the school OfSTED Inspection
- Parents are strongly encouraged to de-register their child and apply to Electively Home Educate even though they may not be fully aware of their responsibilities in relation to this
- Pupils placed on study leave for periods longer than the recommended guidance
- Pupil eventually removed from school roll although not registered with another school
- As reduced timetables should only be recorded as an authorised absence, it will have an impact on the overall attendance rate for the school (percentage achieved)

6. **Procedures for managing reduced attendance**

- Reduced timetables **should only** be negotiated through Pastoral Support Programmes, Annual Reviews or Attendance Support Meetings or through re-integration meetings and must have an agreed date for the return to full time education.
- Reduced attendance must be a formal agreement between the school, parents, the child (as appropriate) or young person.
- Reduced timetables should be time-limited. Under normal circumstances a 4 week gradual return to full-time attendance is sufficient except in exceptional circumstances, for example a child who is suffering from a medical or psychological condition and it is not possible for the child to attend school full time.
- Arrangements must be kept under regular review and include:-
 1. a detailed assessment of the child's needs
 2. clearly documented IEP, PSP and PEP reviews (as appropriate) showing interventions and outcomes – there may be multi-agency working by the Schools and Community Area Teams
 3. a detailed action plan which informs the LA of the timetable and demonstrates clear planned progression from part-time to full time provision that specifies additional help and support required
 4. details of how the school will ensure that the child's educational provision is maintained.
 5. it is the school's responsibility to ensure a package of full time support is provided for the time when the child is not in school, this could be through youth support services, supervised work at home which must be returned and marked, SAM learning, counselling sessions.
 6. details of how the pupil will access their entitlement to the full national curriculum
 7. a date when full time provision in school will be achieved, usually no more than twenty school days from commencement
- The pupil should be managed within the context of the Code of Practice for SEN including support provided from school funds for pupils who do not have a Statement of Special Educational Need - advice should be sought from the SEN Assessment Team for pupils with a Statement of SEN or from appropriate professionals within the Schools and Community Area Team

- For Statemented pupils, reduced timetables should be agreed through an Annual Review and their Statement amended to reflect the new arrangement with regular monitoring reviews
- For Children in Care, the planning needs to include anyone defined as a 'parent' (the LA if the child is subject to a care order, legal guardians, foster parents and birth parents if appropriate)
- A Social Care representative needs to be involved if the child or family have an allocated social worker
- When pupils are temporarily engaged in part-time attendance the register should reflect the agreed arrangements and should be marked as an authorised absence
- Once the period of a fixed term exclusion is ended the pupil has a right to return to school; schools must not block this if the parent does not attend a "re-admission" meeting. Nevertheless, pupils re-integrating to school after a long fixed term or permanent exclusion may benefit from gradual, supported re-integration to prevent further exclusion.

7. **Dual Placements**

It is sometimes appropriate, and may be in a Statement of SEN that a pupil should have dual placement between mainstream and special school.

It is vital that the two educational establishments maintain contact regarding the pupil's attendance at both schools.

8. **Formal reporting to the LA – Reduced Timetables and Unofficial Exclusions**

The Local Authority requests information on pupils attending part-time from Head teachers, it the responsibility of the Head teacher or representative to provide this information.

If a LA officer becomes aware of a pupil on reduced timetable or has been unofficially excluded they should discuss this with the Head teacher.

October 2013