



# St Andrew's CE VC Primary School

**A church school that learns, grows and achieves together**

“Train up a child in the way he should go,  
and when he is old he will not depart from it”

Proverbs 22:6

## Children Missing Education Policy

Signed (Chair)	Name Anthony Parker	Date
Signed (Head)	Name Graham Pike	Date
Ratified by Governing Body on		Next Review

### **Equality Impact Assessment (EqIA)**

*This policy has been assessed with regard to its impact on equalities issues. The equality impact assessment has been conducted by the relevant Governors' sub-committee and focused on race, gender, disability, age, sexual orientation, gender identity and religion/belief. Community Cohesion has also formed part of the impact assessment work in order to ensure respect for diversity, alongside a commitment to common and shared bonds.*

### **EqIA outcomes**

- The assessment found no areas of potential negative impact and actions resulting in positive impact are in place.*

# Children Missing Education Policy

Guidance for schools on when a pupil is added to or removed from the school roll at non-standard transition points

This South Gloucestershire Council (SGC) guidance is based on the Department for Education (DfE) document 'Children Missing Education Statutory Guidance for Local Authorities September 2016'. The DfE guidance applies to all: maintained schools, academies, free schools, independent schools, and any DfE registered education provision and is available via the following link:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550416/Children\\_Missing\\_Education\\_-\\_statutory\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf)

This guidance includes the following key points:

1. All children, regardless of their circumstances, are entitled to an efficient, full time education which is suitable to their age, ability, aptitude and any special educational needs they may have.
2. Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life.
3. Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education. Local authorities should focus their resources effectively in intervening early in the lives of vulnerable children to help prevent poor outcomes

The Keeping Children Safe in Education (KSCIE) statutory guidance (updated September 2023) applies to all schools and also contains information on how schools should manage CME:

[https://assets.publishing.service.gov.uk/media/64f0a68ea78c5f000dc6f3b2/Keeping\\_children\\_safe\\_in\\_education\\_2023.pdf](https://assets.publishing.service.gov.uk/media/64f0a68ea78c5f000dc6f3b2/Keeping_children_safe_in_education_2023.pdf)

## About this guidance

This guidance is not exhaustive and schools should refer to the DfE guidance documents and the amended Regulations before removing a pupil from roll. The legal document from the Education (Pupil Registration) (England) Regulations 2006 is included as Annex A. This document sets out the fifteen reasons why children may legally be removed from roll. Schools may need to seek legal advice in some cases.

The 15 reasons are listed below. They are explained more fully later in this document. If schools think one of these reasons may apply to a pupil on their roll they should check the relevant paragraph to ensure the legal grounds for deletion is met.

- Reason 1: School Attendance Order pupils
- Reason 2: Immediate transfer to another school
- Reason 3: Dual Registered pupils
- Reason 4: Elective Home Education
- Reason 5: Pupils who move out of the area
- Reason 6: Pupils who fail to return from planned leave of absence and cannot be traced
- Reason 7: Certified unlikely to be fit to return to school before the end of Year 11
- Reason 8: Pupil has been continuously absent for 20 school days and cannot be traced
- Reason 9: Pupil has been detained in custody for four months or more
- Reason 10: Pupil's death
- Reason 11: Pupil is above statutory school age (has completed Year 11)
- Reason 12: Applies to Independent Schools ONLY
- Reason 13: Permanent Exclusion
- Reason 14: Nursery pupil not transferring to a higher class at the same school
- Reason 15: Unpaid fees for a boarder at a maintained school or academy
- If after reading the full section relating to the reasons for deletion school staff are still unsure they should contact the Children Missing Education Officer for further advice.

## Safeguarding

All schools have statutory safeguarding responsibilities, as detailed KCSIE (2023) and Working Together to Safeguard Children (2023).

[https://assets.publishing.service.gov.uk/media/65cb4349a7ded0000c79e4e1/Working\\_together\\_to\\_safeguard\\_children\\_2023\\_-\\_statutory\\_guidance.pdf](https://assets.publishing.service.gov.uk/media/65cb4349a7ded0000c79e4e1/Working_together_to_safeguard_children_2023_-_statutory_guidance.pdf)

KCSIE states that schools should put into place appropriate safeguarding policies, procedures and responses for children who go missing from education, particularly on repeat occasions.

Schools need to consider whether to set out procedures for handling CME in either a CME policy or as part of their Safeguarding and Child Protection policy.

### **Transferring information to the new school**

Schools are expected to transfer information to the child's subsequent school using their school's system. For many schools this will be via the CTF. Safeguarding files should also be sent to the next educational establishment.

### **What were the main changes from 1 September 2016?**

- All schools must notify SGC when they are about to remove a pupil's name from the school admission register at non-standard transition points. This duty does not apply when a pupil's name is removed from the admission register at standard transition points - when the pupil has completed the final year of education normally provided by that school (usually Year 6 or Year 11).
- Schools must make reasonable enquiries to establish the whereabouts of the child jointly with SGC before deleting the pupil's name from the register if the deletion is under Reason 6 or Reason 8
- All schools must also notify SGC within five days of adding a pupil's name to the admission register at a non-standard transition point. The notification must include all the details contained in the admission register for the new pupil. Please note that for schools using the B2B data transfer arrangement notification is covered by this.

### **Schools' responsibilities**

- Schools must enter pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. If a pupil fails to attend on the agreed or notified date, the school should undertake reasonable enquiries to establish the child's whereabouts and notify SGC at the earliest opportunity.
- Schools must monitor pupils' attendance through their daily register.
- Schools should monitor attendance closely and address poor or irregular attendance. It is important that any pupil's poor attendance is addressed swiftly in line with the school's attendance policy.
- Where a pupil has not returned to school for ten days after an authorised absence below (and other specific criteria apply, or is absent from school without authorisation for twenty consecutive school days (and other specific criteria apply) the pupil can be removed from the admission register. This only applies if the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or unavoidable cause; and when the school and SGC have failed, after jointly making reasonable enquiries, to

establish the whereabouts of the child. See further guidance under Reason 6 and Reason 8 as set out in the DfE guidance (link)

- For fixed-term exclusions of more than five days the governing body must arrange suitable alternative full-time education, which must begin no later than the sixth day of the exclusion. For permanent exclusions, the pupil's 'home' local authority must provide alternative education. This information can be found in the 2022 Guidance 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England', link below: [https://assets.publishing.service.gov.uk/media/64ef773513ae1500116e30db/Suspension\\_and\\_permanent\\_exclusion\\_guidance\\_september\\_23.pdf](https://assets.publishing.service.gov.uk/media/64ef773513ae1500116e30db/Suspension_and_permanent_exclusion_guidance_september_23.pdf)
- All schools have a safeguarding duty in respect of their pupils, and as part of this should investigate any unexplained absences, see KCSIE 2023.

## **Recording information in the school's admission register**

It is important that the school's admission register is accurate and kept up to date. Schools should regularly encourage parents to inform them of any changes whenever they occur. Where a parent notifies a school that a pupil will live at another address, all schools are required to record in the admission register:

- a) the full name of the parent with whom the pupil will live;
- b) the new address; and
- c) the date from when it is expected the pupil will live at this address.

Where a parent of a pupil notifies the school that the pupil is registered at another school or will be attending a different school in future, but remaining at their current address, schools must record in the admission register:

- a) the name of the new school; and
- b) the date when the pupil first attended or is due to start attending that school.

## **Sharing information with South Gloucestershire Council**

### Removing a pupil from the admissions register:

Schools must notify SGC when a pupil's name is to be removed from the admission register at a non-standard transition point under any of the fifteen grounds set out in the regulations, as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register. This duty does not apply at standard transition points – where the pupil has completed the school's final year. Notification happens via the B2B data transfer.

Where a school notifies SGC that a pupil's name is to be removed from the admission register, the school must provide the following information:

- a) the full name of the pupil;
- b) the full name and address of any parent with whom the pupil lives;
- c) at least one telephone number of the parent with whom the pupil lives;
- d) the full name and address of the parent who the pupil is going to live with, and the date the pupil is expected to start living there, if applicable;
- e) the name of pupil's destination school and the pupil's expected start date there, if applicable; and

- f) the ground in Regulation 8 under which the pupil's name is to be removed from the admission register (see Annex A).

### **Adding a pupil to the admissions register:**

All schools are required to notify SGC within five days when a pupil's name is added to the admission register at a non-standard transition point. Notification happens via B2B data transfer. Schools not using this system will need to provide SGS with all the information held within the admission register about the pupil, namely:

- a) the full name of the pupil;
- b) sex;
- c) name and address of every person known to be a parent of the pupil, including a note detailing which parent the child normally lives with and at least one emergency contact telephone number for that parent;
- d) pupil's date of birth;
- e) date of admission to the school;
- f) name and address if the school last attended, if any; and
- g) where the parent notifies the school that the pupil is also registered at another school; or will be attending a specified other school in the future, the school must enter the name of that other school and the first date on which the pupil attended or is due to attend that school, where it is reasonable practicable to for the proprietor to obtain that information.

Exceptions – e.g. a pupil leaving a primary school to join a junior school:

In a small number of cases, pupils removed from the admission register in one school would be a standard transition but their transfer to another school would be a non-standard transition and vice-versa. For example, a pupil leaving a primary school at the end of Year 2 is a non-standard transition, but their transfer to a junior school at the beginning of Year 3 is a standard transition. In such cases, only the school where the non-standard transition occurs is under an automatic duty to notify SGC. SGC would need to make a request for the information from the other school, if they required information on the standard transition.

### **What is the notification process for schools?**

In most cases information is automatically shared between schools and South Gloucestershire Council via B2B data transfer. Schools not using this system will be required to notify the council of any additions or deletions made to their admissions register at non-standard entry or exit points. For safeguarding reasons South Gloucestershire Council check systems for all pupils deleted from roll in South Gloucestershire schools and follow this up on a weekly basis.

### **Making reasonable enquiries & Children Missing Education (CME) referrals**

Reasonable enquiries:

The term 'reasonable enquiries' grants schools and SGC a degree of flexibility in decision-making, particularly as the steps that need to be taken in a given case will

vary. The term 'reasonable' also makes clear that there is a limit to what the school and SGC is expected to do. If there is reason to believe a child is in immediate danger or at risk of harm, a referral should be made to children's social care via ART if the case is not already open to a social worker (or the police if appropriate). If a school is considering removing a pupil from roll under Reason 6 (pupil has failed to return to school following a leave of absence) or Reason 8 (the pupil has been continually absent for a period not less than 20 school days) the school must make a Children Missing Education referral (Annex B) and must not remove the pupil from roll until SGC's CME Officer has confirmed to the school in writing that they can remove the pupil from roll.

Please note that before making a CME referral the school must try to establish the pupil's whereabouts. Schools should:

- Use all known contact telephone numbers to attempt to speak with the parent/carer and other emergency contacts.
- Make home visit(s) to attempt to ascertain if the family are in the home at different times of the day.
- Contact any involved professionals for example the child's Social Worker, Youth Offending Team Worker, FYPS worker.

The school should begin its enquiries as soon as it becomes aware that a pupil's absence may meet the criteria for removal from roll under Reason 6 or Reason 8. If the school based actions result in finding the pupil then the school should establish why the pupil is not attending and follow its normal attendance procedures. If the school based actions do not result in locating the pupil, the school must make a CME referral as a matter of urgency. The school does not need to wait until a pupil reaches the 10/20 day unauthorised absence threshold before making a pupil tracking referral, providing they have completed their reasonable enquiries.

### **Children Missing Education Officer. Response to a CME referral:**

Upon receipt of a fully completed CME referral and any other relevant documentation, such as copies of leave of absence requests and school letters to parents, the CME officer will assess the referral, to ensure it is a valid CME referral instead of a school attendance matter. The latter may involve the case being handed back to the school so that attendance casework can be undertaken to address the attendance issues and this may result in using statutory duties as appropriate.

### **Identification, Tracking and Monitoring:**

On receipt of a CME referral, the CME Officer, will conduct reasonable enquiries on behalf of SGC. Once CME investigations are completed the CME officer will advise the school of the outcome and give an off-roll date where appropriate. Schools must not delete a child from the school roll until advised in writing by the CME officer.

- Making CME enquiries may not always lead to establishing the location of the child, but will provide a steer on what action should be taken next by SGC, for example, to contact the police, children's social care and, in cases where

there may be concerns for the safety of a child who has travelled abroad, the UK Border Agency.

A pupil's name can only be removed from the admission register under Reason 6 or Reason 8 if the school and the local authority have failed to establish the pupil's whereabouts after jointly making reasonable enquiries.

### **Grounds for deleting a pupil of compulsory school age from the school admission register set out in the Education (Pupil Registration) (England) Regulations 2006, as amended September 2016**

This section explains in detail the fifteen reasons which allow schools to delete a pupil from the admissions register.

#### **Reason 1: School Attendance Order Pupils**

Definition: The Local Authority has approved change of provision for a pupil who is already subject to a School Attendance Order (SAO). If a child is at a school as a result of a SAO, the school is not able to remove the child from roll without written consent from SGC. The school must check with the LA before removing the child from roll. Please note that this criterion is rarely met. If met, SGC CME Officer will write to the school via the Headteacher and Chair of Governors to provide it with instructions.

#### **Reason 2: Immediate transfer to another school**

Definition: When a pupil leaves the school and has been enrolled at a new school. The school must have confirmation in writing from the new school that the child has been given a place and a start date has been agreed.

School Action:

- If the school is informed by another school or the parent/carer that the pupil is changing provision, the school obtains written confirmation from the new school that the pupil has been given a place and a start date has been agreed.
- The school must obtain written confirmation from the new school that the pupil has started attending before they remove a pupil from roll; once received, the school can delete the pupil from roll from the school day before the child's first date of attendance at their new school.

#### **Reason 3: Dual Registered pupils**

Definition: This criterion applies to dual registered pupils if one school wants to delete the pupil from roll. The main examples of dual registration are pupils who are on negotiated transfers or are attending a pupil referral unit, a hospital school or a special school on a temporary basis. If the Headteacher of the other school where the pupil is registered gives written consent to the pupil being deleted from your school's roll you may remove the pupil.

School Action:

If the Headteacher of the other school where the pupil is registered gives written consent to the pupil being deleted from your school's roll you may delete the pupil from your roll from that date.

Please note this criterion does not apply to pupils who fit the criterion of 'traveller' in that the pupil has no fixed abode for the reason that their parent is 'engaged in a trade or business of such a nature as to require [them] to travel from place to place'.



A 'base school' is the school that a child from a Gypsy, Roma or Traveller family most recently attended during the preceding 18 months, when the family was not travelling. The legislation calls it the 'school of ordinary attendance'.

If a school is the base school for a dual-registered child from a Gypsy, Roma or Traveller family, the law says the school cannot remove that child from the register just because they have registered at another school. However, nothing prevents schools other than the base school from doing so if the child is no longer attending. If a school needs specific advice regarding removing a child from its register, in these circumstances, it should consult SGC before taking any action.

#### **Reason 4: Elective Home Education (EHE)**

Definition: The school has received written notification from the parent that they have chosen to home-educate their child (also known as Elective Home Education).

Please note schools should not seek to persuade parents/carers to educate their children at home as a way of avoiding exclusions or because the pupil has a poor attendance record.

School Action:

If a parent informs the school in writing that they are going to electively home educate the child the school must notify SGC by completing an EHE exit form (Annex C) and sending it with a copy of the parent/carer's letter or email to the EHE officer via SOFIE. In most circumstances the school then removes that pupil from roll from the date the letter was received by the school

- If the pupil lives outside the SGC area which the school is located the Headteacher must also notify the EHE Officer in the pupil's home authority.
- In cases where a pupil has a statement of SEN/EHCP the school must also notify the SGC SEND Team in Writing.
- If the child is a registered pupil at a Special School, the school cannot remove the child from roll without the written consent of the Local Authority
- In cases where a pupil is registered at the school under the terms of a School Attendance Order the school must notify the local authority using the EHE form in the usual way, however, the school **MUST** not remove the child from roll until/unless it receives notification from SGC that the school attendance order has been revoked (also see Reason 1 above).

#### **Reason 5: Pupils who move house**

Definition: The pupil no longer resides within a reasonable distance of the school (and the pupil is not a boarder). This section relates to pupils who move house - 'movers'.

School Action:

##### **Temporary Accommodation**

In the case of families being made homeless and moving to temporary accommodation, within or outside South Gloucestershire, schools should not remove the pupil from roll until or unless:

- a) a. it is confirmed the child has started at a new school (in which case you would remove them from roll under Reason 2); or
- b) b. the parent confirms in writing that the child will not be returning to your school due to no longer living within a reasonable distance of the school (the parent must also provide written evidence of their new address, for example, temporary housing agreement); or
- c) c. the CME Officer accepts a CME referral from your school and confirms an off roll date to you in writing.

Please note if (b) applies, you must make a CME referral when removing the pupil from roll in order for the CME Officer to follow up on the pupil's destination school and ensure the child does not go missing from education.

### **Permanent House Move within South Gloucestershire or our 3 Neighbouring Local Authorities**

In cases of families moving within South Gloucestershire, or to one of our three Neighbouring Local Authorities (BANES, Bristol and North Somerset), schools should not remove the child from roll until or unless:

- a) a. it is confirmed the child has started at a new school (in which case you would remove them from roll under Reason 2); or
- b) b. the parent confirms in writing that the child will not be returning to your school due to no longer living within a reasonable distance of the school (the parent must also provide written evidence of their new address for example tenancy agreement or solicitor's letter proving purchase); or
- c) c. the CME Officer accepts a CME referral from your school and confirms an off roll date to you in writing.

Please note if (b) applies, you must make a CME referral when removing the pupil from roll in order for the CME Officer to follow up on the pupil's destination school and ensure the child does not go missing from education.

### **Permanent House Move Moving outside of South Gloucestershire or 3 Neighbouring Local Authorities including Abroad**

In cases of families moving outside the South Gloucestershire or our three Neighbouring Local Authorities (BANES, Bristol and North Somerset), schools should not remove the child from roll until or unless:

- a) a. it is confirmed the child has started at a new school (in which case you would remove them from roll under Reason 2); or
- b) b. the parent provides written evidence of their new address for example tenancy agreement or solicitor's letter proving purchase); or
- c) c. the CME Officer accepts a CME referral from your school and confirms an off roll date to you in writing.

Please note if (b) applies, you must make a CME referral when removing the pupil from roll in order for the CME Officer to follow up on the pupil's destination school and ensure the child does not go missing from education.

## **Reason 6: Pupils who fail to return from planned leave of absence and cannot be traced**

Definition: For this criterion to be met, a, b and c all have to apply:

- a) The pupil has not returned to school within 10 school days of the last day of exceptional circumstances absence authorised by the Headteacher; and
- b) the Headteacher does not have any grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable causes; and
- c) the pupil's whereabouts are not known, the absence is not being authorised and the school and local authority can evidence that it has exhausted its reasonable enquiries. The school has had no notification as to why the pupil is absent.

School Action:

The school need to make and be able to evidence attempts made to contact the parent/carers in order to establish the reasons for absence.

School based actions will result in one of the following outcomes:

- a) a. The pupil is located and has not moved. If so, the school should follow its normal school attendance procedures to ensure the pupil's swift return to school.
- b) b. The pupil is located but has moved away. If so, the school should follow the 'reasonable distance' guidance - see Reason 5.
- c) c. The pupil is not located. If so, the school must complete a CME referral clearly detailing the steps it has taken in order to try and find the pupil, no later than the tenth day after the pupil's expected return date.

The CME Officer will then undertake reasonable enquiries which will result in one of the following outcomes:

- a) The pupil could or should be reasonably expected to attend/return to the school. In this case the pupil is kept on roll and school casework must be undertaken to resolve any attendance issues.
- b) The CME Officer's reasonable enquiries:
  - a. fail to locate the pupil, or
  - b. establish that the pupil has moved away and no longer lives at a 'reasonable distance' from the school, the EWS will notify the school in writing of an off roll date.

If the CME Officer confirms to the school in writing that the SGC has failed to locate the pupil despite its reasonable enquiries, the school may remove the pupil from roll.

## **Reason 7: Medical Grounds (certified unfit to ever return to school)**

Definition: A child has been certified by the school's medical officer as not being in a fit state of health to attend school before ceasing to be of school age. Extremely rare as in most cases a pupil will remain on roll while receiving specialist support.

School Action

- The school should make enquiries to establish that the pupil and/or the parent/carers have no intention for the pupil to continue into post 16 education.

Further information available:

<https://find-information-for-adults-children-families.southglos.gov.uk/kb5/southglos/directory/advice.page?id=Sp7puUlj3Ek>

**Reason 8: Pupil has been continuously absence for 20 schools days and cannot be traced / new pupils who do not attend school on or after the expected/agreed start date.**

Definition: The pupil has been absent continuously for at least 20 school days and their absence is not as a result of a pre-existing attendance concern.

School Action:

The pupil's whereabouts are not known, the absence is not being authorised and the school can evidence that it has exhausted its school based enquiries. The school has made and can evidence the attempts made to contact the parent/carers in order to establish the reasons for absence. The Headteacher does not have any grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable causes.

NB: This criterion is also applicable for new pupils who do not attend school on or after the expected/agreed start date.

School based actions will result in one of the following outcomes:

- a) a. The pupil is located and has not moved. If so, the school should follow its normal school attendance procedures to ensure the pupil's swift return to school.
- b) b. The pupil is located but has moved away. If so, the school should follow the 'reasonable distance' guidance - see Reason 5.
- c) c. The pupil is not located. If so, the school must complete a CME referral form clearly detailing the steps it has taken in order to try and find the pupil. The referral should be made as soon as the school suspects the child/family's whereabouts are not known. Schools do not need to wait until 20 days of absence have elapsed before making a CME referral.

The CME Officer will then undertake reasonable enquiries which will result in one of the following outcomes:

- 1) The reasonable enquiries show that the pupil could or should be reasonably expected to attend/return to the school. In this case the pupil is kept on roll and school casework must be undertaken to resolve any attendance issues.
- 2) The CME Officer's reasonable enquiries:
  - a. a. fail to locate the pupil, or
  - b. b. establish that the pupil has moved away and no longer lives at a 'reasonable distance' from the school, the CME Officer will agree an off roll date.

**Reason 9: Pupil has been detained in custody**

Definition: The pupil has been remanded into custody for a period of four months or more and the pupil will not be returning to the school upon release.

School Action:

- If the pupil has been detained in custody for a period of less than 4 months they must be kept on roll but they can be coded Y for this period.
- If the pupil is detained for a period of more than 4 months then each case should be assessed on a case by case basis taking in to account that in most cases it is usually in the best interests of the pupil to remain on roll.
- The school should make contact with the Youth Offending Team and any other agencies involved and satisfy itself that:
  - a. the pupil has been sentenced and not just remanded in custody pending trial; OR
  - b. the pupil is subject to an order of recall made by the Secretary of State; AND
  - c. the period of sentence/recall is for at least 4 months; AND
  - d. there are no reasonable grounds to believe that the pupil will return to the school at the end of that period.

### **Reason 10: Pupil death**

School Action

If Reason 10 is confirmed, the school may remove the pupil from roll.

### **Reason 11: The pupil is above statutory school age (has completed Year 11)**

Definition: The pupil is above statutory school age.

Pupils who are over compulsory school age and exiting at a standard transition point (last Friday in June for a pupil in Year 11 who is not transferring to the school's sixth form) can be removed from roll and school is not required to notify SGC. However for pupils leaving in year 12 or 13 schools are required to inform the EET Tracking Team (via SOFIE) – the team will require contact details and will then track the student and share information with their home LA if relevant.

School Action:

The school removes the pupil from roll and if they are leaving year 12 or 13 notifies the EET team.

### **Reason 12: Applies to Independent Schools ONLY**

Definition: The child is no longer a pupil at the school

School Action: – The pupil is leaving an Independent school

If a pupil ceases to attend an Independent school mid-year or at a non-standard transition point the school should complete an online CME referral no later than the day they wish to make the deletion. The school must make every effort to establish the ongoing education arrangements for the child, and include this information in the CME referral.

## Reason 13: Permanent Exclusion

Definition: The pupil has been permanently excluded

The guidance in regards to Permanent Exclusions is the 2023 DfE guidance “Exclusions from maintained schools, Academies and Pupil Referral Units in England.”

[https://assets.publishing.service.gov.uk/media/64ef773513ae1500116e30db/Suspension\\_and\\_permanent\\_exclusion\\_guidance\\_september\\_23.pdf](https://assets.publishing.service.gov.uk/media/64ef773513ae1500116e30db/Suspension_and_permanent_exclusion_guidance_september_23.pdf)

Whenever a head teacher excludes a pupil they must, without delay, notify parents of the period of the exclusion and the reasons for it.

The head teacher must, without delay, notify the governing body and SGC of a permanent exclusion.

If the pupil lives outside the local authority in which the school is located, the head teacher must also advise the pupil’s ‘home authority’ of the exclusion without delay.

For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin no later than the sixth day of the exclusion. This will be the pupil’s ‘home authority’ in cases where the school is maintained by (or located within) a different local authority.

In addition, where a pupil has an Education Health and Care Plan or a statement of SEN, SGC must ensure that an appropriate full-time placement is identified in consultation with the parents, who retain their rights to express a preference for a school that they wish their child to attend, or make representations for a placement in any other school.

The head teacher must remove a pupil’s name from the school admissions register if:

- 15 school days have passed since the parents were notified of the governing body’s decision to uphold a permanent exclusion and no application has been made for an independent review panel; or
- The parents have stated in writing that they will not be applying for an independent review panel.
- Where an application for an independent review panel has been made within 15 school days, the headteacher must wait until the review has been determined, or abandoned, before removing a pupil’s name from the register.
- Whilst an excluded pupil’s name remains on a school’s admissions register the pupil should be marked using the appropriate attendance code. Where alternative provision has been made that meets the requirements of the pupil registration regulations, and the pupil attends it, an appropriate attendance code should be used.

### School Action

- Please refer to DfE statutory guidance and complete the relevant actions before looking to remove a pupil from roll. In all cases the pupil must not be removed from roll until SGC have been notified.
- The headteacher must notify SGC the decision to permanently exclude without delay.
- The Pathways Learning Centre referral form needs to be completed promptly in order for SGC to provide full time provision for the pupil from the 6<sup>th</sup> day after the headteacher’s decision to permanently exclude the pupil.

- The pupil's attendance register should be marked as follows: E (excluded) from the start of the first session following the headteacher's decision to permanently exclude the pupil, until the commencement of full time provision provided by SGC. An attendance code D (dual registered) should be used from the commencement of the full time provision provided by SGC until the date for taking the pupil off roll.
- The school must not remove the pupil from roll until either:
  - a) The parent has completed the independent review process;
  - b) The parent has confirmed in writing that they do not wish to have an independent review; or
  - c) 15 school days have passed since the parent has not made an application for review.

#### **Reason 14: Nursery pupil not transferring to a higher class at the same school**

Definition: A nursery pupil not transferring to a higher class at the same school

This criterion relates to a pre-school pupil in a nursery class that is not transferring to the reception class at the same school. This pupil will be under compulsory school age and therefore they are exempt from this guidance therefore no direct notification to SGC is necessary.

School Action

The school removes the pupil from roll.

#### **Reason 15: Unpaid fees for a boarder at a maintained school or academy**

Definition: Where a registered pupil at maintained school or academy has board and lodging charges that remain unpaid by a parent/carer.

This criterion does not apply in South Gloucestershire .

## **Annex A: Grounds for deleting a pupil from the school admission register**

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

#### **Reason 1: School Attendance Order pupils**

Legislation: 8(1)(a) - where the pupil is registered at the school in accordance with the requirements of a school attendance order, that another school is substituted by the local authority for that named in the order or the order is revoked by the local authority on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his age, ability and aptitude otherwise than at school.

#### **Reason 2: Immediate transfer to another school**

Legislation: 8(1)(b) - except where it has been agreed by the proprietor that the pupil should be registered at more than one school, in a case not falling within sub-paragraph (a) or regulation 9, that he has been registered as a pupil at another school.

#### **Reason 3: Dual Registered pupils**

Legislation: 8(1)(c) - where a pupil is registered at more than one school, and in a case not falling within sub-paragraph (j) or (m) or regulation 9, that he has ceased to attend the school **and the proprietor of any other school at which he is registered has given consent to the deletion.**

#### **Reason 4: Elective Home Education**

Legislation: 8(1)(d) - in a case not falling within sub-paragraph (a) of this paragraph, that he has ceased to attend the school **and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school.**

#### **Reason 5: Pupils who move out of the area**

Legislation: 8(1)(e) - except in the case of a boarder, that he has ceased to attend the school **and no longer ordinarily resides at a place which is a reasonable distance from the school at which he is registered.**

#### **Reason 6: Pupils who fail to return from planned leave of absence and cannot be traced**

Legislation: 8(1)(f) - in the case of a pupil granted leave of absence in accordance with regulation 7(1A), that —

- (i) the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted;
- (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause;

**and**

- (iii) the proprietor and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.**

#### **Reason 7: Certified unlikely to be fit to return to school before the end of Year 11**

Legislation: 8(1)(g) - that he is **certified by the school medical officer** as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, **and neither he nor his parent has indicated to the school the intention to continue to attend the school after ceasing to be of compulsory school age.**



**Reason 8: Pupil has been continuously absent for 20 school days and cannot be traced**

Legislation: 8(1)(h) - that he has been continuously absent from the school for a period of not less than twenty school days and —

(i) at no time was his absence during that period authorised by the proprietor in accordance with regulation 6(2);

(ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause;

**and**

**(iii) the proprietor of the school and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.**

**Reason 9: Pupil has been detained in custody for four months or more**

Legislation: 8(1)(i) - that he is detained in pursuance of a final order made by a court or of an order of recall made by a court or the Secretary of State, that order being for a period of not less than four months, **and the proprietor does not have reasonable grounds to believe that the pupil will return to the school at the end of that period.**

**Reason 10: Pupil's death**

Legislation: 8(1)(j) - that the pupil has died.

**Reason 11: Pupil is above statutory school age (has completed Year 11)**

Legislation: 8(1)(k) - that the pupil will cease to be of compulsory school age before the school next meets and—

(i) the relevant person has indicated that the pupil will cease to attend the school; or

(ii) the pupil does not meet the academic entry requirements for admission to the school's sixth form.

**Reason 12: Applies to Independent Schools ONLY**

Legislation: 8(1)(l) - in the case of a pupil at a school other than a maintained school, an Academy, a city technology college or a city college for the technology of the arts, that he has ceased to be a pupil of the school.

**Reason 13: Permanent Exclusion**

Legislation: 8(1)(m) - that he has been permanently excluded from the school

**Reason 14: Nursery pupil not transferring to a higher class at the same school**

Legislation: 8(1)(n) - where the pupil has been admitted to the school to receive nursery education, that he has not on completing such education transferred to a reception, or higher, class at the school.

**Reason 15: Unpaid fees for a boarder at a maintained school or academy**

Legislation: 8(1)(o) where—

(i) the pupil is a boarder at a maintained school or an academy;

(ii) charges for board and lodging are payable by the parent of the pupil; and

(iii) those charges remain unpaid by the pupil's parent at the end of the school term to which they relate.