



# TRADING WITH SCHOOLS

Education  
Welfare  
Service

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## Children Missing Education

Guidance for adding & deleting pupils from roll at non-standard transition points

January 2018



**BRISTOL**  
LEARNING CITY





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## Definition of Children Missing Education

Children Missing Education (CME) 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. To avoid children becoming CME it is important that they are being placed on and off a school roll as per Department for Education (DfE) guidance:

### **Children Missing Education Statutory Guidance for Local Authorities (September 2016)**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550416/Children\\_Missing\\_Education - statutory guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf)

The Government expects local authorities and schools to work together to prevent children becoming CME. It is essential that schools and Bristol City Council (BCC) work together to ensure children receive their educational entitlement and are kept safe.

This document outlines BCC's minimum expectations for all schools (maintained schools, academies, free schools, independent schools and any DfE registered education provision) in order to comply with their statutory responsibilities. Schools also need to be familiar with other related DfE guidance documents, including:

### **Keeping Children Safe in Education (KSCIE) statutory guidance (September 2016)**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550511/Keeping\\_children\\_safe\\_in\\_education.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf)

### **Working Together to Safeguard Children (2015)**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/592101/Working\\_Together\\_to\\_Safeguard\\_Children\\_20170213.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/592101/Working_Together_to_Safeguard_Children_20170213.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 register is the legal responsibility of the proprietor of the school and failure to comply with any pupil registration regulatory requirements is an offence under s434 of the Education Act 1996. In complex cases schools are encouraged to seek legal advice.



## Safeguarding

All schools have statutory safeguarding responsibilities, as detailed KCSIE (2016). KCSIE 2016 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.

## Parental enquiries – Bristol children not on a school roll

If a school is contacted by a parent enquiring about school places for a child living in Bristol, **who is not already on a Bristol school roll**, and the school is unable to offer a school place, or it offers a place that is not taken up, the school should make a CME referral to the EWS. This can be done by completing the CME referral form at <https://www.bristol.gov.uk/schools-learning-early-years/child-missing-education-referral-form>.

## Children in Care

Please note schools **must** consult with BCC's Hope Virtual School Team before making any amendments to the school roll for Children in Care.

## Pupils on roll at a Special School

Pupils on roll at a special school cannot be removed from the school roll without the consent of BCC. The only exceptions to this are if a pupil has died or has been permanently excluded.

## 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 BCC when they are about to remove a pupil's name from the school admission register at non-standard transition points (see page 7). 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 BCC, before deleting the pupil's name from the register if the deletion is under Reason 6 or Reason 8 (see pages 16 and 17).
- All schools **must** also notify BCC 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 (see page 9).





## 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 BCC 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 leave of absence below (and other specific criteria apply, see Reason 6, page 16), or is absent from school without authorisation for twenty consecutive school days (and other specific criteria apply, see Reason 8 page 17), 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 BCC have failed, after jointly making reasonable enquiries, to establish the whereabouts of the child.** Please note 'jointly' does not mean the school and BCC making enquiries together, rather, that the school will make its enquiries and then make a pupil tracking referral if they fail to locate the pupil. See further guidance under Reason 6 and Reason 8 (pages 16 and 17).
- 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 2017 Guidance 'Exclusion from maintained schools, academies and pupil referral units in England', link below:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/641418/20170831\\_Exclusion\\_Stat\\_guidance\\_Web\\_version.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf)
- All schools have a safeguarding duty in respect of their pupils, and as part of this should investigate any unexplained absences, see KCSIE 2016.



## 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 Bristol City Council

### Removing a pupil from the admissions register:

Schools **must** notify BCC 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.

Where a school notifies BCC 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 grounds 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 (school roll)

All schools are required to notify BCC within five days when a pupil's name is added to the admission register at a non-standard transition point. Schools will need to provide BCC 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 BCC. BCC would need to make a request for the information from the other school, if they required information on the standard transition.

## School notification process

We have been advised that the DfE are working with school system providers including Capita (SIMS), in order to create robust automated systems which schools may be able to use in order to transfer all the required information to local authorities. BCC will notify schools when a suitable automated notification system is available; however, in the meantime BCC has devised online notification forms for schools to use where necessary.





## Adding a pupil to school roll

### Schools that are connected to BCC via XVault:

It is anticipated that in the majority of circumstances BCC will capture addition to roll information electronically via the school's information management system (for example, SIMS), via XVault. Separate guidance has been written for schools using SIMS to assist in capturing the correct information. Please contact your SIMS Support Unit for further assistance. All schools are encouraged to use their information management systems as thoroughly and effectively as possible when completing the relevant data fields.

### Schools that are not connected to BCC via XVault

When adding a compulsory school age pupil to the admission register at a non-standard transition point, the school **must** fully complete an online 'Addition to Roll' notification form. This form is available at: <https://www.bristol.gov.uk/schools-learning-early-years/education-welfare>

## Removing a pupil from school roll

### All schools

When removing a compulsory school age pupil from the admission register at a non-standard transition point, the school **must** fully complete an online 'Grounds for Deletion' notification form. This form is available at: <https://www.bristol.gov.uk/schools-learning-early-years/education-welfare>

## Making reasonable enquiries & pupil tracking referrals

### Reasonable enquiries:

The term 'reasonable enquiries' grants schools and BCC 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 BCC 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 First Response (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 pupil tracking referral and **must not** remove the pupil from roll until BCC's CME Officer has confirmed to the school in writing that they can remove the pupil from roll. The Pupil Tracking Referral Form is available at: <https://www.bristol.gov.uk/schools-learning-early-years/education-welfare>



Please note that before making a pupil tracking referral the school should 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, Early Help 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 pupil tracking 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.

### Education Welfare Service (EWS), BCC – Response to a pupil tracking referral

Upon receipt of a fully completed pupil tracking referral and any other relevant documentation, such as copies of leave of absence requests and school letters to parents, the CME officer in the EWS team will assess the referral to ensure it is a valid pupil tracking referral, instead of a school attendance matter. The latter may involve the EWS handing the case 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 pupil tracking referral, the CME Officer, will conduct reasonable enquiries on behalf of BCC. 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 pupil tracking 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 BCC, 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)

### 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 BCC. The school **must** check with the LA before removing the child from roll. Please note that this criterion is rarely met. If met, BCC's EWS would write to the school via the Headteacher and Chair of Governors to provide instructions.

- If Reason 1 is confirmed, the school **must** complete BCC's online grounds for deletion notification form.

### Reason 2: Immediate transfer to another school

**Definition:** When a pupil leaves the school and has been enrolled at a new school. The school should 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 should obtain written confirmation from the new school that the pupil has been given a place and a start date has been agreed.
- The school the pupil is leaving should obtain written confirmation from the new school that the pupil has been placed on the new school's roll before removing a pupil from roll. Once received, the school the pupil has left can delete the pupil from roll.
- If Reason 2 is confirmed, the school **must** complete BCC's online grounds for deletion notification form.



### 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.

*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, it should consult BCC before taking any action.*

### 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.
- If Reason 3 is confirmed, the school **must** complete BCC's online grounds for deletion notification form.



## 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 the Education Welfare Service by emailing EHE and attaching a copy of the parent/carer's letter to [ehc@bristol.gov.uk](mailto:ehc@bristol.gov.uk).

In most circumstances the school then removes that pupil from roll from the date the letter was received by the school.

Also:

- If the pupil lives outside the BCC area which the school is located the Headteacher should notify the EHE Officer in the pupil's home authority.
- In cases where a pupil has a Statement of Special Educational Needs or Education Health and Care Plan (EHCP) the school **must** notify the BCC Special Educational Needs (SEN) Department in writing.
- If the child is a registered pupil at a Special School, or receives Band 5 Top Up SEND funding in a mainstream school, the school cannot remove the child from roll without the written consent of BCC SEN Team.
- **Where a school is named in the Statement of SEN or EHCP, it is under a duty to admit the child until or unless the Statement/EHCP is amended.**
- 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 BCC that the school attendance order has been revoked (also see Reason 1 page 11).
- If Reason 4 applies, the school **must** complete BCC's online grounds for deletion notification form.



## Reason 5: Pupils who move house

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

**Important note:** For many children who move within Bristol, due to the limit on school places, it is entirely possible that your school will still be the nearest suitable school that is available. This means that you should **NOT** remove the child from your roll until the child starts at their new school (in which case you would remove them from roll under Reason 2). Whilst a parent may wish to apply for a place at a different school, this process could be lengthy and it will usually be in the best interests of the child to remain at your school until they can start at their new school, thus avoiding a gap in their education. If the child's new address is within the statutory walking distance of your school (2 miles for under 8s and 3 miles for over 8s), the child will not be entitled to free travel to school. If the child's new address is over the statutory walking distance of your school, the child may be entitled to free travel to your school, if there is not a closer available space.

### School Action:

- **Temporary Accommodation**

In the case of families being made homeless and moving to temporary accommodation, within or outside Bristol, schools should speak to the parent to establish the family's circumstances and seek advice from BCC on whether temporary free travel arrangements can be made for the pupil in order to support their continued attendance at the school until they move to a nearer school, or until more permanent housing arrangements are made. Schools should not remove the pupil from roll until or unless:

- a) It is confirmed **in writing** that the child has started at a new school (in which case you would remove them from roll under Reason 2); **or**
- b) The EWS accepts a Pupil Tracking Referral from your school **and confirms an off roll date to you in writing.**

- **Permanent House Move within Bristol**

In cases of families moving within the city of Bristol, schools should not remove the child from roll until or unless:

- 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) The EWS accepts a Pupil Tracking Referral from your school **and confirms an off roll date to you in writing.**





- **Permanent House Move to one of our three Neighbouring Local Authorities**

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

- 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) 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 should also notify you of full details of their new address in writing. Please note, 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; **or**
- c) The EWS accepts a Pupil Tracking Referral from your school **and confirms an off roll date to you in writing.**

- **Permanent House Move outside of Bristol or our three Neighbouring Local Authorities, including Abroad**

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

- 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) The parent notifies you of full details of their new address in writing. In cases where a child is moving abroad, please also ask parents to provide a copy of the flight ticket in the child's name as evidence of their move. Please note, 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; **or**
- c) The Education Welfare Service accepts a pupil tracking referral from your school **and confirms an off roll date to you in writing.**

If Reason 5 is confirmed, the school **must** also complete BCC's online grounds for deletion notification form.



## 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 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 made and can evidence the attempts made to contact the parent/carers in order to establish the reasons for absence.

### School Action:

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

- 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) The pupil is located but has moved away. If so, the school should follow the 'reasonable distance' guidance - see Reason 5.
- c) The pupil is not located. If so, the school **must** complete an online Pupil Tracking Referral Form 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 EWS then undertake reasonable enquiries (also see page 9) which will result in one of the following outcomes:

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

If the CME Officer confirms to the school in writing that BCC has failed to locate the pupil despite its reasonable enquiries, the school may remove the pupil from roll and **must** complete BCC's online grounds for deletion notification form.



## Reason 7: Medical Grounds (certified unfit to return to school before the end of Y11)

**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 compulsory school age. Please note this criterion is rarely met. In most cases the school would liaise directly with Bristol Hospital Education Service (BHES) and the pupil would remain on the school roll. The pupil would be dual registered whilst accessing support from BHES; in these circumstances the dual registration criterion then applies. On the rare occasion that the school receives written confirmation from a medical officer (usually a Consultant, but it cannot be a GP), that the pupil is unlikely to be fit to attend school due to medical reasons before ceasing to be of compulsory school age **and** neither the pupil or the parent/carers have indicated an intention to continue the pupil's education at the school post-compulsory school age, then the following actions **must** be undertaken.

### 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 their education at the school post-compulsory school age.
- If Reason 7 is confirmed, the school **must** complete BCC's online grounds for deletion notification form.



## Reason 8: Pupil has been continuously absent for 20 schools days and cannot be traced

**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. 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 Action:

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

- 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) The pupil is located but has moved away. If so, the school should follow the 'reasonable distance' guidance - see Reason 5.
- c) The pupil is not located. If so, the school must complete an online Pupil Tracking Referral clearly detailing the steps it has taken in order to try and find the pupil. **The online 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 pupil tracking referral.

The EWS then undertake reasonable enquiries (also see page 9 above) which will result in one of the following outcomes:

- a) 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 should be undertaken to resolve any attendance issues.
- b) The EWS' reasonable enquiries:
  - i. Fail to locate the pupil, or
  - ii. Establish that the pupil has moved away and no longer lives at a 'reasonable distance' from the school, in which case the EWS will notify the school in writing of an off roll date.

If the CME Officer confirms to the school in writing that BCC has failed to locate the pupil despite its reasonable enquiries, the school may remove the pupil from roll and **must** complete BCC's online grounds for deletion notification form.



## 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 Headteacher does not have reasonable grounds to believe that the pupil will return to the school at the end of that period.

### 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 in most circumstances.
- 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.
- If Reason 9 is confirmed, the school **must** complete BCC's online grounds for deletion notification form.

## Reason 10: Pupil death

In the very tragic circumstance that a pupil dies, the school should remove the child from roll upon receiving notification of the pupil's death. Depending on the circumstances, other action may also be required by the school. If unsure, the school should seek advice from the Education Welfare Service or Safeguarding in Education Team.

### School Action:

- If Reason 10 is confirmed, the school **must** complete BCC's online grounds for deletion notification form.

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

**Definition:** The pupil is above statutory school age.

These pupils are over compulsory school age and therefore no direct notification to BCC is necessary. This criterion usually applies to Year 11 pupils exiting the school at its standard transition point (last Friday in June for a pupil in Year 11 who is not transferring to the school's sixth form)

### School Action:

The school removes the pupil from roll.



## Reason 12: Applies to Independent Schools ONLY

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

### School Action:

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 form no later than the day they wish to make the deletion. The school should make every effort to establish the ongoing education arrangements for the child, and include this information in the CME referral which can be made at

<https://www.bristol.gov.uk/schools-learning-early-years/children-missing-education-cme>.

- If Reason 12 is confirmed, the school **must** complete BCC's online grounds for deletion notification form.

## Reason 13: Permanent Exclusion

**Definition:** The pupil has been permanently excluded.

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

The Headteacher **must**, without delay, notify the governing body and BCC of a permanent exclusion. In Bristol, a PEX1 form is sent promptly to the local authority.

If the pupil lives outside the local authority in which the school is located, the Headteacher **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 a Statement of SEN or an EHCP, BCC 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 guidance regarding Permanent Exclusions is the 2017 Guidance 'Exclusion from maintained schools, academies and pupil referral units in England', see link on page 6.





The Headteacher 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, such as code B (Education Off-site) or code D (Dual Registration), should be used. Where pupils are not attending alternative provision they should be marked absent using code E.

#### School Action:

- Please refer to DfE statutory guidance and complete the relevant actions before looking to remove the pupil from roll. In all cases the pupil **must not** be removed from roll until BCC has been notified.
- The Headteacher **must** notify BCC of the decision to permanently exclude without delay.
- The PEX1 (Primary/Secondary) form needs to be completed promptly in order for BCC to provide full time provision for the pupil from the sixth 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 BCC. An attendance code B (Educated off site) or D (Dual Registration) should be used from the commencement of the full time provision provided by BCC 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 appeals process;
  - b) The parent has confirmed in writing that they do not wish to appeal; or
  - c) 15 school days have passed since the parent was notified of the governing body's decision to uphold the permanent exclusion and the parent has not made an application to appeal.
- If Reason 13 is confirmed, the school **must** complete BCC's online grounds for deletion notification form.



**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 BCC 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 a **maintained school or academy** has board and lodging charges that remain unpaid by a parent/carer.

**This criterion does not apply in Bristol.**



## **Annex A: Grounds for deleting a pupil of compulsory school age from the school admission register as 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.



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

### **Form overview – 15 Grounds – Which form?**

The Education (Pupil Registration) (England) Regulations 2006 (as amended) require headteachers to keep an admissions register. In order to comply with these regulations Bristol schools should follow the guidance issued by the DfE and BCC and may wish to seek legal advice in cases where deemed appropriate. BCC's guidance applies to all Bristol schools and schools should familiarise themselves with this before removing a pupil from roll under any circumstance. **The grounds below are summary descriptions only and do not fully describe the criteria which need to be met before removing a pupil from roll – please read this BCC CME guidance document in full.**

<b>Grounds for Deletion</b>	<b>Which Form - Overview</b>
1. Local authority has approved change of provision for a pupil subject to a school attendance order (SAO)	Grounds for Deletion Notification Form
2. Pupil has immediately started attending another school (and is not dual registered)	Grounds for Deletion Notification Form
3. Dual registered pupil (where main school has consented to the deletion)	Grounds for Deletion Notification Form
4. Parent has elected to home educate their child (EHE)	EHE notification process <b>and</b> Grounds for Deletion Notification Form
5. Pupil has moved out of the area	Pupil Tracking Referral <b>or</b> Child Missing Education Referral (depending on the evidence supplied) <b>and</b> Grounds for Deletion Notification Form (in pupil tracking cases, the deletion form can only be completed once BCC has provided written confirmation of the date of deletion)
6. Pupil has failed to return from planned leave of absence and cannot be traced	Pupil Tracking Referral Form <b>and</b> Grounds for Deletion Notification Form (the deletion form can only be completed once BCC has provided written confirmation of the date of deletion)
7. Pupil is certified unlikely to be fit to return to school before ceasing to be of compulsory school age	Grounds for Deletion Notification Form
8. Pupil has been continuously absent for 20 school days and cannot be traced	Pupil Tracking Referral Form <b>and</b> Grounds for Deletion Notification Form (the deletion form can only be completed once BCC has provided written confirmation of the date of deletion)



9. Pupil has been detained in custody for 4 months or more, and is unlikely to return to school upon release	Grounds for Deletion Notification Form
10. Pupil has died	Grounds for Deletion Notification Form
11. Pupil is above statutory school age (has completed year 11)	No form required (as pupil is above statutory school age & it is not a non-standard transition point)
12. <b>APPLIES TO INDEPENDENT SCHOOLS ONLY:</b> The child has ceased to be a pupil at the school	Child Missing Education Referral <b>and</b> Grounds for Deletion Notification Form
13. Pupil has been permanently excluded	PEXD pupil notification process <b>and</b> Grounds for Deletion Notification Form
14. Nursery pupil not transferring to a higher class at the same school	No form required (as pupil is below statutory school age & it is not a non-standard transition point)
15. Unpaid fees for a boarder at a maintained school or academy – please note this does not apply in Bristol	Not applicable

### Online Form Links:

CME Referral Form

<https://www.bristol.gov.uk/schools-learning-early-years/children-missing-education-cme>

Grounds for Deletion Notification Form, Addition to Roll Notification Form and Pupil Tracking Referral Form

<https://www.bristol.gov.uk/schools-learning-early-years/education-welfare>





### Annex C: Four Forms – Which form is used when?

Which Form?	When?	Which School/Agency?
Addition to Roll Notification Form (NEW)	For all pupils when a school is adding a pupil's name to the admissions register at a <b>non-standard</b> transition point.	<ul style="list-style-type: none"> <li>• Non SIMS schools only</li> <li>• All schools if the pupil is dual registered</li> </ul>
CME Referral Form	<p>When deleting a pupil from roll under Reason 5(b) or 12 (Reason 12 applies to Independent Schools only). Schools must <b>also</b> complete the Grounds for Deletion Notification Form as below.</p> <p><b>or</b></p> <p>If you become aware that a child might not be on a school roll.</p>	<ul style="list-style-type: none"> <li>• All schools</li> <li>• Any professional or member of the public</li> </ul>
Pupil Tracking Referral Form	<b>Before</b> deleting a pupil from roll under Reason 5(c), 6 or 8. Schools must <b>also</b> complete the Grounds for Deletion Notification Form, only once BCC has given written agreement for the deletion to be made.	<ul style="list-style-type: none"> <li>• All schools</li> </ul>
Grounds for Deletion Notification Form (NEW)	For all pupils when a school is deleting a pupil's name from the admissions register at a <b>non-standard</b> transition point under Reasons 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12 (Reason 12 applies to Independent Schools only) and 13.	<ul style="list-style-type: none"> <li>• All schools</li> </ul>