



Children Out Of School (COOS)

April 2015
Revised September 2016

In line with recommendations from
'Children Missing education' statutory guidance for local authorities January 2015
'Ofsted November 2013 *'Pupils Missing out on Education'*, *Children missing from Education 2010*, *DfE School Attendance November 2013*, *DfE Guidance Parental Responsibility measures for school attendance and behaviour, November 2013*
Keeping children safe in education DfE Guidance July 2015
and
DfE '*Supporting Pupils at School with Medical conditions*' Feb 2014

This links to, and should be read in conjunction with the Telford & Wrekin Council documents

Modified Timetable and Flexi – Schooling Protocol (September 2016)

Policy & Procedures for identifying Children Not Receiving Education (CNRE) and Children Missing Education (CME) (July 2014)

September 2016

Protocol for Children Out of School

Introduction

All schools, including academies, free schools and independent schools, have a responsibility to share information with the LA of any pupil or young person **who has been out of school for 10 consecutive days without permission.**

'Children Missing Education' statutory guidance for local authorities published in January 2015 and ['Statutory Guidance for Local Authorities \(LA\) in England to Identify Children Not Receiving Education'](#), published in November 2013 was used to revise the procedures in this protocol. The statutory guidance was issued under the new section 436A of the Education Act 1996 which requires all LAs to make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a suitable education.

This protocol explains how Telford & Wrekin Council (T&W) intend to implement effective systems for identifying and maintaining contact with children who are out of school (COOS) and supporting their return to education. This will help to ensure all children and young people receive the universal services they are entitled to.

Although the main focus of this document is on processes and systems within the LA, the work should be seen within the context of the wider remit of all agencies to safeguard the welfare of all children. It remains the responsibility of schools to follow appropriate procedures and be working towards children returning to school as quickly as possible.

Too often children and young people missing from education can be a safeguarding concern, as well as an educational, issue. If no-one in the LA knows what education these children and young people are missing, or when they last attended, they not only miss out on education but can be vulnerable to abuse. Everyone must take greater responsibility for knowing where these pupils are. HMI & Ofsted will ask for specific details for all pupils for whom the LA is responsible but who are not attending.

This guidance **does not** replace any Child Protection procedures. Existing Safeguarding procedures are fundamental and should be observed at all times. If a child is subject to a Child Protection Plan, or you have particular child protection concerns please contact Family Connect Team on 01952 385385 or by email familyconnect@telford.gov.uk. **Delay is unacceptable and the welfare of the child is paramount.** If there is good reason to suspect that pupil's absence may be the result of them being a victim of a crime a referral to the police should be made by phoning 101.

If you suspect that a child may be "missing" (other than missing education) please contact Family Connect on: 01952 385385.

The LA should have the highest possible expectations for these young people which should at least match those held by the parents. Young people who grow up to be adults who lack qualifications face a difficult path, especially when trying to find employment. We owe it to all of them to ensure they are given every chance to stay safe and succeed.

LAs and schools that respond quickly to any signs of disengagement, or children and young peoples' anxieties are more successful in helping them to achieve at levels comparable with those of their peers and return to full time education.

This protocol applies to pupils who are subject to educational provision which includes alternative provision, full time away from their mainstream school regardless of where they are on roll. The mainstream school where the pupil is on roll is responsible for monitoring the pupils attendance.

The Attendance Support Team (AST) and the Lead Officer for Vulnerable Learners will collate, record and review the information on a regular basis to ensure that it is at the core of the LA's central record.

A pupil should not be prevented from attending school because of their disability as this is discriminatory under the **Disability Discrimination Act 2001**. Any amendments to an SEN statement or EHCP should only be implemented following an Annual Review and in full written agreement with the parent/carer, the school and the LA SEN officer.

For children of compulsory school age, parents are required under *Section 7 of the Education Act 1996* to ensure that, either by regular attendance at school or otherwise, their children receive **full-time** education.

The definition of compulsory school age is *'the start of the term commencing on or after the child's fifth birthday, until the last Friday of June in the school year that they reach 16'*

A child's details are provided from health records by the Primary Care Trust (PCT) to the LA School Admissions Team (Admissions) who will contact the parents of all 4 year old children to allocate an appropriate school place.

The national definition of children who are not receiving a suitable education is *"A compulsory school-age child who is not on the roll of a school, not placed in alternative provision by a local authority, and who is not receiving a suitable education at home"*. (DfE Revised statutory Guidance for local authorities in England to identify children not receiving a suitable education November 2013)

The recommended **minimum** hours per week of taught time are as follows:

KS1	21 hrs	KS2	23.5 hrs
KS3/4	24 hrs	KS4 (Y11)	25 hrs

These hours are set out in **Circular 7/90**

The definition of pupils who become Children out of School (COOS)

Pupils who become COOS are those who are on a school roll but are not attending school in the usual way.

When a pupil has been continually absent for 10 school days or more consecutive days without permission (unauthorised), the school/academy or equivalent education provider has a responsibility to inform the L A. Some of these pupils may be removed from a school roll and become *Children Missing Education* or *Missing Children* and in such circumstances the relevant protocol should be followed.

Pupils who are on a school roll may become COOS when:

- they have an illness or medical condition that is a barrier to them attending school, (*refer to DfE Statutory Guidance - Supporting pupils at schools with medical needs April 2014*)
- they are on maternity leave or are a teenage parent
- they are awaiting a CAMHS assessment
- they are on holiday or unauthorised leave from school
- they are subject to a 'grey' or unofficial exclusion
- they are a school refuser
- there are family circumstances that mean the family are not sending them to school, including young carers
- they are awaiting a school transfer to be processed and finalised
- they are believed to have re-located or moved house
- a house move means there are transport issues preventing attendance
- they are a CiC pupil and their placement has changed
- an alternative education provision is pending
- they are a GRT pupil and they are travelling
- they are accommodated in a refuge following incidents of domestic abuse or are temporarily homeless
- an allegation of an assault by a member of school staff or another pupil is under investigation
- their parent is refusing to send them to school
- there has been an incident in school and they have stopped attending
- they are unable to attend through bail conditions or they have been remanded in custody
- they have gone missing from home.

this list although comprehensive is not exhaustive and merely provides examples.

Each Local Authority should:

- establish a central record of all children not accessing full-time education in the usual way, including those who have not attended school for 10 days or more and those who are accessing alternative provision full time away from mainstream school, regardless of where they are on roll; and maintain good information about the achievement and safety of any child or young person not accessing education in the usual way
- identify clear lines of accountability for the quality and amount of provision, as well as the education and social outcomes for all children who do not access school in the usual way, with a named person at a senior level who is held to account for this statutory duty
- share information across LA boundaries in a timely and appropriate way to minimise interruption to a child's or young person's educational provision
- ensure that every child is on the roll of a school, regardless of circumstances, unless parents have elected to educate their child at home.

Schools including academies and free schools should:

- stop unlawful exclusions (*sometimes referred to as informal or grey exclusion. This is the removal of a pupil from the school site without a lawful basis, for example: sending a pupil home for a disciplinary reason or enforcing a period of home study without following the legal process; this is unlawful even if the parents/carers agree to this informal exclusion.*) and provide suitable support for children and young people with behavioural difficulties
- establish clear accountability for the achievement, safety and personal development for any pupil who has not attended school for 10 days or more
- monitor the quality and amount of provision made for all children and young people who are on a school roll but not accessing school in the usual way
- inform the LA of any pupil that falls into this category, including those subject to part time education arrangements regardless of the type of school (*this includes schools maintained by the LA, academies, free schools and independent schools*)
- keep children and young people on the school roll during periods of illness or custody (or for as long as it is relevant), in line with government policy and guidance
- respond quickly to any early signs of children and young people's raised anxiety or dips in their progress, attendance or engagement in learning

- give governors sufficient information about children and young people who are not accessing school in the usual way, so that governors can challenge the amount of provision being made and evaluate its effectiveness
- notify the LA on the first day the pupil returns to school, and keep the LA informed of any further absence.

Schools should work in partnership with parents to ensure that:

- parents/carers are given ample opportunity to meet with school staff to discuss and agree any educational arrangement for their child
- children should return to school as quickly as possible following any absence of 10 consecutive days or more
- they identify the reasons for absence and address, through appropriate assessment, any underlying issues and concerns
- appropriate support is sought for the pupil (and family) in a timely manner
- information relating to any change in a child's educational provision is made available to the LA at the earliest opportunity.

Ofsted should:

- as part of its '*Integrated Looked After Children and Safeguarding Inspections of Local Authorities*', ask for a report on children for whom the LA are responsible **who are of school age and are not in receipt of full time school education** at the time of the inspection
- regard any failure by the LA to comply with their statutory duties as a matter likely to effect the overall judgement on safeguarding
- continue to ensure that all school inspections evaluate the effectiveness of the arrangements for children and young people who are not accessing education in the usual way.

The referral process to the Local Authority

When you identify a pupil as COOS please refer to the flow chart, (appendix a) and complete the referral form (appendix b). The information contained within the referral form is then recorded and subsequently determines the next course of action.

Details of all COOS, CNRE and CME will be logged on the T&W *Impulse* database. *Impulse* holds data on all local children. If a pupil is receiving education via a route not known to the LA, e.g. attending an independent school, they will be logged on the *Impulse* database for future reference, as will children known to be receiving Elective Home Education (EHE).

If any school, academy or alternative education provider identifies a pupil as a COOS they should:

- ensure they complete a referral form
- email it to attendancesupportteam@telford.gov.uk
- inform the identified internal Nominated Attendance Person (NAP) and the Education Welfare Officer (EWO if one is in post of the school)
- retain responsibility for the pupil
- consider a referral to Family Connect and or Social Care
- follow any advice or guidance from the LA to resolve the situation. This advice may include a recommendation to complete a CAF & arrange a TAC meeting, complete a CNRE/CME referral form, complete a referral for Fair Access Panel, request a EHC plan, prepare for legal intervention after liaison with AST for non-school attendance.

Upon receipt of the referral form the Attendance Support Team will:

- record the pupils details on a centrally held monitoring spreadsheet
- record on *Impulse* database that the pupil is COOS
- add the pupil's name to LA placements for vulnerable learners meeting list if appropriate
- advise schools/academies or alternative education provider on the appropriate course of action
- consider recommending an appropriate procedure be followed to manage the situation.

Guidance for the registration of pupils who are not attending school for 10 days or more.

Registration Codes

Any Pupil absence should be recorded accurately. Pupil absence should be either authorised or unauthorised:

Absence and Attendance Codes

The national codes enable schools to record and monitor attendance and absence in a consistent way which complies with the regulations. They are also used for collecting statistics through the School Census System. The data helps schools, local authorities and the Government to gain a greater understanding of the level of, and the reasons for, absence. The codes are:

Authorised Absence from School

Authorised absence' means that the school has either given approval in advance for a pupil of compulsory school age to be away, or has accepted an explanation offered afterwards as justification for absence.

Absence codes when pupils are not present in school are as follows:

Code C: Leave of absence authorised by the school

Only exceptional circumstances warrant an authorised leave of absence. Schools should consider each request individually taking into account the circumstances, such as: the nature of the event for which leave is sought; the frequency of the request; whether the parent gave advance notice; and the pupil's attainment, attendance and ability to catch up on missed schooling.

Code E: Excluded but no alternative provision made

If no alternative provision is made for a pupil to continue their education whilst they are excluded but still on the admission register, they should be marked absent in the attendance register using Code E. Alternative provision must be arranged for each excluded pupil from the sixth day of any fixed period or permanent exclusion. Where alternative provision is made they should be marked using the appropriate attendance code.

Code H: Holiday authorised by the school

Head teachers should not grant leave of absence unless in exceptional circumstances. The application must be made in advance and the head teacher must be satisfied that there are exceptional circumstances which warrant the leave. Where a leave of absence is granted, the head teacher will determine the number of days a pupil can be away from school. A leave of absence is granted entirely at the head teacher's discretion.

Code I: Illness (not medical or dental appointments)

Schools should advise parents to notify them on the first day the child is unable to attend due to illness. Schools should authorise absences due to illness unless they have genuine cause for concern about the legitimacy of an illness. If the authenticity of illness is in doubt, schools can request parents to provide medical evidence to support illness. Schools can record the absence as unauthorised if not satisfied of the authenticity of the illness but should advise parents of their intention. Schools are advised to request medical evidence for any pupil who is absent from school due to illness for more than 15 days. Medical evidence for prolonged absence should be in letter form from a medical practitioner.

Code S: Study leave

Schools must record study leave as authorised absence. Study leave should be used sparingly and only granted to Year 11 pupils during public examinations. Provision should still be made available for those pupils who want to continue to come into school to revise.

Code T: Gypsy, Roma and Traveller absence

A number of different groups are covered by the generic term Traveller – Roma, English and Welsh Gypsies, Irish and Scottish Travellers, Showmen (fairground people) and Circus people, Bargees (occupational boat dwellers) and New Travellers.

This code should be used when Traveller families are known to be travelling for occupational purposes and have agreed this with the school but it is not known whether the pupil is attending educational provision. It should not be used for any other types of absence by these groups.

To help ensure continuity of education for Traveller children it is expected that the child should attend school elsewhere when their family is travelling and be dual registered at that school and the main school. Children from these groups whose families do not travel are expected to register at a school and attend as normal. They are subject to the same rules as other children in terms of the requirement to attend school regularly once registered at school.

Unauthorised Absence from School

Unauthorised absence is where a school is not satisfied with the reasons given for the absence. Absence codes are as follows:

Code G: Holiday not authorised by the school or in excess of the period determined by the head teacher.

If a school does not authorise a leave of absence for the purpose of a holiday but the parents still take the child out of school, or the child is kept away for longer than was agreed, the absence is unauthorised. The regulations do not allow schools to give 11 retrospective approval. If the parents did not apply for leave of absence in advance, the absence must be recorded as unauthorised.

Code N: Reason for absence not yet provided

Schools should follow up all unexplained and unexpected absences in a timely manner. Every effort should be made to establish the reason for a pupil's absence. When the reason for the pupil's absence has been established the register should be

amended. This code should not be left on a pupil's attendance record indefinitely; if no reason for absence is provided after a reasonable amount of time it should be replaced with code O (absent from school without authorisation).

Code O: Absent from school without authorisation

If the school is not satisfied with the reason given for absence they should record it as unauthorised.

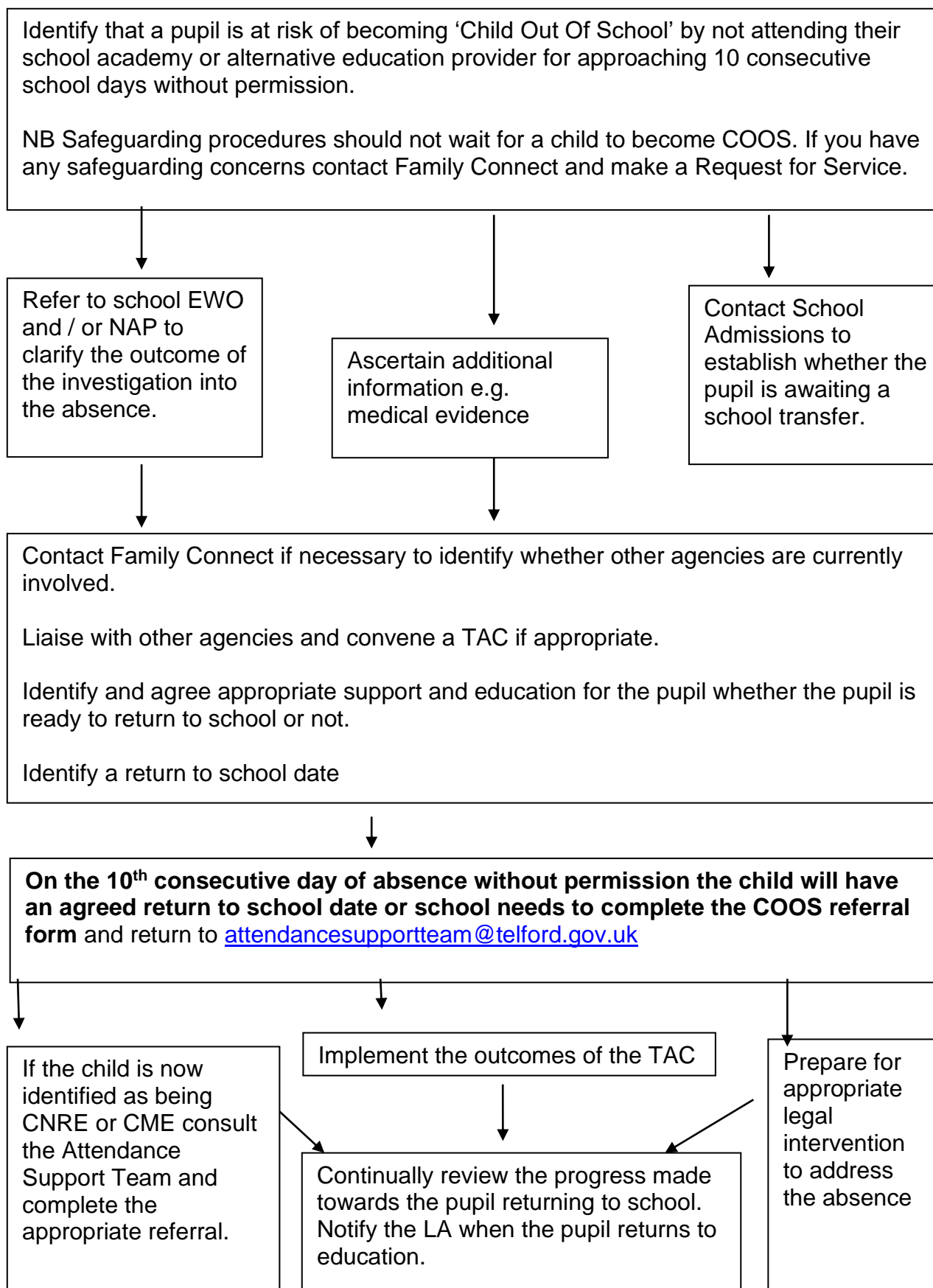
Code W: Work experience

Work experience is for pupils in the final two years of compulsory education. Schools should ensure that they have in place arrangements whereby the work experience placement provider notifies the school of any absences by individual pupils. Any absence should be recorded using the relevant code.

Please refer to *DfE School Attendance October 2014 & Parental responsibility measures for school attendance and behaviour November 2013*

Appendix a

Flowchart for school use when a child is COOS





Notification of a Child Out of School for 10 days or more (September 2016)

Please complete this form for any child out of school (COOS) for 10 days or more and return to:
Attendance Support Team, Telford & Wrekin Council, Darby House, Lawn Central, Telford TF3 4JA

Section 1: Pupil's key information

School on Roll _____

Pupil's Surname _____ First Name(s) _____

Parent(s) Name(s) _____

Parent(s) contact details _____

Address _____

Gender (M/F) _____ Year Group _____ DoB _____

Pupil's UPN _____

Current attendance _____% (N.B. Please attach a copy of the attendance print out)

Last date attended _____

Which Locality area does the pupil live in? Wrekin / Hadley Castle / Lakeside / Out of Telford

Ethnicity

White	Black or Black British	Asian or Asian British	Dual background	Chinese/other
White British	Caribbean	Indian	White & black Caribbean	Chinese
White Irish	African	Pakistani	White & black African	Any other ethnic group
Traveller or Irish heritage	Any other black background	Bangladeshi	White & Asian	Not given
Gypsy/Roma		Any other Asian background	Any other dual background	

Is this pupil in receipt of PPG / FSM? Yes / No

Pupils' Current Status EPCH/ undergoing assessment/ school graduated approach to SEND/ no special provision

If the pupil has a SEN statement or EHCP what is the category of need?

Communication and interaction Cognition and Learning

Social, emotional and mental health difficulty Sensory and/or physical

Is the pupil a 'Child in Care' (CiC) in Telford & Wrekin, Yes/No or other Local Authority Yes/No

If yes, which LA?

Has the social worker / virtual school been notified? Yes /No

Is the pupil currently subject to CAF/TAC process? Yes/No _____

Name of current Lead Professional _____

Role / Agency _____

Please add details of any presenting medical conditions:

(Please include the name of Consultant, Doctor or other Medical practitioner and attach any medical evidence)

Please add any information including dates and details of any contact with the home:

Absence is:

unauthorised (without permission) or **authorised** (with permission) *Please delete as appropriate*

School NAP _____

Title: _____

Print Name _____

Date: _____