

Local education authority practice in monitoring the location of pupils being educated outside the school setting and those missing from education

May 2007



Arolygiaeth Ei Mawrhydi dros Addysg
a Hyfforddiant yng Nghymru

Her Majesty's Inspectorate
for Education and Training in Wales



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- ▲ further education;
- ▲ adult community-based learning;
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Introduction

- 1 This report describes the current situation and provides advice on local authority practice in monitoring the location of pupils being educated outside the school setting and those missing from education in accordance with the request for advice in the 2006-2007 remit to Estyn from the Welsh Assembly Government.
- 2 The report:
 - identifies the main groups of pupils of compulsory school age who are educated in places other than schools or who are missing from education;
 - evaluates the effectiveness of local authorities in monitoring these pupils; and
 - makes recommendations for improving the monitoring by Welsh local authorities.
- 3 The report is undertaken in the context of the strategic direction established by the Welsh Assembly Government in Children and Young People: Rights to Action, 2004 and the Welsh Assembly Government's commitment to promoting social inclusion, equal opportunities and better partnership-working between different local organisations .
- 4 The evidence base of the report draws on:
 - Estyn's thematic survey report on pupil referral units and similar provision, published in 2004;
 - published reports on the inspection of local education authorities;
 - a wide range of statistical information published by the National Assembly for Wales;
 - a detailed questionnaire response from all local authorities in Wales;
 - meetings with officers in local authorities; and
 - a review of relevant literature.

Background

- 5 Pupils educated outside the school setting or who are missing from education fall into three broad categories: they are in alternative local-authority provision, in non-local-authority provision or they are 'missing from education'.
- 6 Within local-authority provision currently, all local authorities in Wales educate a small number of pupils of compulsory school age in places other than schools.
- 7 The provision for these pupils include:
 - registered pupil referral units;
 - education at home by the local authority home tuition service;
 - external agencies such as the youth offending team, voluntary agencies or work-based providers; and
 - pupil referral units that are not registered and are therefore not inspected.
- 8 Throughout Wales the category of pupils of compulsory school age who are in provision that is not controlled by the local authority, include pupils who are:
 - attending independent schools;
 - educated at home by their parents, or other adults who are employed by their parents; and
 - in the 'looked-after' system and who are educated in private care homes, which are registered with the Welsh Assembly Government as independent schools.
- 9 The group of pupils who are missing from education are identified in the WAG circular 18/2006¹. These include pupils who:
 - never enter the education system because they fail to start appropriate provision at the start of compulsory school age;
 - stop going to school at some time during their school career, perhaps because they have been excluded or withdrawn;
 - are 'excluded' on an unofficial basis and are particularly vulnerable to dropping out of education permanently;

¹ Educational Records, School Reports and the Common Transfer System – the keeping, disposal, disclosure and transfer of pupil information: National Assembly for Wales, Circular No. 18/2006, May 2006.

- fail to complete a transition between providers, for example from primary to secondary school or from a school to alternative provision;
 - move into a local-authority area and do not register with a local school, or inform the local authority they have moved;
 - are children of parents who elect to educate at home and cease any contact with the local authority;
 - are excluded or withdrawn from independent schools; or
 - enter the country and do not register with a school.
- 10 The commonly held definition of the term ‘missing from education’ is, ‘children of compulsory school age who are not on a school roll, nor being educated otherwise (e.g. privately or in alternative provision) and who have been out of educational provision for a substantial period of time, usually agreed as four weeks or more’.²
- 11 There is general agreement that some children who have experienced certain life events are more at risk of going missing from education (DfES 2004). These are listed in table 1.

Table 1: Children at risk of going missing from education

<ul style="list-style-type: none"> • persistent truants; • children living in women’s refuges; • young runaways; • children who have been withdrawn or excluded from school; • persistent truants; • children who move across local authority borders; • looked-after children; • teenage mothers; and • young offenders. 	<ul style="list-style-type: none"> • children who are taken on extended holidays or heritage visits by their family (particularly a concern in local authorities with high minority ethnic populations); • children out of education due to long-term illness; • children out of education because they are looking after unwell family members; • children of homeless families perhaps living in temporary accommodation, houses of multiple occupancy or bed and breakfast accommodation; • unaccompanied asylum seekers and refugees or children of asylum seeking families; and • children living in high mobility families (including traveller children).
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² Identifying and maintaining contact with Children Missing, or at risk of going missing from Education, DfES 2004

- 12 To minimise the chances of pupils falling into the category of being missing from education, currently, in Wales, there is a requirement under the Education (Pupil Information) Wales Regulations 2004 and the Education (School Records) Regulations 1989 for schools to maintain data on pupils who are on their roll and to pass that data to the receiving school when a child leaves.
- 13 All maintained schools in Wales must use the Common Transfer System (CTS) for England and Wales to transfer specific information electronically, via the 'school 2 school'³ website when a pupil changes school. This system ensures that specified information is transferred automatically when a pupil changes school. The main requirements of the CTS are listed in Appendix 1.
- 14 When a pupil has left a school without advising of their destination school, schools and local authorities are required to do their best to ascertain their destination. If a school does not know the destination of a pupil a Common Transfer File is sent to the Lost Pupil Database, a searchable area of the 'school 2 school' website containing the Common Transfer Files (CTF) of pupils for whom a destination school is unknown. When a pupil arrives at a school, schools and local authorities must make every effort to obtain the Common Transfer File even when the pupil's previous school is unknown.
- 15 Basically, the aim of the Common Transfer System is to make sure that whenever a pupil joins a school from another school within England or Wales, a Common Transfer File must accompany them. For pupils joining a school from outside these countries, a new unique pupil number (UPN) and file will be created.
- 16 By September 2007, secondary schools in Wales and their feeder primary schools will be required, jointly, to draw up a Transition Plan setting out arrangements to provide continuity and progression for pupils moving from Key Stage 2 to key stage 3. The Common Transfer System provides one of the key building blocks for effective transition. Transition Plans will establish a framework for schools to work together to consider how they can make best use of the information on pupils provided by the Common Transfer System to improve the quality of teaching and learning. Separate guidance is to be issued by the Assembly Government on the production, content and review of Transition Plans.
- 17 Schools, colleges and other providers do not always receive accurate and timely information about the prior achievements of learners. Sometimes they do not receive any information at all because schools and authorities lose track of the learner. This is most likely to happen where learners move about frequently, and this particularly affects some of the most vulnerable learners, including excluded pupils, looked-after children, young offenders and disabled learners.

³ www.teachernet.gov.uk/s2s

Main findings

- 18 Almost all local authorities in Wales keep accurate data on pupils who are educated outside the school setting in local authority provision. This includes pupils in registered pupil referral units, unregistered units and pupils who receive home tuition.
- 19 There is confusion in a few local authorities as to what type of provision should be registered with the Welsh Assembly Government as a pupil referral unit. As a consequence local authorities in Wales continue to maintain unregistered units that educate pupils of compulsory school age despite previous recommendations⁴ that these units should be registered with the Welsh Assembly Government.
- 20 A few local authorities arrange their home tuition provision on a regional basis. These local authorities provide 'home tuition' in regional centres and the pupils travel to these centres from their homes. When this arrangement is in place these centres fulfil the legal definition of a pupil referral unit, although few are registered as such.
- 21 A few pupils who are educated in unregistered units are not on the roll of any school or college and therefore could be deemed as missing from education.
- 22 Data on pupils missing from education is not as complete as it should be. Although most local authorities do try to maintain accurate data for this vulnerable group of pupils, it is often not shared between local authority departments or with other local authorities.
- 23 Where agencies representing education, social services, health and the police work together effectively it is less likely that pupils can go missing from education and it is more likely that those not attending school are identified early.
- 24 Most local authorities have either a designated officer who receives information about children missing from education or a named database administrator to record transfers for 'school 2 school' – the system for electronic transfer of common transfer files.

⁴ Thematic Survey of Pupil Referral Units and Similar Provision: Estyn, 2004

Recommendations

The Welsh Assembly Government should:

- R1 give clear guidance to local authorities about the types of provision that are required to be registered;
- R2 enforce the requirement for local authorities to register all sites where they maintain provision for pupils of school age other than mainstream, special or nursery schools and to provide annual information about changes to this provision; and
- R3 provide Estyn with annual information about all the sites that local authorities register.

Local authorities should:

- R4 register with the Welsh Assembly Government all sites where they maintain provision for pupils of school age other than those at mainstream, special or nursery schools;
- R5 keep the Welsh Assembly Government informed about any changes to the registered provision annually;
- R6 require closer working between education, social services, police and health workers to identify children who are not attending schools or other approved educational provision;
- R7 ensure that a named officer is responsible for maintaining a database of all pupils educated other than at school and for those missing from education;
- R8 continue to track children of school age who live within the authority but who are no longer registered with a local authority provider and monitor their progress;
- R9 in areas where children commonly travel outside the local authority to attend schools, or where there is an established seasonal migration of families, work closely with the other local authorities involved to track these pupils; and
- R10 monitor with more rigour the progress of pupils educated in independent care homes that are registered as schools.

Schools should:

- R11 ensure that they comply with the requirements of The Education (Pupil Information) (Wales) Regulations 2004.

Education other than at school

Local-authority provision

- 25 In all authorities in Wales a proportion of pupils of compulsory school age are educated in places other than at schools. This group of pupils almost always contains some of the most disadvantaged and vulnerable children in the country.
- 26 Pupils are educated at places other than schools for a variety of reasons. These can include:
- pupils who have been excluded from mainstream schools on either a permanent or temporary basis;
 - those pupils deemed to be at risk of exclusion;
 - pupils with long-term health problems including those with difficulties associated with mental illness and anxiety;
 - the disaffected;
 - pupils with social and behavioural difficulties; and
 - those who are pregnant or are young parents.
- 27 Local authorities provide education for these groups of pupils in a variety of ways:
- at registered pupil referral units;
 - in unregistered units;
 - through placements at colleges of further education;
 - by educating pupils in their own homes ('home tuition'); and
 - at key stage 4, by using work based learning providers or voluntary agencies such as Include which provides these pupils with a mixture of formal teaching and vocational education.
- 28 For some pupils involved in the youth justice system, education may be provided by the youth offending team.

Monitoring local-authority provision

- 29 Most local authorities effectively monitor the whereabouts of children educated in registered local authority provision well. They maintain secure data on individual pupils and can say with certainty where that pupil is being educated at any given

time. This monitoring is particularly effective when the pupil is being educated in a registered pupil referral unit.

- 30 Where pupils are educated in unregistered units, which may have less formal admission criteria, the monitoring of individual pupils is less secure. Few of the authorities surveyed can show that they provide the full entitlement of 25 hours' weekly education for these pupils. As a consequence for some pupils, a part-time unit placement is the only educational provision. For some pupils at key stage 4 part-time provision in a unit is part of an alternative curriculum programme that may also include leisure, college or work activities. Only a minority of local authorities monitor the quality of these alternative placements, or pupil attendance, effectively.
- 31 The case study below shows two typical examples of how Welsh local authorities have organised their provision for this group of pupils.

Case study

This case study shows how one local authority has developed a mixture of registered and unregistered provision

Local authority A

maintains three registered pupil referral units where 120 pupils receive education on either a full-time or part time basis. The same authority also maintains provision on a further ten sites. These sites are not registered with the Welsh Assembly Government. Over 300 pupils, mainly at KS4, receive education at these sites on either a full-time or, less commonly, part-time basis.

Local Authority B

maintains two unregistered units catering for almost 60 pupils. None of these pupils is registered with a mainstream or special school. Most staff are employed on a sessional basis and this makes it difficult for the teacher in charge to maintain continuity in provision.

- 32 The 2004 Estyn report on the 'Thematic Survey of Pupil Referral Units and similar provision' recommended that local authorities should register any unregistered units. Very few of the unregistered units identified in 2004 have been subsequently registered. There are still a high number of unregistered units throughout Wales.
- 33 In 2004 Estyn reported that the attainments and achievements of these vulnerable pupils are rarely included in evaluations of school provision. The findings of inspections and survey work over the past year indicate that there has been little change in the situation since 2004.
- 34 All local authorities in Wales monitor pupils who are 'home tutored' well. A designated officer is responsible for the education of these pupils, who generally remain on the roll of their previous school with the intention either of returning there or of moving on to other local authority provision.

Non-local-authority provision

Pupils who are educated at home

- 35 Local authorities have limited say in the education of those pupils whose parents opt to educate their own children at home.
- 36 Most local authorities maintain regular contact with the parents of these children. They monitor the children's progress and sometimes give advice to parents on what needs to be taught.
- 37 A few local authorities do not keep full data on pupils who educated at home. Although they may know the number of children in their authority who are educated at home, there is little or no contact with the parents of those pupils. These local authorities cannot say, with any certainty, if they are receiving an appropriate education.
- 38 Although children and young people with statements of special educational needs can be educated at home, the LEA remains responsible for ensuring that the education the child receives is suitable. All the local authorities surveyed carried out this duty effectively by regularly reviewing whether the requirements of the statement are being carried out.
- 39 The statement stays in force in these circumstances and the local authority must ensure that parents can make suitable provision, including providing for their child's special educational needs. If the parent's arrangements are suitable the local authority is relieved of their duty to arrange the provision directly, but it remains the duty of the local authority to ensure that the child's needs are met.
- 40 In a few local authorities there is strong anecdotal evidence that a small number of schools have encouraged the parents of persistent non-attenders to opt for 'home education' thus removing a troublesome pupil from the school roll.

Pupils at independent schools

- 41 A small number of local-authority-funded pupils are educated in independent schools in Wales. These pupils usually have statements of special educational needs or are looked-after children.
- 42 Pupils with special educational needs who are funded by local authorities include some of the most vulnerable learners in Wales. Many of these pupils require exceptionally high levels of support and are educated in provision that is extremely expensive and often far away from their home authority.
- 43 Local authorities monitor these pupils well and often work in partnership with colleagues from social services and the health service who may share the responsibility for the funding of these placements.
- 44 For looked-after children in private children's homes, the situation is less clear. Small children's homes that educate the children on-site are now required to register with

the Welsh Assembly Government as independent schools. Estyn inspections and visits to this type of provision indicate that many of these pupils do not receive their entitlement of 25 hours of education a week. There is little monitoring of their progress by their 'home' authority and little information on the educational histories and achievements of these pupils is passed on to the new schools on entry.

- 45 Generally, when pupils in private children's homes have a statement of special educational needs, monitoring is more effective and most local authorities review the statements annually as is required.

Children who are missing from education

- 46 This group of children may not only be at risk educationally, in that they are not receiving the education that other children of their age receive, but their safety and welfare may also be at risk.
- 47 Children who are excluded from schools should not miss out on education. Those pupils who are excluded for a fixed term should return to their school at the end of the exclusion period. Local authorities are required to provide education for all permanently excluded pupils.
- 48 A few schools engage in what can loosely be called 'unofficial exclusions'. In this practice parents of troublesome pupils are encouraged, by the school, to keep their children at home in order to avoid an official exclusion. There is no official basis for this type of exclusion. This practice, where it occurs, should be challenged by the local authority.
- 49 In addition to the children identified in the earlier sections of this report, some children are missing from education because they are victims of crimes, such as abduction by a parent or a stranger. After the series of events that led to the murder of Victoria Climbié in February 2000 Lord Laming, Chair of the Independent Statutory Inquiry commented on an Ofsted finding that 10,000 children were missing from education in England:

"Where were they? How many were from your authority? Can anyone believe that not even being on a school roll, and therefore denied the opportunity of an education, is likely to aid the development of each of these young people in to a fully rounded citizen? I very much doubt it."

Lord Laming in a speech to the National Social Services Conference 2003⁵

- 50 As a result of the Victoria Climbié inquiry, a requirement for greater multi-agency working was placed on all agencies working with children. It was agreed that agencies should have systems, procedures and practices in place to ensure the safeguarding of children.
- 51 Lord Laming, in the same speech, rejected the notion of a 'lead agency' in promoting the proper development of a child. He called on all agencies that may play a significant role in the life of a child to work in partnership to safeguard children.
- 52 Relevant partner agencies include:
- education;
 - children's social care;
 - health;

⁵ Lord Laming, speech at the National Social Services Conference 2003:
<http://www.adss.org.uk/events/2003/laming.shtml>

- police;
- youth offending service; and
- housing.

How effectively do local authorities monitor pupils who are missing from education?
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- 53 Local authorities are required to make arrangements to enable them to establish, as far as is possible, the identities of the children in their area who are not receiving a suitable education. The duty applies to those children of compulsory school age who are not on a school roll and are not receiving suitable alternative provision.⁶
- 54 The duty does not apply to children who are registered at a school but who are not attending regularly. Schools already have a duty to monitor attendance through registration.
- 55 Across Wales there is no common procedure or process by which local authorities monitor the whereabouts of children who are missing from education.
- 56 Most local authorities in Wales have a named officer who takes responsibility for children who are missing from education. This person usually combines this role with other duties, invariably within the Education Welfare Service, Education Other than at School, or the Inclusion services.
- 57 Almost a quarter of the local authorities surveyed could not identify, with any certainty, the named officer responsible for children missing education.
- 58 The amount of time available to fulfil the role varies across Wales. In some local authorities there is designated time for officers to carry out their duties. In other local authorities officers are expected to perform this role when time allows, in addition to their other duties.
- 59 In the best cases, local authorities share information with other agencies and with other local authorities. Professionals of all disciplines work together to identify children who are not attending school or other forms of education and take positive action to engage those children in learning. Families who do not make themselves known to schools or education departments may well call on the services of the local health authority, social services department or may be known to the police. These other agencies may hold information about these children.
- 60 The 'Lost Pupil Database' is a searchable area of the School to School (s2s)⁷ website containing Common Transfer Files of pupils where the destination (or next) school of the pupil is not known to the school the pupil is leaving. The purpose of the

⁶ The Education (Pupil Registration) (Amendment Registration) Regulations (S.I. 1997/2624), Regulation 9(1)(g) requires schools and local education authorities to make 'reasonable enquiries' to locate pupils who have been absent for 4 weeks or more before they can be deleted from the school roll

⁷ www.teachernet.gov.uk/s2s

database is to enable local authorities to identify pupils whose destination on leaving a school they maintain is unknown. This database provides a facility whereby a local authority, on being requested by a school which has just enrolled a new pupil but cannot identify the previous school to request a Common Transfer File. The facility can search for a Common Transfer File which may have been 'posted' there by a previous school.

- 61 The manner in which this database is used by local authorities varies throughout Wales. Most local authorities are aware of the database and use it when required. A small minority of local authorities do not use this search facility and are unaware that it exists.
- 62 A few local authorities have established their own databases of children who are missing education. Individual agency databases are often either not shared at all or are not fully shared. Different stakeholders may be tracking and monitoring many of the same children for different purposes.
- 63 All local authorities have procedures to trace children who are missing education. The effectiveness of those procedures vary depending on how proactive the local authority is in implementing them.
- 64 The most effective procedures involve officers actively searching out children who they suspect are missing from education; they check school registers and make sure that all pupils are accounted for. Local authority officers also visit the homes of children who are seen as being at risk of going missing from education and develop effective procedures for tracking pupils who move out of, or into, the authority. In doing so, they work closely with partners from other agencies and other local authorities. These local authorities ensure that there are enough resources available to allow this aspect of their work to be carried out well.

Conclusion

- 65 Local authorities generally monitor the whereabouts of pupils who are educated other than at school well when pupils are in provision that is controlled by the local authority. This is done better in pupil referral units that are registered with the Welsh Assembly Government than in unregistered units.
- 66 Local authorities in Wales continue to educate pupils in provision that has not been registered with the Welsh Assembly Government. There is confusion in some local authorities as to what a pupil referral unit is and what type of provision should be registered, with the Welsh Assembly Government, as a pupil referral unit.
- 67 There is no systematic process across Wales to identify children who go missing from education and put appropriate resources in place to support them.
- 68 Vulnerable children are at greatest risk of going missing and local authorities will need to pay particular attention to these children especially when they are moving into or out of a local authority.
- 69 A few local authorities in Wales do not use existing national databases as effectively as they could to track children who are missing from education.
- 70 In order to locate children who are missing from education within a local authority it is necessary to have a network of agencies that can share information. Finding these children is much more effective when agencies work together.

Appendix

Requirements of the Common Transfer System

Information that **must** be provided in electronic format:

School details

- sending school LEA and establishment number;
- sending school establishment number;
- receiving school's LEA number;
- receiving school's establishment number; and
- pupil school history (if available).

Pupil details

- UPN;
- surname;
- first name;
- date of birth;
- gender;
- ethnic code;
- source of ethnic code;
- national identity;
- Welsh language ability;
- SEN provision;
- free school meal eligibility;
- free milk eligibility;
- in care indicator;
- the address where the pupil normally resides;
- the surname of at least one contact person and details of their relationship to the pupil; and
- an indicator where medical information exists that may be relevant to the pupil's new school.

Attendance data – for the current or most recent academic year (include attendance history if available)

- School year;
- number of sessions possible (half days);
- number of sessions attended;
- number of authorised absences; and
- number of unauthorised absences.

Key Stage 1, 2, 3

- Most recent teacher assessment levels.

Educational record

The pupil's educational record should also be sent to the receiving school, whereas common transfer information must be transferred solely in machine-readable format through the secure s2s website. A pupil's educational record may be transferred in machine-readable format, in paper form or in a combination of both.

What are the time limits for transferring information?

Educational records and/or common transfer information must be sent to the new school within fifteen school days of the pupil ceasing to be registered at the previous school.

Similarly, if the head teacher of the previous school receives a request from the head teacher of the receiving school where the child is newly registered, the information must be sent within fifteen school days of receiving the request.

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