

# REMOVING CHILDREN FROM THE SCHOOL ROLL

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## Introduction

This policy is adapted from HCC Model Policy CS4533. Adeyfield School is committed to the safeguarding of all students. Students who are removed from schools' rolls inappropriately may become 'children missing from education' and therefore potentially vulnerable.

Section 436A of the Education Act 1996 (as amended by the Education and Inspections Act 2006) places a duty on local authorities to establish the identity of children in their area who are not receiving education. The purpose of this duty is to ensure that children missing from education (CME) are identified quickly and tracked effectively so appropriate actions can be taken.

This document sets out the responsibilities relating to the removal of students from roll.

The Education (Pupil Registration) (England) Regulations 2006 as amended by The Education (Pupil Registration) (England) (Amendment) Regulations 2011 and The Education (Pupil Registration) (England) (Amendment) Regulations 2016 prescribes the circumstances (regulation 8) in which students may be removed from roll legitimately.

## Responsibility of Schools

**The Education (Pupil Registration) (England) (Amendment) Regulations 2016** came into force on 1 September. Regulation 5 extends the duty of schools to notify the local authority when a student is removed from roll to **all** instances of removal from roll (with the exception of the usual transfers between phases – infant to junior, primary to secondary and at the end of compulsory education, unless requested to do so by their local authority). It also requires schools to provide the local authority with more detailed information than required previously.

The 2016 amendment also places a duty on schools and local authorities to work collaboratively in '**jointly making reasonable enquiries**' as to the whereabouts of a student before a student is removed from roll.

### Information schools must provide to the local authority :

Regulation 12(6) states

*'Where the name of a pupil is to be deleted from the admission register, the proprietor must make a return to the local authority for that pupil as soon as the ground for their deletion under regulation 8 is met in relation to that pupil, and in any event no later than the time at which the pupil's name is deleted from the register.'*

Regulation 12(7) details the information schools must include in the return, namely

- (a) the full name of the student;
- (b) the full name and address of any parent with whom the student normally resides;
- (c) at least one telephone number at which any parent with whom the student normally resides can be contacted in an emergency;
- (d) the particulars specified pursuant to regulation 5(1)(ca) if applicable;\* (*see below*)
- (e) the particulars specified pursuant to regulation 5(1)(g) if applicable;\*\* (*see below*)
- (f) **the ground under regulation 8 upon which their name is to be deleted from the admission register**

*\*5(1)(ca) – ‘where a parent of the pupil notifies the proprietor of the school or a person authorised by the proprietor of the school that the pupil will normally reside with a parent at a specified other address in the future, whether in addition to or instead of the address at which the pupil currently normally resides –*

*(i) the full name of the parent with whom the pupil will newly normally reside,*

*(ii) the specified other address, and*

*(iii) the date from which it is expected the child will normally reside there, where it is reasonably practicable for the proprietor to obtain that information’*

*\*\*5(1)(g) – ‘where a parent of the pupil notifies the proprietor or a person authorised by the proprietor of the school that the pupil –*

*(i) is also registered at another school; or*

*(ii) will be attending a specified other school in the future,*

*the name of that other school and the first date on which the student attended or is due to attend that school, where it is reasonably practicable for the proprietor to obtain that information’*

### **Process for Removal from Roll**

Schools should complete the Removal from Roll form, having ensured that any removal meets the specified criteria and return it to their local Integrated Services for Learning (ISL) Attendance Team within 5 school days of the date of removal from roll. This includes students who have been added to the roll but who have never attended. Whenever a student joins or leaves a school a Common Transfer File (CTF) MUST accompany him or her.

### **Circumstances in which a student may be removed from roll**

**The circumstances in which a student of compulsory school age may be removed from the admission roll are prescribed by regulation 8. (It is illegal to remove a student’s name from the admission roll unless one of these circumstances applies, even if a parent requests it).**

#### **8a. A new school is named on a School Attendance Order, or the Order is revoked**

If a student is the subject of a School Attendance Order their name may only be removed from roll if another school is substituted by the local education authority for that named in the order, or the order is revoked because other education arrangements are in place

- The student should be removed from roll at the end of their final day
- A Removal from Roll form should be completed and returned to the relevant Attendance Team within 5 school days

#### **8b. Student is registered at another school**

If a parent has notified the school that the student will be transferring to a new school and has provided the name and address:

- The school should check with the new school that the student is registered with them/has an expected start date.
- The student should be removed from roll at the end of their expected final day
- A Removal from Roll form should be completed and returned to the relevant Attendance Team within 5 school days

#### **8c. Student is registered at more than one school**

If a student is registered at more than one school, has ceased to attend the school and the proprietor of any other school at which the student is registered has given consent to the deletion

- The school should confirm the student is now registered at the other school
- The student should be removed from roll at the end of their final day

- A Removal from Roll form should be completed and returned to the relevant Attendance Team within 5 school days

(Exceptions to this requirement are if the student has died, or has been permanently excluded)

#### **8d. Elective Home Education**

If the school receives written notification from a parent of their intention to Electively Home Educate, the student's name must be removed from roll. Schools should not encourage parents to educate their children at home as a way of avoiding exclusion or because the student has a poor attendance record. On receipt of written notification from the parent the school must:

- Remove the student from roll at the end of their expected final day
- Send the Removal from Roll form together with a copy of the parent's letter which states their intention to Electively Home Educate to the relevant Attendance Team within 5 school days.

#### **8e. Student has moved, has ceased to attend and the new address is not within a reasonable distance of the school**

- The student should be removed from roll at the end of their final day
- A Removal from Roll form should be completed and returned to the relevant Attendance Team within 5 school days

#### **8f. Student has failed to return after being granted leave of absence for exceptional circumstances in accordance with regulation 7(1A)**

A student's name may only be removed from roll after 10 school days have elapsed following the agreed date of return **and** the school does not have reasonable grounds to believe the student is unable to attend due to sickness or reasonable cause **and** the school **and** the local authority have failed to ascertain the student's whereabouts after 'jointly making reasonable enquiries.' Schools should:

- Make contact with parents/ relatives to check that there is no good reason for the absence eg disrupted travel arrangements or illness
- Mark the absence as authorised if there is a valid reason, using the relevant code
- Mark the absence as unauthorised if there is not a valid reason, using the relevant code
- Contact their relevant Attendance Team if there are concerns about the welfare of the student or if they are unable to make contact with the parents

The Attendance team will work with the school in making reasonable enquiries as to the student's whereabouts. Once the school and the local authority have completed their enquiries and 10 school days have elapsed the school should:

- Remove the student from roll with effect from 10 school days after the expected date of return
- Send a Removal from Roll form to the relevant Attendance Team within 5 school days.

#### **8g. Student is medically unfit and is likely to remain so beyond compulsory school age**

A student may only be removed from roll on medical grounds if he/she has been **certified** by the school's Medical Officer as unlikely to be in a fit state of health to attend before ceasing to be of compulsory school age **and** the student does not intend to continue at the school beyond compulsory school age.

- The student should be removed from roll at the end of their final day
- A Removal from Roll form should be completed and returned to the relevant Attendance Team within 5 school days

#### **8h. Student has been continuously absent for not less than twenty school days**

This regulation applies **only** if at no time during the absence was it authorised, **and**, the school does not have reasonable grounds to believe the student has been unable to attend because of sickness or unavoidable cause **and** the joint enquiries undertaken by the school and the local education authority have failed to ascertain where the student is.

- The school should contact their allocated Attendance Improvement Officer, who will work with the school to try to locate the student.
- If all enquiries have failed to locate the student, the school should remove the student's name from roll, complete the Removal from Roll form and send it to the relevant Attendance Team within 5 school days.

#### **8i. Student is in custody**

A student may be removed from roll if serving a custodial sentence of four months or longer and the head teacher does not have reasonable grounds to believe that the student will return at the end of that period. The decision to remove a student from roll in this situation should be taken in consultation with the relevant Targeted Youth Support Team

- The student should be removed from roll at the end of their final day
- A Removal from Roll form should be completed and returned to the relevant Attendance Team within 5 school days

#### **8j. Student has died**

A student who has died may only be removed from roll once official notification has been received. This would usually come from the student's parents but may come from another source, eg relatives or police.

- The student should be removed from roll using the date of death as the removal date
- A Removal from Roll form should be completed and returned to the relevant Attendance Team within 5 school days
- No CTF is required

#### **8k. Student will cease to be of compulsory school age before the school next meets**

In order for this regulation to apply the relevant person will have indicated that the student will cease to attend the school; or the student does not meet the academic entry requirements to the school sixth form

- In the case of a student who is no longer of compulsory school age, a Removal from Roll form is not required

#### **8l. Student has ceased to be a student of the school**

This regulation does **not** apply to and may **not** be used by Maintained Schools, including ESC's, Academies, including ESC's, City Technology Colleges or City Colleges for Technology or Arts

#### **8m. Student has been permanently excluded**

The student may **not** be removed from roll until any appeals process has been concluded.

- The student should be removed from roll using the school day after the conclusion of any appeals process as the date of removal from roll
- If no appeal has been lodged within 15 school days the student may be removed from roll on the 16<sup>th</sup> school day following the exclusion
- A Removal from Roll form should be completed and returned to the relevant Attendance Team within 5 school days
- No CTF is required