

Children's Services Integrated Services for Learning

Statutory responsibilities of schools and academies when removing pupils from the admissions roll

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Introduction

Hertfordshire County Council is committed to the safeguarding of all pupils. Pupils 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 of **all** Maintained Schools, Academies, Free Schools, Studio Schools, University Technical Colleges, Education Support Centres and Independent Schools, as they relate to the removal of pupils from roll. They are all required to notify the Local Authority when removing a pupil 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 pupils may be removed from roll legitimately. (See www.education.gov.uk for the regulations in full)

Responsibility of Schools/Academies

The Education (Pupil Registration) (England) (Amendment) Regulations 2016 came into force on 1st September. Regulation 5 extends the duty of schools to notify the local authority when a pupil 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. (See below).

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 pupil before a pupil 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 pupil;
- (b) the full name and address of any parent with whom the pupil normally resides;
- (c) at least one telephone number at which any parent with whom the pupil 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 pupil 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/Academies should complete the **Removal from Roll** form, having ensured that any removal meets the specified criteria (**copy at the end of this document**) 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 pupils who have been added to the roll but who have never attended.

It is not necessary to complete a form when a pupil is leaving at the end of statutory education or on transition to another phase - eg infant to junior or primary to secondary.

Whenever a pupil joins or leaves a school/academy a Common Transfer File (CTF) MUST accompany him or her. Further information on the transfer of a CTF can be found on www.teachernet.gov.uk and www.education.gov.uk or http://www.thegrid.org.uk/info/traded/sitss/mis/data_collection/ctf.shtml

Circumstances in which a pupil may be removed from roll

The circumstances in which a pupil of compulsory school age may be removed from the admission roll are prescribed by regulation 8. (It is illegal to remove a pupil'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 pupil 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 pupil 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. Pupil is registered at another school

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

- The school/academy should check with the new school/academy that the pupil is registered with them/has an expected start date.
- The pupil 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. Pupil is registered at more than one school

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

- The school/academy should confirm the pupil is now registered at the other school
- The pupil 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 pupil has died, or has been permanently excluded)

8d. Elective Home Education

If the school/academy receives written notification from a parent of their intention to Electively Home Educate, the pupil's name must be removed from roll. ***Please note that this does not apply to special schools where permission is needed from the Local Authority or from the Secretary of State before a pupil's name may be removed.***

Schools/academies should not encourage parents to educate their children at home as a way of avoiding exclusion or because the pupil has a poor attendance record. Advice and information on Elective Home Education can be obtained from the local Attendance Team, or from www.hertfordshire.gov.uk or from a number of independent websites including www.education-otherwise.org

On receipt of written notification from the parent the school/academy must:

- Remove the pupil 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. Pupil has ceased to attend the school and no longer ordinarily resides at a place which is within a reasonable distance from the school/academy (except in the case of a boarder)

- The pupil 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. Pupil has failed to return after being granted leave of absence for exceptional circumstances in accordance with regulation 7(1A)

A pupil's name may only be removed from roll after 10 school days have elapsed following the agreed date of return **and** the school/academy does not have reasonable grounds to believe the pupil is unable to attend due to sickness or reasonable cause **and** the school/academy **and** the local authority have failed to ascertain the pupil's whereabouts after 'jointly making reasonable enquiries.' Schools/academies 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 pupil or if they are unable to make contact with the parents

The Attendance team will work with the school/academy in making reasonable enquiries as to the pupil's whereabouts.

Once the school/academy and the local authority have completed their enquiries and 10 school days have elapsed the school/academy should:

- Remove the pupil 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. Pupil is medically unfit and is likely to remain so beyond compulsory school age

A pupil may only be removed from roll on medical grounds if he/she has been **certified** by the school's/academy'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 pupil does not intend to continue at the school/academy beyond compulsory school age.

- The pupil 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. Pupil 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 pupil has been unable to attend because of sickness or unavoidable cause **and** the joint enquiries undertaken by the school/academy and the local education authority have failed to ascertain where the pupil is.

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

8i. Pupil is in custody

A pupil 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 pupil will return at the end of that period. The decision to remove a pupil from roll in this situation should be taken in consultation with the relevant Targeted Youth Support Team

- The pupil 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. Pupil has died

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

- The pupil 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. Pupil 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 pupil will cease to attend the school/academy; or the pupil does not meet the academic entry requirements to the school/academy sixth form

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

8l. Pupil has ceased to be a pupil 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. Pupil has been permanently excluded

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

- A Removal from Roll form should be completed and returned to the relevant Attendance Team within 5 school days after any appeals process is completed
- No CTF is required

8n. Pupil completing nursery education is not transferring to reception or a higher class at the school

Removal from roll forms should be completed **only** for pupils who have finished their nursery and are not transferring to reception in the same school.

- The pupil 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

8o. Non-payment of fees – boarding pupils

Where the pupil is a boarder at a maintained school or academy and the charges for board and lodging are payable by the parent and the charges are outstanding at the end of the school term to which they relate, the pupil may be removed from roll.

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

Removal from Roll
Hertfordshire Integrated Services for Learning Attendance Team

To: ISL Attendance Team
From: School/Academy, School Number:

NOTIFICATION OF REMOVAL OF PUPIL FROM DMISSION ROLL

There are strict grounds as to when schools may remove pupils from their admissions register. These are outlined in **Regulation 8** of the Education (Pupil Registration) Regulations 2006. Regulation 12(6) states that when a school has decided to delete a pupil's name from their admission roll they must notify their Local Authority. This responsibility applies to all Maintained Schools, Academies, Free Schools, Studio Schools, University Technical Colleges, Education Support Centres and Independent Schools. *Please use this form in conjunction with the Regulations.*

Please provide the following information:

NAME OF PUPIL: **DOB:**/...../..... **Gender M/F**

Name of parent with whom pupil normally resides, or name of parent with whom pupil will newly normally reside:

.....
Address: (or new address at which pupil will reside, including start date if known)

.....
Postcode:

..... **Tel No:**
At this address from **e mail address of parent:**

UPN Is the pupil looked after by HCC? **Yes/No**
Does the pupil have a statement or Education Health Care Plan? **Yes/No**

Date pupil came on roll:/...../..... **Date pupil taken off roll:**/...../.....
Name of new school: **DfE number:**.....
Address of new school if outside Hertfordshire
..... **On roll from:**.....

REASON FOR REMOVING PUPIL FROM THE ADMISSION ROLL
in accordance with regulation 8:

8a. A new school is named on a School Attendance Order, or the Order is revoked by the local education authority. If not attending a new school:
Reason School Attendance Order was revoked:

.....

8b. Pupil is registered at another school
8c. Pupil is registered at more than one school
(and the proprietor of the other school has consented to the deletion)

8d. Elective Home Education
Please attach a copy of the parent's letter (a pupil may only be removed from the school roll if written notification has been received from the parent confirming their intention to educate the child 'otherwise than at school')

8e. Pupil has ceased to attend the school and no longer ordinarily resides at a place which is a reasonable distance of the school or academy (except boarders)

8f. Pupil has failed to return from an agreed leave of absence for exceptional circumstances
Pupil's name may only be removed if they are not prevented from attending because of sickness or reasonable cause **and** joint enquiries by the school/academy and the local authority have failed to ascertain the pupil's whereabouts.

Please give details of actions taken:
.....

8g. Pupil is certified as medically unfit and is likely to remain so beyond compulsory school age

Please confirm that the Medical Officer **Yes/No** and parents **Yes/No** have agreed to the removal from roll

8h. Pupil has been continuously absent for not less than twenty school days

The pupil must have been continuously absent (unauthorised) for not less than 20 school days and is not prevented from attending due to sickness or reasonable cause **and** joint reasonable enquiries by the school/academy **and** the local authority have failed to ascertain the pupil's whereabouts

Please give details of actions taken.....
.....

8i. Pupil is in Custody

Please confirm that the pupil is serving a custodial sentence of four months or longer

8j. Pupil has died

8k. Pupil will cease to be of compulsory school age before the school next meets

The relevant person has indicated that the pupil will cease to attend the school or or the pupil does not meet the academic entry requirements for the school's sixth form

8l. Pupil has ceased to be a pupil of the school

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

8m. Pupil has been permanently excluded (and any appeal process is complete)

8n. Pupil completing nursery education is not transferring to reception or a higher class at the school

8o. Pupil is a boarder and fees remain outstanding at the end of the school term to which they apply

If the pupil has left the school without explanation are there any concerns about the pupil's welfare? Yes/No If yes, please give details below

Do you consider the pupil to be at risk of Child Sexual Exploitation or radicalisation? Yes/No if yes, please give details

.....
.....
.....

Please Note: Whenever a pupil leaves a school/academy a Common Transfer File (CTF) MUST accompany him or her. Further information on the transfer of a CTF can be found on www.teachernet.gov.uk and www.thegrid.org.uk

Date CTF sent to new school or lost pupil database:/...../.....

Name of person completing this removal from roll form (please print):
.....

Contact telephone number **Date form completed:**/...../.....

Please return to the Area Attendance Duty Team using secure email system i.e. Schools or Herts FX to:

AttendanceDutyEast@hertfordshire.gov.uk or AttendanceDutyWest@hertfordshire.gov.uk

Or please return this form to your ISL Area Attendance Team:

East Area: North Herts, Stevenage, East Herts, Broxbourne & Welwyn Hatfield - CH0138 East Area Office, County Hall, Pegs Lane, Hertford SG13 8DF

West Area: Watford, Three Rivers, Hertsmere, Dacorum & St Albans: - AP1102 Apsley 2, Brindley Way, Hemel Hempstead HP3 9BF