



Children Missing Education

Procedures and Protocols

June 2016

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1. Introduction

Part 1 (Clause 4) of the Education and Inspections Act 2006 introduced a statutory duty on Local Authorities to make arrangements to establish the identities of Children Missing Education (CME).

Section 436A of the Education Act, 2002 requires all local authorities to make arrangements to enable them to establish (as far as possible) the identities of children residing in their area who are not receiving a suitable education. In relation to children, by 'suitable education' we mean efficient full-time education suitable to his/her age, ability and aptitude and to any special educational needs the child may have.

The duty applies to children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school, for example, at home, privately, or in alternative provision.

Although the main focus of this document is on the policy around Children Missing Education (CME) in Devon, the work should be seen within the context of the wider remit of the Local Authority to safeguard and promote the welfare of all children living within Devon.

All professionals working with children have a legal duty to safeguard children but the wider community can help by remaining vigilant to children's safety. The law states every child should be receiving education, but we stand a better chance of ensuring this and also assuring ourselves of a child's safety if we know where and how they are receiving this.

If you know of any child who is not receiving an education, or you know of a child who has gone missing from a school, or are in any doubt, please contact:

Children Missing Education Team

Second Floor

Milford House

Pynes Hill

Exeter

Devon EX2 5GF

Tel. 01392 287230

If you have a serious concern about the safety of a child i.e.

- You think a child is being harmed or is at risk of being harmed
- You are worried that a child is living in circumstances where they are treated badly and/or are not cared for properly

You must contact the **Multi Agency Safeguarding Hub (MASH)**.



Telephone: **0345 155 1071**

E-mail: mashsecure@devon.gcsx.gov.uk

Fax: 01392 448951

Referral Form available at: www.devon.gov.uk/mash-enquiryform.doc

Post: **Multi-Agency Safeguarding Hub, P.O Box 723, Exeter EX1 9QS**

Emergency Duty Team – out of hours: **0845 6000 388**

Police – non emergency: **101**

2. Who is a Child Missing from Education?

In Devon a child of statutory school age is considered to be a Child Missing Education (CME) when he/she meets the following criteria:

- Not registered at an educational provision
- Not registered as Elective Home Education
- Has been out of education for more than 20 school days

This guidance provides schools with procedures taken by Devon County Council (DCC) to safeguard children who leave their schools and appear not to be on another school roll.

There is a fundamental principle that all officers of DCC and their other partners have a responsibility to report children missing education. If anybody is aware of any child or young person who does not appear to be accessing education they should make a referral to the Babcock LDP CME Team (details on previous page). This may result in referrals being made for children and young people already known and on a school roll. However, given the concerns around safeguarding and welfare, it is more beneficial to make a referral rather than DCC not receiving any notification. Colleagues in all agencies, who become aware of a child who is not attending school, or on a roll at a school but living in Devon, should notify the CME Team using the “Child Missing Education Referral form that is available as an appendix to this document and on the Babcock LDP website: www.babcock-education.co.uk/ldp/cme

Finally, it should be noted that this guidance does not apply to young people who run away from home or care placement. This group is subject to separate arrangements detailed in the Devon County Council protocol “Children and Young People who go missing from home and care” www.devon.gov.uk/index/childrenfamilies/childrenincare/childrenincareeducation

3. Identifying children who are at most risk of becoming a CME

There are complex reasons why children become missing from education. These may include:

- Victims of Child Sexual Exploitation
- Young offenders
- Young offenders
- Children of families who can be highly mobile e.g. Gypsy, Roma and Traveller families
- Children from Armed Forces families
- Children of refugees and asylum seeking families
- Children of new immigrant families
- Children of migrant worker families (who may not be familiar with the education system)
- Children at risk of “honour”-based violence including forced marriage or female genital mutilation
- Children at risk of modern slavery
- Children from families fleeing domestic violence
- Children living in Women’s Refuges
- Young runaways
- Children of families living in temporary accommodation
- Children whose parents take them abroad for a prolonged period
- Children who do not receive a suitable education whilst being “home educated”
- Children of parents with mental health problems or learning difficulties
- Children with long term mental health, medical or emotional problems
- Children affected by substance and/or alcohol misuse
- Children with a history of poor school attendance
- Children that have difficulties at home
- Children that have a history of abuse or neglect
- Children that have learning difficulties or a disability
- Children that are young carers
- Children on the point of permanent exclusion from school who leave or are persuaded to seek a fresh start in another school
- Children on alternative curriculum arrangements which are not monitored effectively
- Children with SEN placements that are not completed due to one or more parties not complying with arrangements or able to meet needs
- Children from families with poor literacy skills or with EAL needs that find accessing information difficult

4. Roles and Responsibilities

(a) Schools (*See also process flow-chart*)

Children who have a history of poor school attendance and/or high rates of exclusion are at greater risk of becoming CME. Therefore, schools need to ensure that they have a robust process for early identification of potential attendance issues. Measures should be put in place to address these issues as soon as possible, following school attendance policy protocols.

When a pupil is expected to join the school, either at a normal time of starting (e.g. Nursery, Reception or Year 7) or at any other time, and he/she does not arrive, the school must first try to make contact with the parents by phone or letter.

If, after **one week**, no contact has been made, the school must inform the local authority Admissions Department to find out if the pupil has been registered elsewhere.

If the pupil has not registered the school must complete the destination field in EMS/ONE or complete the CME Referral form and pass to EMS/ONE data team. The pupil must not be removed from roll until the Education Welfare Service (EWS) has ascertained the pupil's whereabouts and safety, and has confirmed that the pupil is registered at another school or is being educated otherwise. The pupil should be marked on the register as having unauthorised absence.

If a pupil has unexplained absence from school for a prolonged period, fails to return from a holiday or whose attendance falls below the expected attendance rate for Devon, the school must follow the normal procedures for investigating pupil absence (i.e. telephone calls, letters, invitations to meetings at the school, etc.)

If, after **two weeks**, the pupil does not return to school, the school should inform the EMS data team using the destination field in EMS/ONE or completing the CME Referral Form where the procedures for 'missing pupils', outlined in the 'Guidance for CME', will be followed.

Where a child leaves school mid phase, a pupil transfer form should be completed by the school and sent to the EMS data team within 10 days.

The pupil **must not be removed from roll** until the EWS has ascertained the pupil's whereabouts and safety, and has confirmed that the pupil is registered at another school or is being educated otherwise.

If a pupil 'disappears' without any warning the school must immediately notify the EWS - Office, 2nd Floor, Milford House, Pynes Hill, Exeter, EX2 5GF. Tel: 01392 287230

“Guest” Pupils

The regulations are made under Section 434 of the Education Act 1996 which requires every school to keep registers of all their pupils. The law does not allow for “guest pupils” and such pupils must be entered on the attendance and the admissions register. If pupils are educated at more than one school, they must be on the admissions and attendance register of each school. The only exception is children who are visiting the school on a “one-off” basis such as one-day seminars and visits before transferring to the school.

Dual Registration

The law allows for dual registration of pupils at more than one school. The code ‘D’ is used to indicate that the pupil was not expected to attend the session in question because they were scheduled to attend the other school at which they are registered.

The main examples of dual registration are pupils who are attending a pupil referral unit, a hospital school or a special school on a temporary basis. It can also be used for Gypsy, Roma and Traveller children, but only when the pupil is known to be registered at another school during the session in question.

Each school should only record the pupil’s attendance and absence for those sessions at which the pupil is scheduled to attend their school. Schools should ensure that they have in place arrangements whereby all unexplained and unexpected absence is followed up in a timely manner. If the child ceases to attend either setting and all attempts to locate the child, as indicated in the CME flowchart, are unsuccessful, the schools must inform the EMS/ONE Data Team.

Babcock LDP:

b) Education Welfare Service (EWS)

The EWS is commissioned to identify, track and monitor children who appear to be missing from education. There are two EWOs who specialise in CME. When a pupil is referred to the EWS (by a school, other agency or an individual) as being at risk of missing education, the case will be prioritised and case-worked until either the pupil is back in school or it is confirmed that the pupil is without a school place, in which case the procedures identified in the ‘Guidance on Children Missing Education’ will be followed.

When truancy sweeps are carried out and school age pupils found out of school will be stopped and enquiries made as to their educational status. If necessary, the pupil will be escorted back to school. If the pupil is found to be without a school place, the case will be referred to the CME EWOs.

The EWS has a statutory right to inspect school registers and to ensure that they are being kept in accordance with DfE regulations. This will include monitoring of pupils who have been removed from roll to ensure that the procedures and regulations described above are being followed and that no pupil is allowed to ‘disappear’ from a school roll. Schools are required to

ensure the EWS has access to school registers and attendance data on request. For monitoring and quality assurance purposes Registration Audits may be carried out by the EWS in LA maintained schools and academies.

b) Ethnic Minority and Traveller Achievement Service (EMTAS)

EMTAS supports the inclusion and achievement of children and young people from Black and Minority Ethnic (BME) and Traveller heritages, as well as those learning English as an additional language (EAL).

Gypsy Roma and Traveller (GRT) pupils

Gypsy Roma and Traveller pupils include children from these groups:

- Gypsies including: Romany, Welsh Gypsies, Scottish Gypsies/Travellers
- Irish Travellers
- Roma Gypsies from Eastern and Central Europe
- Showmen (Fairground people)
- Circus people
- Bargees/ Boat people
- New Travellers or parents that are engaged in a trade or business of such a nature that requires them to travel from place to place.

The GRT advisory teachers aim to:

- Visit and offer Traveller families with children the opportunity to access a school place within 3 days of notification of their arrival in the area
- Support the school to meet the educational needs of the Traveller children, including induction, targeted intervention and Distance Learning programmes.
- Advise schools on registering and recording attendance of GRT pupils, including tracking mobility and dual registration

Schools should not use Guest Pupil status for GRT pupils (see section on guest pupils). All GRT pupils who attend a school should be registered, even if this is for as little as one day, and most GRT children will have a base school, which is the school that the child most recently attended during the preceding 18 months when the family were not travelling.

At other times, GRT pupils should be:

- Included on the register of the school they are attending. This is known as 'dual registration' and where possible contact should be made with the base school. Use code D.
- Should not be removed from a register until notification has been received of attendance at the base school, another school or it has been confirmed that the child has left the area and will not be returning.
- Recorded, as any other pupil, using the appropriate codes. On days when GRT pupils are absent and:

- i. Known to be out of the area due to Travelling: use code T
- ii. Known to be attending another school: use Code D
- iii. Known to be present at an education activity e.g. Distance Learning where the pupils' engagement can be identified: use code B
- iv. Reasons are unknown: use code O

EAL students:

Students with EAL come from a variety of backgrounds / experiences including the following:-

- Young people whose parents have moved to the UK on a permanent basis from EU countries
- Young people whose parents are in the UK for a short time in order to study
- Young people whose parents are economic migrants
- Young people who arrive without parents e.g. in the care of close relatives or siblings
- Young people whose parents are refugees or Asylum Seekers
- Unaccompanied young people who are Refugees or Asylum Seekers or who have been trafficked
- Unaccompanied young people who are in the UK to improve their English and are supported through such agencies as Whitehouse Guardianship
- Young people accompanying a single parent, recently married to a UK citizen
- Young people who are not literate in their home language

The EMA/EAL Advisory teachers aim to:

- Support the school meet the needs of EAL students by providing whole school advice and training about classroom strategies, use of targeted interventions and Bilingual Support Workers; maintaining First Language in clubs and through First Language GCSE support and preparation; funding interpreters for parent meetings, and monitoring Racist Incidents and offering follow-up work and advice.

It is important that:-

- Schools & other agencies should always consult EMTAS when they are working with BME/EAL children & families
- EMTAS works closely with Admissions and the SEN 0-25 Team to ensure BME / EAL students are quickly admitted to an appropriate school for their needs
- An initial meeting using an interpreter, in line with EMTAS safeguarding guidelines, is held with parents and the school's SLT and EAL Co-ordinator to gain background information and explain protocols of the UK education system, including explanations about attendance and holiday entitlements
- Information from EAL parent clusters and First Language clubs run by BSWs in various locations is used to identify students who are CME
- Schools need to be aware of the personal background of EAL students and their families and the possible need for extended time visiting their own country for a variety of reasons. It is likely that parents and carers of BME students, and particularly EAL students, will request periods of absence relating to religious and / or cultural reasons at some point during their child's education. Amendments to the Education (Pupil

Registration)(England) Regulations 2006 which came into force in September 2013 allows schools to authorise periods of absence “*in exceptional circumstances*”. Schools should carefully consider such requests for an authorised period of absence to support all students in maintaining / developing their religious and/or cultural heritage.

In addition, some families are required to return to their native country in order to renew legal paperwork or for on-going medical or dental treatment.

When considering the “exceptional circumstance” criteria, schools should consider requests that are for events that are fixed in time. Often a family are unable to change the timing of some religious / cultural events and have to work to others calendars.

Proper consideration of such requests can be used to demonstrate how the cultural diversity of students is valued.

- Schools should not remove students from roll until notification is received that confirms the student is not on extended leave but has left the area and will not be returning

d) Educational Psychology Team

- Discuss individual cases with the CME EWO
- Undertake direct involvement with pupils e.g. to ascertain level of SEN
- Be an advocate for the child
- Discuss with family, provide advice & support
- Liaise with other professionals
- Lead/attend multi-agency meetings, as appropriate
- Plan transition back into school, liaise with school staff

e) Elective Home Education (EHE)

Schools should inform the Elective Home Education Team within 5 school days when a student is removed from school roll to be home educated. School must provide the EHE Service with a copy of the parent’s letter and EHE Safeguarding form. The school should also notify any other relevant agencies.

If the child has an EHCP, the SEN 0-25 Team must also be informed. Children cannot be removed from the roll of special schools for EHE without the agreement of the SEN 0-25 Team.

There are 4 situations where EHE students may become CME:

- (i) The family move house and do not inform the EHE team
- (ii) The family move to another part of the country without informing the EHE team
- (iii) The family move into Devon from another county without informing the EHE team and the other Local Authority does not inform the EHE team
- (iv) There is no evidence of a suitable education being provided

In each case, the EHE/CME Officers will investigate further.

- In cases where the child has an EHCP, the EHE/CME Officers will ensure records on ONE are updated to CME and inform the Area SEN Co-ordinator, copying in the Area Education Commissioning Officer (caseworker)
- In cases where a suitable school is not identified a referral to Schools Company will be undertaken within 5 working days
- Schools Company to provide start date for child within 10 working days of referral – after this the case should be referred to the 0-25 SEN Team Commissioning Manager and if still unresolved, the Director of Education/Missing Monday Group.

Devon County Council:

f) Missing Monday Group

This group of senior officers from the LA and its key partners meet each week in term time to discuss 'stuck' cases of children not on a school roll. They act together to move those children back into education as swiftly as possible, when this is appropriate. The Missing Monday list is cross-referenced against CareFirst and the MACSE referral list. The CME list held by Babcock LDP is also regularly reviewed. In addition, children on part-time timetables are followed up at regular intervals and themes identified for further research and/or action, for example, children with emotional or mental health problems preventing them from accessing education. To make a referral to the Missing Monday Group, e-mail Louisa.Roach@devon.gcsx.gov.uk

g) Children's Services

Children and Young People living away from home in foster care, children's homes or residential schools are at particular risk. Children in care are three times more likely to go missing from their home than children who are not in care, although the reasons for this are complex and not yet fully understood.

Children's Services will abide by the Children and Young People Missing Policy and Guidance which applies to all children and young people (up to the age of eighteen) who go missing or run away regardless of their living situation. This policy has been agreed by the Devon Safeguarding Children Board, and applies to all representative agencies, whether of a statutory or non-statutory nature.

The key principles are:

- PREVENTION– reducing the number of children who go missing
- PROTECTION – reducing the risk of harm to those who go missing
- PROVISION – providing missing children and their families with support and guidance
- PRACTICE – ensuring cross-agency consistency of practice; being child-centred, assessing and reviewing risk, to work towards the safe return of children and young people

Agencies will work with parents and carers to locate the missing child or young person. The following steps will be undertaken:

1. If the child is a 'Child in Need', is in care and missing from residential care, missing from a fostering placement or from supportive lodgings, the social worker or social work family practitioner should inform the child's school, educational setting, or Elective Home Education Officer.
2. Where appropriate, the professional involved with a missing child should agree with the parents regarding informing the child's school or educational setting of his/her absence at the earliest opportunity.
3. When a child/young person returns (including voluntarily or independently of the police), the named worker/carer should inform staff at the child's school or education setting if they have been informed of the child being missing.
4. Any child/young person missing from home which causes particular concern to the police and/or the parents/carers should be referred to the MASH for consideration of an initial assessment. Children's Social Work will inform the parents/carers and the police of the outcome of any referral and assessment.

h) REACH Team

Devon County Council's team of youth workers and social workers called REACH (Reducing Exploitation and Absence from Care or Home) work at an operational level to address child exploitation and children and young people missing. The Devon REACH team work within the agreed South West Peninsula Child Sexual Exploitation (CSE) protocols. The key aims of the protocols are:

- PREVENTION: raising awareness, education, learning and development
- SAFEGUARDING: local information sharing, data gathering, analysis and victim identification
- BRING OFFENDERS TO JUSTICE: preventive action and disruptive techniques
- PUBLIC CONFIDENCE: Victim support, health and therapeutic input and 'assertive outreach'

What is Child Sexual Exploitation (CSE)?

- CSE is an illegal activity by people who have power or influence over young people. It is sexual abuse.
- CSE can happen directly as well as over the internet and mobile phones
- CSE can happen as a result of violence or intimidation
- CSE can happen without the young person realising, and they may feel they have no choice
- The abuser may make the young person think that they are in a relationship and are special, and they can then be manipulated
- Young people often receive some kind of gift if they take part in sexual activity

The REACH Team work mainly with young people on a one-to-one basis to:

- Get to know the young person and understand their situation
- Support young people who go missing and are at risk of becoming, or are victims of CSE
- Help young people understand what healthy and equal relationships should be like, and encourage them to make decisions that are safe
- Spend time with young people talking about things that worry them
- Work at a young person's pace, recognising that CSE is a difficult subject
- Work with other agencies to help young people stay safe, explore other opportunities and become more confident.

i) Admissions

Once an approach has been made by a parent (or Social Worker) to the Admissions Team for a school place an application form is sent to the parent by the Admissions Team, or the Customer Care Centre and, on receipt, preferences are assessed against vacancies. Admissions Officers then liaise with schools to ensure smooth admission takes place.

Once offer made:

- Where a child is new to Devon, wishes to enter school from being Electively Home Educated (EHE) or has moved from out of the catchment area and has no school place, a date of up to two weeks ahead is given, as agreed with the named school
- Where a child is on roll at another Devon school, but does not meet the above criteria - a place will be offered for the start of the next term, or half term
- All actions will be entered on EMS ONE, including the name of the previous school as 'base'.
- A report has been created from EMS ONE to show students whose base has not changed, i.e. they have not been placed on roll. This report will be run every Monday by an Admissions Assistant.
- The report is assessed by Senior Admissions Officers and any cases of concern are chased up with schools by the Admissions Assistant.
- Where there is no known reason for delay e.g. house move, or the offer is declined and the parent cannot be contacted, cases will be passed to the CME Team.
- Where the delay is genuine, dates can be re-set and the student's name will re-appear on the next report if the deadline has passed.

j) Inclusion Officers

The Inclusion Officers deal with a range of children within the statutory school age range, at risk of exclusion. Their role is:

- Prevention – keep the child in the school system
- To ensure interim education is in place whilst a permanent placement is identified
- To work with parents who refuse to engage

- To support parents, schools and other agencies with vulnerable children and children missing education
- To act as a directing officer for the LA for Admissions where traded work is undertaken
- LA link with partners such as Babcock LDP
- To work collaboratively with other agencies, both statutory and non-statutory

k) SEN 0-25 Team

The Team ensures all children with a Statement of SEN or an Education, Health & Care Plan (EHCP) who are due to transfer schools (whether in year or phase transfer) arrive at their destination school by way of verbal or email contact with the school. This will be done by the third week of September for phase transfers. For mid-year transfers, phone/email school to check child is attending from the date of the agreed transfer. If no placement is confirmed within 2 weeks, the CME Team is alerted.

- All appropriately aged and located children* with an EHCP or a Statement of SEN who are between placements for whatever reason are registered on ONE as 'Awaiting Placement'. The area CME EWO is notified by e-mail.
- If the SEN 0-25 Team are unable to identify and place the child on roll within four weeks, the child will be registered as 'CME in Transition'. The CME EWO will be advised.
- If the Child is In Care and out of placement, the CME EWO will be advised immediately and the child will be registered as 'CME in Transition'.
- All 'CME in Transition' cases should be referred to Schools Company within 5 working days
- Schools Company to provide start date for child within 10 working days of referral – after this the case should be referred to 0-25 SEN Team Commissioning Manager and if still unresolved, the Director of Education
- All casework activity will be noted in the Summary Memo on ONE to enable access by the CME EWO
- All children with a Statement of SEN or EHCP who are out of placement will be monitored by Casework Teams

*children of statutory school age who are living in Devon

l) EMS/ONE Data Team

The ONE Support and Data Teams are responsible for

- Maintaining the ONE system with System administration
- Creating reports for CME process
- Running regular reports to identify potential missing students (paper forms where electronic version is not possible)
- Processing incoming data from schools where data conflicts occur
- Making checks of national and local systems; contacting schools and other LAs to locate children

- Sending out letters to parents of new starters where a school place is not taken up to ascertain whether EHE, attending an independent school or moved out of county
- Updating the ONE system with new educational provision details
- Creating referrals to CME EWOs where children are CME
- Updating system where EWOs locate whereabouts of child
- Reports of sensitive data will be alerted to all system users

Other Agencies:

m) Devon Information Advice and Support (DIAS)

DIAS provides impartial information advice and support for children, young people with Special Educational Needs and Disabilities (SEND) and their parents. We provide advice about how to get a suitable education placement and support for communications with professionals. For some of these families the systems do not always work effectively. Through this work we identify children and young people who are missing education for a wide range of reasons.

These include children and young people who are

- Not on a school roll and not accessing education
- On a school roll but not accessing education for a range of reasons
- Excluded with challenges about finding suitable placement
- Stuck in LA processes and not meeting timescales or making progress to placement

At the parent's request we raise these situations to the Local Authority, through Missing Mondays, to check that these children and young people are visible and their situation can be reviewed for further action.

n) Police – Devon Missing Intervention Unit

- Offer advice to schools in relation to children missing from educational premises and settings
- Act as a single point of contact (SPOC) for Information Exchange with the EWS. If all other lines of EWO enquiry have been exhausted, to try and trace children missing from education within Devon County
- Where there is an immediate risk to the child the Police can intervene and if necessary invoke an Emergency Protection Order. In all other circumstances where there are significant concerns MASH should be contacted and if appropriate the Police will provide a joint home visit with Children's Services

o) Careers South West

Careers South West (CSW) is commissioned by the local authority to:

- work with those most vulnerable and help them into a positive outcome;
- act as the local authority's independent representative for all statutory work regarding young people with a statement or Education, Health and Care plan
- track all young people aged 13-19 on a regular basis

The key times of the year for tracking are in the spring when CSW tries to ascertain the young person's intended destination for the following academic year; the end of September when all young people in years 11 and 12 should have an offer of education, employment or training under the terms of RPA (Raising Participation Age) and the end of November when the annual activity survey is completed. Because of this activity CSW has an up-to-date data base which has the ability to draw down a significant amount of information. Most importantly for the local authority are the number of NEETS (not in education, employment or training) and the number of young people who are not known to CSW, as these statistics are a requirement of the DfE.

p) Health Services

5. Prioritisation

All children listed as CME on the EMS ONE system will be coded on a Red, Amber, Green – RAG – basis to highlight the level of concern.

Prioritisation

All children listed as CME on the EMS ONE system will be coded on a Red, Amber, Green – RAG – basis to highlight the level of concern.

Red	Child already in the Child Protection/safeguarding arena – CiC, CP plans, CIN or other safeguarding concerns
Red/Amber	Children on the CME list for 80 days+
Amber	Children known to SEN 0-25 Team, multiple previous school placements, and transient families, PEX, SAO or whereabouts unknown
Green	All others

If children coded 'Red' cannot be located MASH will be notified.