

LANCASHIRE CHILDREN'S SERVICES AUTHORITY

Children's Integrated Services

Children

Missing

from
Education



Guidelines and Practice
2010

CONTENTS

	Page
INTRODUCTION & CONTEXT	3
LANCASHIRE MAP & When should you contact us?	4
CONTACT THE CHILDREN MISSING EDUCATION TEAM	5
DUTY TO IDENTIFY CHILDREN MISSING FROM EDUCATION	6
KEY SERVICES, AGENCIES-Roles and Responsibilities in Relation to Children Missing Education	6-10
SAFEGUARDING AND PROMOTING THE WELFARE OF CHILDREN MISSING EDUCATION	11/12
TRACKING-Children Missing Education	12/13
HOW DO CHILDREN WHO GO MISSING FROM EDUCATION ELECTIVE HOME EDUCATION	14
REMOVAL FROM A SCHOOL ROLL	14
DCSF NATIONAL LOST PUPIL DATABASE	15
REPORTING SYSEM	15
Annex A Relevant Legislation & Guidance	16-19
Annex B Information Sharing Guidance	20/21
Annex C Evidence which the CME Team in Lancashire is working towards in order to meet statutory requirements.	22-24
Annex D Useful websites and documents.	25-28
Annex E Children Missing Education Procedural Flowcharts & Documents: Referral, checking & Engagement Flowchart Tracking Flowchart	29/30

This guidance was written by Susan Robinson (CME County Coordinator) and the CME Team in collaboration with a multi-agency task group consisting of representatives from Lancashire Constabulary, Pupil Access Team, Young Carer's, Children's Social Care, Schools, NHS Central Lancashire, Lancashire Education Inclusion Service, Policy & Development Officer and The Attendance Lead for the County. The guidance identifies the practical steps to be taken by the Children and Young People Directorate and all stakeholder agencies to locate, assess, register, monitor and track children and young people missing from education.

Review Date April 2011

INTRODUCTION

A dedicated Children Missing Education Team in Lancashire was established in August 2008 as part of the Children's Integrated Services redesign. The team consists of three CME Officers and one County Co-ordinator. In March 2010 due to structural/organisational changes the team moved to Universal and Preventative Services and line managed by Terry Clark from the Pupil Access Team. Practice and procedures are forever evolving and are subject to regular reviewing.

The Local Authority (LA) is committed to ensuring that every child achieves the five priority Every Child Matters outcomes - each child should:-

- Be Healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well being.

In recent years a consensus has emerged that this can best be achieved through integrated working by all agencies. Children and young people who are not receiving suitable education are potentially exposed to higher levels of risk, and not achieving one or more of the five Every Child Matters outcomes.

This document is based on the revised statutory guidance issued in January 2009 by the Department for Children, Schools and Families (DCSF) for Local Authorities in England available on-line at www.everychildmatters.gov.uk

CONTEXT

Lancashire County Council is the fourth largest council in England and Wales. There is a population of 1.16 million (mid-year estimates 2006), which is projected to grow by almost 8% to 1.23 million by 2028. The county comprised a mixture of urban, rural and coastal communities and covers 12 district councils: Burnley, Chorley, Fylde, Hyndburn, Lancaster, Pendle, Preston, Ribble Valley, Rossendale, South Ribble, West Lancashire and Wyre. Parts of Lancashire's economy have a low wage and low skill base, especially in the east of the county. Four of the county's districts (Burnley, Hyndburn, Pendle and Preston) rank in the top 30 most deprived districts in the country (Index of Multiple Deprivation 2007).

The total school population in Lancashire is currently 162,955 pupils. This figure comprises of:-

- 1,760 children in the nursery setting
- 89,360 in primary schools
- 69,662 in secondary schools

LANCASHIRE



- 2,173 in special education.

CME Officer for each region:-

Pam Kornicki ... Pendle, Burnley, Rossendale, Hyndburn, Ribble Valley
Tom Blacklock ... Chorley, South Ribble, West Lancs
Andy Biddulph ... Lancaster, Fylde, Wyre, Preston

CONTACT THE CHILDREN MISSING EDUCATION TEAM

The national definition of children who are not receiving a suitable education is as follows;

“A compulsory school-age child who is not on the roll of a school, not placed in alternative provision by a local authority, and who is not receiving a suitable education at home”.

If you discover that a child or young person is missing education you should share this information with the Children Missing Education Officer or the CME Coordinator as soon as possible. They will be able to advise and take appropriate action. A notification form **CME 1** should be completed and returned to your CME officer in order to support the referral process. **The Team is:**

Name	Office 	Mobile 		Address
Susan Robinson CME Coordinator	01772 532687	07795222676	Susan.robinson@lancashire.gov.uk	Children's Integrated Services Safeguarding Unit Room B23 P.O. Box 61 County Hall PRESTON PR1 8RJ
Andy Biddulph CME Officer Lancaster, Wyre & Fylde, Preston	01772 531383	07887831472	Andy.biddulph@lancashire.gov.uk	Children's Integrated Services 29 Station Road KIRKHAM Lancashire PR4 2HB
Pam Kornecki CME Officer Burnley, Pendle, Rossendale, Hyndburn and the Ribble Valley	01254 220690	07900405948	pam.kornecki@lancashire.gov.uk	Children's Integrated Services The Globe St James Square ACCRINGTON BB5 0RE
Tom Blacklock CME Officer Chorley, South Ribble & West Lancashire	01257 517333	07766367583	tom.blacklock@lancashire.gov.uk	Children's Integrated Services Calder House Highfield Road North CHORLEY PR7 1PH

PLEASE NOTE: If your concern is about a child not attending school regularly then please ring the **Lancashire County Council Customer Service Centre on 0845 053 0000** who will put you in contact with the appropriate team.

DUTY TO IDENTIFY CHILDREN MISSING FROM EDUCATION

The Education and Inspections Act 2006 places a duty on local authorities to have in place robust multi-agency systems that will identify children in their area who are not receiving a suitable education. The duty applies to children of compulsory school age (5-16 years) who are not on a school roll and are not receiving suitable education.

The local authority is expected to put into place arrangements for joint working and appropriate information sharing with other agencies and LA's which come into contact with children, young people and families in line with sections 10;11 and 12 of the Children Act 2004. The following are the key partner agencies:

- Maintained and Independent Schools
- Health (Strategic Health Authorities, primary Care Trusts)
- Police and police authorities
- Youth Offending Teams
- Young Carers
- Young Offender Institutions; Secure Training Centres
- Local authority Secure Children's Homes
- Housing providers
- Lancashire Children & Young People's service (Connexions)

Key Services, Agencies – Roles & Responsibilities in relation to Children Missing Education

The support and protection of children and young people cannot be achieved by a single agency. The key stakeholders identified below have placed upon them the expectation that the primary responsibility is to the child. In addition, it is part of the wider responsibilities of the Children Missing Education Team to raise the awareness levels of the community so that individuals and organisations are clear of the referral route and the responses they will receive.

Children Missing Education Team (CME)	The primary tasks of the Team are to identify, locate, track and engage children missing from education.
Elective Home Education (EHE)	Maureen Davenport. Lancashire Education & Inclusion Service (LEIS) head of service with oversight of all EHE issues and Angela Robinson EHE manager care of operations, procedure and protocol. Angela Jerstice (admin officer.) Angela.Jerstice@ed.lancscc.gov.uk

<p>Pupil Attendance Consultants</p>	<p>School Attendance Consultants will check on possible Children Missing Education within checks on vulnerable groups on scheduled primary school visits, and through periodic register inspections. Where issues are identified they will advise schools both on action needed for individual CME pupils but also work to improve schools' knowledge and understanding of the legislation and processes around removal from roll to avoid pupils becoming missing. Paul.Dooley@lancashire.gov.uk Frances.Molloy@lancashire.gov.uk</p>
<p>Pupil Access</p>	<p>The Pupil Access Team is responsible for overseeing and managing school admission arrangements in Lancashire mainstream schools. The team also ensures the successful re-integration and placement of vulnerable children who require school places mid-year and offers advice to schools on pupil exclusion procedures.</p> <p>Debbie.Ormerod@lancashire.gov.uk – Area North</p> <p>Lindsay.Philipson@lancashire.gov.uk – Area South</p> <p>John.Thompson@lancashire.gov.uk – Area East</p> <p>Visit the Pupil Access INTRANET website via the link:</p> <p><input type="checkbox"/></p> <p>http://lccintranet/education/pupil_access/index.asp</p>
<p>Integrated Assessment & Support (IA&S) Team, Children's Social Care</p>	<p>The Integrated Assessment and Support Teams are responsible for all referrals in relation to child protection and children in need.</p>
<p>Police</p>	<p>The police can assist the team by accessing different local and national law enforcement databases for information which may help to locate individuals or families. Ultimately they can circulate missing people on a national police computer and can link in with approved national websites to highlight missing cases.</p> <p>Jerry.sturgess@lancashire.pnn.police.uk</p>

Primary Care Trusts	<p>To provide a comprehensive, co-ordinated and quality service, to a range of health professionals across NHS Central Lancashire PCT including independent contractors of GP's, Pharmacists & Dentists to safeguard and promote children's welfare with the team which consists of:</p> <ul style="list-style-type: none"> • A Designated Nurse • An Acting Lead/Named Nurse • Safeguarding Nurse • Designated Nurses Looked after Children • Dedicated Administrators <p>The Safeguarding Children & Young People provide advice & support to all health staff. They are available Monday to Friday 9.00am – 5.00pm. Contact Details; Safeguarding Children and Young People Team Tel - . 01772 777217</p>
Lancashire Gypsy, Roma, Traveller Service	<p>Joe Dykes Head of Service</p>
Choice Advisers	<p>School Choice Advisers provide parents and carers with impartial advice, support, help and information for children starting secondary school in Year 7. They can also offer impartial information and support based on available information about schools for families that are new to the area.</p> <p>Brenda.corlett@lancashire.gov.uk</p>
Young Carers	<p>Joan Milligan is the Lancashire Young Carers Liaison Officer. There are 7 Young Carers Projects across the County that provide support to Young Carers by way of activities and outings, group meetings, one to one support and home visits They also provide information and advice to Young Carers and their families and sign post to other agencies. Project Workers also promote awareness of Young Carers Issues within schools and other partner agencies joan.milligan@lancashire.gov.uk</p>
Commissioning, Performance & Business Support, Policy & Performance Team	<p>Jacqui Dunning is a Policy & Development Officer in the Policy & Performance Team. The team assist in the development of; service policy & procedures, new initiatives/projects, collaborative work with partner agencies and workforce development across the Directorate for Children and Young People in response to directives, legislation,</p>

	<p>guidance and inspections.</p> <p>Jacqui.dunning@lancashire.gov.uk</p>
<p>Education of Looked After Children Team / Virtual School for CLA.</p>	<p>The Virtual School for Looked After Children and Education of Looked After Children Team aim to improve the educational achievements and life chances of looked after children. Those of ages 3-18 years are monitored under the remit of the Virtual School, with their education responsibilities remaining with the named school/provider where they are on roll. The Virtual School Headteacher and ELAC Team provide various advice and support functions in relation to schools, other education providers, education services, carers and social care teams. They work to promote joint working at strategic and operational level through new and existing structures and initiatives.</p> <p>Peter.doyle@lancashire.gov.uk</p>
<p>Parent Partnership Officers</p>	<p>The Parent Partnership Service is a statutory service that offers information, help and support to parents and carers of children and young people with special educational needs. The Parent Partnership Officers role covers a wide spectrum of involvement relating to special educational needs and these include prevention of exclusions, assisting with school admissions, working with parents, early years' settings and schools to resume and maintain attendance and assisting parents regarding SEN transport issues.</p> <p>brenda.corlett@lancashire.gov.uk</p>
<p>School's Safeguarding Service/Safeguarding Unit, DCYP</p>	<p>Paul McIntyre is the School's Safeguarding Co-ordinator and Mary Auren's the School's Safeguarding Officer. They act as points of contact and a source of advice for any school or setting where a [potential] safeguarding issue arises. They also provide statutory level 1 child protection and safeguarding training to Designated Senior Persons (DSP) within schools and educational establishments.</p> <p>Paul.McIntyre@lancashire.gov.uk Mary.aurens@lancashire.gov.uk</p>

**Lancashire
Safeguarding
Children Board
(LSCB)**

The LSCB has responsibility for ensuring there are effective inter agency safeguarding procedures in place and for monitoring and evaluating the effectiveness of those procedures. Lancashire's Safeguarding Children Procedures can be accessed at:

www.lancashire.gov.uk/safeguardingchildrenboard

It is the responsibility of the Children Missing Education Team to:-

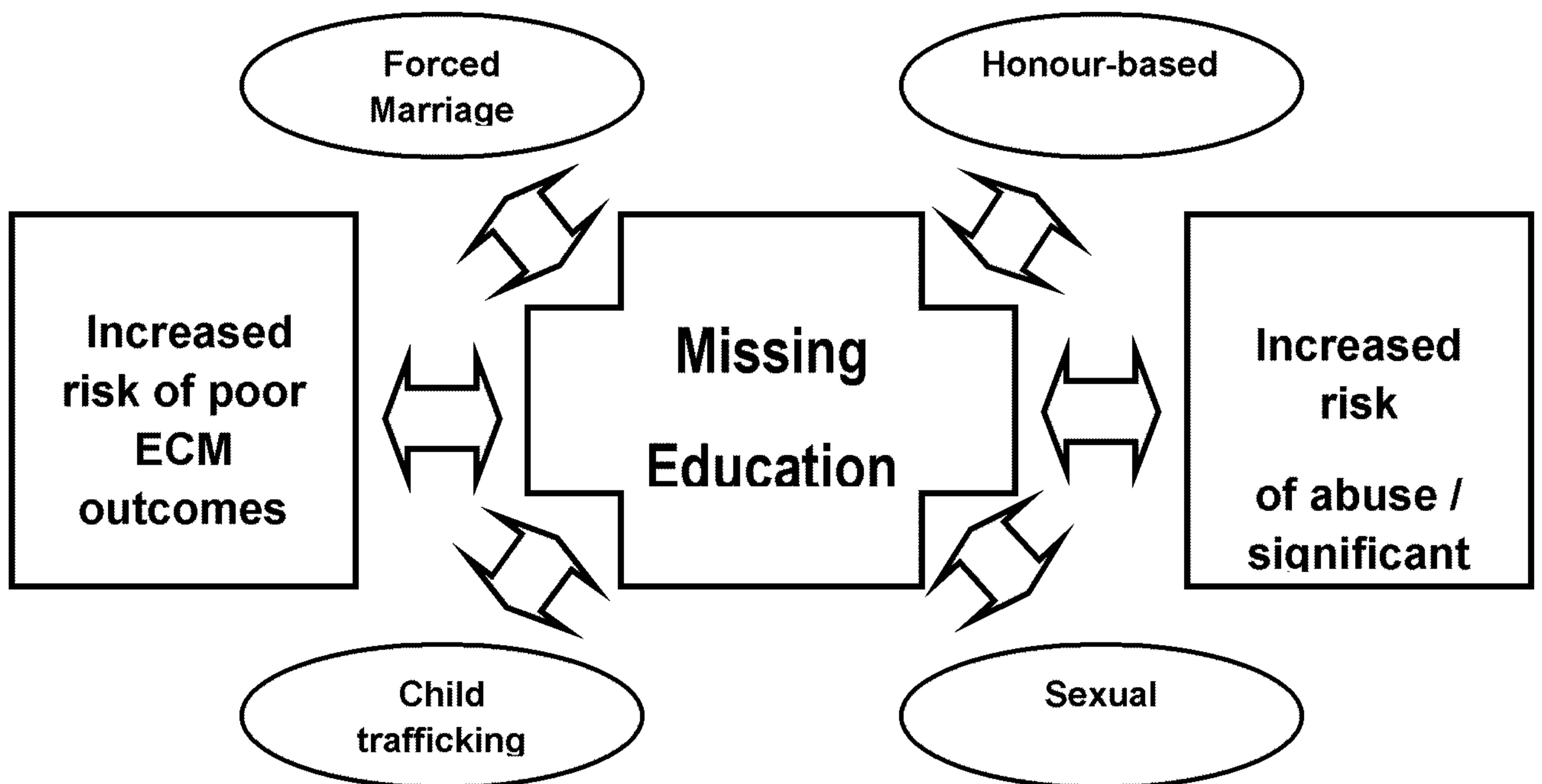
- Ensure accurate compilation of data and actions related to identifying children missing education.
- Ensure that the Children Missing from Education database is updated.
- Undertake the tracking process of pupils when their whereabouts are unknown.

Safeguarding and Promoting the Welfare of Children Missing Education

‘Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children’ makes clear the importance of education for children and young people in so far as their holistic wellbeing is concerned:

“If a child or young person is receiving an education, not only do they have the opportunity to fulfil their potential, but they are also in an environment that enables local agencies to safeguard and promote their welfare. If a child goes missing from education they could be at risk of significant harm.” (HM Government 2006, page 208, para.11.66)

Therefore, the potential implications for children and young people of missing education are both serious and wide-ranging. Children who go missing from education may be at increased risk of abuse on a number of levels, some of them quite specific. On the other hand children who are the victims of abuse or neglect may also be more likely to go missing from education.



Lancashire's Safeguarding Children Procedures

Under any circumstances where a child or young person is suffering or likely to suffer significant harm the Lancashire Safeguarding Children Procedures (2007) must be followed: A child protection referral must be made by contacting the Red Rose Hub **0845 053 0009**, followed by a completed CAF form within 48 hours (The Hub will provide an address / fax number for forwarding any documentation).

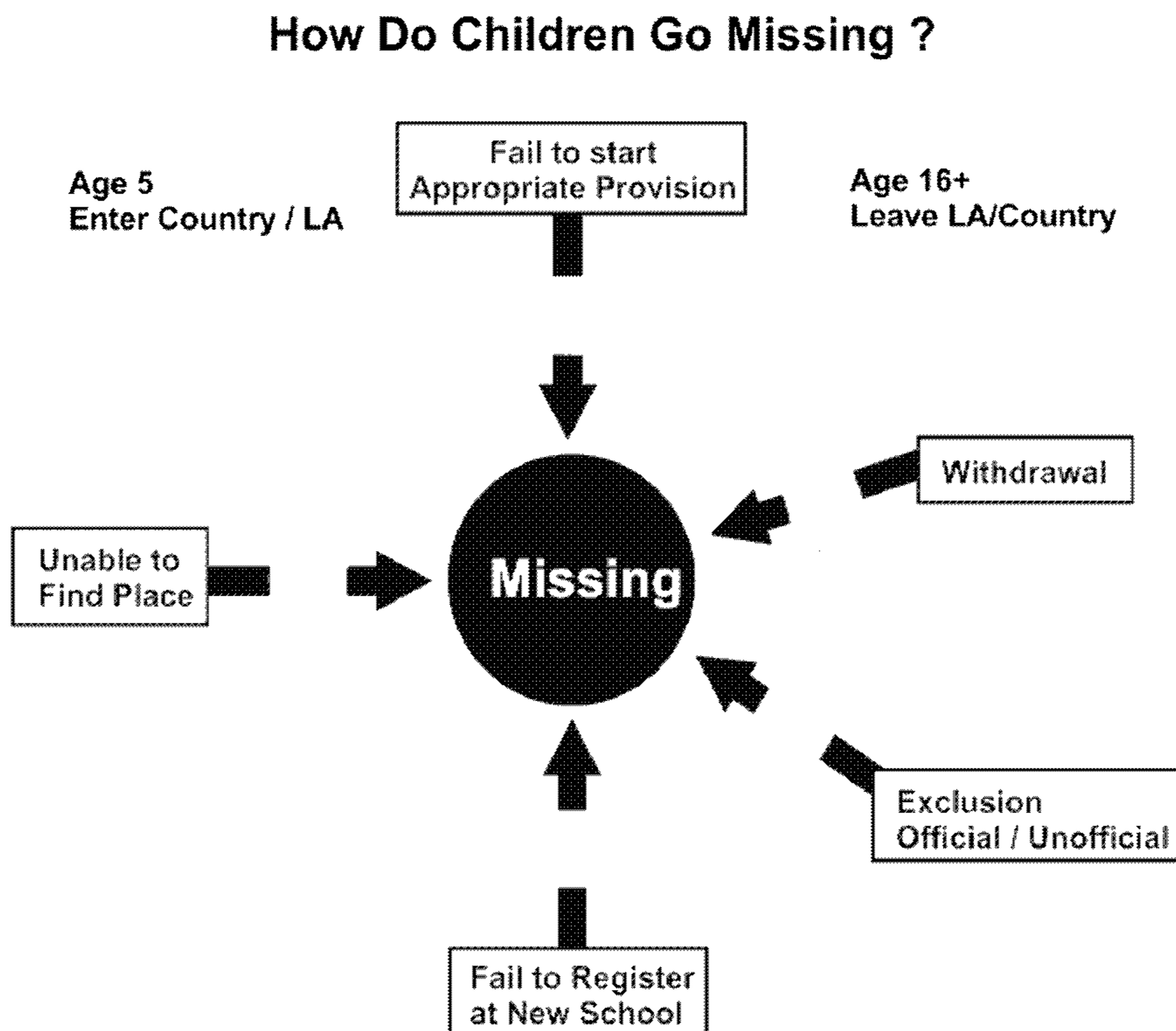
Lancashire's Safeguarding Children Procedures (2007) are available on-line at www.lancashire.gov.uk/safeguardingchildrenboard/¹

Details are recorded within the CME database with regard to any child/young person being subject to a child protection plan and the CME Officer will often be part of the core group in order to engage the child/young person back into education as quickly as possible. The CME team also work closely with the Missing Person's Co-ordinator for the various regions and are working towards a protocol for referral to the police.

Children who go missing from education

Children can go missing from education for a variety of reasons. These 'identified' reasons have helped the LA to put in place a robust tracking system to (i) check that appropriate educational provision is in place and (ii) ensure the safety and welfare of potentially 'missing' children.

The diagram below illustrates some of the major reasons for children going missing from education.



Below are some of the circumstances which could result in a child/young person likely to go missing from education.

- Young people who have committed criminal offences;
- Children living in women's refuges;
- Children in homeless families, perhaps living in temporary accommodation, houses of multiple occupancy or Bed and Breakfast accommodation;
- Young runaways;
- Children with long-term medical or emotional health problems;
- Unaccompanied asylum seekers and refugees, or the children of asylum seeking families;
- Children Looked After;
- Children from Gypsy/Roma/Traveller background;
- Young carers;
- Children from transient families, i.e. students who have experienced high levels of mobility between different education providers;
- Teenage mothers;
- Children excluded from school.
- Children in private fostering arrangements
- Children informally excluded from school and/or those placed on long-term part-time timetables.
- Children taken off roll following a lengthy absence due to an extended family holiday taken in term-time;
- Children entering or leaving the independent schools sector.
- EC nationals who have the right of abode in the UK – this now includes a significant number of asylum seekers granted status by other EC countries and who have subsequently moved to the UK
- Children who are subject to a Child Protection Plan
- Children at risk of forced marriage(Please see also paragraph 31 DCSF, revised statutory guidance : January 2009)
- Children who do not receive a suitable education whilst being educated at home (EHE)

Elective Home Education:

When parents withdraw their child from school to home educate, and the child is of compulsory school age, the name of the child can only be deleted from the admissions register of the school where the parents inform the school in writing as provided by the Education (Pupil Registration) Regulations 1995 under Regulation 9(1)(c) : “that he has ceased to attend school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school”.

It is then the duty of the proprietor (Headteacher) of the school to inform the Children’s Services Authority within 10 working days under Regulation 13 (3): “when the name of a pupil has been deleted from the admission register in accordance with regulation 9(1) (c) the proprietor (Head Teacher) shall make a return to the local education authority giving the full name and address of that pupil within the ten school days immediately following the date on which the pupil’s name was so deleted”.

Although children and young people with statements of Special Educational Needs can be home educated, the Children and Young People’s Department remains responsible for ensuring that the education the child receives is suitable. The statement must stay in force and the Children’s Services 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 Children’s Services Authority is relieved of their duty to arrange the provision directly, but it still remains the Children’s Services Authority’s duty to ensure the child’s needs are met.

Removal from a School Roll

The criteria for removal from a school roll is set out under Section 8 of The Education (Pupil Registration) (England) Regulations 2006 - Please see Appendix F.

Please see Appendix G for the protocol to be followed should a pupil be removed from the school roll unlawfully

DCSF National Lost Pupil Database (s2s)

The Local Authority will regularly check the lost pupil database for children who are missing. It will also respond and send referrals to other LAs about children missing education. Fortnightly reports are sent to the CME Co-ordinator listing all

children/Young people thought to be residing in Lancashire who their last school have no forwarding school for and these are then tracked by Tom Blacklock.

Reporting System

The Children Missing Education County Co-ordinator will be contacting all strategic managers with a view to looking at providing regular reports (termly) from the Children Missing Education Database from September 2010.

Children Missing Education (CME) Relevant Legislation and Guidance

There are various statutory duties upon Children's Services Authorities and parents (supplemented by guidance) relating to the provision of education and the safeguarding of the welfare of children and which may be relevant to children missing education. The principal provisions are as follows:

Section 14(1) of the 1996 Education Act provides that a local education authority must make sure there are sufficient schools for providing education in their area. For these purposes, the schools must be sufficient in number, character and equipment to provide all pupils with the opportunity of appropriate education (s. 14(2)). "Appropriate education" means, broadly education which is desirable in view of the pupils' different ages, abilities and aptitudes and the different periods for which they may be expected to remain at school (s. 14(3)).

Section 7 of the 1996 Education Act provides that the parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have, either by regular attendance at school or otherwise.

Furthermore **Section 437 (1) of the 1996 Education Act** provides that if it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they must serve a notice in writing on the parent ("a school attendance order") requiring him to satisfy them within the period specified in the notice that the child is receiving such education.

Section 19 (1) of the 1996 Education Act requires every local education authority to make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them. For these purposes, "suitable" education is defined as "efficient education suitable to the age, ability, aptitude and to any special educational needs the child (or young person) may have." (s. 19(6)).

Moreover, section **19(4A) of the 1996 Education Act** provides:

“In determining what arrangements to make under subsection (1) in the case of any child or pupil, a local education authority shall have regard to guidance given from time to time by the Secretary of State.”

s. 175 of the Education Act 2002 (which came into force on June 1 2004) imposes a duty upon Children’s Services Authorities and governing bodies to exercise their functions with a view to safeguarding and promoting the welfare of children. For these purposes, “functions” includes the powers and duties of Children’s Services Authorities and governing bodies.

The Children Act 2004 (which received royal assent on November 15 2004) includes various provisions relating to safeguarding and promotion of welfare of children, including:

- (a) a duty upon each Children’s Services Authority to promote co-operation between it and various other bodies to improve the well-being of children so far as relating to (amongst other things) education and training;
- (b) a duty upon various bodies (including children’s services authorities) to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children (due to take effect on 1 October 2005); and
- (c) provision for the Secretary of State to put into place information databases for the purposes of arrangements under s.175 of the Education Act 2002 or (a) and (b) above, and a framework for the sharing of information contained in such databases for such purposes. (More information about the implications of the Children Act 2004 can be found on the Every Child Matters website www.everychildmatters.gov.uk)

Related Guidance

Guidance of the Children's Services Authority responsibility for arranging education outside of school is set out in the new web based guidance issued by the DfES

www.dfes.gov.uk/behaviourandattendance/guidance/IBAGuidance/index.cfm.

Children's Services Authorities decide what is suitable education out of school for a particular child, in consultation with parents, in line with their own policies, the efficient use of resources and having regard to this guidance. Children's Services Authorities cannot decide not to arrange any education, to make arrangements which do not provide suitable education for that child.

Guidance for Identifying and maintaining contact with Children Missing, or at risk of going missing, from Education – July 2004. Highlighting good practice and providing a practical model of process steps (www.everychildmatters.gov.uk/ete).

Guidance for Children's Services Authorities for schools on monitoring attendance is contained within www.dfes.gov.uk/behaviourandattendance/.

Good practice for Gypsy/Traveller Achievement and for Supporting Asylum Seeking and Refugee children which are part of the Department's Aiming High strategy to raise Minority Ethnic Achievement: Aiming High: Guidance on Supporting the Education of Asylum Seeking and Refugee Children - A Guide to Good Practice Ref: DfES/0287/2004 (Issued April 2004); Aiming High: Raising the Achievement of Gypsy/Traveller pupils - A Guide to Good Practice Ref: DfES/0443/2003 (Issued July 2003). Details of how to obtain copies of these publications can be found on:

www.standards.dfes.gov.uk/ethnicminorities

New guidance *Safeguarding Children in Education* was issued in September 2004. Section 175 of the Education Act 2002 strengthens existing arrangements for safeguarding children. *Safeguarding Children in Education* provides guidance on the duties of schools, Children's Services Authorities and Further Education Institutions within England. It clarifies specific roles and responsibilities of individuals within Children's Services Authorities and schools and provides information and links to further advice and guidance. A copy is available on the Teachernet website www.teachernet.gov.uk, in the "Online publications for schools" area of the site.

New Alternative Provision guidance was issued in February 2005. This guidance provides a practical resource to support local authorities in providing education for pupils who by reason of illness, exclusion from school or otherwise, may not receive suitable education. "Guidance for Local Authorities and Schools: Pupil Referral Units and Alternative Provision", including a paper on "Commissioning Alternative Provision - the Role of the Children's Services Authority" can be found on the Teachernet website www.teachernet.gov.uk, in the "Children's Services Authority mailings" area of the site (ref: Children's Services Authority/0023/2005 and Children's Services Authority/0024/2005).

OFSTED report published on 10 December 2004: "Out of school: A survey of the educational support and provision for pupils not in school" can be found on their website: www.ofsted.gov.uk in the "publications" area of the site.

INFORMATION SHARING

Lancashire County Council has adopted an Information Sharing Charter which sets out our commitment to the public and our partners in respect of the collection, management and use of information that we hold about them.

The Charter provides a foundation for the safe and secure sharing of information to help services work together to deliver better outcomes for the people of Lancashire. It is supported by the Lancashire Partnership, which brings together civic leaders, key public sector agencies and a broad spectrum of partners to exchange ideas and sharpen collective thinking for the future well being of Lancashire.

Confidentiality Guidance

The Government understands that it is most important that people remain confident that their personal information is kept safe and secure and that practitioners maintain the privacy of the individual, whilst sharing information to deliver better services. It is therefore important that practitioners can share information appropriately as part of their day-to-day practice and do so confidently.

The Data Protection Act 1998 is not a barrier to sharing information but provides a framework to ensure that personal information is shared appropriately.

SOLACE (Society of Local Authority Chief Executives) advise:

Keep information safe and accurate - prevent leakages, respect the citizen's preferences for how it is used and retain sound and appropriate records.
Share and exploit information - exploit for better services, adopt new practices, share information with partners, gain value for money and continuous improvements against targets.

Everyone has a duty to abide by the Common Law Duty of Confidentiality which requires that unless there is a statutory requirement to use information that has been provided in confidence it should only be used for purposes that the subject has been informed about and has consented to.

The Data Protection Act 1998 states that information must be "adequate, relevant and not excessive", you should only record information relevant to the purpose you are collecting it for. Where the opinion of the person recording the information is included this must be clearly stated as being such and supported with facts indicating how you arrived at this decision.

There are exceptional circumstances in which information can be disclosed without consent. In such cases the Data Protection Act should be observed and every effort

made to ensure that details remain confidential and are known only to other persons as may be necessary.

These circumstances include:

Required by any rule of law, or for the purpose of, or in connection with any legal proceedings or Court Order.

Where there are risks to the vital interests of the person (for example, harm to the person or to another person).

For the prevention, detection or prosecution of crime and the apprehension or prosecution of offenders.

Where there are risks to the person's health or the public's health.

Examples of when it may be appropriate or inappropriate to share information:

It is not appropriate to discuss work practices that take place in one establishment, in another establishment

It is not appropriate to hold discussions about individuals when there are other people supported present

It is not appropriate to talk to family members of the people we support about fellow colleagues or other people we support.

It is appropriate to share information between agencies who support the person when the information shared is relevant to the support provided.

However, the data subject should be made aware that this sharing may take place. There may be confidentiality agreements between agencies – please check with line managers first to see if this is the case.

Our commitment - We will:

- Ask for permission to collect and share your information, and where you have a choice as to whether to provide us with information, we will make it as easy as possible for you to exercise that choice.
- Explain why we are using your information, and will only use it for those purposes.
- Explain who will see it, and limit access to your information only to staff who need it.
- Only ask for information we need, and not ask for information which is not relevant to your needs/our service.
- Keep information about you as accurate and up-to-date as possible - with your help.
- Respect your rights under the Data Protection Act 1998 - including your right to see the information which has been recorded about you.
- Protect your information with the highest standards of security and confidentiality.
- Tell you how you can get more information, including:
 - How we safeguard your personal information;
 - How you can check and correct any information we hold;
 - How to raise a query or a complaint.
- Only keep the information for as long as needed, and explain our reasons when we need to keep personal records for some time after we have stopped providing a service to you. This is usually so that we can resume a service at a later date if needed.

Evidence which the CME Team in Lancashire is working toward in order to meet statutory requirements.

1) The policy itself will be shared with and understood by at least Health, Education (including all schools in the area), Children's Social Care, Police, Youth Justice Services and Housing. The document(s) containing the policy should contain:

- the current position of the authority;
- evidence about the scale and nature of any problem around children not receiving a suitable education;
- ways of tackling it in a multi-agency approach; and
- arrangements for monitoring.

(2) Arrangements for identifying children not receiving a suitable education are included in the integrated processes of the Children's Trust.

(3) The authority can provide copies of records, or the ready ability to produce regular records. Half-termly reports will be prepared from September 2009 and circulated to strategic managers.

(4) The authority can provide documentary evidence listing other agencies in their area who their lead named individual has spoken to, referred children to and/or given details of children not receiving a suitable education, plus receiving details of children not receiving a suitable education from other agencies and the general public.

(5) Documents showing notification routes, and evidence of the dissemination of this information should be available. Dissemination should be by: mail outs, website, leaflets etc. Essentially, if a number of likely important stakeholders are approached they can say easily how they notify the authority.

(6) If contacted, the authority can give the name of a person or persons with the responsibility for receiving information on children not receiving a suitable education.

(7) The person(s) in (6) are readily contactable, and are able to provide, without difficulty information on their role and the limits of their responsibility and if they are not responsible they know who is.

