

Pupils on extended, unauthorised absence abroad - SEND Schools

(updated September 2024)

We remind schools to always follow the DFE off-rolling regulations prescribed as the grounds on which the name of a pupil of compulsory school age shall be deleted from the admission register. The full list of legal reasons to remove a pupil from roll (Regulation 9 codes) can be found with the [Working Together to Improve School Attendance guidance](#). A breakdown of the Regulation 9 codes can be found on [EGFL](#).

This guidance does not apply to children who are still in the UK but not attending school; these pupils should be treated as an attendance issue and must remain on roll. Please discuss these cases with your Link Attendance Officer. If you are unsure of your Link Attendance Officer's details, please send an email requesting this information to attendance@ealing.gov.uk.

Parents travelling abroad during term time, should bear in mind the impact on their child's education and the possibility of losing the child's place at the school. The school should provide a process by which parent/s can request exceptional leave. A template Exceptional Leave request form is available on [EGFL](#). The process should be advertised on the school website and the form should be easily accessible.

Where schools have pupils who are currently abroad, we would ask that you encourage families to return to the UK as soon as possible in every instance. As per the Working Together to Improve School Attendance guidance, it is a priority to ensure that all children regularly attend school.

The process to remove a pupil from roll should begin immediately, as soon as the school becomes aware that the pupil on extended, unauthorised absence abroad; it cannot be condensed if it is delayed. The first letter in the process should still be sent in order to satisfy safeguarding expectations, even if the school do not anticipate removing the pupil from roll.

Expectations must be made clear to parents regarding required safeguarding information, regular contact and a reasonable, evidenced return date as soon as possible. Please see the advised expectations below:

- An evidenced return date confirming the intention to return within a reasonable time (travel documents such as flight tickets would be suitable). If the parent is unable to provide an evidenced return date a reason for this must be provided along with any available evidence supporting this statement.
- The parent must agree to a contact schedule to allow the school to be able to see or speak to both the child and the adult caring for them on a weekly basis.
- The address at which the child is staying
- The details and contact information of the adult responsible for the child's care while they are staying at this address and their relationship to the child.
- Evidence supporting the reason for the child's absence.

It is the parent's responsibility to provide any evidence they wish to submit. The school are not responsible for finding this information and are not obliged to accept evidence they do not feel it is sufficient.

These expectations should be put in writing to the parent as soon as you become aware that the child is abroad without the school's permission. A full set of template letters that cover the complete process for removing a pupil from roll that is abroad on extended, unauthorised absence is available on [EGFL](#). Letter 1 sets out the expectations listed above. As parents may not be at home to receive post, all letters should be sent via hard copy *and* email, wherever possible.

Please fully consider each case on its own merit when taking the decision whether to remove the pupil from roll; considering the best interests of the pupil, the family circumstances, any evidence the family have provided to support the reason for travel and your own

investigations. Special consideration should be given to vulnerable pupils, especially those who have a Social Worker or an EHCP.

Pupils with a Social Worker

For pupils with a Social Worker the same process applies. Their Social Worker should be kept informed on both the pupil's wellbeing, where possible, and the process/decision to remove them from roll.

In some specific cases where there are genuine and documented reasons for a delay in returning, the following register codes may apply:

- Code Y2: Unable to attend due to widespread disruption to travel - The pupil is unable to attend the school because of widespread disruption to travel caused by a local, national, or international emergency.
- Code Y7: Unable to attend because of any other unavoidable cause - This code should be used only where something in the nature of an emergency has prevented the pupil from attending the session in question. The unavoidable cause must be something that affects the pupil, not the parent. The fact that a parent has done all they can to secure the attendance of the pupil at school does not, in itself, mean the pupil has been prevented by unavoidable cause. Schools must also record the nature of the unavoidable cause. Please discuss any use of this code with your Link Attendance Officer.

In such cases, and where a pupil is to be kept on roll until an agreed, evidenced return date, you should support them with distance learning, where possible and appropriate which should be reviewed regularly. You should ensure that pupils with special educational needs and disabilities (SEND) can successfully access remote education.

The Working Together to Improve School Attendance guidance advises that the school and the Local Authority must jointly make reasonable efforts to find out the pupil's location and circumstances but have either not succeeded or agree that there are no reasonable grounds to believe that the pupil will return even if supported to do so.

Schools cannot remove pupils on extended, unauthorised absence abroad without the agreement of the Local Authority. In Ealing this agreement can only be granted by the Children Missing Education Officer (or the Attendance and CME Lead in their absence) or the school's Link Attendance Officer in consultation with the Children Missing Education Officer.

If, at the end of the process, the school and Local Authority agree that there are no reasonable grounds to believe that the pupil will return the appropriate Regulation 9 codes for removing the pupil from roll are as follows:

9(1)(g):

- a) the date for return provided by the parent/s is too vague or too far in the future to reasonably believe that the pupil still lives within a reasonable distance of the school
- b) the school does not believe, having considered all of the information provided by the parent, that the pupil still lives in the area and the absence does not appear to be temporary

9(1)(h):

- a) the pupil's parent/s have refused to provide an evidenced return date and there is no reason to believe there is anything preventing them from returning
- b) the pupil's parent/s have given an evidenced return date/s but have failed to return

A complete explanation of the letter process can be found on the following page.

Full Letter Process

Please see the full letter process below:

School becomes aware the pupil is abroad on unauthorised leave:

Step One - Send Letter 1 to parent immediately. Complete an Attendance Concern form via Gateway and remember to upload a copy of this letter. Send a copy of this letter to the pupil's Education, Health and Care Coordinator (EHCCo). If you are unsure of their EHCCo's details please send an email requesting this information to SENAS@ealing.gov.uk.

If the parent/s provide the information/evidence required and keeps to the agreed contact schedule:

Send Letter 1a to the parent/s. Maintain contact and any other agreed actions (distance learning etc) until pupil returns on agreed, evidenced date.

If the parent/s fail to provide the information/evidence required and keep to the agreed contact schedule:

Step Two - Send Letter 2 to parent advising them of date/time/format of their child's emergency annual review.

Send an invitation to the pupil's EHCCo, and a copy of the letter sent to the pupil's parent/s to your Link Attendance Officer, copying in CME (cme@ealing.gov.uk).

Insist during the annual review that the parent provides a reasonable, evidenced return date, provides the required safeguarding information, and keeps to an agreed contact schedule (at least weekly).

Conduct the Emergency Annual Review

If the parent/s attend the emergency annual review and agree to the expectations for keeping their child on roll:

Send letter 2a to the parent/s. Maintain contact and any other agreed actions (distance learning etc) until pupil returns on agreed, evidenced date.

If at or after the emergency annual review the parent/:

- Fail/refuse to attend the annual review without reasonable explanation
- Refuse to agree to adhere to the information and contact expectations

- Later fail to provide the required information by an agreed date or maintain the expected contact without reasonable explanation
- Do not return their child to school by the agreed date

Go to Step Three

Step Three - Send Letter 2b to the pupil's parent/s. This should be sent no earlier than ten school days from the pupil's last date of attendance. The off-rolling date stated in this letter should be no less than twenty school days from the pupil's last date of attendance.

Send a copy of this letter to the pupil's EHCCo.

Send a copy of this letter to your Link Attendance Officer, copying in CME (cme@ealing.gov.uk). They will consult with the CME Officer and let you know whether you have permission to remove the pupil from roll. **DO NOT REMOVE THE PUPIL FROM ROLL IF YOU HAVE NOT RECEIVED EMAIL CONFIRMATION.**

If the pupil returns by date specified in Letter 2b:

Accept the pupil back into school and proceed with school's attendance escalation system regarding the extended absence.

If the pupil fails to return by date specified in Letter 2b:

Step Three - Take the decision whether to off roll with all necessary parties (attendance lead, named person, DSL, SENCo, Headteacher etc).

If all parties agree to off roll pupil and the decision has been approved by the school's LA Link Attendance Officer or the Children Missing Education Officer got to Step Four.

Step Four - Send Letter 3 if the child has not returned the date specified in letter 2b, the school have decided to remove the pupil from roll and has received permission from their Link Attendance Officer or the CME Officer to remove the pupil from roll.

Send a copy of this letter to the pupil's EHCCo and your Link Attendance Officer, copying in CME (cme@ealing.gov.uk)

Notify the Local Authority of your intention to remove the pupil via Gateway and then remove the pupil from roll under the relevant Regulation 9 code (see full guidance for details).

A flow chart version of this process is available on request from your Link Attendance Officer and the CME Officer. Please send any requests for this to attendance@ealing.gov.uk with the subject of 'Extended, Unauthorised Absence Abroad Flow Chart'.

