

**Telford & Wrekin
Policy & Procedure for:
Children Who are Absent From Education (CWAFE)**

This guidance encompasses:

- **Children Missing Education (CME)**
- **Children out of School (COOS)**
- **Children Not Receiving Education (CNRE)**

This document is written in line with recommendations from:

- *Working Together to Improve School Attendance – DfE May 2022*
- *Keeping Children Safe in Education, DfE Guidance - September 2023*
- *Children Missing Education - statutory guidance for Local Authorities,- September 2016 (was due for review in September 2019)*
- *The Education (Pupil Registration) (England) Regulations 2006 (Amended)*
- *Parental Responsibility Measures for School Attendance and Behaviour, - DfE Guidance - January 2015*
- *Supporting Pupils at School with Medical Conditions DfE Guidance - Dec 2015*
- *Section 436A of the Education Act 1996*
- *School Inspection Handbook - Ofsted - Dec 2023*

Reviewed December 2024

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Introduction

The Education Act 1996 states that all children, regardless of their circumstances are entitled to an efficient, full-time education which is suitable to their age, aptitude, and any special needs they may have. We use the following classifications locally to aid monitoring and tracking:

Definitions: (Details of which are explained in Appendix 1 - Definitions of Children Who are Absent From Education – CWAFE)

1. Children Missing Education (CME) this is a national definition and covers children who are of compulsory school age who are not registered pupils at a school and are not receiving education.

2. Children Who Are Absent From Education (CWAFE)

This is referenced in Keeping Children Safe in Education and includes all pupils who are **on a school roll**, but who are missing education for a number of reasons, including but not limited to, persistent absence or severe absence, children who receive a modified timetable and children who have not attended school for a period of time. CWAFE includes the groups detailed in Appendix 1:

Our pledge

Telford and Wrekin Local Authority (LA) is committed to ensuring that every child of compulsory school age receives a good quality full time education.

Young people who grow up to be adults who lack qualifications face a difficult path, especially when trying to find employment. We owe it to all of them to ensure they are given every chance to succeed and stay safe.

The purpose of this policy is to set out the clear procedures for schools and academies, free schools and independent schools, Telford and Wrekin LA and partner agencies to follow in order to ensure that those children who are absent from education are tracked and are receiving education.

Whilst this document has a focus on processes and systems within the LA, the work should be seen within the context of the wider remit of all agencies to safeguard the welfare of all children, this includes working together to provide support to encourage and ensure access to education.

It remains the responsibility of schools to follow appropriate procedures and employ a range of strategies to work towards children returning to school as quickly as possible if there are periods of absence.

Legal Framework

The European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 2 of the protocol No 1 state: 'No person shall be denied the right to education.'

Section 436A of the Education Act 1996 requires all LAs to make arrangements to establish the identities of children of compulsory school age in their area who are not registered pupils at a school and are not receiving a suitable education otherwise than at school.

Regulations 8(f) and 8(h) of the England (Pupil Registration) (England) Regulations 2006, as amended, place a duty on schools and LAs to jointly carry out reasonable enquiries to try to locate pupils absent from school whose whereabouts are unknown.

What is compulsory school age?

A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March, then they are of compulsory school age on 31 March: if they turn 5 between 1 April and 31 August, then they are of compulsory school age on 31 August. If they turn 5 between 1 September and 31 of December, then they are of compulsory school age on 31st December.

A child continues to be of compulsory school age until the last Friday of June in the school year that they reach 16.

Safeguarding

All schools have a safeguarding duty in respect of their pupils, and as part of this should investigate any unexplained absences.

This guidance **does not** replace any Child Protection and Safeguarding procedures.

Existing Safeguarding procedures are fundamental and should be observed at all times.

Delay is unacceptable and the welfare of the child is paramount. If there is good reason to suspect that pupil's absence may be the result of them being a victim of a crime a referral to the police should be made by phoning 101.

If you suspect that a child may be "missing" (other than missing education) or believe that the child is at significant risk of harm, please contact Family Connect on 01952 385385 or by email familyconnect@telford.gov.uk.

This protocol applies to pupils whatever their educational provision which includes alternative provision, regardless of where they are on roll. The school where the pupil is on roll is responsible for monitoring the pupil's attendance, just as they have a responsibility to monitor the safeguarding of the pupil.

Referring Pupils who are CME, CWAFF (CNRE or COOS):

It is recognised that schools and professionals need a straightforward referral process and as a result we have simplified our referral form to encompass all these categories.

We ask that schools note that the LA may require additional information to successfully track and locate missing children. In addition, the LA report information relating to vulnerability

factors in the DfE data collection, therefore these are reflected on the referral form. See Appendix 2 - a copy of the Children Not Receiving Education Referral form - (All forms should be completed in full and submitted to: childrenmissingeducation@telford.gov.uk)

Children Missing Education (CME)

Children may be 'missing' education for a number of reasons. These are children who are not registered pupils at a school and are not receiving education.

CME also includes Electively Home Educated (EHE) pupils where that education is deemed unsuitable. Once deemed unsuitable these children are closed to the EHE team and should be classed as CME.

- Section 436A of the Education Act 1996 is a duty on the local authority to establish if a child's education is suitable.
- Section 7 of the Education Act 1996 provides that:

The parent choosing to EHE provides full time education suitable to his/her age, ability, aptitude and to any special educational needs, s/he may have. – if this is found to not be the case they are deemed "unsuitable" and should be classed as CME.

Please see Appendix A which contains definitions of categories and examples of pupils who are CME and those that are not CME-

If the host school believes a pupil to have moved out of area or abroad and do not have a new address or new school details, **they must use the CME referral form immediately to refer the pupil as a CME.**

Schools must not remove the pupil from the school roll without the agreement of the CME tracking officer, and this will be after 20 days. The school must demonstrate that they have made 'reasonable attempts' to locate the pupil. In referring the pupil, schools are asked to provide as much information as possible.

The CME Pupil Tracking Officer will make regular enquiries with other agencies and LAs to attempt to locate the pupil and ensure that they have been allocated a new school place and will provide this information to the previous school to enable the Common Transfer Form (CTF) and records to be passed to the new school, even when that school is overseas.

The CME Pupil Tracking Officer will:

- Upload the pupil information onto the **S2S Lost Pupil** database.
- Record on Protocol/VLS that the case is open as a CME.
- Record the pupil details on the CME tracking and monitoring sheet
- Liaise with Family Connect and Social Care if appropriate.
- Check local data bases within the LA.
- Make contact with other LAs where the child is known to have previous associations.
- In the case of children of Service Personnel, check with the Ministry of Defence (MoD) Children's Educational Advisory Service (on 01980 618244) if the child's family is in the Armed Forces

- Make continued enquiries with extended family and neighbours
- Contact social housing providers and private landlords, PCT, Benefits Agency, Police, Admissions teams and other agencies as required
- Check with UK Visas and Immigration and /or the Border Force
- Will email Admissions@telford.gov.uk if child is found to be on roll (LA not informed)

Once school have removed the pupil from roll, CME pupils are tracked and monitored by the LAs Pupil Tracking Officer. When the location of the child is established, the Pupil Tracking Officer will satisfy themselves that the child is receiving a suitable education. This would normally be through them being allocated a school place.

CWAFE: 2 (a) Children Out of School - COOS

Children who are registered on a school roll but have not attended for between 10 and 20 consecutive school days and that absence is unauthorised. Schools have a statutory responsibility to notify the LA of such children. They remain the responsibility of the school. The CNRE/CME referral form should be completed and sent to childrenmissingeducation@telford.gov.uk

It is acknowledged that the majority of these children will return to school within a short timeframe. Some of these however may become pupils who are not receiving education for a longer period of time and some may have disappeared and their whereabouts are not known.

Please see Appendix A which contains definitions of categories and examples of pupils who are CWAFE (which includes COOS, CNRE, MTT, P/A & S/A)-

If any school, academy or alternative education provider identifies a pupil as a COOS they should:

- Refer to the flow chart,
 - Schools Flow Chart A 'Schools use for pupils not attending 10 + days' (See Appendix 3) and
 - Schools Flow Chart B 'Pupil moving out of the borough or abroad' (See Appendix 4)
- Complete the CNRE/CME referral form and
- Email it to: childrenmissingeducation@telford.gov.uk
- Consider the schools own Early Help offer or alternatively whether an Early Help assessment is appropriate.
- Consider a referral to Family Connect if the child is considered to be at risk of significant harm.
- Follow any advice or guidance from the LA to resolve the situation.
- Be aware of preparing for legal intervention after liaison with AST for non-school attendance.

CWAAFE: 2 (b) - Children Not Receiving Education (CNRE)

These are children who are registered at a school but have not attended for over 20 days.

Please see Appendix A which contains definitions of categories and examples of pupils who are CNRE-

These children remain the responsibility of the school and should be referred as CNRE (not CME) and monitored by the LA. For all CNRE pupils, school are responsible and remain the lead but should keep the LA updated on the child's progress.

Upon receipt of the referral form the Local Authority will:

- Record the pupil's details on a centrally held monitoring spreadsheet.
- Update the information on the VLS workspace of Protocol.
- Record the pupils' details on the CWAFE tracking and monitoring sheet
- Monitor the length of absence, when a child has been absent for more than 20 days they will be classed as a Child Not Receiving Education (CNRE)
- Where appropriate CNRE pupils are considered for inclusion at the LA internal educational multi agency meeting 'Ensuring Access to Education for All' (EAEA) where cases are regularly reviewed, tracked and monitored for pupils who are not in receipt of education.
- Ensure all cases of CWAFE, (COOS, CNRE,) CME and unsuitable EHE and unplaced Admissions are monitored and discussed at the bi-weekly 'Cross Case Management Meeting' and appropriate advice is offered to schools.
- Cross reference names against the MTT spreadsheet, information from schools referring to any new admissions & deletions.
- Track pupils expected return to school dates, ensure they have resumed educational provision before closing the case.
- Report the data relating to CNRE & CME to SLT on a monthly basis.

Parents' Responsibilities

Parents have a responsibility to ensure that their children of compulsory school age are receiving suitable full-time education. Some parents may elect to educate their child at home and may withdraw their child from school at any time to do so unless they are subject to a School Attendance Order.

Schools Responsibilities

The DfE statutory guidance 'Children Missing Education' issued in September 2016 placed additional requirements on schools and LAs in terms of timely information sharing when pupils are added to or taken off a school roll.

In accordance with the statutory guidance schools **MUST** enter pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. When a child has been allocated a school place, either from an in-year application, an appeal or the outcome of FAP, within 10 school days from the meeting, the child should be added to the school roll. Schools **MUST** register the admission on the SAM portal by entering the start date within 5 days, in line with their statutory duties, and they must also maintain their vacancy information. (See Appendix 7) for further information please use [Co-ordinated In-Year Admissions scheme - Telford & Wrekin Council](#)

The Education (Pupil Registration) (England) Regulations 2006 amended: Section 5 (3) states that a pupil is a pupil at the school from the beginning of the first day on which the school has agreed, or has been notified, that the pupil will attend the school.

It is the responsibility of the school where the child has been allocated a place to make enquiries with the parent if the child does not attend the school place. If, after making reasonable enquiries the school has not been able to locate the child then a CNRE referral should be made by the school to childrenmissingeducation@telford.gov.uk

Schools must:

- Monitor attendance closely and address poor or irregular attendance.
- Notify the LA where a pupil has been absent for 10 consecutive school days.
- Make reasonable enquires if a pupil's whereabouts are not known.

Schools must keep the admission register accurate and up to date, encouraging parents to inform them of any changes whenever they occur. This can be through a variety of means, including existing communication channels such as regular emails and newsletters.

All schools are required to notify the LA within 5 days when a pupil's name is added to the school roll at a non-standard point by updating the "on-roll indicator" on the School Access Module (SAM).

Withdrawing a pupil from the school roll

In accordance with The Education (Pupil Registration) (England) Regulations 2006 amended Section 8, schools must also notify the LA of any pupil whose name is to be removed from the school roll using the D/1 form at a non-standard point under any of the 15 grounds set out in the Pupil Regulations as soon as that ground is met and no later than the time at which the pupils name is removed from the register. This does not apply to standard transition points.

The notification to the LA must include all content as requested on the D1 form:

- (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 of the parent,
- (d) the pupil's future address and destination school, if applicable, and
- (e) the ground in regulation 8 under which the pupil's name is to be removed from the admission register (see Appendix 6)

Where a family has relocated and cannot be traced, the school must refer to flow charts A and B for pupils who have moved out of borough and pupils on roll and not attending.

Prior to removing the child from a school roll, the school should:

- a) note that all deletions from the admissions and attendance registers must be in line with the Regulation 12(3) Education (Pupil Registration) (England) Regulations 2006
- b) contact the Attendance Support Team for advice before removing a child's name from a school roll where the pupil is not known to have been admitted to a new school.

Off Rolling:

Withdrawing a pupil from a school roll must not be confused with 'off-rolling'.

The School Inspection Handbook - paragraph 401- 405 gives more definitions of off rolling.

401. 'Off-rolling' is a form of gaming where a school:

- *removes a pupil from the school roll without a formal, permanent exclusion or*
- *encourages a parent to remove their child from the school roll or*
- *encourages a sixth form student not to continue with their course of study or*
- *retains a pupil on the school roll but does not allow them to attend school normally, without a formal permanent exclusion or suspension*
- *and that decision is made primarily in the interests of the school and not the pupil.*

402. When inspectors find evidence of off-rolling taking place by Ofsted's definition, they will always address this in the inspection report. They may, depending on the scale and impact, need to consider it when reaching the judgement. Where a decision is lawful, but still meets Ofsted's definition of off-rolling, inspectors will be careful to consider the context of the decision and the integrity of leaders' actions. They should be clear about what impact the off-rolling has had on pupils involved, and on the school. There are many different activities that can constitute off-rolling, so there can be no hard and fast rules as to how it should be addressed. However, if inspectors determine the school to be off-rolling according to Ofsted's definition, then the leadership and management of the school are likely to be judged inadequate.

404. However, any of these measures can amount to off-rolling or gaming in some cases, and if a school uses them, inspectors may ask to see evidence of the ways in which these have been carried out.

405. Inspectors will also be interested if there are high numbers of pupils moving on and off roll, but this may not in itself mean that off-rolling is taking place.

Making reasonable enquiries

In line with the LA duty under section 10 of the Children Act 2004, schools and the LA must have in place procedures designed to carry out reasonable enquiries.

These will include checking with:

- Relatives
- Neighbours
- Landlords
- Other stakeholders who may be involved.

Schools should record all efforts and enquiries that they have made as part of their own safeguarding responsibilities. These are likely to include, contact with known relatives, attempts to visit the home, asking neighbours, email communication, and include leaving calling cards requesting an urgent response from the family and contact with any agencies connected to the family. This evidence may be needed if the case progresses to requiring legal intervention.

Responsibilities of other Teams within Education & Skills:

Other teams within education service, for example – Admissions, SEND, and the Virtual School, will be monitoring and tracking children within their remit, who are without a school place and therefore are Children Missing from Education.

These teams will also be monitoring and tracking children within their remit who have a school place but have not attended for more than 20 days (CNRE) or on a Modified Timetable or who may be persistently or severely absent from school.

Where there is an expectation that the Attendance & Pupil Tracking Officer will undertake specific intervention activity, the relevant team should make a referral for an individual case, using the CME/CNRE referral form and submit to childrenmissingeducation@telford.gov.uk. The referral must be specific in detailing what is required from the Attendance & Pupil Tracking Officer.

Each team will additionally be responsible for monitoring and tracking children within their remit who are not accessing education in the usual way and who may be CME or CWAFE.

Information should be shared monthly relating to any pupil who fall into the CME or CWAFE categories in order that the wider Local Authority responsibilities for tracking and data analysis can be undertaken.

All teams should submit their data to childrenmissingeducation@telford.gov.uk on a monthly basis as agreed on the excel spreadsheet which includes all the necessary vulnerability factors, so that the LA has an up to date record of all pupils who are CME or CWAFE. Regardless of whether they are placed in or out of the Borough.

Unsuitable EHE: See Flowchart - Appendix 5

This flowchart says that when a child is deemed unsuitable EHE they are closed to the EHE team and opened to the CME list for tracking and monitoring. The School Attendance Order process may begin at this stage. The EHE Advisory teachers add the child details to the EHE unsuitable on the CME spreadsheet. tab

Admissions:

Where the Admissions Team are aware of any case that requires intervention and support from the Pupil Tracking Officer, they should make the referral using the CME/CNRE referral form. These children are then added to the CME / Admissions tab on the CME/CWAFE spreadsheet. Where it is found a child is already on roll at a school the Pupil Tracking Officer will inform the Admissions Team who will advise the school to enter the admission on the SAM portal in line with schools' statutory duties.

Additionally, the Admissions Team are reviewing on a weekly basis all children open to them who do not have a school place and who are either awaiting a place to be allocated or have been allocated but have not yet started at school.

These spreadsheets are held on an Admissions SharePoint and are available for data collation as required.

Virtual School:

Information is held on VS SharePoint and will be shared with Pupil Tracking Officer on a monthly basis.

SEND:

Information is held on SEND SharePoint and will be shared with Pupil Tracking Officer on a monthly basis.

Vulnerable Learners:

Pupils who are without a school place, presented at the Fair Access Panel (FAP) and allocated a school should be admitted and attending within 10 school days.

Pupils who have been permanently excluded will be placed in a new school under the 'Hard to Place' protocol through the Fair Access Panel. The Vulnerable Learners team will request that the new school complete the admission process using the SAM portal within 5 days, in line with their statutory duties.

Whilst the Fair Access Panel will consider parental preference when naming a new school, under the admissions code, they may name a new school which isn't a parental preference. Parents who refuse the school place will be subject to the appropriate school attendance legal process, the Social Emotional Mental Health Inclusion Officer will seek advice from the Attendance Support Team on the next steps.

Definitions - Children Who are Absent From Education

There are a number of definitions that are used locally and nationally around children who are absent from education. Below is a summary of those definitions and how we are interpreting them.

Children fall into 2 groups:

- 1) Children Missing from Education (CME)
- 2) Children Who are Absent From Education (CWAFFE)

The key difference is whether or not they are on a school roll.

Children Missing Education (CME)

Children Missing Education is a DfE national definition and covers children of compulsory school age who are **not registered pupils** at a school and are not receiving education.

It includes children who:

- Are in the process of applying for a school place, even those within the first 15 days of the application process. Coded locally as CME/Admission or CME/SEND if they are being managed by the SEND team because they have an EHCP.
- Have been offered or accepted a school place but have not yet started. Coded locally as CME/Allocated not started, or CME/SEND if they are being managed by the SEND team because they have an EHCP.
- Are a permanently excluded pupil who has not been placed. Coded locally as CME/PEX unplaced.
- Are receiving Elective Home education (EHE) and it is deemed to be unsuitable. Once it is deemed unsuitable EHE, pupils are not classed as EHE but as an unsuitable EHE/CME. Coded locally as CME/Unsuitable EHE
- Have been recorded as CME for an extended period, for example where their whereabouts is unclear or unknown. Coded locally as CME.
- Have moved into the area from another country and not yet applied for a school place.
- Are awaiting the outcome of a school application/appeal.
- Have been subject to a direction but has not yet started at the school.
- Did not get a school place.
- Have difficulties in accessing a school place.
- Are challenging a School Attendance Order.
- Are believed to have moved to another LA area in England. And we have not been able to confirm their whereabouts.
- Have moved to another country.
- Are not registered at a school but are receiving tuition from the Local Authority.

CME does not include children who:

- Are on a school roll but persistently or severely absent.
- Are older or younger than compulsory school age – although locally we expect to track Reception aged pupils and Early Years siblings of older CME children.
- Are EHE but the LA has not yet been able to assess them.
- The Local Authority has confirmed the child is no longer resident in the area.

2: Children Who are Absent From Education (CWAFFE)

This is referenced in Keeping Children Safe in Education and includes all pupils who are **on a school roll**, but who are missing education for a number of reasons including persistent absence or severe absence and children who have not attended school for a period of time. CWAFFE includes the following groups:

2 (a) Children Out Of School (COOS) This is a local phrase

Children who are registered on a school roll but have not attended for between 10 and 20 consecutive school days and that absence is unauthorised. Schools have a statutory responsibility to notify the LA of such children. They remain the responsibility of the school. The majority of these children will return to school within a short timeframe. They are monitored and tracked as it is acknowledged that they might become children who are not receiving education for a longer period of time, and some may have disappeared and their whereabouts are not known.

Whilst this list is not exhaustive, they are likely to:

- have an illness or medical condition,
- be on holiday or unauthorised leave from school,
- be subject to a 'grey' or unofficial exclusion,
- be a school refuser,
- have family circumstances that mean the family are not sending them to school, including young carers,
- be at an increased risk of child criminal exploitation or child sexual exploitation,
- be awaiting a school transfer to be processed and finalised,
- be believed to have re-located or moved house,
- have transport issues preventing attendance due to a house move,
- be a Child in Care pupil and have had a placement change,
- be a Gypsy Roma Traveller pupil and is currently travelling,
- have been accommodated in a refuge following incidents of domestic abuse or are temporarily homeless,
- have gone missing from home.

2 (b) Children Not Receiving Education (CNRE) This is a local phrase

These are children who are registered at a school but have not attended for over 20 days. The following groups are also regarded as CNRE locally:

- Pupils who are on modified timetables for a long period of time with a low number of hours or nil hours stated.
- A child who is on roll at a Telford and Wrekin school and has moved to another school within the borough or out of borough and has yet to start at that school and is not attending either school. These children must stay on the school roll for the first 20 days until they are either admitted to another school place or they are referred as a CME.

- Gypsy, Roma, Traveller (GRT) Children who are on roll with a school locally but are currently travelling.
- Not attending school under medical grounds. i.e. long term illness and no other education is in place for the child.
- An excluded child who has not taken up 6th day provision but remains on the school roll.

These children remain the responsibility of the school and should be referred as CNRE (not CME) and monitored by the LA.

2 (c) Modified timetable - (MTT) This is a local phrase

These are children registered on a school roll but have an agreed part time timetable for a short period of time. Their hours in school have been modified. School must have parental consent for a child to be subject to a MTT.

2 (d) Persistently Absent - (PA) This is a national definition

These children are registered at a school, but their attendance is 90% or below.

2 (e) Severely Absent - (SA) This is a national definition

These children are registered at a school, but their attendance is below 50%.

Child Missing Education (CME) Child Not Receiving Education (CNRE) Referral

Please complete this form in full for any pupil who has been absent from school for 10 consecutive days, ceased to attend or if the school believe, may have become a Child Missing Education. It is essential to keep us informed if you receive any further information or a receiving school requests a child's file. The content is in line with DfE required data.

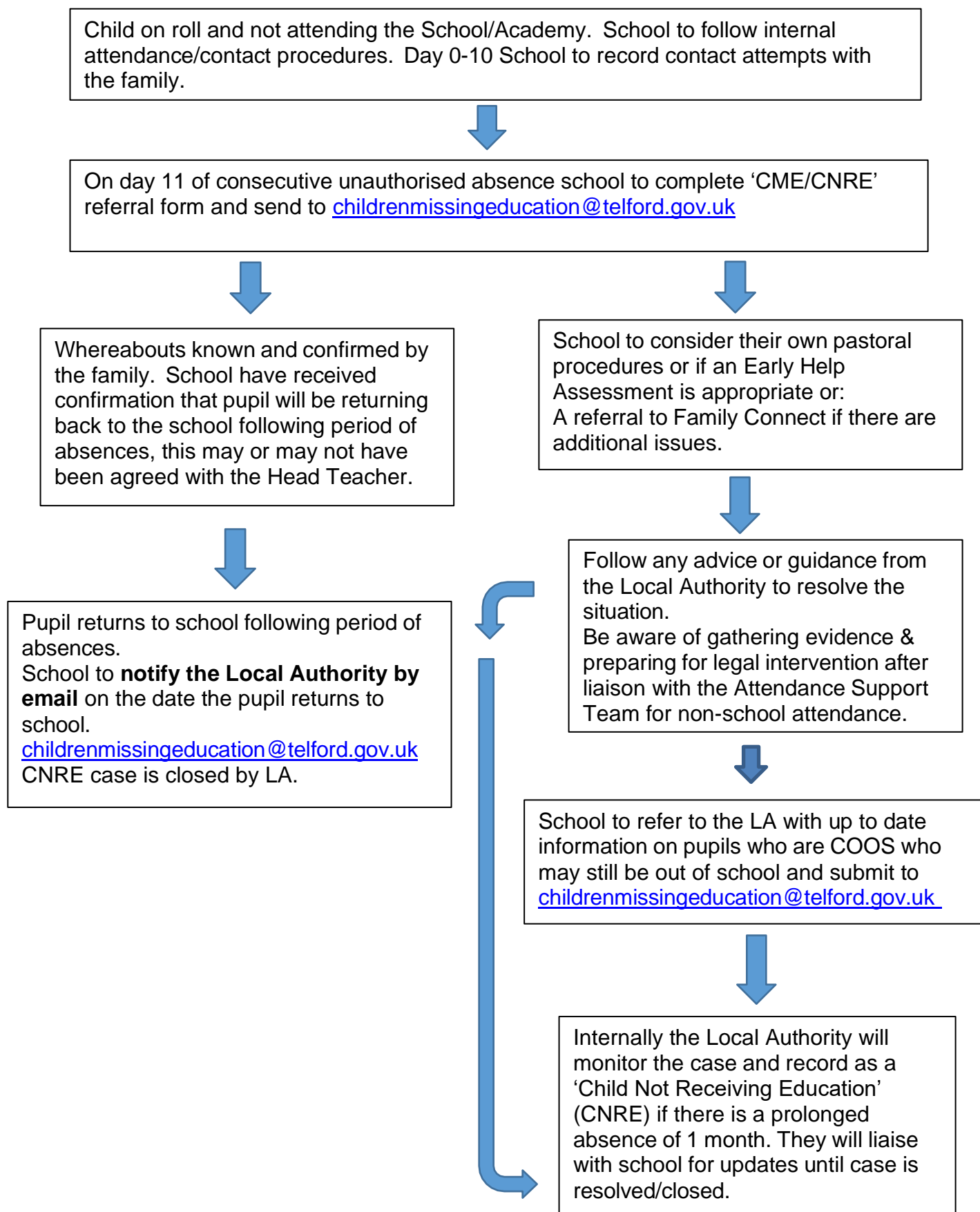
Please return referral form to childrenmissingeducation@telford.gov.uk. **In completing this form, you have notified the LA of a child out of education. It remains the responsibility of the school to continue to provide an appropriate education for the pupil if the school knows where the pupil is residing. In the case of pupils who are missing from education and their whereabouts is unknown, the pupil cannot be taken off the school roll without confirmation from The Attendance Support Team, and the school must continue their attempts to locate the child through all reasonable enquiries.**

Information Required	Full details required – this form will be returned if information is missing
Provide details if moved into area (from another LA) or from abroad	
Child's Forename	
Child's Surname (Please include any other surname the child may be known by)	
Gender	
Ethnicity	
UPN	
Child's DOB	
PPG	
School pupil is currently on roll at	
Name of referrer and email address	
Current year group	
Is the Pupil CIC – CP- CIN - Please state relevant LA child is in care to.	
Does this child have an EHCP	
Does this child have SEND	
Last date of attendance Please attach a copy of current attendance print out	
Type of provision receiving (school/MTT Alternative Provision, Other AP, PRU – EOTAS home tuition)	
Total school hours offered	
Confirm the absence coding used by school	
Current attendance this academic year (%)	
Reason given for absence (please highlight) If other, please provide clear detail under section 4 (Any other relevant information).	<ul style="list-style-type: none"> • Medical • Refusal to attend • School placement pending for another Telford and Wrekin School • School placement pending for School out of area • Extended Holiday • Traveller believed to be travelling • Whereabouts unknown
Please include details/evidence of any medical conditions including; Name of consultant, Doctor or other Medical Practitioner, formal diagnosis and other relevant information.	

Name of Parent/Carers and contact details including any known email address.	
Known address	
Other known addresses	
Siblings' names and dates of birth	
Names of siblings' schools	
Any other relevant information –If destination known –or new school name is known -include on the D1 form.	

Data may be processed under the Data Protection Act 2020 – Schedule 9 Conditions for Processing Under Part 4 (Education Data) 3 – The processing is necessary for compliance with legal obligations to which the controller is subject.

School Flow Chart A – Schools use for Pupils Not Attending 10+ Days.



School Flow Chart B – ‘Children Not Receiving Education’.

Appendix 4

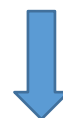
Child on roll and not attending their School/Academy. School to follow internal attendance/contact procedures and record all attempted contact with the family.



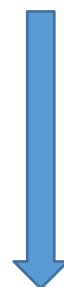
Whereabouts unknown and reasonable efforts have been made to locate the family, including home visits, visits to neighbouring properties and contact made with all persons on the pupil records.
If pupil is believed to be ‘missing’ or moved out of the area, the school **should not** delay in notifying the Local Authority immediately. Do not wait until the 10th day of absence. Submit the ‘CME/CNRE’ referral form and send to childrenmissingeducation@telford.gov.uk
Do not remove pupil from the school roll.



Schools update the LA with any new information on pupils who are CME who may still be on roll and missing from education and send to childrenmissingeducation@telford.gov.uk (the previously used MRF was replaced with the SAM portal which feeds into the Admissions MIS – schools have been notified – N.B. this system is not to be used for deletions from roll)



If after 20 school days the child has not returned, the school are to contact the CME Pupil Tracking Officer before removing from the school roll, do not remove until the LA confirm it is OK to do so.

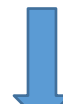


Once confirmed by the LA the child can be removed from roll, school have a statutory duty to inform the LA and to do so must complete D1 form within 5 school days to inform the Local Authority of the deletion from the school roll and send to admissions@telford.gov.uk
N.B. Officers recording details from D1 forms must forward the D1 form to childrenmissingeducation@telford.gov.uk if the child whereabouts is unknown.

Attendance Support Team referrals for unsuitable EHE

Appendix 5

EHE advisory teacher has deemed the education to be unsuitable.
Pre-SAO letter requesting that parent makes application for child to return to school within 10 school days.
Pupil remains on EHE list until the end of the 10 day period
At the end of the 10 day period EHE Advisory teachers carry out checks to see if an application for a school place has been submitted via the Admissions portal. Checks are also made with previous school. (it is expected pupils will return to previous school)



Following letter, parent either:

Registers their child at a school
or
Provides evidence of suitable education.

N.B. (Monitoring by EHE team in line with EHE processes or moved to EHE 'closed cases' list.)

Parent does not respond to letter or cannot provide evidence of suitable EHE or have not applied for a school place within the stipulated timeframe.



EHE Advisory Teacher requests School Attendance Order process and completes AST referral form in full and sends it electronically to attendancesupportteam@telford.gov.uk also complete CNRE/CME referral and send to childrenmissingeducation@telford.gov.uk EHE team then add the detail to the CME spreadsheet and close this case on their records. (Pupil is added to cross case management and EAEA lists for further discussion)



Pupil is moved to closed EHE list

Pupil is added to 'CME/EHE (CME)' list for tracking and monitoring



There may be cases where there is a delay in a pupil returning to a school place for a variety of reasons. The EHE Advisory teachers will monitor the child and may attend a return to school meeting to secure the return to school. A FAP referral may be necessary when parents are unable to secure a school place – during this period the child will be monitored at Cross Case Management and EAEA.
In most cases, children should return to the school from which they were withdrawn.

Attendance processes begin and/or liaising with Admissions to secure pupil has returned to school.

Admission or Deletions to / from a school roll

Appendix 6

N.B This process only applies to Admissions or Deletions outside of whole school cohorts at transition.

Following an appeal for own admission authority schools. It is the clerk to the appeal panel who informs the school that the child is to be admitted.

For other in year applications – The Admission Team allocate a school a place to a pupil.



Admission Team or Appeal clerk write/email school and the parent to inform them a place has been allocated (depending on it being agreed at either in year application stage, appeal or allocated at FAP). Parent should receive contact from school to arrange admission date.



Admission date agreed – Child is added to school roll - school have a statutory duty to inform LA they have admitted a child within 5 days and must complete the entry via the SAM portal (as notified by Admissions Team).



Admission Team to contact school to ensure child is on roll and has attended.

If child is not on roll at allocated school after five days, Admission team to request school contact parents to find out what the delay is in child starting school and complete CNRE referral and submit to childrenmissingeducation@telford.gov.uk

For any deletions from roll (N.B. not for whole school cohort during transition periods)

Child is to be removed from roll e.g. transfers to another school, EHE arrangements agreed, or LA notifies school that child can be removed from roll.

School to remove child from roll – under Regulation 8 of the Pupil registration Regulations 2006.

N.B Under no other circumstances can a child be removed from a school roll as this will be an illegal deletion.

School have a statutory duty to inform the LA within 5 days they have deleted a child from roll and must complete the D1 form and submit to admissions@telford.gov.uk (as notified by Admissions Team).

STATUTORY INSTRUMENTS

2006 No. 1751**EDUCATION, ENGLAND****The Education (Pupil Registration) (England) Regulations 2006**

Made ----- 1st July 2006
Laid before Parliament 11th July 2006
Coming into force ---- 1st September 2006

In exercise of the powers conferred by sections 434(1), (3) and (4), 551(1) and 569 of the Education Act 1996(a), the Secretary of State for Education and Skills makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Pupil Registration) (England) Regulations 2006 and come into force on 1st September 2006.

(2) These Regulations apply only in relation to schools in England.

Interpretation

2. In these Regulations —

“the local education authority” means, in the case of a school maintained by a local education authority that local education authority, and in every other case the local education authority for the area in which the school is situated;

“maintained school” means a school maintained by a local education authority;

“relevant person” means —

(a) in relation to a pupil under the age of 18, a parent of the pupil;

(b) in relation to a pupil who has attained that age, the pupil.

Revocation

3.—(1) The Education (Pupil Registration) Regulations 1995(b) and the Education (Pupil Registration) (Amendment) Regulations 1997(c) are revoked to the extent that they apply in relation to schools in England.

(2) The Education (Pupil Registration) (Amendment) (England) Regulations 2001(d) are revoked.

(a) 1996 c.56; by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England. For the definition of “prescribed” and “regulations” see section 579(1).
 (b) S.I. 1995/2089, amended by S.I. 1997/2624 and 2001/2802.
 (c) S.I. 1997/2624.
 (d) S.I. 2001/2802.

Registers to be kept

4. The proprietor of every school shall cause to be kept—

- (a) an admission register; and
- (b) except in the case of a school of which all the pupils are boarders, an attendance register.

Contents of Admission Register

5.—(1) The admission register for every school shall contain an index in alphabetical order of all the pupils at the school and shall also contain the following particulars in respect of every such pupil—

- (a) name in full;
- (b) sex;
- (c) the name and address of every person known to the proprietor of the school to be a parent of the pupil and, against the entry on the register of the particulars of any parent with whom the pupil normally resides, an indication of that fact and a note of at least one telephone number at which the parent can be contacted in an emergency;
- (d) day, month and year of birth;
- (e) day, month and year of admission or re-admission to the school; and
- (f) name and address of the school last attended, if any.

(2) In the case of every school which includes boarding pupils a statement as to whether each pupil of compulsory school age is a boarder or a day pupil shall be added to the particulars specified in paragraph (1), and that statement shall be amended accordingly where a registered pupil at the school becomes or ceases to be a boarder at the school.

(3) For the purposes of this regulation only a pupil is a pupil at the school from the beginning of the first day on which the school has agreed, or has been notified, that the pupil will attend the school.

Contents of Attendance Register

6.—(1) The following particulars must be recorded in the attendance register at the commencement of each morning session and once during each afternoon session —

(a) in the case of every pupil whose name is entered in and not deleted from the admission register whether the pupil is —

- (i) present;
- (ii) absent;
- (iii) attending an approved educational activity within paragraph (4); or
- (iv) unable to attend due to exceptional circumstances within paragraph (5);

(b) in the case of any such pupil of compulsory school age who is absent, a statement whether or not his absence is authorised in accordance with paragraph (2);

(c) in the case of any such pupil of compulsory school age who is attending an approved educational activity the nature of that activity; and

(d) in the case of any pupil unable to attend due to exceptional circumstances, the nature of those circumstances:

but this paragraph does not apply in respect of a pupil who is a boarder.

(2) In the case of a pupil who is not a boarder, his absence shall be treated as authorised for the purposes of this regulation if—

- (a) he has been granted leave of absence in accordance with regulation 7; or
- (b) he is unable to attend—
 - (i) by reason of sickness or unavoidable cause;

- (ii) on a day exclusively set apart for religious observance by the religious body to which his parent belongs; or
 - (iii) because the school is not within walking distance of the pupil's home, and no suitable arrangements have been made by the local education authority either for his transport to and from the school, or for boarding accommodation for him at or near the school or for enabling him to become a registered pupil at a school nearer his home.
- (3) Where the reason for a pupil's absence cannot be established at the time when the register is taken, that absence shall be recorded as unauthorised and any subsequent correction to the register recording that absence as authorised shall be made in accordance with regulation 13 and as soon as practicable after the reason for the absence is established by the person with responsibility for completing the register.
- (4) An approved educational activity is either—
- (a) an activity which takes place outside the school premises and which is—
 - (i) approved by a person authorised in that behalf by the proprietor of the school;
 - (ii) of an educational nature, including work experience under section 560 of the Education Act 1996(a) and a sporting activity; and
 - (iii) supervised by a person authorised in that behalf by the proprietor or the head teacher of the school; or
 - (b) attendance at another school at which the pupil is a registered pupil.
- (5) The exceptional circumstances in which a pupil may be marked as unable to attend are where—
- (a) the school site, or part of it, is closed due to unavoidable cause at a time when pupils are due to attend: or
 - (b) in the case of a pupil for whom transport to school is provided by the school or a local education authority, and whose home is not within walking distance of the school, that transport is not available.
- (6) The name of a pupil may only be deleted from the attendance register when that pupil's name has been deleted from the admission register for that school in accordance with regulation 8.
- (7) For the purpose of this regulation "walking distance" has the meaning given to that expression in section 444(5) of the Education Act 1996(b).

Leave of absence

- 7.— (1) Leave of absence may only be granted by a person authorised in that behalf by the proprietor of the school.
- (2) Leave of absence shall not be granted to enable a pupil to undertake employment (whether paid or unpaid) during school hours except—
- (a) employment for the purpose of taking part in a performance within the meaning of section 37 of the Children and Young Persons Act 1963(c) under the authority of licence granted by the local authority under that section; or
 - (b) employment abroad for the purpose mentioned in section 25 of the Children and Young Persons Act 1933(d) where a licence has been granted under that section by a justice of the peace.

(a) 1996 c.56; section 560 was amended by sections 112 and 140(3) of, and Schedule 31 to, the School Standards and Framework Act 1998 (c.31).
 (b) 1996 c.56.
 (c) 1963 c.37; section 37 was last amended by paragraph 10 of Schedule 37 to the Education Act 1996 (c.56).
 (d) 1933 c.12; section 25 was last amended by section 109(1) of, and paragraph 73(1) and (3) of Schedule 8 to, the Courts Act 2003 (c.39).

- (3) Subject to paragraph (4), a pupil may be granted leave of absence from the school to enable him to go away on holiday where —
- (a) an application has been made in advance to the proprietor by a parent with whom the pupil normally resides; and
 - (b) the proprietor, or a person authorised by the proprietor in accordance with paragraph (1), considers that leave of absence should be granted due to the special circumstances relating to that application.
- (4) Save in exceptional circumstances, a pupil shall not in pursuance of paragraph (3) be granted more than ten school days leave of absence in any school year.
- (5) This regulation applies only in relation to a maintained school and a special school not maintained by a local education authority.

Deletions from Admission Register

8.—(1) The following are prescribed as the grounds on which the name of a pupil of compulsory school age shall be deleted from the admission register—

- (a) where the pupil is registered at the school in accordance with the requirements of a school attendance order, that another school is substituted by the local education authority for that named in the order or the order is revoked by the local education authority on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his age, ability and aptitude otherwise than at school;
- (b) except where it has been agreed by the proprietor that the pupil should be registered at more than one school, in a case not falling within sub-paragraph (a) or regulation 9, that he has been registered as a pupil at another school;
- (c) where a pupil is registered at more than one school, and in a case not falling within subparagraph (j) or (m) or regulation 9, that he has ceased to attend the school and the proprietor of any other school at which he is registered has given consent to the deletion;
- (d) in a case not falling within sub-paragraph (a) of this paragraph, that he has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school;
- (e) except in the case of a boarder, that he has ceased to attend the school and no longer ordinarily resides at a place which is a reasonable distance from the school at which he is registered;
- (f) in the case of a pupil granted leave of absence exceeding ten school days for the purpose of a holiday in accordance with regulation 7(3), that —
 - (i) the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted;
 - (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and
 - (iii) both the proprietor and the local education authority have failed, after reasonable enquiry, to ascertain where the pupil is;
- (g) that he is certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither he nor his parent has indicated to the school the intention to continue to attend the school after ceasing to be of compulsory school age;
- (h) that he has been continuously absent from the school for a period of not less than twenty school days and —
 - (i) at no time was his absence during that period authorised by the proprietor in accordance with regulation 6(2);
 - (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and

(iii) both the proprietor of the school and the local education authority have failed, after reasonable enquiry, to ascertain where the pupil is;

(i) that he is detained in pursuance of a final order made by a court or of an order of recall made by a court or the Secretary of State, that order being for a period of not less than four months, and the proprietor does not have reasonable grounds to believe that the pupil will return to the school at the end of that period;

(j) that the pupil has died;

(k) that he will cease to be of compulsory school age before the school next meets and the relevant person has indicated that he will cease to attend the school;

(l) in the case of a pupil at a school other than a maintained school, an Academy, a city technology college or a city college for the technology of the arts, that he has ceased to be a pupil of the school;

(m) that he has been permanently excluded from the school; or

(n) where the pupil has been admitted to the school to receive nursery education, that he has not on completing such education transferred to a reception, or higher, class at the school.

(2) In a case not covered by paragraph (1)(a), (j) or (m), the name of a child who has under arrangements made by a local education authority become a registered pupil at a special school shall not be removed from the admission register of that school without the consent of that authority, or if that authority refuse to give consent, without a direction of the Secretary of State.

(3) The following are prescribed as the grounds on which the name of a pupil not of compulsory school age is to be deleted from the admission register—

(a) that he has ceased to attend the school, or, in the case of a boarder, that he has ceased to be a pupil of the school;

(b) that he has been continuously absent from the school for a period of not less than twenty school days and —

(i) at no time was his absence during that period agreed by the proprietor;

(ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and

(iii) the proprietor of the school has failed, after reasonable enquiry, to ascertain where the pupil is;

(c) that the pupil has died;

(d) where the pupil has been admitted to the school to receive nursery education, he has not on completing such education transferred to a reception, or higher, class at the school; or

(e) that he has been permanently excluded from the school.

(4) For the purposes of this regulation—

(a) a pupil shall be treated as ordinarily residing at a place where the pupil is habitually and normally resident apart from temporary or occasional absences;

(b) “reception class” means a class in which education is provided which is suitable to the requirements of pupils aged five and any pupils under or over that age whom it is expedient to educate together with pupils of that age;

(c) children are to be regarded as having been admitted to a school to receive nursery education if they were placed on admission in a nursery class;

(d) the permanent exclusion of a pupil from a maintained school does not take effect until the proprietor has discharged its duties under regulations made under section 52 of the Education Act 2002(a), and—

(i) the relevant person has stated in writing that he does not intend to bring an appeal under those regulations;

(ii) the time for bringing an appeal has expired and no appeal has been brought within that time; or

(iii) an appeal brought within that time has been determined or abandoned;

(e) the permanent exclusion of a pupil from an Academy, a city technology college or a city college for the technology of the arts does not take effect until the proprietor has discharged its duties in relation to a permanent exclusion under the agreement entered into pursuant to section 482 of the Education Act 1996(a) and

(i) the relevant person has stated in writing that he does not intend to bring an appeal;

(ii) the time for bringing an appeal has expired and no appeal has been brought within that time; or

(iii) an appeal brought within that time has been determined or abandoned.

Dual Registration of children with no fixed abode

9.—(1) This regulation applies to a pupil who —

(a) has no fixed abode for the reason that his parent is engaged in a trade or business of such a nature as to require him to travel from place to place; and

(b) is at the time registered as a pupil at two or more schools.

(2) The name of a pupil to whom this regulation applies shall not be deleted from that pupil's school of ordinary attendance pursuant to regulation 9(1)(b) or (c).

(3) Subject to paragraph (4), for the purposes of paragraph (2), a school is a pupil's school of ordinary attendance if, during the immediately preceding 18 months, it is the school which the pupil has attended during periods when his parent is not travelling in the course of trade or business.

(4) In any case in which two or more schools fulfil the definition of a school of ordinary attendance in paragraph (3), paragraph (2) applies only in respect of the school which fulfils the definition most recently.

Inspection of registers

10.—(1) The admission register and the attendance register of every school shall be available for inspection during school hours by —

(a) any of Her Majesty's Inspectors of Schools in England appointed under section 1(2) of the Education Act 2005(b);

(b) any additional inspector assisting the Chief Inspector in accordance with paragraph 2(1) of Schedule 1 to that Act; and

(c) in the case of a school maintained by a local education authority, any officer of the local education authority authorised for that purpose.

Extracts from registers

11. The persons authorised by regulation 10 to inspect the admission register and attendance register of any school shall be permitted to make extracts from those registers for the purposes of their functions under the Education Acts.

Returns

12.—(1) Subject to paragraph (2), the proprietor of every school shall make to the local education authority, at such intervals as may be agreed between the proprietor and the local

(a) 1996 c.56; section 482 was substituted by section 65 of the Education Act 2002 (c.32).

(b) 2005 c. 18.

education authority, or as may be determined by the Secretary of State in default of agreement, a return giving the full name and address of every registered pupil of compulsory school age who—

- (a) fails to attend the school regularly; or
- (b) has been absent from the school, where the absence has not been treated as authorised in accordance with regulation 6(2), for a continuous period of not less than ten school days, and specifying the cause of absence if known to the proprietor.

(2) Paragraph (1) shall not apply with respect to —

- (a) any absence from the school due to the pupil attending another school at which he is a registered pupil; or
- (b) any period during which the pupil was attending an approved educational activity in accordance with regulation 6(4).

(3) As to the contents of the admission register comprising particulars relating to a pupil whose name is to be deleted in accordance with regulation 8(1)(d), (e),(g),(i) or (m), the proprietor shall make a return to the local authority for every such pupil giving the full name of the pupil, the address of any parent with whom the pupil normally resides and the ground upon which their name is to be deleted from the admission register as soon as the ground for deletion is met in relation to that pupil, and in any event no later than deleting the pupil's name from the register.

Method of making entries

13.—(1) Every entry in an admission register or attendance register shall be made in ink.

(2) In relation to every amendment made the admission register and the attendance register shall include —

- (a) the original entry;
- (b) the amended entry;
- (c) the reason for the amendment;
- (d) the date on which the amendment was made; and
- (e) the name or title of the person who made the amendment.

Preservation of registers

14. Every entry in an admission register or attendance register shall be preserved for a period of three years after the date on which the entry was made.

Use of computers

15.—(1) Nothing in these Regulations shall be taken to prevent the keeping of an admission or attendance register by means of a computer, but where such a register is so kept the following paragraphs of this regulation shall apply for the purpose of modifying the requirements of these Regulations.

- (2) The requirements of regulation 4 shall not be treated as satisfied unless an additional back-up copy of the admission register and the attendance register is made not less than once a month in the form of an electronic, micro-fiche or printed copy.
- (3) The requirements of regulations 10 and 11 shall not be treated as satisfied unless the persons authorised to inspect and take extracts from the admission register and the attendance register are permitted to inspect and take extracts from those registers kept by means of a computer and the additional back-up copies made in accordance with paragraph (2).
- (4) The requirements of regulation 13 shall not be treated as satisfied unless, where any correction to an original entry in the registers is made, any register kept by means of a computer and any print

made of any such register after the correction distinguish clearly between the original entry and the correction.

(5) The requirements of regulation 14 shall not be treated as satisfied unless each additional back-up copy of the admissions register and the attendance register made in accordance with paragraph (2) and relating to a particular school year is retained for a period of three years after the end of that school year.

(6) A print of a register produced by means of a computer shall for the purposes of regulation 14 be taken to be made in ink.

(7) The provisions of this regulation are without prejudice to the requirements of the Data Protection Act 1998(a).

Jim Knight

Minister of State

Department for Education and Skills

1st July 2006

(a) 1998 c.29.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate, with amendments, the Education (Pupil Registration) Regulations 1995, to which there have been a number of subsequent amendments. The Education (Pupil Registration) Regulations 1995 and the Education (Pupil Registration) (Amendment) Regulations 1997 are revoked to the extent that they apply to England. The Education (Pupil Registration) (Amendment) (England) Regulations 2001 are revoked. The following changes of substance are made.

The name of a pupil must be included in the register from the beginning of the first day on which the school has agreed, or has been notified, that the pupil will attend the school (*regulation 5(3)*).

A pupil may be marked in the attendance register as unable to attend due to exceptional circumstances where the school site, or part of it, is closed or where transport normally provided for that pupil by the school or the LEA is unavailable (*regulation 6(1)*).

Where a pupil is attending another school at which he is a registered pupil he must be marked in the attendance register as attending an approved educational activity (*regulation 6(4)*).

Where a pupil is registered at more than one school his name may only be deleted from the admission register of a school which he has ceased to attend where the proprietor of any or every other school at which the pupil is registered gives his consent, (except where the pupil has died, been permanently excluded or is of no fixed abode) (*regulation 8(1)(c)*).

Before deleting a pupil's name from the admission register on the ground that they have not returned from a leave of absence exceeding ten days, both the proprietor and the local education authority must have failed, after reasonable enquiry, to ascertain where the pupil is (*regulation 8(1)(f)*).

The period after which a pupil's name may be deleted from the admission register on the ground that the pupil has been continuously absent without authorisation has been changed to twenty school days and additionally the proprietor must not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or unavoidable cause (*regulation 8(1)(h)*).

The name of a pupil who is detained in pursuance of a final court order or order of recall may now only be deleted from the register where that order is for a period of not less than four months and where the proprietor does not have reasonable grounds to believe that the pupil will return to school at the end of that period (*regulation 8(1)(i)*).

The requirement to make a return to the local education authority where a pupil's name is deleted on certain grounds is extended. That requirement now applies to deletions under regulation 8(1)(d),(e),(g), (i) and (m) and also applies as soon as the grounds for deletion are met and in any event before deleting the pupil's name (*regulation 12(3)*).

Where a register is kept by means of a computer that register must be backed-up in the form of an electronic, microfiche or printed copy not less than once a month (*regulation 15(2)*).