

Children Missing Education Policy

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1. Introduction

The North East Learning Trust believes that all children, regardless of their circumstances, are entitled to a full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Children missing education (CME) are at significant risk of underachieving, being victims of abuse, and becoming NEET (not in education, employment or training). The purpose of this policy is to clarify the responsibilities of the Trust in relation to CME. In addition, the Trust will work with the appropriate Local Authority (LA) to provide support to assist them in meeting their statutory duty in respect of CME.

This policy refers to the following legislation and statutory guidance:

DfE 'Working together to safeguard children' 2015

DfE 'Keeping children safe in education' 2018

DfE 'Children missing education' 2016

The Education Act 1996 (section 7, 8, 14 and 19)

The Education and Inspections Act 2006 (section 4 and 38)

The Education (Pupil Registration) (England) Regulations 2006

The Education (Pupil Registration) (Amendment) (England) Regulations 2016

The Academy Information (England) Regulations 2008 (as amended in 2012)

The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2014

2. Definition

For the purpose of this policy, a CME is defined as a child or young person of compulsory school age who is not attending school, not placed in alternative provision by an LA, and who is not receiving a suitable education elsewhere. This definition also includes children who are receiving an education, but one that is not suitable; this could include children who are not receiving full-time education suitable to their needs, e.g. age, ability, aptitude, special educational needs and disabilities (SEND).

3. Why children miss education

The most common reasons for children missing education include the following:

- Failure to start appropriate provision and never enter the system;
- Inappropriate removal from roll;

- Failure to find educational provision following a move to a new location.

4. Children at particular risk of missing education

As there could be many reasons for a child to be missing from education, the LA will make a judgement on a case-by-case basis. The following list indicates pupils who are most at risk of missing education:

Pupils at risk of harm or neglect – Children may be missing from education because they are suffering from abuse or neglect. Where this is suspected, the Academy will follow local child protection procedures. However, if a child is in immediate danger or at risk of harm, a referral should be made immediately to children’s social care (and the police if appropriate). Local authority officers responsible for CME should check that a referral has been made and, if not, they should alert children’s social care. The Department’s statutory guidance [Keeping children safe in education: for schools and colleges](#) provides further advice for schools and colleges on safeguarding children.

Children of gypsy, roma and traveller (GRT) families – Research has shown that many children from these families can become disengaged from education, particularly during the secondary school phase. It is therefore important that schools inform the local authority when a GRT pupil leaves the school without identifying a new destination school, particularly in the transition from primary to secondary so that they can attempt to facilitate continuity of the child’s education. Although many are settled, some GRT families move regularly and their children can be at increased risk of missing education. LA Traveller Education Support Services (TESS), where these exist, or the named CME officer within the local authority, can advise schools on the best strategies for ensuring the minimum disruption to GRT pupils’ education, for example dual registration with other schools or the provision of electronic or distance learning packages where these are available.

Children of service personnel - Families of members of the Armed Forces are likely to move frequently – both in the UK and overseas and often at short notice. Schools and local authorities should contact the MoD Children’s Education Advisory Service (CEAS) on 01980 618244 for advice on making arrangements to ensure continuity of education for those children when the family moves.

Missing children/runaways - Children who go missing or run away from home or care may be in serious danger and are vulnerable to crime, sexual exploitation or abduction as well as missing education. Further sources of information about missing children are listed at the back of this document.

Children and young people supervised by the Youth Justice System - Children who have offended or are at risk of doing so are also at risk of disengaging from education. Local authority Youth Offending Teams (YOTs) are responsible for supervising those young people (aged 8 to 18). YOTs should work with the LA CME officer to ensure that children are receiving, or return to, appropriate full-time education.

Children who cease to attend a school - There are many reasons why a child stops attending a school. It could be because the parent chooses to home educate their child. However, where the reason for a child who has stopped attending a school is not known, the local authority should investigate the case and satisfy itself that the child is receiving suitable education.

Children of Migrant families - Children of new migrant families may not have yet settled into a fixed address or may have arrived into a local authority area without the authority becoming aware, therefore increasing the risk of the child missing education.

5. Roles and Responsibilities

5.1 The Academy

The Academy will enter pupils on the admissions register at the beginning of the first day on which it has been agreed by the Academy, or the day that the Academy has been notified that the pupil will attend the Academy.

In the event that a pupil fails to attend the Academy on the agreed or notified date, the Academy will undertake reasonable enquiries to establish the reason for this absence and will consider notifying the LA at the earliest opportunity.

The Academy will keep an up-to-date admission register by encouraging parents/carers to inform them of any changes.

The Academy will monitor pupils' attendance through the daily register.

The Academy will follow LA procedures in relation to pupils who are regularly absent from the Academy.

The Academy will notify the LA if any pupil is to be deleted from the admission register in the circumstance outlined in Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 (as amended in 2016). (Appendix 1)

The Academy will, in line with LA policy and procedures, notify the LA CME Officer when a child is missing from education.

The Academy will provide information to the LA regarding standard transitions, if requested to do so by the LA.

5.2 The Local Authority

LA's have a duty under section 436A of the Education Act 1996 to make arrangements to establish the identities of children in their area who are not registered pupils at a school and are not receiving suitable education otherwise. This duty only relates to children of compulsory school age.

The LA should consult the parents of the child when establishing whether the child is receiving suitable education. Those children identified as not receiving a suitable education should be returned to full time education either at a school or in alternative provision. Prompt action and early intervention are crucial in discharging this duty effectively and in ensuring that children are safe and receiving suitable education.

The Trust and its Academies will work with the appropriate LA to enable them to meet their statutory duty in relation to children missing education.

5.3 Parents/carers

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

Parents/carers who elect to home educate their child, must inform the Academy in writing of the decision. A copy of the letter will be sent to the LA and the Academy will delete the child's name from the Admission Register.

6. Admissions register

The Academy will ensure that the Admissions Register is kept up-to-date at all times and will encourage parents/carers to notify the Academy of any changes as they occur, such as via email or newsletters. The Academy will, on an annual basis ensure that parents/carers are given the opportunity to review the information they hold on their child.

Pupils will be recorded on the Admissions Register at the beginning of the first day on which it has been agreed by the Academy, or the day that the Academy has been notified, as the date that the pupil will attend the Academy.

Once a pupil has been recorded on the Admissions Register, the Academy will notify the LA within five days, and will supply the LA with all of the details contained on the Admissions Register for the new pupil.

Where a parent/carer notifies the Academy that a pupil will live at another address, the Academy will record the following information on the Admissions Register:

- The full name of the parent/carer with whom the pupil will live;
- The new address;
- The date from when it is expected the pupil will live at this address.

Where a parent/carer notifies the Academy that the pupil is registered at another school, or will be attending a different school in future, the Academy will record the following information on the Admissions Register:

- The name of the new school;
- The date when the pupil first attended, or is due to attend, that school.

7. Working with others

The North East Learning Trust uses a secure internet system to allow the transfer of pupil information when a child leaves an education setting.

8. Safeguarding

For the purpose of this policy, "reasonable enquiries" are defined as limited, investigative powers that the Academy may action to determine a child's whereabouts and whether they may be in danger.

In line with the Children Act 2004, the Academy will follow appropriate procedures when carrying out reasonable enquiries, such as the designated safeguarding lead (DSL) conducting discussions with neighbours, relatives or landlords, to determine whether a child may be at risk of harm.

The DSL will record that they have completed these procedures and, if necessary, make a referral to children's social care or police.

Where the whereabouts and safety of a child is unknown, the Academy, in conjunction with the LA, may carry out the following actions:

- Contact the parent/carer, relatives and neighbours using known contact details
- Check local databases
- Follow local information sharing arrangements, and making enquiries via other local databases and agencies where possible
- Check with UK Visas and Immigration and/or the Border Force
- Check with agencies known to be involved with the family
- Check with the LA and school from which the pupil moved originally
- Check with the LA where the pupil lives, if this is different to where the Academy is located
- Check with the Ministry of Defence Children's Education Advisory Service in the case of children of Service Personnel
- Conduct home visits via an appropriate team, following local guidance concerning risk assessments, and making enquiries with neighbours or relatives, if appropriate

NB. This list is not exhaustive – the Academy and LA will use their judgement towards what reasonable enquiries are appropriate, once all the facts of the case have been considered.

9. Common Transfer Files (CTF) to transfer pupil information

Academies within the Trust will send CTF's when a pupil leaves to attend another school.

If a pupil arrives at an Academy within the Trust and the previous school is unknown, the Academy will contact the LA who will be able to search the school2school database.

In exceptional circumstances, the standard rules for sending and receiving a CTF for a pupil might not apply. Each case will be judged on its merits in consultation with relevant parties. Circumstances when it is not considered appropriate to pass on details via a CTF may include a family escaping a violent partner; if the family is in a witness protection programme; or where there are concerns that the child is at risk of forced marriage.

10. Useful Links and Further Sources of Information

[Children missing education - Durham County Council](#)

[Northumberland Children Missing From Education Policy](#)

[Children Missing From Education | Together for Children](#)

[Keeping children safe in education: for schools and colleges](#)

[Working together to safeguard children 2018](#)

[Common transfer file 18: specification and schema](#)

[School to school \(S2S\) guide for schools](#)

[Information sharing: advice for practitioners providing safeguarding services](#)

[School attendance](#)

[Children missing education: statutory guidance for local authorities](#)

[Elective home education: guidelines for local authorities](#)

[Exclusion from maintained schools, academies and pupil referral units in England](#)

[Behaviour and discipline in schools: guidance for headteachers and staff](#)

[Statutory guidance on children who run away or go missing from home or care](#)

[What to do if you're worried a child is being abused: advice for practitioners](#)

[Safeguarding children who may have been trafficked: practice guidance](#)

Appendix 1

The Education (Pupil Registration) (England) Regulations 2006

Section 8 – Deletion from Admissions Register

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 sub-paragraph (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 gives consent to this 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 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 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 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 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 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.