City of Doncaster Council

Children Missing Education Policy

Identifying, Engaging and Monitoring Children Missing from Education

Revised January 2024

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1.0 Government definition:

As defined in the Section 436A of the Education Act 1996, Children Missing Education (CME) are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school.

- This includes children who are awaiting a school place and children in receipt of unsuitable education, including those children's local authorities are supporting to place into suitable education.

- An elective home educated (EHE) child whose education is deemed unsuitable should be classified as CME. A separate ad-hoc release has been published relating to EHE.

Local authorities 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

Suitable education is defined as:

> "Efficient full-time education suitable to a child's age, ability and aptitude and to any special educational needs the child may have".

2.0 Overview

The overall aim is for all children and young people in the City of Doncaster Council Local Authority is to have the opportunity to fulfil their potential through access to education. The purpose of the section 436A of the Education Act 1996 is to ensure that local authorities' arrangements enable them to establish the identities of children in their area who are not registered pupils at a school and are not receiving suitable education otherwise than at a school (e.g., privately or in alternative provision). Those children identified, as not receiving suitable education should be returned to full time education either at a school or in alternative provision. This duty only relates to children of compulsory school age.

This policy has been produced to effectively support the implementation of the duty that local authorities **must** identify children who are not registered pupils at a school and are not receiving a suitable education otherwise than at a school. This policy implements the revised statutory guidance for local authorities in England, issued in September 2016.

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Children missing education can be amongst the most vulnerable in our communities. They may be from disadvantaged families, travelling communities, immigrant families, be unaccompanied asylum seeking, trafficked children, or be at risk of neglect or abuse and it is vital that all practitioners work together to identify and re-engage these children back in to appropriate education provision as quickly as possible.

Moreover, children not receiving a suitable education are at increased risk of a range of negative outcomes that could have long term damaging consequences for their life chances. For example, they are at risk of becoming NEET (not in education, employment, or training) once they have reached the compulsory school leaving age.

Any child who is identified as not being on roll at a school and not receiving a suitable education **MUST** be placed on the Children Missing Education Register. This includes children who have applied for a school place, but not yet admitted to a school and children who have been removed from a school register before being placed on another school roll.

This document describes the procedures that are to be employed in the City of Doncaster Council to identify, locate, and engage children who are missing from education. These procedures have been written for the guidance of all professionals who work with children and families. Following these procedures will ensure City of Doncaster Council meets its statutory duties relating to the provision of education and safeguarding the welfare of children missing education
(Education and Inspections Act 2006 **(Section 14 (1), S7, S437 (1) S19 (1), S19 (4a) of the 1996 Education Act, S175 of 2002 Education Act, Circular 11/99 Social Inclusion: The Local Education Authority role in pupil support, S10, & S11 Children's Act 2004)**

3.0 Identifying and Engaging Stakeholders

It is necessary to raise awareness amongst all stakeholders about how to inform the local authority about children missing from education, to ensure that all agencies apply this principle consistently. Often another agency becomes aware of the arrival or the existence of a child living in the area, but not in education before the local authority is aware.

In order to ensure all children and young people in the City of Doncaster are receiving education it will be necessary to regularly raise awareness with all stakeholders of the importance of missing children and remind agencies of the need to notify the local authority if they suspect a child is missing from education.

4.0 Reasons for Missing Education

Children can go missing when they do not enter or fall out of the education system and there is no systematic process in place to identify those children; or to ensure that once identified they engage or re-engage with appropriate provision.

Children go missing from the education system for various reasons. For instance, they may:

- Fail to start school at Reception, never entering the authority's system
- Fail to complete transition between Key Stage 1 and 2 or Key Stage 2 and 3
- Be excluded from school and further provision is not immediately put in place
- Be withdrawn by parent/carer
- Have parents/carers who chose Elective Home Education but following advice and support the education provided is unsuitable to the child's age, aptitude and ability and any special needs they may have.
- Leave Private/Independent Schools
- Seek refuge due to Domestic Abuse
- Become homeless
- Have long-term medical or emotional health problems
- Move to a different Local Authority and no school place is identified
- Arrive in the country via asylum, refugee status or as EU nationals
- Leave the country

(This list is not exhaustive)

Children not engaged in education provision can be exposed to greater risks including being at risk of physical harm or neglect, sexual exploitation, anti-social behaviour and/or criminal activity. These children need to be re-engaged back into education quickly in order to achieve their full potential and reduce the risk of harm.

5.0 Parents responsibilities

Parents have a duty to ensure that their children of compulsory school age are receiving a suitable full-time education. Some parents may elect to educate their children at home and may withdraw them from school at any time to do so unless they are subject to a School Attendance Order. Where a parent notifies the school in writing of their intention to home educate, the school **must** delete the child from its admission register and then inform the local authority.

Children with special educational needs or an Education Health and Care Plan (EHCP) can be home educated. Where the EHCP sets out special educational provision that the child should receive at home, the local authority is under a duty to arrange that provision. Where the EHCP names a school as the place where the child should receive his or her education, but the parent chooses to home educate their child, the local authority must assure itself that the provision being made by the parent is suitable to the child's special educational needs. In such case the local authority must review the EHCP annually.

6.0 Schools' Duties

Schools, including Academies and Free Schools, must monitor pupil's attendance through their daily register. Schools should agree with their local authority the intervals in which they will inform local authorities of the details of pupils who are regularly absent from school or who have missed ten school days or more without permission. Schools must also notify the authority if a pupil is to be deleted from the admission register via their SAM module.

Pupils who remain on a school roll are not necessarily missing education, but schools should monitor attendance and address it when it is poor. It is also important that pupils' attendance is discussed with the authority, particularly if they are in Persistent Absentee (PA) status of 90% or less. It is important that's schools recognise the expectation to identify patterns of absence and concerns as early as possible to reduce the impact on attainment and on young people missing from education and address this with appropriate support packages through early help assessment.

Schools also have safeguarding duties under section 175 of the Education Act 2002 in respect of their pupils, and as part of this should investigate any unexplained absences. Academies and independent schools have a similar safeguarding duty for their pupils ***(Part 3 of Schedule 1 to the Independent Schools Standards (England) Regulations 2010 (SI 2010/1997)***. It is expected that schools ask parents or guardians for contact details, including names and addresses, of **all parents** when they register a pupil and ensure that they note details of court orders in a pupil's record.

Schools must also arrange full-time education for suspended pupils from the sixth school day of a fixed period of suspension and the first five days of a first permanent exclusion. Further information can be found in the suspensions and permanent exclusions guidance.

In cases of general school absence, schools should follow their attendance management procedures (i.e., telephone calls, letters, invitations to meetings at the

school etc., early help to address emerging needs and referrals to the Attendance & Pupil Welfare Service of the local authority.

6.0 Referral routes:

Agencies & Other Local Authorities

Children who are identified as residing in the City of Doncaster, not on a school roll and who are not receiving a suitable education are tracked and supported via the Business Support Officer, the Education Welfare Officers, and Education at Home Officers for (EHE cases)

Schools

Where a pupil is on a school roll, but school suspect they have gone missing (whereabouts unknown) or been advised by parents they have moved out of Doncaster or left the country.

Pupils who have gone missing from a Doncaster School.

(It is important to note that any Safeguarding concerns regarding the immediate safety or well-being of a child need to be referred immediately to Social Care and the police if appropriate)

- When school suspect they have a missing pupil the following procedures must take place. From the 1st day of absence and up to the 10th school day of absence the school must make all initial enquiries to locate the pupil. (Telephone calls, home visits etc)

- If school have not been able to confirm the location of the pupil by the 11th school day of absence, they must refer to the Local Authority by completing the CME referral form on the school portal.

- **If school and the Local Authority have failed**, **after jointly making reasonable enquiries, to ascertain the whereabouts of the pupil** and the pupil has been absent for a minimum of 20 school days, the EWO will advise school that they can remove the pupil's name from its admission register from the first day of absence if appropriate.

Confirmation must be obtained from the Local Authority the pupil is resident in before removing from school roll. This may be backdated to the first day of absence. School should only remove from school roll if the pupil is confirmed on roll at another school. In all other cases, a referral must be made to the Local Authority.

Pupil missing from school – emigration/returning to home country.

When parents/carers advise school their intention to leave the country and take up residence in another country:

- School/parent completes the 'Emigration/Returning to Home Country' form with as much information as possible. (Appendix 2)

- On the first day of the expected absence school to complete a home visit to check the family have left and refer to the Local Authority via the CME referral form with emigration form attached.

- The Local Authority will complete the required checks and will confirm with

school the date the pupil can be removed from school roll (usually from the first day of expected absence).

NB: If the family are still present when the visit takes place, further details of planned leaving date to be obtained and advise parent/carer the pupil should still be attending school. School to make further home visit following new date family are expected to leave.

Pupil missing from school – moved to another Local Authority

- It is expected that school will have obtained all relevant information i.e. new address and school applying for. If school have been advised that the family are moving to another Local Authority, but no school place has been confirmed prior to leaving, school can refer into APWS following the date advised that the pupil will be leaving (no need to wait 10 days).

- Business Support officer (BSO) will contact the receiving Local Authority to confirm if the family are living in their area. If confirmed, the school will be advised by the BSO to remove off roll from date of leaving. If not confirmed case will be allocated to an EWO.

- Pupils with Education Health Care Plans (EHCP) and are on roll at a special school establishment should **NOT** be deleted from the register until a review of the plan has taken place and the authority has agreed to change the name of the school.

- Pupils with Education Health Care Plans (EHCP) and who are on roll at a mainstream school establishment are subject to the same legislation as pupils without special educational needs.

Extended Leave Requests

When extended leave has been requested, but not agreed by the school:

- School should formally write to the parents/carers advising the expected date of return (11 school days from first day of leave requested) and that failure to return to school on this day risks the pupil being deleted from the school roll

- Should the pupil fail to return on the expected date of return school must follow their attendance and safeguarding procedures to try and establish the current whereabouts of the pupil.

- If the pupil has not returned following 20 school days of unauthorised absence the Local Authority will advise school to remove from roll from the first day of absence and place on the Children Missing Education Register.

Pupils who have failed to arrive at an Allocated School During Normal Transition phase

A pupil becomes the responsibility of the new school once a place has been allocated (The Education (Pupil Registration) (England) Regulations 2006 – Regulation 5 paragraph 3) and must be added to the Admission Register on the first day school have been notified the pupil will be attending by the Local Authority.

Failure to attend the allocated school:

- From the 1st day of absence and up to the 10th school day of absence the school must make initial enquiries to locate the pupil

- If school have not been able to locate the pupil by the 11th school day of absence, they must complete the CME referral form on school's portal.

- If school and the Local Authority have failed, after jointly making reasonable enquiries, to ascertain the whereabouts of the pupil and the pupil has been absent for a minimum of 20 school days, the school can remove the pupil's name from its admission register as advised by the EWO from the first day of absence if appropriate to do so.

Pupils who have failed to arrive at an Allocated School Mid-term

A pupil becomes the responsibility of the new school once a start date has been agreed with the parent/carer (The Education (Pupil Registration) (England) Regulations 2006 – Regulation 5 paragraph 3) and must be added to the Admission Register on the first day the pupil is expected to attend. Failure to attend school on the expected start date:

- From the 1st day of absence and up to the 10th school day of absence the school must make initial enquiries to locate the pupil.

- If school have not been able to locate the pupil by the 11th school day of absence, they must complete a CME referral via schools' portal.

- If school and the Local Authority have failed, after jointly making reasonable enquiries, to ascertain the whereabouts of the pupil and the pupil has been absent for a minimum of 20 school days, the school can remove the pupil's name from its admission register as advised by the EWO from the first day of absence if appropriate to do so.

Pupils on roll at a Special School.

Pupils on roll at a Special School cannot be removed from the school roll without the consent of the Local Authority. The exception to this regulation is if the pupil has died or has been permanently excluded. If school are unaware of the reason for absence, then they should follow the process for a pupil missing from a Doncaster School.

Pupils not registered at a school through Exclusion

All first time permanently excluded pupils are tracked via the In Year Fair Access Panel where an alternative mainstream school is allocated (if appropriate) or alternative educational provision is secured. It is expected that schools will admit pupils within 15 days of notification.

Pupils believed to have arrived in Doncaster

When another local authority contacts Doncaster to inform a pupil from their authority may have moved to Doncaster 'Out of Authority Enquiry'. The Attendance and Pupil Welfare Service will make the necessary checks and advise the referring authority of their findings. If the pupil is located in Doncaster and not yet accessing education the

family will be supported to ensure appropriate provision is accessed. The pupil will remain on the Children Missing Education Register until on roll at school or other suitable alternative provision is in place.

Pupils' resident in Doncaster – on roll at a school in a different authority

There is pupil's resident in Doncaster who are registered at a school in a different local authority. When information is received to advise a parent has informed the out of authority school that the pupil will no longer be attending that school, or if the whereabouts of the pupil is not known. The Attendance and Pupil Welfare Service will contact the family to ensure arrangements are made in order for the pupil to continue with their education. The pupil will remain on the Children Missing Education Register until alternative educational provision is confirmed.

Appendix 1

Deletions from Admission Register (Regulation 8, The Education (Pupil Registration) (England) (Amendment) Regulations 2016

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 authority for that named in the order or the order is revoked by the local 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 that 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 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 form 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) The proprietor and the local education authority have failed, after jointly making 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) The proprietor of the school and the local education authority have failed, after jointly making 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, or a city college for the technology of the arts, that he has ceased to 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

Emigration/Returning to Home Country Form

Form to be completed when school advised pupil intends to be resident outside of the United Kingdom

Pupil Name: DOB

Nationality:

Address:

Postcode:

School:

UPN:

Parent/Carer Name DOB:

Nationality

Parent/Carer Name DOB:

Nationality:

Address:

Postcode:

Telephone contact:

Date leaving the country:

Adults accompanying the child:

Name:

Relationship:

Forwarding School details of School applied to/intend to apply to (if known)

School Name:

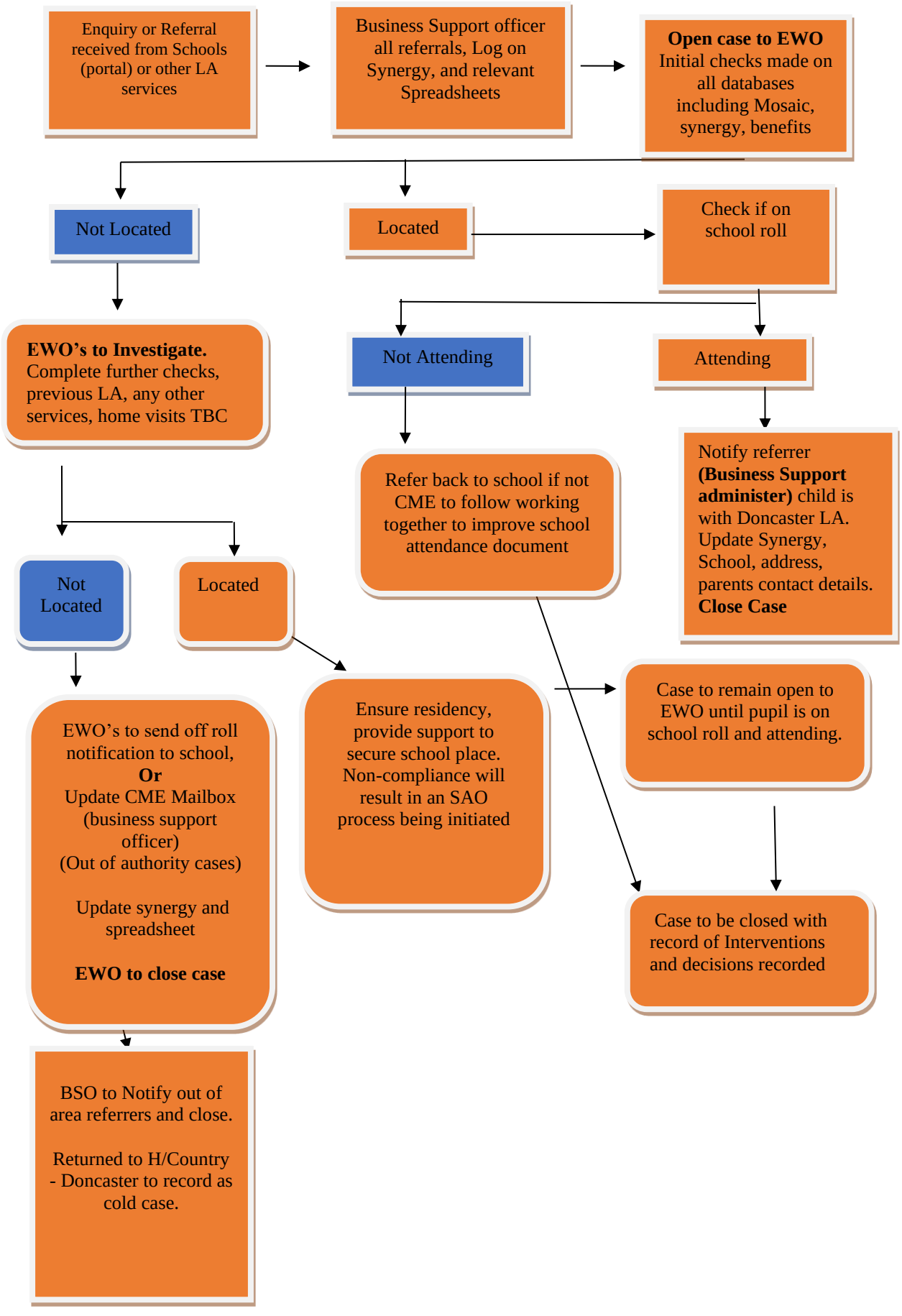
Address:

Contact No:

Signed (Parent) _____ Date _____

Appendix 3

CME Flow Chart



This policy supports.

- *Section 175 of the Education Act 2002, which places a duty on local authorities to exercise their functions with a view to safeguarding and promoting the welfare of children.*

- *Section 10 of the Children Act 2004, which requires the local authority to make arrangements to promote co-operation between the local authority, each of their relevant partners and such other persons or bodies, working with children in the local authority's area, as the authority consider appropriate. The arrangements are to be made with a view to improving the wellbeing of children in the authority's area – which includes protection from harm or neglect alongside other outcomes.*

- *Section 11 of the Children Act 2004, places duties on a range of organisations, agencies, and individuals to ensuring their functions, and services provided on their behalf or contracted out, are discharged having regard to the need to safeguard and promote the welfare of children.*

- *Section 436A of the Education and Inspections Act 2006 requires all local authorities to make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a suitable education.*

- *The requirements of Statutory Instrument 2006 No 1751 The Education (Pupil Registration) (England) Regulations 2006.*

- *The local authority Missing Children Protocol.*

- *Procedures for information sharing and the Early Help Assessment framework.*

- *Doncaster Safeguarding Children Partnership (DSCP) procedures to safeguard, protect from harm and promote the welfare of all children.*