



St Mary's Academy Trust

Children Missing Education Policy

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1. Statement of intent

All children, regardless of their circumstances, are entitled to an efficient, full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education.

The Local Authority (LA) has a legal duty to identify when there are Children Missing in Education and help them back into education.

This policy highlights what St Mary's Academy Trust will do to help the LA with its duty.

This policy complies with the following legislation and statutory guidance:

- DfE 'Children Missing Education' 2016
- DfE 'Keeping Children Safe In Education' 2020
- DfE 'Working Together To Safeguard Children' 2018
- The Education Act 1996
- The Education Act 2002
- The Education and Inspections Act 2006
- The Children Act 1989
- The Children Act 2004
- The Education (Pupil Registration) (England) Regulations 2006 (as amended in 2016)
- The Education (Pupil Information) (England) Regulations 2005 (as amended in 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

Children Missing Education (CME)

Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving a suitable education otherwise than being at a school (for example, at home or in alternative provision). Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (Not in Education, Employment or Training) later in life.

Pupils Missing out on Education

Pupils missing out on education is different to children missing education. Children who are termed 'missing out' on education are those who do not attend full-time education at school or in alternative provision. Full-time education is defined as 25 hours per week for 39 weeks per year; if a young person is not receiving this entitlement at school or in an alternative educational provision, they are 'missing out' on education.

3. Why children miss education

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

- failing to be registered at a school at the age of five;
- failing to make a successful transition;
- exclusion;
- mid-year transfer of education provision;
- families moving into a new area.

4. Children at particular risks of missing education

There are many circumstances where a child may become missing from education. It is vital that local authorities make judgements on a case by case basis. These 'missing' children can be vulnerable therefore it is essential that all services work together to identify and re-engage these children back into appropriate education provision as quickly as possible. It is important to establish the reasons for the child being missing at the earliest possible stage.

This may include children from the following vulnerable groups below (this list is not exhaustive):

- Pupils at risk of harm/neglect
- Children of Service Personnel
- Missing children and runaways
- Children and young people supervised by the Youth Justice system
- Children of new migrant families
- Children of Gypsy, Roma Traveller families

5. Roles and responsibilities

St Mary's Academy Trust Schools

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

Schools should monitor attendance closely and address poor or irregular attendance. The school should refer to the Local Authority any pupil who has poor attendance.

If a newly registered pupil fails to attend on the agreed or notified date, the school should undertake reasonable enquiries to establish the child's whereabouts and consider notifying the local authority at the earliest opportunity.

Where a pupil has not returned to school following an authorised absence, or if the absence is unauthorised, schools are required to make reasonable enquiries to locate the child in line with the duty under section 10 of the Children Act 2004.

Reasonable enquiries to find the child include:

- checking with all members of staff who the child/young person may have had contact with;
- checking with the pupil's friends, siblings, and known relatives;
- making telephone calls to any numbers held/identified including emergency contacts;
- sending a letter to the last known address;
- carrying out home visits at different times to check who is at the home address and other known addresses, and check with neighbours and known friends;
- asking for the address the family is moving to;
- checking which school, a child is expected to attend; and
- requesting copies of flight information if appropriate.

They should also record that they have completed these procedures. If there is reason to believe a child is in immediate danger or at risk of harm, a referral should be made to children's social care (and the Police if appropriate).

If the school has not been able to confirm the location of the pupil by the 10th school day of absence they must complete a 'CME Referral' form and send this to the CME Officer.

If after jointly making all reasonable enquiries, and the school and Local Authority have failed 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 from the first day of the absence. However, confirmation **must** be obtained from the Education Welfare Service before removing the pupil's name from school roll. Schools are reminded that they must, always, act in accordance with the Education Pupil Registration Regulations 2006.

If after 20 school days, the CME Officer has not been able to establish the whereabouts of the child, the child will be placed on the CME Register. This is a register of pupils identified as being missing from education and is maintained and managed by the CME Officer. Data is held in line with the Data Protection Act 1998 and current child protection legislation.

If the child is removed from the school roll, the school will also be advised that the child's Common Transfer File (CTF) should be uploaded by the school to the DfE School to School (S2S) Missing Children database. In these circumstances the child's name is kept on a centrally held register, and should be clearly identified as missing from education.

If at any time after the child has been removed from the roll the school receive information regarding the child's whereabouts or are contacted by a receiving school, the CME Officer must be informed.

Where a Head Teacher has been notified by a parent that a pupil is receiving education other than at school, and has removed the child's name from the school roll, notification must be given to the education service within 10 school days; the pupil's records should then be transferred to the education service to be stored in accordance with local arrangements.

If a school receives a new pupil without receiving information about the pupil from his or her previous school, the school should contact the Pupil Tracking Officer.

If the Pupil Tracking Officer becomes aware the child has moved to another school s/he should ensure that all relevant agencies are informed and arrangements made to forward records from the previous school.

Schools are required to complete termly returns to the Local Authority with the details of any pupils who are not in receipt of a full-time education, for example, if a pupil has an agreed temporary partial timetable.

The Local Authority

Under the Education Act 1996, the Local Authority has a duty to establish the identities of children in the area who are not registered pupils at a school and are not receiving education provision otherwise. This duty only applies to children of compulsory school age.

When families move between Local Authority areas it can sometimes lead to a child becoming 'lost' in the system and consequently missing education. Where a child has moved, Local Authorities should check with other Local Authorities – either regionally or nationally – and share information in order to ascertain where a child has moved.

Once the location of the child is established, the relevant Local Authority must ensure that the child is receiving an education either by attending a school or the provision of electronic or distance learning packages where these are available. The local authority should consult the parents of the child when establishing whether the child is receiving a suitable education. Those children identified as not receiving suitable education should be returned to full time education either at a school or in alternative provision.

Parents/carers

Parents/carers are responsible for ensuring that their children, who are of compulsory school age, are receiving suitable full-time education.

Parents/carers are responsible for notifying the school in writing where they will be home-schooling their child, in order for the child to be removed from the admissions register.

Parents/carers will notify the school regarding any absences or changes to the pupil's education arrangements.

6. Working with others

Families moving from one Local Authority to another can sometimes lead to a child being lost in the system and consequently missing education. When a child moves, Local Authorities will work with other Local Authorities, regionally or nationally, to ensure this does not happen.

The Local Authority will raise awareness of its procedures with local schools, partners and agencies working with children and families.

To assist them in tracing a child missing in education, the Local Authority has contacts with the Department for Work and Pensions, the UK Border Agency and HMRC.

St Mary's Academy Trust use an encrypted email system, (SIMS), to allow the academy to transfer pupil information when a child moves education setting.

7. Safeguarding

Where there is concern for any child's welfare, this should be referred to the local authority children's social care. Head teachers should inform the Education Welfare Service and the child's social worker immediately a child subject to a Child Protection Plan is missing.

In the following circumstances a referral to Children's Services and/or the Police should always be made promptly:

- the child may be the victim of a crime;
- the child is the subject of a Child Protection Plan;
- the child is subject of Section 47 enquiries;
- the child is looked after;
- there is a known person posing a risk to children in the household or in contact with the household;
- there is a history of the family moving frequently;
- there are serious issues of attendance.

8. Admissions register

The school will ensure that the admissions register is kept up-to-date at all times, and will encourage parents/carers to notify the school of any changes as they occur, such as via email or newsletters.

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

Once a pupil has been recorded on the admissions register, the school will notify the Local Authority within five days, and will supply the Local Authority with all of the details contained on the admissions register for the new pupil.

Where a parent/carer notifies the school that a pupil will live at another address, the school 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 school that the pupil is registered at another school, or will be attending a different school in future, the school 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.

9. Removing a pupil from the admissions register

Pupils who are missing in education can only be removed from the admission register when both the school and the Local Authority have failed, after jointly making reasonable enquiries, to establish the whereabouts of the child.

Schools must notify the Local Authority when a pupil's name is to be removed from the admission register at a non-standard transition point under any of the fifteen grounds set out in the regulations (Appendix A), as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register.

Parents/carers are able to elect to educate their children at home, and will subsequently withdraw them from school. This can happen at any time, unless the pupil is subject to a School Attendance Order. If a parent/carer notifies St Mary's Academy Trust, the pupil will be deleted from our admission register and the Local Authority informed.

10. Policy review

This policy is to be reviewed every two years, or sooner if there are statutory guidance updates.

Appendix A: Grounds For Deleting A Pupil From The School Admissions Register

1 8(1)(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 than at school.

2 8(1)(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 subparagraph (a) or regulation 9, that he has been registered as a pupil at another school.

3 8(1)(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.

4 8(1)(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.

5 8(1)(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.

6 8(1)(f) - in the case of a pupil granted leave of absence in accordance with regulation

7(1A), 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 authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.

8(1)(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. (1)(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 authority has failed, after jointly making reasonable enquiries, to ascertain where the pupil is.

9 8(1)(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.

10 8(1)(j) - that the pupil has died.

11 8(1)(k) - that the pupil will cease to be of compulsory school age before the school next meets and— (i) the relevant person has indicated that the pupil will cease to attend the school; or (ii) the pupil does not meet the academic entry requirements for admission to the school's sixth form.

12 8(1)(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.

13 8(1)(m) - that he has been permanently excluded from the school.

14 8(1)(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.

15 8(1)(o) where— (i) the pupil is a boarder at a maintained school or an Academy; (ii) charges for board and lodging are payable by the parent of the pupil; and (iii) those charges remain unpaid by the pupil's parents at the end of the school term to which they relate.