CHRIST CHURCH C.E. FIRST SCHOOL

-Children Missing Education Policy-

Headteacher: Mrs A Graham

Chair of Governors: Mr M Bird

Policy Agreed: October 2026

Review date: October 2028

Christ Church C.E. First School
Northesk Street, Stone
Staffordshire, ST15 8EP
Tel: 01785 336545
Company registration Number: 07702211
Email: office@christchurch-stone.staffs.sch.uk
Website: http://www.christchurch-stone.staffs.sch.uk

Christ Church C.E. First School
-CHILDREN MISSING EDUCATION POLICY-

This policy has been adopted in its entirety from Staffordshire County Council.
For more information, please see:
https://www.staffordshire.gov.uk/education/welfareservice/missing/CME.aspx

Author: Steve Hewitt, Children Missing Education Officer
steve.hewitt@staffordshire.gov.uk
Email cme.referrals@staffordshire.gov.uk

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ABBREVIATIONS AND TERMS USED IN THIS DOCUMENT

- Capita ONE – pupil database used by Staffordshire County Council.
- CME – Children Missing Education
- DFE – Department for Education
- EHE – Elective Home Education/Electively Home Educated. *The term used to describe education provided by parents or carers to their children instead of sending them to school or other suitable provision.*
- LA - Local Authority
- LST – Local Support Team*. There are currently 19 teams based in the eight district councils of Staffordshire.*
- Schools – the generic term used to describe institutions in which statutory school-aged children receive education.
- These can also be known as academies or colleges, and can be in the state or independent sectors.
- SCC - Staffordshire County Council

INTRODUCTION

All professionals working with children, as well as the wider community can help by remaining vigilant to children's safety. The law states every child should be receiving an education, and we stand a better chance of ensuring a child's safety if we know where and how they are receiving this.

Although the main focus of this document is on the policy around CME in Staffordshire, the work should be seen within the context of the wider remit of the LA to safeguard and promote the welfare of all children living within the county boundaries.

If you know of any child who is not receiving an education or you know of a child who has gone missing from a school, or are in any doubt please contact:

Children Missing Education,

Staffordshire County Council,
2 Staffordshire Place,
Tipping Street,
Stafford
ST16 2DH
Telephone: 01785 278999 or 895966

Email: cme.referrals@staffordshire.gov.uk

However if you are concerned about a child's safety i.e.

- you have a serious concern about the safety of a child
- you think a child is being harmed or is at risk of being harmed
- you are worried that a child is living in circumstances where they are treated badly and not cared for properly

You MUST contact First Response on: 0800 13 13 126
Office hours: 8.30 am to 5.00 pm Monday to Thursday; and 8.30 am to 4.30 pm Friday
Email: firstr@staffordshire.gov.uk

The Education and Inspections Act 2006 places a duty on local authorities in England and Wales to make arrangements to identify children and young people of compulsory school age missing education in their area.

The DFE document "Working Together to Safeguard Children - A guide to inter-agency working to safeguard and promote the welfare of children" which was originally published in March 2010, and revised in 2013 and 2015 says "There is a Children Missing Education (CME) named point of contact in every Local Authority. Every practitioner working with a child has a responsibility to inform their CME contact if they know or suspect that a child is not receiving education. To help local agencies and professionals find children who are missing from education and identify those that are at risk of going missing from education, guidance was issued in July 2004, identifying and maintaining contact with children missing, or at risk of going missing, from education."

CONTEXT

This policy is intended to inform LA staff, schools, headteachers, governing bodies, other agencies and the general public about how we minimise and prevent CME. It relates primarily to children who are of compulsory school age who do not currently have a school place or their educational provision is unknown.

The DFE defines CME as:
'All children of compulsory school age who are not on a school roll, nor being educated otherwise (e.g. privately or in an alternative provision) and who have been out of any educational provision for a substantial period of time (usually four weeks or more)' This definition is adopted in this CME Policy, with an understanding that EHE is a valid alternative provision.

Staffordshire County Council acknowledges that it is a key responsibility of the LA to promote the educational achievement of all children resident within the county or attending schools within the county. The best way to promote these outcomes for children is to ensure that as far as possible children of compulsory school age are either enrolled with an educational provider or are being EHE.

The Children Act 2004 places a duty on all agencies to work together to promote the welfare of children and to share information appropriately. This principle underpins SCC's policy on CME, and there is an expectation that all agencies and professionals will work together to ensure that children are participating in education, whether at an educational provision or at home.

There are certain points at which children are most at risk of becoming missing from education, and the most common reasons for this include:

- Children not registered by parents/carers at school when they achieve compulsory school age
- Children not registered at school for the start of high school (Year 7)
- Frequent house moves, periods of homelessness or time spent in refuges
- Family breakdown
- Parents "withdrawing" children from school for an invalid reason
- Schools off-rolling pupils without the correct checks and procedures being followed
- Exclusion (lawful and unlawful)
- Children whose educational status is unknown, and it is therefore not possible to identify whether the child is receiving a suitable education

Certain groups of children are more likely to be affected by the factors listed above and include:

- Children in Public Care (Looked After Children)
- Children who have been the subject of a Child Protection Plan.
- Refugees and asylum seekers
- Gypsy, Roma and Traveller families
- Children who have experienced domestic violence or other adverse family circumstances
- Children with special educational needs
- Migrant families
- Children who have had attendance difficulties

The cost of children missing out on education can be very high – to themselves, their families and society as a whole. Children who do not engage in education are unlikely to gain any formal qualifications, and a fragmented educational history can result in low levels of functional literacy and numeracy in adult life.

Missing out on learning is also linked to other problems in later life including:

- Unemployment
- Homelessness
- Criminal and anti-social behaviour
- Involvement in prostitution and the sex trade
- Substance abuse
- Teenage parenthood
- Mental health and self-esteem issues
- Physical health issues (including those linked to poverty)
- Forced marriage

THE DUTY OF THE LOCAL AUTHORITY

As a LA, we have a duty under s436A of the Education Act 1996 to establish (so far as it is possible to do so) the identities of children in our area who are of compulsory school age but who are not registered pupils at a school or receiving some other form of suitable education. We therefore must identify all children within our area and ensure that they are either registered pupils at a maintained, non-maintained or independent school, or that they are receiving another form of suitable education. Part of this duty therefore requires us to have details of those pupils registered at all schools who are ordinarily resident within Staffordshire.

SCC has a duty to act in accordance with the aforementioned Statutory Guidance for local authorities in England to identify children not receiving a suitable education, published in November 2013. This requires us to "put in place arrangements for joint working and information sharing with other local authorities and relevant partner agencies that come into contact with children and families".

The guidance makes clear that such "partner agencies" will include all types of education providers both maintained and independent schools, and local authorities are recommended to maintain a database of all school-age children, along with how they are being educated.

As outlined above, the obligation under s436A of the Education Act 1996 to make arrangements to identify children who are not receiving a suitable education includes a duty under s437 of the same Act to intervene if it appears that a child is not receiving a suitable education. Local authorities also have a duty under s175 of the Education Act 2002 to safeguard and promote the welfare of children through their educational obligations.

In relation to the LA's duties around Promoting the Education of Looked After Children (DfE Statutory Guidance July 2014), as a corporate parent we do not tolerate drift and delay where children the LA looks after are without and education placement that is appropriate to their assessed needs. This includes using our powers of direction in a timely way rather than as a result of protracted negotiation. CME works with the Virtual School Headteacher and a range of professionals

to ensure that there are effective arrangements in place to support the education of looked after children. This includes ensuring that there is timely communication and effective cooperation with other local authorities in relation to education placement changes, school admissions, achievement and exclusions.

THE ROLE OF SCHOOLS

It is understandable and appropriate that schools should be concerned about revealing personal information about pupils. However all information held by SCC is processed in accordance with the Data Protection Act 1998. Under Paragraph 5(c) of Schedule 2 to the Act, personal information can be disclosed where necessary for the exercise of any function given to any person under an enactment. As noted in 3, SCC has a duty to ensure that children within its boundaries are being appropriately educated, and it is necessary for this function that we obtain this information.

When a child is expected to join a school and does not arrive, the school should initially try to contact the parents/carers by telephone or letter to find out why. If, after one week this has not been successful, the school should contact the School Admissions Team to establish if the child has been registered elsewhere.

If the child is not found to be on roll elsewhere, the school should contact their LST to investigate.

*If after four school weeks (20 school days) the child has not been located, the school should complete and submit a CME Referral Form to cme.referrals@staffordshire.gov.uk.

Once the referral is acknowledged by the CME team, the child can be removed from roll.

If a child is absent from school for a prolonged period, or fails to return from an agreed holiday, the school should follow their normal procedures for investigating the absence. If this is not successful, an Early Help Assessment request can be made to the LST for them to investigate further.

If a child is absent from school because they are believed to have moved away, and parents and emergency contacts cannot be reached, the school should contact their LST.

When the LST has investigated, but not located the child and four school weeks (20 school days) have elapsed, schools should follow the procedure outlined above * .

If there is a concern regarding the immediate safety of the child First Response must be contacted (see contact details above). Dependent on the level of concern, the Education Safeguarding Officer can also be consulted via the Staffordshire Safeguarding Children Board.

It is the decision of the Headteacher of the school as to when to remove a child from roll; however deletions from a school roll can usually be made after four school weeks (20 school days) continuous absence where all reasonable attempts have been made to trace a child and the CME team have been notified. In these circumstances the child's details should also be uploaded onto the Teachernet s2s lost pupils database

There is statutory guidance governing when schools can delete children from their admissions register. These are outlined in Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006.

When a child is deleted from the school's admissions register, the school should update their school management information system and clearly indicate the date and the reason for removal from roll. On the "i" tab next to "Reason for Leaving" the new school's name should be given together with its seven digit school identifier number (English and Welsh schools) or the school name and locality (Scottish Northern Irish, Isle of Man, Channel Islands, Armed Forces or Gibraltarian schools).

When the new school is unknown, the "Reason for Leaving" on the school management information system should be amended to show "Unknown Destination". The Common Transfer File must also be completed, and coded XXXXXXX (destination unknown) or MMMMMMM (moved to independent sector or out of England and Wales). It can then be uploaded onto s2s in the normal way. These records are securely stored in an area of s2s known as the Lost Pupils Database. If a file is rejected, schools should recode the file MMMMMMM.

When a child leaves a school for a known destination, the school should upload the child's records to s2s – a secure national database. This generates an email to the receiving school which then downloads the information.

Where a child leaves a school without a known destination, the school should upload the child's records to a secure area of s2s known as the Lost Pupils Database. Any school then admitting the child without previous school history can request their LA to search the Lost Pupils Database for the child's records. At this point the CME team should also be notified (see above).

IMPORTANT – Please note that new Statutory Guidance for Local Authorities was issued by the DFE in September 2016. This makes specific reference to schools' responsibilities around CME and sets out the correct reporting mechanisms to ensure that these often vulnerable children are accurately monitored.

Schools should pay particular attention to the section entitled "School Responsibilities" regarding notifying the local authority at the earliest opportunity for those children who move onto and off school rolls at non-standard transition points. Please also give regard to the section entitled "Making reasonable enquiries".

If schools have queries about the new guidance, they are asked to contact the CME Team.

ELECTIVE HOME EDUCATION

If a parent wishes to EHE his/her school educated child, the school must deregister the child at the point written notification is received from the parent stating that the child is now in receipt of home education. Deletion from the admissions register should take place as soon as such notification is received.

Schools are responsible for informing the EHE team when a child has been de-registered to be home educated.

To ensure as widely as possible that EHE children are identified, the CME Team produces a half-termly report which includes children who have left school to be home educated.

Information is then cross-referenced at regular half-termly liaison meetings between CME and the EHE team, to ensure that the family is contacted and arrangements are made to offer support to the family.

If the EHE team has concerns that the child is not being provided with a suitable education, then the matter will be referred to the LST. If the LST is not able to establish that a "suitable education" is being provided, they may seek a legal remedy, i.e. a School Attendance Order (DFE "School Attendance – Statutory guidance and departmental advice", August 2013).

Due to the legislation around EHE, the only obligation for parents to notify anyone is if they withdraw their child from school (see 5.1) when they must give written notification to the Headteacher of the school. If a family has never enrolled their child in a school, there is no obligation to notify the LA.

If the LA has reason to believe that a child is not receiving a suitable education, there is an expectation that this will be investigated. In the case of children previously unknown to the LA this may simply be confirmation that the child is being EHE rather than missing education.

RELATED LEGISLATION AND USEFUL LINKS

- Children Act 2004
- Children Missing Education – DfE Statutory Guidance for
- Local Authorities
- Education Act 1996
- Education Act 1996 s436A
- Education Act 1996 s437
- Education Act 2002
- Education Act 2002 s175
- Education (Pupil Registration) Regulations 2006
- Education (Pupil Registration) (England) Regulations 2006 Regulation 8
- Every Child Matters 2003
- Families First
- Local Authority Attendance guidance
- Local Authority Elective Home Education guidance
- Local Authority Fair Access Protocol
- Promoting the Education of Looked After Children – Statutory Guidance for Local Authorities, DFE July 2014
- School Attendance Order
- Staffordshire Safeguarding Children Board
- Teachernet s2s lost pupils database