

Three Counties Academy Trust



# Children Missing Education Policy #SG15

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## Statement of intent

All children are entitled to a full-time education, regardless of their circumstances. Unfortunately, children missing education (CME) risk underachieving, being victims of abuse, and not being in education, employment, or training (NEET) in later life, and it can act as a vital warning sign of a range of safeguarding concerns, including abuse and neglect.

The LA has a legal duty to identify when there are CME and help them back into education. This policy highlights what Three Counties Academy Trust (TCAT) will do to help the LA with its duty.

For the purpose of this policy, a “**child missing education**” 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 not receiving a suitable education elsewhere. This definition also encompasses children who are receiving an education, but not one that is suitable, including children who are not receiving full-time education suitable to their needs, e.g., age, ability, aptitude, SEND.

## 1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Education Act 1996
- Education Act 2002
- Education and Inspections Act 2006
- Children Act 1989
- Children Act 2004
- The Education (Pupil Registration) (England) Regulations 2006 (as amended in 2016)
- The Education (Pupil Information) (England) Regulations 2005 (as amended in 2018)
- The School Information (England) Regulations 2008 (as amended in 2018)
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007 (as amended in 2014)
- DfE (2022) 'Working together to improve school attendance'
- DfE (2022) 'Keeping children safe in education 2022'
- DfE (2018) 'Working Together to Safeguard Children'
- DfE (2016) 'Children missing education'
- DfE (2021) 'School Admissions Code'

This policy operates in conjunction with the following TCAT and school policies:

- Child Protection and Safeguarding Policy
- Attendance and Absence Policy
- Admissions Policy

## 2. Reasons for children missing education

There are a number of reasons as to why children miss education, including 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 school
- Families moving into a new area

Aside from these reasons, if a child is missing from education, particularly repeatedly, this can act as a vital warning sign of a range of safeguarding concerns, such as the following:

- Abuse and neglect, including child sexual exploitation (CSE) and child criminal exploitation (CCE), potentially involving county lines
- So-called 'honour-based' abuse, including risk of FGM or risk of forced marriage
- Mental health issues, such as risk of substance abuse
- Risk of travelling to conflict zones

Staff will be aware that early intervention is essential to identify the existence of any underlying safeguarding relating to CME and to help prevent the risks of a pupil going missing in the

future. All staff will be made aware of unauthorised absence procedures and this policy to ensure they know how to respond to possible cases of CME.

### 3. 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 judgements on a case-by-case basis. The following list indicates groups of pupils who are most at risk of missing education:

- **Pupils at risk of harm or neglect** – where this is suspected, local child protection procedures will be followed; however, if a child is in immediate danger or at risk of harm, a referral will be made immediately to children's social care services (CSCS), and the police if appropriate. The LA officers responsible for CME will check whether a referral has been made and will contact CSCS if this is not the case. Should there be a reason to suspect a crime has been committed or the child's safety is at risk, the LA will contact the police
- **Pupils from Gypsy, Roma, and Traveller (GRT) families** – when a pupil from a GRT family leaves a TCAT school without naming their next destination school, TCAT will contact the LA. If necessary, TCAT will consult the LA Traveller Education Support Services or named CME officer for advice on the best strategies to ensure minimal disruption to the pupil's education
- **Children of service personnel** – TCAT will contact the Ministry of Defence Children's Education Advisory Service for advice to ensure continuity of education for these pupils
- **Missing children and runaways** – should TCAT suspect a child has gone missing or run away, the Executive Leader for Safeguarding and Inclusion will consult the DfE for advice on missing children
- **Children and young people supervised by the Youth Justice System** – in this case, LA youth offending teams are responsible for supervising children (aged 8 to 18). Where a young person is registered at a TCAT school prior to custody, TCAT will keep the place open for their return
- **Children who cease to attend school** – where the reason for a pupil who has stopped attending a school is not known, the LA will investigate the situation
- **Children of migrant families** – there is an increased risk of a child missing education if they are part of a new migrant family who may not yet have settled into a fixed address, or may have arrived into an LA area without the authority becoming aware

### 4. Roles and responsibilities

The appropriate TCAT and school staff are responsible for:

- Entering pupils on the admissions register
- In the event that a pupil fails to attend the school on the agreed or notified date, undertaking reasonable enquiries to establish the reason for this absence, and considering notifying the LA, the Trust Education Welfare Officer and the Executive Leader for Safeguarding and Inclusion at the earliest opportunity
- Keeping an accurate and up-to-date admissions register by encouraging parents to inform them of any changes
- Monitoring pupils' attendance through a daily register

- Agreeing with the LA what intervals are best to inform them of pupils who are regularly absent from school, or who have missed 10 days of education or more without permission
- Removing pupils from the admission register where they have not returned to school for 10 days after an authorised absence, or are absent from the school without authorisation for 20 consecutive school days, and TCAT and the LA have failed to establish the pupil's whereabouts after making reasonable enquiries
- Notifying 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)
- Arranging full-time education for suspended pupils from the sixth school day of a suspension
- Providing information to the LA regarding standard transitions, if requested to do so by the LA
- Where reasonably possible, holding more than one emergency contact number for each pupil

All staff are responsible for:

- Being alert to the potential need to implement early help for a pupil who is frequently missing or goes missing from care or home
- Being aware of TCAT's procedures for managing unauthorised absence and children missing from education
- Where staff have concerns about pupils relating to CME, using their professional judgement and knowledge of individual pupils to inform their decision as to whether welfare concerns should be escalated to the DSL or deputy DSL

The LA is responsible for:

- Establishing the identities of children in the area who are not registered pupils at a school and are not receiving education provision otherwise, in line with the LA's duty under the Education Act 1996
- Providing full-time education for excluded pupils
- Serving notices on parents to assure the LA that their child is receiving a suitable education, when concerns regarding this are brought to the LA's attention
- Issuing School Attendance Orders to parents who fail to assure the LA that their child is receiving a suitable education, and the LA believes that the child should attend school
- Prosecuting parents that do not comply with a School Attendance Order
- Prosecuting or fining parents of school-registered children who fail to ensure their children attend school regularly
- Ensuring that children identified as not receiving suitable education are returned to full-time education either at a TCAT school or elsewhere
- Ensuring that TCAT demonstrates prompt action and effective early intervention procedures to ensure children are safe and receiving suitable education
- Applying to court for an Education Supervision Order for a CME
- Ensuring that children who return to full-time education are appropriately supported, taking into account the reasons why they missed education in the first place

- Arranging suitable provision for pupils with SEN statements or EHC plans where their parent chooses for them to be home educated, and reviewing this annually
- Liaising and sharing information with other agencies to support children who miss education
- Sharing the fact that a pupil has a social worker with TCAT
- Referring to the LA CSCS where there is concern for a child's welfare, as well as the police if there is reason to suspect a crime has been committed

Parents are responsible for:

- Ensuring that their children, if of compulsory school age, are receiving suitable full-time education
- Notifying TCAT in writing where they will be home-schooling their child, in order for the child to be removed from the admissions register
- Where requested, meeting with TCAT, the LA, and other key professionals to consider whether home education would be in the best interests of their child, particularly where they have SEND, are vulnerable, or have a social worker – ideally, this would be done before a final decision has been made
- Notifying TCAT regarding any absences or changes to the pupil's education arrangements

## **5. Induction and training**

The safeguarding response to children who go missing from education will be explained to staff during their induction.

All staff will receive annual safeguarding and child protection training, including an update on the various safeguarding concern possibilities that CME could represent, any changes to the early help process and staff members' role in this process.

## **6. Working with others**

Families moving from one LA to another can sometimes lead to a child being lost in the system and consequently missing education. When a child moves, LA's will work with other LA's, regionally or nationally, to ensure this does not happen. The LA will raise awareness of its procedures with local schools, partners and agencies working with children and families. TCAT will ensure that staff are familiar with these procedures and when they need to be followed.

To assist the LA in tracing CME, it has contacts with the Department for Work and Pensions, the UK Border Agency and HMRC.

TCAT uses a secure internet system, school2school (S2S), to allow schools to transfer pupil information when a child moves to another education setting.

If a pupil with a social worker is absent from school for an unexplained reason or they are missing from education, TCAT will inform the pupil's social worker.

## **7. Safeguarding**

TCAT recognises that children missing from education can act as a vital warning sign to a range of safeguarding issues. Where there are concerns that a pupil missing from education is linked to a safeguarding issue, action will be taken in line with the Child Protection and Safeguarding Policy.

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

For the purpose of this policy, “**reasonable enquiries**” are defined as limited, investigative powers that TCAT may action to determine a child’s whereabouts and whether they may be in danger.

The DSL will record that they have completed these procedures and, if necessary, make a referral to CSCS or the police.

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

- Make contact with the parent, relatives and neighbours using known contact details
- Check local databases
- Check data transfer systems such as school2school or Key to Success
- Follow local information sharing arrangements, and make 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 Herefordshire
- 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 make enquiries with neighbours or relatives, if appropriate

**Please note:** This list is not exhaustive – TCAT and the LA will use their judgement towards what reasonable enquiries are appropriate, once all the facts of the case have been taken into account.

## **8. Admissions register**

TCAT will ensure that the admissions register is kept up to date at all times, and will encourage parents, via communications such as emails and newsletters, to notify TCAT of any changes as they occur.

Pupils will be recorded on the admissions register at the beginning of the first day on which it has been agreed by TCAT, or the day that TCAT has been notified, as the date that the pupil will attend the school. Once a pupil has been recorded on the admissions register, TCAT 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 notifies TCAT that their child will live at another address, TCAT will record the following information on the admissions register:

- The full name of the parent 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 notifies TCAT that the pupil is registered at another school, or will be attending a different school in future, TCAT 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

Parents 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 notifies TCAT that their child will be educated at home, the pupil will be deleted from TCAT's admission register and the LA will be informed.

## **9. Removing a pupil from the admissions register**

TCAT will inform the LA of any pupil who will be deleted from the admission register where they:

- Have been taken out of school by their parent and are being educated outside the school system, e.g., home-schooled
- Have ceased to attend school and no longer live within a reasonable distance of the school
- Have been certified by an approved 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 they nor their parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age
- Are in custody for a period of more than four months due to a final court order, and TCAT does not reasonably believe they will be returning at the end of that period
- Have been permanently excluded
- Have died
- Have been registered at another school where it is not indicated this should be the case
- Are registered at more than one school, but have failed to attend the school and the proprietor of any other schools concerned have consented to the deletion
- Have been granted authorised leave but have failed to attend school within 10 school days after the period of authorised absence ended, and:
  - There is reason to believe the pupil is not unable to attend school
  - The LA and TCAT are unable to determine the pupil's whereabouts after making joint reasonable enquiries
- Have been continuously absent from school for a period of at least 20 school days, and:
  - The absence was not authorised
  - There is reason to believe the pupil is not unable to attend school

- The LA and TCAT are unable to determine the pupil's whereabouts after making joint reasonable enquiries
- Will cease to be of compulsory school age before the school next resumes (e.g., following the summer break), and the relevant person has indicated the pupil will not attend the school
- The pupil was admitted to receive nursery education and since completion has not transferred to Reception, or a higher class, at the school

TCAT will notify the LA that a pupil is to be removed from the admissions register as soon as any of the above criteria are met, and no later than the time at which the pupil's name is actually removed.

If a pupil's name is to be removed from the admissions register, TCAT will provide the LA with the following information:

- The full name of the pupil
- The full name and address of any parent with whom the pupil lives
- At least one telephone number of the parent with whom the pupil lives
- The full name and address of the parent who the pupil is going to live with and the date the pupil is expected to start living there, if applicable
- The name of the pupil's new school and their expected start date, if applicable
- The grounds for removal from the admissions register under Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 (as amended), as outlined in section 9 of this policy

Where the name of a pupil with a social worker is to be removed from the admissions register, TCAT will inform the pupil's social worker.

## 10. Monitoring and review

This policy will be reviewed in line with the published schedule at the front of this document and at any point material changes require it by the Executive Headteacher in conjunction with the Executive Leader for Safeguarding and Inclusion and the Governing Board. Any changes made to the policy will be amended by the Executive Headteacher/CEO and will be communicated to all members of staff.

The next scheduled review date for this policy is 31<sup>st</sup> August 2024.

Signed by:

|  |                              |             |
|--|------------------------------|-------------|
|  | Executive<br>Headteacher/CEO | Date: _____ |
|  | Chair of Governing<br>Board  | Date: _____ |

