

# Children Missing Education Policy

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## 1.0 Policy statement

Children missing education is a safeguarding risk. As a Trust, we have a relentless focus on attendance (see policy) both for educational and safeguarding reasons. All children are entitled to a full-time education, regardless of their circumstances. Children missing education (CME) risk underachieving, being victims of abuse, and not being in education, employment or training (NEET). We are mindful that some children may be more vulnerable and likely to be missing from education (see Child Protection and Safeguarding policy) and we ensure that our absence monitoring procedures focus on these children first. We understand that children are rendered more vulnerable to risk when they are out of education and, as such, only fixed term exclude when it is entirely necessary and permanently exclude when there is no alternative (see policy). For vulnerable children, we will do all we can to provide an alternative to fixed-term exclusion. The Local Authority has a legal duty to identify when there are CME and to work with schools to help them back into education. This policy highlights what our academies within our Trust will do to support our children and to work with Children's Services to fulfil its duty.

## 2.0 Scope and purpose

To ensure that all staff understand that we are all responsible for safeguarding children and that ensuring no child is missing is a part of that duty.

To ensure all staff understand the procedures we have in place for a child missing from education.

To contribute to the wider safeguarding portfolio of policies, such as Attendance; Child Missing or Absconds; Child Protection; Positive Behaviour and SEND.

This policy is developed in accordance with the principles established by:

- DfE (2018) 'Working together to safeguard children'
- DfE (2020) 'Keeping children safe in education'
- DfE (2016) 'Children missing education'
- DfE (2018) 'School attendance'
- 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 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)

## 3.0 Definitions

3.1 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 or is not receiving a suitable education elsewhere.

3.2 A 'missing child' is one who is not accounted for even though they should be in our care.

## 4.0 Roles and responsibilities for CME

### 4.1 The academy

- The academy will enter students 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, that the student will attend the school.
- The academy will keep an accurate and up-to-date admissions register by encouraging parents to inform them of any changes.
- The academy will monitor students' attendance through a daily electronic lesson by lesson register and 2 reported registrations.
- If a child stops attending, and we have had no contact, we will undertake a home visit on the 3rd day of absence at the latest.
- In the event that a student fails to attend the academy on the agreed or notified date, the academy will undertake initial reasonable enquiries to establish the reason for this absence and will notify the Children's Services Educational Social Worker no later than 20 days after the child is identified as not in education.
- In the event that a student does not start school when we expect them to, we will inform Children's Services admissions team.
- If we believe there are safeguarding issues, we will alert agencies working with the family.

- We accept our responsibility to make ‘reasonable enquiries’ to establish the whereabouts of a child prior to referral to the Education Social Work Service. By definition, ‘reasonable enquiries’ could include:
  - checks with all members of staff who the child / young person may have had contact with
  - checks with the student’s friends, siblings and known relatives at the academy and other academy
  - telephone calls to any numbers held in academy records
  - a visit to the last known address
  - if safe, enquiries with neighbours and known family

If all initial reasonable enquiries have been exhausted, the academy will make a referral to ESWS using the online forum (depending on the authority the academy is in) supplying the following information:

- name of the child
- DOB
- last known address and outcome of home visit
- names of parents or carers
- names of any known siblings
- details of the child’s attendance

A more exhaustive list of enquiries is listed below and may be considered if a child may have been taken abroad and initial reasonable enquiries do not establish anything:

- where a student has not returned to school for 10 days after an authorised absence, or is absent from the academy without authorisation for 20 consecutive academy days, the academy will remove the student from the admission register providing the local authority has given permission to do so. In the meantime, irrespective of any local intelligence as to where the family may or may not be, the academy will continue to make reasonable enquiries and attempt to contact the family until the local authority confirms that they have exhausted their enquiries and approval has been given to remove the student from roll
- the academy will work within local arrangements with regards to the re-admission of children who may wish to return after removal
- the academy will notify Children’s Services if any student is to be deleted from the admission register
- students who remain on the school roll, but who are not necessarily missing education, will be monitored and attendance will be addressed when it is poor
- the academy will arrange full-time education for excluded students from the sixth school day of a fixed-period exclusion
- the academy will provide information to Children’s Services regarding standard transitions, if requested to do so

#### **4.2 Staff members**

All staff will be alert to the potential need to implement early help for a student who is frequently missing / goes missing from our care or from home.

All staff will be aware of the academies unauthorised absence and children missing from education procedures.

Where staff have concerns (e.g. a noticeable pattern of absence), they will refer to the Designated Safeguarding Lead.

#### **4.3 Children’s Services / Local Authority (LA)**

Under the Education Act 1996, Children’s Services (or the Local Authority / LA) has a duty to establish the identities of children in the area who are not registered students at a school and are not receiving education provision otherwise.

Children’s Services provide full-time education for permanently excluded students from the sixth school day of a fixed-period exclusion.

When it is brought to their attention that a child may not be receiving a suitable education, the LA will serve notices on parents.

They will issue School Attendance Orders to parents who fail to assure them that their child is receiving a suitable education.

The LA will prosecute parents that do not comply with a School Attendance Order.

The LA will prosecute or fine parents / carers of school-registered children who fail to ensure their child attends school regularly.

They will apply to court for an Education Supervision Order for a CME.

The LA is responsible for referring to Children’s Social Care 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.

Once reported to the LA, the Education Social Work Service (ESWS) will:

- visit the last known address if it is still unclear if the family have moved
- send out a standard letter to Housing and Health
- carry out a Children’s Social Care, Welfare Benefits and Police check requesting any information they may have as to the child and family’s whereabouts

- contact partner agencies in person if serious concerns regarding the child's welfare and safety exist e.g. the child is the subject of a Child Protection Plan

The child will be placed on the Out of School Register.

If after four weeks following the child's last attendance in school, the ESWS has not been able to establish the whereabouts of the child. The academy will be advised to remove the child from the school roll; schools must follow the LA procedure for removal from roll on completion of the relevant documentation.

#### 4.3 Parents

Parents have a duty to ensure their child of compulsory school age receives suitable full-time education.

Parents are responsible for notifying the academy in writing if they wish to home-educate their child in order for the child to be removed from the admission register.

Parents will notify the academy regarding any absences or changes to their child's education arrangements.

Parents are responsible for providing the academy with more than one emergency contact number, where possible.

### 5.0 Induction and training

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.

### 6.0 Safeguarding and further reasonable enquiries when a child is missing

6.1 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. These enquiries may continue after reporting to the necessary authorities.

6.2 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, landlord or relatives to determine whether a child may be at risk of harm.

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

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

- make contact with the parent / carer, 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 student moved originally
- check with the LA where the student lives, if this is different to where the school 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 make enquiries with neighbours if appropriate

**NB.** This list is not exhaustive - the academy will use their judgement towards what reasonable enquiries are appropriate once all the facts of the case have been taken into account.

### 7.0 Admission register

7.1 The academy will ensure that the admission register is kept up-to-date at all time and will encourage parents / carers to notify the academy of any changes as they occur, such as via email or newsletters and through data collection sheets.

7.2 Students will be recorded on the admission 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 student will attend the academy.

7.3 Once a student has been recorded on the admission register, the academy will notify the LA, within five days, of all the details contained on the admission register for the new student.

7.4 Where a parent / carer notifies the academy that a student 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 student will live
- the new address
- the date from when it is expected the student will live at this address

- 7.5 Where a parent notifies the academy that the student is registered at another school, or will be attending a different school in future, the academy will record the following information on the admission register:
- the name of the new school
  - the date when the student first attended, or is due to attend, that school
- 7.6 Parents are able to elect to educate their child at home and will subsequently withdraw them from the academy. This can happen at any time, unless the student is subject to a School Attendance Order. If a parent notifies the academy, the student will be deleted from our admission register and we will inform the LA.

## **8.0 Removing a student from the admission register**

- 8.1 The academy will inform the LA of any student who will be deleted from the admission register where they:
- have been taken out of academy by their parents and are being educated outside the school system e.g. home-educated (informed by letter)
  - have ceased to attend school and no longer live within a reasonable distance of the academy
  - have been 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; 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 the academy 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 student is not unable to attend school
    - the LA and school are unable to determine the student's whereabouts after making joint reasonable enquiries
  - have been continuously absent from school for a period of not less than 20 school days and:
    - the absence was not authorised
    - there is reason to believe the student is not unable to attend school
    - the LA and school is unable to determine the student's whereabouts after making joint reasonable enquiries
  - will cease to be of compulsory school age before the school next meets, and the relevant person has indicated the student will not attend the school, or the student does not meet the academic entry requirements for sixth form
  - the academy will notify the LA that a student is to be removed from the admission register as soon as any of the above criteria are met and no later than the time at which the student's name is actually removed
- 8.2 If a student's name is to be removed from the admission register, the academy will provide the LA with the following information:
- the full name of the student
  - the full name and address of any parent / carer with whom the student lives
  - at least one telephone number of the parent / carer with whom the student lives
  - the full name and address of the parent / carer who the student is going to live with and the date the student is expected to start living there, if applicable
  - the name of the student's new school and their expected start date, if applicable
- 8.3 The grounds for removal from the admission register monitoring and review.

## **9.0 Elective Home Education (EHE)**

- 9.1 Parents have the right to electively home-educate their children; however, all our academies follow set procedures to ensure parents are fully aware of the duty that this places on them. As a Trust, we believe there are times when it is inappropriate to authorise EHE even if we are unable to resist the parents' rights to do so. If we do not believe EHE is appropriate, we will work with the LA to encourage parents to re-admit their child.