

# Child Missing in Education Policy

## Policy document provenance

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Unless there are legislative or regulatory changes in the interim, this policy will be reviewed on an annual basis. Should no substantive change be required at this point, the policy will move to the next review cycle.



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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 an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have, regardless of their circumstances. Children missing education (CME) risk underachieving, being victims of harm, exploitation or radicalisation, 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 Keeping Children Safe in Education 2024 and Working Together to Safeguard Children 2023
- DfE (2024) 'Children missing education'
- DfE (2024) Working together to improve school attendance
- School Attendance (Pupil Registration) (England) Regulations 2024
- The Education Act 1996, 2002 and 2006
- The Education and Inspections Act 2006
- The Children Act 1989
- The Children Act 2004
- 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 and a person with control of the student's attendance that they will attend the academy. If no date has been agreed or notified, the student's name will be entered on the first day they attend school.
- If a student fails to attend on the agreed date, the academy will undertake reasonable enquiries to establish the child's whereabouts and notify the local authority at the earliest opportunity.
- 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 student attendance through a daily electronic lesson by lesson register and 2 reported session registrations.
- If a child stops attending, and we have had no contact, we will undertake a home visit on the third day of absence at the latest.
- 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:
  - o checks with all members of staff who the child / young person may have had contact with

- o checks with the student's friends, siblings and known relatives at the academy and other academy
- o telephone calls to any numbers held in academy records
- o a visit to the last known address
- o 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 the academy for 10 consecutive days after a leave of absence, or is absent from the academy without authorisation for 20 consecutive academy days, the academy will remove the student from the admission register when the academy and local authority have failed, after jointly making reasonable enquiries, to find the location and circumstances of the child or have succeeded but agree there are no reasonable grounds to believe they will attend the school again
- the academy will only decide there are no reasonable grounds to believe the student will attend again if the local authority is in agreement, and there are no reasonable steps that could be taken either jointly or separately to secure the student's attendance
- the academy will not delete the student's name if there are reasonable grounds to believe the student is unable to attend because of sickness or unavoidable cause
- 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 Get Information About Pupil (GIAP)
- 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. The academy will make joint enquiries with the local authority where appropriate in all enquiries.

## 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 and a person with control of the students attendance that they will attend the academy. If no date has been given or notified, the students name will be entered on the first day they attend school.

7.3 If a student fails to attend on the agreed date, the academy will undertake reasonable enquiries to establish the child's whereabouts and notify the local authority at the earliest opportunity.

7.4 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.

7.5 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

7.6 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

## 8.0 Removing a student from the admission register

8.1 Academies will make a deletion return to the local authority when a student's name is deleted from the admissions register and provide the following information:

- the full name of the student
- address
- 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 ground for deletion under which the student's name has been deleted from the admissions register

8.2 An academy will only remove a compulsory school age student's name from the admissions register for a reason set out in regulation 9 of the School Attendance (Pupil Registration) (England) Regulations 2024:

- Ground A – The student has been registered at another school
- Ground B - The student has not continued at the school following completion of nursery education
- Ground C - The student is also registered at one or more other schools and the other schools have agreed the deletion
- Ground D - The student has a school attendance order which has been changed to name another school
- Ground E - The student had a school attendance order which has been revoked
- Ground F - The parent of a student has notified the school in writing that the student will be leaving the school to be educated otherwise than at a school (see s.9)
- Ground G - The student no longer normally lives a reasonable distance from the school
- Ground H - The student has not returned following a leave of absence
- Ground I - The student has been continually absent from school for 20 school days
- Ground J - The student is detained under a sentence of detention
- Ground K - The student has died
- Ground L - The student will be over compulsory school age and will not continue into the sixth form
- Ground O - The student has been permanently excluded from the school

8.3 An academy will only remove a none compulsory school age student's name from the admissions register for a reason set out in regulation 9 of the School Attendance (Pupil Registration) (England) Regulations 2024:

- Ground A - The student is not a boarder and will not attend the school again
- Ground C - The student has been continually absent from school for 20 school days
- Ground D - The student has died
- Ground E - The student has been permanently excluded from the school

8.4 An academy will not remove a student from the admission register unless all the criteria set out in chapter 7 of Working together to improve school attendance 2024 has been met. The reasons for deletion can be found here.

## 9.0 Elective Home Education (EHE)

9.1 Parents have a duty to ensure their compulsory school age child receives an efficient full-time education by regular attendance at school or otherwise. Elective home education is the term used to describe a choice by parents to provide education for their child at home or in some other way instead of sending them to school.

9.2 Educating a child at home instead of at school is a major commitment on parent's time, resources, and money. Our academies provide a space for children to be educated by subject specific professional experts across a broad curriculum. Children receiving EHE may miss out on the social side of school, joint activities with peers, group work, friendships, access to trip and visits, specialised facilities, curricular



and extra-curricular opportunities, access to an examination centre and careers guidance. EHE should never be used as a way to resolve a disagreement. Children who are removed from school for EHE and return at a later date will often have gaps in their learning.

- 9.3 Our academies follow set procedures to work together with families and local authorities to support children to remain in school and remove any barriers to attendance and attainment. Whilst we recognise parents right to EHE, as a trust, we believe there are many times where EHE is inappropriate.
- 9.4 When we receive a request for EHE, or any communication from parents that suggest EHE, our academies will arrange a supportive meeting with the family, senior leaders, and any appropriate staff members specific to the student's needs. This could be a SENDCo if the student has special educational needs or a member of the year team if appropriate. The student will be involved in this meeting where possible. A representative from the local authority EHE team may also be invited to attend the meeting. The academy will identify support strategies to re-engage the family and discourage EHE. Home visits and telephone calls will be made at this stage where appropriate.
- 9.5 If families wish to proceed with EHE, a further meeting will be conducted with the family, student, principal, and any other appropriate member of staff. If the academy believes that the move to EHE is not in the best interests of the student, the family will receive a letter from the academy outlining any concerns. During the meeting, the principal will discuss the support strategies offered and any reasons why EHE is not in the student's best interests. Parents will be informed that by pursuing EHE, they will lose their place at the academy and a place may not be available should they wish to re-apply.
- 9.6 If the family wish to proceed with EHE, the academy will retain and record paperwork relating to the EHE request, support offered and attempts to re-engage. Should the academy feel that a student may be at greater risk as a result of EHE, this will be reported to the LA and children's social care. The local authority will be informed in writing and in compliance with the locally agreed protocol in that area. The student will be removed from roll on the written recommendation of the local authority EHE letter to principal.
- 9.7 Where a family wishes to re-engage with the academy at a later date, they will be supported to re-apply via the locally agreed admissions process and Fair Access Protocol. This will involve a re-integration programme.

