



Diocese of Salisbury  
Academy Trust  
*'Beyond expectations for all of God's children'*

## **CHILDREN MISSING EDUCATION POLICY**

Policy Date: September 2021

Review Date: September 2024

*This policy is to be adapted by each Academy*

## **1. Introduction - overview**

- 1.1 The Diocese of Salisbury Academy Trust (DSAT) understands that all children, regardless of their circumstances, are entitled to a full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Children missing education (CME) are at significant risk of underachieving or being victims of abuse. DSAT and the Academy strive to put in place robust procedures and policies to enable staff to meet their duty in relation to these children. We undertake regular reviews and evaluate processes to ensure that these continue to be fit for purpose in identifying and dealing with CMEs in their area.
- 1.2 The purpose of section 436A of the Education Act 1996 is to ensure that Local Authorities' arrangements enable them to establish the identities of children in their area who are not registered pupils at a school, and are not receiving suitable education otherwise than at a school.
- 1.3 From June 2013, Ofsted has been implementing a new joint inspection for multi-agency arrangements for the protection of Children which includes CMEs.

## **2. Schools' Duties**

- 2.1 Our Academy monitors pupils' attendance through our daily register and have agreed with our local authority the intervals in which we will inform them of the details of pupils who are regularly absent from the Academy or have missed 10 Academy days or more without permission. We also notify the authority if a pupil is to be deleted from the admission register in certain circumstance. Pupils who remain on an Academy roll are not necessarily missing education but the Academy monitors attendance and addresses it when it is poor. It is also important to us that pupils' irregular attendance is referred to the authority.
- 2.2 Our Academy also has safeguarding duties under section 175 of the Education Act 2002 in respect of our pupils and this policy should be read in conjunction with our Child Protection / Safeguarding Policy.
- 2.3 All schools (including academies and independent schools) must notify their local authority when they are about to remove a pupil's name from the school admission register under any of the fifteen grounds listed in the regulations (Annex A). This duty does not apply when a pupil's name is removed from the admission register at standard transition points – when the pupil has completed the final year of education normally provided by that school – unless the local authority requests that such returns are to be made.
- 2.4 When removing a pupil's name, the notification to the local authority must include: (a) the full name of the pupil, (b) the full name and address of any parent with whom the pupil normally resides, (c) at least one telephone number of the parent, (d) the pupil's future address and destination school, if applicable, and (e) the ground in regulation 8 under which the pupil's name is to be removed from the admission register (see Annex A).

- 2.5 Schools must make reasonable enquiries to establish the whereabouts of the child jointly with the local authority, before deleting the pupil's name from the register if the deletion is under regulation 8(1), sub-paragraphs (f)(iii) and (h)(iii) (see Annex A).
- 2.6 All schools must also notify the local authority within five days of adding a pupil's name to the admission register at a non-standard transition point. The notification must include all the details contained in the admission register for the new pupil. This duty does not apply when a pupil's name is entered in the admission register at a standard transition point – at the start of the first year of education normally provided by that school – unless the local authority requests that such returns are to be made.
- 2.7 Regulation 8.3 of the aforementioned Regulations details when a pupil who is not of compulsory school age can be removed from roll.

### **3. Parents' Responsibilities**

- 3.1 Parents have a duty to ensure that their children of compulsory school age are receiving efficient, full-time education. Some parents may elect to educate their children at home and may withdraw them from school at any time to do so - unless they are subject to a School Attendance Order. Where a parent notifies the Academy in writing of their intention to home educate, the Academy is required to notify the Local Authority before it removes the child from roll.
- 3.2 Children with special educational needs statements can be home educated. Where the statement sets out special educational provision that the child should receive at home, the local authority is under a duty to arrange that provision. Where the statement names an Academy as the place where the child should receive his or her education but the parent chooses to home educate their child, the local authority must assure itself that the provision being made by the parent is suitable to the child's special educational needs.

### **4. Local Authorities' Related Duties and Powers**

- 4.1 Local authorities can use other duties and powers to support their work on CME.

These include:

- Providing suitable full-time education to permanently excluded pupils from the sixth school day of exclusion;
- Safeguarding children's welfare, and their duty to cooperate with other agencies in ensuring children's safety
- Serving notice on parents requiring them to satisfy the LA that their child is receiving suitable education when it comes to the local authority's attention that a child might not be receiving such education.
- Issuing School Attendance Orders (SAOs) on parents who fail to satisfy the local authority that their child is receiving suitable education, and in the opinion of the authority, it is appropriate that the child should attend school.
- Prosecuting parents who do not comply with an SAO;
- Prosecuting or fining parents who fail to ensure their school-registered child attends school regularly;
- Applying to court for an Education Supervision Order for a child.

## 5. Children at Particular Risk of Missing Education:

There are many circumstances where a child may be missing education so it is vital that we make judgement on a case by case basis, alongside the local authorities. The list below presents some of the circumstances that local authorities should consider when establishing their CME practices and policies:

### 5.1 Pupils at Risk of Harm/Neglect

Children may be missing education because they are suffering from abuse or neglect. Where this is suspected, the Designated Safeguarding Lead (DSL)\* follows local child protection procedures. Local authority officers responsible for CME should check that a referral has been made and, if not, they should alert children's social care. If there is reason to suspect that a crime has been committed or the child's safety is at risk, the police should also be involved.

*The Designated Safeguarding Lead in Wilton CE Primary School is Richard Boase
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### 5.2 Children of Gypsy, Roma and Traveller (GRT) Families

Research has shown that many children from these families can become disengaged from education, particularly during the secondary school phase. It is therefore vital that Academies inform the LA when a GRT pupil leaves the Academy without identifying a new destination school / Academy, particularly in the transition from primary to secondary so that they can attempt to facilitate continuity of the child's education. Some GRT pupils will be kept on roll if the Academy is deemed to be the "School of Ordinary Attendance" in order to comply with Regulation 9 of The Education(Pupil Registration)(England) Regulations 2006. Although many are settled, some GRT families move regularly and their children can be at increased risk of missing education. Local authority Traveller Education Support Services (TESS), where these exist, or named CME officer within the LA, advise schools and Academies on the best strategies for ensuring the minimum disruption to GRT pupils' education.

### 5.3 Families of Armed Forces

Families of members of the Armed Forces are likely to move frequently – both in the UK and overseas and often at short notice. Academies and local authorities contact the MOD Children's Education Advisory Service (CEAS) for advice on making arrangements to ensure continuity of education for those children when the family moves.

### 5.4 Missing Children/Runaways

Children who go missing or run away from home or care may be in serious danger and are vulnerable to crime, sexual exploitation or abduction as well as missing education.

### 5.5 Children and Young People Supervised by the Youth Justice System

Children who have offended or are at risk of doing so are also at risk of disengaging from education. Local Authority Youth Offending Teams (YOTs) are responsible for supervising those young people (aged 8 to 18). YOTs work with the local authority CME officer to ensure that children are receiving, or return to, appropriate full-time education. Where a young

person was registered at a school/Academy prior to custody, the Academy may keep the place open for their return.

## 5.6 Children who Cease to Attend an Academy/School

There are many reasons why a child stops attending an Academy/School. It could be because the parent chooses to home educate their child. However, where the reason for a child who has stopped attending the academy is not known, the local authority must investigate the case and ensure the child is receiving suitable education.

## 6. Working with Others

- 6.1 Families moving between local authority areas 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/Academy or otherwise.
- 6.2 Local authorities should regularly raise awareness of their procedures with local schools/Academies, partners and agencies working with children and families, for example, GPs and other health professionals, Primary Care Trusts, police, housing agencies, emergency services, children's homes, voluntary groups for youth and Youth Offending Teams.
- 6.3 It may also be helpful for local authorities to have local contacts with the Department for Work and Pensions, the UK Border Agency and HMRC to assist them in tracing those children known to be missing education.

## Annex A: Grounds for deleting a pupil from the school admission register

	<b>Grounds for deleting a pupil of compulsory school age from the school admission register set out in the Education (Pupil Registration) (England) Regulations 2006, as amended</b>
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 sub-paragraph (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 sub-paragraph (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.
7	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.
8	8(1)(h) - that he has been continuously absent from the school for a period of not less than twenty school days and —

	<b>Grounds for deleting a pupil of compulsory school age from the school admission register set out in the Education (Pupil Registration) (England) Regulations 2006, as amended</b>
	<p>(i) at no time was his absence during that period authorised by the proprietor in accordance with regulation 6(2);</p> <p>(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</p> <p>(iii) the proprietor of the school and the local authority have failed, after jointly making reasonable enquiries, to ascertain where the pupil is.</p>
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	<p>8(1)(k) - that the pupil will cease to be of compulsory school age before the school next meets and—</p> <p>(i) the relevant person has indicated that the pupil will cease to attend the school; or</p> <p>(ii) the pupil does not meet the academic entry requirements for admission to the school's sixth form.</p>
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	<p>8(1)(o) where—</p> <p>(i) the pupil is a boarder at a maintained school or an Academy;</p> <p>(ii) charges for board and lodging are payable by the parent of the pupil; and</p> <p>(iii) those charges remain unpaid by the pupil's parent at the end of the school term to which they relate.</p>

Regulation 8.3 of the aforementioned Regulations details when a pupil who is not of compulsory school age can be removed from roll.