

# Children Missing Education (CME) Policy

## Inclusion and Post 16 Service

Due to the present Covid-19 pandemic, this policy is subject to change as education recovery develops and updated DfE guidance is published.

We anticipate and welcome that the outcomes and recommendations of the Nov 2020 LGA research will help to shape the DfE guidance, more specifically around:

- Raising the profile of Children Missing formal Education.
- Resourcing local authorities adequately to fulfil their responsibilities in relation to ensuring all children receive a suitable education.
- Creating a learning environment in which more children can succeed.

The full report can be found here: <https://www.local.gov.uk/children-missing-education>

**November 2020**

To be reviewed October 2021

Enquiries to: [cme@oldham.gov.uk](mailto:cme@oldham.gov.uk)

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## 1 Introduction

The purpose of this policy is to describe how Oldham Local Authority will fulfil its duties and responsibilities with regards to children missing education (CME).

Children who are not receiving suitable education are potentially exposed to higher degrees of risk and this may include engagement in anti-social or criminal behaviour, social disengagement, forced marriage and Female Genital Mutilation (FGM), radicalisation and/or sexual exploitation.

Local authorities (LA's) have a duty under section [436A of the Education 1996 \(added by section 4 of the Education and Inspections Act 2006\)](#) to make arrangements to establish (so far as it is possible to do so) the identities of children in their area who are not registered pupils at school<sup>1</sup> and are not receiving suitable education otherwise and to safeguard the welfare of these children.

“Suitable education” is considered to be efficient, full-time education suitable to the age, ability and aptitude of the child and to any special educational needs which he/she may have.

The duty **does not** apply to children of [compulsory school age](#) who are absent from school. The duty complements and reinforces duties that already exist for schools to monitor attendance. Schools have a duty to [monitor attendance](#) and may where appropriately make a referral to the Inclusion Team where attendance of individual pupils gives grave cause for concern. The attendance team can be contacted via [sais@oldham.gov.uk](mailto:sais@oldham.gov.uk)

This policy is intended to ensure that:

- robust systems are in place in Oldham to identify and track children<sup>2</sup> at risk of, or who may be missing education
- schools and Local Authority Officers are aware of systems and use them effectively
- partner agencies understand who to notify and how to do so that the risk of children missing from education is minimised
- children who are identified as missing education are returned to an education setting in a timely manner
- where appropriate we share information with other local authorities

## 2 Reasons for Children Missing From Education

**Children may go missing from the education system because they:**

- do not start appropriate provision and do not enter the system
- do not transfer from primary to secondary provision
- stop attending because of unofficial exclusion

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<sup>1</sup> Schools in this policy includes academy settings

<sup>2</sup> Children in this policy refers to anyone of [statutory school age](#)

- are withdrawn by parent or carer
- transfer between local authorities
- have been permanently excluded
- move to another authority or return to their country of origin
- cultural differences in compulsory school age between the UK and the child's home country
- delay in applying for a new school when a family moves into the area
- delay in applying for a new school when a child leaves an independent (private) school
- parent's preferred school is full, and they refuse to accept an alternative school place for the child
- child is removed from school because the family is leaving the area, but a forwarding address is not provided
- child is removed from school because they have a place in a new school, but parent fails to register the child at the new setting

### **Children at particular risk of missing education**

[DfE CME guidance](#) issued in September 2016 identified that children who have experienced certain life events are more at risk of missing education. These may include:

- Pupils at risk of harm / neglect
- Children of Gypsy, Roma and Traveller (GRT) families
- Children of service personnel
- Missing children and runaways
- Children and young people supervised by the Youth Justice system
- Children who cease to attend school
- Children of new migrant families
- Children at risk of forced marriage or FGM
- Young people at risk of radicalisation
- Children with long-term medical or emotional health problems
- Unaccompanied asylum seekers and refugees, or the children of asylum-seeking families

### **Children missing from education are at a greater risk of:**

- physical harm, exploitation, 'being trafficked'
- substance abuse
- anti-social behaviour and crime
- illegal employment
- becoming Not in Employment, Education or Training (NEET)

It is therefore vital that the Local Authority, schools and other agencies work together to safeguard children and share information about children missing education.

Oldham LA will ensure that all Oldham schools / nurseries and children's centres are made fully aware of their responsibilities in relation to missing/lost pupils, at the start of each academic year and children who may have attended but have no known future education provision.

Oldham Council will closely monitor and review annually the identification and tracking of Children Missing Education procedures to ensure best practice and that systematic and robust processes are in place to log, track and locate children to return them to education at the earliest possible time.

### 3 Reducing the Risk of Children Missing Education

This policy identifies the procedures currently in place to reduce the risk of children leaving the education system and going missing.

Oldham Local Authority's Inclusion and Children Missing Education Officer is the nominated officer who is responsible for searching the Lost Pupil Database for details of children with no recent school history. The officer can be contacted via [cme@oldham.gov.uk](mailto:cme@oldham.gov.uk)

This policy is added to by LA guidance to ensure that schools continue to follow Oldham Local Authority policies about:

- school admissions
- removing students from roll
- referrals to the Inclusion team in regards school attendance issues
- promoting consistency in school administrative procedures
- electively home educated children

Tracking systems in place include:

- sharing and receiving information from other agencies to identify those at risk of becoming CME
- regular training of school staff on CME procedures
- ensuring all partner agencies have access to updated information on CME
- liaison with other local authorities and access to national database, School to School (S2S)
- putting measures in place to re-engage those at risk of becoming CME through discussion at monthly CME Triage panels and referral to appropriate agencies for support

The CME and Inclusion officer is required to maintain and develop a Local Authority database of all Children Missing Education reported in Oldham.

The CME and Inclusion officer is required to assess referrals and in partnership with the Inclusion manager and other LA officers to resolve any access/ provision issues. The CME and Inclusion officer is required to ensure this happens in an appropriate timeframe and to monitor and update progress on the Children Missing Education (CME) database.

The Inclusion Manager is required to prepare, analyse and present reports on CME data and the themes and trends that emerge to the Directorate Leadership Team and to the quarterly Oldham Safeguarding Children Partnership.

Through publicity, the Inclusion and Post 16 team are required to raise awareness of the general public to Children Missing Education and every child's right to education.

## 4 Identifying and Engaging Stakeholders

Oldham LA continues to raise awareness amongst agencies about how to inform the LA of children missing from education. It's often the case that another agency is aware of the arrival or the existence of a child living in the LA but not in education, before the LA is aware. Our stakeholders include (but not limited to):

- school administrators
- GMP
- Youth Justice Service
- health services
- social care
- MASH
- IDVA service
- Community Safety team
- SEND (special educational needs and disabilities) service

Up to date referral mechanism CME procedures are shared with all appropriate agencies annually.

It is very important that effective information sharing, and joint working is maintained between parents, schools, local authorities and all agencies to ensure that all children of compulsory school age are safe and receiving suitable education. Prompt action and early intervention is crucial, and those children identified as not receiving suitable education should be returned to full-time education either at a school or in alternative provision.

Professionals in Housing, Health, Youth Services, Juvenile Justice, etc may hold crucial safeguarding information about a child and/or may become aware of the arrival or existence of a child living in the area who is not receiving suitable education. The LA will consider all routes of information and the involvement of other agencies when making enquiries about children missing education.

A child missing from education is not in itself a child protection matter, and there may be a suitable explanation for this. Regular school attendance, however, is an important safeguard and unexplained non-attendance can be an early indicator of problems, risk and vulnerability.

All practitioners are required to demonstrate '**professional curiosity**' in respect of a child or young person's education arrangements in order to establish whether a child may be missing from education. Any concerns about the child or young person's presentation or behaviour may be heightened by the knowledge that he/she is not attending school. If there is any reason to believe that a parent is misrepresenting the situation or there is any doubt about the information being provided, practitioners are encouraged to follow the CME guidance and make the relevant enquiries / home visits etc. If, however those concerns remain, the practitioner should pass information to the CME and Inclusion officer who will be able to make relevant enquiries. A referral can be anonymous; however, practitioners are encouraged to inform parents of any action

taken to refer their child to the CME and Inclusion officer and ultimately any child protection and safeguarding concerns should be raised urgently via the Multi Agency Safeguarding Hub.

## 5 Responsibility of Schools

Schools have a safeguarding duty in respect of their pupils, and as part of this should investigate any unexplained absences.

Further information about schools' safeguarding responsibilities can be found in [Keeping children safe in education September 2020](#) statutory guidance for schools and colleges in England. Guidance states that all staff should be aware of systems within their school or college which support safeguarding and the procedures to follow where there is unauthorised absence or evidence of children missing from education.

[Education \(Pupil Registration\) Regulations 2006](#) (Updated Sept 2016) requires that all schools (including academies and independent schools) must notify the local authority whenever a pupil is added to their roll or removed at a non-standard transition point. Schools must enter pupils onto the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. Schools must then monitor pupils' attendance through their daily register and address poor or irregular attendance. If a pupil fails to attend on the agreed or notified date, the school should undertake reasonable enquiries to establish the child's whereabouts and consider notifying the local authority at the earliest opportunity.

Where a pupil has not returned to school for ten days after an authorised absence or is absent from school without authorisation for twenty consecutive school days, the pupil can be removed from the admission register when the school and the local authority have failed, **after jointly** making reasonable enquiries, to establish the whereabouts of the child. Guidance on what constitutes reasonable enquiries is located in [Children Missing Education: Statutory guidance for local authorities, September 2016](#).

A record of the reasonable enquires made must be recorded in the child's file with the name / team, contact email / telephone number and date of actions taken. On confirmation that the Local Authority Inclusion team has been unable to establish the whereabouts of the young person within the local authority, the school may off roll the pupil. Pupils should not be removed from the school roll until confirmation from the LA.

Where a child's name has been removed from a school's register and the child has not secured a provision and/or their whereabouts are unknown the child's name is kept on a register held centrally by the local authority and should be clearly identified as missing education.

The Head Teacher should remain alert for local information about the whereabouts of the child. Where the child's name has been removed from the school roll, but s/he has not been located, the Head Teacher should ensure the pupil's records are retained until the child is located.

Where a Head Teacher has been notified by a parent/carer that they wish to remove their child or children to be electively home educated (EHE) they must give written

notification to the school. To ensure safeguarding arrangements can be completed appropriately we ask that all schools notify the Elective Home Education officer without delay via [ehe@oldham.gov.uk](mailto:ehe@oldham.gov.uk) and follow Oldham's [EHE policy](#). The school must retain the child's records.

[The Education \(Pupil Information\) \(England\) Regulations 2000](#) (S1 2000/297) (as amended by S1 2001/1212 and SI 2002/1680) set the rules for the transfer of information from school to school when a child moves school. Regulation 10(3) states

***“The headteacher of the pupil’s old school shall send the information (the common transfer information and educational records) within 15 school days of the pupil’s ceasing to be registered at the school.”***

If a school receives a new pupil without receiving information about them from his or her previous school, the school should contact the previous school. If this does not result in transfer of the pupil's file, then the school should follow the school's complaints procedures. If a school fails to share information that subsequently leads to a safeguarding concern the school will face recourse via the Local Children's Safeguarding Partnership.

Head teachers must immediately inform the CME and Inclusion officer and the child's social worker where a child who is subject to a Child Protection Plan or looked after by the local authority is missing education and in the case of a child with an Education Health Care Plan, inform both the CME officer and the SEND team via [ehcinfo@oldham.gov.uk](mailto:ehcinfo@oldham.gov.uk) or the known SEND officer linked to the child.

### **Risk Assessing prior to deleting from roll**

When assessing risk, the school or a professional should consider the following:

- Is the child known to children safeguarding services?
- Is the child looked after?
- Is the child currently subject to a child protection plan, a child protection investigation or a child in need?
- Does the child have any siblings at other local schools where contact could be established with the family?
- If not does the school / professional have any current concerns about the child?
- Have there been previous concerns or involvement with children's safeguarding services in Oldham or another borough?
- Is the child known to Early Support services?
- Is this a “mobile family” who have moved addresses / boroughs frequently? Is there a history of poor attendance?
- Have parents previously been subject to proceedings in relation to poor attendance?
- Are there any immigration issues?
- Is the child vulnerable because of age and or disability etc.? Is the child at risk of contact with concerning adults including contact online?
- Has the child been known to associate with adults or other children who pose a risk to children?
- Is the child at risk of CSE? (A separate CSE risk assessment should be discussed with MASH / the allocated social worker). Is the child at risk due to FGM, forced marriage or abduction and consequently at risk of being removed from the UK?



- Is the child a young carer?
- Is there a history of domestic abuse and violence in the family?
- Is there a history of parental mental ill health or substance abuse?
- Is the fact the child is missing unusual?
- Are there religious or cultural reasons to believe that the child is at risk? Is the child in the process of being assessed for their special education needs via an EHCP?
- Is there an indication that the child may be subject to radicalisation or extremism?

**If the answer to any of the above is 'yes' then the school should seek advice from the relevant agency or from the MASH.**

## 5 The CME Process

The remainder of this document contains the actions that are taken by Oldham LA when a child is reported as missing.

Within 20 working days of the referral being received the Inclusion & CME officer, within the Inclusion team, will begin/continue their enquiries following the CME process. (see appendices 3 & 4)

As the CME team will have already contacted the last known school attended it may not be necessary to contact the school again. Further contact with the school may, however, be necessary if further, more detailed background information is required.

Prior to the referral to the LA it is expected that a minimum of at least one home visit has been conducted to establish whether the family/child are still living at the address letters to this last known address/phone calls to last known numbers are made within the 20 days by the school.

The CME team will liaise with other LA departments, external agencies and other Local Authorities when investigating a case. The team will record all discussions and action taken on the LA database.

The CME team works closely with school admissions and the school place planning team. This ensures that children missing from education are secured the appropriate education. Children who are residing in Oldham who are not in receipt of education will be offered a place through the co-ordinated in year [admissions process](#) .

Children that are offered education and do not attend the provision will be monitored and tracked through the inclusion team using the statutory School Attendance Order process where appropriate.

For those children whom the LA are unable to establish the child's whereabouts or are unable to engage the family, the CME/attendance officers and CME team will meet at the fortnightly meetings where decisions on next course of action is decided such as the use of School Attendance Orders for lack of engagement, referral to the Multi Agency Safeguarding Hub (MASH) to establish whether other agencies hold any further information and to seek advice/support with family engagement, information

on residence and any safeguarding concerns including, such as travelling to conflict zones, FGM, CSE, forced marriage, radicalisation.

CME officers will routinely liaise with the following key partners and agencies and use the following systems in establishing the whereabouts of a child:

- Revenue and Benefits departments
- Health Professionals
- Greater Manchester Police
- Border Agency
- Other LA CME officers
- Key to success
- Social Media as appropriate
- The council social care and housing systems
- The DFE Lost pupils' database.

## 7 Education (Pupil Registration) Regulations 2006

### Deletions from the school register

8(1). The Regulations enable schools to delete from their register compulsory school-age children in the following circumstances:

- a. the school is replaced by another school on a School Attendance Order;
- b. the School Attendance Order is revoked by the local authority;
- c. completion of compulsory school age;
- d. permanent exclusion;
- e. death of the pupil;
- f. transfer between schools; and
- g. pupil withdrawn to be educated outside the school system.
- h. failure to return for an extended family holiday after both the school and the local authority has tried to locate the pupil;
- i. a medical condition prevents their attendance and return to the school before ending compulsory school-age;
- j. in custody for more than four months;
- k. 20 days continuous unauthorised absence and both the local authority on school have tried to locate the pupil; and
- l. left the school but not known where he/she has gone after both the school and the local authority have tried to locate the pupil.

8 (3) Schools can only lawfully delete non-compulsory school-age children in the following circumstances:

- a. left the school;
- b. 20 school-days continuous absence without good reason;
- c. death of the pupil;
- d. permanent exclusion; or
- e. child who was admitted to the nursery is not transferring to the reception class.

8(4). In general, pupils can be deleted from the register of one school if they register at another (see below). However, it is possible for any pupil to register at more than one school and, where this happens; there are restrictions on applying the power to delete pupils because they are registered at another school. Schools cannot delete pupils from the register if one of the circumstances in regulations does not apply.

**All other deletions are illegal and could result in court proceedings against the person responsible.**

**It is not permitted to remove pupils from roll on the grounds of non-attendance alone.**

**If a pupil is removed from the roll incorrectly the Inclusion Team will instruct the school to place back on roll within 5 days.**

**In relation to pupils with an education health and care plan (EHP), the pupil cannot be removed from the roll of the school named in the EHP without the permission of the LA that maintains the EHP.**

### **Completion of compulsory school age**

Schools can delete pupils from the roll if they have:

- a. reached the end of their education; and
- b. are not continuing their education at the school.

Deletions cannot be made until the children reach their school leaving date, which is the last Friday in June of the school year in which their 16<sup>th</sup> birthday falls.

**NOTE: Where the word deletion/delete is mentioned this relates to removing the pupil from the school register.**

## **Appendix 1 - Links to legislation and guidance**

There are various statutory duties upon LAs and parents (supplemented by guidance) relating to the provision of education and the safeguarding of children which are relevant to children missing education.

The principal provisions are as follows:

[DFE Children Missing Education Guidance](#)

[Removing pupils from roll](#) - The Education (Pupil Registration) (England) Regulations 2006 has guidance on.

### **Attendance**

[Section 7 Education Act 1996](#) provides that the parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable to his/her age, ability and aptitude and to any specific educational needs

(s) he may have, either by regular attendance at school or otherwise. Furthermore Section 437 (1) Education Act 1996 provides that if it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they must serve a notice in writing on the parent ('a School Attendance Order') requiring them to satisfy the LA within the period specified in the notice that the child is receiving such education.

### **Additional Educational / Provision Arrangements**

[Section 19 \(1\) Education Act 1996](#) and [19\(4A\) Education Act 1996](#) requires every Local Education Authority to make arrangements for the provision of suitable education at school or education otherwise for those children of compulsory school age who by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them. For these purposes, 'suitable' education is defined as 'efficient education suitable to the age, ability, aptitude and to any special educational needs the child (or young person) may have.' (s.19 (6)).

### **Welfare**

[S.175 Education Act 2002](#) imposes a duty upon LAs and governing bodies to exercise their functions with a view to safeguarding and promoting the welfare of children. For these purposes, 'functions' includes the powers and duties of LAs and governing bodies.

Section 11 of the Children Act 2004 places statutory duties on key people and bodies e.g. a duty on key bodies, including the local authorities, to make arrangements to ensure that when carrying out their functions they take account of the need to safeguard and promote the welfare of children.

### **Links to other relevant law and guidance**

[Children Act 1989](#)

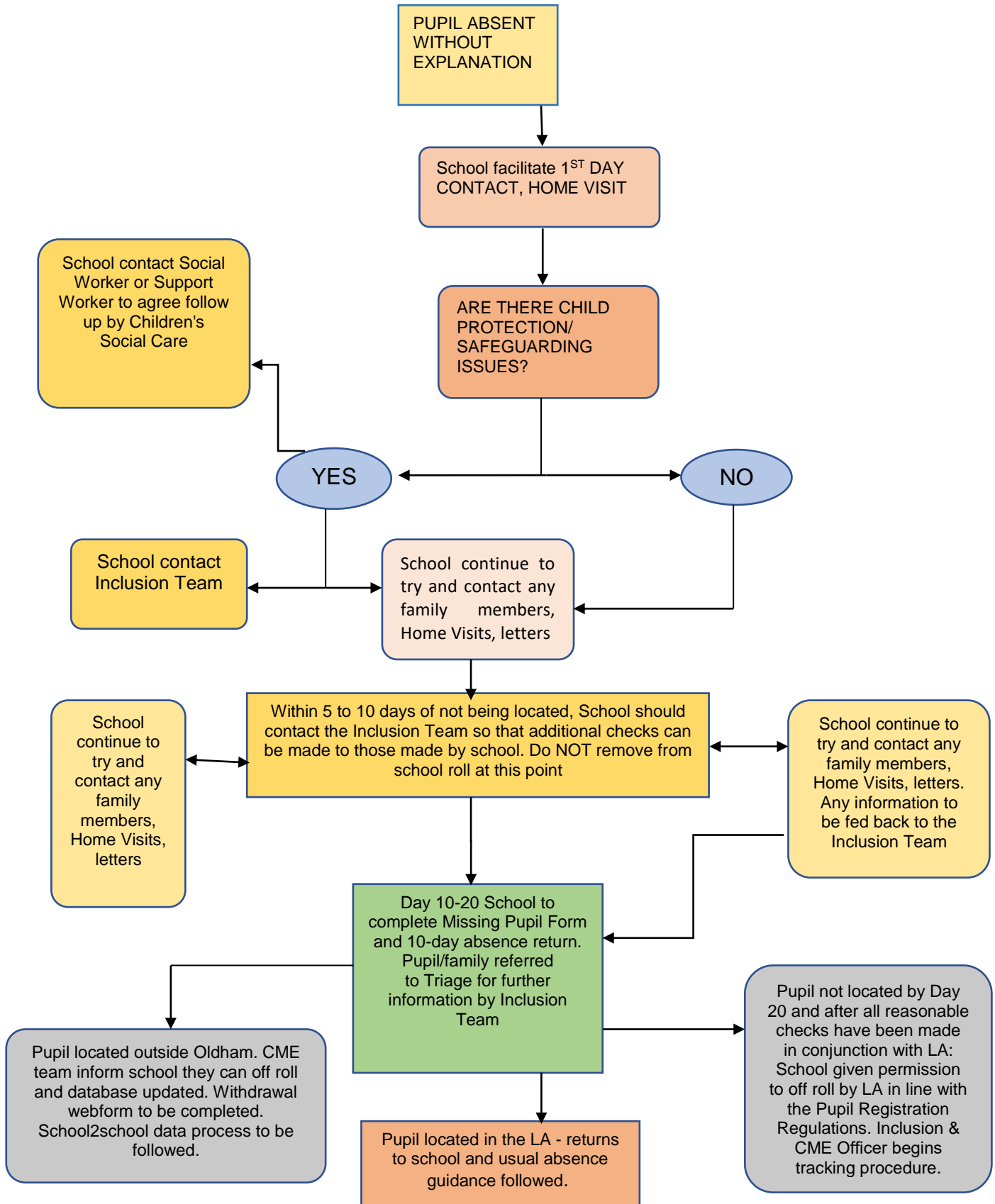
[Keeping Children Safe in Education](#)

[Monitoring attendance](#)

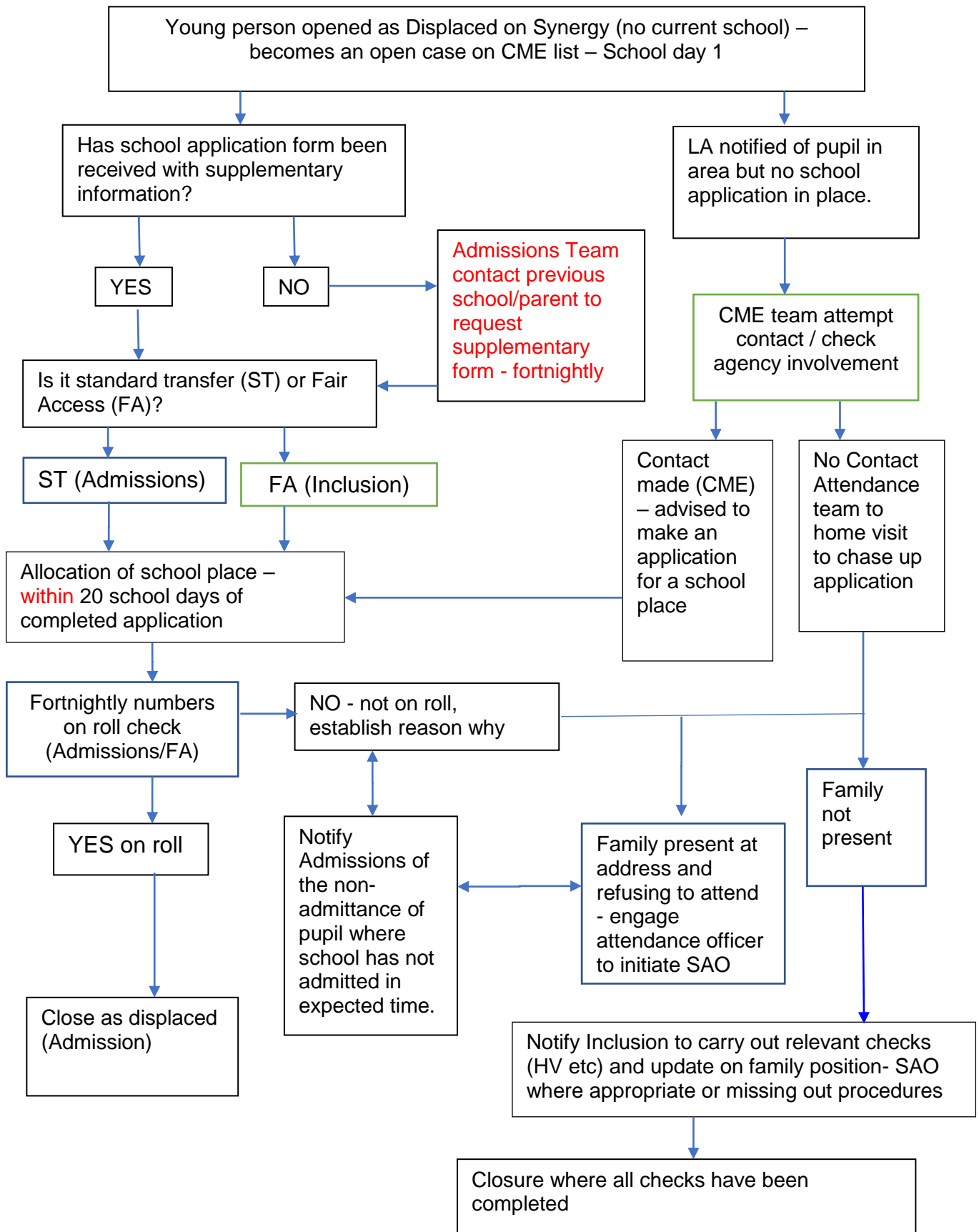
[Working Together to Safeguard Children](#)

## Appendix 2 - CME School Procedure

### CHILDREN MISSING EDUCATION SCHOOL PROCEDURE



## Appendix 3 - CME Internal Processes



## Appendix 4 - CME Closure document (internal)

Children Missing Education CONFIDENTIAL

Child's Name	Date of Birth	Pupil ID

The following to be used as a guide to ensure that all appropriate lines of enquiry have been explored

√	N/A	Date(s)
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### HOME / FAMILY

Attempted contact with parent(s) by telephone			
Attempted contact with parent(s) by letter			
Attempted contact with parent(s) by email			
Home visit to last known address			
Attempted contact with named significant adults			

### SCHOOL / LOCAL AUTHORITY (LA)

Previous school(s) contacted			
If destination suspected, relevant LA(s) contacted (or new school if left UK)			
If not Oldham UPN, relevant LA contacted (to establish if child has returned)			

### INTERNAL SYSTEMS

Synergy			
Mosaic			
School Admissions Team – Review of files if held?			
Inclusion / IYFA – review of case file if held?			
SEN Team – Review of case file if held			
Free School Meals			

### HEALTH

Child Health (including School Nursing Service)			
Other			

### COUNCIL SYSTEMS

√	N/A	Date(s)
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Council Tax Department & Revs & benefits			
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### GOVERNMENT DATABASES

School to School enquiry (DFE)			
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GIAP (previously key to success)			
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**OTHER**

Letting agent, if private rental			
Housing Association			
Homelessness / Safe Net or equivalent / Refuge(s)			
SERCO			
Multi Agency Risk Assessment Conference (MARAC)			
Social Media (e.g. Facebook)			
Daily Risk Meeting			

**REASON FOR CLOSURE**

We can confirm that it has not been possible to confirm the educational provision of the above named child, despite the searches listed above.

<b>Signed:</b>	<b>Children Missing Education Officer</b>	<b>Date:</b>
<b>Signed:</b>	<b>Inclusion Manager</b>	<b>Date:</b>