Children Missing from Education Policy

Statement of intent:

At Burley Oaks Primary School, we respect and value all children and are committed to providing a caring, friendly and safe environment for all our pupils so they can learn, in a relaxed and secure atmosphere. We believe every pupil should be able to participate in all school activities in an enjoyable and safe environment and be protected from harm. This is the responsibility of every adult employed by, or invited to deliver services at Burley Oaks Primary School. We recognise our responsibility to safeguard all who access school and promote the welfare of all our pupils by protecting them from physical, sexual and emotional abuse, neglect and bullying.

The main priority is to prevent an emergency from occurring in the setting; however, this is sometimes, unfortunately, out of the hands of the school. In an emergency, staff members at Burley Oaks Primary School will endeavour to take all reasonable actions in order to ensure the safety of pupils.

The procedures outlined in this policy aim to minimise disruption to the learning environment whilst ensuring the safety of all pupils, staff members and visitors.

This policy was agreed in December 2024 and will be reviewed in December 2026

Chair of Governors **Date 10 December 2024**

Headteacher **Date 10 December 2024**

Burley Oaks Primary School

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Statement of Intent

All children are entitled to a full-time education, regardless of their circumstances. Unfortunately, children missing from education (CME) risk underachieving, 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 our school will do to help the LA with its duty.

For the purpose of this policy, a **"child missing from education"** is defined as a child of compulsory school age who is not registered at a 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.

This policy does not address pupils who are considered to be absent from education, which is where a registered pupil is not attending regularly, including where they are persistently or severely absent from school. Procedures for addressing instances where pupils are not attending regularly are instead set out in the school's Attendance Policy.

1. Legal framework

This policy has due regard to 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 (2024) 'Keeping children safe in education 2024'
- Children missing education Statutory guidance for local authorities August 2024
- School Attendance (Pupil Registration) (England) Regulations 2024
- Working Together to Safeguard Children 2023 A guide to multi-agency working to help, protect and promote the welfare of children December 2023
- DfE (2021) 'School Admissions Code'

This policy operates in conjunction with the following trust policies:

- Child Protection and Safeguarding Policy
- Attendance and Absence Policy

This policy operates in conjunction with the following school 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
- 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 the school without naming their next destination school, the school will contact the LA.
- **Children of service personnel** – the school 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 the school suspect a child has gone missing or run away, an appropriate staff member 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 the school prior to custody, the school 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** – the school will remain vigilant to the 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 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 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 the school and LA have failed to establish the pupil's whereabouts after making reasonable enquiries.

- Submitting a return to the local authority when a pupil's name is to be deleted from the admission register (a 'deletion return'). In the same way, submitting a return to the local authority within five days when a pupil's name is added to the admission register (a 'new pupil return')
- Arranging full-time education for excluded pupils from the sixth school day of a fixed-period exclusion.
- Providing information to the LA regarding standard transitions, if requested to do so by the LA.

The governing board is responsible for:

- 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 the school'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 permanently excluded pupils from the sixth school day of a suspension.
- 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 the school or elsewhere.
- Ensuring that the school 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 the school.
- 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 the school 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 the school, 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 the school 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, LAs will work with other LAs, 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. The school 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.

The school uses a secure internet system, on BSO, 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, the school will inform the pupil's social worker.

7. Safeguarding

The school 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, the school 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 the school 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, the school, 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
- 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 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 or relatives, if appropriate

Please note: This list is not exhaustive – the school and 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

The school 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 the school 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 the school, or the day that the school has been notified, as the date that the pupil will attend the school. Once a pupil has been recorded on the admissions register, the school 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 the school that their child will live at another address, the school 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 the school that the pupil is registered at another school, or will be attending a different school in future, the school 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 the school that their child will be educated at home, the pupil will be deleted from the school's admission register and the school will inform the LA.

9. Removing a pupil from the admissions register

The school 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 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 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 school 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 school 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 school are unable to determine the pupil's whereabouts after making joint reasonable enquiries.

The school 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, the school 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 referring to Annex 1 of Children missing education Statutory guidance for local authorities August 2024

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

10.Monitoring and review

This policy is reviewed bi-**annually** by the DSL/headteacher.