



# Children Missing Education Policy

## Statement of intent

All children are entitled to a full-time education, regardless of their circumstances. Unfortunately, children missing education (CME) risk underachieving, being victims of abuse, and not being in education, employment or training (NEET) in later life.

The Local Authority (LA) has a legal duty to identify when there are CME and help them back into education. This policy highlights what our college will do to help the LA with its duty.

1. Approved by: Helen Ferguson Date: 01/09/2020

2. Chair of Directors Edward Morris Date: 01/09/2020

3. Review Date: 01.09.2021

## **1. Legal framework**

**1.1** This policy has due regard to legislation and statutory guidance, including, but not limited to, the following:

- Department for Education (DfE) (2018) 'Working together to safeguard children'
- DfE (2019) 'Keeping children safe in education'
- DfE (2016) 'Children missing education'
- DfE (2018) 'College 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 (Student Registration) (England) Regulations 2006 (as amended in 2016)
- The Education (Student Information) (England) Regulations 2005 (as amended in 2018)
- The College Information (England) Regulations 2008 (as amended in 2018)
- The Education (Provision of Full-Time Education for Excluded Students) (England) Regulations 2007 (as amended in 2014)

## **2. Definitions**

**2.2** For the purpose of this policy, a "child missing education" is defined as a child or young person of compulsory college age who is not attending college, not placed in alternative provision by an LA, and who is not receiving a suitable education elsewhere. This definition also includes children who are receiving an education, but one that is not suitable; this could include children who are not receiving full-time education suitable to their needs, e.g. age, ability, aptitude, SEND.

## **3. Why children miss education**

**3.1** There are a number of reasons as to why children miss college, including the following:

- Failing to be registered at a School/College
- Failing to make a successful transition
- Exclusion
- Mid-year transfer of college
- Families moving into a new area

**3.2** Aside from these reasons, if a child is missing from college, particularly repeatedly, this can act as a vital warning sign of a range of safeguarding concerns, such as the following:

- Abuse and neglect – including sexual abuse or exploitation and criminal exploitation
- Mental health issues – such as risk of substance abuse, risk of travelling to conflict zones, risk of FGM or risk of forced marriage

## **4. Children at particular risks of missing education**

**4.1** As there could be many reasons for a child to be missing from education, the LA will make a judgement on a case-by-case basis. The following list indicates students who are most at risk of missing education:

- Students 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 (and the police if appropriate). The LA officers responsible for CME will check a referral has been made, and will contact children’s social care 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.
- Children of Gypsy, Roma and Traveller (GRT) families – when a GRT student leaves the college without naming their next destination college, the college will contact the LA. If necessary, the college will consult the LA Traveller Education Support Services/named CME officer for advice on the best strategies to ensure minimal disruption to the student’s education.
- Children of service personnel – the college will contact the Ministry of Defence Children’s Education Advisory Service for advice to ensure continuity of education for these children.
- Missing children/runaways – should the college suspect a child has gone missing/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
  - LA youth offending teams are responsible for supervising children (aged
- 8 to 18). Where a young person is registered at the college prior to custody, the college will keep the place open for their return.
- Children who cease to attend college – where the reason for a child who has stopped attending Norton college is unknown, the LA will investigate the situation.
- Children of migrant families – there is an 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.

## **5. Roles and responsibilities**

### **5.1 The college**

- The college will enter students on the admissions register at the beginning of the first day on which it has been agreed by the college, or the day that the college has been notified, that the student will attend the college.
- In the event that a student fails to attend the college on the agreed or notified date, the college will undertake reasonable enquiries to establish the reason for this absence, and will consider notifying the LA at the earliest opportunity.
- The college will keep an accurate and up-to-date admissions register by encouraging parents to inform them of any changes.
- The college will monitor students’ attendance through a daily register.
- The college will agree with the LA what intervals are best to inform them of students who are regularly absent from college, or who have missed 10 college days or more without permission.
- Where a student has not returned to college for 10 days after an authorised absence, or is absent from the college without authorisation for 20 consecutive college days, the college will remove the student from the admission register if the college and the LA have failed to establish the whereabouts of the child after making reasonable enquiries.

- The college will notify the LA if any student is to be deleted from the admission register in the circumstance outlined in Regulation 8 of the Education (Student Registration) (England) Regulations 2006 (as amended in 2016).
- Students who remain on the college role are not necessarily missing education, but will be monitored and attendance will be addressed when it is poor.
- The college will arrange full-time education for excluded students from the sixth college day of a fixed-period exclusion.
- The college will provide information to the LA regarding standard transitions, if requested to do so by the LA.

## 5.2 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 care or home.
- All staff will be aware of the college's unauthorised absence and children missing from education procedures.
- Where staff have concerns about students relating to CME, staff will use their professional judgement and knowledge of individual students to inform their decision as to whether welfare concerns should be escalated to the Designated Safeguard Lead (DSL) or their deputy.

## 5.3 The LA:

- Under the Education Act 1996, the LA has a duty to establish the identities of children in the area who are not registered students at a college and are not receiving education provision otherwise.
- The LA will provide full-time education for permanently excluded students from the sixth college day of a fixed-period exclusion.
- When it is brought to the LA's attention that a student may not be receiving a suitable education, the LA will serve notices on parents to assure the LA that their child is receiving such an education.
- Where the LA believe that a child should attend college, the LA will issue School Attendance Orders to parents who fail to assure the LA 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 college-registered children who fail to ensure their child attends college regularly.
- The LA will ensure that children identified as not receiving suitable education are returned to full-time education either at the college or elsewhere.
- The LA will ensure that the college demonstrates prompt action and effective early intervention procedures to ensure children are safe and receiving suitable education.
- The LA will apply to court for an Education Supervision Order for a CME.
- The LA will ensure that children who return to full-time education are appropriately supported, taking into account the reasons why they missed education in the first place.
- Students with SEN statements, or EHC plans, are able to be home educated. If the statement/EHC plan sets out the provision that the student should receive at home, or names a college where the provision will be received, but the parent/carer chooses to home educate the child, the LA will arrange the provision and ensure that

it is suitable to the child's special educational needs. The LA will review this statement annually.

- The LA is responsible for liaising and sharing information with other agencies to support children who miss education.
- The LA is responsible for referring to the LA 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.

#### **5.4 Parents**

- Parents/carers are responsible for ensuring that their children, who are of compulsory college age, are receiving suitable full-time education.
- Parents/carers are responsible for notifying the college in writing where they will be home-schooling their child, in order for the child to be removed from the admissions register.
- Parents/carers will notify the college regarding any absences or changes to the student's education arrangements.
- Parents/carers are responsible for providing the college with two emergency contact number where possible.

### **6. Induction and training**

**6.1** The safeguarding response to children who go missing from education will be explained to staff during their induction.

**6.2** 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.

### **7. Working with others**

**7.1** 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.

**7.2** The LA will raise awareness of its procedures with local colleges, partners and agencies working with children and families.

**7.3** To assist them in tracing CME, the LA has contacts with the Department for Work and Pensions, the UK Border Agency and HMRC.

**7.4** The college uses a secure internet system, to allow colleges to transfer student information when a child moves education setting.

### **8. Safeguarding**

**8.1** For the purpose of this policy, "reasonable enquiries" are defined as limited, investigative powers that the college may action to determine a child's whereabouts and whether they may be in danger.

**8.2** In line with the Children Act 2004, the college 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.

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

**8.4** Where the whereabouts and safety of a child is unknown, the college, 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 college2college or Key to Success
- Follow local information sharing arrangements, and making 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 college from which the student moved originally
- Check with the LA where the student lives, if this is different to where the college 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 making enquiries with neighbours or relatives, if appropriate
- NB. This list is not exhaustive – the college and LA will use their judgement towards what reasonable enquiries are appropriate, once all the facts of the case have been taken into account.

## **9. Admissions register**

**9.1** The college will ensure that the admissions register is kept up-to-date at all times, and will encourage parents/carers to notify the college of any changes as they occur, such as via email or telephone call.

**9.2** Students will be recorded on the admissions register at the beginning of the first day on which it has been agreed by the college, or the day that the college has been notified, as the date that the student will attend the college.

**9.3** Where a parent/carer notifies the college that a student will live at another address, the college will record the following information:

- 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

**9.4** Where a parent/carer notifies the college that the student is registered at another college, or will be attending a different college in future, the college will record the following information:

- The name of the new college
- The date when the student first attended, or is due to attend, that college

**9.5** Parents/carers are able to elect to educate their children at home, and will subsequently withdraw them from college. This can happen at any time, unless the student is subject to a College Attendance Order. If a parent/carer notifies the college, the student will be deleted from our admission register and inform the LA.

## **10. Removing a student from the admissions register**

**10.1** The college will inform the LA of any student who will be deleted from the admission register where they:

- Have been taken out of college by their parents/carers and are being educated outside the college system, e.g. home-tutored.
- Have ceased to attend college and no longer live within a reasonable distance of the college.
- Have been certified by the college medical officer as unlikely to be in a fit state of health to attend college before ceasing to be of compulsory college age, and neither they nor their parent/carer has indicated the intention to continue to attend the college after ceasing to be of compulsory college age.
- Are in custody for a period of more than four months due to a final court order, and the college 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 college where it is not indicated this should be the case.
- Are registered at more than one college, but have failed to attend the college and the proprietor of any other colleges concerned have consented to the deletion.
- Have been granted authorised leave but have failed to attend college within 10 college days after the period of authorised absence ended, and:
  - There is reason to believe the student is not unable to attend college.
  - The LA and college are unable to determine the student's whereabouts after making joint reasonable enquiries.
- Have been continuously absent from college for a period of not less than 20 college days, and:
  - The absence was not authorised.
  - There is reason to believe the student is not unable to attend college.
  - The LA and college is unable to determine the student's whereabouts after making joint reasonable enquiries.
- Will cease to be of compulsory college age before the college next meets, and the relevant person has indicated the student will not attend the college.
- The college will notify the LA that a student 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 student's name is actually removed.

**10.2** If a student's name is to be removed from the admissions register, the college 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 college and their expected start date, if applicable
- The grounds for removal from the admissions register under Regulation 8 of the Education (Student Registration) (England) Regulations 2006 (as amended), as outlined in section 10 of this policy.

**11. Monitoring and review**

**11.1** This policy is reviewed every two years by the DSL and the Headteacher.