



Children Missing Education

**Somerset County Council's
policy for identifying, monitoring
and tracking children not
receiving a suitable education**

January 2017

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Foreword

All children, regardless of their circumstances are entitled to a full time education, suitable to their age, ability, aptitude and any special educational needs they may have. Children and young people who are not being educated quickly become at risk of failing academically and socially. If their whereabouts are unknown, they may be particularly at risk of physical, emotional and psychological harm.

Section 436A of the Education Act 1996 requires the Local Authority to establish the identities of children within the area who are not registered at a school and are not receiving suitable education otherwise than at a school. Children of compulsory school age within this category are regarded as Children Missing Education (CME) and should be returned to full time education.

Somerset are committed to ensuring that children and young people are in receipt of a suitable form of education and returned into education where this is not evident.

The Department for Education (DfE) issued updated statutory guidance relating to Children Missing from Education in Sept 2016¹ and Local Authorities must have procedures in place to comply with the Statutory Guidance.

The following policy applies to both state funded and Independent schools.

1 <https://www.gov.uk/government/publications/children-missing-education>

1. Introduction

Children missing education (CME) are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school or who are registered but have not attended for 10 consecutive school days and the whereabouts of the family is unknown. Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life².

This document lays out the procedures that are to be followed within Somerset by maintained and independent schools to locate and engage with children who are CME and to ensure that Somerset County Council is effectively meeting its obligations under the Education Act (1996) **Schools should consider this document in conjunction with Somerset County Council's 'Children Missing Education – Guidance for Schools**

Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education. Local authorities should focus their resources effectively in intervening early in the lives of vulnerable children to help prevent poor outcomes.

2. Who is a Child Missing from Education?

The children missing education that are the focus of this document are;

- Children of compulsory school age who are not on a school roll, and who are not receiving a suitable education³ otherwise than being at school, for example, at home, privately, or in alternative provision.
- Children of compulsory school age⁴ who are on a school roll but have not attended for a period of 10 consecutive school days (recorded as unauthorised absence) and the whereabouts of the family is unknown

² <https://www.gov.uk/government/publications/children-missing-education>

³ Suitable education' means efficient full-time education suitable to the child's age, ability and aptitude and to any special educational needs the child may have

⁴ A child reaches compulsory school age after their fifth birthday. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen.

Examples include:

- a child who has moved to Somerset with no school identified,
- a child who has left one school with no destination school identified,
- a child not receiving suitable education whilst EHE,
- a child who has failed to take up an allocated school despite school checks,
- a child who has 10 or more days of continuous absence from school without explanation, despite school checks,
- a child who is not at their last known address despite school checks,

This does not apply to children who are registered at a school who are not attending regularly. These cases should be referred to the Education Welfare Service (EWS).

3. Why do children go missing from education?

Children can go missing either when they fail to register with a school, or when they fall out of the education system and there is no systematic process in place to identify them and ensure they re-engage with appropriate provision. Their personal circumstances, or those of their families, may contribute to the withdrawal process and the failure to make a successful transition. For example this could be because of:

- Failure to start appropriate provision and hence never enter the system
- Inappropriate removal from roll by a parent or a school
- Parent/Carer withdrawal from the school roll with no named destination
- Failure to find educational provision when moving to a new address within Somerset or on arrival in Somerset from another authority

4. Children at particular risk of missing education

There are many circumstances where a child may become missing from education, however some children living in certain circumstances are at greater risk of becoming CME. Amongst these are: (this list is not exhaustive)

- **Pupils at risk of exploitation/harm/neglect** - Children may be missing from education because they are suffering from abuse or neglect. Where this is suspected schools must follow the child protection procedures. 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 (Working Together to Safeguard Children (2015) <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>)
- **Children of Gypsy, Roma and Traveller (GRT) Families** – Research suggests children from these families can become disengaged from education, particularly during the secondary school phase. It is vital that schools inform the LA when a GRT pupil leaves the school without identifying a new destination school, particularly in transition from primary to secondary so that attempts to facilitate continuity of the child's education. Although many are settled, some GRT families move regularly and their children can be at increased risk of missing education.
- **Children of Service Personnel** – Families of members of the Armed Forces are likely to move frequently – both in the UK and overseas; often at short notice. Schools and local authorities can contact the MoD Children's Education Advisory Service (CEAS) on 01980 618244 for advice on making arrangements to ensure continuity of education for those children when the family moves.
- **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, radicalisation or abduction as well as missing education.
- **Children and young people supervised by the Youth Justice System** – Children who have offended or are at risk of doing so are at risk of disengaging from education. The Youth Offending Team (YOTs) are responsible for supervising those young people (aged 8 to 18). YOTs, the CME officer and EWS liaise to ensure that children are receiving, or return to, appropriate full-time education. Where a young person was registered at a school prior to custody, the school may be able to keep the place open for their return.

- **Children who cease to attend a school** – there are many reasons why a child stops attending a school. It could be because the parent chooses to home educate their child. However, where the reason for a child who has stopped attending a school is not known, the local authority should investigate the case and satisfy itself that the child is receiving suitable education.
- **Children of new migrant families** – children of new migrant families may not have yet settled into a fixed address or may have arrived into a local authority area without the authority becoming aware, therefore increasing the risk of the child missing education.

(DfE *Children Missing Education Statutory Guidance 2016*)

5. Parental responsibility

Parents have a duty to ensure that their children of compulsory school age are receiving an efficient full-time education. Parents adhere to this duty by enrolling their child at a school. However, some parents may electively home educate their child (EHE).

Section 576, Education Act 1996, defines a parent as:

- all natural parents, whether they are married or not,
- any person who, although not a natural parent, has parental responsibility for a child or young person,
- any person who has care of a child (having care of a child or young person means that the child lives with and is looked after by that person, irrespective of their relationship).

6. Schools' duties

All schools, including independent providers, have statutory safeguarding responsibilities (sections 157 & 175 of the Education Act 2002) and must investigate any unexplained absences. If a child fails to attend school, staff must try to establish the family's whereabouts before making a CME referral. Schools should:

- use all known contact telephone numbers to attempt to speak with the parent/carer or other family member,
- speak to siblings, known relatives, friends within the same school,
- speak with school staff of known siblings at other schools,
- home visit(s) to attempt to ascertain if the family are in the home
- discuss with their Education Welfare Officer (EWO) to agree whether the matter is CME or a school attendance issue..

A record should be kept of any attempt made to locate a child.

If having done all of the above the school has been unable to establish the pupils whereabouts a CME referral and registration certificate should be completed

https://secure1.somerset.gov.uk/forms/PortalShowForm.asp?fm_formalias=ncme

In Somerset it is expected a CME referral is made if there are 10 days continuous unexplained absences and the matter is not deemed to be a school attendance issue. If **all** attempts by school are completed within 10 days, the Education Welfare Service (EWS) will accept the CME referral earlier.

Any partner agency or service involved with children has a duty to notify the Local Authority of any child or family who are missing from education via email to missingchildren@somerset.gov.uk

The CME team will respond to every CME referral or enquiry received and will work in partnership with key stakeholders in Somerset.

7. The Role of Education Welfare Service (EWS)

The role of the EWS and CME officers is to ensure that all children of statutory school age within Somerset are in receipt of a full time education. They will ensure that the correct procedures are followed when a pupil is removed from roll from a Somerset school.

EWS/CME will:

- Monitor the number of children/young people that the authority are aware of who are not receiving a suitable education
- Receive referrals from professionals and the general public regarding children missing from education
- Receive information from schools on children absent from school and no contact can be made with parent/carer to establish reason for absence
- Ensure details of any Child Missing from Education (CME) are recorded
- Carry out appropriate checks to trace such child and establish their educational provision

- Serve notice on parents requiring them to satisfy the LA that their child is receiving suitable education when the LA becomes aware of a child possibly not receiving a suitable education
- Take appropriate legal action in cases of non-cooperation from parents/carers
- Ensure schools and professionals are aware of, understand and correctly follow existing procedures on CME.
- Challenge those systems and procedures that are identified as preventing children being returned swiftly to suitable education provision
- Challenge appropriately any pupil prevented from accessing an education
- Ensure there are procedures in place to deal with cross border enquiries
- Identify and strengthen links with external agencies to ensure CME are quickly traced and minimise delay in returning them to education
- Liaise with other named CME Officers from LAs across the country
- Take action upon receipt of a Missing Pupil Checklist

8. EWS – Response to a CME referral

Upon receipt of a fully completed CME referral with registration certificate;

- The CME team will liaise with the EWS to ensure it is not just a school attendance concern.
- The EWS will make a home visit to determine whether the child's absence from school is as a result of being missing or an attendance issue, as required.
- The latter may involve the EWS using statutory duties as appropriate.
- An incomplete CME referral will be returned to school for completion before the CME team can begin investigations.

The CME team has access to relevant databases against which the child's details can be checked. They can contact counterparts within the country to establish whether he/she is registered with a school or an educational provider in another part of the country, if a destination is known.

Once CME investigations are completed the CME team will advise the school of the outcome and give an off-roll date where appropriate. Schools must **not** remove a child from the school roll until advised by the CME team.

9. Children Missing 'Out On' Education

There will be occasions that children may be CME due to:

- parents inactivity in requesting a school place
- waiting for an appeal for a school place to be resolved
- waiting for an Education Health Care plan to be considered
- children looked after being placed with a family in Somerset & a suitable school place sought
- children being returned home after being in custody & a suitable school place sought
- being on a part time timetable until suitable support is in place or new school identified. (In such cases the school refer to the Somerset Protocol on the Use of Part Time/Reduced Timetables and should use the team around the child & Early Help Assessment frameworks to bring professionals together to help the child back into fulltime education swiftly).

In SCC, a monthly monitoring group has been set up to consider these groups and ensure that children are safe and not CME for longer than is necessary.

10. Safeguarding

Safeguarding children and vulnerable members of society are key priorities for us all. The Home Office, 'Missing Children and Adults, A Cross Government Strategy' outlines the Government's objectives which all agencies are expected to comply with:

- **Prevention** – reducing the number of people who go missing – for Somerset County Council (SCC), this means all agencies working together to break the cycle for those who repeatedly go missing.
- **Protection** – reducing the risk of harm to those who go missing. For SCC this is ensuring that the cases of CME are investigated thoroughly and as quickly as possible to locate pupils and close cases.
- **Provision** – providing missing people and their families with support and guidance which includes signposting families to appropriate supportive agencies.

Safeguarding of all children is paramount and this policy must be considered in accordance with the Local Authority's safeguarding procedures. If you

have a serious concern about the immediate safety of a child you **must** contact Somerset Direct on 0300 123 2224 or the Police.

The Somerset Safeguarding Children Board (SSCB) provides guidance and protocols relating to, Child Protection, Child Sexual Exploitation, and Children Missing from Home or Care in Somerset.

<http://sscb.safeguardingsomerset.org.uk>

Schools can discuss safeguarding concerns with their EWO or the Education Safeguarding Advisor. There is also further information available on the SSE site.

<http://www.supportservicesforeducation.co.uk>

The Education Welfare Service (EWS) works with schools and other functions in SCC to ensure Somerset County Council's statutory duties are upheld in considering CME and considers all relevant guidance. EWS will notify, in writing, the relevant commissioner of any matters that need to be escalated. The EWS provides guidance and advice to schools and other agencies about CME. There are established procedures which adhere to the 2016 Statutory Guidance.

The EWS has access to a dedicated team to manage CME concerns.

Further sources of Information

Guidance

- Children missing education. Statutory guidance for local authorities September 2016 <https://www.gov.uk/government/publications/children-missing-education>
- School Attendance https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/518586/Advice_on_school_attendance.pdf
- Keeping Children Safe in Education September 2016 <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
- Working Together to Safeguard Children 2015 <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- Missing children and adults. A cross government strategy https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/117793/missing-persons-strategy.pdf

Related Legislation

School Attendance:	Education Act 1996 (section 7, 8 14 & 19)
	Education act 2002 (section 21)
	Education and Inspections Act 2006 (section 4 & 38)
	The Education (Pupil Registration) (England) Regulations
2006	
	The Education (Pupil Registration) (England) Regulations
2016	
Child Protection:	Children Act 1989 (section 17 & 47)
	Children Act 2004 (section 10, 11, 12 & 17)
	Education Act 2002 (section 175)