

Children Missing Education Procedures

September 2022

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Abbreviations and terms used throughout this document.

- CME – Children Missing Education.
- DFE – Department for Education.
- EHE – Elective Home Education/Electively Home Educated. The term used to describe education provided by parents or carers to their children instead of sending them to school or another suitable provision.
- SAO – School Attendance Order. A School Attendance Order is issued when the authority is not satisfied that education is being provided otherwise than at school and where the authority considers it expedient that the child should attend school.
- LA - Local Authority.
- Schools – the generic term used to describe institutions in which statutory school-aged children receive education. These can also be known as academies or colleges and can be in the state or independent sectors.
- CBC – Central Bedfordshire Council.

1. Introduction

1. All professionals working with children, as well as the wider community can help by remaining vigilant to children's safety and wellbeing. The law states that all children, regardless of their circumstances, are entitled to an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have.
2. The DFE defines CME as:

Children missing education 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.

This definition is adopted in this document, with an understanding that suitable EHE is a valid alternative provision.

3. Although the focus of this document is on the procedures around CME in Central Bedfordshire, the work should be seen within the wider context of the LA in safeguarding and promoting the welfare of all children living within the area.
4. If you know of or suspect that a child is not receiving an education, or you know of a child who has gone missing from a school, please contact:

Children Missing Education Team on 0300 300 6220 or 0300 300 5087 or 0300 300 6479
Email: cme@centralbedfordshire.gov.uk

5. If you think a child is being harmed or at risk of being harmed, please contact the Access and Referral Hub on 0300 300 8585, who you can talk to about your concerns. They will give you advice or may investigate the circumstances. All child protection calls are treated in confidence.
6. The Department for Education guidance "Children Missing Education Statutory Guidance for Local Authorities September 2016" sets out the key principles to enable local authorities in England to implement their legal duty under section [436A of the Education Act 1996](#) to make arrangements to identify, as far as it is possible to do so, children missing education. The process outlined, is followed by the Local Authority in its delivery of the above duties.
7. The [Education and Inspections Act 2006](#) places a duty on local authorities in England and Wales to make arrangements to identify children and young people of compulsory school age missing education in their area.

2. Context

1. This policy is intended to inform LA staff, school staff, headteachers, governing bodies, other agencies and the public about how we minimise and prevent CME. It relates to children who are of compulsory school age, who do not currently have a school place, or their educational provision is unknown.
2. The [Children Act 2004](#) places a duty on all agencies to work together to promote the welfare of children and to share information appropriately. This principle underpins CBC's policy on CME, and there is an expectation that all agencies and professionals will work together to ensure that children are participating in education, whether at an educational provision or at home.
3. There are certain points at which children are most at risk of becoming missing from education, and the most common reasons for this include:
 - Children not registered by parents/carers at school when they reach compulsory school age.
 - Children not registered for a school at standard transition points.
 - Frequent house moves, periods of homelessness or time spent in refuges.
 - Family breakdown.
 - Parents "withdrawing" children from school for an unauthorised reason.
 - Schools off-rolling pupils without the correct checks and procedures being followed.
 - Exclusion (lawful and unlawful).
 - Children whose educational status is unknown, and it is therefore not possible to identify whether the child is receiving a suitable education.

3. The duty of the local authority

1. As a LA, we have a duty under [s436A of the Education Act 1996](#) to establish (so far as it is possible to do so) the identities of children in our area who are of compulsory school age but who are not registered pupils at a school or receiving some other form of suitable education.

Part of this duty therefore requires us to have details of those pupils registered at all schools who are ordinarily resident within CBC.

2. CBC has a duty to act in accordance with the Statutory Guidance. This requires us to “put in place arrangements for joint working and information sharing with other local authorities and relevant partner agencies that come into contact with children and families”.

The guidance makes clear that such “partner agencies” will include all types of education providers both maintained and independent schools, and local authorities are recommended to maintain a database of all school age children, along with how they are being educated.

3. As outlined above, the obligation under [s436A of the Education Act 1996](#) to make arrangements to identify children who are not receiving a suitable education includes a duty under [s437 of the same Act](#) to intervene if it appears that a child is not receiving a suitable education. Local authorities also have a duty under [s175 of the Education Act 2002](#) to safeguard and promote the welfare of children through their educational obligations.

4. CBC Procedures

1. If the LA has reason to believe that a child is not receiving a suitable education, there is an expectation that this will be investigated. In the case of children previously unknown to the LA, this may simply be confirmation that the child is being provided with a suitable education at a school or otherwise.
2. When the CBC CME team receive a referral of a child believed to be CME they will enter the child’s details on the CME database. (Referrals may come from within or outside the LA, using the CBC CME E-Form).
 - a) If the child is located, the CME Officer will notify the referrer and give advice on any further action.

- b) If the child is thought to be within another LA, the CME Officer will contact this LA for confirmation and to ensure that the child is tracked into education.
 - c) If the child is not found within the LA, the CME Officer will advise the referrer and discuss next steps.
- 3. The CME team will then establish whether the child living in CBC, is currently registered with a school or being provided with suitable education. If this is confirmed the child will be not recorded as CME.
- 4. If the CME team are informed that the child is being home educated, the case would be referred to the Elective Home Education team. Once the local authority is satisfied that the child is receiving a suitable education, the child will be closed as CME and opened as EHE.
- 5. If the CME team cannot establish that the child is in receipt of education. Contact will be made with the parents requesting them to confirm the arrangements they have made for their child's education. Home visits may be completed if required.
- 6. Where the child's whereabouts is unconfirmed, reasonable enquiries will be made. Such enquiries may involve:
 - a) Contacting the child's last known school/local authority.
 - b) Making enquiries of other agencies including health.
 - c) Liaising with the CBC Benefits teams.
 - d) Liaising with CBC housing department and other housing providers.
 - e) Contacting Children's Services.
 - f) Completing home visits.
 - g) Contacting family and friends of the child.

The term "reasonable enquiries" grants schools and local authorities a degree of flexibility in decision-making, particularly as the steps that need to be taken in each case will vary. The term "reasonable" also makes clear that there is a limit to what the school and local authority is expected to do.

- 7. If the EHE team cannot establish that a child is being provided with a suitable education, then a referral will be made to the CME team. If between the EHE and CME team they are not able to establish that a "suitable education" is being provided, they may seek a legal remedy, i.e. a School Attendance Order.
- 8. If a child is known to be residing in CBC and we cannot confirm the education provision, the CME team will share the information with the Access and Inclusion Manager and the Legal Intervention team. The School Attendance Orders process (SAOs) will be initiated, when parents who fail to satisfy the local authority that their child is receiving suitable education, if the local authority deems it is appropriate that the child should attend school.

9. Each referral will remain on the CME database until it is confirmed that the child is in receipt of suitable education, confirmed as living outside the UK or transferred to another CME team.
10. Children that have been on the CME database for over 12 weeks, will be reviewed at CME panel and further action taken as necessary.

5. The role of schools

1. Schools have a key role to play in ensuring that children do not become CME. Schools are responsible for maintaining attendance registers and monitoring pupil attendance in accordance with the Education (Pupil Registration) Regulations (England) 2006 and the Education (Pupil Registration) (Amendment) (England) Regulations 2016
2. Schools are expected to complete reasonable enquiries if a child does not attend school. This should include trying to contact the parents/carers. If the school have information that shows the family have moved or are not at the usual address, the school should carry out reasonable further enquiries for up to 10 days and, if these prove unsuccessful, refer the child to the CME team.
3. If a child fails to return from an agreed holiday, the school should follow their normal procedures for investigating the absence, using “reasonable enquiries”.
4. If a child is absent from school because they are believed to have moved away, school are still required to keep the pupil on roll whilst making reasonable enquiries and refer to the CME team.
5. Schools must inform the EHE team when a pupil has been removed from their roll to be home educated. They should do this by forwarding a copy of the parent’s written correspondence (this can be a letter or email) together with a completed referral form.
6. It is the decision of the Headteacher of the school as to when to remove a child from roll.
 - i) Deletion under regulation 8(1)(f) or (h) of the Education (Pupil Registration) (England) Regulations 2006 as amended, the ground for deletion only arises when the school and local authority ‘have failed, after jointly making reasonable enquiries, to ascertain where the pupil is’. The deletion should not happen before the enquiries have failed.
 - ii) Deletion under regulation 8 (e) the school should have substantiated the information, that the child is no longer living within a reasonable distance from the school before deleting from the register and complete a CME referral.

7. If you have any safeguarding concerns, or the child has a social worker, please contact the Central Bedfordshire Access & Referral Hub directly by calling 0300 300 8585.
8. There is statutory guidance governing when schools can delete children from their admissions register. These are outlined in Regulation 8 of the [Education \(Pupil Registration\) \(England\) Regulations 2006](#).
9. Removal from roll guidance can be found on our [web page](#). This includes a quick reference sheet which lists all the reasons why a pupil can be taken off roll.
10. When a pupil is taken off roll at a non-standard transition point a notification of off roll form must be completed.
11. Where a pupil leaves a school without a known destination, (which will have been referred to CME see 4.4.) the school should also upload the child's records to the secure area of s2s known as the Lost Pupils Database. Any school then admitting the child without previous school history can request their LA to search the Lost Pupils Database for the child's records.
12. When a child is newly registered, Schools must provide information to their LA when registering new pupils within five days, including the pupil's address and previous school. Schools are now required to complete an e-form which can be found on the Central Bedfordshire Performance Hub at the link below:
<http://www.centralbedfordshire.gov.uk/schools-portal/administration/inclusion/newly-registered-children.aspx>
13. Schools should pay particular attention to the section entitled "School Responsibilities" regarding notifying the local authority at the earliest opportunity for those children who move onto and off school rolls at non-standard transition points. Please also give regard to the section entitled "Making reasonable enquiries".

If schools have any queries, they should contact the CME team for advice.

6. Monitoring

- a) The CME Team reports to the EHE/CME Officer. CME's are discussed with the Access and Inclusion Manager at least every half-term, identifying key emerging issues and highlighting particular areas of concern.
- b) The Access and Inclusion Manager will report to the Head of Education and Inclusion on CME issues which may warrant escalation.

- c) The local authority officers with responsibility for CME are:
Samantha Barrington and Victoria Kesseru
0300 300 6479 / 6220
cme@centralbedfordshire.gov.uk

8. Related legislation and useful links

- [Children Act 2004](#)
- [Children Missing Education – DfE Statutory Guidance for Local Authorities](#)
- [Education Act 1996](#)
- [Education Act 1996 s436A](#)
- [Education Act 1996 s437](#)
- [Education Act 2002](#)
- [Education Act 2002 s175](#)
- [Education \(Pupil Registration\) Regulations 2006](#)
- [Education \(Pupil Registration\) \(England\) Regulations 2006 Regulation 8](#)

Referral forms:

Children missing:

https://www.centralbedfordshire.gov.uk/info/97/school_administration/538/access_and_inclusion_for_schools/3

Elective home education:

https://www.centralbedfordshire.gov.uk/info/97/school_administration/538/access_and_inclusion_for_schools/4

Newly registered children:

https://www.centralbedfordshire.gov.uk/info/97/school_administration/538/access_and_inclusion_for_schools/12

Removal from roll:

https://www.centralbedfordshire.gov.uk/info/97/school_administration/538/access_and_inclusion_for_schools/11

Removal guidance:

<https://centralbedfordshire.app.box.com/s/967nxrbjv91kvzul0pbttjye3tu05qwx>

**Central
Bedfordshire**

Central Bedfordshire in contact

Find us online: www.centralbedfordshire.gov.uk

Call: 0300 300 6220 / 6479

Email: cme@centralbedfordshire.gov.uk

Write to: Central Bedfordshire Council, Watling House, High Street
North, Dunstable, Bedfordshire, LU6 1LF