

Children Missing Education Policy 2024

**Education, Early Years and Young People
Directorate**

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Introduction

The definition of children and young people missing education (CME) is:

‘children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school (home, private, or alternative provision) and who have been out of any educational provision for a substantial period of time, usually agreed as four weeks or more’.

This policy sets out key principles which enable the local authority to implement its legal duty to locate, assess, monitor and track children missing education in order for them to reach their true potential. The local authority is committed to providing an education of the highest quality for all children and young people.

Bridgend County Borough Council (BCBC) aims to ensure it meets its statutory duties relating to the provision of education and safeguarding and promoting the welfare of children. This document outlines the robust procedures that are to be followed to identify, locate and engage children who are CME and to ensure that BCBC is effectively meeting its statutory obligations.

Section 436A of the Education Act 1996 was inserted into the Act as a result of the Education and Inspections Act 1996. This requires local authorities to make arrangements which enable them to establish the identities of children residing in their area who are not registered pupils at a school receiving a ‘suitable education’ otherwise than at a school. The local authority should consult the parent(s)/carer(s) of the child when establishing whether the child is receiving suitable education. The local authority should have procedures in place to prevent children becoming CME. Those children identified as not receiving suitable education should be returned to full time education either at a school or in alternative provision. This duty only relates to children of compulsory school age.

This policy is intended to ensure a multi-agency approach is in place, accessible and understood by all schools and partner agencies about the protocols and processes to be followed to:

- ensure that all children and young people have access to appropriate education;
- identify, maintain contact and re-engage children living in the county borough who are missing education (or are at risk of missing education); and
- track children that move out of the county borough until such a time as they are in a known destination.

If a child or young person is receiving an education, not only do they have the opportunity to fulfil their potential, but they are also in an environment which enables local agencies to safeguard and promote their welfare. If a child goes missing from education, they could be at risk of significant harm.

Moreover, if children are not receiving a suitable education, they are vulnerable and at risk of becoming not in education, employment or training (NEET).

The Children Act 2004 places a duty on all agencies to work together to promote the welfare of children and to share information. As a result, there is an expectation on all agencies that they will subscribe to the policy to ensure that all children of compulsory school age (parents may choose to educate their children outside of state or independent school system) are on a school roll.

Legal context

Children and young people missing education in this policy, refers to all children of compulsory school age who are not on a school roll, or being educated otherwise at home, privately or in alternative provision, and who have been out of any educational provision for a substantial period (usually agreed as four weeks or more).

Relevant legislation includes:

- Wales Safeguarding Procedures 2020.
- Section 175 of the Education Act 2002 places a duty on local authorities to exercise their functions with a view to safeguarding and promoting the welfare of children.
- Section 436A of the Education Act 1996 (as amended by section 4 of the Education and Inspections Act 2006) places a duty on all local authorities to make arrangements to establish the identities of children in their area who are not registered at a school and are not receiving a suitable education.
- Welsh Government Circular 002/2017, statutory guidance to help prevent children and young people from missing education.
- Welsh Government Circular 18/2006, Educational Records, School reports and the Common Transfer System – the keeping, disposal, disclosure, and transfer of pupil information.
- School Attendance Order (SAO) – under sections 437-442 of the Education Act 1996 where a parent of a compulsory school age pupil fails to prove that they are receiving a suitable education, and where the local authority believes that the child should attend school a SAO will be used to direct a parent to send their child to the nominated school and should be used when a child is not on roll.
- The Social Services and Well-being (Wales) Act 2014 places a duty on agencies to report a child or adult at risk.
- Section 47 of the Children Act 1989, remains the key piece of legislation for investigating concerns that a child is at risk of harm. A child who goes missing from education may be considered, in some cases, to be at risk of harm. It is important that if a child who is already known to Social Services as a child in need of protection that this is reported to the child's social worker as early as possible. In addition, if the school have concerns that are heightened by a child going missing from education, even if there is no current Social Services involvement, this should be reported to the statutory authorities, Social Services and the Police.

- Welsh Government's statutory guidance Working Together to Safeguard Children 2023 in relation to part 7 of the Social Services and Wellbeing (Wales) Act 2014 places a duty on all agencies to work together to help, protect and promote the welfare of children.
- Keeping Learners Safe, Welsh Government, 283/2022, gives additional guidance and information about safeguarding children in specific circumstances and any of these may increase the risk to a child missing from education.

Vulnerable groups

There are groups of children that have increased vulnerability and who are more likely to be affected by the factors listed below and who have experienced certain life events that make them more at risk of going missing from education:

- are within the youth justice system;
- live in women's refuges;
- are from homeless families perhaps living in temporary accommodation or a bed and breakfast;
- are from families fleeing domestic abuse;
- have long-term medical or emotional problems;
- are young carers;
- have parents with mental health problems;
- have parents with learning difficulties;
- are affected by substance misuse;
- were previously educated within the independent sector and have been excluded or withdrawn;
- have been withdrawn by their parents/carer(s) for elective home education but are not receiving a suitable education;
- are looked after (care-experienced children in BCBC) by the local authority, are privately fostered, or who go missing from care;
- are unaccompanied asylum seekers;
- are on the child protection register;
- have been bullied;
- are from asylum seeking or refugee families;
- are from Gypsy, Traveller or Roma background;
- are from families who may be highly mobile, for example, have parents in the armed forces, are taken on extended holidays or heritage visits by their families; or
- are young parents and pregnant young women

There will be times when the local authority or school will be unaware of children with complex issues. However, they may come into contact with other agencies. Examples include:

- children at risk of forced marriage and honour-based violence;
- children at risk of sexual and criminal exploitation, including children who have been trafficked to or within the UK;

- children involved in witness protection programmes, relocating without a forwarding address or explanation;
- migrant worker families who may not be aware of the education system;
- where asylum has not been granted and families continue not to be traced;
- newly arrived immigrants; and
- families involved in fraud, crime and anti-social behaviour.

How and why do children and young people go missing from education?

Children fail to engage in, or go missing from education for a variety of reasons, for example:

- families move and do not tell anyone including the local authority, or they move area and do not register with a school, sometimes parents are unaware of the enrolment process;
- some children never enter into the education system because they fail to start appropriate provision at the start of compulsory school age (there is no legal requirement for parent/carer(s) to inform the local authority of the fact that they intend to educate at home if the child has never attended school);
- some schools are at capacity, with no spaces available for pupils at their preferred school. Therefore, the family do not take up the offer of a place at the alternative school;
- parents may decide to de-register their child and electively home educate and school fail to notify the local authority;
- illegal deletion from school roll;
- fail to attend their transition school, primary to secondary, or from one school to an alternative (please see flowchart 3 for process);
- may enter the country and do not register in a school;
- maybe excluded or withdrawn from an independent school;
- they may cease to attend school due to parental disputes; and
- they may wish not to be located, may change names, and move quickly from place to place.

Reducing risk

Schools must monitor pupils' attendance through their daily registers and management systems. As of 1 September 2018, all schools must notify the local authority if a pupil is to be deleted from the admission register. Please see appendix 5 for completion.

If a parent/carer advises a school they are moving abroad, the school should be satisfied this is the case and ask to see sight of flight confirmation, details of the new address and the name of the new school.

Schools must put the pupil on the admissions register on the first day that the school expects them to attend regardless of if they attend. If the pupil does not arrive at school on the expected start date the school must follow their absence procedures.

If the pupil is not placed on roll within ten days, the school must notify the local authority via Pupil Services that the parent/carer has not taken up the place offered, and the child/young person is at risk of becoming a CME.

Schools must provide the EWO with details of pupils who have ten continuous days of unauthorised absence and cannot establish the reason for the absence and their whereabouts unknown by following the procedure below.

Action to be taken when a child is absent from school and their whereabouts is unknown;

A registered pupil is deemed to be missing when:

- a) he or she fails to attend school without any explanation and;
- b) the school has been unable to establish the reason, or locate the child/young person with any of the contact names at the last known address, or from intelligence from the wider school community; or
- c) the child/young person parent/carer(s) have not provided any information to indicate a change of education provision, unavoidable cause for the pupil's absence or that the pupil is travelling with them whilst in pursuit of their business.

Pupils deemed at high risk:

If a pupil is missing from school and the child is subject to a child protection plan and/or is a looked after child (care-experienced child), the school must notify the social worker and parent/carer(s) within the first 24 hours of the unauthorised absence. Where it is suspected or known that a pupil is at potential risk or harm, or where the school have information or reason to suspect the pupil has been a victim of or at risk of child sexual/criminal exploitation (CSE/CCE), notify the allocated social worker immediately, and inform the Education Engagement Team as soon as possible.

Identification and notification processes

BCBC works collaboratively within a multi-disciplinary approach to ensure that all children and young people are safe, and to ensure that all children and young people missing from education are located by following the procedures in this document.

If at any point in your investigation there is reason to suspect that the child or young person is at risk, a referral should be made immediately to the allocated social worker or the Multi-Agency Safeguarding Hub (MASH) at mashcentra@bridgend.gov.uk where a child is not open to Children's Social Care.

If the school's initial enquiries fail to establish the whereabouts of the child/young person, a referral must be made to the EWO to undertake further tracking. Schools need to complete appendix 1 checklist and share with the allocated EWO.

For timescales, please refer to appendix 2.

If following the above a child or young person continues to be believed to be missing from education the EWO will notify the Team Manager and Lead Education Engagement Co-ordinators via ChildrenMissingEducation@bridgend.gov.uk

Whether a pupil is on school roll or not, all local authority staff must be aware of these procedures, and they must be followed. All staff have a level of responsibility to report any child or young person missing from education.

Roles and responsibilities

Parent/carer(s) have a duty to ensure that their children of compulsory school age are receiving an efficient full-time education. Most parent/carer(s) chose to enrol their child at a school. However, some parent/carer(s) may elect to educate their children at home.

Schools

Schools have a vital role to play when children or young people go missing from the education system. Schools must undertake immediate actions to try and identify the whereabouts of child/children by utilising existing contact information for the family, siblings or extended family.

School will ensure that when a pupil moves, their destinations are recorded on the directorate management information system database and if unknown confirm that the EWO has been notified.

The school will work with their education welfare officer to ensure more consistent referral processes for those children missing education and those at risk through their non-attendance.

No pupil should be removed from a school roll until all reasonable efforts have been made to locate the family. There are strict and clear guidelines regarding deregistration outlined in Regulation 8 of the Education (Pupil Registration) (Wales) Regulations 2010. In the case of elective home education (EHE), further guidance on deregistration is available from ElectiveHomeEducation@bridgend.gov.uk

All maintained schools in Wales have a statutory responsibility to use the Common Transfer System (CTS) for England and Wales to transfer specific information electronically, via the 'school2school – s2s' website when a pupil joins or leaves a school.

Deletion from school roll if child's location is not known

Under current regulations, schools cannot backdate deletion from the register to the last date the pupil attended under any circumstances. Schools must show on their register the full 20 days of absence. Within this timeframe, both the school and the local authority are required to carry out reasonable enquiries to locate the child. Enquiries into an absent student's whereabouts should be carried out promptly by the school to avoid any delay in their removal from the register. If another ground for removal is determined to be met during the period, then the child can be removed from roll before the twentieth day, for example:

- enrolled at another school;
- confirmed by the local authority as being registered as electively home educated; or
- moved abroad and confirmed by parent to have emigrated.

Please refer to appendix 3 for the deletion from the attendance register reference table and appendix 4 that will need to be completed for any child/young person and returned to the local authority.

Learner Support Service

The Learner Support Service (Admissions) is key in ensuring all pupils are on a school roll and attending school.

Children may not be on a school roll because a parent/carer(s) has not accepted a school place at phase transfer, unable to secure a place in their preferred school and fails to take up another offer or failed to follow up an application after moving into the local authority. When this occurs the Learner Support Service will inform the Education Engagement Team who will then follow the necessary steps to contact the parent/carer(s) via an education welfare officer.

The Learner Support Service will work with the Education Engagement Team to ensure that advice about admissions and support with the application procedure is readily available for families recently arrived from abroad who may have language difficulties.

<https://www.gov.wales/sites/default/files/publications/2018-03/school-admissions-code.pdf>

The education engagement team manager and lead education engagement co-ordinators

Ensure that all children within the county borough are receiving a full-time education. The Education Engagement Team will also ensure the correct procedures are followed when a pupil is removed from the roll of a Bridgend school. The Education Engagement Team will:

- monitor the number of children/young people that the authority is aware of who are not receiving a suitable education;
- receive referrals from professionals and the public regarding children missing from education;
- receive information from the education welfare officer on children who are absent from school and no contact can be made with parent/carer to establish reason for absence;
- ensure details of any CME are recorded on our database;
- track and cross border work, this means if a child goes missing from a Bridgend school, but lives in another authority, and the school fails to locate the pupil, the school will contact the lead education engagement co-ordinators to liaise with their counterparts in other local authorities and appendix 5 will be completed;
- to use School to School Data Transfer website (s2s) to minimise the chances of pupils falling into the category of being missing from education, currently, in Wales, there is a requirement under the Education (Pupil Information) Wales Regulations 2004 and the Education (School Records) Regulations 1989 for schools to maintain data on pupils who are on their roll and to pass that data to the receiving school when a child leaves.

Education Welfare Officer (EWO)

If you require advice and guidance regarding children or young people missing from education, school's first point of contact will be the EWO.

The EWO will make enquiries on the local authority's management systems for any details held about the child/ young person or siblings. If there is no evidence of education being provided, an education welfare officer will visit the home. The education welfare officer can support parents to make an application to school via Learner Support Services or link them with other relevant services for additional support. Please refer to the '*School Tracking Process*' (flowchart 1) and '*Children Missing Education- EWO Tracking Process*' (flowcharts for further information regarding the role of the education welfare officer.

Bridgend County Borough Council (BCBC)

BCBC will raise awareness of the children missing education protocols and processes by:

- contacting senior managers in all relevant agencies, to explain roles and responsibilities;
- disseminating the CME policy via the local authority website, and to schools and in other forms of notification if needed;
- ensure that all Bridgend schools are properly supported to meet these responsibilities;
- oversee the audit of school compliance with legislation relating to maintenance of registers; and
- implement a range of preventative measures to ensure the reduction of the likelihood of children and young people missing their education which will also support the National Behaviour and Attendance Review recommendations regarding early intervention and appropriate support.

Agencies

Any professional who locates a child who they believe is without suitable educational provision should notify the Education Engagement Team via appendix 1 within 2 working days. It is expected that our key partners in this area of work will include:

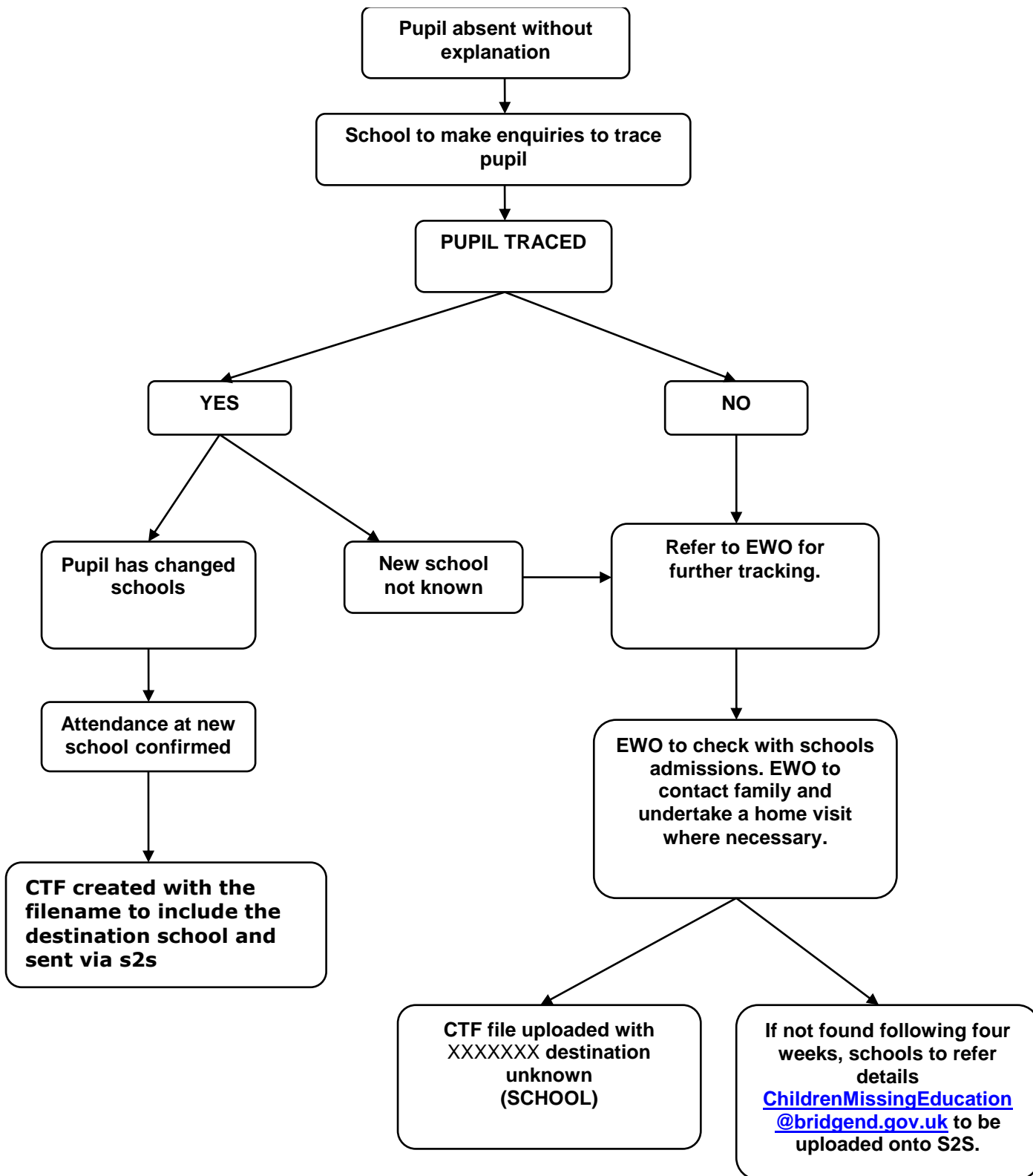
- Children's Social Care;
- educational provisions such as schools, pupil referral units;
- health services;
- housing;
- immigration services;
- police;
- Pupil Services;
- voluntary and community organisations; and
- Youth Justice Service.

Summary

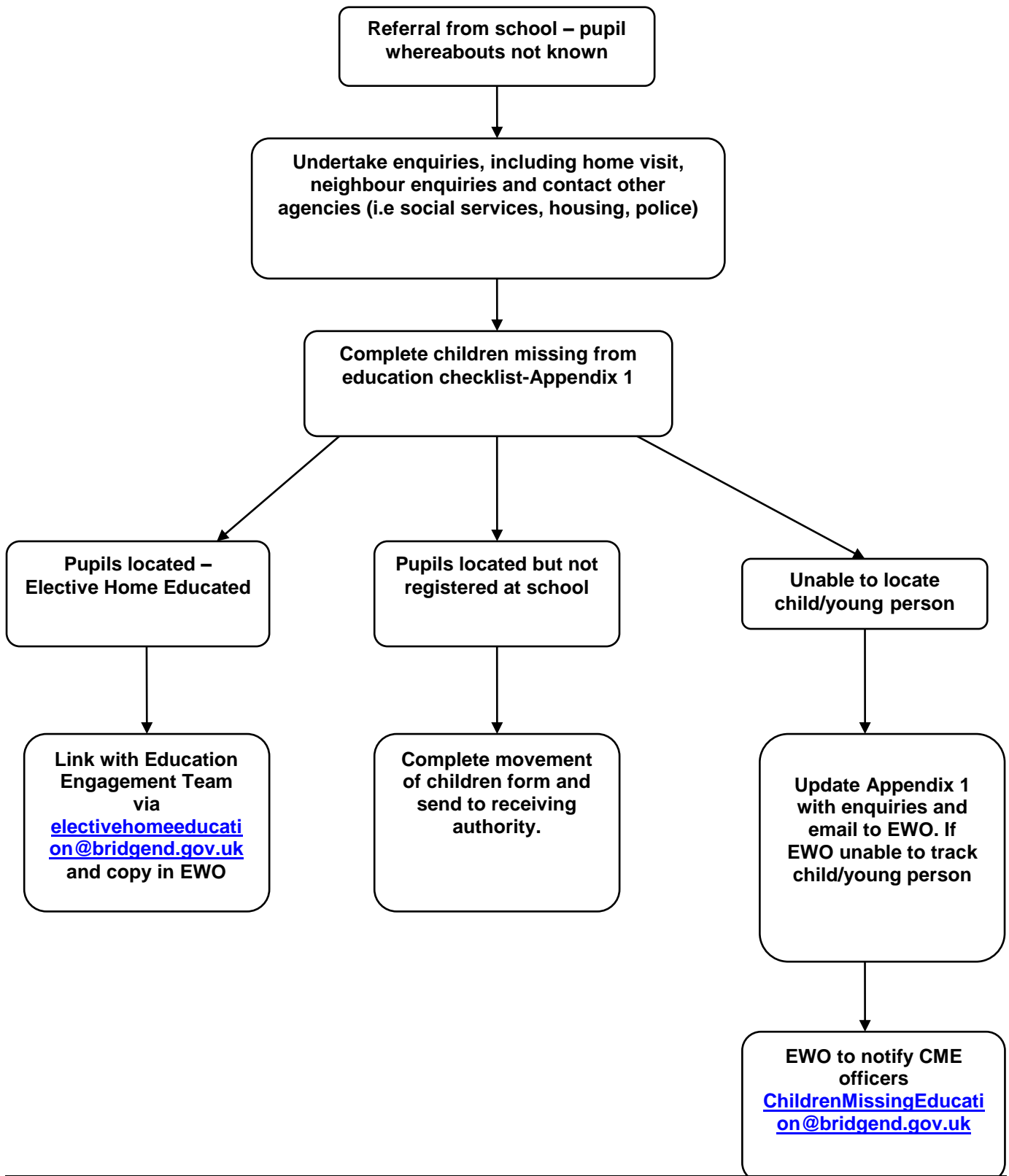
Schools, the Education Engagement Team, local authority and partners are crucial in ensuring that children missing education are quickly identified and supported to return to suitable education provision.

This policy should be read in conjunction with statutory guidance to help prevent children and young people from missing in education. Welsh Government circular no: 002/2017:
<https://www.gov.wales/sites/default/files/publications/2020-09/statutory-guidance-help-prevent-children-young-people-missing-education.pdf>

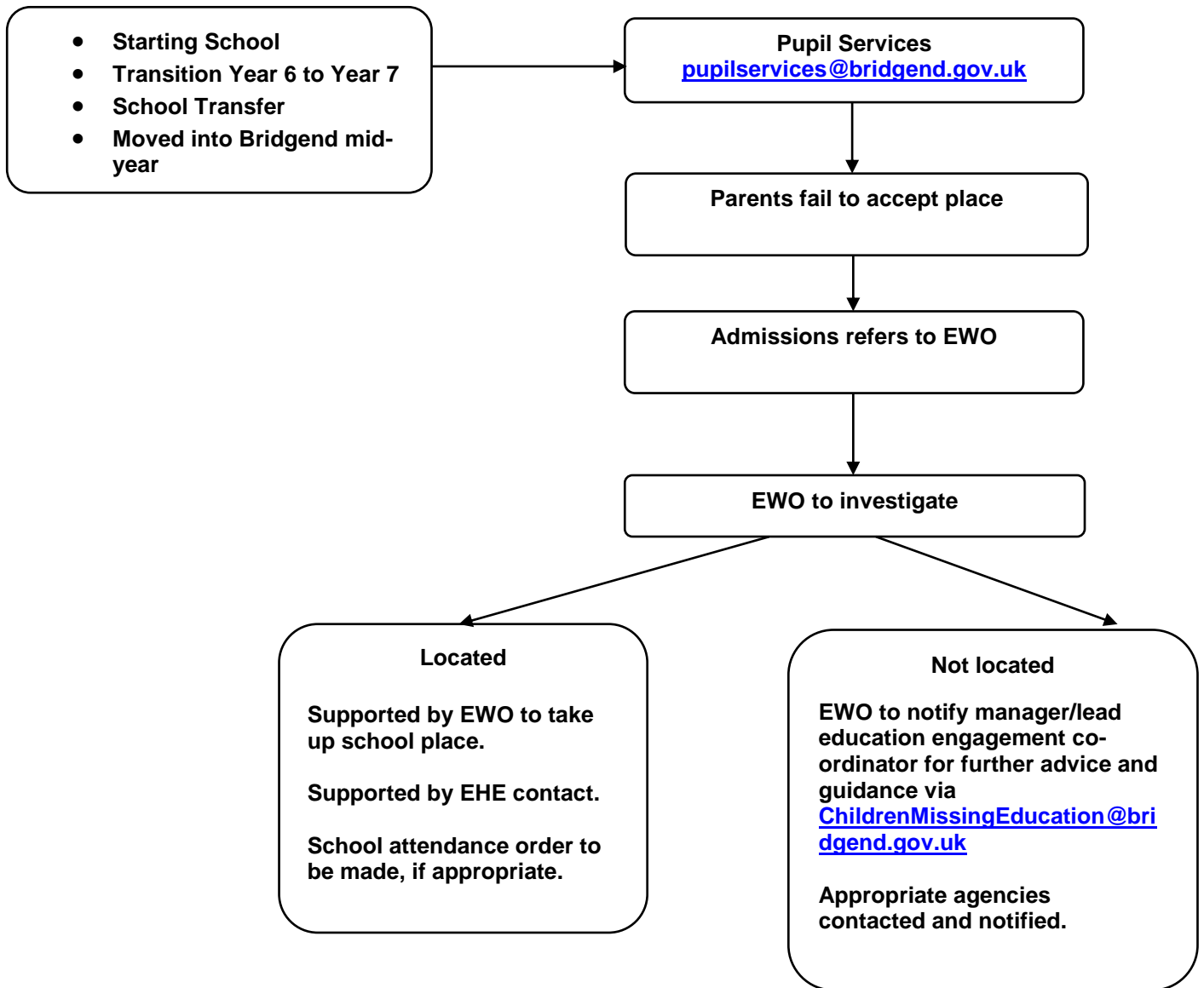
Schools tracking process- Flowchart 1









Children Missing Education – EWO Tracking Process – Flowchart 2



Children missing education at start of education/school transfer/transition Key Stage 2 to Key Stage 3 – Flowchart 3



Toolkit

Document Title	Document
Appendix 1 – Pupil missing checklist	 Appendix 1 Pupil Missing Pro Forma.do
Appendix 2 – Timescales and actions	 Appendix 2 Timescales and Action
Appendix 3 – Deletion reference table	 Appendix 3 Deletions from the Register.doc
Appendix 4 – Intention to remove	 Appendix 4 Intention to Remove.docx
Appendix 5 – Enquiry to another local authority	 Appendix 5 Enquiry to another LA.docx
Appendix 6 – Education Engagement Team structure	 Education Engagement Team str