Child Missing in Education policy

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Created by:	Deputy Trust Leader
Amended by:	

Our school is part of ACE Derbyshire Trust and our Local Authority is Derbyshire County Council.

1.0 Introduction

Children Missing Education (CME) are children of compulsory school age who are not registered at a school, not receiving suitable education otherwise, and therefore at risk of not achieving their educational potential or safeguarding outcomes . This policy sets out Derbyshire County Council's approach to identifying, supporting and safeguarding children missing education, in alignment with statutory guidance and local procedures.

2.0 Purpose

Children Missing from Education miss out on learning opportunities, which can lead to poor outcomes in later life, less likely to take up further educational opportunities or find employment upon school leaving age. The purpose of this policy is to ensure that Derbyshire County Council fulfils its legal responsibilities in relation to Section 436A of the Education Act 1996 whereby local authorities have a statutory duty to make arrangements to identify children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. The aim is to ensure that all pupils living in Derbyshire are in receipt of a suitable education. This policy applies to all children and young people of compulsory school age who reside within Derbyshire or are attending schools within the county, as well as all Derbyshire County Council staff, all Derbyshire schools and academies including independent, and private plus partner agencies involved in the identification and support of CME.

3.0 definitions

•Children Missing Education (CME): Children of compulsory school age who are not on a school roll and are not receiving suitable education outside of school these fall into 2 broad categories:

• 'CME - WASP (without a school place)' - those whose whereabouts and circumstances are known to the local authority, but who are not registered pupils at a school and are not receiving suitable education otherwise than at a school

• 'CME - missing' - those who are 'lost' children who have apparently disappeared, usually with their families, and the local authority knows neither where they are, nor anything of their circumstance

• Compulsory School Age: From the start of the term after a child's fifth birthday until the last Friday in June in the academic year in which they turn sixteen.

• Suitable Education: Education provided at school or otherwise, which is suitable to age, ability, aptitude and any special educational needs the child may have.

4.0 Legislative Framework

Derbyshire County Council operates in accordance with the following legislation and guidance:

• Education Act 1996 (Sections 7, 8, 14, 19, and 436A).

• Education and Inspections Act 2006.

• School Attendance (Pupil Registration) (England) Regulations 2024 (in force from 19 August 2024).

• Working Together to Improve School Attendance (DfE, August 2024).

• Keeping Children Safe in Education (DfE, September 2024).

• Working Together to Safeguard Children (DfE, 2023).- Importance of early intervention, especially for vulnerable groups.

5.0 Roles and responsibilities

5.1 Derbyshire County Council

- Maintain robust procedures for identifying and tracking CME.

• Provide detailed operational advice and guidance to schools and others on reporting children missing from education into the LA.

• Make reasonable enquiries to locate and support children missing from education back into education.

• Offer support to parents and carers of children missing or at risk of missing education where a pupil is not on a school roll.

• Issue School Attendance Orders (SAOs) where appropriate

• Maintain accurate CME records and monitor data trends, including cross-border liaison.

• Work in partnership with schools, academies, health services, social care, and other agencies to share information and coordinate support.

• Ensure safeguarding concerns

5.2 schools and academies

• Make a 'new pupil return' to the LA within five days when a pupil is added to the admission register outside of standard transition points.

• Make a 'deletion return' to the LA when a pupil's name is deleted from the admission register outside of standard transition points.

• Upload pupil records to the DfE School to School (s2s) Lost Pupils Database when destination is unknown.

• Contribute to the identification and support of CME - Schools should undertake reasonable enquiries when a child expected to attend does not arrive or stops attending school and their whereabouts are unknown.

• If a child's whereabouts remains unknown, the school should refer the case to CME using the referral form (CME SR1a form).

• Schools should only remove a pupil from the school roll if they meet one of the legal grounds as stipulated in The School Attendance (Pupil Registration) (England) Regulations 2024 section 9.1

5.3 parents and carers

• Ensure their child receives suitable full-time education, either at school or otherwise.

• Where electing for home education, parents/carers notify the school in writing; the school must then inform the LA immediately.

• Where a child has an EHCP naming a specialist setting, parents/carers must seek LA agreement before removal from roll.

5.4 Other partners

- Health, social care, and other agencies must notify the Local Authority if they become aware of a CME case.
- Collaborate to ensure information sharing and early intervention.

6.0 Children at risk of CME

Examples include:

• Not registered at key transition points (Reception/Year 7).

• Frequent moves, homelessness or time in refuge.

• Family breakdown, missing children or runaways.

• Recent arrivals from overseas or out-of-area moves.

• Gypsy, Roma and Traveller families; refugee and asylum-seeking families.

• Children in care, with a social worker, or involved with youth justice.

7.0 identification and referral process

• All suspected CME cases must be referred to the CME team using the approved referral form (CME SR1a form))

• The Lead Officer will conduct initial investigations within 10 working days of referral to establish the child's whereabouts and educational provision.

• If the child is located and receiving suitable education, the case will be closed and the referrer notified of the outcome

• If not, further action will be taken to secure provision and identify safeguarding concerns.

• Where appropriate, cases will be escalated to social care or other relevant agencies.

8.0 Tracking and monitoring

Derbyshire County Council will maintain a CME register and monitor all referrals, ensuring timely follow-up and closure of cases. Regular reports will be provided to senior management and the Derbyshire Safeguarding Children Board.

9.0 Safeguarding

All CME cases will be considered in the context of safeguarding. Concerns about the child's welfare will be referred to Children's Social Care in line with Derbyshire's safeguarding procedures. Staff must be familiar with and follow the Derbyshire Safeguarding Children Board's protocols.

10.0 Data Protection and confidentiality

All information relating to CME will be handled in accordance with the Data Protection Act 2018 and Derbyshire County Council's information governance policies. Data sharing for CME is justified under Article 6(e) (public task) and, where needed, Article 9(2)(g) (substantial public interest – safeguarding). Information will be shared securely and only with those who need it to safeguard and support the child.

11.0 Review

This policy will be reviewed annually, or sooner if required by changes in legislation or guidance, to ensure its effectiveness and compliance with statutory duties.

12.0 contact details

For advice, referral forms or further information, contact the CME team at Derbyshire County Council via

cs.cmecoordinators@derbyshire.gov.uk

Tel: 01629 53574

13.0 Equality statement

Derbyshire County Council is committed to ensuring equality of opportunity and access for all children, regardless of background, ability, or circumstance. This policy will be implemented without discrimination.