



# CHILDREN MISSING EDUCATION POLICY

## for Academies in Diocese of Salisbury Academy Trust

This model policy will apply to both teaching and non-teaching staff

**For adoption and implementation from**

**Approved**

**Amended after HR circulation**

This policy is a model policy that  
must be reviewed and  
customised by each LAB as  
appropriate.



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## 1. Introduction - overview

- 1.1 The (name) Academy understands that all children, regardless of their circumstances, are entitled to a full time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Children missing education (CME) are at significant risk of underachieving, being victims of abuse, and DSAT and (name) Academy strive to put in place robust procedures and policies to enable staff to meet their duty in relation to these children. This includes appointing a named person that (name) Academy and other agencies can make referrals. We undertake regular reviews and evaluate their processes to ensure that these continue to be fit for purpose in identifying and dealing with CME in their area.
- 1.2 The purpose of the section 436A of the Education Act 1996 is to ensure that Local Authorities' arrangements enables them to establish the identities of children in their area who are not registered pupils at a school, and are not receiving suitable education otherwise than at a school.
- 1.3 From June 2013, Ofsted has been implementing a new joint inspection for multi-agency arrangements for the protection of Children which will include CME.

## 2. Schools' Duties

- 2.1 (Name) Academy monitors pupils' attendance through our daily register and have agreed with our local authority the intervals in which we will inform them of the details of pupils who are regularly absent from the Academy or have missed 10 Academy days or more without permission. We also notify the authority if a pupil is to be deleted from the admission register in certain circumstance. Pupils who remain on an Academy roll are not necessarily missing education but the Academy monitors attendance and addresses it when it is poor. It is also important to us that pupils' irregular attendance is referred to the authority.
- 2.2 (Name) Academy also have safeguarding duties under section 157 of the Education Act 2002 in respect of their pupils - and this policy should be read in conjunction with our Safeguarding and Child Protection Policies.

## 3. Parents' Responsibilities

- 3.1 Parents have a duty to ensure that their children of compulsory school age are receiving efficient, full-time education. Some parents may elect to educate their children at home and may withdraw them from school at any time to do so - unless they are subject to a School Attendance Order. Where a parent notifies the Academy in writing of their intention to home educate, the Academy must delete the child from its admission register and then inform the local authority.
- 3.2 Children with special educational needs statements can be home educated. Where the statement sets out special educational provision that the child should



receive at home, the local authority is under a duty to arrange that provision. Where the statement names an Academy as the place where the child should receive his or her education, but the parent chooses to home educate their child, the local authority must assure itself that the provision being made by the parent is suitable to the child's special educational needs.

#### **4. Local Authorities' Related Duties and Powers**

##### **4.1 Local authorities can use other duties and powers to support their work on CME.**

These include:

- Providing suitable full-time education to permanently excluded pupils from the sixth school day of exclusion;
- Safeguarding children's welfare, and their duty to cooperate with other agencies in ensuring children's safety
- Serving notice on parents requiring them to satisfy the LA that their child is receiving suitable education when it comes to the local authority's attention that a child might not be receiving such education.
- Issuing School Attendance Orders (SAOs) on parents who fail to satisfy the local authority that their child is receiving suitable education, and in the opinion of the authority, it is appropriate that the child should attend school.
- Prosecuting parents that do not comply with an SAO;
- Prosecuting or fining parents who fail to ensure their school-registered child attends school regularly;
- Applying to court for an Education Supervision Order for a child.

#### **5. Children at Particular Risk of Missing Education:**

There are many circumstances where a child may become missing from education so it is vital that (name) Academy make judgement on a case by case basis, alongside the local authorities. The list (is not exhaustive) below presents some of the circumstances that local authorities should consider when establishing their CME practices and policies:

##### **5.1 Pupils at Risk of Harm/Neglect –**

Children may be missing from education because they are suffering from abuse or neglect. Where this is suspected, the Designated Safeguarding Lead (DSL)\* (name) follows local child protection procedures. Local authority officers responsible for CME should check that a referral has been made and, if not, they should alert children's social care. 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.

\*The Designated Safeguarding Lead in (name) Academy is (name)



## **5.2 Children of Gypsy, Roma and Traveller (GRT) Families –**

Research has shown that many children from these families can become disengaged from education, particularly during the secondary school phase. It is therefore vital that Academies inform the LA when a GRT pupil leaves the Academy without identifying a new destination school/Academy, particularly in the transition from primary to secondary so that they can attempt 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. Local authority Traveller Education Support Services (TESS), where these exist, or named CME officer within the LA, advise schools and Academies on the best strategies for ensuring the minimum disruption to GRT pupils' education.

## **5.3 Families of Armed Forces –**

Families of members of the Armed Forces are likely to move frequently – both in UK and overseas and often at short notice. Academies and local authorities contact the MOD Children's Education Advisory Service (CEAS) for advice on making arrangements to ensure continuity of education for those children when the family moves.

## **5.4 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 or abduction as well as missing education.

## **5.5 Children and Young People Supervised by the Youth Justice System –**

Children who have offended or are at risk of doing so are also at risk of disengaging from education. Local Authority Youth Offending Teams (YOTs) are responsible for supervising those young people (aged 8 to 18). YOTs work with the local authority CME officer to ensure that children are receiving, or return to, appropriate full-time education. Where a young person was registered at a school/Academy prior to custody, the Academy may keep the place open for their return.

## **5.6 Children who Cease to Attend an Academy/School –**

There are many reasons why a child stops attending an Academy/School. It could be because the parent chooses to home educate their child. However, where the reason for a child who has stopped attending the academy is not known, the local authority must investigate the case and ensure the child is receiving suitable education.

## **6. Working with Others**

### **6.1 Families moving between local authority areas can sometimes lead to a child becoming 'lost' in the system and consequently missing education. Where a child has moved, local authorities should check with other local authorities – either regionally or nationally – and share information in order to ascertain where a child has moved. Once the location of the child is established, the relevant local authority must**



ensure that the child is receiving an education either by attending a school/Academy or otherwise.

- 6.2 Local authorities should regularly raise awareness of their procedures with local schools/Academies, partners and agencies working with children and families, for example, GPs and other health professionals, Primary Care Trusts, police, housing agencies, emergency services, children's homes, voluntary groups for youth and Youth Offending Teams.
- 6.3 It may also be helpful for local authorities to have local contacts with the Department for Works and Pensions, the UK Border Agency and HMRC to assist them in tracing those children known to be missing education.