

Children Missing Education Policy

ACE team — revised August 2021

1) Introduction

- 1.1 Every child of statutory school age is entitled to an education; this entitlement is enshrined in legislation.
- 1.2 Children who are missing education (CME) are children of compulsory school age who are not on roll at a school and are not in receipt of suitable education otherwise than at school, such as a placement in alternative provision or electively home educated by their parents or carers.
- 1.3. CME miss learning opportunities, which is likely to lead to poor outcomes in later life. CME are less likely to take up further education opportunities or find employment after they reach school leaving age.
- 1.4. In addition, CME miss the daily monitoring and oversight that is ordinarily available through contact with professionals to children who are on roll at a school; this in turn can mean missed opportunities to support families and vulnerable children. CME have also been found to be at greater risk of harm, including exploitation and radicalisation.
- 1.5. The reasons for CME are various and include the following: families newly arrived in the area (from UK or abroad), failure to take up provision offered at 5+ or secondary transfer, parental reluctance to utilise alternative provision after a permanent exclusion, failure of a parent to ensure that a child being home educated is in receipt of suitable provision or a child's name being removed from a school roll in error.
- 1.6. This policy sets out the local authority of Hammersmith and Fulham commitment to reducing CME and outlines the key roles and responsibilities of all those working with children identified as CME are enabled to access appropriate education as soon as practical.
- 1.7. Appendix 1 summarises the key legislation which informs this policy.

2) Key roles and responsibilities

- 2.1 All staff who have contact with children have a duty to be aware of their responsibilities in relation to any children identified as CME. Staff who may identify a child as CME will include school admissions colleagues, Family Support and Social Care staff, school staff, housing officers, health professionals and the police.
- 2.2. A 'Starters and Leavers' protocol and database is in place and managed by School Admissions, in line DFE statutory guidance issued in September 2016 in relation to CME. The statutory guidance **all** schools, state maintained, academies and independent, to notify the maintaining Local Authority of all children placed on a school roll and when they are removed. The protocol is attached (Appendix 2)
- 2.3. In Hammersmith and Fulham, it is the ACE (Attendance (statutory), Child employment and children in entertainment, Elective home education, children missing education and exclusions) team who has oversight of all notified CME cases.

(n.b. School staff and Family Support - not ACE - are responsible for supporting children who are on a school roll but cease to attend.)

3) Overview of ACE responsibilities in relation to CME

- 3.1. The ACE team will ensure that information and guidance are available to:

- Prevent where possible children becoming CME e.g., advising schools on appropriate off rolling process, swift referral to Alternative Provision after a Permanent Exclusion.
- Raise awareness of CME through training and publicity
- Publicise contact details and methods for colleagues to refer identified CME to ACE (Appendix 3 — poster)
- Maintain accurate data in relation to all CME and publicise this termly
- Track and support all CME until child is in receipt of education or case can be closed

3.2. There is a senior officer in the ACE team who is familiar with the law and responsible for the oversight of policy and practice relating to CME. In addition, there also a CME Fieldworker, both can offer support and advice.

4) Information management of CME

4.1. The ACE team maintains a database of all notified CME believed to be resident in Hammersmith and Fulham. The ACE team will produce termly reports of CME including numbers, time taken to resolve and any untraceable children,

4.2. The data is used to identify any trends, inform future practice, and target existing resources effectively. It is shared each term with the LCSB and Senior Management Team.

5) Support and casework

5.1. The remit of the CME Fieldworker is to work with other professionals to inform and support families by clarifying options, including elective home education, and removing barriers to the take up of a school place.

5.2. The CME Fieldworker is also responsible for processing any CME cases, where it is deemed necessary, for the Local Authority to pursue a School Attendance Order.

6) Untraceable CME

6.1. Most CME are located and education provision established following reasonable enquiries. For any CME that remain untraceable, the CME Fieldworker will complete the Record of untraceable child of statutory school age form (Appendix 4) and submit it to the Head of ACE for final sign off.

END

Appendix 1 The Legal Context

Responsibility of parent/carers

Section 7 of the Education Act 1996 states

- *"The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable: (a) to his age, ability and aptitude, and (b) to any special educational needs he may have, either by regular attendance at school or otherwise. "*

In England the law specifies that parents have a responsibility to ensure that any child of compulsory school age is in receipt of an education: education is compulsory, but school is not. Parents therefore have a legal right to elect to home educate their children.

Local Authorities Responsibilities

The Local Authority has a duty **under section 436A of the Education Act 1996, inserted by the Education and Inspections Act 2006**, to make arrangements to establish the identities, so far as it is possible to do so, of the children of compulsory school age in their area who are not registered at a school and are not receiving a suitable education otherwise than being at school.

Under Section 437 (1) of the Education Act 1996 the Local Authority has a duty to intervene **if it appears that a child is not receiving a suitable education**. The Local Authority may serve a **School Attendance Order under Section 437 (3) of the Education Act 1996**

If-

"a parent on whom a notice has been served under subsection (1) fails to satisfy the local education authority, within the period specified in the notice, that the child is receiving suitable education".

Safeguarding and Child Protection

Working to resolve CME cases is part of the wider remit of the Local Authority to safeguard and promote the welfare of all children living in London Borough of Hammersmith and Fulham. The LA has a duty under the section 175 (1) of the Education Act 2002 to safeguard and promote the welfare of children:

"A local authority shall make arrangements for ensuring that the functions conferred upon them in their capacity as a local authority are exercised with a view to safeguarding and promoting the welfare of children".

Appendix 2 Protocol for schools in Hammersmith & Fulham Council to identify children missing education

This document sets out the new requirements for identifying children missing education (CME) and is for the attention and action of all schools with pupils of statutory school age (5 — 16). This includes Independent schools.

Background

With effect from 1st September 2016, to improve communication and coordination between schools and LAs, **all** schools are required to notify the maintaining local authority of starters and leavers. This does not include those starting at the school at the first point of entry in reception or Year 7, or those leaving Year 11. The statutory guidance requires all schools, state maintained, academies and independent, to notify the maintaining Local Authority of all children are removed from the school roll under any of the grounds listed in Education (Pupil Registration) (England) 2006 Regulations s8 <https://www.gov.uk/government/publications/children-missing-education>.

Legal Requirements

The following applies to non-standard transition points, also referred to as 'in-year'.

All schools will be legally required to:

- Inform the LA when they are about to delete a pupil's name from the admission register under the permitted grounds relevant to children of statutory school age (these are shown on the 'starters and leavers' form attached);
- Record details of the pupil's residence, the name of the person with whom they reside, the date from which they will reside there, and then name of the destination school (where they can reasonably obtain this information);
- Inform the LA of the pupil's destination school ⁱ and home address if the pupil's moving to a new school; and
- Provide information to the LA when registering new pupils within five days, including the pupil's address and previous school (where they can reasonably obtain this information).

System of notification

All schools will be required to notify the LA of all starters and leavers as set out in the legal requirements above.

ⁱ In the case of refusal to disclose the name of the destined school, please contact then admission team key contact who will advise and assist.

The majority of schools will need to return their notifications to the

Admissions team using the LGfL Document Exchange. For Independent schools, returns will need to be made via the s2s website.

Notifications must not be returned by email unless it is password protected.

The Admissions Team has designated officers that will be checking and monitoring the information returned and will be the key contact for any enquires.

Notification officer — Snjezana Burchell snjezana.burchell@lbhf.gov.uk **If your school does not have the returns template, contact the notification officer.**

It is the responsibility for each school to ensure that notifications are sent to the LA's Admissions Team. Reminders will not be sent but the designated officer will contact you if notifications have not been submitted for a period of 4 weeks.

Requirements at standard transition points

Systems are already in place between schools and the LA to identify children that either do not accept a school offered to their child or do not turn up to the school for which they have been accepted and been placed on roll.

The Admissions Team will monitor cases where a school place has not been secured at the standard point of entry (Reception and Year 7).

Family Support are the point of contact for schools where pupils placed on a school roll have not arrived on their given start date.

Independent schools do not currently notify the LA of children that do not arrive on their given start date. To ensure the safeguarding responsibly is consistent with state maintained schools, it is requested that Independent schools use the 'starters and leavers' form to notify the LA of children that have not arrived as expected. The school must have carried out their own checks before passing to the LA.

Useful contacts:

School Admissions team - 020 8753 1085

Email contacts are the designated notification officers as provided above.

Family Support Service: familyservices@lbhf.gov.uk

ACE — Attendance (statutory function), Child employment, Elective Home Education (EHE) and Children Missing Education (CME):
anwar.raihani@lbhf.gov.uk (tel. 020 8753 6797)

Appendix 3 – CME Referral form

Attendance (statutory), Child employment and children in entertainment, Elective home education and children missing education (ACE Team)

Referral for Child Missing Education (CME)

Form to be completed when child is not on a school roll and the parent has not made suitable arrangements for their education, either by enrolling their child in education provision or through education at home. Form should also be completed when Elective Home Education (EHE) is being considered by Special Educational Needs (SEN) Team

| | |
|---|--|
| Child Surname | |
| Child First name | |
| Year Group/DOB | |
| Parent/Guardian name | |
| Home Address | |
| Borough of residence | |
| Previous School/Country | |
| Contact details for applicant/family (Tel/E-mail) | |

| | |
|--------------------------------------|---|
| Referral being made by- please tick: | SEN team <input type="checkbox"/> |
| | School Admissions <input type="checkbox"/> |
| | Exclusions officer <input type="checkbox"/> |
| | Others <input type="checkbox"/> |

| |
|--|
| Circumstances leading to the child being CME (if known) |
| |

| |
|---|
| Action taken to return the child to education e.g. family made aware of legal responsibilities to ensure that child is in receipt of education, family supplied with In Year Admissions Form etc... Include specific details of communications, copies of relevant correspondence & details of meetings etc. |
| |

| |
|--|
| Additional information – outside agencies – e.g. social worker/localities/medical evidence. |
| |

Signed:

Team/role:

Contact details (telephone/email address):

Date:

Section A to be completed by School Admissions Team only

Time line for interactions with family – minimum three letters and final housing/CT check

Letter 1 –

letter 2 –

Letter 3 –

Final audit/housing/CT check as available –

NB : If child can be traced and is out of school the ACE team will not accept referral without copy of letter confirming offer of named provision.

Form to be emailed to anwar.raihani@lbhf.gov.uk

Appendix 4

**Children's Services
Attendance (statutory), Child Employment/Entertainment, Elective Home Education/ Children
Missing Education (ACE) team**

RECORD OF UNTRACEABLE CHILD

| | |
|--|--|
| Child's name in full | |
| Child's date of birth | |
| Address | |
| Last education provision | |
| Last recorded date of attendance | |
| Any relevant information available from previous education provision regarding the child (eg safeguarding concerns, previous patterns of mobility etc.) | |
| | |

| Outcomes of Reasonable Enquiries | | |
|---|----------------------|--------------|
| 1. Home visits carried out | Date(s) | Announced: |
| | | Unannounced: |
| Outcomes: | | |
| 2. Letter and SAE to parents to inform LA of pupil's whereabouts | Date(s) carried out: | |
| Outcomes: | | |
| 3. Social Care checks | Date(s) carried out: | |
| Outcomes: | | |
| 4. Housing Department check | Date(s) carried out: | |
| Outcomes: | | |
| 6. Other checks to be considered e.g. DWP, Health services, police missing persons etc. | Date(s) carried out: | |
| Outcomes: | | |
| 7. Follow-up of any leads given by any of above | Date(s) carried out: | |
| Outcomes: | | |
| Plan of Action (if any) | | |

Overall Conclusion

Following comprehensive checks, as detailed above, it has not been possible to establish the whereabouts of the child. Case recommended for closure.

Copies To: School (if on roll), other relevant professionals e.g. Social Care

| | | | |
|---|--------------------|--------------|-------------|
| Signed (Caseworker) | | Date | |
| Print Name | | Title | |
| Signed (Manager) | | Date | |
| Print Name | | Title | |
| Authorised signatory for closure | | Date | |
| Print Name | Elizabeth Spearman | Title | Head of ACE |

Form to be sent to: ACE team, 3rd Floor, 145 King Street, London W6 9XY

- A**ttendance (statutory)
- C**hild employment and entertainment
- E**lective home education and children missing education

**Do you know
of a child*
who you
believe is not
receiving
education?**

If so, please contact Attendance (statutory)/Child Employment and Entertainment/Elective Home Education and Children Missing Education (ACE) who can offer parents and carers advice on school placements and monitor progress in placing children.

The ACE team can be contacted on 020 8753 6797

Every child has a right to an education and in this country, it is illegal for a parent/carer to fail to provide a child, of compulsory school age, with an education. Apart from the vital contribution education can make to the life chances of young people, school attendance is a unique opportunity to monitor all children and to detect early warning signs of possible difficulties or concerns, both educational and social.

† A child is of compulsory school age from the term immediately following their 5th birthday, when he/she should be legally receiving support as necessary.

† A parent/carer can decide to educate their child at home but beginning of the academic year they should notify the local authority of their intention to enable the local authority to assess the provision and offer education.

† A child ceases to be of compulsory school age on the last Friday in June of the academic year in which the child has their 16th birthday.

† The academic year runs from 1 September to 31 August.