

# Vulnerability of children not in school

## Guidance for all staff, managers, head teachers and governing bodies to promote the welfare and safeguard children not in school



This guidance provides key information, guidance and legislation used when considering the welfare of children not in school. The guidance helps promote access to the right support needed, the responsibilities of all schools, Local Authorities, and partner agencies.

The guidance is consistent with and should be read alongside the following: [Working Together to Safeguard Children](#), [Keeping Children Safe in Education](#), [The Derby and Derbyshire Multi-agency Safeguarding Children's Procedures](#), [Working together to improve school attendance](#) and [Summary of responsibilities for school attendance for maintained schools, academies, independent schools, and local authorities](#)

### The law on school attendance and right to a full-time education

The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education otherwise than at a school.



Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

## Attendance is everyone's business

Approximately 120,000 children and young people attend education settings across Derby and Derbyshire. A significant challenge exists for staff in education settings, alongside staff from other organisations, to make sense of what is known about children and young people who begin to be identified as vulnerable, and what further information is needed to help keep them safe.

Education is an essential aspect of life for children and is key for their attainment, well-being, and life chances. Regular school attendance is also an important protective factor, especially for vulnerable children. Whenever a child isn't in school, the risk of potential harms can increase whether they are infants, younger children, or teenagers.



Everyone working with children and their families should be professionally curious about why a child isn't in school, what the child might be trying to 'tell us' through their behaviours and take relevant actions to safeguard and promote children's welfare.

All professionals should be aware of the increased vulnerability of children not accessing education. All professionals who have contact with children should maintain professional curiosity and consider asking about what education setting the child is attending and liaising with education if there are any concerns around attendance or support needed.

A recent report from the Children's Commissioner, [attendance is everyone's business](#), identified groups of children who are at more risk of persistent absence from school, including:

- children with special educational needs and/or disabilities (SEND)
- children with mental health needs; and
- children with a history of exclusion and absence.

The Commissioner recommends additional training for teachers to support pupils and multi-agency working to deliver joined up support for children and families.

## National Guidance to support responses when children are not in school

### Child Missing Education

A child missing from Education (CME) is defined as “a child of compulsory school age who is not on a school roll, nor being educated otherwise than in school and who has been out of any education providing for a substantial period of time) usually 4 weeks or more”

### Elective Home Education (EHE)

EHE is also known as home education or home schooling. Defined by the DfE as “education provided by parents at home, rather than education provided by sending the children to school”

### **Looked After Children and children with a social worker**

Guidance sets out key duties to support vulnerable children

[Promoting the education of looked-after and previously looked-after children](#)

[Designated teacher for looked-after and previously looked-after children](#)

[Promoting the education of children with a social worker: virtual school head role](#)

### **SEND – Special Educational Needs and Disability**

The [SEND code of practice](#) provides statutory guidance for organisations who work with children who have special needs or disabilities underpinned by the legal framework from [The Children and Families Act 2014](#) to ensure that high quality support is received

The [SEND review](#) sets out proposals for a system that offers children the opportunity to thrive, with access to the right support, in the right place, and at the right time

### **Education for children with health needs in school and those who cannot attend school**

All schools have to make arrangements for [supporting children at school with medical conditions](#)  
There is guidance where [a mental health issue is affecting attendance](#)

[Statutory guidance](#) sets out how suitable full or part time education should be provided for pupils who are unable to attend a mainstream or special school because of their health  
[Section 19 of the Education Act 1996](#) places a duty on Local Authorities to make suitable alternative education for children of statutory school age who cannot attend school because of illness, exclusion or for any other reason

### **Suspension and permanent exclusion**

[Guidance for headteachers and school staff sets out strategies promotes the effective management of behaviour in school.](#)

Guidance is available on [School Suspension and Permanent Exclusion](#) in circumstances where approaches towards behaviour management have been exhausted, and further action will sometimes be necessary as a last resort

### **Attendance and Persistent absenteeism**

[Working together to improve school attendance](#) sets out guidance to help all schools, governing bodies, and local authorities maintain high levels of school attendance. An attendance figure of 95% is generally considered to be good

### **Part time timetables**

All pupils of compulsory school age are entitled to a full-time education. In very exceptional circumstances, where it is in a pupil's best interests, there may be a need for a temporary part-time timetable to meet their individual needs. This must only be in place for the shortest time necessary and not be treated as a long-term solution

### **NEET – Not in Education, Employment or Training**

Young people who are 16 years old are expected to be in full time education, an apprenticeship, or 20 hours volunteering (while in part time education or training). The term NEET is used when this is not being achieved.

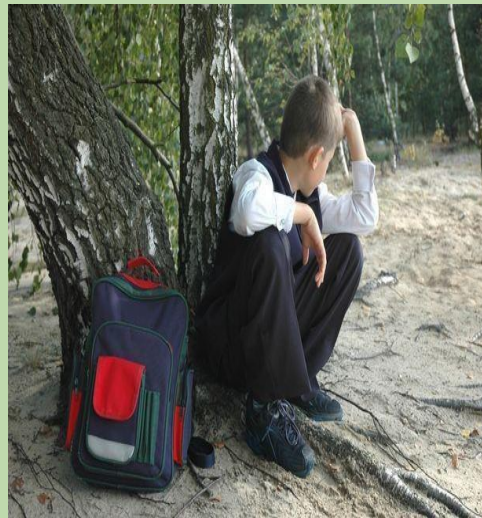
**Whenever a child or young person isn't in school consider**

**What are the barriers preventing the child attending school?**

**What are the implications and potential risks of not attending school?**

**How can attendance be supported and improved. Is there a history of absence?**

**Are there emotional, mental health or physical needs which are affecting the child attending school?**



**Are there signs that a family is considering electively home educating (EHE) their child?**

**Do you have a good understanding of the child's lived experiences?**

**Does the child feel unsafe in school or on their journey to and from school?**

**Is the child a young carer?**

**Is the child experiencing cumulative harm within the household or are there any placed based risks?**

The "lived experience of the child" can be described as what a child sees, hears, thinks and experiences on a daily basis, that impacts on their individual physical and emotional development and welfare.

Children and young people can help us to understand their experience of what it is like to live in their family and community by telling us. Often children who are vulnerable may “tell us” through their behaviour. All professionals should seek to understand the lived experience of vulnerable children and ensure that the voices of children are heard, particularly when they are struggling to attend school.

### **Key learning for all professionals from local reviews**

Children and young people have helped us understand the following key areas of practice that they find helpful along with key areas identified by professionals from all agencies:



- The importance of building relationships between professionals and the young person. This requires skilled communication and may take some time but without it the voice of the child will remain unheard.
- Ensuring the young person is heard, and assessments include their voice along with the views of the parent or carer. This may include working with the young person to seek consent for services or treatment (as appropriate to the age and understanding).
- Obtaining support so that you are able to be persistent when a young person refuses to see you or appears to not engage leading to increased concern about their vulnerability. Ask yourself whether, for this young person, is the inability to establish an effective relationship in itself an indicator of risk?
- Effective managerial oversight and support to ensure effective actions and decisions are made when it appears that the young person and / or parent will not engage, and required change is not achieved.
- Recognising the potential challenges of caring for a young person presenting with specific needs such as emotional or mental health issues, learning disabilities (including non- neurotypical presentation), and how support can be put in place for parents or carers so that they can develop strategies for meeting their child’s needs.
- Recognising, and remaining professionally curious about indicators that the parents or carers may be struggling to meet their child’s needs leading to an increasing risk of neglect. Assessments should be systemic and consider the child’s strengths, needs and risks, the capacity and ability of the parent or carer to meet those needs and environmental factors.
- Strengthen the arrangements in your workplace for assessing the welfare of children not in school, incorporating a Think Family approach.

Recent learning published by the NSPCC highlights a summary of risk factors and learning for improved practice around the education sector. [Education: learning from case reviews](#)

## **A whole school approach to promoting school attendance**

Education is an essential aspect of life for children and the significance of school attendance is reflected in its importance as an early indicator that there may be emerging welfare or safeguarding concerns.

A whole school approach to promoting school attendance should include guidance and training for school staff involved in the attendance process that improves the awareness of welfare/safeguarding needs and ensures that the child's voice is sought and heard throughout.

### **This should incorporate:**

- How health needs are understood, and relevant health staff, for example the GP, school/public health 0-19 nurse, mental health support team or CAMHS, are included in assessing the welfare of the child. If the child has an EHCP it may be appropriate to complete an annual review (can be brought forward if the child's need have significantly changed) to ensure all their needs have been identified and provision to meet the need is in place.
- How attendance processes fit into a whole school approach to safeguarding, and the importance of working in liaison with the Designated Safeguarding Lead (DSL), Senior Mental Health Lead, SENCO, Designated Teacher and any school Education Welfare Services.
- Guidance to improve the process for raising and assessing concerns as soon as a parent/carer indicates they may home educate their child or when a child is withdrawn from school to be electively home educated.
- Ensuring there are effective referrals to support services which provide clarity about the individual support needed (including for emotional wellbeing and mental health). The outcome of the referral and any support offered should be followed up.



### **Key vulnerabilities, local guidance, and support**

When working with a child who is not accessing full-time education, schools and all other agencies must consider the child's needs and vulnerabilities and how they can be best supported and protected.

The DDSCP [Threshold document](#) can be used to support decision making about the child's needs and the appropriate level of support and intervention following the [Derby and Derbyshire Safeguarding Children Procedures](#).

The barriers to accessing education are wide and complex, both within and beyond the school gates, and are often specific to individual children and their families. While schools have a key part to play, everyone working with children and their families has a responsibility to promote attendance at school and consider vulnerabilities when children aren't in school.

The Department for Education has highlighted that successfully addressing the root causes of absence and removing barriers to attendance, at home, in school or more broadly requires schools and local partners to work collaboratively with, not against families. The Department for Education has published [research for professionals and parents](#) why school attendance is important and the impact of missing education.

## **Inclusion**

[Derby Direction](#) website allows schools and those who work with children and young people to see the support services available to them in the local area, focusing on the topic of inclusion.

[Derby Schools Inclusion Charter](#) is a code of best practice for inclusive schools to ensure the best outcomes for children and young people.

[Derbyshire Inclusion Panel](#) (currently being piloted) has replaced GRIP and TAPS and is designed to support inclusion issues in school.

[Derbyshire County Council's Inclusion Support Services](#) comprise of a range of specialist support teams, all available to support and advise schools and settings around inclusion and the implementation of the 'Graduated Response'.



## **Attendance**

[Derby Education Welfare Service](#) (EWS), email: [educationwelfare@derby.gov.uk](mailto:educationwelfare@derby.gov.uk), telephone: 01332 641448

[Derbyshire Education Welfare Service](#) (EWS) and [education welfare service offer](#), email [EWS.HQ@derbyshire.gov.uk](mailto:EWS.HQ@derbyshire.gov.uk)

## **Behaviour, suspensions and exclusions**

Derby – [Exclusion of Pupils](#), including contacts for Exclusions Team and [In Year Fair Access \(IYFA\) and Exclusions](#)

Derbyshire - [Behaviour Support Service](#), [Exclusions from School](#), [Inclusion Pathways Team](#) and [Attendance Management and Exclusions](#)

### **Children missing from education (CME)**

Derby – see [Children Missing Education](#) for further information and CME referral form, email: [cme@derby.gov.uk](mailto:cme@derby.gov.uk), telephone: 01332 641448

Derbyshire – see children missing from education (CME) policy, guidance and resources [webpage](#), email: [CS.CMECoordinators@derbyshire.gov.uk](mailto:CS.CMECoordinators@derbyshire.gov.uk)

### **Elective home education**

Derby information about [Home Schooling](#)

Derbyshire [Elective Home Education](#) and [procedures](#) for when a child is withdrawn from school to be educated at home, email [cs.ehe@derbyshire.gov.uk](mailto:cs.ehe@derbyshire.gov.uk), telephone 01629 533720

Where a child is taken off roll, schools must inform the Local Authority of the deletion from the admission register via the system outlined on the [Derby](#) or [Derbyshire](#) Education Welfare webpages

### **Part-time timetables**

In Derby, a [part-time timetable guidance and protocol](#) have been devised to help clarify the definition of part-time timetables and re-emphasise that parental consent, agency involvement and a robust multi-agency plan, including a risk assessment, are an essential requirement, prior to a part-time timetable commencing.

Derbyshire information about requirements and guidance about [part-time tables](#).

### **Children who require mental health support**

Derby and Derbyshire Mental Health [Pathway](#) Guidance has been developed to support schools and other agencies support children.

[Derbyshire Attendance Project](#) to improve the attendance of children and young people focusing on Emotionally Based School Non-attendance (EBSNA) and part-time timetables.

Derby [Attend Project](#) to improve the attendance of children and young people experiencing emotionally based school non-attendance.

For further national support see [Anna Freud Centre – addressing emotionally based school avoidance](#) or [Young Minds – school anxiety and refusal](#)

### **Children with special educational needs and disabilities (SEND) or EHCP**

There will be many different types of services that children and young people may need with special educational needs and disabilities, including support services in school and specialist health services



[Derby City Local Offer](#)

[Derbyshire Local Offer](#)

### **Alternative provision and hospital medical provision**

Derby City Council has delegated the responsibility for the education of children with additional health needs which cannot be met in a school setting to the Kingsmead School. You can find out more [here](#).

Derbyshire County Council alternative provision refers to:

- education arranged by local authorities for pupils who, because of exclusion, illness, or other reasons, would not otherwise receive suitable education
- education arranged by schools for pupils on a fixed period exclusion and pupils being directed by schools to off-site provision to improve their behaviour

The [alternative provision directory](#) is a list of providers in the region that schools may consider for their pupils.

### **Looked after children, previously looked after children and children with a social worker**

Derby Virtual School Head - 07812 301044 or [graeme.ferguson@derby.gov.uk](mailto:graeme.ferguson@derby.gov.uk)

Information about the [Derby Virtual School](#)

Derbyshire - Head of the Virtual School for Children in Care 07798 882876 or

[Rachel.moore@derbyshire.gov.uk](mailto:Rachel.moore@derbyshire.gov.uk)

Information about the [Derbyshire Virtual School](#)

### **Advice, guidance, and support about Early Help**

The Derby and Derbyshire Safeguarding Children Partnership have developed a [Providing Early Help](#) procedure to support all professionals to provide Early Help.



This includes the [Early Help Assessment](#) and Team Around the Family processes; there is guidance for professionals to initiate this work and engage the family in developing solutions for their family.

**Early Help services in Derby City** are focused on vulnerable families where there is a need for coordinated support from agencies to prevent issues escalating to the point where families may require statutory Social Care services.

Derby Early Help Advisors – 01332 641074 (see DDSCP [early help](#) webpage)

Early help should be provided to address any emerging needs and consists of coordinated support from universal and targeted services.

Examples of agencies providing targeted services include:

- Health services such as Child and Adolescent Mental Health Services (CAMHS)
- Multi-Agency Teams 8-18 (Early Help)
- Services for disabled children such as The Lighthouse
- Children's Centres
- Voluntary and community sector organisations - for example, Safe and Sound

In Derby, targeted Early Help services, are integrated with children's safeguarding Services (Children's Social Care) and there are three locality teams that cover the city from three locality bases. Derby's targeted early help offer is available to vulnerable children and families and it is accessed via Vulnerable Children's Meetings, where completed Early Help assessments are considered.

Team around the School meetings are also held across the city, where early identification of family needs can be considered, and actions agreed.

For more information regarding Vulnerable Children's Meeting (VCM) please see the DDSCP [Early Help](#) webpage.

In Derby City Schools are able to access the [Schools Information Portal \(SIP\)](#) for advice and guidance in relation to Local authority provision, Education Welfare and Children Missing Education. Early Help Advisors are also available to support both the EHA and TAF processes.

**Early Help services in Derbyshire** work in partnership with schools, health and other universal support teams who can offer information, advice, and practical support before the involvement of children's social care services.

Derbyshire Early Help Advisors within the [Early Help Development Team](#) (and see DDSCP [early help](#) webpage). All schools have a linked Early Help Advisor, but support can also be obtained by emailing [transition.team@derbyshire.gov.uk](mailto:transition.team@derbyshire.gov.uk)

Derbyshire's targeted early help offer is available to vulnerable children and families and it is accessed through [Starting Point](#) who will look at the early help work that's already been undertaken with the child, young person, or family.

The targeted early help offer from Derbyshire Children's Services includes:

- 0 to 5 and children's centre teams, working closely with health visitors and

early years providers, support with speech and language development, healthy eating, parenting and school readiness

- targeted early help teams for family and youth support providing parenting groups, youth groups and individual family focused support, including parenting routines and family relationships, reducing conflict, healthy lifestyle choices and reducing risks of exploitation

They also support in circumstances where children and young people are:

- not in education, training, or employment after the age of 16
- at risk of exploitation into criminal activity, drug, or substance misuse, vulnerable to be groomed into sexual exploitation (including online grooming) and [county lines](#).
- carers for other family members

Further information can be found on [SchoolsNet](#) for advice and guidance in relation to local authority provision, Education Welfare and Children Missing Education.

### **Advice for Professionals**

If you need to speak to a Social Worker for thresholds advice and consultation professionals can contact:

- Derby Children's Services Professional Consultation Line 07812 300329
- Derbyshire Starting Point Consultation and Advice Service for Professionals 01629 535353

### **[Make a request for information:](#) (not a request for support)**

Professionals can make a request for information from Derbyshire Children's Services

### **Referral to Children's Social Care**

- **Derby City Initial Response Team**

**Urgent:** 01332 641172 or out of hours via Careline 01332 956606

**Non urgent:** [Derby Children's Social Care Online Referral system](#)

- **Derbyshire County Starting Point**

**Urgent:** 01629 533 190

**Non Urgent:** [Starting Point online](#)