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| Wiltshire Council | |
| Families & Children Services (FCS) | |
| Policy in respect of Children Missing Out on Education (CMOE) and Children Missing Education (CME) | |
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Foreword

All children, regardless of their circumstances are entitled to a full-time education, suitable to their age, ability, aptitude and any special educational needs they may have. Children and young people who are not being educated quickly become at risk of failing academically and socially. If their whereabouts are unknown, they may be particularly at risk of physical, emotional and psychological harm.

Section 436A of the Education Act 1996 requires the Local Authority to establish the identities of children within the area who are not registered at a school and are not receiving suitable education otherwise than at a school. Children of compulsory school age within this category are regarded as Children Missing Education (CME) and should be returned to full time education.

Wiltshire Council is committed to ensuring that children and young people are in receipt of a suitable form of education and facilitated back into education where this is not evident.

The Department for Education (DfE) issued updated statutory guidance relating to Children missing from Education in September 2016¹ and Local Authorities must have procedures in place to comply with the Statutory Guidance.

Definitions

Children Missing out on Education (CMOE) refers to any child of compulsory school age who is NOT registered at any approved education activity, alternative provision² or elective home education AND has been out of educational provision for *at least 4 weeks. This also includes where a child is not attending school despite having a school place, or being enrolled in some form of approved education activity or alternative provision.*

Children Missing Education (CME) refers to those children and young people who are missing i.e. their family or their individual whereabouts are unknown.

¹ <https://www.gov.uk/government/publications/children.missing.education>

² This includes children placed on “alternative timetables” by schools (either part time or full time where those children are not attending)

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1. Purpose/Duty of the Local Authority

- 1.1 Under the Education and Inspections Act 2006, Part 1, Section 4, Wiltshire Council has a statutory duty to identify children who are not receiving education. Under the School Standards and Framework Act 1998, as amended by the Education Act 2002, Wiltshire Council also has a statutory duty to provide promptly a school place for every child requiring one. As part of this duty it is necessary to ensure that any child or young person of statutory school age is allocated a school place as soon as possible, and in any event, the local authority (LA) will process in- year transfer forms within 10 school days if all relevant information has been provided.
- 1.2 Wiltshire Council has a duty under Section 436A of the Education Act 1996 to establish (so far as it is possible to do so) the identities of children in our area who are of compulsory school age but who are not registered pupils at a school or in receipt of some other form of suitable education. We must therefore identify all children within our area and ensure that they are either registered pupils at a maintained, non – maintained or independent school, academy or receiving education other than at school.
- 1.3 The obligation under Section 436A of the Education Act 1996 to make arrangements to identify children and young people who are not receiving a suitable education includes a duty to intervene. Local Authorities also have a duty to safeguard and promote the welfare of children and young people through their educational obligations (Working Together 2015/Keeping Children Safe in Education 2015).
- 1.4 This policy informs Local Authority Officers, schools and other agencies about the procedures to be followed in order to prevent children missing out of education and also identify children who are/or might be missing from education (whereabouts unknown). It should be read in conjunction with DFE statutory guidance; Families & Children’s Service’s safeguarding policies, Wiltshire Safeguarding Children’s Board (WSCB) Safeguarding Policies, and the WSCB Multi-Agency Thresholds Document, ‘Children Missing from Home and Care Protocol’.
- 1.5 This policy outlines the procedures necessary to establish, wherever possible, the identities of children in Wiltshire that are not receiving a suitable education, and/or are identified as missing.

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1.6 Current evidence suggests that consistent and regular attendance in education is a protective factor for all children and young people and that it is a key responsibility of the Local Authority and its school. One way for the Local Authority and its schools to safeguard the welfare of children is to ensure that they are all on a school roll or registered as Electively Home Educated; and that children are not removed from roll inappropriately and become 'missing'.

1.7 Note should also be taken of the following:

[The Education \(Pupil Registration\) \(England\) Regulations 2006](#)

[The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#)

[Children Missing Education: Statutory Guidance for Local Authorities 2016](#)

<http://www.wiltshire.gov.uk/schools-iin-year-fair-access-protocol-primary-schools.pdf>

<http://www.wiltshire.gov.uk/schools--in-year-fair-access-protocol-secondary-schools.pdf>

[Statutory Guidance for Local Authorities in England to Identify Children not receiving a suitable Education 2009 \(Revised April 2013\).](#)

2. **Scope**

2.1 This policy details good practice and procedures for everyone in Wiltshire Children's and Young Peoples Workforce, regardless of their discipline or agency. Key partner agencies include Community Health, Schools, Police, Child and Adolescent Mental Health, Voluntary and Community Organisations.

3. **Context**

3.1 'Missing' children are amongst the most vulnerable in the country. Children either fail to start in appropriate provision or simply become lost from school rolls or fail to re-register at a new school when they move area. It is vital that practitioners in all services work together to identify and re-engage these children back into appropriate education provision as quickly as possible.

3.2 Children who remain disengaged from education are potentially exposed to higher degrees of risk, which could include engagement in anti-social or criminal behaviour, social disengagement, sexually risky behaviour, substance misuse (including alcohol), sexual and/or criminal exploitation.

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- a. This policy and procedures should ensure that the Local Authority;
 1. Meets statutory duties relating to the provision of education and safeguarding the welfare of children missing in education.
 2. Ensures robust multi-agency systems are in place in Wiltshire to identify and track children missing from education or at risk of being so.
 3. Ensures that monitoring and reporting of systems are in place in order to identify a lead agency and a key worker for all children missing from education.

3.4 Children drop out of the education system and are at risk of 'going missing' because they;

- *fail to start appropriate provision and so never enter the system (e.g. pre-school to reception/Year 1 or new to area and no application is made to school (CMOE).*
- *cease to attend (including alternative provision) (CMOE).*
- *are excluded (CMOE).*
- *may be subject to illegal and unofficial exclusion or withdrawal (CMOE)..*
- *may be removed from rolls with no named destinations (where a Head teacher* persuades a parent to remove their child from the school roll)* This includes 'off-rolling' pupils from school registers. (CMOE).*
- *are not receiving suitable Elective Home Education (CMOE).*
- *fail to complete transition between providers or unable to find a suitable school place after moving into the Local Authority (CMOE).*
- *go missing (individually or with their family); or disappear from the area of Wiltshire and cannot be traced (CME).*

3.5 Some children who experience certain life events are more at risk of going missing from education. This is not an exhaustive list but may include:

- 1 Young people who have committed offences
- 2 Children living in a woman's refuge
- 3 *Missing children*
- 4 Children of homeless families, perhaps living in temporary accommodation, house of multiple occupancy or bed and breakfast
- 5 Children with long term medical and emotional problems
- 6 Unaccompanied asylum seekers
- 7 Children of refugees and asylum seeking families
- 8 Children in new immigrant families, who are not yet established in the UK and may not have a fixed abode
- 9 Looked After Children

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- 10 Children from Roma or travelling backgrounds
- 11 Young Carers
- 12 Children living in households where there is significant deprivation and social problems
- 13 Children from transient families (family who move often from one geographical area to another)
- 14 Parents/guardians with mental health issues
- 15 Teenage parents
- 16 Children who are permanently excluded from school (especially those excluded illegally) www.dfe.gov.uk/guidance/exclusions
- 17 Children who engage in substance misuse including alcohol
- 18 Young people in forced marriage or under threat of forced marriage
- 19 Those at risk or suffering from Child Sexual / Criminal Exploitation
- 20 Children with complex Special Education Needs and Disabilities.

Note: This policy does not replace the South West Child Protection Procedures and Working Together 2015. Existing safeguarding procedures and mechanisms for reporting and recording child protection concerns must be observed at all times.

4. Roles and Responsibilities

- **Education Welfare Officers (EWOs)** primarily and all Children's Services' staff (generally) have the responsibility on behalf of Wiltshire Council to ensure that they:
 - a Follow up of all referrals of children and young people reported as or detected as missing from education (**CMOE**)
 - b Liaise with all partner agencies to track children and young people who may be missing education (**CMOE**)
 - c Collate information on all reported cases of CME in Wiltshire maintained schools, academies and alternative provision providers (**CME**)
- Upon receipt of notification the EWO will attempt contact with the family by undertaking a visit to the home, continuing telephone calls and writing to the parent/carer. This will be in conjunction with carrying out checks with other agencies such as Social Care, Police, Housing and other partner agencies. Where a child is not located an entry will be made on the database. Safeguarding processes will be followed at this stage if there is any evidence that the child is at risk.

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- Families & Children's Services' staff retain an overview of 'Education Other Than at School' (EOTAS) provision and its staff attend Fair Access Panels in Wiltshire. EWOs and council services (e.g. SEND/Support and Safeguarding/Virtual School staff); offering child centred support to young people identified by schools as being at risk of permanent exclusion; and may be involved in allocating a range of alternative educational provisions within the county through established referral routes, panel arrangements and agreed protocols. There are strong links with colleagues supporting pupils from identified vulnerable groups e.g. Special Educational Needs, Looked After Children (including the Virtual School), Support and Safeguarding Teams.

Admissions Team

The Admissions Team have overall responsibility and accountability for ensuring all children and young people in Wiltshire receive an appropriate offer of placement.

- 4.5 *The Admissions Team are the first point of contact for any application. However Voluntary Aided and Academy Schools are responsible for considering their own applications and forwarding the outcome to the Admissions Team. Named admissions officers will be the lead officer for children not on a school roll and waiting for a school place. The Admissions Team has a lead officer responsible for contacting the EWO staff and the lead EWO Manager when a child known to them has been out of school for 20 days or more.*
- 4.6 Children missing education (CME) procedures should be followed where a child or young person has not taken up an allocated school place as expected and/or has 10 days or more continuous absence from school without an explanation and/or has left school suddenly and the destination is unknown.
- 4.7 Schools should start to complete the Children Missing Education Checklist if a pupil has had a maximum of 5 days of school non-attendance and where the school has been unable to contact the parent/carers. The **CME checklist** in **Annex 1** should be followed. The form (**Annex 1A**) notifying the Council officially that a child is missing from education **should be sent into the Council once 10 days of continuous absence have been reached** although if schools have any concerns before this point; they should initiate their own safeguarding process and do necessary follow up checks. *This can be supported by proactive 'Register checks' by EWOs to ensure that Headteachers are appropriately coding pupil's absence.*

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Any concern of a Child Missing Education should be reported to the Local Authority to the relevant Education Welfare Officer. All schools have an allocated link Education Welfare Officer to whom reports should be made.

Informing the Local Authority of Deletions from the School Register.

4.8 The Regulations require schools to notify the Local Authority in the following circumstances as soon as the grounds for deletion are met:

- The pupil is moving away from the area and is known to have registered at another school
- The school medical officer has certified that the pupil has a medical condition and is unlikely to return before ceasing to be of compulsory school age
- The pupil is leaving a non-maintained school and is not known to have registered at another school
- The school has received written notification from the parent that the pupil is receiving education otherwise than at school
- the pupil has been permanently excluded

Schools should inform the relevant Education Welfare Officer in the case of pupils who have an EHCP (Education Health Care Plan/'SEN Statement') immediately where;

- i They become aware that a school roll deletion may be made
- ii A pupil is withdrawn by the parent/carer from the school without warning
- iii They receive a verbal notification of a parents' intent to home educate.

5. CMOE/CME Monitoring Group

5.1 A monitoring group *led by a manager* in the Support and Safeguarding Service has set up an internal multi-disciplinary (Virtual School, SEND, Support & Safeguarding etc.) group which keeps a list of all children & young people who are either CME or CMOE (see Foreword for definitions). The group will track or monitor all such young people; taking the necessary action to intervene or direct intervention to ensure the presenting issues are addressed.

5.2 The above is supported by lists, which are kept by EWOs for all children who are registered as Elective Home Educated and those who are formally classed as 'Children Missing Education' (absent 10 days or more / whereabouts

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unknown).

- 5.3 All lists are checked with Support & Safeguarding Service, Children's Social Care data bases (including the list of young people at risk of Child Sexual Exploitation); and action is directed where there are key concerns and interventions are required.

Note: We only know about who we know about; who we have been informed about or the situations we have detected. It is an expectation that all schools advise the local authority formally of any child whose parents/carers are electing to Home Education, or are where schools have moved children and young people onto alternative timetables and provision- whether part time or full time.

6 Taking Responsibility – it's everyone's responsibility

Ensuring that children remain in education is everybody's responsibility regardless of their role. It is not just the job of Admissions Officers, schools, and Education Welfare Officers. Every professional working with children and young people must remain vigilant and act accordingly. This includes working with schools to improve the quality of school provision, school manager's leadership standards (School Effectiveness Team), and the quality of Alternative Provision (Children's Services Commissioning Team).

7. Virtual School Processes and Children Missing (Out on) Education

CMOE/school CME are linked closely to the work of the VSOs. They hold a caseload of Looked After Children and are in close contact with schools; social workers and carers, they will be respond directly to issues around provision, part-time timetables etc. VSOs will track cases ensuring timely action in identified cases making use of expenditure from Pupil Premium as required.