

1 Introduction

All local authorities have statutory oversight for children and young people's education, employment and training up to the age of 18.

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 otherwise. Young people aged 17 and 18 are expected to take part in education or training. This is not the same as being of 'compulsory school age' but these young people are expected to undertake educational activity, whether that be through attendance at college, an apprenticeship or in paid employment with a training/educational element. These young people are not classified under Electively Home Educated.

Children can become missing from education for a variety of reasons and this policy, and its related procedures, recognises that children missing education can act as a vital warning sign to arrange of safeguarding issues including neglect, sexual abuse and child sexual and criminal exploitation. This linked to poorer outcomes later in life, such as unemployment, homelessness and health issues.

2 Scope and guidance

This policy applies to all school staff who come into contact with children and young people of compulsory school age.

The contents of this policy and the procedures identified in both the policy and supporting guidance apply to the Governing Body, all staff and volunteers. It is also relevant to parents.

This policy is specifically discussed as part of staff induction and is revisited on an annual basis to ensure that all staff have a clear understanding of the expectations relating to their role.

Copies of this policy are available to all staff and parents via the school's website www.holmecourt.com.

Furthermore, all staff have access via the School Share Point-staff team-policies-safeguarding.

3 Policy statement

Children Missing Education (CME) are recognised as a vulnerable group of children. They are defined as children of compulsory education who are not registered pupils at a school and are not receiving suitable education elsewhere.

There is also a recognition that pupils who have missed 20 days consecutive education are also at greater risk and schools have a duty to report them to the local authority so that joint plans can be made to support the young person back into education as swiftly as possible and to ensure there is continuity.

All local authorities, under section 436A have wider safeguarding responsibilities for children in their area, which should be considered alongside their obligations in relation to CME.

Under the Education Act 1996 436A

"A local authority must make arrangements to enable them to establish (far as is possible to do so) the identities of children in their area who are of compulsory school age, who are not registered pupils at a school and are not receiving suitable education otherwise than at a school."

Furthermore, the Children Act 2004 places a duty on all agencies to work together to promote the welfare of children and share information.

Holme Court School takes its legal and moral obligations to safeguard its pupils extremely seriously. In order to fulfil the requirements of the CME Holme Court School is committed to working in collaboration with local authorities/relevant organisations to ensure the early identification and intervention of children who are not receiving suitable education.

4 Legislative compliance

This policy is underpinned by the following:

Legislation

- The Education Act 1996
- The Children Act 2004

Statutory guidance

- Children who Run Away or go Missing from Home or Care DfE 2014
- Children Missing Education (CME) DfE 2016
- Working Together to Safeguard Children HM Government 2010 (updated 2018)
- Elective Home Education DfE 2019
- Common Transfer File DfE 2022
- Working Together to Improve School Attendance DfE 2022
- Keeping Children Safe in Education 2023

Statutory regulations

- Education (Pupil Registration) (England) Regulations 2006
- Education (Pupil registration) (Amendment) (England) regulations 2010, 2011, 2013 and 2016

Non statutory guidance

- School Attendance DfE 2020
- Children Missing Education Briefing Note 2020

5 Aims of policy

This aims of this policy are to:

- support the school in meeting its statutory duties in relation to the provision, safeguarding and welfare of its pupils
- define children missing education
- ensure that there are robust procedures in place to quickly identify and locate pupils who are missing from education and therefore identify what appropriate action can be taken
- bring together the legal framework; government guidance and local procedures regarding children missing education
- explain the role and responsibilities of the School, Local Authority, Children Missing Education Teams and other agencies involved with children who are missing education and effective information sharing
- highlight the importance of effective information sharing between parents, school and the relevant LA to ensure that all children and young people of compulsory schools age on roll at Holme Court School are safe and in receipt of a suitable education
- limit the possibilities of pupils from Holme Court School becoming missing from education

6 Definitions

Children Missing Education (CME) refers to all children of compulsory school age who are neither on a school roll, not being educated otherwise (e.g. privately or in alternative provision) and who have been out of any educational provision for a substantial period of time (usually agreed as four weeks or more).

Pupils Missing from Education are children who are on a school roll but due to their circumstances, they are not receiving a suitable, full-time education.

Local authorities' responsibilities for children missing education apply to all children of compulsory school age. Children are of compulsory school age from the first full term after the child reaches their fifth birthday or until the last Friday in June in the school year that they reach sixteen.

A Parent is defined in Section 576, Education Act 1996 as:

- All natural parents, whether they are married or not
- Any person who, although not a natural parent, has parental responsibility for a child or young person
- Any person who has care of a child (having care of a child or young person means that the child lives with and is looked after by that person, irrespective of their relationship).

7 Reasons why a pupil might become CME

CME are recognised as a vulnerable group of children. Children and young people can go missing for a number of reasons, including (but not limited to):

- failure to start appropriate provision and , therefore, never enter the education system
- failure to return to school following affixed term exclusion
- withdrawal from school by parents
- failure to complete a transition between educational settings (e.g. being unable to find a suitable school place after moving to another local authority area)
- becoming caught in a variety of complex barriers to education including bullying, family crises such as eviction, homelessness, bereavement or being a carer
- suffering from long term medical conditions or disabilities which affect the ability to attend school
- being at risk of sexual exploitation, including those who have been trafficked to, or within the UK
- being at risk of criminal exploitation or radicalisation
- being at risk of 'honour' based violence including forced marriage

8 Identification of CME

CME are usually identified in one of the following ways:

i Notification from an individual agency

A referral is received from an individual r agency advising that a child pr young person of compulsory school age may be missing education.

Examples of when this type of referral may be made are:

- notification from the Elective Home Education (EHE) Officer that education provided at home Is not suitable or there is no evidence of education
- notification from another local authority of a pupil who has moved into a new authority

- notification from schools that a pupil has not attended for 10 and then 20 days
- contact from a member of the public
- notification via the school2school system (a secure Department of Education database which allows schools and local authorities to securely share information)

ii. Reports from LA Educational Database

This is where reports from an educational database identifies children who are known to the Local Authority, but who do not have a school place.

Examples of when this type of referral may be made are:

- Identification through the transition phase (Reception) application process, or first time admissions who have not started at the allocated school.
- Where a school place has been refused and no alternative place has been requested.
- Where parents have gone to appeal for a school place and no alternative place has been sought in the meantime.
- Where a child is not attending the named school in an Education, Health and Care Plan.

iii. Pupils removed from School Roll at non-standard transition points

This is where schools and Local Authority Education Welfare Services identify children who have been removed from a school roll and do not have a current educational placement.

Schools may only remove a pupil of compulsory school age from the school roll in accordance with the grounds set out in the Education (Pupil Registration) (England) Regulations 2006

Schools must notify the Local Authority when a pupil is removed from roll as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register. This duty does not apply at standard transition points – where the pupil has completed the school's final year – unless the Local Authority requests for such information to be provided.

The pupil should not be removed from the school roll until the CME Officer or Education Welfare Service has confirmed they can be removed.

iv. School Absence

This is where schools identify pupils who have missed 20 consecutive school days, or 10 days following an authorised absence, and the school does not have

reasonable grounds to believe that the pupil is unable to attend because of sickness or another unavoidable cause.

In instances where there is no justifiable reason for the pupil's absence, the school notifies the relevant LA by completing the relevant Education Welfare & Safeguarding Service Referral Form.

9 Children and young people at particular risk of missing education

Particular care and attention should be taken in relation to certain groups of pupils considered to be at higher risk of becoming missing from education, including:

v. Pupils at Risk of Harm and/or Neglect

Pupils may become CME because they are experiencing harm and/or neglect. Where this is suspected, the DSL/DDSL will should refer to information provided by the relevant local authority. Where there are concerns about the safety of a child, the relevant referral process must be followed.

vi. Children in care

Pupils who are Children in Care may become missing from education- are at risk of being missing from education. If this were to be suspected at Holme Court School the DSL/DDSL, should refer to the relevant LA.

vii. Children of Gypsy, Roma and Traveller (GRT) Heritage

Children of GRT heritage are at a higher risk of becoming disengaged from education, particularly during the transition between primary and secondary school. It is therefore vital that schools notify the relevant LA if a GRT pupil leaves a school without an identified new school, so that the LA can attempt to facilitate continuity of education.

viii. Families of Service Personnel and Crown Servants

Families of members of the Armed Forces are likely to move frequently, both in the UK and overseas – sometimes at short notice. If this were to apply to a pupil at Holme Court School, the school and/or relevant LA should contact the Ministry of Defence Children's Education Advisory Service (CEAS) by email – DCYP-CEAS-Enquiries@mod.gov.uk or telephone 01908 618244 for advice on making arrangements to ensure continuity of education for pupils when the family moves.

ix. Missing Children and Runaways

Children who go missing or run away from home or care may be in serious danger and are vulnerable to criminal/sexual exploitation, abduction and missing education. Where schools have concerns about the safety or welfare of a pupil, they should refer to the relevant LA via the relevant Education Welfare & Safeguarding Service Referral Form.

x. Children Supervised by the Youth Justice System

Children who have offended, or who are at risk of offending, are also at risk of disengaging from education. The relevant Local Authority Offending Service (YOS) is responsible for supervising those children and providing a holistic support package to help them adopt positive behaviours and fulfil their potential. Part of this involves the YOS working with the Education Welfare Service to ensure that children have access to appropriate full-time education. The YOS will have regular sight of the CME register and informs the CME Officer of any children known to not be at school or in receipt of education. A representative from the Education Welfare Service is also invited to attend the YOS's education pupil partnership, as required, to aid early identification of CME.

xi. Children who cease to Attend School

Where the reason for a child ceasing to attend school is not known (e.g. if a parent chooses to home educate and does not inform the school and/or Local Authority), the relevant LA Education Welfare Service should investigate the case to ensure that the child is receiving suitable education.

xii. Children of New Migrant Families

Children from new migrant families may not have yet settled into a fixed address, or may have arrived into the area without the Local Authority becoming aware, therefore increasing the risk of CME. Where agencies become aware of children of new migrant families who may not be in full-time education, they should make a CME referral. This includes instances where staff from the LA's Contact Advice & Assessment Service (CAAS) or the multi-agency Early Response Hub become aware of children who may not be in full-time education. Following a CME referral, the relevant LA Education Welfare Service will investigate the case to ensure that the child is receiving suitable education.

10 Reducing the risk of CME

Holme Court School supports pupils from a number of different local authorities. Each LA has their own particular processes and procedures aimed at reducing

the risk of children going missing from education which apply to pupils in mainstream education.

These include:

- regular monitoring of school attendance and audit of registers by schools and the Education Welfare Service
- ongoing monitoring of school exclusions
- monitoring pupils' transition from KS2 to KS3
- monitoring of children on the LA's EHE database
- monitoring of Children in care through the Virtual School
- multi-agency meetings to discuss pupils where there are concerns
- advice to schools (eg when a pupil's name can be removed from the school roll)
- Joint agency working with pupils at risk of Criminal Exploitation and/or Sexual Exploitation and radicalisation

Holme Court School is an independent specialist school for pupils with dyslexia and associated specific learning difficulties.

As such, it does not receive the same level of monitoring and support from the local authorities regarding the identification of pupils at risk of CME.

Regular monitoring systems are however in place for pupils from Cambridgeshire and Suffolk.

11 General responsibilities

Parents

Parents have a duty to ensure that their children of compulsory school age are receiving a suitable full-time education either by regular attendance at school or a suitable, full-time education otherwise than at school.

Schools

All schools, including Holme Court have a range of statutory duties under The Education (Pupil Registration) (England) Regulations 2006 and subsequent amendments relating to the keeping of school admissions and attendance registers.

All schools must ensure compliance with regulations relating to pupil enrolment, keeping of admissions and attendance registers and ensure that any removals from roll are in line with the regulations.

Sections 175 and 157 Education Act 2002 place a duty on all schools to exercise their functions with a view to safeguarding and promoting the welfare of children who are pupils at school. Schools have specific duties to have appropriate safeguarding responses to children who go missing from education to help identify risks of abuse and neglect and hold more than one emergency contact for each pupil as outlined in Keeping Children Safe in Education (2023).

Responsibilities for pupils who may be children missing education

School Attendance, Department for Education statutory guidance states that all schools are expected to:

- Promote good attendance and reduce absence, including persistent absence
- Ensure every pupil has access to full time education to which they are entitled; and,
- Act early to address patterns of absence.
 - Put in place appropriate safeguarding response for children who go missing from school, particularly on repeat occasions.

When a pupil fails to attend school without reason, including where pupils have not returned following a period of authorised leave or due to exceptional circumstances or following admission to school, all schools must undertake reasonable enquiries to establish the reasons why the pupil has not attended following their school attendance procedures and, where applicable, safeguarding procedures.

Absences must be unauthorised until the reason for absence has been established and the school decide whether to authorise the absence. Where the school has reason to believe that the pupil may be a child missing education, the school and LA CME Team must undertake and exhaust joint reasonable enquiries to establish the whereabouts of the pupil prior to agreeing removal from roll. This is a legal requirement of Education (Pupil Registration) (England) Regulations 2006 and 2016 and Children Missing Education statutory guidance.

Local Authorities

Local authorities have statutory duties under Section 436A of the Education Act 1996 to identify, as far as is possible, children who are not receiving a suitable education otherwise than being at school. In addition, Section 437(1) of the Education Act 1996 further requires the Local Authority to intervene if it appears that parents are not providing a suitable education.

Local Authorities must consult with parents when establishing whether a child is receiving a suitable education. The Local Authority has a duty to take prompt action and early intervention to ensure children without suitable education are supported into education swiftly.

Local Authorities must provide advice and guidance to schools regarding removal pupils from admissions and attendance registers and to raise awareness of children missing education and the local procedures for reporting concerns with partner agencies and the public.

Where a parent or carer fails to satisfy the Local Authority that the child is receiving a fulltime appropriate education, it is Local Authority's responsibility to instigate School Attendance Order proceedings and to conduct prosecutions of parents who are found to be in breach of a School Attendance Order (SAO).

12 Holme Court School general responsibilities

As an independent specialist school, the Governing Body has the responsibility of ensuring that the school fully complies with regulations and would be guilty of an offence in the event that the regulations were not adhered to.

In line with statutory guidance legislation, Holme Court School must:

- notify the relevant Local Authority within five days of adding a pupil's name to the admissions register including all the details contained in the admission register for the new pupil
- monitor each pupil's attendance through their daily register following their school attendance procedures and policies to establish any reasons for absences, marking register accordingly and support improvements in attendance
- have a shared responsibility with Local Authorities to conduct joint reasonable enquiries to locate pupils who may be missing from education
- notify the relevant Local Authority when they are about to remove a pupil's name from the School Admission Register under any of the fifteen grounds listed in the regulations, no later than the date that the child's name is due to be removed.

Liaison with Local Authorities

As an independent specialist setting all pupils at Holme Court School have recognised special educational needs, the majority of which have an Education Health Care Plan.

Pupils attending Holme Court School come from a number of different Local Authorities, each of which have their own particular teams and processes.

Generally, the Local Authority Special Educational Needs (SEN) Team is responsible for co-ordinating all phase and in-year school transfers for pupils with Education and Health Care plans (EHC plans) including admission to complex needs schools. Therefore, irrespective of the Local Authority concerned this team will be the first port of call if staff at Holme Court School need to raise any concerns about pupils with an EHCP.

For pupils who do not have an EHCP the Local Authority Admissions Team will be consulted.

Further guidance and support will be requested at this time.

Identifying children missing education

Before removing a pupils' name from the Admission register the School will submit an Off Roll Notification Form.

This should then trigger a notification to the relevant Children Missing Education Team within the relevant Local Authority.

13 Holme Court School specific responsibilities and actions
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Prior to a referral to the CME Officer Holme Court School will ensure that a number of actions take place to reduce the likelihood that children miss education.

These include:

- striving to form good relationships with families and pupils
- communicating to parents regularly the importance of school attendance
- ensuring leave of absence processes are clear and communicated to all
- regularly monitoring attendance
- ensuring that data is recorded effectively including up to date contact details
- having robust procedures in place for first day absence monitoring including calls to parents if a pupil fails to arrive by 9.30am in the event that communication from parent/carers has not been received
- having robust procedures policies and procedures in place when concerns are raised that a pupil may be a child missing education and regarding attendance
- informing the Local Authority of pupils who fail to attend regularly, or have missed 10 days or more without permission
- informing the LA when a pupil has not returned to school for 10 days after an authorised absence
- informing the LA when a pupils is absent from school without authorisation for 20 consecutive school days
- having robust procedures policies and procedures in place when concerns are raised that a pupil may be a child missing education and regarding attendance
- ensuring that reporting to the Local Authority is timely

14 Links to other policies

This policy links to the following policies:

- Admission Policy
- Attendance Policy
- Safeguarding and Child Protection Policy

15 Policy administration

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Hard copy available	Red School Policy file in admin office
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