



Three  
Spires  
TRUST

*'Life in all its fullness'*

# Children **Absent or** Missing from Education Policy

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| Policy owner  | Director of Safeguarding and SEND |
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## Statement of intent

All staff at Three Spires Trust know that all children are entitled to a full-time education, regardless of their circumstances. Unfortunately, children missing from education (CME) risk underachieving, and not being in education, employment or training (NEET) in later life, and it can act as a vital warning sign of a range of safeguarding concerns, including abuse and neglect.

Each Local Authority has a legal duty to identify when there are CME and help them back into education. This policy highlights what the academies within our trust and the central team will do to help the LA with its duty.

For the purpose of this policy, a **“child missing from education”** is defined as a child or young person of compulsory school age who is not registered at a school, not placed in alternative provision by an LA, and not receiving a suitable education elsewhere. This definition also encompasses children who are receiving an education, but not one that is suitable, including children who are not receiving full-time education suitable to their needs, ie age, ability, aptitude, SEND.

At Three Spires Trust, we seek to support our children and young people to embrace life in all its fullness. Jesus spoke these words in the early days of his ministry in a time when the world was facing significant challenge; this is not unrecognisable in modern Britain. Through this policy, we seek to empower adults to act with children at the heart of their decision making and action taking, whilst ensuring that record keeping means that children will have the very best opportunities to flourish, no matter what their life experiences. As a Church of England trust, this is not just an ideal, but it is at the core of our purpose.

This policy does not address children and young people who are considered to be absent from education, which is where a registered pupil is not attending regularly, including where they are persistently or severely absent from school. Procedures for addressing instances where pupils are not attending regularly are instead set out in the school's Attendance and Absence Policy.

## 1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Education Act 1996
- Education Act 2002
- Education and Inspections Act 2006
- Children Act 1989
- Children Act 2004
- The Education (Pupil Registration) (England) Regulations 2006 (as amended in 2016)
- The Education (Pupil Information) (England) Regulations 2005 (as amended in 2018)
- The School Information (England) Regulations 2008 (as amended in 2018)
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007 (as amended in 2014)
- DfE 'Keeping children safe in education'
- DfE 'Working Together to Safeguard Children'
- DfE 'School Admissions Code'
- DfE 'Working Together to Improve School Attendance'

This policy operates in conjunction with the following trust-wide policies:

- Child Protection and Safeguarding Policy
- Attendance and Absence Policy
- Admissions Policy
- SEND Policy

This policy operates in conjunction with the following academy policies:

- Behaviour Policy
- Careers Policy

## 2. Reasons for children **being absent from or missing education**

There are a number of reasons as to why children miss education, including the following:

- Failing to be registered with an education setting at the age of five
- Failing to make a successful transition (both within their setting and when moving to a new educational setting)
- Exclusion
- Mid-year transfer of education setting
- Families moving into a new area

Aside from these reasons, if a child is missing from education, particularly repeatedly, this can act as a vital warning sign of a range of safeguarding concerns, such as the following:

- Abuse and neglect, including child sexual exploitation (CSE) and child criminal exploitation (CCE), potentially involving county lines

- So-called ‘honour-based’ abuse, including risk of FGM or risk of forced marriage
- Mental health issues
- Risk of substance abuse
- Risk of travelling to conflict zones

Staff will be aware that early intervention is essential to identify the existence of any underlying safeguarding relating to CME and to help prevent the risks of a child going missing in the future. All staff working with attendance matters will be made aware of unauthorised absence procedures and this policy to ensure they know how to respond to possible cases of CME.

### 3. Children at particular risk of **being absent from or missing education**

As there could be many reasons for a child to be **absent from or to be** missing from education, the LA makes its judgements on a case-by-case basis. The following list indicates groups of children who are most at risk of missing education:

- **Pupils at risk of harm or neglect** – where this is suspected, local child protection procedures will be followed; however, if a child is in immediate danger or at risk of harm, a referral will be made immediately to children’s social care services (CSCS), and the police if appropriate. The LA officers responsible for CME will check whether a referral has been made, and will contact CSCS if this is not the case. Should there be a reason to suspect a crime has been committed or the child’s safety is at risk, the LA will contact the police.
- **Pupils from Gypsy, Roma and Traveller (GRT) families** – when a pupil from a GRT family leaves the academy without naming their next destination setting, the academy will contact the Director of Safeguarding and SEND (DSS) and the LA. If necessary, the DSL will consult with their LA’s GRT advisor for advice on the best strategies to ensure minimal disruption to the child’s education.
- **Children of service personnel** – the DSL will contact the Ministry of Defence Children’s Education Advisory Service for advice to ensure continuity of education for these pupils.
- **Missing children and runaways** – should staff suspect a child has gone missing or run away, the DSL will contact CSCS or the child’s social worker if they are already known to CSCS.
- **Children and young people supervised by the Youth Justice System** – in this case, LA youth offending teams are responsible for supervising children (aged 8 to 18). Where a young person is registered at the academy prior to custody, the academy will keep the place open for their return.
- **Children who cease to attend**– where the reason for a child who has stopped attending is not known, the LA will investigate the situation.
- **Children of migrant families** – the academy will remain vigilant to the increased risk of a child missing education if they are part of a new migrant family who may not yet have settled into a fixed address, or may have arrived into an LA area without the authority becoming aware.
- **Children of asylum seeking families** – the academy will remain vigilant to the increased risk of a child missing education if they are part of a new asylum seeking family who may not yet feel settled in the area.

### 4. Roles and responsibilities

The board of trustees is responsible for:

- Ensuring that each academy operates within this policy.
- Monitoring and reviewing this policy on an annual basis.

The Director of Safeguarding and SEND is responsible for:

- Auditing compliance with this policy as part of the safeguarding audit process and reporting to trustees about compliance across the trust family.
- **Reviewing all severely absent pupils with the senior attendance champion on a half-termly basis.**

The appropriate staff are responsible for:

- Entering pupils on the admissions register.
- In the event that a child fails to attend the academy on the agreed or notified date, undertaking reasonable enquiries to establish the reason for this absence, and considering notifying the LA at the earliest opportunity in the event that the child's location is unknown.
- Keeping an accurate and up-to-date admissions register by encouraging parents to inform them of any changes.
- Monitoring attendance through the register at all times in accordance with the attendance and absence policy.
- Advising the LA about children who have missed 10 days of education or more without permission (unless this is for an unauthorised holiday, where honour-based abuse is not suspected).
- Removing pupils from the admission register where they have not returned to the academy for 10 days after an authorised absence, or are absent from the academy without authorisation for 20 consecutive school days, and the academy and LA have failed to establish the pupil's whereabouts after making reasonable enquiries.
- Notifying the LA if any pupil is to be deleted from the admission register in the circumstance outlined in Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 (as amended in 2016).
- Arranging full-time education for excluded pupils from the sixth consecutive school day of a period of exclusion.
- **Arranging full-time education for excluded pupils who are looked after from the first day of a period of exclusion**
- Providing information to the LA regarding standard transitions, if requested to do so by the LA.

The local **academy committee** is responsible for:

- Ensuring that, where reasonably possible, the academy holds more than one emergency contact number for each child registered at the academy.

All staff are responsible for:

- Being alert to the potential need to implement early help for a pupil who is frequently missing or goes missing from care or home.
- Being aware of the trust's procedures for managing unauthorised absence and children missing from education.

- Where staff have concerns about children relating to CME, using their professional judgement and knowledge of individual children to inform their decision as to whether welfare concerns should be escalated to the DSL or deputy DSL.

The LA is responsible for:

- Establishing the identities of children in the area who are not registered at an education setting and are not receiving education provision otherwise, in line with the LA's duty under the Education Act 1996.
- Providing full-time education for permanently excluded pupils from the sixth school day of a permanent exclusion.
- Serving notices on parents to assure the LA that their child is receiving a suitable education, when concerns regarding this are brought to the LA's attention.
- Issuing School Attendance Orders to parents who fail to assure the LA that their child is receiving a suitable education, and the LA believes that the child should attend a formal setting for their education.
- Prosecuting parents that do not comply with a School Attendance Order.
- Prosecuting or fining parents of school-registered children who fail to ensure their children attend regularly.
- Ensuring that children identified as not receiving suitable education are returned to full-time education either at the academy or elsewhere.
- Ensuring that the academy demonstrates prompt action and effective early intervention procedures to ensure children are safe and receiving suitable education.
- Applying to court for an Education Supervision Order for a CME.
- Ensuring that children who return to full-time education are appropriately supported, taking into account the reasons why they missed education in the first place.
- Arranging suitable provision for children with EHC plans where their parent chooses for them to be home educated, and reviewing this annually.
- Liaising and sharing information with other agencies to support children who miss education.
- Sharing the fact that a child on the academy's role has a social worker.
- Referring to the LA CSCS where there is concern for a child's welfare, as well as the police if there is reason to suspect a crime has been committed.

Parents and carers are responsible for:

- Ensuring that their children, if of compulsory school age, are receiving suitable full-time education.
- Notifying the academy in writing where they will be home-schooling their child in accordance with the law, in order for the child to be removed from the admissions register.
- Where requested, meeting with the academy, LA, and other key professionals to consider whether home education would be in the best interests of their child, particularly where they have SEND, are vulnerable, or have a social worker – ideally, this would be done before a final decision has been made.
- Notifying the academy regarding any absences or changes to their child's education arrangements.

## **5. Induction and training**

The safeguarding response to children who go missing from education will be explained to staff during their induction.

All staff will receive annual safeguarding and child protection training, including an update on the various safeguarding concern possibilities that CME could represent, any changes to the early help process and staff members' role in this process.

## 6. Working with others

Families moving from one LA to another can sometimes lead to a child being lost in the system and consequently missing education. When a child moves, LAs will work with other LAs, regionally or nationally, to ensure this does not happen. The LA will raise awareness of its procedures with local academies, partners and agencies working with children and families. The academy will ensure that staff are familiar with these procedures and when they need to be followed.

Academies within the Three Spires Trust family use a secure system, MyConcern, to allow the secure transfer of safeguarding information when a child moves to another education setting – where the receiving setting does not use MyConcern, then an encrypted PDF of the record is shared with the receiving setting instead.

If a child with a social worker is absent for any unexplained reason or they are missing from education, the academy will inform the child's social worker not later than 10am.

## 7. Safeguarding

The trust recognises that children **who are not accessing their education** can be a vital warning sign to a range of safeguarding issues. Where there are concerns that a pupil missing from education is linked to a safeguarding issue, action will be taken in line with the Child Protection and Safeguarding Policy.

In line with the Children Act 2004, each academy will follow appropriate procedures when carrying out reasonable enquiries, such as the DSL conducting discussions with neighbours, relatives or landlords, to determine whether a child may be at risk of harm.

For the purpose of this policy, “**reasonable enquiries**” are defined as limited, investigative powers that the academy may action to determine a child's whereabouts and whether they may be in danger.

The DSL will record that they have completed these procedures and liaise with the DSS, if necessary, make a referral to CSCS or the police.

Where the whereabouts and safety of a child is unknown, the academy, in liaison with the DSS and in conjunction with the LA, may carry out the following actions:

- Make contact with the parent, relatives and neighbours using known contact details
- Check local databases
- Check data transfer systems
- Follow local information sharing arrangements, and make enquiries via other local databases and agencies where possible
- Check with UK Visas and Immigration and/or the Border Force
- Check with agencies known to be involved with the family



- Check with the LA and education setting from which the pupil moved originally
- Check with the LA where the pupil lives, if this is different to where the academy is located
- Check with the Ministry of Defence Children's Education Advisory Service in the case of children of service personnel
- Conduct home visits via an appropriate team, following risk assessments, and make enquiries with neighbours or relatives, if appropriate

**Please note:** This list is not exhaustive – the academy, the trust and LA will use their judgement towards what reasonable enquiries are appropriate, once all the facts of the case have been taken into account.

## 8. Admissions register

The academy will ensure that the admissions register is kept up-to-date at all times, and will encourage parents, via communications such as emails and newsletters, to notify the academy of any changes as they occur.

Children will be recorded on the admissions register at the beginning of the first day on which it has been agreed by the DSL or admissions officer, or the day that the academy has been notified, as the date that the pupil will attend the academy. Once a child has been recorded on the admissions register, the academy will notify the LA within five days, and will supply the LA with all of the details contained on the admissions register for the new child.

Where a parent notifies the academy that their child will live at another address, the academy will record the following information on the admissions register:

- The full name of the person with PR, and any other adults, with whom the child will live
- The new address
- The date from when it is expected the child will live at this address

Where a parent notifies the academy that the child is registered at another education setting, or will be attending a different education setting in future, the academy will record the following information on the admissions register:

- The name of the new education setting
- The date when the child first attended, or is due to attend, that new education setting

Prior to a child's deletion from the admissions register, the Principal will ensure that all appropriate information has been received and that the most appropriate grounds for removal from role is selected. For audit purposes, the deletion from the admission register form will be retained for two school years beyond the date of the removal.

Parents are able to elect to educate their children at home, and will subsequently withdraw them from the academy. This can happen at any time, unless the child is subject to a School Attendance Order. If a parent notifies the academy that their child will be educated at home, the child will be deleted from the admission register and the academy will inform the LA.

## 9. Removing a child from the admissions register

The academy will inform the LA of any child who will be deleted from the admission register where they:

- Have been taken out of the setting by their parent and are being educated outside the school system, ie home-schooled.
- Have ceased to attend the academy and no longer live within a reasonable distance of the academy.
- Have been certified by the school medical officer as unlikely to be in a fit state of health to attend before ceasing to be of compulsory school age, and neither they nor their parent has indicated the intention to continue to attend the same setting after ceasing to be of compulsory school age.
- Are in custody for a period of more than four months due to a final court order, and the DSL and DSS do not reasonably believe they will be returning at the end of that period.
- Have been permanently excluded (and the full legal process has concluded).
- Have died.
- Have been registered at another education setting where it is not indicated this should be the case.
- Are registered at more than one education setting, but have failed to attend and the proprietor of any other settings concerned have consented to the deletion.
- Have been granted authorised leave but have failed to attend within 10 school days after the period of authorised absence ended, and:
  - › There is reason to believe the pupil is not unable to attend.
  - › The LA and the academy are unable to determine the pupil's whereabouts after making joint reasonable enquiries.
- Have been continuously absent for a period of at least 20 school days, and:
  - › The absence was not authorised.
  - › There is reason to believe the pupil is not unable to attend.
  - › The LA and the academy are unable to determine the pupil's whereabouts after making joint reasonable enquiries.
- **[Secondary settings only]** Will cease to be of compulsory school age before the next day of term (ie following the Summer break), and the relevant person has indicated the child will not continue to attend the academy, or the child does not meet the academic entry requirements for sixth form.
- **[Settings with nursery classes only]** The child was admitted to receive nursery education and since completion has not transferred to Reception, or a higher class, at the same academy.

The academy will notify the LA that a child is to be removed from the admissions register as soon as any of the above criteria are met, and no later than the time at which the child's name is actually removed.

If a child's name is to be removed from the admissions register, the academy will provide the LA with the following information:

- The full name of the child
- The full name and address of any parent with whom the child lives
- At least one telephone number of the parent with whom the child lives

- The full name and address of the parent who the child is going to live with and the date the child is expected to start living there, if applicable
- The name of the child's new education setting and their expected start date, if applicable
- The grounds for removal from the admissions register under Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 (as amended), as outlined in section 9 of this policy.

Where the name of a child with a social worker is to be removed from the admissions register, the academy will inform the child's social worker.

## **10. Monitoring and review**

This policy is reviewed annually by the DSS. The next scheduled review for this policy is August 2026.