

Children Missing Education (CME) Protocol

Linked Policies

Elective Home Education Policy

DfE Working together to Safeguard Children

Attendance Policies

DfE Working Together to Improve School Attendance

DfE Schools Admissions Code

September 2024

www.bury.gov.uk

Page 1 of 9

CONTENTS

| | |
|--|---|
| INTRODUCTION | 3 |
| LEGISLATION UNDERPINNING CME STATUTORY GUIDANCE: | 3 |
| WHO ARE ‘CHILDREN MISSING FROM EDUCATION’ (CME)? | 4 |
| WHY DO CHILDREN GO MISSING FROM EDUCATION? | 5 |
| LOCAL AUTHORITIES’ RESPONSIBILITIES | 5 |
| SCHOOLS’ RESPONSIBILITIES UNDER CME PROCEDURE | 6 |
| RECORDING INFORMATION IN THE SCHOOL’S ADMISSION REGISTER | 6 |
| PARENTS RESPONSIBILITIES | 7 |
| SHARING INFORMATION WITH OTHERS | 7 |
| DOCUMENTS | 8 |
| FURTHER SOURCES OF INFORMATION | 9 |

INTRODUCTION

This document explains the statutory responsibility of schools and the local authority to ensure that children who go missing from the education system are speedily located. It also provides an outline of Bury Council's policy and procedures for identifying, registering, tracking and locating children missing from education. This guidance should be used in conjunction with appropriate safeguarding best practice. Bury Council are committed to ensuring:

- All Bury schools are made fully aware of their responsibilities in relation to missing/lost pupils and are supported to meet these responsibilities.
- Support is given to other local authorities to locate their own children missing from education.

All children, regardless of their circumstances, are entitled to an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have.

Children missing education (CME) are children of compulsory school age who are not registered pupils at a school and are not receiving education otherwise than at school. CME are at significant risk of underachieving, being the victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life.

Each year a small number of children are identified as missing from education in Bury. These children are often amongst the most vulnerable. It is vital that all services work together to identify and re-engage these children back into appropriate education provision as quickly as possible.

¹Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education.

LEGISLATION UNDERPINNING CME STATUTORY GUIDANCE:

- Section 436A of the Education Act 1996 (added by section 4 of the Education and Inspections Act 2006)

¹ A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March, then they are of compulsory school age on 31 March; if they turn 5 between 1 April and 31 August, then they are of compulsory school age on 31 August. If they turn 5 between 1 September and 31 December, then they are of compulsory school age on 31 December. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen

- Education Act 1996 (section 7, 8, 14 and 19)
- Education and Inspection Act 2006 (section 4 and 38)
- School Attendance (Pupil Registration) (England) Regulation 2024

The purpose of the section 436A Education Act (1996) duty is to ensure that local authorities can identify and return to full-time education the children who are in their area and missing education.

The Education (Pupil Registration) (England) Regulations 2024, requires that all schools provide notification to the local authority of the grounds in regulation 9, under which the pupil's name is to be removed from the admission register.

Who are 'Children Missing from Education' (CME)?

THE NATIONAL DEFINITION IS:

²Children 'missing from education' are children and young people of compulsory school age who are not on a school roll and are not being educated otherwise (at home, privately or in an alternative provision). They have usually not attended school for a substantial period of time (usually four weeks or more).

Therefore, children or young people of statutory school age children between the ages of 5 to 16 years are deemed to be 'missing education' if they fit into at least one of the following criteria:

- They are not on the roll of a school
- They are not receiving a suitable education otherwise than being at school (e.g. at home, privately or in an alternative provision)

² A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March, then they are of compulsory school age on 31 March; if they turn 5 between 1 April and 31 August, then they are of compulsory school age on 31 August. If they turn 5 between 1 September and 31 December, then they are of compulsory school age on 31 December. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen

WHY DO CHILDREN GO MISSING FROM EDUCATION?

Children can go missing when they fall out of the education system and there is no systematic process in place to identify them and ensure they re-engage with appropriate provision. Their personal circumstances or those of their families may contribute to the withdrawal process and the failure to make a transition, for example:

- Fail to start appropriate provision and hence never enter the system
- Cease to attend
- Illegal or unofficial exclusions
- Withdrawal by parent, and/or removal from roll with no named destination
- Fail to complete a transition between providers (e.g. being unable to find a suitable school place after moving to a new local authority or after leaving a custodial establishment).

CHILDREN AT PARTICULAR RISK OF MISSING EDUCATION

Some children are more at risk of missing education, as their personal circumstances or those of their families often contribute to the withdrawal process. Children missing education (CME) are often amongst the most vulnerable children in our society. This list is therefore not exclusive.

- **Pupils at risk of harm/neglect** –Further statutory guidance is available on the Department for Education website: *Working Together to Safeguard Children*
- **Children of Gypsy, Roma and Traveller (GRT) families.**
- **Families of Service Personnel**
- **Missing children/runaways**
- **Children and young people supervised by the Youth Justice System.**
- **Children who cease to attend school**
- **Children of new migrant families**

LOCAL AUTHORITIES' RESPONSIBILITIES

- Local authorities have a duty under S. 436A of the Education Act 1996 to make arrangements to establish the identities of children in their area who are not registered

pupils at a school and are not receiving suitable education otherwise. This duty only relates to children of compulsory school age.

- The local authority should consult the parents of the child when establishing whether the child is receiving suitable education. Those children identified as not receiving suitable education should be returned to full time education either at a school or in alternative provision. Prompt action and early intervention are crucial to discharge this duty effectively and in ensuring that children are safe and receiving suitable education.
- Bury Council's CME Officer liaises with a large number of agencies to ensure that robust tracking systems are implemented to safeguard vulnerable missing children.

SCHOOLS' RESPONSIBILITIES UNDER CME PROCEDURE

Schools must enter pupils' names on the admission register on the first day that the school and a person with control of the pupil's attendance have agreed that the pupil will attend the school. If no date has been agreed or notified, the pupil's name must be entered on the first day they attend the school. Names must be entered from the beginning of the first session.

If a pupil fails to attend on the agreed date, the school should undertake reasonable enquiries to establish the child's whereabouts and consider notifying the local authority at the earliest opportunity. ***Please refer to CME Implementation Guide 2024 for further information.***

Recording information in the school's admission register

It is important that the school's admission register is accurate and kept up to date. Schools should regularly encourage parents to inform them of any changes whenever they occur, through using existing communication channels such as regular emails and newsletters. This will assist both the school and local authority when making enquiries to locate children missing education.

Where a parent notifies a school that a pupil will normally live at another address, whether in addition to or instead of their current address, all schools are required to record in the admission register:

1. the address;
2. the full name of each parent the pupil will normally live with; and

3. the date when the pupil will start normally living there.

Where the school becomes aware, in circumstances set out in regulation 8(5), that the pupil is will be attending a different school (in addition to or instead of the current school), schools must record this in the admission register in accordance with regulation 8(4):

1. the name of the other school; and
2. the date when the pupil began or will begin attending the school.

PARENTS RESPONSIBILITIES

Parents have a duty to ensure that their children of compulsory school age are receiving suitable full-time education. Some parents may elect to educate their children at home and may withdraw them from school at any time to do so, unless they are subject to a School Attendance Order.

Where a parent notifies the school in writing that they are going to be home educating their child after a certain date, the school must delete the child's name from the admission register once that date has passed (unless a SAO is in place) and inform the local authority. However, where parents orally indicate that they intend to withdraw their child to be home educated, the school should consider notifying the local authority at the earliest opportunity.

Children with Education, Health and Care (EHC) plans or statements of special educational needs (SEN) can be home educated. Where the EHC plan or statement sets out SEN provision that the child should receive at home, the local authority is under a duty to arrange that provision. Where the EHC plan or statement names a school or type of school as the place where the child should receive his or her education but the parent chooses to home educate their child, the local authority must assure itself that the provision being made by the parent is suitable. In such cases, the local authority must review the plan or statement annually to assure itself that the provision set out in it continues to be appropriate and that the child's SEN continue to be met.

Sharing Information with Others

Families moving between local authority areas can sometimes lead to a child who is unknown to any local authority and consequently missing education. Where a child has moved or where the destination of a child is unknown, local authorities should identify relevant local

authorities – either regionally or nationally – and check with them in order to ascertain where the child has moved.

Once the location of the child is established, the named person in the local authority where the child lives should satisfy themselves that that the child is receiving suitable education

DOCUMENTS

All CME forms can be accessed at www.bury.gov.uk/cme

The Bury Council Implementation Guide 2024 provides a breakdown of the CME process and protocols along with the attached forms for schools and agencies use.

Further sources of information

[Children Missing Education - Guidance for Local authorities \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

These can all be found on the Government Websites

- Action Against Abduction
- Reunite International Child Abduction Centre
- Forced marriages (FCO)
- HM Revenue and Customs (HMRC)
- Home Office
- National Crime Agency (NCA)
- Missing People
- National Centre for Missing & Exploited Children (NCMEC)
- Border Force
- National Society for the Prevention of Cruelty to Children (NSPCC)
- Barnardos
- Missing Children and Adults strategy

Additional departmental advice and guidance

- Behaviour in schools
- Child sexual exploitation
- Child abuse
- Child trafficking
- Elective Home Education guidelines
- Keeping children safe in education
- School Admissions Code
- School suspensions and permanent exclusions
- School to school service: how to transfer information
- Supporting pupils with medical conditions at school
- Working together to safeguard children
- Working together to improve school attendance
- Young runaways