

Warwickshire County Council

Children Missing Education (CME) protocol

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1.0 Overview

Warwickshire County Council is committed to ensuring that every child and young person of a compulsory school age is in receipt of their full education entitlement giving them every opportunity to reach their full potential.

All children and young people school-age will have a suitable educational placement and will be enjoying their learning. We will support children and young people who find conventional schooling difficult so they can still achieve their potential.

Warwickshire Education (WE) Strategy 2018-2023)

The statutory guidance [Children Missing Education \(September 2016\)](#) sets out the key principles to enable local authorities in England to implement their legal duty under section 436A of the Education Act 1996 to make arrangements to identify, as far as it is possible to do so, children missing education (CME). Local authorities should be able to demonstrate that they have considered this statutory guidance and, where it is not followed, the local authority should have reasonable grounds for not doing so.

1. 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;
2. Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation (including travel to conflict zones), and becoming NEET (not in education, employment or training) later in life;
3. Effective 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. Local authorities should focus their resources effectively in intervening early in the lives of vulnerable children to help prevent poor outcomes.

www.gov.uk/government/publications/children-missing-education

The purpose of this protocol is:

- to ensure any child or young person missing education is re-engaged in appropriate education provision which is successful and sustainable and 'no child or young person slips through the net';
- to set out clear robust processes and procedures for ALL schools (local authority maintained, academies, free schools, independent schools); agencies and professionals to follow to safeguard the welfare of children
- to be used in conjunction with appropriate safeguarding practice.

Children who fall into this category are at significant risk of underachieving, being victims of harm, exploitation or radicalisation and becoming NEET (not in education, employment or training) later in life.

This protocol applies to all children of a statutory school age regardless of education provision (alternative provision, specialist provision etc).

2.0 Legal: removing a child from the school roll

Section 436A of the Education Act 1996 requires all local authorities to make arrangements to identify the identities of children of a compulsory school age in their area who are not registered pupils at a school, and are not receiving suitable education otherwise than at school.

Regulations 8(1)(f) and 8(1)(h) of the Education (Pupil Registration) (England) place a duty on schools and local authorities to jointly carry out reasonable enquiries to try and locate pupils absent from school

All Warwickshire schools (including academies and independent schools) must notify the local authority when:

1. They are about to remove a child from the schools admissions register under any of the fifteen grounds listed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006;
2. Work jointly with the local authority to establish the whereabouts of the child before deleting from the schools admissions register if under regulation 8(1)(f) and (h);
3. Notify the local authority within 5 working days of adding a pupil's name to the admission register at a non-standard transition point.

All schools are expected to share their data. Schools who do not currently share data via data sharing agreements are expected to email removals from roll to the LA at pupiltracking@warwickshire.gov.uk

The duty does not apply to children on a school roll who are not attending regularly. Schools must follow their own appropriate attendance procedures to return children to school as soon as possible. Additional support and advice to do this can sought via Warwickshire Attendance Service. This is a traded service.

The duty does not apply to children educated at home. For further information about elective home education visit www.warwickshire.gov.uk/homeeducation or call 01926 736323.

Where a child cannot be traced, the school must refer to the Children Missing Education Team. To make a referral go to www.cme@warwickshire.gov.uk or call 01926 736323.

[See CME Referral Form](#)

Prior to removing the child from a school roll, the school should:

- note that all deletions from the admissions and attendance registers must be in line with the Regulation 12(3) Education (Pupil Registration) (England) Regulations 2006
- contact the Children Missing Education Team for advice before removing a child's name from a school roll where the pupil is not known to have started at a new school

3.0 Identifying children at risk of CME

Children may be missing education for a number of reasons which could include:

- Being absent from school for 10 or more consecutive days – unauthorised. Schools must notify the LA for any child who fits this criteria to enable them to conduct lateral checks. The LA will expect school to have undertaken a home visit before referring.
- A reduced or part time timetable
- No school place allocated
- Child being home educated by parent but not receiving a suitable education
- Being absent from school and whereabouts are unknown
- Ill health

Warwickshire County Council identifies children missing education through direct referrals and data analysis. Many of those children identified are vulnerable. Children who are at greater risk of not getting their full entitlement and missing from education include those who:

- affected by domestic violence
- are at risk of child exploitation
- are living in temporary accommodation or are homeless
- are highly mobile ie Gypsy, Roma and Traveller families or Service families
- are under the supervision of the youth justice system
- are affected by substance or alcohol misuse
- are unaccompanied asylum seekers
- are victims of bullying or discrimination

- at risk of 'honour' based violence including forced marriage
- at risk of female genital mutilation
- children looked after
- young carers
- teenage parents
- permanently excluded from school
- have long term health problems
- have parents with mental health problems
- have parents with learning difficulties

4.0 Roles and responsibilities

All schools (including academies, and independent schools) are expected to work jointly with the local authority to make enquires to find the whereabouts of a missing pupil. This will include **taking reasonable steps** to locate a child missing from education and could include:

1. Telephone calls to all known contacts
2. Recorded delivery letters to the home
3. Contact with other schools where siblings are registered
4. A home visit where safe to do so
5. Enquiries through school contacts to neighbours, friends
6. Enquiries with any other agencies/services known to have involvement with the family
7. Exploring social media ie Facebook
8. Recording all actions undertaken

[See CME Flowchart Warwickshire](#)

All schools have a duty to safeguard children and this includes unexplained absences. This protocol does not replace Child Protection and Safeguarding procedures in place at school. For any urgent concerns about a child's safety or well-being which require immediate action, schools and professionals must contact the police or the Warwickshire Multi-Agency Safeguarding Hub on 01926 414144.

5.0 Procedures

1. Call the CME team for advice and guidance about a potential referral
2. Complete and email the referral form found at www.cme@warwickshire.gov.uk
3. Follow all advice and guidance given by the CME team

4. On receipt of the form the CME team will make reasonable enquiries and conduct lateral checks and a home visit where appropriate. The team will also liaise directly with Children's Social Care and/or housing and health services and other local authorities where required.
5. CME team will track and monitor on a centrally held register and keep school up to date with progress
6. Case will remain open until such time the child has returned to education

A child cannot be removed from the school roll until they have been continually absent from school for at least 4 weeks and both the LA and school have failed to, after reasonable enquiry, to locate the pupil and their family.

For a child not on a school roll where parents/carers are not engaging, the LA will consider legal intervention ie a school attendance order (SAO). A child not in receipt of a full-time education may be considered for the ABP Fair Access primary or secondary gateway panel.

6.0 The role of key stakeholders and other services

Where any agency in contact with children and families believe a child is not on the roll of a school and not receiving education otherwise, then this information should be shared with the CME team. If they have concerns about the welfare of a child, they should refer to Children's Social Care via the MASH.

All services and professionals play a key role in preventing the risk of children missing education. Below is a table of services you may find helpful.

WCC Team	Roles and Responsibilities	Contact Details
CME & EHE	Children missing education, elective home education.	T: 01926 736323 cme@warwickshire.gov.uk ehe@warwickshire.gov.uk
Area Behaviour Partnership (ABP)	Primary and secondary excluded children. Alternative provision	fapassessmentgateway@warwickshire.gov.uk T: 01926 742294 T: 01926 742483
Warwickshire Attendance Service	School attendance and prosecution	Warwickshire Education Services (WES)
Admissions - Fair Access	Placing vulnerable children	T: 01926 414143
Ethnic Minority Traveller	Specialist support to meet the needs of children from	Warwickshire Education Services (WES) 01926 742 623

Service (EMTAS)	Gypsy Roma Traveller (GRT) background and for children with English as an additional language (EAL)	
MASH	Safeguarding, safety and well-being of a child or adult	www.warwickshire.gov.uk/MASH 01926 414144

7.0 Elective Home Education

There is no suggestion or evidence that home-educated children are at any greater risk of abuse or neglect than other children. However, it is possible that where abuse or neglect is already taking place, it can be easier to hide if the child is home-educated and is not necessarily being seen on a regular basis by professionals such as teachers. This potentially increases the chances that any parents who set out to use home education as a means to avoid their child having contact with agencies may be more successful by doing so.

Safeguarding concerns may not simply arise in relation to the family. Some parents who educate at home believe that by doing so, they are safeguarding their child from risk in the school environment (e.g. because their child was being bullied or their emotional well-being was being adversely affected by the school system).

Local authorities should approach all cases where they have concerns about the suitability of home education being provided using their powers in the Education Act 1996. However, they should also be ready, if a lack of suitable education appears likely to impair a child's development, to carry out their safeguarding responsibilities to protect the child's well-being, which includes their right to a suitable education.

These duties are set out in [Elective Home Education - Guidance for Local Authorities and Schools About Children Educated At Home \(GOV.UK\)](#).

8.0 Further Information

This guidance should be read in the context of the statutory duties upon local authorities and parents as set out in the following:

- [The Education Act 1996 section 436A](#);
- [The Education Act 2002](#);
- [The Children Act 1989](#);
- [The Children Act 2004](#);
- [Statutory guidance for local authorities: Children missing education \(September 2016\)](#);
- [Elective Home Education Guidelines](#);

- [Unregistered independent schools and out of school settings](#) - non-statutory guidance for local authorities;
- [School Admissions Code](#);
- [The Education \(Pupil Registration\) \(England\) Regulations 2006](#), as amended (Education law regarding pupil registration where a child is on a school roll); [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#); as amended [The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2016](#). In particular the guidance provides for professionals seeking to exercise their duty under the following Acts to ensure that their functions are discharged having regard to the need to safeguard and promote the welfare of children.
- [Section 175 of the Education Act 2002](#);
- And [Section 11 of the Children Act 2004](#).

Additionally, this guidance seeks to ensure that the duty to co-operate to improve the well-being of children under section 10 of the Children Act 2004 is discharged. All schools will have a Designated Teacher for Looked After and Previously Looked After Children. These teachers are ideally placed to assist when identifying those children currently in school who may be at greater risk of going missing from education.