

Children Missing Education Policy 2024

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Introduction

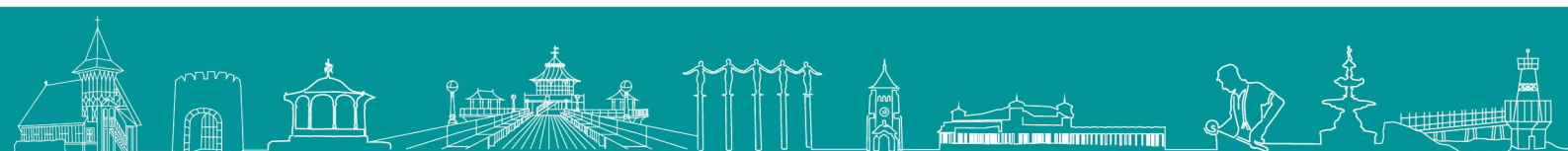
Our ambition in North Somerset is that all children fulfil their potential.

All children, regardless of their circumstances, are entitled to an education suitable to their age, ability, aptitude and any special educational needs they may have. Children missing, or at risk of missing, education are vulnerable to academic underachievement and risk being out of education, employment or training (NEET) in later life. They may also be at risk of abuse and exploitation.

In most circumstances, pupils leaving a school will be planned and discussed with the school in advance of the pupil leaving. Schools should work with families to gain sufficient information to ensure that the pupil's next school and/or address is established before the pupil leaves to reduce the risk of pupil becoming a child missing education through lack of shared information.

The purpose of this policy is to ensure that:

- The Local Authority complies with its statutory duties for Children Missing Education (CME).
- A local framework is in place to support the Local Authority, schools, key agencies and parents to work together to ensure that children do not become CME.
- Processes are in place to swiftly re-engage children who are missing education.
- Roles and responsibilities are clearly defined in children missing education processes and procedures in North Somerset.
- It brings together the legal framework; government guidance and local procedures regarding children missing education;



Key guidance and legislation

This policy is underpinned by the following key documents:

- [Children Missing Education, Department for Education, 2024](#)
- [Working Together to Improve School Attendance, Department for Education, 2024](#)
- [Keeping Children Safe in Education, Department for Education, 2024](#)

And the following legislation:

- [The Education Act 1996](#) – sections 7, 8, 14, 19 and 436A
- [The School Attendance \(Pupil Registration\) \(England\) Regulations 2024](#)
- [Education Inspections Act 2006](#) – sections 4 and 38
- [Education Act 2002](#) – sections [157](#) and [175](#)
- [Children's Act 2004](#)

Key Terms

Children Missing Education (CME) 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.

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).

Roles and Responsibilities

Parents have a duty under Section 7 of the Education Act 1996 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.

Local authorities have a duty under section 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.

Children are of **compulsory school age** from the first full term after the child reaches their fifth birthday until the last Friday in June in the school year that they reach sixteen.

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. 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. The local Authority also has wider safeguarding duties under the [Children's Act 2004](#), to safeguard children's welfare, cooperate with other agencies in improving children's well-being, including protection from harm and neglect.

School's must:

- enter pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. If a pupil fails to attend on the agreed or notified date, the school should undertake reasonable enquiries to establish the child's whereabouts and consider notifying the local authority at the earliest opportunity.
- monitor pupils' attendance through their daily register. Schools should agree with their local authority the intervals at which they will inform local authorities of the details of pupils who fail to attend regularly or have missed ten school days or more without permission. Schools should monitor attendance closely and address poor or irregular attendance. It is important that pupils' poor attendance is referred to the local authority. In North Somerset schools can request that the local authority issues a penalty notice or request that the local authority considers court action for persistent absence.

All schools (including academies and independent schools) must notify their 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 School Attendance (Pupil Registration) (England) Regulations 2024. This duty does not apply when a pupil's name is removed from the admission register at standard transition points – when the pupil has completed the final year of education normally provided by that school – unless the local authority requests that such returns are to be made.

When removing a pupil's name, the notification to the local authority must include:

- a) the full name of the pupil,
- b) the address of the pupil
- c) the full name and address of any parent with whom the pupil normally resides,
- d) at least one telephone number of the parent,
- e) the pupil's future address along with the name of the parent the pupil will live and the date when the pupil will start living there, if applicable,
- f) the name of the other school and the date when the pupil started or will start attending, and
- g) the ground in regulation 9 under which the pupil's name is to be removed from the admission register (see [Annex A](#)).

Schools must make **reasonable enquiries** to establish the whereabouts of the child jointly with the local authority, before deleting the pupil's name from the register if the deletion is under regulation 9(1), sub-paragraphs (h)(iii) and (i)(iii) (see [Annex A](#)).

All schools must also notify the local authority within five days of adding a pupil's name to the admission register at a non-standard transition point. The notification must include all the details contained in the admission register for the new pupil. This duty does not apply when a pupil's name is entered in the admission register at a standard transition point – at the start of the first year of education normally provided by that school – unless the local authority requests that such returns are to be made.

When adding a pupil's name, the notification to the local authority must include all the details contained in the admission register for the new pupil.

Education Welfare Service

In North Somerset it is the responsibility of the Education Welfare Service to identify and track children missing education, working closely with the Education Inclusion Service, School Admissions team, and North Somerset Business Intelligence team.

Informing the LA of admissions and deletions

The Children Missing Education guidance 2016 requires all schools to inform the LA of deletions and admissions from the school admissions register. In North Somerset all schools who use SIMs and SCOMIS communicate weekly with the LA via B2B for the transfer of information for admissions and deletions. Those schools using Scholar Pack and ARBOR will need to return a manual file to the LA fortnightly. Schools need to ensure that the "reason for leaving" field within their MIS system is completed fully indicating the reason for leaving from the options in the drop-down box. This field must not be left blank.

Working together in North Somerset

Schools must make all "reasonable enquiries" when they suspect that a child is missing education.

The term '**reasonable enquiries**' grants schools and NSC a degree of flexibility in decision-making, particularly as the steps that need to be taken in a given case will vary. The term 'reasonable' also makes clear that there is a limit to what the school and NSC is expected to do. If there is reason to believe a child is in immediate danger or at risk of harm, a referral should be made to children's social care via the duty intake team if the case is not already open to a social worker (or the police if appropriate).

The School Attendance (Pupil Registration) (England) Regulations 2024 list the 15 legal grounds when a school can remove a pupil from its admission register. Pupils **cannot** be removed from the admissions register unless they meet one of the 15 grounds listed below (see [Annex A](#) for further explanation of each ground).

Ground A: *The pupil has been registered with another school*

Ground B: *The pupil has not continued at the school following completion of nursery education*

Ground C: *The pupil is also registered at one or more other schools and the other schools have agreed the deletion*

Ground D: *The pupil has a School Attendance Order which has been changed to name another school*

Ground E: *The pupil has a School Attendance order which has been revoked*

Ground F: *The parent of a pupil has notified the school in writing that the pupil will be leaving the school to be educated otherwise than at a school*

Ground G: *The pupil no longer normally lives a reasonable distance from the school*

Ground H: *The pupil has not returned following a leave of absence*

Ground I: *The pupil has been continually absent from school for 20 school days*

Ground J: *The pupil is detained under a sentence of detention*

Ground K: *The pupil has died*

Ground L: *The pupil will be over compulsory school age and will not continue into the sixth form*

Ground M: *The pupil is a boarder at a school maintained by a local authority or academy and their boarding fees have not been paid*

Ground N: *The pupil has ceased to be a pupil at an independent school or non-maintained special school*

Ground O: *The pupil has been permanently excluded from the school*

If after reviewing [Annex A](#) of this document, school staff are still unsure regarding which ground is applicable, they should contact the Education Welfare Service for further advice.

If a school is considering removing a pupil from roll on Ground H (pupil has failed to return to school following a leave of absence) or Ground I (the pupil has been continually absent for a period not less than 20 school days), the school should begin its enquiries as soon as it becomes aware that a pupil's absence may meet the criteria under either of these Grounds.

The school must try to establish the pupil's whereabouts and as a minimum, should:

- Use all known contact telephone numbers to attempt to speak with the parent/carer and other emergency contacts.
- Make home visit(s) to attempt to ascertain if the family are in the home at different times of the day.
- Contact any involved professionals for example the child's Social Worker, Youth Justice Service Worker, HIF worker.

If the school-based actions result in finding the pupil then the school should establish why the pupil is not attending and follow its normal attendance procedures.

If the school-based actions do not result in locating the pupil, the school **must** make a Children Missing Education referral as a matter of urgency and **must not** remove the pupil from roll until NSC has confirmed to the school in writing that they can remove the pupil from roll. The school does not need to wait until a pupil reaches the 10/20-day unauthorised absence threshold before making a referral, providing they have completed their reasonable enquiries.

This guidance is not exhaustive, and schools should refer to the DfE guidance documents and the amended Regulations before removing a pupil from roll. The legal document from the School Attendance (Pupil Registration) (England) Regulations 2024 is included as [Annex A](#). This document sets out the fifteen reasons why children may legally be removed from roll. Schools may need to seek legal advice in some cases.

Notifying the LA of Children Missing Education

On receipt of a CME referral, North Somerset Council will conduct reasonable enquiries. Once CME investigations are completed NSC will advise the school of the outcome. Schools must not delete a child from the school roll until advised in writing by NSC.

Making CME enquiries may not always lead to establishing the location of the child but will provide a steer on what action should be taken next by NSC, for example, to contact the police, children's social care and, in cases where there may be concerns for the safety of a child who has travelled abroad, the UK Border Agency.

A pupil's name can only be removed from the admission register on Ground H or I if the school and the local authority have failed to establish the pupil's whereabouts after **jointly** making reasonable enquiries.

Removing pupils from the admissions register – Processes in North Somerset

Schools can complete a CME referral using the online form - <https://forms.n-somerset.gov.uk/report-request/form/schoolabsence#/1>

Schools can notify North Somerset Council of a child who is being removed from roll on Ground F using the online form - <https://forms.n-somerset.gov.uk/report-request/form/schelectivehomeeducation#/1>

Transferring information to the new school

Schools are expected to transfer information to the child's subsequent school using their school's system. For many schools this will be via the CTF. Safeguarding files should also be sent to the next educational establishment.

North Somerset Contact Information:

For advice and guidance on CME processes and procedures please contact:

Email: EWSReferrals@n-somerset.gov.uk

Inclusion Panel:

Email: jaida.aldred@n-somerset.gov.uk,

Primary Panel: Liz.gilmour@n-somerset.gov.uk

Secondary panel: Collette.sweeting@n-somerset.gov.uk

School admissions:

Email: admissions@n-somerset.gov.uk

NEET team:

Email: NEET@n-somerset.gov.uk

Annex A: Grounds for deleting a pupil from the school admission register

1. Ground A - The pupil has been registered at another school

Relevant regulation 9(1)(a)

222. Where a pupil has been registered at another school, unless:

- a school attendance order naming the school is in force in relation to the pupil (see further information below),
- the pupil is a mobile child and the school is their main school (see further information below),
- the school has agreed with a person with control of the pupil's attendance at the other school that the pupil should be registered at more than one school (see further information on dual registration below), or
- the school itself has control of the pupil's attendance at the other school and has decided that the pupil should be registered at more than one school (see further information on dual registration below).

Transfer between schools

Where a pupil is transferring to another school, the original school must delete the pupil's name from the admission register as soon as they are entered on the admission register of the new school. The new school must enter the pupil's name on the admission register on the first day that it has agreed or been told the pupil will attend the school as explained under Expected First Day of Attendance.

For example, if a pupil leaves School A on 28 March and their expected first day of attendance at School B is 29 March, they would be added to the admission register of School B and deleted from that of School A on 29 March.

School A will:

- record the pupil's attendance and absence up to and including 28 March,
- delete the pupil's name from the admission register on 29 March, and
- transfer the appropriate pupil information via the S2S system.

School B will:

- enter the pupil's name on the admission register on 29 March,
- record the pupil's attendance and absence from 29 March,
- follow up any unexpected absence on or after the 29 March, and
- request the transfer of the pupil information.

There are a small number of exceptions, these are:

School attendance order

If a school attendance order is in place for the pupil, and the name of the school has been replaced by the relevant local authority with that of another school, their name must be deleted from the admission register under the reason for deletion at ground D (regulation 9(1)(d)).

If the school attendance order has not been amended and still names the school, the pupil's name must not be deleted under ground A even if they have been registered at another school as well.

Mobile child

Where a child of compulsory school age has no fixed abode and their parent(s) is engaged in a trade or business of such a nature as to require them to travel from place to place, the child can temporarily attend another school without the need for their main school to remove their name.

Main school in this context means the school that, during the last 18 months, the child has attended during periods when their parent was not travelling in the course of their trade or business, or, if there is more than one school that fits that description, the school that most recently fulfils those criteria.

Dual registration

In circumstances where it has been agreed between the school and a person with control of the pupil's attendance that the pupil will be registered at more than one school, the pupil's name will remain on the admission register. This is also the case where it has been decided by the school if it has control of the pupil's attendance at the other school. The main examples of dual registration are pupils who are attending another school on a temporary basis, such as a pupil referral unit, a hospital school or a special school.

2. Ground B - The pupil has not continued at the school following completion of nursery education

Relevant regulation 9(1)(b)

Where a pupil has been admitted to the school to receive nursery education and on completing nursery does not continue into reception (or more senior class).

3. Ground C – The pupil is also registered at one or more other schools and the other schools have agreed the deletion

Relevant regulation 9(1)(c)

Where a pupil is registered at one or more other schools, and:

- the school does not have reasonable grounds to believe that the pupil will attend the school again,
- each school where the pupil is registered has given consent to the deletion,
- there is no school attendance order naming the school in force in relation to the pupil (see further information below), and
- the pupil is not a mobile child, or if they are, the school is not their main school (see further information below).

School attendance order

If a school attendance order is in place for the pupil, and the name of the school has been replaced by the relevant local authority with that of another school, their name must be deleted from the admission register under the reason for deletion at ground D (regulation 9(1)(d)).

If the school attendance order has not been amended and still names the school, the pupil's name must not be deleted under ground C even if the other criteria are satisfied.

Mobile child

Where a child of compulsory school age has no fixed abode and their parent(s) is engaged in a trade or business of such a nature as to require them to travel from place to place, the child can temporarily attend another school without the need for their main school to remove their name.

Main school in this context means the school that, during the last 18 months, the child has attended during periods when their parent was not travelling in the course of their trade or business, or, if there is more than one school that fits that description, the school that most recently fulfils those criteria.

4. Ground D - The pupil has a school attendance order which has been changed to name another school

Relevant regulation 9(1)(d)

Where the pupil is the subject of a school attendance order that previously named the school, but another school has now been named on that order instead.

5. Ground E - The pupil had a school attendance order which has been revoked

Relevant regulation 9(1)(e)

Where the pupil was the subject of a school attendance order naming the school, but the order is revoked because the local authority that made the order is satisfied that arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude and special educational needs somewhere other than at a school.

6. Ground F - The parent of a pupil has notified the school in writing that the pupil will be leaving the school to be educated otherwise than at a school

Relevant regulation 9(1)(f)

Where the pupil's parent has informed the school in writing that the pupil will no longer attend the school after a certain day and will receive education otherwise than at a school and that day has passed, and there is no school attendance order naming the school in force in relation to the pupil.

School Attendance Order

If a school attendance order has been revoked because the local authority that made the order is satisfied that arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude somewhere other than at a school, the pupil's name must be deleted from the admission register under the reason for deletion at regulation 9(1)(e).

7. Ground G - The pupil no longer normally lives a reasonable distance from the school

Relevant regulation 9(1)(g)

Where a pupil no longer normally lives a reasonable distance from the school, the school does not have reasonable grounds to believe the pupil will attend the school again, and the pupil is not a boarder at the school.

In circumstances where parents are moving away and withdrawing their child but are unable to say how their child will continue with their education, for example, the family are relocating but have not been able to secure a place at a new school in advance, once the pupil has completed their final day at school and moved out of the area, the school must delete the pupil's name from the admission register and the pupil's information should then be transferred to the Lost Pupil Database via the S2S system.

Reasonable distance

DfE does not define reasonable distance because each case depends on the family situation and the geography of the area for example, the parent's ability to get the child to the school, a safe walking route or the accessibility of local transportation.

Temporary or occasional absence

Relevant regulation 9(5)(a)

Whether a pupil normally lives a reasonable distance from the school is not affected by a temporary or occasional absence. A judgement should be made in an individual case as to whether an absence is temporary or occasional, but a prolonged absence is not generally considered as temporary.

8. Ground H - The pupil has not returned following a leave of absence

Relevant regulation 9(1)(h)

Where a pupil has been granted a leave of absence and:

- the pupil has not attended school within the ten school days immediately after the end of the period that the leave was granted for,
- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause, and
- the school and the local authority have jointly made reasonable efforts to find out
- the pupil's location and circumstances, but:
 - they have not succeeded, or
 - they have succeeded but they agree that there are no reasonable grounds to believe that the pupil will attend the school again, taking into account any reasonable steps that could be taken (either jointly or separately) to secure the pupil's attendance.

DfE's guidance on Children Missing Education sets out the expectations for schools and local authorities in respect of making reasonable efforts to find out a pupil's location and circumstances.

Pupils who have been located but have not returned to school

Where a pupil has been located and their circumstances discovered but they have not returned to school, a joint decision is required between the school and the local authority before this ground is used. Both must agree that there are no reasonable grounds to believe the child will return to the school, even with reasonable support and/or enforcement to try to cause their return to school. This means the final criterion will be met very rarely, usually when a pupil has been out of the country for a prolonged period and there are no signs of the pupil returning.

This ground cannot be used in any case where the pupil could reasonably be supported to return to school regardless of whether that support has been provided. It cannot be used where a pupil is absent because of a health reason. It also cannot be used in cases where attendance legal action to cause the pupil to return to school could

reasonably be taken instead. In such cases, the appropriate support or enforcement should be taken rather than the pupil's name being deleted from roll.

Examples of appropriate use include:

- The pupil is still away from home and the parent has refused to give a date for their return but there is no reason to think there is anything preventing them from returning.
- No date or evidence of the pupil returning has been provided by the deadline set out in the school's contact with the parent and there is no reason to think there is anything preventing them from returning.
- The parent has given a date, or several dates, for returning and the pupil has failed to return by or on the last given date.

Examples of where regulation 9(1)(g) may be appropriate instead:

- The date for return the parent has provided is too vague or too far in the future to reasonably believe the pupil still normally lives a reasonable distance from the school.

The school does not believe, taking account of any information from the parent, that the pupil still resides within the area and the pupil's absence does not appear to be temporary.

9. Ground I - The pupil has been continually absent from school for 20 school days

Relevant regulation 9(1)(i)

Where a pupil has been continuously absent from the school for a period of 20 school days or more and:

- at no point during that period did any of the circumstances in regulation 10(3) Table 2 or 10(4) Table 3 other than the ones for codes G, N, or O apply.
- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause, and
- the school and the local authority have jointly made reasonable efforts to find out
- the pupil's location and circumstances, but:
 - they have not succeeded, or
 - they have succeeded but they agree that there are no reasonable grounds to believe that the pupil will attend the school again, taking into account any reasonable steps they could take (either jointly or separately) to secure the pupil's attendance.

DfE's guidance on Children Missing Education sets out the expectations for schools and local authorities in respect of making reasonable efforts to find out a pupil's location and circumstances.

Pupils who have been located but have not returned to school

Where a pupil has been located and their circumstances discovered but they have not returned to school, a joint decision is required between the school and the local authority before this ground is used. Both must agree that there are no reasonable grounds to believe the child will return to the school, even with reasonable support and/or enforcement to try to cause their return to school. This means the final criterion will be met very rarely, usually when a pupil has been out of the country for prolonged period and there are no signs of the pupil returning.

This ground cannot be used in any case where the pupil could reasonably be supported to return to school regardless of whether that support has been provided. It cannot be used where a pupil is absent because of a health reason. It also cannot be used in cases where attendance legal action to cause the pupil to return to school could reasonably be taken instead. In these cases, the appropriate support or enforcement should be taken rather than the pupil's name being deleted from roll.

Examples of appropriate use include:

- The pupil is away from home and the parent has refused to give a date for their return but there is no reason to think there is anything preventing them from returning.
- No date or evidence of the pupil returning has been provided by the deadline set out in the school's contact with the parent and there is no reason to think there is anything preventing them from returning.
- The parent has given a date, or several dates, for returning and the pupil has failed to return by or on the last given date.

Examples of where regulation 9(1)(g) may be appropriate instead:

- The date for return the parent has provided is too vague or too far in the future to reasonably believe the pupil normally lives a reasonable distance from the school.

The school does not believe, taking account of any information from the parent, that the pupil still resides within the area and the pupil's absence does not appear to be temporary.

10. Ground J - The pupil is detained under a sentence of detention

Relevant regulation 9(1)(j)

Where a pupil is found guilty of a crime and detained under a sentence of detention (as defined in regulation 3) before the pupil's name can be deleted from the admission register the school must have reasonable grounds to believe the pupil will not return to the school once they are released.

This must be decided on a case by case basis after considering whether the pupil will return at the end, or part way through their sentence (e.g. where part is served on licence in the community). In determining whether there are reasonable grounds to believe the pupil will return to the school following their detention, it is expected that schools will discuss this with the pupil's youth offending team worker.

Pupils who are remanded to custody awaiting trial or sentencing cannot be removed under this ground.

11. Ground K - The pupil has died

Relevant regulation 9(1)(k)

Where a pupil has died.

A pupil's name should only be deleted from the admission register when the school is informed of the death. This would normally come from the pupil's parent but it is possible that notification comes from another source, such as relatives or the police.

Once the school receives the information, it is particularly important to delete the pupil's name as quickly as possible to prevent inadvertent and unnecessary contact with the family about the child.

12. Ground L - The pupil will be over compulsory school age and will not continue into the sixth form

Relevant regulation 9(1)(l)

Where a pupil will be over compulsory school age by the school next meets, and:

- the school does not have reasonable grounds to believe the pupil will attend the school again, or
- the pupil does not meet the academic entry requirements to be transferred to the school's sixth form.

Compulsory school age

A pupil ceases to be of compulsory school age on the last Friday in June of the school year in which they reach the age of 16.

13. Ground M - The pupil is a boarder at a school maintained by a local authority or academy and their boarding fees have not been paid

Relevant regulation 9(1)(m)

Where a pupil is a boarder at the school and:

- the school is maintained by a local authority or is an academy,
- charges for the pupil's board and lodgings are payable by the pupil's parent, and those charges remain unpaid by the pupil's parent at the end of the school term to which they relate.

14. Ground N - The pupil has ceased to be a pupil at an independent school or non-maintained special school

Relevant regulation 9(1)(n)

Where a pupil has ceased to be a pupil at the school and the school is not maintained by a local authority or an academy (including a city technology college or a city college for the technology of the arts).

15. Ground O - The pupil has been permanently excluded from the school

Relevant regulation 9(1)(o)

Where a pupil has been permanently excluded from the school.

A pupil's name cannot be deleted from the admission register until the outcome of any consideration of reinstatement and independent review (in the case of a disciplinary exclusion from a maintained school, pupil referral unit, or academy) or appeal (in the case of a city technology college or city college for the technology of the arts)