



HILLINGDON
LONDON

CHILDREN MISSING EDUCATION

**London Borough of Hillingdon Policy
February 2024**

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1. Introduction

1.1 As a Local Authority, we have a duty under section 436A of the Education Act 1996 to establish (so far as it is possible to do so) the identities of children in our area who are of compulsory school age but who are not registered pupils at a school or receiving some other form of suitable education.

1.2 This protocol is intended to inform Local Authority staff, schools, Headteachers, Governing Bodies and other agencies about how we minimise and prevent “Children Missing Education” (CME). It relates to children who are of Statutory School Age who do not currently have a school place, or their provision is unknown.

1.3 The purpose of this document is to make sure that children not receiving a suitable education are identified quickly, and effective tracking systems and support arrangements are put in place.

1.4 Children not receiving a suitable education are at increased risk of a range of negative outcomes that could have long-term damaging consequences for their life chances.

1.5 The London Borough of Hillingdon is committed to ensuring that all pupils who go missing from schools in the borough, or who disappear from other boroughs and may have arrived in Hillingdon, are speedily located, ensuring that:

- The whereabouts are known of all pupils who go missing, who move to other areas or who are lost from schools in Hillingdon.
- Partnership is established with other local authorities (LAs) and agencies to locate missing/lost pupils who may have moved across boundaries.
- Children Missing Education are identified, and that suitable provision is made for the child’s educational needs.

2. Policy Statement

2.1 In September 2016, the DfE published [“Children Missing Education: Statutory guidance for local authorities”](#), which recognises the importance of all children, regardless of their circumstances, being entitled to an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have.

2.2 This revised policy seeks to promote effective information sharing between parents, schools and the local authority to ensure all children of compulsory school age are safe and receiving suitable education.

3. The Law relating to Children Missing Education

3.1 Hillingdon has a duty under section 436a of the Education Act 1996 to make arrangements to establish the identity of children in this area who are not registered pupils at a school and are not receiving suitable education otherwise.

3.2 This duty only relates to children of compulsory school age. A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between:

- 1st January and 31st March - compulsory school age on 31 March
- 1st April and 31st August - compulsory school age on 31st August
- 1st September and 31st December - compulsory school age on 31st December.

3.3 A child continues to be of compulsory school age until the last Friday of June in the school year they reach sixteen.

3.4 Legislative framework informing this policy:

- [Section 436A of the Education Act 1996 \(added by section 4 of the Education and Inspections Act 2006\)](#)
- [Education Act 1996 \(section 7\)](#)
- [Education Act 1996 \(section 8\)](#)
- [Education Act 1996 \(section 14 and 19\)](#)
- [Education and Inspections Act 2006 \(section 4 and 38\)](#)
- [London Child Protection Procedures and Practice Guidance 2021](#)
- [Working Together to Safeguard Children 2023](#)
- [Keeping Children Safe in Education 2023](#)
- [Children Missing From Education Statutory Guidance 2016](#)
- [Working together to improve school attendance guidance for maintained schools, academies, independent schools, and local authorities. Applies from: September 2022](#)
- [Education \(Pupil Registration\) \(Amendment\)\(England\) Regulations 2016](#)

4. Reasons children go missing from education

4.1 There are many circumstances where a child may become missing from education, so it is vital that local authorities make judgement on a case-by-case basis.

4.2 However, some particular groups of children vulnerable to missing education have been identified as:

- Young people who have committed offences
- Children whose families have experienced homelessness and who are living in temporary accommodation, including a refuge/hostel

- Missing children and children who have run away from home
- Children with long term medical or emotional problems
- Looked after children and care leavers
- Newly migrant children
- Young Carers
- Children from mobile and transient families
- Teenage mothers
- Children who are permanently excluded from school
- Children where there has been a breakdown in elective home education
- Children and young people who are experiencing a substance related issue
- Children of Service personnel
- Children at risk of sexual exploitation, including children who have been trafficked to, or within the UK
- Privately fostered Children
- Children at risk of radicalisation
- Children at risk of harm/neglect
- Children identified as having specific child protection issues, including those whose names are placed on a child protection plan
- Children who could be at risk of any cultural, unlawful practices, for example forced marriage and/or female genital mutilation.
- Children who have experienced bullying
- Children exposed to domestic abuse, family conflict and/or family breakdown
- Children of parents with long term medical or emotional problems, for example those with mental health problems and those that misuse drugs and alcohol.

4.3 The safeguarding of all children is paramount, and this policy must be considered in accordance with the Local Authority's safeguarding procedures. If you have a serious concern about the immediate safety of a child, you must contact [Hillingdon Stronger Families hub](#) 01895 556 006 or the Police. If a child is in immediate danger call 999

5. Parental Rights

5.1 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.

5.2 Where a parent notifies the school in writing that they are home educating, the school must delete the child's name from the admission register 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.

5.3 Children with Education, Health and Care (EHC) plans can be home educated. Where the EHC plan 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 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.

6. Hillingdon Council's Responsibilities

6.1 LBH has a statutory duty, under [section 436A](#) of the Education Act 1996 to make arrangements to enable them to establish (so far as it is possible) the identities of children in their area who are not receiving a suitable education. This duty applies to all children of compulsory school age who are not on a school roll and do not appear to be receiving a suitable education otherwise than being at school.

6.2 The local authority will 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.

6.3 Local authorities should have robust policies and procedures in place to enable them to meet their duty in relation to these children, including ensuring that there are effective tracking and enquiry systems in place, and appointing a named person to whom schools and other agencies can make referrals about children who are missing education. In the London Borough of Hillingdon, the named person is Kathryn Angelini, Assistant Director for Education and Vulnerable Children.

6.4 Local authorities should have in place arrangements for joint working and information sharing with other local authorities and agencies. Individual local authorities can determine the specific detailed arrangements that work best in

their area that not only meet this statutory duty but also enable them to contribute to a range of work aimed at improving outcomes for children.

6.5 Local authorities should undertake regular reviews and evaluate their policies and procedures to ensure that these continue to be fit for purpose in identifying children missing education in their area. In Hillingdon, service improvement plans are reviewed termly, and all policies and procedures are reviewed annually.

6.6 Hillingdon has other duties and powers to support their work on CME. These include:

- Arranging suitable full-time education for permanently excluded pupils from the sixth school day of exclusion;
- Safeguarding children's welfare, and their duty to cooperate with other agencies in improving children's well-being, including protection from harm and neglect;
- Serving notice on parents requiring them to satisfy the local authority that the child is receiving suitable education, when it comes to the local authority's attention that a child might not be receiving such education;
- Issuing School Attendance Orders (SAOs) to parents who fail to satisfy the local authority that their child is receiving suitable education, if the local authority deems it is appropriate that the child should attend school;
- Prosecuting parents who do not comply with an SAO;
- Prosecuting or issuing penalty notices to parents who fail to ensure their school-registered child attends school regularly; and
- Applying to court for an Education Supervision Order for a child to support them to go to school.

7. Responsibilities of schools in Hillingdon

7.1 Schools 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.

7.2 Where a pupil has not returned to school for ten school days after an authorised absence or is absent from school without authorisation for twenty consecutive school days, the pupil can be removed from the admission register when the school and the local authority have failed, after jointly making reasonable enquiries, to establish the whereabouts of the child. This only applies if the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or unavoidable cause.

7.3 Schools must also arrange full-time education for excluded pupils from the sixth school day of a fixed period exclusion.

7.4 Maintained schools have a safeguarding duty in respect of their pupils,

and as part of this should investigate any unexplained absences. Academies and independent schools have a similar safeguarding duty for their pupils.

7.5 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.

7.6 Where a parent notifies a school that a pupil will live at another address, all schools are required to record in the admission register:

- the full name of the parent with whom the pupil will live;
- the new address; and
- the date from when it is expected the pupil will live at this address.

7.7 Where a parent of a pupil notifies the school that the pupil is registered at another school or will be attending a different school in future, schools must record in the admission register:

- the name of the new school; and
- the date when the pupil first attended or is due to start attending that school.

7.8 Schools must notify the local authority when a pupil's name is to be removed from the admission register at a non-standard transition point 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).

7.9 Where a school notifies the local authority that a pupil's name is to be removed from the admission register, the school must provide the local authority with:

- the full name of the pupil;
- the full name and address of any parent with whom the pupil lives;
- at least one telephone number of the parent with whom the pupil lives;
- the full name and address of the parent who the pupil is going to live with, and the date the pupil is expected to start living there, if applicable;
- the name of pupil's destination school and the pupil's expected start date there, if applicable; and
- the grounds under which the pupil's name is to be removed from the admission register.

7.10 All schools are required to notify the local authority within five days when a pupil's name is added to the admission register at a non-standard transition point. Schools will need to provide the local authority with all the information held within the admission register about the pupil. This duty does not apply when a pupil's name is entered in the admission register at a standard

transition point.

7.11 In Hillingdon, all admissions and deletions from a school's roll can be submitted to the local authority via [LEAP](#).

7.12 In line with the duty under [section 10 of the Children Act 2004](#), the expectation is that the school and the local authority will have in place procedures designed to carry out reasonable enquiries when a child is absent from school without authorisation.

7.13 When the whereabouts of a child is unclear or unknown, it is reasonable to expect that the school will complete and record one or more of the following actions:

- make contact with the parent, relatives and neighbours using known contact details;
- check local databases within the local authority;
- check Key to Success or school2school (s2s) systems;
- follow local information sharing arrangements and where possible make enquiries via other local databases and agencies e.g. those of housing providers, school admissions, health services, police, refuge, Youth Justice Services, children's social care, and HMRC;
- check with UK Visas and Immigration (UKVI) and/or the Border Force;
- check with agencies known to be involved with family;
- check with local authority and school from which child moved originally, if known;
- check with any local authority and school to which a child may have moved;
- check with the local authority where the child lives, if different from where the school is;
- in the case of children of Service Personnel, check with the Ministry of Defence (MoD) Children's Education Advisory Service (CEAS); and
- home visit(s) made by appropriate team, and if appropriate make enquiries with neighbour(s) and relatives.

7.14 Making these enquiries may not always lead to establishing the location of the child, but will provide a steer on what action should be taken next, 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 Foreign and Commonwealth Office.

8. Hillingdon Council's CME Procedures

8.1 For appropriate action to be taken, the child needs to be referred to the local authority via the Stronger Families portal. The people and services who can refer a child are:

- Schools
- Hillingdon Borough Council services including Social Services, Admissions and Health Service
- Other Local Authorities
- Children's Centres
- Statutory & Voluntary Agencies
- Members of the public.

8.2 Referral

Referrals should be made via the [Stronger Families Hub](#) for the following reasons:

- Children who are no longer attending school and cannot be located at the last known address
- Children who have left the school and the parent(s) have not provided a new address school in the UK or abroad
- Children who have not started a new school
- Children who have moved into Hillingdon and the parent / carer is unable to provide a new school name
- Children who have not attended following an offer of a place made by the School Placement and Admissions Team– applies to both in-year and transfer between schools' settings, or where a family has moved into Hillingdon and no school application has been made
- Where an admission authority manages its own in-year admissions, it must also notify the local authority of every application and its outcome as soon as reasonably practicable, but should aim to be within two school days to allow the local authority to keep up to date figures on the availability of places in the area and to ensure they are aware of any children who may not have a school place. Please **do not** assume the parent / carer will contact the School Placement and Admissions team or apply online. Applications can be made [here](#)
- If the parent/carer has failed to satisfy the local authority that their child is receiving a suitable education.

Schools (and other referrers where possible) must gather all possible intelligence known about the child and family when they become aware the child may be leaving or has left their school without a confirmed education provision.

Schools must then refer to the Children Missing Education team and work in partnership with them to locate a confirmed destination. All data and information needs to be shared with the Children Missing Education team.

8.2 CME Officer – track and trace

Once a referral is received via the Stronger Families portal, a CME Officer will be

allocated and they will begin their checks to trace the child. Initial checks include various data sources (listed in 8.4).

In cases where the CME Officer has been unable to establish the educational destination of the child by exhausting all electronic data sources - case continues as per procedures below:

- A CME Officer undertakes home visits to the last known address. If a child is not located, relatives, neighbours, landlords, private or social housing providers and other local stakeholders who are involved are contacted for any further information (where such contact details are known).
- Checks with partner agencies, such as Health, Police and Border Force, will be undertaken.
- If the destination is known:
 - the relevant Local Authority is informed of the arrival of the child.
 - The CME team will liaise with the referring school about removing the child from their roll.
- If the child remains resident in Hillingdon:
 - the CME team will support, advise and guide until the child is returned to appropriate full-time education.
 - For permanently excluded children, the Exclusions and Reintegration team are responsible for providing the child with appropriate education from the sixth day of their exclusion and the school will be informed of date they can remove the child from roll.
 - In the event that a parent/carer is resistant to such support, advice and guidance to place a child on roll, an application to Uxbridge Magistrates Court for a School Attendance Order will need to be considered. This involves the drawing together of evidence of attempts to reach a resolution prior to this step.

8.3 Support from partner agencies

CME may become known to partner agencies who then have a duty to share this intelligence with the Children Missing Education team within Education and SEND to act upon this.

This is particularly likely from all schools and academies, Police, Child and Adolescent Mental Health Services, Hillingdon Young Carers, Youth Justice Service, Youth Services, Housing, School Placement and Admissions, Border Agency, other boroughs and counties, A&E, Health Visitors, GPs and residents.

8.4 Information sources to support the identification of CME

- Impulse

- LCS Protocol Liquid Logic
- S2S (School to School)
- IYSS
- NEC Revenues and Benefits
- Key to Success
- Get Information About Pupils (GIAP)
- NBTC Data Governance (National Border Force)

8.5 In addition to receiving referrals for CME, Hillingdon will also track, locate and ensure access to education for children who:

- Have never accessed education (through enrolment at a school or otherwise since reaching statutory school age; the term after their 5th birthday)
- Leave educational provision without a confirmed education destination and/or fail to access education when moving to a new area
- Fail to transfer between key stages
- Have been withdrawn by parent/carer from the education system without stating their intention to provide for future education.

All enquiries pertaining to children missing education will be addressed daily through childrenmissingeducation@hillingdon.gov.uk managed by the Children Missing Education team.

8.6 It is not necessary to refer the following to the Children Missing Education team:

- Children who have moved and been admitted to another registered school
- Children who have moved away and have applied to the new Local Authority Admissions Service or schools. Provided the Admissions Service in the new borough has confirmed it has been reported to the new borough's CME Officer
- Children who have moved away and the parent has provided verification to prove they are moving away, and confirmation from a new school has been verified
- Children with poor attendance – Schools should undertake the initial follow up of a pupil's absence in accordance with Hillingdon guidance.

9. Children Missing Education and Safeguarding

9.1 The welfare and protection of all children, both those who attend school and those who are educated at home, is of paramount concern and the responsibility of the whole community. [Section 175 of the Education Act 2002](#) imposes a duty on the Local Authority to make arrangements for ensuring that the functions conferred on them are exercised with a view to safeguarding and

promoting the welfare of all children resident in Hillingdon.

9.2 A situation in which a child is not receiving a suitable full-time education requires action by a local authority under education law, as described above.

9.3 [Sections 10 and 11 of the Children Act 2004](#) give local authorities general duties for promoting the well-being and (in relation to their non-education functions) safeguarding and promoting the welfare of children in their areas. Social services teams in local authorities and those dealing with children missing education should take steps to ensure that relevant information on individual children is shared.

9.4 A failure to provide suitable education is capable of satisfying the threshold requirement contained in [section 31 of the Children Act 1989](#) that the child is suffering or is likely to suffer significant harm. 'Harm' can include the impairment of health or development, which means physical, intellectual, emotional, social or behavioural development, so the provision of unsuitable education clearly can amount to this. The causing of significant harm need not be intentional or deliberate, but indicates that it must be 'considerable, noteworthy or important'. This is a key point for local authorities in considering whether the use of safeguarding powers is appropriate in a case relating to a child missing education. However, local authority staff should be clear that when the use of safeguarding powers is justified, they should be used.

9.5 The Children Missing Education team works closely with Hillingdon's Safeguarding Children Partnership, the Virtual School's lead for Children with a Social Worker and Children's Services to safeguard and promote the welfare of children and, in the event of any concerns about the welfare of a child missing education, initiate and follow established procedures.

9.6 On receipt of a referral to CME, the Child Protection Advisor (CPA) or the CIN Review Chair (usually the allocated Social Worker) will be immediately required to consider the impact on the child, how the existing plan needs to be changed or amended to reflect the new situation and what is the role of various parties involved in the plan, including the child and their family.

10. Elective Home Education

10.1 Electively Home Educated children are not considered to be missing education. A list of electively home educated children (when reported or identified) is held by the Elective Home Education team in Hillingdon.

10.2 When partners within the children's workforce in Hillingdon or residents identify a child who is nominally electively home educated but concerns arise

around their safety, well-being or sufficiency and appropriateness of education, this is reported to the Elective Home Education team.

10.3 A referral may then be made to CME by the Elective Home Education team for investigation into the safety and well-being of the child and Social Care colleagues may be advised. Concerns solely about the quality of education are noted and the Hillingdon EHE policy is adhered to.

11. Reviewing policies and procedures

11.1 Hillingdon Council will regularly review its children missing education policies so we can reflect current law and local circumstances and are compatible with the published Department of Education's guidance.

11.2 Hillingdon raises awareness of this policy through partners within the children's workforce through the Hillingdon Safeguarding Children Partnership and through engagement with the local CME network.

11.3 Review, version control and evaluation of this policy will be undertaken by senior management. A full review will be held annually or more frequently in light of future legislative changes.

Agreed by:

Kathryn Angelini, Assistant Director for Education and Vulnerable Children

Georgia Watson-Polack, Access to Education Manager

Abi Preston, Director of Education and SEND

Date of last review: February 2024

Version control review:

Date of next full review: February 2025

16. Annex A

Useful contacts

London Borough of Hillingdon Children Missing Education team

Address: Children Missing Education team
3N/01 Civic Centre
High Street
Uxbridge
UB8 1UW

E-mail: childrenmissingeducation@hillingdon.gov.uk

[Learn more on our website](#)

All referrals relating to Children and Families are managed through our [Stronger Families Hub](#).