

Children Missing Education Policy August 2026

Staffordshire County Council

Introduction

Section 436A of the Education Act 1996, places a duty on local authorities to identify children of compulsory school age who are not registered at a school and are not receiving suitable education otherwise.

Children who meet both conditions are referred to as 'children missing education' (CME).

The Department for Education guidance *Summary of responsibilities for children missing education September 2025* sets out the key principles to enable local authorities in England to implement their legal duty under section 436A of the Education Act 1996.

This guidance clearly states that each local authority is expected to make reasonable enquiries to identify, as far as it is possible to do so, children missing education (CME). The guidance should be read alongside the statutory guidance documents on Working Together to Improve School Attendance, School Attendance (Pupil Registration) (England) Regulations 2024, supporting pupils at school with medical conditions, suspension and permanent exclusions, alternative provision, elective home education and Keeping Children Safe in Education.

In Staffordshire, the named individual who is responsible for CME is the Deputy Head of Attendance. Their responsibility is to receive referrals about children missing education and ensure all reasonable enquiries are made to identify them and ensure they are receiving a suitable education.

Context

"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." Section 7, Education Act 1996

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, and becoming NEET (not in education, employment or training) later in life.



“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. All Local authorities have a duty to focus their resources effectively, intervening early in the lives of vulnerable children to help prevent poor outcomes.” (DFE Children Missing Education Statutory Guidance for Local Authorities September 2025)

Staffordshire County Council has high aspirations for all children living in its authority and has robust processes to identify compulsory school age children living in their area who are not registered at school or receiving an appropriate education. The Education Welfare Officers and the business support team contact parents, work with other professionals (within and outside Staffordshire), complete multiple lateral checks to identify children and support them back into education. This work is monitored by the Deputy Head of Attendance and the Team Leader of Families & Communities Education, Business Support and Assurance. The processes in place are regularly reviewed within bi-monthly meetings and the data is analysed. The Assistant Director for Inclusive Education and Learning oversees the operational work undertaken. When a safeguarding concern is identified, this is referred to social care immediately and if there is reason to believe a crime has been committed, the police are informed.

Staffordshire County Council's admissions team and Education Welfare Officers work with the Virtual School and a range of professionals to ensure that there are effective arrangements in place to support the education of children in the care of the local authority (LA) and children with a social worker. This includes ensuring that there is timely communication and effective cooperation with other local authorities in relation to education placement changes, school admissions, achievement and exclusions.

Where there are concerns that children are at risk of becoming involved in violent extremist activity, in consultation with the schools these will be referred to Staffordshire Police Prevent Team in partnership with Staffordshire County Council's Education Safeguarding Advice Service (ESAS) and Staffordshire Children's Advice Service (SCAS). <https://www.staffordshire.gov.uk/children-young-people-and-families/child-protection-and-safety/contact-us-child-safeguarding>



Children at risk of CME

There are many circumstances where a child may be missing from education. Staffordshire County Council assesses each child's circumstances on an individual basis. Children are most at risk of becoming missing from education at particular transition points or where there are significant changes in family circumstances. Common reasons for this include:

- Children not registered by parents/carers at school when they achieve compulsory school age.
- Children not registered at school for the start of high school (Year 7).
- Frequent house moves, periods of homelessness or time spent in refuges.
- Missing children and runaways
- Family breakdown.
- Children who cease to attend school for EHE or other reasons.
- Schools off-rolling pupils without the correct checks and procedures being followed.
- Exclusion (lawful and unlawful).

Certain groups of children are more vulnerable and so more likely to be affected by the factors listed above and include:

- Children in Public Care (CIC)
- Children who have been or are the subject of a Child Protection Plan or a Child in Need plan.
- Children of Service Personnel
- Children and young people supervised by the Youth Justice System
- Refugees and asylum seekers
- Gypsy, Roma and Traveller families.
- Children who have experienced domestic violence or other adverse family circumstances
- Children with special educational needs.
- Migrant families
- Children who have had attendance difficulties in the past.

All CME enquiries should therefore be undertaken through a safeguarding lens



Parents' Responsibilities

The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education otherwise than at a school. Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the Head of school.

Where a parent notifies the school in writing that they intend to withdraw their child from school to home educate their child, the school must delete the child's name from the admission register once that date has passed and must inform the local authority. This does not apply where a School Attendance Order (SAO) is in place or where the child has an Education Health and Care Plan (EHCP) that names a specialist setting and the child is on roll. In either of these circumstances the child must not be removed from roll without agreement from the local authority. If a child is incorrectly deregistered, the local authority will direct the school to place the child back on roll.

However, where parents verbally indicate that they intend to withdraw their child to be home educated, the school should consider notifying the local authority at the earliest opportunity. In Staffordshire, the Elective Home Education Lead can be requested to meet with parents and schools to discuss their intention with them and ensure that they have all the information they need prior to making a formal decision. Children with an EHCP can be home educated. Where the child is on roll at a specialist setting named in the EHCP, agreement from the local authority's allocated SEND keyworker is required before the child can be removed from roll.

Where the EHCP specifies special education needs (SEN) provision that the child should receive at home, the local authority is under a duty to arrange that provision. Where the EHCP 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, Staffordshire County Council's SEND Keyworker must assure themselves that the education arranged by the parent is suitable. In such cases, Staffordshire County Council will review the EHCP to ensure that the provision set out in it remains appropriate and that the child's individual needs continue to be met.



Local Authority Responsibilities

Under Section 436A of the Education Act 1996, local authorities must make arrangements to identify children missing education as far as it is possible to do so.

The local authority has a duty to:

- Maintain robust CME procedures and records.
- Act on notifications from schools and other agencies.
- Make enquiries to establish a child's whereabouts and educational provision.
- Work with schools, health services, police, children's social care and other partners to identify and support CME.
- Consider safeguarding concerns and refer to children's social care when required.
- Track children whose whereabouts remain unknown and continue reasonable efforts to locate them

To ensure children return to suitable education as soon as possible, Staffordshire County Council's Attendance and Inclusion services are both robust and supportive of achieving good outcomes for children.

We will:

- Carry out the expectations of local authority School Attendance Support Teams set out in the DFE statutory guidance Working together to improve school Attendance (July 2026)
- Arrange suitable education for permanently excluded pupils from the sixth school day of exclusion <https://www.gov.uk/government/publications/school-suspensions-and-permanent-exclusions>
- Cooperate with other agencies in improving children's well-being, including protection from harm and neglect under Section 10 of the Children Act 2004. Where there is a concern that a child's safety or well-being is at risk, we will act without delay, considering whether a referral needs to be made to local authority children's social care and or via calling the police if deemed appropriate.
https://assets.publishing.service.gov.uk/media/6a4cf903b7203c4c023fd2f3/Keeping_children_safe_in_education_2026_.pdf
- Follow the Fair Access Protocol to ensure that unplaced and vulnerable children, and those who are having difficulty securing a school place in-year, are allocated a school place as quickly as possible.
<https://www.staffordshire.gov.uk/schools-and-learning/school-admissions/year-school-admissions-and-fair-access-protocol-fap/fair>

- Work together with schools through admissions processes to secure a school place for all children of compulsory age. Over-subscription criteria and relevant admissions policies should also be made available on school and admission authority websites. <https://www.staffordshire.gov.uk/schools-and-learning/school-admissions>
- Local authority officers have the authority to access the attendance and admission registers of all types of school to carry out their functions under the Education Acts. Officers are permitted to take digital or physical extracts.
- Serve notices 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
- Issue 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
- Prosecute parents who do not comply with a School Attendance Order
Prosecute and issue penalty notices to parents who fail to ensure their school-registered child attends school regularly
- Apply to court for an Education Supervision Order for a child to support them to go to school

School / Academy Responsibilities

“A child should not simply disappear from education. Schools, local authorities, parents and partner agencies must work together to identify children at risk of becoming CME, establish their whereabouts, assess any safeguarding concerns, and secure suitable education without delay.”

<https://www.gov.uk/government/publications/children-missing-education/children-missing-education-statutory-guidance-for-local-authorities-and-schools>

Schools, academy trusts, governing bodies and local authorities are all expected to work together to identify and support children missing education. Schools should not wait until a child has been absent for a prolonged period before taking action. Unexplained absences, repeated failures to start school following admission, or sudden withdrawal from education should trigger enquiries and information sharing

Schools are responsible for monitoring all pupil attendance through their daily attendance register and should work to address poor or irregular attendance in order to prevent children becoming CME.

Schools must act without delay where there is a concern that a child's safety or well-being is at risk. If school staff have safeguarding concerns about a child, they must take immediate action, follow their child protection policy and involve their

designated safeguarding lead. In any instances where a provider is faced with complex circumstances which are not straightforward and is considering whether to make a referral to Staffordshire Families Integrated Front Door (SFIFD), a call can be made to the Education Safeguarding Advice Service (ESAS) for further guidance and support. **Phone: 01785 895836 Email: esas@staffordshire.gov.uk**

Before removing a child from roll, schools must make reasonable enquiries to establish a child's whereabouts and educational arrangements. Local authorities should similarly make enquiries when notified that a child may be CME.

Schools must carefully follow guidance on removing or adding pupils' names from or to the admission register, which in some specific cases will involve joint actions to be undertaken between the school and local authority before this decision can be made.

To enable effective CME processes, all schools must make a 'new pupil return' or a 'deletion return' to the local authority when a pupil's name is added to or deleted from the school admission register, except at standard transition points unless the local authority requests it, as set out in the School Attendance (Pupil Registration) (England) Regulations 2024.

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 (parent/carer) 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.

All schools must make a return to the local authority within five days when a pupil's name is added to the admission register (a 'new pupil return').

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 (for example; change of home address and contact numbers) 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.

All Staffordshire schools and academies are expected to undertake reasonable enquiries, if a pupil fails to attend on the agreed date, to establish the child's whereabouts and to notify the local authority at the earliest opportunity of them failing to attend the school.



Where a pupil has not returned to school for twenty consecutive school days after a leave of absence or is absent from school for reasons statistically recorded as unauthorised absence for twenty consecutive school days, the pupil's name can only be removed from the admission register after the school and Staffordshire County Council have jointly made reasonable enquiries to establish the location and circumstances of the child. Deletion may only take place where those enquiries have failed to establish the child's whereabouts, or where the local authority and school agree there are no reasonable grounds to believe the pupil will attend the school again. In reaching that decision, both the school and local authority must agree, including that there are no further reasonable steps that could be taken (either jointly or separately) to secure the pupil's attendance.

Neither ground for deletion applies if there are reasonable grounds to believe that the pupil is unable to attend because of sickness or unavoidable cause. Where absence remains unauthorised and the pupil cannot lawfully be removed from roll, a referral for statutory action should be made.

<https://www.staffordshire.gov.uk/schools-and-learning/education-welfare/education-welfare-policies>

If a child cannot be located the child's details should also be uploaded by the school onto the s2s lost pupils' database.

All schools have a safeguarding duty in respect of their pupils, and as part of this should investigate any unexplained absences. Further information about schools' safeguarding responsibilities can be found in the Keeping Children Safe in Education [https://assets.publishing.service.gov.uk/media/6a4cf903b7203c4c023fd2f3/Keeping children safe in education 2026 .pdf](https://assets.publishing.service.gov.uk/media/6a4cf903b7203c4c023fd2f3/Keeping_children_safe_in_education_2026_.pdf)

All schools must also make a return to the local authority (a 'sickness return') where a pupil of compulsory school age has been recorded in the attendance register as absent using code I (illness) and the school have reasonable grounds to believe that the pupil will be or will have been unable to attend school because of illness for at least 15 school days during the school year, whether consecutive or not.

For more information and guidance on this, please refer to "Children who are missing education by reason of illness, exclusion from school or otherwise Policy" .

<https://www.staffordshire.gov.uk/schools-and-learning/education-welfare/education-welfare-policies>



Making Reasonable Enquiries and Referring as CME

The term 'reasonable enquiries' grants schools and local authorities a degree of flexibility in decision-making, particularly as the steps that need to be taken in each case will vary. The term 'reasonable' also makes clear that there is a limit to what the school and local authority is expected to do

In line with the duty under section 10 of the Children Act 2004, the school and the local authority have in place procedures designed to carry out reasonable enquiries. The type of enquiries may include the appropriate person checking with relatives, neighbours, landlords – private or social housing providers – and other local stakeholders who are involved. This information must be recorded on the child's file to demonstrate they have completed these procedures.

It is understandable and appropriate that schools should be concerned about revealing personal information about pupils. However, all information held by Staffordshire County Council (SCC) is processed in accordance with the Data Protection Act 2018 and the UK GDPR.

Data sharing in relation to CME can be justified under Article 6(e) the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. If special category data needs to be shared, it can be done under the substantial public interest condition in Article 9(2)(g) – backed up by condition 18 (Safeguarding of children and individuals at risk). SCC has a duty to ensure that children within its area are receiving suitable education, and information sharing may be necessary to carry out that function.

When a child is expected to start at a school (note: all children should be put on roll on the day agreed between the school and parent; and not when they cross the threshold) and does not arrive, for the first ten school days the school should make their own enquiries. This should include trying to contact the parents/carers and any known emergency contact by telephone, email, letter and home visits where appropriate.

When a child has not been seen by school for ten days and is not believed to be at the known address, Staffordshire County Council will accept referrals from schools for support with reasonable enquiries. Referrals should be made via Staffordshire Learning Net so they can be received directly by the Education Welfare Service who will support the school by completing lateral checks with internal and external partners. <https://www.staffordshire.gov.uk/staffordshire-learning-net/pupil-support/statutory-action-request>

If after twenty school days (four school weeks) the child has not been located, and whereabouts are unknown by any professional, the school should complete and submit a CME Referral Form via <https://www.staffordshire.gov.uk/schools-and-learning/education-welfare/children-missing-education>

If a child is absent, or fails to return from an agreed holiday, the school should follow their normal procedures for investigating the absence and contacting the education welfare duty service for guidance if required by emailing educationcoreoffer@staffordshire.gov.uk

If a child is absent from school because they are believed to have moved away, the school must keep the pupil on roll whilst making reasonable enquiries. The pupil should only be removed from roll once the relevant statutory requirements have been met, including twenty school days have elapsed and the CME referral has been submitted. If the school receives confirmation that the child has been entered on the admission register and taken on roll at another school, the pupil may be de-registered earlier than the twenty-day period.

<https://www.staffordshire.gov.uk/schools-and-learning/education-welfare/children-missing-education>

Where the school and Education Welfare Officer (EWO) have completed reasonable enquiries, but not located the child and twenty school days have elapsed, the school should submit a CME referral using the link above. The child may only be removed from roll where the relevant statutory requirements for deletion are met.

If there is a serious concern regarding the child, and it is not believed that the child or young person is being supported by an allocated worker, the school should contact the Staffordshire Families Integrated Front Door (SFIFD) on 0300 111 8033 during office hours (Monday to Thursday, 8:30am to 5pm and Friday, 8:30am to 4:30pm) or 0345 604 2886 outside these hours to speak to the Emergency Duty Service 0300 111 8007 and select option 1.

If the child is known to be at risk of immediate harm, this must be reported to the police on 999. Where the concern is urgent but not an emergency, schools should contact the police on 101. Once a report has been made to the police, the school should contact Staffordshire Children's Advice and Support Service 0300 111 8007 and select option 1 or the Emergency Duty Team on [0345 604 2886](tel:03456042886), outside office hours. <https://www.staffordshire.gov.uk/children-young-people-and-families/child-protection-and-safety/report-concern-child-safeguarding>

For all other concerns, the Education Safeguarding Advice Service (ESAS) is for educational professionals to seek non-urgent safeguarding advice on 01785 895836. <https://www.staffordshire.gov.uk/children-young-people-and-families/childcare-providers-and-early-years-practitioners/safeguarding-4>

When a child is deleted from the school's admissions register, the school must update their school management information system and clearly indicate the date and the reason for removal from roll.

When a pupil leaves a school for a known destination, the school should upload the child's records to s2s – a secure national database. This generates an email to the receiving school who then can download the information.

In September 2024 all schools in Staffordshire were issued with "Deregistration Guidance". This is a quick reference sheet which the circumstances in which a pupil

may be removed from roll. Schools should refer to this guidance (see [CME webpage](#)) and notify the LA according to the reason for deregistration. Further information on deregistering children can also be found in the DFE guidance Working Together to Improve School Attendance 2024.

When a pupil is taken off roll due to being admitted to a new school, the school the pupil is leaving should complete an OR.1 (off-rolling) form which they should then send to schools.capitadatateam@staffordshire.gov.uk.

This will then ensure that the pupil is recorded as being at the new school and will avoid unnecessary investigation.

Elective Home Education (EHE)

If a parent wishes to EHE their school registered child, the school must deregister the child at the point written notification is received from the parent stating that the child is now in receipt of home education unless there is a School Attendance Order in place or where the child has an EHCP naming a specialist setting. Deletion from the admissions register should take place as soon as such notification is received, and schools should follow the aforementioned "Deregistration guidance". and must notify the Elective Home Education team at the point of removal from roll.

1. Schools must inform the EHE team when a pupil has been removed from their roll to be home educated. They should do this by forwarding a copy of the parent's written correspondence (this can be a letter or email) together with a completed School Exit Information form to the Elective Home Education team. <https://apps2.staffordshire.gov.uk/web/formdisplay/?FormID=138&Ref=QRJGHX>
2. It is imperative that this is done at the time of removal from the school roll; if the EHE team are not notified, the pupil will remain the safeguarding responsibility of the school.
3. The child will be allocated to an Elective Home Education Officer who will ensure that a suitable full-time education is being offered to the child.
4. If the EHE team has concerns that the child is not receiving a suitable education, then a referral will be sent to Education Welfare for allocation for an EWO to start the School Attendance Order process. This is likely to result in the child returning to the exiting school in line with the agreed protocol.
5. EHE legislation currently states that the only obligation for parents to notify anybody of EHE is at the point they withdraw their child from school. This is when they must give written notification to the Headteacher of the school that they wish to take on the responsibility of education. If a family has never enrolled their child in a school, there is currently no obligation to notify the LA though it is encouraged.

6. If the LA has reason to believe that a child is not receiving a suitable education, there is an expectation that this will be investigated. In the case of children previously unknown to the LA this may be confirmation that the child is being EHE rather than missing education.

Abbreviations and terms used

- CME – Children Missing Education.
 - DFE – Department for Education.
 - EHE – Elective Home Education/Electively Home Educated. The term used to describe education provided by parents or carers to their children instead of sending them to school or other suitable provision.
 - EHCP – Education Health and Care Plan
 - EWO – Education Welfare Officer.
 - LA - Local Authority.
 - Schools – the generic term used to describe institutions in which statutory school-aged children receive education. These can also be known as academies or colleges and can be in the state or independent sectors.
 - SAO – School Attendance Order
 - SCC - Staffordshire County Council.
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