

**children missing education and Children in Education other than in Registered Schools**

**Scope of this chapter**

PLEASE NOTE

[The Children’s Wellbeing and Schools Bill](https://assets.publishing.service.gov.uk/media/67619a9c1ca3ec0a49e19031/Children_s_Wellbeing_and_Schools_Bill_Policy_Summary_Notes.pdf)

The Bill has received its first reading in the House of Commons as of December 2024. It addresses many of the issues raised in this chapter.

A Bill to make provision about the safeguarding and welfare of children; about support for children in care or leaving care; about regulation of care workers; about regulation of establishments and agencies under Part 2 of the Care Standards Act 2000; about employment of children; about breakfast club provision and school uniform; about attendance of children at school; about regulation of independent educational institutions; about inspections of schools and colleges; about teacher misconduct; about Academies and teachers at Academies; repealing section 128 of the Education Act 2002; about school places and admissions; about establishing new schools; and for connected purposes.

The Bill, if passed, will have a significant effect on matters covered in this chapter as well as other chapters and manuals each of which will be amended as and when the Bill is finalised and passes into legislation.

PLEASE NOTE

[Ofsted and Care Quality Commission (CQC) Thematic Reviews of Children Not in School in Local Areas](https://www.gov.uk/government/news/new-visits-to-understand-how-children-with-send-who-are-not-in-school-are-supported)

Ofsted and the CQC will be carrying out visits between spring and summer to look in depth at the experiences of children with SEND who are of compulsory school age but are not registered at any type of independent or state funded school.

The visits will also consider the experiences of children who are on a school roll but are flexi-schooled on a part-time timetable, receiving education otherwise than at school, or are severely absent to better understand:

* How local area partnerships work together to meet the needs of children not in school across health, education and children’s social care;
* The reasons why children with SEND leave full-time education, and what schools are doing to support them to remain in school;
* The role and impact of local authorities in supporting children with SEND to receive a suitable education;
* The role and impact of social care in supporting children with SEND who are not in school and are in need of help and protection;
* The role and impact of health providers in meeting the health needs of children with SEND who are not in school;
* How local authorities support children not in school, particularly hard-to-reach children and families, including where there are safeguarding concerns;
* Parents’, children’s, practitioners’ and leaders’ views about why children are not in school and how their needs are being met.

Ofsted and CQC will look at how local area partnerships are working to meet the needs of these children and the availability of universal and specialist health services. Inspectors will also consider the reasons why children are not in full-time education and what is being done to support them to attend school.

For the details of how ‘Thematic reviews of children not in school in local areas’ will be undertaken please read: [Thematic reviews of children not in school in local areas](https://www.gov.uk/government/publications/thematic-reviews-of-children-not-in-school-in-local-areas/thematic-reviews-of-children-not-in-school-in-local-areas)

**Amendment**

This chapter was updated in August 2025 to bring it into line with children missing education (August 2024). The changes are technical updates only to bring the guidance in line with the Working together to improve attendance statutory guidance and the School Attendance (Pupil Registration) (England) Regulations 2024. It also highlights pending legislation: The Children’s Wellbeing and Schools Bill and brings to the attention of readers Ofsted and Care Quality Commission (CQC) Thematic Reviews of Children Not in School in Local Areas which will be undertaken in 2025

**1. Definition and Overview**

The statutory guidance [children missing education (August 2024)](https://www.gov.uk/government/publications/children-missing-education) 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.

[Statutory guidance for local authorities: children missing education (August 2024)](https://www.gov.uk/government/publications/children-missing-education).

**[2. Risks](https://nelincsscp.trixonline.co.uk/chapter/children-missing-education-and-children-in-education-other-than-in-registered-schools?search=children+missing+education" \l "risks)**

These 'missing' children can be vulnerable; it is essential that all services work together to identify and re-engage these children back into appropriate education provision as quickly as possible. It is important to establish the reasons for the child being missing at the earliest possible stage.

Possible reasons why a child is missing education include:

* Failure to start appropriate provision and never enter the system;
* Stopped attending, due to illegal exclusion or withdrawal by parent/carers;
* Failure to complete a transition between schools;
* Children from refugee and asylum-seeking families;
* Children from families who are highly mobile;
* Children experiencing mental health problems;
* Children at risk of a forced marriage;
* Children at risk of Female Genital Mutilation (FGM);
* Children experiencing abuse and neglect.

Children who remain disengaged from education are potentially exposed to higher degrees of risk.

Children who are missing out on education are at increased risk of being criminally exploited or being groomed and exploited by gangs.

Children who go missing or run away from home or care may be in serious danger and are vulnerable to crime, sexual exploitation or abduction as well as missing education. See Children Missing from Care, Home and Education Procedure.

When families move between local authority areas it can sometimes lead to a child becoming 'lost' in the system and consequently missing education. Where a child has moved, local authorities should check with other local authorities – either regionally or nationally – and share information in order to ascertain where a child has moved. Once the location of the child is established, the relevant local authority must ensure that the child is receiving an education either by attending a school or the provision of electronic or distance learning packages where these are available.

Research has shown that many children from Gypsy, Roma and Traveller (GRT) families can become disengaged from education, particularly during the secondary school phase. It is therefore important that schools inform the local authority when a GRT pupil leaves the school without identifying a new destination school, particularly in the transition from primary to secondary so that they can attempt to facilitate continuity of the child's education. Although many are settled, some GRT families move regularly, and their children can be at increased risk of missing education. Local authority Traveller Education Support Services (TESS), where these exist, or the named CME officer within the local authority, can advise schools on the best strategies for ensuring the minimum disruption to GRT pupils' education.

Families of members of the Armed Forces are likely to move frequently – both in the UK and overseas and often at short notice. Schools and local authorities should contact the MoD [Children's Education Advisory Service (CEAS)](https://www.gov.uk/government/groups/the-childrens-education-advisory-service-ceas) for advice on making arrangements to ensure continuity of education for those children when the family moves.

Children who have offended or are at risk of doing so are also at risk of disengaging from education. Local authority Youth Offending Teams (YOTs) work with young people (aged 10 to 18 years) who are involved with the Criminal Justice System. YOTs should work with the local authority CME officer to ensure that children they are working with are receiving, or return to, appropriate full-time education.

**[3. Indicators](https://nelincsscp.trixonline.co.uk/chapter/children-missing-education-and-children-in-education-other-than-in-registered-schools?search=children+missing+education" \l "indicators)**

**3.1 Schools**

As a result of daily admissions registration, schools are particularly well placed to notice when a child has gone missing. If a member of school/educational establishment/college staff becomes aware that a child may have run away or gone missing, they should try to establish with the parents/ carers, what has happened.

If this is not possible, or the child is missing, the designated safeguarding lead should, together with the class teacher, assess the child's vulnerability by making reasonable enquiries, and where appropriate refer (see also the [Concern about a child | NELC](https://www.nelincs.gov.uk/health-wellbeing-and-social-care/childrens-social-care/report-a-concern-about-a-child/) any concerns about the child to Children's Social Care.

In order to monitor attendance the school must ensure that an admission register is kept.

The school must ensure that a register is kept electronically and that a back-up copy of that register is made at least once a month in the form of an electronic or printed copy. The amendments set out the requirements of the register. It also sets out the rules regarding deletion of names from the register.

Schools should monitor attendance closely and address poor or irregular attendance. It is important that pupils' poor attendance is referred to the local authority.

Key issues: A child is off register if:

* They are attending another school or schools and there is no school attendance order requiring attendance at that school;
* A parent of the pupil has told the school in writing that the pupil will no longer attend the school after a certain day and will receive education otherwise than at school;
* The pupil has not attended the school within the ten school days immediately after the end of the period of leave;
* Reasonable efforts have been made to find the pupils location but they have not been found or are refusing to attend and there is little or no likelihood of them attending;
* There is continuous absence for 20 or more days;
* The pupil has been sentenced to detention at his majesty’s pleasure;
* The pupil has been permanently excluded;
* The Local Authority agrees the pupil is no longer attending the school.

In the more general circumstances of a child going missing who is not known to any other agencies, the Head Teacher should inform the Pupil Tracking Officer and Education Welfare Officer of any child who has not attended for 10 consecutive school's days without provision of reasonable explanation.

In the more general circumstances of a child going missing who is not known to any other agencies, and there are no immediate safeguarding concerns, the Head Teacher should inform the Pupil Tracking Officer and Education Welfare Officer of any child who has not attended for 10 consecutive school's days without provision of reasonable explanation.

All schools, colleges and educational providers have a safeguarding duty in respect of their pupils, and this includes investigating any unexplained absences.

All schools are required to notify the local authority within 5 school 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.

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 under any of the fifteen grounds set out in the regulations, 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.

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. The type of procedures may include the appropriate person checking with relatives, neighbours, landlords – private or social housing providers – and other local stakeholders who are involved. They should also record that they have completed these procedures. If there is reason to believe a child is in immediate danger or at risk of harm, a referral (see [Report a concern about a child process](https://www.safernel.co.uk/report-a-concern/)) should be made to Children's Social Care (and the Police if appropriate).

**3.2 Other Agencies**

Where any agency in contact with children and families believes that a child is not on the role of a school or receiving education otherwise, then this information should be passed to the Pupil Tracking Officer in the local authority with any details they have of the child in question. If they have concerns about the welfare of the child, they should refer to Children's Social Care.

**3.3 Pupil Tracking Officer**

The Pupil Tracking Officer (or CME Officer) should ensure through the Education Welfare Officer that reasonable enquiries are made - e.g. home visits, liaison with Children's Social Care and/or Housing, health agencies such as the Children’s Public Health Provision - and notify the school if it appears that the child has moved out of the area.

If no information is forthcoming within 2 days, the Pupil Tracking Officer should alert their manager, who should inform Children's Social Care and the Police in writing.

**4. Protection and Action to be Taken**

Head teachers should inform the Pupil Tracking Officer and the child's social worker immediately if child who is Looked After or subject to a Child Protection Plan is missing.

In the following circumstances a referral to Children's Social Care and / or the Police should always be made promptly:

* The child may be the victim of a crime;
* The child is subject of a Child Protection Plan;
* The child is subject of Section 47 enquiries;
* The child is Looked After;
* There is a known person posing a risk to children in the household or in contact with the household;
* There is a history of the family moving frequently;
* There are serious issues of attendance.

Where a pupil has not returned to school for ten 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 be removed from the admission register when the school and the local authority have failed, after jointly making reasonable enquiries, to find out the location and circumstances of the child or have succeeded but agree there are no reasonable grounds to believe that they will attend the school again. In deciding there are no reasonable grounds to believe the pupil will attend the school again both school and local authority must agree, including that there are no 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.

In these circumstances the child's name is kept on a centrally held register and should be clearly identified as missing from education.

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 expectation is that the school and the local authority will have in place procedures designed to carry out reasonable enquiries. The type of procedures may include the appropriate person checking with relatives, neighbours, landlords – private or social housing providers – and other local stakeholders who are involved. They should also record that they have completed these procedures. 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 (and the police if appropriate).

Where the child's name has been removed from the school roll, but they have not been located, the Head Teacher should arrange for the pupil's records to be retained until the child is located. They may be held centrally according to local arrangements.

Where a Head Teacher has been notified by a parent that a pupil is receiving education other than at school and has removed the child's name from the school roll, notification must be given to the education service within 10 school days; the pupil's records should then be transferred to the education service to be stored in accordance with local arrangements.

If a school receives a new pupil without receiving information about the pupil from their previous school, the school should contact the Pupil Tracking Officer.

If the Pupil Tracking Officer becomes aware the child has moved to another school, they should ensure that all relevant agencies are informed and arrangements made to forward records from the previous school.

**5. Issues**

A child missing from education is not in itself a child protection matter, and there may be a reasonable explanation for this. However, regular school attendance is an important safeguard and unexplained non-attendance can be an early indicator of problems, risk and vulnerability.

Schools should endeavour to deal with this problem in three ways:

* By preventing poor school attendance and truancy;
* By acting once absence has occurred to establish children's safety and try to get them back to school;
* By taking action to trace children whose whereabouts are not known.

**6. Elective Home Education**

The number of home-educated children in England is increasing. Most parents who home educate do so in their children’s best interests, and many home educated children receive a suitable education that supports them to thrive. However, there are concerns that not all children educated at home are being educated properly and that some are at risk of or suffering harm. Increasingly, parents of children with complex needs are choosing to home educate and may not be well prepared or equipped to provide a suitable education. As there is currently no duty on parents to notify local authorities when they are home educating, local authorities are unlikely to be aware of all the children not in school in their areas, including those who are not receiving a suitable education or those who are at risk of harm. Therefore, some children may be spending long periods of time receiving unsuitable education or, in some cases, no education at all, without intervention; and there are also children who may be in unsafe home environments and under the radar of practitioners that are there to protect them. There is an urgent need for local authorities to be able to better identify these children and, if a child is not receiving a suitable education or is at risk of harm, to take action to help them back into school or to take other necessary steps to safeguard them.

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)](https://www.gov.uk/government/publications/elective-home-education).

**NOTE**There is also a growing trend for Flexi Schooling whereby the child is in school for part of the time and at home for some time too.

**7. Education Other Than At School (EOTAS)**

EOTAS is education that meets the specified needs of children or young people who, for whatever reason, cannot attend a mainstream or special school because it is deemed ‘inappropriate’. The term has been considered in the case of [TM v London Borough of Hounslow](https://www.casemine.com/judgement/uk/5a8ff71b60d03e7f57ea798d), which clarified that it would have to take into account:

* The child’s background and medical history;
* The particular educational needs of the child;
* The facilities that can be provided by a school;
* The facilities that could be provided other than in a school;
* The comparative cost of the possible alternatives to the child’s educational provisions;
* The child’s reaction to education provisions, either at a school or elsewhere;
* The parents’ wishes.

In addition medical issues, serious exclusion matters or significant mental health issues that make attendance extremely difficult will also have to be considered. Generally this type of provision is likely to include among the options offered:

* Online Education;
* Home Tuition;
* Specialist Tuition Centres;
* Hospital schooling.

Any of these options can take place in non-educational settings i.e. a library for example. They should all be treated as special education provision and funded accordingly by the Local Authority.

**8. Unregistered Schools**

An unregistered school is a setting that is operating as an independent school, without registration. Independent schools in England must be registered by the Secretary of State for Education before operating. It is a criminal offence to operate an independent school that is not registered.

An 'independent school' is defined as a school that is not maintained by a local authority or is not a non-maintained special school, and at which full-time education is provided for:

1. Five or more pupils of compulsory school age; or
2. For at least one pupil of that age who is looked after by a local authority or has an education, health and care plan.

The term "full-time" is not defined in legislation but Department for Education guidance states that an institution providing education for more than 18 hours per week is considered to be providing full-time education. Therefore ‘schools’ operating for less than 18 hours are not providing a full time education but are also not subject to OFSTED inspection.

Unregistered schools may operate for a variety of reasons of which the most common are alternative provision (for pupils who do not attend mainstream school due to school exclusion, behaviour issues, school refusal, or short- or long-term illness), general education providers (including for home educated children) or religious instruction.

Where unregistered schools are found to have been operating illegally, it may simply be because of a lack of awareness of legislation or an administrative oversight, however children in these settings are potentially at risk because there is no formal, external scrutiny of the arrangements for safeguarding, health and safety or the quality of education provided.

See: [Regulating independent schools (GOV.UK)](https://www.gov.uk/government/publications/regulating-independent-schools) for more information.

**9. 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](http://www.legislation.gov.uk/ukpga/1996/56/section/436A);
* [The Education Act 2002](http://www.legislation.gov.uk/ukpga/2002/32/contents);
* [The Children Act 1989](http://www.legislation.gov.uk/ukpga/1989/41/contents);
* [The Children Act 2004](http://www.legislation.gov.uk/ukpga/2004/31/contents);
* [Statutory guidance for local authorities: children missing education (August 2024)](https://assets.publishing.service.gov.uk/media/66bf57a4dcb0757928e5bd39/Children_missing_education_guidance_-_August_2024.pdf);
* [Elective Home Education Guidelines](https://www.gov.uk/government/publications/elective-home-education);
* [Unregistered independent schools and out-of-school settings](https://www.gov.uk/government/publications/unregistered-independent-schools-and-out-of-school-settings) - non-statutory guidance for local authorities;
* [School Admissions Code](https://www.gov.uk/government/publications/school-admissions-code--2);
* [School to school service: how to transfer information](https://www.gov.uk/guidance/school-to-school-service-how-to-transfer-information);
* [The Education (Pupil Registration) (England) Regulations 2006](http://www.legislation.gov.uk/uksi/2006/1751/contents/made), as amended (Education law regarding pupil registration where a child is on a school roll); [The Education (Pupil Registration) (England) (Amendment) Regulations 2013](http://www.legislation.gov.uk/uksi/2013/756/contents/made); as amended [The Education (Pupil Registration) (England) (Amendment) Regulations 2016](http://www.legislation.gov.uk/uksi/2016/792/regulation/3/made).

The [Working Together to Improve School Attendance: Statutory Guidance for maintained schools, academies, independent schools and local authorities (August 2024)](https://assets.publishing.service.gov.uk/media/66bf300da44f1c4c23e5bd1b/Working_together_to_improve_school_attendance_-_August_2024.pdf) emphasises the safeguarding duties placed on maintained schools by [Section 175 of the Education Act 2002](http://www.legislation.gov.uk/ukpga/2002/32/section/175).

It also seeks to ensure that the duty to co-operate to improve the well-being of children under [Section 10 of the Children Act 2004](http://www.legislation.gov.uk/ukpga/2004/31/section/10) 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.