



Hertfordshire County Council

Children Missing in Education Policy

September 2026

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1. Introduction

A child is not defined as missing from education if they have a school place but are not attending regularly, if they are being home educated or if they attend alternative provision such as a college or Education Support Centre.

1.1 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 in line with statutory guidance below:

- The legal framework for this policy is the CME statutory guidance issued by the DfE, Children missing education
- ([Children missing education: statutory guidance for local authorities and schools - GOV.UK](#))
- Keeping Children Safe in Education - ([Keeping children safe in education - GOV.UK](#))

1.2 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.

1.3 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.

2 Purpose

2.1 Local Authorities are required to have a dedicated Children Missing Education (CME) Officer to locate, track and ensure children in their area have access to an education. This is to fulfil the duty outlined in section 436A of the Education Act 1996.

This is for children who:

- have never accessed education (have neither enrolled at a school, nor received education otherwise than at school since reaching statutory school age)
- leave educational provision without a confirmed education destination, and/or fail to access a school place when moving to a new area or country

2.2 Hertfordshire Local Authority works collaboratively with its education establishments and services to identify, support and safeguard children who are missing education by:

- Identifying children who are missing education
- Ensuring all CME children are speedily located

- Supporting other Local Authorities to locate their CME children

3. Children at particular risk of missing education

3.1 Children Missing Education are at significant risk of underachieving, being victims of harm, child sexual exploitation or radicalisation, and becoming NEET (not in education, employment, or training) later in life. CME could be:

- A child of statutory school age (5-16) not on roll at a registered school
- A child allocated a place at school who has not attended
- A child registered as being educated at home but not receiving an appropriate education

3.2 Children have a higher risk of becoming CME when they move across Local Authority boundaries, and certain life events make some children more vulnerable to missing education such as, but not limited to:

- Children of homeless families, living in temporary accommodation, multiple occupancy or bed and breakfast accommodation
- Families fleeing domestic violence
- Children supported by social care: On a Child in Need (CiN) Plan or a Child Protection (CP) Plan; or being supported by Early Help
- Children of Gypsy / Roma / Traveller background
- Children from highly mobile families e.g. asylum seekers, or economic migrants
- Young people in the criminal justice system
- Children with long-term medical or emotional health problems
- Children in private fostering arrangements
- School aged parents
- Children of parents with learning difficulties or a mental health diagnosis

4. Referring a child who is CME

4.1 In the event of schools, parents, partners and multi agencies, or individuals are made aware that a child is **not** registered or attending a school, they must inform the CME Officer at csf.cme@hertfordshire.gov.uk immediately.

4.2 Alternatively contact csf.cme@hertfordshire.gov.uk or complete the online referral form [Children Missing Education referral form](#) providing all the information.

4.3 The CME Officer will process all referrals.

4.4 For children who are being removed from roll the setting must complete the Removal from Roll form and return it to Attendance Duty team [Removal from roll guidance - Hertfordshire Grid for Learning](#)

4.5 Where a child is recorded as CME and the family inform the Local Authority that they will deliver home education, if the child has previously been home educated and the provision was assessed as unsuitable, they will remain CME until the provision is assessed as suitable via the enquiry process. For more information, please see the Hertfordshire EHE policy.

5. Schools Responsibilities

5.1 The Department for Education's [CME Legal Framework](#) states in Point 16 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.

5.2 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 must notify Hertfordshire's attendance team at the earliest opportunity.

5.3 For In-Year applications, when a parent has been offered a school place the school must arrange to meet with the parent and child to attend an admissions meeting to discuss enrolment and provide a start date.

5.4 Once a start date has been agreed between school and parent, the child must be added to the school's register.

5.5 In the event a child does not arrive on the start date, school is to make reasonable attempts to contact the parent via telephone, email and letter and if after several attempts, contact is unsuccessful, schools must email csf.cme@hertfordshire.gov.uk

5.6 If school is informed by School Admissions that the child will **not** be coming to their school, schools must complete the leaver's destination section of the school's Management Information System to remove pupil from their register, indicating the date the pupil was removed and the reason for removal.

5.9 If a school is unable to establish a family's whereabouts, schools will refer details of children they believe may be CME to csf.cme@hertfordshire.gov.uk.

6. Local Authorities Responsibilities

6.1 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.

6.2 Arrangements made under section 436A also play an important role in fulfilling the local authority's wider safeguarding duties. Existing safeguarding procedures and mechanisms for reporting and recording child protection concerns must be followed at all times.

6.3 The local authority's CME Officer will record and maintain the child's details on the Missing Children Management Information System and will also:

- Interrogate systems and maintain accurate records
- Contact relevant multi agencies (social care, police, NHS etc.)
- Make Multi Agency Safeguarding Hub (MASH) referral if required
- Make cross border enquiries
- Establish family location
- Confirm educational provision
- Contact public services (housing, benefits, council tax) to establish that the child & family are resident at that address
- Provide Social Worker with information to inform border control where relevant

6.4 After all enquiries have been concluded by the CME Officer and the child's whereabouts remains unknown, a review is conducted to confirm all actions have been exhausted. This enables the case to either be passed to Children's Social Care or closed.

6.5 Where the CME Team cannot locate a child, electronic records will be updated via the School to School (S2S) National Pupil Database.

6.6 Where a child is on a Child in Need, or Child Protection Plan and they leave the UK, the allocated social worker will be responsible for contacting their counterpart and/or the police authority in the relevant countries.

6.7 If significant concerns persist, and the whereabouts of a child remains unknown, a referral must be made immediately to Social Care, so any risk of significant harm is reduced.

7. Legal interventions

7.1 Where a CME Officer can demonstrate that a child of statutory school age is resident in Hertfordshire and is not on roll at a school and / or not in receipt of suitable education provision (e.g. home education or Education Other Than at School (EOTAS)); the local authority may commence a School Attendance Order (SAO) or Education Supervision Order (ESO).

8. School Attendance Order (SAO) Process

8.1 Where a suspected CME is identified, Hertfordshire will make relevant enquiries to determine whether the child is receiving a suitable education either at school or otherwise.

8.2 Where enquiries have not led the local authority to conclude that suitable education is being provided, Hertfordshire will begin the SAO process in line with sections 437 to 442 of the Education Act 1996.

8.3 Hertfordshire will serve a notice under section 437(1), requiring the parent to prove the child is receiving suitable education within a time set out in the notice (at least 15 days). Hertfordshire may seek to confirm that the parent has received the notice, however this should not prevent progress with the next steps.

8.4 Under section 437(1) if the parent fails to prove the child is receiving suitable education within the specified time, and Hertfordshire believe it is expedient that the child should attend school, an SAO will be served.

8.5 The SAO will be valid if:

- the parent physically receives the notice
- the notice is delivered to the parent's usual or last known home
- the notice is posted in a prepaid envelope addressed to the parent's usual or last known home address
- the parent has previously agreed to receive this kind of document by an electronic method, such as e-mail or text message, and has agreed a specific electronic address or number for such documents to be sent to, and the notice is sent to that address or number and they receive it.

Identifying a school for a proposed SAO

8.6 If a child does not have an EHC plan, the local authority must identify one or more schools with available spaces that they think might be appropriate for the child, ensuring it is within reasonable distance of the child's home, such as one where the child's home falls within that school's catchment area. If the school, or one of the schools identified, is a maintained school local authorities can choose to name it if:

- they are the admission authority for the school,
- they are not the school's admission authority, but the school chosen could admit the child without exceeding its published admission number for the child's age group in the year of the child's admission (published admission numbers are explained in the School admissions code).

8.7 If the child does have an EHC Plan and the plan names a school, then the local authority must name the same school in the SAO. If the child has an EHC plan but the plan does not name the school, then the local authority must go through the process under the Children and Families Act 2014 to amend the plan so that it does name a school (as described in the [SEND code of practice](#)). Once this action is complete, the local authority must then name the same school in the SAO.

School Attendance Order directions (maintained schools)

8.8 Before Hertfordshire informs a parent that they are considering naming a maintained school in the SAO that they are going to serve, Hertfordshire will consult the school's headteacher and governing body. This is usually communicated by email. Hertfordshire has set ambitious but reasonable response timelines to avoid delays in serving a notice under section 438(2).

8.9 If no agreement is reached but Hertfordshire decides to proceed with naming a maintained school in the notice to the child's parent under section 438(2), we will first serve a written notice to the head teacher and governing body. The governing body or other local authority has the right to appeal the decision of the local authority that served the notice by requesting a direction from the Secretary of State.

8.10 If a maintained school disagrees with being named in an order, it has 15 days to seek a direction from the Secretary of State from the day the notice was received. The school must inform Hertfordshire if it seeks a direction. If the Secretary of State directs that the school not be named on the SAO, the Secretary of State may specify a school, or Hertfordshire may need to select an alternative.

8.11 If the Secretary of State declines to make a direction or directs that the school be named, Hertfordshire will name the school in the notice it sends to the parent(s).

School Attendance Order directions (not maintained schools)

8.12 Where Hertfordshire intends to name a school that is not maintained by the local authority, in a notice under section 438(2), they should seek its agreement in writing. This agreement should usually be sought by consulting the academy headteacher and Board of Trustees by email.

8.13 If the school disagrees with being named, then Hertfordshire can still name it in the notice, as long as it is reasonable to do so.

8.14 If Hertfordshire names an academy school in a SAO and the academy trust refuses to admit the child, the local authority can ask the Secretary of State to direct the trust to admit the child under its funding agreement. If a direction is made, the academy must admit the child. If not, the SAO will need to be amended to name an alternative school as quickly as possible. The local authority should inform the academy if it seeks a direction.

8.14 All school attendance order directions should be sought from the Secretary of State via DfE's [customer help portal](#). It is important to clearly set out the reasons for applying for a direction to enable the Secretary of State to make a decision. No further action is required on the part of the local authority issuing the SAO or the school named in the SAO until the Secretary of State returns their decision regarding the direction.

Serving a school attendance order

8.15 Once a school has been specified under Section 439, as set out in Section 438, Hertfordshire authority will serve the SAO notice to the parent in writing, informing them of their intention to serve the order.

8.16 The notice must specify the school the local authority intends to name in the order and, if they think fit, one or more schools which they regard as suitable alternatives. Where one or more schools have been specified on the notice, the notice must also make clear that the parent has 15 days beginning with the day on which the notice was served to select one of those schools to be named on the order and the effect of subsections (3) to (6) of section 438.

8.17 During the 15-day period, the parent can apply to the school intended to be named. The parent can also apply to another school of their choice, as long as the local authority agrees the school is suitable to their age, ability and aptitude, and any special educational needs they may have. The school selected by the parent and agreed by the local authority will be the school named on the SAO.

Adding names to the admission register

8.18 Schools must enter pupils' names on the admission register on the first day that the school and a person with oversight of the pupil's attendance have agreed that the pupil will attend the school. If the school has a duty to admit the pupil, the name must be added on the first day a person with control of the pupil's attendance has told the school that the pupil will attend. 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. If a pupil fails to attend on the agreed date, the school should undertake reasonable enquiries to establish the child's whereabouts.

Flow charts

8.19 There are two flowcharts outlining school approach process, differing where the school is maintained or not maintained (academies)

- Appendix 1: School Attendance Order (SAO) flow chart: Maintained Schools
- Appendix 2: School Attendance Order (SAO) flow chart: Not maintained Schools (academies)

9. School Attendance Order (SAO): Amendments or Revocations

9.1 Where there has been a change in circumstance (such as a school change), the CME Team will seek to amend or revoke the School Attendance Order (SAO).

9.2 When a child is moving school via a Phase Transfer (Primary to Secondary School), the local authority will consult with the new school before amending the SAO.

9.3 During Phase Transfer, the CME Team will consider revoking the School Attendance Order (SAO) where the local authority have assessed the risk of non-attendance / non-engagement has significantly mitigated.

9.4 If parents submit new evidence to the local authority that demonstrates that they are providing a full-time suitable education, then a School Attendance Order can be revoked.

9.5. Where a child has moved from Hertfordshire and the local authority has made all reasonable attempts to locate the child & family and have not been successful, the local authority will revoke the School Attendance Order (SAO) and add the relevant details to the School to School Database (S2S).

10. School to School database (S2S)

10.1 The DfE provides a secure School to School database (S2S) to enable schools to transfer pupil information to another school when the child moves. This is

transferred through a common transfer file (CTF). All schools maintained by a local authority in England are required, when a pupil ceases to be registered at their school and becomes a registered pupil at another school in England or Wales, to send a CTF file to the new school.

10.2 The S2S database also contains a searchable area, known colloquially as the lost pupil database. Although not a database in the technical sense, schools can upload CTFs of pupils who have left but their next school is unknown, or the child has moved abroad.

10.3 Where the CME Officers have exhausted all reasonable enquiries to confirm the whereabouts of a child, the CME Officer will add the child's details to the S2S database.

11. Children Missing Education and safeguarding risks

11.1 Where a child is missing education and the local authority are also supporting that child and family on a Child Protection Plan (CP Plan) or Child in Need Plan (CiN Plan), the local authority will ensure that all efforts to identify a school place for that child are recorded in the education area (EYES) in the child's social care case file.

11.2 Where a child is missing education and the local authority are also supporting that child and family on a Child Protection Plan (CP plan) or Child in Need Plan (CiN plan) they will be prioritised for a multi-agency network meeting to ensure educational provision can be secured without delay.

11.3 The CME Manager and the Extended Duty Manager will meet regularly to ensure there is a robust oversight of the CME cohort who are supported by CP and CiN plans. Where there are concerns regarding securing educational provision for a child supported by CP or CiN Plans, the CME team will refer to the Education Hub for a multi-agency review meeting.

11.4 Where the local authority deems there to be a potential safeguarding risk for a child that is missing education, the relevant officer will make a referral to the Children Services Multi-Agency Service Hub (MASH). Parental consent is not required to make this referral.

12. CME with an Education, Health & Care Plan (EHCP)

12.1 Children Missing Education (CME) that have an active Education, Health & Care Plan (EHCP) will be supported by a Provision Coordinator from the Virtual School SEN Team.

12.2 Where appropriate, once a child becomes CME, the Provision Coordinator will conduct an annual review, before consulting schools that are identified as being able to meet the child's need.

12.3 Once a school place has been agreed, if the Provision Coordinator assess that the child will benefit from reintegration support, they will refer the child to the CME Reintegration Team.

13. Support for children returning to school

13.1 Where a child can benefit from additional support in commencing at a new school, they can be supported by a CME Reintegration Officer (CME RIO).

13.2 A CME RIO will work alongside the child, their family and their school to help support with the child's reintegration to their new educational placement. Whilst this support will be tailored for each child, it may include –

- Capturing the voice of the child
- Visits to home or school
- Liaising with in-school & wider professional networks
- Planning for longer-term support

13.3 More information and to make a referral for reintegration support is available [here](#)

14. Use of data

14.1 The Department of Education (DfE) collects data on CME from local authorities on a termly basis. This is a mandatory data collection that requires local authorities to provide aggregate data.

14.2 The Department's [guidance on submitting EHE and CME data](#) sets out how local authorities must share data with the Department on CME. The data collected on CME is published annually by the Department, and local authorities should use this publication to compare their CME data to the national average as well as to other local authorities.

14.3 For further information regarding Hertfordshire use of data please review the Children Missing Education privacy notice –

[Children Missing Education Team | Hertfordshire County Council](#)

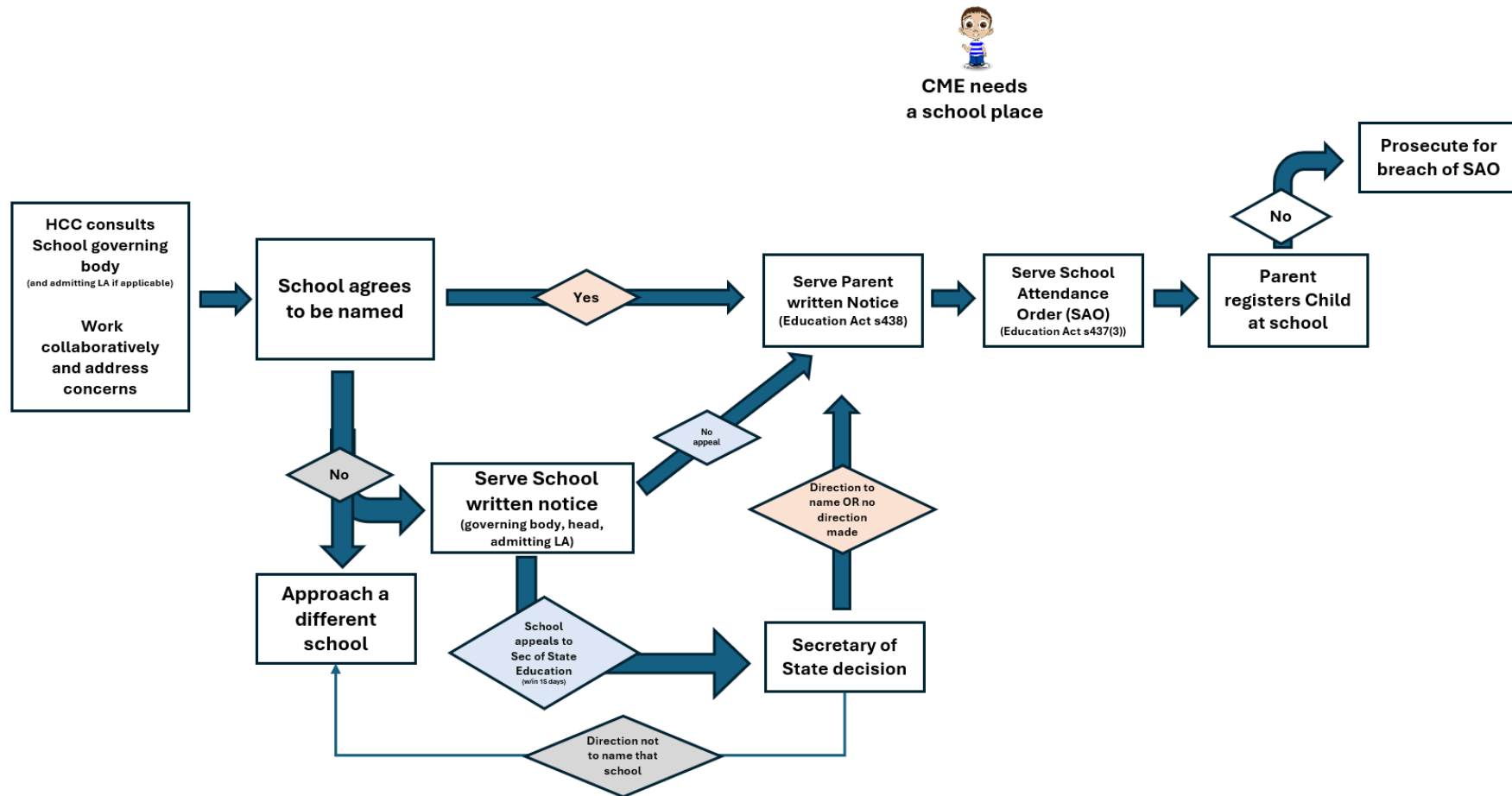
15. Contact

15.1 Help us to help safeguard children by using the form on the link below and tell us in confidence if you think you know of any children who are missing from education. Please send the completed form directly to csf.cme@hertfordshire.gov.uk

16. CME Policy Review

16.1 The CME Policy will be reviewed on an annual basis so will next be reviewed in September 2027.

Appendix 1: School Attendance Order (SAO) flow chart: Maintained Schools



Appendix 2: School Attendance Order (SAO) flow chart: Not maintained Schools (academies)

