

Contents	Page
1. Background	3
2. Summary of Trends	4
3. Notification of children who are missing out on education	5
3.1 Notification of school joiners and leavers	5
4. Children Missing Education	6
5. Children not attending regularly	7
5.1. School Assurance	7
5.2 Pupils not attending regularly	8
6. Fixed Penalty Notices	8
7. Prosecutions	8
8. Children receiving less than 25hrs of education	9
9. Children who are Electively Home Education	9
10. Children in employment and entertainment	10
Appendix	
Data for 2017/18 academic year	11

1. Background

The local authority has a statutory duty to arrange suitable full-time education for children of compulsory school age at school or otherwise. This education must be suitable to their age, aptitude and any special educational needs they might have. The local authority 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 receiving a suitable full-time education, as described.

The groups of children who are identified as being at an increased risk of missing out on education are:

- **Children Missing Education (CME)**
children who are not on roll of a school
- **Children who are electively home educated (EHE)** where parents are failing to provide a suitable, efficient education that meets the needs of their child
- **Children not attending regularly**
pupils who have not attended school for a period of 10 consecutive school days and their absence has been unauthorised (**PNAR**)
pupils for whom a fixed penalty notice has been issued due to persistent absence/unauthorised leave
pupils whose parents are being fined or prosecuted due to their child's poor attendance
- **Pupils receiving less than 25 hrs of education per week**
pupils who are not receiving a full time education e.g. medical needs

This report focuses on the current processes set up to capture data in relation to the above groups of children. This year it will also provide information on children who are employed or in entertainment and at potential risk of not receiving a suitable education.

2. Summary of Trends

This table represents a summary of the changes from last year – appendix 1 contains the year on year comparison data.

	Trend 16/17 to 17/18	Comments
Children Missing Education (CME)		
Total Referrals	Actual: 1214 22% decrease	In 2016/17 children who did not take up their mid-year place but were on a school roll were considered as CME if they did not take up the new place. This practice was not used in 2017/18 as the risk of CME was very low and the new on off roll system captured school movement, hence the decrease. The percentage closure rate and those remaining open remains constant. The number of cases closed within 5 days has increased due to improved search tools and better reporting by schools
Closed current year cases	Actual: 910 0.2% increase	
Cases closed within 5 days	Actual: 330 increase 4.9% increase	
Total cases open at end of year	Actual: 277 0.2% increase	
Elective Home Education (EHE)		
Total referrals	Actual: 995 19.5% increase	The number of EHE referrals continues to increase although there is a decline in the rate of increase. There were 196 more children processed as starters or closed, than last year. The rate of suitable judgements has decreased slightly whilst unsuitable has increased particularly due to little or no evidence.
New Starters	Actual: 628 21% increase	
Closed	Actual: 488 21% increase	
Suitable education	Actual: 546 16% increase in number, 5% decrease in % of total reports	
Suitable with reservations	Actual: 37 17% decrease 3% decrease in % of total reports	
Unsuitable	Actual: 38 28% decrease Actual no evidence: 81	
Fixed Penalty Notices (FPN)		
FPNs issued	Actual: 2235 211% increase	The number of requests to issue a FPN for 2017/18 has increased 211%. Schools are increasingly using this as a strategy to address unauthorised holidays during term time. It is unlikely that a prosecution would follow an unpaid FPN unless this is a repeat offence or child is also a persistent absentee.
FPNs paid	Actual: 1435 246% increase	
FPNs unpaid	Actual: 473 71% increase	
FPNs proceeding to prosecution	Actual: 69 50% increase	
Prosecutions		
Total prosecutions	Actual: 85 37% decrease	The number of prosecutions has decreased due to changes in process. Prosecution due to unpaid FPN will roughly match persistent absence 1 st offence prosecution as there now needs to be a repeat offence to be considered.
Prosecutions – unpaid FPN	Actual: 69 25% increase	
Persistent absence – 1st	Actual: 73 52% increase	
Persistent absence - aggravated	Actual: 12 100% increase	
ESO and SAO	Actual: 5 0% increase/decrease	
School Absences		
Lincolnshire Absence rate	Actual: 4.7% 0.1% increase	There has been an increase in absence nationally apart from authorised absence which has remained constant.
Unauthorised absence	Actual: 1.1% 0.2% increase	
Authorised absence	Actual: 3.7% 0% increase/decrease	

3. Notification of children who are missing out on education (CMOE)

2016/17 saw the introduction of online surveys that allow schools to notify the local authority of children who are or may be at risk of missing education. Schools, including academies and independent schools, now use the CMOE Notification survey to let the local authority know of a child who is CME, EHE, PNAR and receiving less than 25hrs of education per week.

3.1. Notification of school joiners and leavers

In September 2016, the government published the new statutory guidance *Children Missing Education* in which it outlines the duty of schools to report to the local authority when a child joins and leaves their school. Since November 2016, our schools have been requested to provide this information through the 'On Off Roll notification survey'. Once received, the local authority matches leavers and joiners; where a child is not matched, further enquiries are made with schools, to ensure that they have used the notification survey as required. If the child's whereabouts cannot be confirmed, the child is considered as missing education and the search for this child is supported through the child missing education process.

In September 2017, the DfE introduced two new files for schools to use as part of the process for informing the local authority of children joining (CMJ) and leaving (CML) a school. Most school management information system (MIS) providers have now built the use of these files into their system and schools are therefore able to easily provide the local authority with the data it requires. The schools can also access a 'School Notification report' on a weekly basis; this informs the school of the children that the local authority believe to be in their school allowing them to easily compare against their own registers of children.

Despite the fact that the process for informing the local authority of leavers and joiners has become easier, during 2017/18, the use of the on off roll notification survey significantly dropped with 136 schools showing more than 10% missing movement compared with 17 schools in 2016/17. There were 27 schools that were fully compliant by notifying the local authority of all children who had joined or left their school. There were 51 schools who had not notified the local authority at all. In total, there were 2216 leavers and 8013 joiners of whom the local authority had not been notified.

There is now a plan in place to address this starting in September 2018. All school data administrative staff will be contacted to inform them of their duty to comply and support will be offered, including training events. Resetting of data using October census information will take place for all schools. Non-compliance letters will be sent to Head Teachers should they fail to comply with their duty.

4. Children Missing Education

Since November 2016, schools have used the notification survey to report a child as missing education. Other authorities who wish to report a CME, refer directly to the CME team. In 2017/18 **1214** CME notifications were received, **890** were reported by Lincolnshire schools, **324** were referred from out of county. In 2016/17, children who did not take up a mid-year application place but were on a school roll were considered as CME if they did not take up the place. This increased the numbers reported. For 2017/18 this did not happen as it felt that the risk of becoming CME for these children was low due to the newly introduced on off roll system which captures school movement. There remains a significant disparity in numbers of CME across local authorities depending on their classification of a child missing education making it difficult to compare Lincolnshire data.

In 2017/18 there were 227 cases of a CME child being in the CIN process (this may not correlate to the number of CIN CME children if there is more than one episode within the year). 2.36% had an EHCP. Schools are requested to complete a risk assessment when reporting a child as CME. This is to support the team to prioritise and raise concerns with other service areas when required. In 2017/18 71 children were classed as red rating (known to social care, a victim of crime etc.) 269 amber and 123 green.

There are three stages to the process for finding children missing education, initially, systems are checked by the CME Tracker to see if the child is in a school, awaiting a school place, known to have an Education Health Care Plan and awaiting a school place or known to other service areas. If a child is still not located or not found in education within 5 days, this information is shared with Safeguarding and Education Welfare Officers for further investigations to take place including contacting parents and home visiting if necessary. If the location of the child remains unknown, the referral is returned to the CME Tracker for routine checks.

In 2017/18 28% of CME cases were found within 5 days of recording, 27% were found after 5 days with further investigation with 19% requiring involvement of a safeguarding and education welfare officer. 2.2% were closed as the child reached statutory school leaving age leaving 22% remaining open. CME from previous years continue to be searched for and found in education, 131 children who were reported as missing education in 2016/17, were found in education in 2017/18.

In 2017 Her Majesty's Revenue and Customs (HMRC) introduced a process which allowed local authorities to report a CME child to them following which they will inform the local authority if the family is still living at the same address, a different address or not found. The conditions are that the child must have been CME for 12 weeks and that a recent home visit had been carried out prior to the referral. Lincolnshire began this process on the 5th February 2018. From this date until 31st August, 84 families (118 children) had been referred

to HMRC, 41 children were found at new address, 35 children were not known to HMRC and 39 were at the same address. Those at the same address were then contacted by HMRC, 16 were subsequently not found at their current address. It is perhaps too early to measure the full impact of the introduction of this process however, blanket emails in relation to CME from other authorities have not increased which may indicate that local authorities have more information on the exact location of the children missing from their area.

5. Children not attending regularly

5.1. School Assurance

As a local authority, the main concern is a school absence that is unauthorised by the school.

Most recent data 2016/17	Lincolnshire unauthorised absence	National unauthorised absence
All schools	1.1%	1.3%
Primary	1.0%	1.1%
Secondary	1.2%	1.5%

Unauthorised absence rates have increased for both primary and secondary; national figures have also increased. The rate of unauthorised absence compares favourably with the national unauthorised absence rates for 2016/17.

Whilst many more Lincolnshire schools are un-authorising absences due to family holidays, hence the increase in issuing of FPN's, Lincolnshire's authorised absence rate remains higher than national. This may be due to the fact that they are still authorising absences where other authorities may not, resulting in a higher authorised absence but a lower unauthorised rate.

There were 59 primary schools and 18 secondary schools who had higher than national average unauthorised absence, higher than national average persistent absence or both. These schools become the focus of the work around addressing poor attendance with the aim of seeking assurance that the high absence rate in the school was being addressed and advice and support was offered, where appropriate. In May 2018, these schools were requested to send information from their school development plan or other plans that could evidence that the high absence rate was being addressed. At the beginning of the 2018/19 academic year, there remained 8 secondary schools and 24 primary schools where further assurance was still required.

5.2. Pupils not attending regularly: 10 consecutive days unauthorised absence

The Children Missing Education guidance September 2016 stated that schools should agree with the local authority, an interval at which they will inform the local authority of a pupil that fails to attend regularly. To support this, a notification survey has been designed that allows schools to notify the local authority of any child who has been absent from school without permission for more than 10 consecutive school days. In 2017/18 there were 195 entries from 53 different schools. Schools are supported to explore all possible strategies to return the child to school or alternative provision and, where appropriate, the local authority writes to parents on behalf of the school reminding them of their duty and requesting the child returns to school.

6. Fixed Penalty Notices (FPN)

Where a child has unauthorised absence of more than 4.5 days over a six week period, schools are permitted to request the issue of a penalty notice. There were 2237 FPN's issued in 2017/18, a more than 3 fold increase compared to the previous year. This possibly indicates an increase in parents choosing to remove their child from school during term time but equally demonstrates the number of schools who now feel confident to use an FPN as a strategy to address unauthorised absence in their setting. Payment within 21 days has increased to 64%.

Lincolnshire is required to complete an annual return to the DFE as part of the Parental Responsibilities- Attendance data collection.

7. Prosecutions for non- attendance

Over the 2017/18 period, 85 cases were presented to the courts for poor attendance. This is a decrease from 2016/17 due to the reduction in unpaid FPN cases proceeding to prosecution. Whilst schools are following a legitimate pathway to address unauthorised absences, it became increasingly difficult to justify this if the child's attendance following the absence was good. Therefore it was agreed that all unpaid FPN's resulting in a request to prosecute would be screened. Where it is in the public interest to proceed i.e. child has persistent absence, a previous FPN has been issued and unpaid, or there may be an impact on the future attendance of siblings, the prosecution would proceed. For first offence unauthorised absences due to holiday, the local authority send parents a warning letter, outlining that, should there be a second unpaid FPN in the future, there is a high likelihood that this will proceed to a prosecution should the school request this. As this is the first year that this has been implemented, it is likely that the number of prosecutions next year will increase, as some parents will continue to take an authorised holiday during term time and

therefore will fall into the category of repeat offence, justifying a progression to prosecution, if FPN unpaid.

To support schools manage their attendance, workshops are provided twice a year. These are well attended and received. The use of FPN's and prosecutions continues to be a valid tool for addressing non-attendance due to family holiday. Where there is persistent and long term non-attendance, this might not be the right or only strategy; in 2018/19 there will be a focus on ensuring early help is in place to support the holistic needs of child and family that are presenting as barriers to attending full time education at school.

8. Children receiving less than 25 hrs of education per week

Throughout 2017/18, 266 children were reporting by schools as receiving less than 25 hrs education. A total of 66 schools reported, 46 primary, 16 secondary, 3 special and 1 alternative provision.

The legislation states that all children have a right to a full time education. Whilst this is generally defined as 25 hours per week, academies do not have to stipulate the hours per week and therefore this will be changing to children on reduced timetables. If at any point in a child's education, it is deemed that he/she is not capable of doing a full time education due to medical needs, the school must inform the local authority. The school must indicate how and why the reduced hours are in place and for how long.

A reduced timetable protocol is currently being drafted. Within the protocol it will outline the expectations of schools to report and update information on children receiving a reduced timetable and also how the local authority will monitor. The expectations are, but not limited to, notifying the local authority of all children who are on reduced timetables (when they are the main school), setting a review date of 6 weeks and uploading a personal plan. Monitoring will include looking at the length of time child is on a reduced timetable, that a plan is in place and challenging schools where a reduced timetable is incorrectly used.

9. Children who are electively home educated

Since November 2016, schools have used the off roll notification survey to let the local authority know when a parent is removing their child from school to home educate. At the end of the academic year 2017/18 there was 995 EHE children known to the local authority. This is an increase of 19.5% on the previous year although the rate of increase has slowed down. The main reasons given by parents for choosing EHE is bullying and general dissatisfaction with the school. A survey carried out by ADCS reported in October 2017, that there could be as many as 45,500 children being home educated in England. Whilst the report does not yet give a full picture of the number of EHE children nationally, it tells us

that a sample of 5 county councils reported an average of 1060 EHE children in 2016. Future data may allow us to confirm our comparative position.

As part of the process, the family can receive a visit from an education officer and an Education provision advisor. The increase in number of visits performed by advisors reflects the increase in numbers overall. Parents may provide a submission rather than have a visit; number of submissions received, although still relatively low, has increased. For every visit or submission, the advisors make a judgement on the education being provided. The number of suitable judgements given has dropped again this year compared with previous year, although remains significantly higher than other judgements. The number of visits receiving unsuitable has increased, particularly as a judgement where no or insufficient evidence has been provided. In May 2018 the judgement of 'suitable with reservations' was removed, hence the small number that fall into this category this year.

The number of EHE children in Child Protection (CP), Child in Need (CiN) and Team around the Child (TAC) has decreased compared with the previous year. There are currently a number of parents who appear to have been encouraged or choose to be electively home educated to avoid actions around non-attendance or other sanctions. More often than not, the child is not educated at home resulting in a return to school. During this time, support in relation to the child's needs stops making it increasingly difficult to reintegrate the child back into mainstream school. There is some work currently taking place to look at transition of needs including step up or down from social care for children who leave mainstream education to be educated at home to ensure that the needs of the child continue to be met and that appropriate support is offered during the education welfare initial visit or through existing early help provision.

10. Children who are in employment and entertainment

Early in 2018, the local authority prosecuted a parent for failing to ensure that their child received an education whilst working. This has been a test case and has demonstrated the importance of ensuring that children who are employed do so according to the statutory guidance particularly when it comes to the time and length of employment and the safety of the duties they carry out. The local authority issued 288 employment licences in 2017/18, these licences would be issued once the local authority has checked the legality of the work and that there are no major concerns in relation to school attendance. There will be many children employed without a permit, therefore the local authority continues to put the message out to schools, pupils, parents and employers about the importance of this legislation.

The local authority also issues performance licences (306 in 2017/18) including body of person approvals (104 approvals for 4400 children). Whilst participation in performances should be encouraged, it can impact on the amount of time a child is out of school.

Appendix 1

Children Electively Home Educated

Reported August 2018

School Age Group	2015/2016			2016/17			2017/18		
	Pri	Sec	Total	Pri	Sec	Total	Pri	Sec	Total
Current number EHE	258	428 (111 yr 11's)	686	305	527 (136 Yr 11)	832	361	631 161 (Yr 11)	995
School Population	57245	46925	104170	58581	46714	105806	58759	46382	105141
% of School Population	0.45%	0.91%	0.66%	0.52%	1.13%	0.79%	0.61%	1.36%	0.95%

Starters and Leavers	2015/16	2016/17	2017/18
Number of new starters	415	518	628
Number closed	371	402	488

EHE Advisor visits and outcomes	2015/16	2016/17	2017/18
Number children visited	577	675	931
Number families visited	484	526	800
Number of submissions reviewed	55	89	98 + 81 no evidence
Number of suitable (visits/submissions)	414 (371/43) 86% of total reports	470 (414/56) 83% of total reports	546 (454/92) 78% of total reports
Number of suitable with R (visits/submissions)	47 (39/8) 9.6% of total reports	45 (33/12) 8% of total reports	37 (33/4) 5% of total reports
Number of unsuitable (visits/submissions)	21 (17/4) 4.4% of total reports	53 (32/21) 9% of total reports	38 (37/1) 5% of total reports 81 no evidence) 11% of total reports
Cancelled or rearranged visits	173	165	304* ¹

*2	CIN	CP	TAC	EHC Plan/ Statement
2015/16	110	5	100	57
2016/17	114	9	78	57
2017/18	82	2	80	51

*¹ high number of cancellations due to weather conditions

*² a child may have more than one episode as CIN, CP or TAC

Children Missing Education

Reported August 2018

Summary						
	2015/16	%	2016/17	%	2017/18	%
Total referrals	1143	100	1489	100	1214	100
CME closed by 31.08.2016	825	72.18%	n/a	n/a	n/a	n/a
CME closed by 31.08.2017	986	86.26%	1114	74.8%	n/a	n/a
CME closed by 31.08.2018	990	86.61%	1245	83.61%	910	75%
CME still open on 31.08.2016	281	24.7%	n/a	n/a	n/a	n/a
CME still open on 31.08.2017		8.84%			n/a	n/a
CME still open on 31.08.2017	101	7.61%	338	22.6%	277	22.8%
CME still open on 31.08.2018	87		184	12.36%		
Above *SSA on 31.08.2016	37	3.24%	n/a	n/a	n/a	n/a
Above SSA on 31.08.2017	56	4.9%	37	2.49%	n/a	n/a
Above SSA on 31.08.2018	66	5.77%	60	4.03%	27	2.2%

2015/16	In County				Out of County				Total			
	Open	Closed	Reached School Leaving Age	Total	Open	Closed	Reached School Leaving Age	Total	Open	Closed	Reached School Leaving Age	Total
Primary	105	347	0	452	73	144	0	217	178	491	0	669
Secondary	65	232	30	327	38	102	7	147	103	334	37	474
Total	170	579	30	779	111	246	7	364	281	825	37	1143
%	21.82% ¹	74.33%	3.85%		30.49%	67.58%	1.92%		24.58%	72.18%	3.24%	

2016/17	In County				Out of County				Total			
	Open	Closed	Reached School Leaving Age	Total	Open	Closed	Reached School Leaving Age	Total	Open	Closed	Reached School Leaving Age	Total
Primary	178	569	0	747	52	127	0	179	230	696	0	926
Secondary	69	326	23	418	39	92	14	145	108	418	37	563
Total	247	895	23	1165	91	219	14	324	338	1114	37	1489

¹ SSA statutory school age

%	21.20%	76.83%	1.97%		28.09%	67.59%	4.32%		22.70%	74.82%	2.48%	
---	--------	--------	-------	--	--------	--------	-------	--	--------	--------	-------	--

	In County				Out of County				Total			
2017/18	Open	Closed	Reached School Leaving Age	Total	Open	Closed	Reached School Leaving Age	Total	Open	Closed	Reached School Leaving Age	Total
Primary	118	398	0	516	49	148	0	197	167	546	0	713
Secondary	84	272	18	374	26	92	9	127	110	364	27	501
Total	202	670	18	890	75	240	9	324	277	910	27	1214
%	22.70%	75.28%	2.02%		23.15%	74.07%	2.78%		22.82%	74.96%	2.22%	

CME process	2015/16	% of total	2016/17	% of total	2017/18	% of total
Closed within 5 days by Tracker	327	29%	618	41.5%	350	28.8%
Closed after 5 days by Tracker	408	35%	332	22.3%	330	27.2%
	65 (since 2016/17)					
Closed following SEWO involvement	241	21%	164	11.0%	230	19%
	87 (2016/17)		40 (2017/18)			
Remained open	101	10.0%	337	22.6%	277	22.8%
Closed not found by end of year 11	56	5%	37	2.5%	27	2.2%
Total	1143	100%	1488	100%	1214	100%

	2014/15		2015/16		2016/17	
	Lincolnshire	England	Lincolnshire	England	Lincolnshire	England
Total Absence rate	4.6%	4.6%	4.4%	4.6%	4.7%	4.7%
Unauthorised absence rate	0.9%	1.1%	0.9%	1.1%	1.1%	1.3%
Authorised absence rate	3.7%	3.5%	3.5%	3.4%	3.7%	3.4%
Primary Unauthorised absence rate	0.7%	0.9%	0.8%	0.9%	1.0%	1.1%
Secondary Unauthorised absence rate	1.0%	1.3%	1.1%	1.4%	1.2%	1.5%
% of schools higher than average unauthorised absence rate	24.7%	-	20.5%	-	21.7%	-
Number of primary schools with higher unauthorised rate	-	-	-	-	59	-
Number of secondary schools with higher unauthorised rate	-	-	-	-	18	-

Prosecutions	2014/15	2015/16	2016/17	2017/18
Total Prosecutions	92	105	117	85
Prosecutions due to unpaid FPN's	39	59	55	69
Persistent absence – 1st Prosecution	47	37	48	73
Aggravated – 2nd Prosecution	3	1	6	12
Withdrawn	0	6	0	5
Education Supervision Orders	0	1	4	4
School Attendance Orders	1	1	2	1

Pupils not attending regularly: 10 consecutive days unauthorised absence

Pupils not Attending Regularly (PNAR)	2016/17 (since April 2017)	2017/18

No. received through survey	63	195
No. of schools	16	53
Primary	-	20
Secondary	-	29
Special/Pru	-	5

Pupils not attending regularly: Fixed Penalty Notices and Prosecutions

Fixed Penalty Notice Summary	2014/15	2015/16	2016/17	2017/18
Total FPNs issued	859	849	719	2237
FPNs paid within 21 days	583	497	414	1435
FPNs paid within 28 days	1	1	1	14
FPNs unpaid	211	232	276	473
FPNs withdrawn	64	120	28	153
FPNs proceeding to legal	39	60	46	69

	Fixed Penalty Notice Summary	2015/16	2016/17	2017/18
1	Total FPNs issued for unauthorised absence	849	719 (741)	2237
1a	Total FPNs issued: main reason-family holiday		503	1953
1b	Total FPNs issued: main reason- late	-	0	0
1c	Total FPNs issued: main reason: other unauthorised	-	238	284
2	FPNs paid within 21 days	497	414 (439)	1435
3	FPNs paid within 22-28 days	1	1 (5)	14
4	FPNs withdrawn	120	28(42)	153
4a	FPNs withdrawn as issued outside the terms of the local code of conduct	-	11	4
4b	FPNs withdrawn as ought not to have been issued to the named recipient	-	26	49
4c	FPNs withdrawn as notice appears have material errors	-	2	27
4d	FPNs withdrawn as after 28 day expiry, penalty is unpaid and LA do not wish to bring legal proceedings	-	3	73
5	Cases prosecuted following non payment	60	58	69
6	Unresolved	-	196	93
7	FPNs unpaid	232	276	473