

Contents	Page
1. Background	3
2. Notification of children who are missing out on education	4
2.1 Notification of school joiners and leavers	4
3. Children Missing Education	5
4. Children not attending regularly	6
4.1. School Assurance	6
4.2 Pupils not attending regularly	7
5. Fixed Penalty Notices	8
6. Prosecutions	8
7. Children on Reduced Timetables	9
8. Children who are Electively Home Education	10

Appendix

Graphs and Key Messages	11
Data for 2018/19 academic year	

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 absences have been unauthorised (**PNAR**)
pupils for whom a fixed penalty notice has been issued due to persistent absence/unauthorised holiday
pupils whose parents are being prosecuted due to their child's poor attendance
- **Pupils on reduced timetables**
pupils who are not receiving a full time education due to e.g. medical needs

2. 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. The introduction and use of Synergy in 2018 allowed the local authority to improve the processing of the two new DfE files, CMJ- child joining a school and CML – child leaving a school. Most school management information system (MIS) providers have now built the use of these files into their system and schools are therefore more easily able to provide the local authority with the data it requires. Once received, the system matches leavers and joiners; when 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.

A report of children notified by schools as starting or leaving (child movements) is compared against the census to identify which schools are using the process regularly. The report revealed:

- 196 maintained and academy schools were fully compliant with the process. This is 55% of the schools, a significant increase on 2017/18 numbers
- A further 120 schools had between 0-5% missing child movements reported
- 40 schools had more than 5% missing child movements reported, this can be around 4 children for a small school and 90 for a large secondary school.

The local authority writes to all schools in relation to this, particularly reminding those with more than 5% missing child movements, of their duty to report all children who join and leave their school under the statutory duty outlined in the 2016 Children Missing Education. Training has also been provided to data admin managers to support them with the processes.

3. Children Missing Education

Since November 2016, schools have used the notification survey to report a child as missing education. Other authorities that wish to report a child missing education, refer directly to the CME team. In 2018/19 **1434** CME notifications were received, **1272** were reported by Lincolnshire schools, **162** were referred from out of county. Overall there has been an 18% increase in the total number of CME children reported, mainly secondary age children although there remain more primary children reported as CME than secondary. At the end of the academic year, more secondary CME cases were closed compared to primary. Some of this can be explained by the fact that a higher number of secondary age children are reported as CME as a result of failed Elective Home Education and therefore classed as found but not in education. There is a significant drop in the number of out of county referrals possibly due to the use of the HMRC process (see below) and improved systems within each local authority to narrow down the location of a child.

The percentage of CME cases closed has decreased by 10% for 2018/19 (64%) compared with the previous year and therefore there remains a higher than usual number of CME cases still open. An explanation for this is the increased workload of the business support team who process the referrals and the officers who search for and reintegrate the children back into school if found. An increase in the number of CME children as well as an increase in the number of Electively Home Educated children and change of process, together with a new system Synergy, used to record the status of the children, has led to this decrease in performance. This has now been addressed for 2019/20 through changes in process and increased staffing. The team have also introduced weekly and monthly monitoring of CME numbers to help return to the original performance level of around 75%.

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.

The length of time taken to close a CME case has increased for 2018/19 with fewer children being found at the initial stage by the CME Tracker and more found after 5 days or when allocated to a Safeguarding and Welfare Officer. This will improve in 2019/20 as a result of the actions put in place to address increased workload, outlined above.

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 10 weeks and that a recent home visit had been carried out prior to the referral. Lincolnshire began this process on the 5th February 2018. There are also plans to liaise with the district councils who may have information on housing and benefits that will help to locate the family and child if they remain in the county. CME referrals continue to be risk assessed in order for the team to prioritise those classed as red rating i.e. known to social care, a victim of crime etc.

4. Children not attending regularly

4.1. School Assurance

As a local authority, the main concern is a school absence that is unauthorised by the school. Whilst Lincolnshire's unauthorised absence remains in line with the national average and has not increased from the previous year, the high percentage of authorised absences in Lincolnshire may continue to mask the true picture of absences for no acceptable reason. The particular concerns are the increase in persistent absences in primary schools and the increase in authorised absences for special schools and its significant difference compared with the national figure.

Most recent data 2017/18	Lincs. unauthorised absence	National unauthorised absence	National Authorised absence	Lincs. Authorised absence	National Persistent absence	Lincs. Persistent absence
All schools	1.1%	1.4%	3.5%	3.7%	11.2%	11.5%
Primary	1.0%	1.1%	3.0%	3.1%	8.7%	8.6%
Secondary	1.2%	1.6%	3.9%	4.2%	13.9%	14.2%
Special	1.9%	2.2%	8.0%	10.5%	29.6%	32%

There were 147 primary schools, 25 secondary schools and 8 special schools who had higher than national average unauthorised absence, higher than national average persistent absence or both. The local authority continues to write to these schools raising its concerns and requesting that the above national average absence rate is addressed. This year it was recommended that these schools attended the managing attendance workshop and completed the new Managing Attendance self-assessment audit as part of their approach to improving attendance. A significant number of the identified schools came to the workshop and have been allocated the audit for completion.

4.2. 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 2018/19 there were 202 entries from 61 different schools. This is a slight increase on 2017/18 however potentially there is underreporting particularly in relation to secondary age children. 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. Schools are requested

to review and resubmit every four weeks in order for the local authority to monitor children with long term absence from school.

5. Fixed Penalty Notices (FPN)

When 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 3059 FPN's issued in 2018/19. In 2017/18 there was a significant rise in the requests for a penalty notice to be issued, there continues to be an increase but at a slower pace of 33% increase compared with a 3 fold increase in the previous year. Parents continue to remove their child from school during term time and schools are now more confident to use a FPN as a strategy to address unauthorised absence in their setting due to the training provided by the Inclusion and Attendance team. Payment of FPN's remains around 60%. From September 2019 a new system will be introduced that allows schools to request an FPN to be issued via a web portal hosted on the LCC website. Parents can also pay the fine using the same system. This will hopefully reduce the amount of time allocated to processing an FPN and may see an increase in payment.

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

6. Prosecutions for non- attendance

Over the 2018/9 period, 134 cases were presented to the courts for poor attendance. In 2017 there was a decision not to progress non-payment of an FPN to prosecution unless the child met the criteria of being a persistent absentee or that a previous FPN had been issued and unpaid or that there would be a potential impact on the future attendance of siblings. This explains the low and steady number of prosecutions due to non- payment in 2018/19 compared with the significant increase in FPN's issued. In May 2019 the courts agreed to introduce the Single Justice Process (SJP) for the prosecution of non- payment of a FPN to be in line with other processes outside of education where a FPN is issued and not paid. This is

principally for unauthorised holiday absence and those who are identified under the criteria above would not be dealt with in this way but continue under the current process for prosecution. This was implemented in September 2019.

To support schools manage their attendance a full day training was provided to which 147 schools attended. There is also now a Managing Attendance audit which all school attending the training have access to and the product will also be available for purchase from September 2019. The Team also attend cluster meetings that are held within schools to support strategies and understanding of processes within Lincolnshire.

7. Children on Reduced Timetables

Throughout 2018/19, 288 children were reported to be on a reduced timetable, a 45% increase compared with 2017/18. A total of 118 schools reported, 85 primary, 27 secondary, 5 special and 1 through school.

The legislation states that all children have a right to a full time education which is generally defined as 25 hours per week. If at any point in a child's education, it is deemed that he/she is not capable of doing a full time education principally due to medical needs, the school must inform the local authority. The school must indicate why the reduced hours timetable is in place and for how long; this must be for no longer than 6 weeks and be in agreement with the parents.

A revised Reduced Timetable protocol is now available to schools and the local authority will monitor the use of this, principally looking at children who are subject to a number of periods of reduced timetables and schools who frequently use this approach.

8. Children who are electively home educated

As legally required, schools inform the local authority when a parent decides to remove their child from school, to home educate. At the end of the academic year 2018/19 there was 1032 EHE children known to the local authority. This is slightly higher than the numbers for 2017/18.

In Lincolnshire and nationally, there is a growing number of parents who are removing their child from school giving desire to home educate as the reason, whereas in reality, the parents either do not have a full understanding of home education and therefore a suitable, effective education is unlikely, or there is no intention to educate. The result has been that a growing number of children are out of school for a significant amount of time whilst they move through the EHE process only to be returned to school when it becomes evident that no education is being provided. In April 2019, a new process was trialled which introduced a more robust investigation at an early stage to identify whether or not the parents have an intention to educate. This was influenced by the new DfE guidance which was published in April 2019.

During the period of 1st April to 21st June, 142 children became electively home educated. Of those, 79 children received a home visit by a Safeguarding and Education Welfare Officer which resulted in a satisfactory judgement in terms of parents understanding home education and their expectations to provide this. Where this was not provided or a visit did not take place or was declined, a request for information within 10 days was issued. If information is not provided, formal school attendance order proceedings begin, to return the child to school. Whilst this approach has increased the demand on a service which is already under pressure, the result has been a quicker return to school for those children whose parents do not have an intention to home educate and therefore a recommendation remains that the new initial stage of the process is adopted. To ensure the process can be sustained, there are plans to employ 2 additional Safeguarding and Welfare Officers.

As part of the process, the family can receive a visit from an education officer and an education provision advisor. Parents may provide a submission rather than have a

visit; this year, the number of submissions received has increased. Whilst there are no concerns based on this, for the education and welfare of the child, the consequence is that the child is not seen. Correspondence to parents has now been amended to ensure that they are aware that at any stage, they can request a home visit.

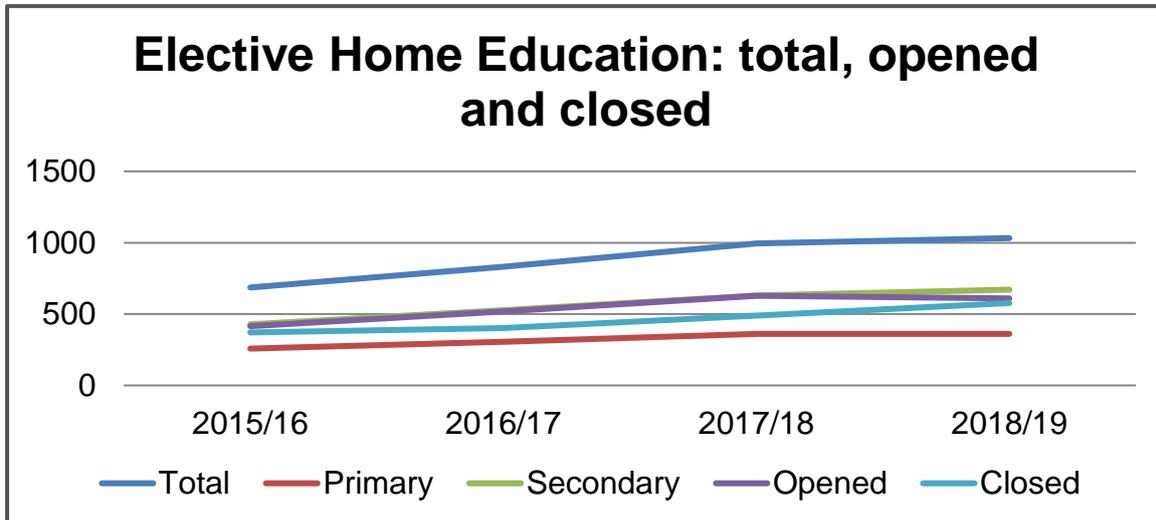
For every visit or submission, the advisors make a judgement on the education being provided. The number of visits or submissions receiving an unsuitable judgement has increased. This may reflect the growing number of parents deciding to home educate their child due to issues with the school including avoidance of exclusion and prosecution, rather than a lifestyle choice. The introduction of the more robust initial stages to the EHE process should hopefully reduce the number of unsuitable judgements further down the line.

A concern has been the growing number of failed and cancelled visits which significantly impacts on the resource available within the team and through the contracted advisors. The process has been reviewed and now a failed visit is followed by a request for a submission and a visit that is cancelled can only be rescheduled once. Hopefully this will ensure that the available resource is used effectively.

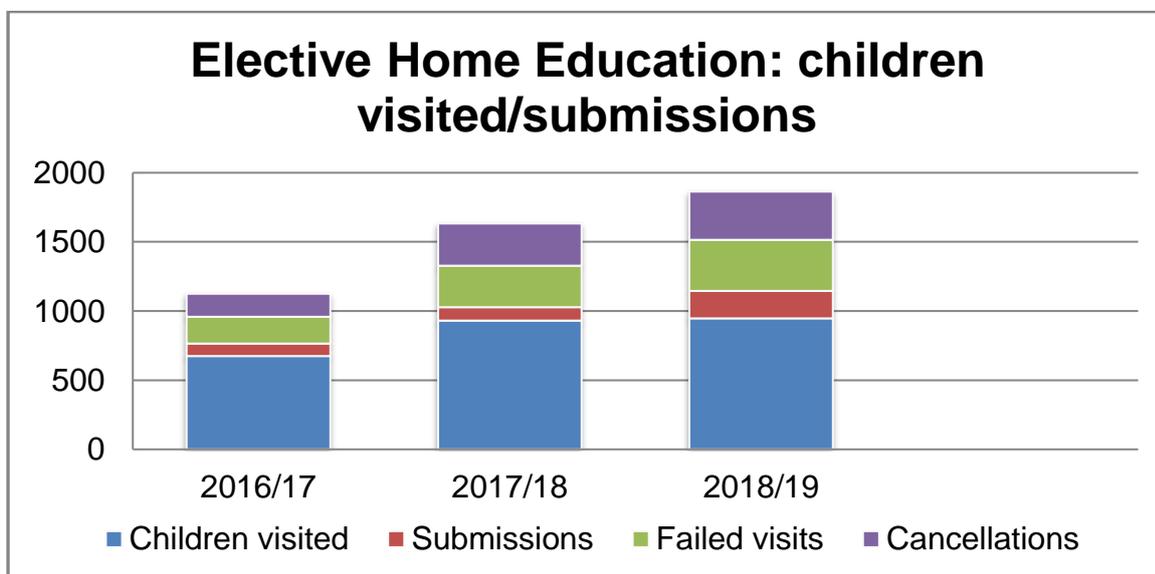
As a consequence of the changes to the initial stages of the EHE process, there are more orders in place to return a child to school. 28 school attendance orders have been instated due to failed EHE provision since the new process was introduced. In addition some of the children who need a school place following parents' failure to provide an intention to educate plan, are challenging to place in mainstream school due to previous persistent non- attendance often due to school phobia, anxiety or other mental health or learning needs. A rapid return to the same school will help the school to continue with the work they were doing to return the child to full time education. Alternatively, parents are supported by the education team to pursue an assessment of needs and access appropriate services to allow their child to return to mainstream schooling.

The data shows that the number of children who electively home educated and are involved in a child in need (CiN) or team around the child (TAC) process continues to decrease. Further research is needed to establish whether this is a trend across the county or one particular to the nature of the EHE children. The number of children with Education Health Care Plan remains constant.

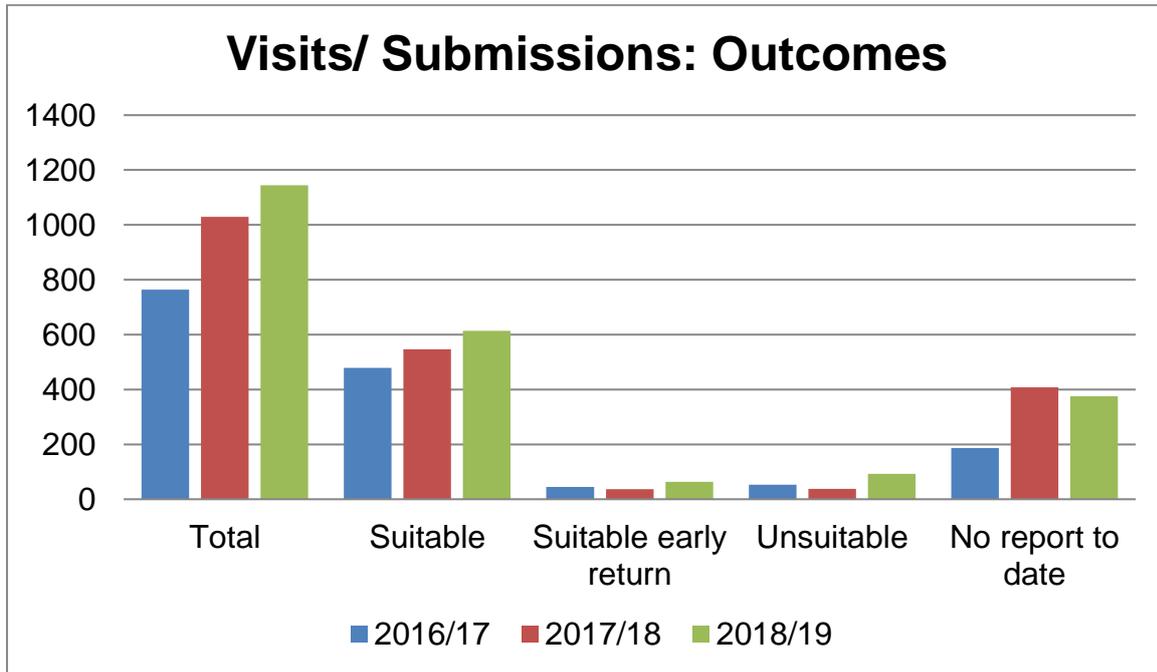
Elective Home Education



Key Messages: Number of children being Electively Home Educated continues to grow but at a slower rate than previous year. Number of starters has remained the same with an increase in cases closed to EHE. This could be due a higher number of year 11 pupils, and higher number of failed judgements resulting in a return to school

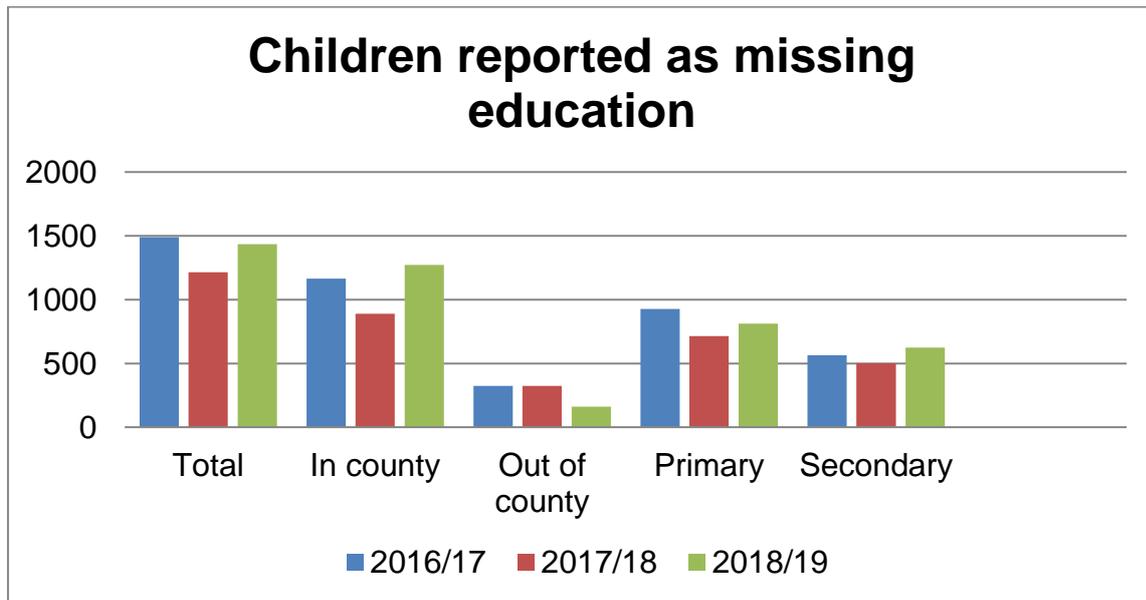


Key Messages: There has been a small increase in number of visited to reflect the increase in number of children being electively home educated but a higher increase in the number of submissions as parents chose not to be visited. The biggest concern is the number of failed and cancelled visits which has resulted in a review of process.

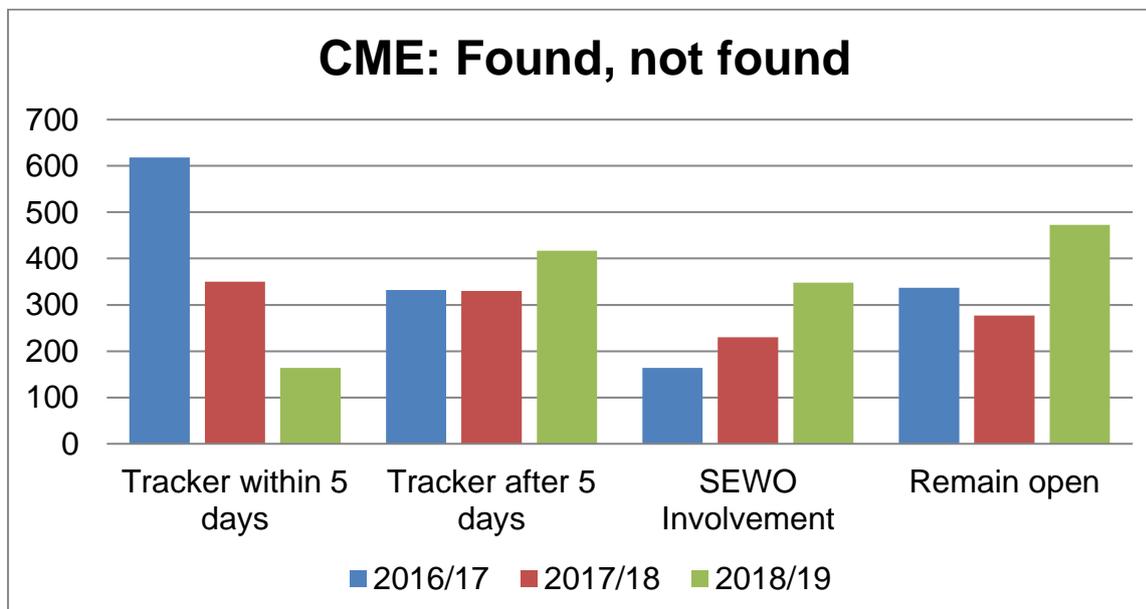


Key Messages: In most cases, parents are providing a suitable education to their children through EHE. There is a proportionally higher increase in number of unsuitable outcomes, this may be due to the nature of families who are choosing to EHE due to other reasons than lifestyle choice and therefore are not intending to or cannot provide an education at home.

Children Missing Education

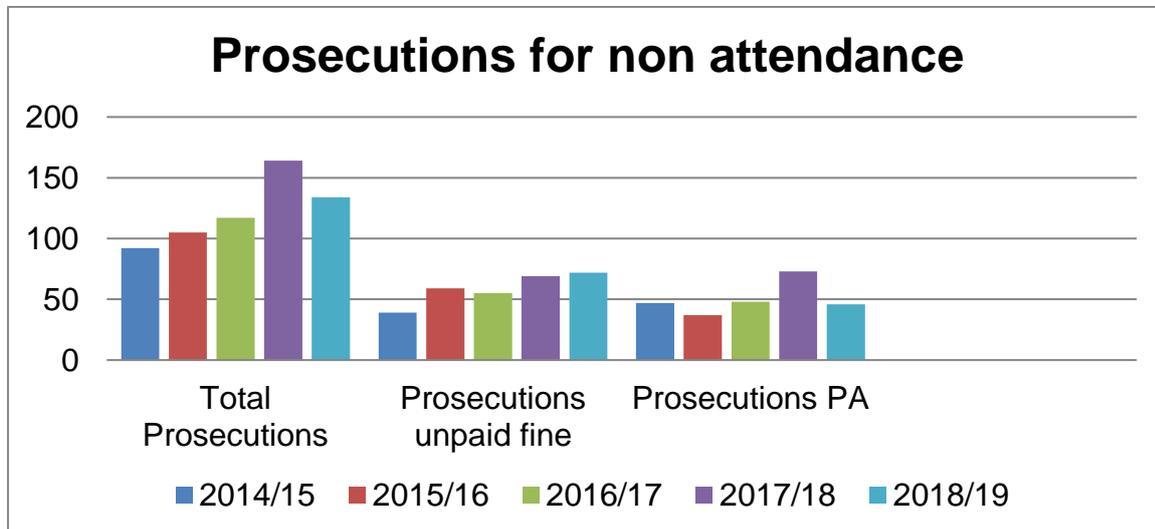


Key Messages: There has been an increase in the number of children reported as CME this year. The increase is more significant as it has come from in county reporting of CME as number of out of county reporting has dropped by half. This may be explained by improved identification especially when children leave a school before joining another.

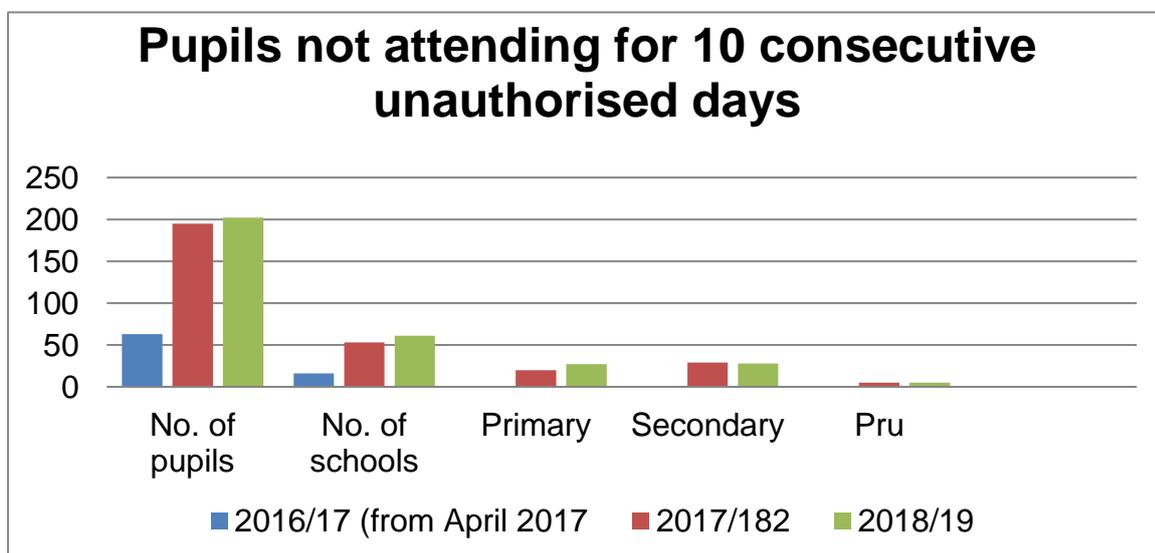


Key Messages: A higher proportion of CME cases remain open at the end of 2018/19 compared with previous years. This is due to workload of the team rather than inability to track the children. Actions have been taken to improve the capacity within the team to eventually find and close more cases of CME.

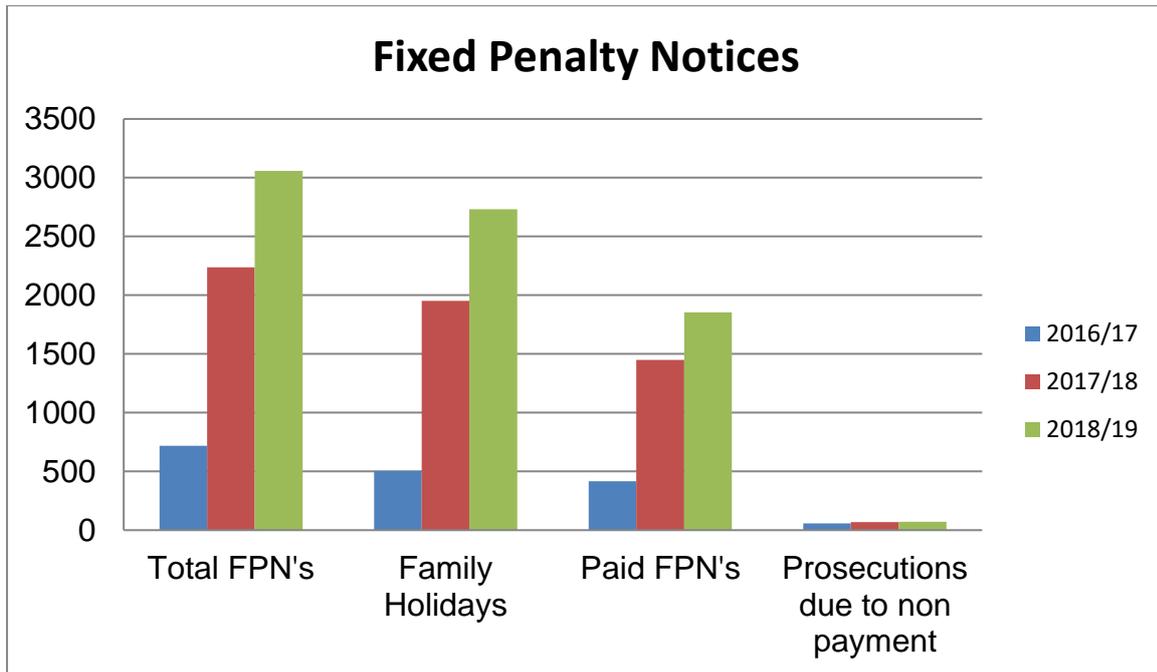
Children not attending regularly



Key Messages: Prosecutions due to unpaid FPN fines remain low as this would only occur if there had been a previous unpaid FPN or history of persistent absence. This will change next year as prosecution for unpaid FPN's taken for holidays in term time will proceed.



Key Messages: Number of pupils reported and number of schools reporting remains constant. There is potential underreporting from secondary schools as anecdotal evidence suggests that there are a higher number of children who are not attending for 10 unauthorised days. Schools are being asked to re-enter the child into the system every 4 weeks if the non- attendance continues.



Key Messages: Fixed Penalty Notices continue to increase, the main reason for issuing being family holidays. Prosecutions due to non-payment of the fine remain low however this will change next year with the introduction of the single justice panel which will process prosecutions of non-payment fines for family holidays during term time.

Children Electively Home Educated

Reported August 2019

School Age Group	2016/17			2017/18			2018/19		
	Pri	Sec	Total	Pri	Sec	Total	Pri	Sec	Total
Current number EHE	305	527	832	361	631	995	361	671	1032

Starters and Leavers	2016/17	2017/18	2018/19
Number of new starters	518	628	610
Number closed	402	488	577

EHE Advisor visits and outcomes	2016/17	2017/18	2018/19
Number children visited	675	931	946 (369 failed)
Number families visited	526	800	760
Number of submissions reviewed	89	98	199
Number of suitable (visits and submissions)	470	546	614
Number of early returns following suitable (visits and submissions)	45	37	63
Number of unsuitable (visits and submissions)	53	38	93
Failed visits	195	300	369
Cancelled or rearranged visits	165	304	349

School Year	Pupil	Male	Female
Reception	22	7	15
Yr1	36	20	16
Yr2	42	21	21
Yr3	62	35	27
Yr4	52	30	22
Yr5	65	31	34
Yr6	82	40	42
Yr7	91	44	47
Yr8	117	55	62
Yr9	133	69	64
Yr10	160	71	89
Yr11	170	75	95
	1032	498	534

SEN case	51
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Area	
Boston	69
East Lindsey	269
Lincoln	114
North Kesteven	134
South Holland	141
South Kesteven	144
West Lindsey	161
	1032

Elective Home Education: CIN, CP, TAC and EHCP

	CIN	CP	TAC	EHC Plan/ Statement
2015/16	110	5	100	57
2016/17	114	9	78	57
2017/18	82	2	80	51
2018/19	74	6	61*	52

* The TAC Number represents TAC External only due to a current issue with the TAC Internal Report therefore number may be slightly lower.

Children Missing Education

Reported August 2019

	2016/17	%	2017/18	%	2018/19	%
Total referrals	1489	100	1214	100	1434	100
CME closed by 31.08.2017	1114	74.8	n/a	n/a	n/a	n/a
CME closed by 31.08.2018	1245	83.61%	910	75%	n/a	n/a
CME closed by 31.08.2019	1281	86.03%	986	81.22%	929	64.78%
CME still open 31.08.2017	338	22.6%	n/a	n/a	n/a	n/a
CME still open 31.08.2018	184	12.36%	277	22.8%	n/a	n/a
CME still open 31.08.2019	130	8.73%	183	15.07%	474	33.05%
Above SSA 31.08.2017	37	2.49%	n/a	n/a	n/a	n/a
Above SSA 31.08.2018	60	4.03%	27	2.2%	n/a	n/a
Above SSA 31.08.2019	78	5.24%	45	3.71%	32	2.23%

CME process	2016/17	% of total	2017/18	% of total	2018/19	% of total
Closed within 5 days by Tracker	618	41.5%	350	28.8%	164	11.4%
Closed after 5 days by Tracker	332	22.3%	330	27.2%	417	29%
Closed following SEWO involvement	164 40 (2017/18)	11.0%	230	19%	348	24%
Remained open	337	22.6%	277	22.8%	473	32.9%
Closed not found by end of year 11	37	2.5%	27	2.2%	32	2.23%
Total	1488	100%	1214	100%	1434	100%

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

2017/18	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	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%	

	In County				Out of County				Total			
2018/19	Open	Closed	Reached School Leaving Age	Total	Open	Closed	Reached School Leaving Age	Total	Open	Closed	Reached School Leaving Age	Total
Primary	289	432	n/a	721	13	77	n/a	90	302	509	n/a	811
Secondary	159	363	29	551	13	56	3	72	172	419	32	623
Total	448	795	29	1272	26	133	3	162	474	928	32	1434
%	35.22%	62.5%	2.27%		16.04%	82.09%	1.8%		33.05%	64.71%	2.23%	

	Fixed Penalty Notice Summary	2015/16	2016/17	2017/18	2018/19
1	Total FPNs issued for unauthorised absence	849	719 (741)	2237	3059
1a	Total FPNs issued: main reason-family holiday		503	1953	2732
1b	Total FPNs issued: main reason- late	-	0	0	
1c	Total FPNs issued: main reason: other unauthorised	-	238	284	327
2	FPNs paid within 21 days	497	414 (439)	1435	1830
3	FPNs paid within 22-28 days	1	1 (5)	14	23
4	FPNs withdrawn	120	28(42)	153	93
4a	FPNs withdrawn as issued outside the terms of the local code of conduct	-	11	4	13
4b	FPNs withdrawn as ought not to have been issued to the named recipient	-	26	49	33
4c	FPNs withdrawn as notice appears have material errors	-	2	27	27
4d	FPNs withdrawn as after 28 day expiry, penalty is unpaid and LA do not wish to bring legal proceedings	-	3	73	20
5	Cases prosecuted following non payment	60	58	69	72
6	Unresolved	-	196	93	1041
7	FPNs unpaid	232	276	473	728

Pupils not attending regularly: Fixed Penalty Notices and Prosecutions

Prosecutions	2014/15	2015/16	2016/17	2017/18	2018/19
Total Prosecutions	92	105	117	85	134
Prosecutions due to unpaid FPN's	39	59	55	69	72
Persistent absence – 1st Prosecution	47	37	48	73	46
Aggravated – 2nd Prosecution	3	1	6	12	-
Withdrawn	0	6	0	5	0
Education Supervision Orders	0	1	4	4	3
School Attendance Orders	1	1	2	1	13

Pupils not attending regularly: 10 consecutive days unauthorised absence

Pupils not Attending Regularly (PNAR)	2016/17 (since April 2017)	2017/18	2018/19
Number of children reported	63	195	202
Number of schools	16	53	61
Primary	-	20	27
Secondary	-	29	28
Special/Pru	-	5	5
All through schools			1

Pupils on reduced timetables

Pupils on a Reduced Timetable	2017/18	2018/19	
Number of children reported	266	388	
Number of schools	66	118	
Primary	46	85	
Secondary	16	27	
Special/Pru	3	5	
All through school	-	1	
Alternative Provision	1		