

<b>Title:</b> The Education (Pupil Registration) (England) (Amendment) Regulations 2016 <b>PIR No:</b> PIR-DfE-001 <b>Original IA/RPC No:</b> RPC-DFE-3389(1) <b>Lead department or agency:</b> DfE <b>Other departments or agencies:</b> <b>N/A</b> Contact for enquiries: Karen Kennedy <a href="mailto:school.attendance@education.gov.uk">school.attendance@education.gov.uk</a>	<b>Post Implementation Review</b>
	<b>Date:</b> 30/09/2019
	Type of regulation: Domestic
	Type of review: Statutory
	<b>Date measure came into force:</b> 01/09/2016
	<b>Recommendation:</b> Amend
<b>RPC Opinion:</b> Choose an item.	

**1. What were the policy objectives of the measure?** (Maximum 5 lines)

To improve the education and welfare of pupils, through better information sharing between all schools and local authorities (LAs) where pupils are added to and deleted from school admission registers. The aim was to ensure LAs are better able to comply with their duty to make arrangements to establish the identities of compulsory school age children in their area who are not registered at school and not receiving suitable education otherwise. To help improve safeguarding of those children and young people.

**2. What evidence has informed the PIR?** (Maximum 5 lines)

Report of research findings by an external contractor, informed by views gathered from Children Missing Education (CME) officers in LAs and from schools on the implementation and effectiveness of the 2016 amendments. Engagement with external stakeholders identified as having a direct interest in the CME policy and internal stakeholders recognised as having crosscutting policy areas. A survey of schools, by telephone and email, to understand the cost of implementing the policy in terms of time taken to carry out additional tasks.

**3. To what extent have the policy objectives been achieved?** (Maximum 5 lines)

Our research shows the amendments to the regulations are generally viewed to have met their policy objective to improve information sharing between schools and local authorities where pupils are removed and added to school admission registers. Our research showed that despite clear improvement following the amendments there have been some challenges to implementation and some potential improvements to refine implementation within the system were identified, as detailed in additional evidence.

Sign-off for Post Implementation Review: Chief economist/Head of Analysis and Minister

***I have read the PIR and I am satisfied that it represents a fair and proportionate assessment of the impact of the measure.***

Signed: Oliver Clifton Moore, Chief Economist

Date: 01/08/2019

## Further information sheet

Please provide additional evidence in subsequent sheets, as required.

### **4. What were the original assumptions?** (Maximum 5 lines)

Key assumptions: time taken to undertake 3 additional administrative tasks to be carried out by schools under the new arrangements, LA administrative tasks and parent time costs.

Key risks: variations across schools so costs may fall disproportionately on particular schools (those who see a high turnover of pupils); LAs who do not have in place and cannot develop systems for dealing with additional tracking information; and a lack of cooperation from parents.

### **5. Were there any unintended consequences?** (Maximum 5 lines)

Our review of evidence did not identify any specific unintended consequences of the amendments, but we were made aware of some areas for potential refinement of the system. The Department will consider the feasibility of these suggestions, including whether they are within the remit of central government.

### **6. Has the evidence identified any opportunities for reducing the burden on business?**

(Maximum 5 lines)

Evidence has identified some ways to improve the implementation of the amendments. Opportunities such as sharing best practice and providing clearer guidance by updating the Children Missing Education (CME) guidance could directly benefit businesses and as a result reduce the burden.

### **7. For EU measures, how does the UK's implementation compare with that in other EU member states in terms of costs to business?** (Maximum 5 lines)

Not applicable

## **Evidence Base**

### **Review of the 2016 amendments to the Education (Pupil Registration) (England) Regulations 2006**

#### **Content**

**Section 1:** What was the problem under consideration? Why was government intervention necessary?

**Section 2:** Policy objectives

**Section 3:** Evidence informing the review

**Section 4:** To what extent have the policy objectives been achieved?

**Section 5:** Key risks, assumptions and sensitivities

**Section 6:** Cost evaluation

**Section 7:** Were there any unintended consequences?

**Section 8:** Potential Improvements

**Section 9:** Conclusion

**Annex A:** Pupil Registration Regulations 2016 Amendments - Final research report by Dr Sara Bubb, Sara Bubb Associates (May 2019)

**Annex B:** Stakeholder engagement topic guide

**Annex C:** Cost assessment survey questions for schools

**Annex D:** Cost assessment survey questions for local authorities

## **Section 1: What was the problem under consideration? Why was government intervention necessary?**

Following an Ofsted inspection of schools in Tower Hamlets and Birmingham in June 2015, Sir Michael Wilshaw (former HMCI) expressed concerns that the Education (Pupil Registration) (England) Regulations 2006 placed no legal duty on schools to establish and record destinations for all pupils deleted from their admission registers.<sup>1</sup> Schools (including independent schools) were not required to inform local authorities (LAs) of every circumstance where pupils were deleted from the admission register. In addition, Ofsted identified that schools had inconsistent practices for recording and reporting cases where children are removed from the school. Sir Michael also expressed the concern that this gave rise to serious safeguarding issues and recommended that the Government strengthen regulations to ensure that schools provide regular accurate information to their local authority about children as they are removed or added to school admissions register.

In 2016, the Government intervened by strengthening the regulations and creating a statutory duty on all schools to inform LAs of pupils added to, and deleted from, the admissions register and to provide additional information to LAs about pupils' destinations. This change aimed to give LAs the appropriate information to record, track and identify children who are not registered at school and not receiving suitable education otherwise. Additionally, such intervention would address the inconsistent practices that were identified by Ofsted.

In response to the concerns raised and recommendations made by Sir Michael Wilshaw, the Secretary of State consulted on this change to improve information sharing for identifying children missing education. The consultation took place from January to March 2016 and the Government response to the consultation was published in July 2016. The majority of responses supported the proposed amendments to the Education (Pupil Registration) (England) Regulations 2006. The Education (Pupil Registration) (England) (Amendment) Regulations 2016 came into force on 1 September 2016.

The original impact assessment, which outlines the rationale for the amendments, can be viewed online at: <http://www.legislation.gov.uk/ukxi/2016/792/impacts>

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<sup>1</sup> Advice note from Sir Michael Wilshaw (HMCI) to the Secretary of State for Education on July 2015, available at: <https://www.gov.uk/government/publications/ofsted-advice-note-on-schools-in-birmingham-and-tower-hamlets>

## Section 2: Policy Objectives

The policy objective of the amendments was to improve the education and welfare of pupils, through better information sharing between all schools and LAs where pupils are removed and added to school admissions registers. They placed a duty on all schools to:

- include in the admission register any new address at which a pupil will be living and any new school which a pupil will be attending;
- notify the LA within five days of adding a pupil's name to the admission register. The notification must include all the details contained in the admission register for that pupil;
- notify the LA when a pupil's name is deleted from the admission register under any of the grounds prescribed in regulations. The notification must include the reason for deletion and relevant details of that pupil;
- provide the LA with information when a pupil's name is added to or deleted from the admission register for standard transitions (as well as non-standard transitions) if requested by the LA.

In addition, the amendments placed a duty on schools and local authorities to jointly make reasonable enquiries to establish the whereabouts of a pupil that has not returned to school within 10 school days after an authorised absence or where a pupil is absent without authorisation for at least 20 school days.

The amendments were designed to ensure that schools provide LAs with appropriate information to track and record children of compulsory school age in their area who are not registered pupils at school and are not receiving suitable education other than at a school. The changes were also intended to improve efficiency through better co-ordination and more open communication between schools and LAs thus creating better working practices that would create a more efficient process for identifying and safeguarding pupils at risk.<sup>2</sup>

As a result of these changes, LAs would be better able to fulfil their duty under:

- Section 19 and Section 436A of the Education Act 1996, to make arrangements to establish, as far as it is possible to do so, the identities of children of compulsory school age in their area who are not receiving suitable education, and to arrange suitable

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<sup>2</sup> *Impact Assessment for The Education (Pupil Registration) (England) (Amendment) Regulations 2016*, available at: <http://www.legislation.gov.uk/ukxi/2016/792/impacts>

education for all children of compulsory school age who may not for any period receive it, unless such arrangements are made for them;

- Section 10 of the Children Act 2004, to make arrangements to promote cooperation between the authority, each of their relevant partners and such other persons or bodies working with children in their area, as they consider appropriate. The arrangements are to be made with a view to improving the well-being of all children in their area, which includes protection from harm and neglect; and
- Section 47 of the Children Act 1989, with the help of other organisations as appropriate, to make enquiries if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm, to enable them to decide whether they should take any action to safeguard and promote the child's welfare.

### **Section 3: Evidence informing the review**

The Department for Education committed to conduct a review of the amendments made in 2016, to assess the extent to which the amendments to regulations 5(1)(ca), 8(1)(f)(iii) and (h)(iii), and 12(3)-(8) have achieved the intended objectives and to assess whether those objectives remain appropriate, and, if so, the extent to which they could be achieved with a system that imposes less regulation.

An external independent contractor was commissioned, through the Department's Associate Pool of research experts, to gather views from Children Missing Education (CME) officers in LAs and from schools on the implementation and effectiveness of the 2016 amendments and produce a report of research findings (Annex A). This research report was informed by a survey of CME officers, interviews with CME officers to gain greater insight, focus groups with LAs and schools to discuss issues, and telephone interviews with schools. Directors of Children's Services in all 152 LAs in England were notified of the survey, and it was sent to the named CME officer in all LAs; 127 responses were received, covering 115 LAs. Telephone interviews were held with eight CME officers in seven LAs. Two focus groups were held; attended by seven officers from six LAs and staff from 14 schools (across primary, secondary, special, independent and alternative provision settings). Telephone interviews were held with 30 schools across 19 LA areas.

In addition, further evidence was gathered through qualitative stakeholder engagement conducted by DfE officials. This included discussions with four external stakeholders identified as having a direct interest in Children Missing Education (CME) policy and officials from three

crosscutting policy areas within the Department. These included: Ofsted, National Children’s Bureau (NCB), the Association of Education Welfare Managers (AEWM), and the Office of the Children’s Commissioner.

To understand the cost of implementing the amendments in terms of the time it takes to carry out additional tasks, the Department conducted telephone and email surveys with a sample of randomly selected schools obtained from data on the ‘*Get information about schools*’ website (GIAS). In total, 148 schools were contacted, and 30 surveys were completed (24 by telephone and 6 by email). Table 1 shows a breakdown of responses received.

**Table 1: School phase and type**

	LA Maintained	Academy	Special	Independent	Total
Primary schools	14	3	1	1	19
Secondary schools		5*	2	4*	11
Total	14	8	3	5	30

(\*) includes 1 Alternative provision

The Department also engaged with AEWM to capture information from a small number of local authorities to understand the cost of implementing the amendments. In total, only two LA surveys were completed which was too small a sample to be included in cost estimations.

To understand the full extent to which the policy has been effective and achieved its objectives, a thematic approach was used throughout the evidence gathering process. The themes were:

- Impact of the 2016 amendments on information sharing:
  - Mid-year admissions and removals from roll,
  - By school type,
  - Identifying moves amongst different groups;
- Challenges to implementing the 2016 amendments;
- Unintended consequences; and
- Potential improvements.

## Section 4: To what extent have the policy objectives been achieved?

### Objective as set out in the original Impact Assessment (IA):

To improve the education and welfare of pupils, through better information sharing between all schools and local authorities where pupils are added to and deleted from school admission registers. The aim was to ensure LAs are better able to comply with their duty to make arrangements to establish the identities of compulsory school age children in their area who are not registered at school and not receiving suitable education otherwise. To help improve safeguarding of those children and young people.

### Views on the impact of the 2016 amendments

Overall, our research demonstrates that the policy is meeting the objective to improve information sharing between schools and LAs where pupils are removed from and added to school admission registers. In particular, the 2016 amendments were viewed to have improved the quality of information received on pupil moves and the tracking of mid-year pupil moves.

Findings from the survey of CME officers showed that 86% of respondents thought the new regulatory framework had improved the quality of information received on pupil moves.<sup>3</sup> No respondents reported that the 2016 amendments had decreased the quality of information. However, 8% of respondents felt that the amendments had made no difference to the quality of information and 6% responded that they did not know.

Whilst views on the impact of the amendments generally received positive feedback, stakeholders expressed the view that there were still some challenges to implementing the amendments, and some potential improvements to refine implementation within the system were identified.

### Views on how effectively information is being shared

Overall, views from the survey of CME officers were positive about the effectiveness of how information was being shared, with most feeling positive about information sharing when a pupil is deleted from the admission register mid-year (82%) or added to the admission register mid-year (77%). It was identified, however, that there was variability in compliance between schools and feedback suggested there was variation in effectiveness between LAs. A small minority of respondents to the survey of CME officers felt that schools were not effective at all in

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<sup>3</sup> Annex A - Pupil Registration Regulations 2016 Amendments - Final research report by Dr Sara Bubb

sharing information about deletions (2%) or additions (1%). Comments from CME officers suggest variability is due to local relations between LAs and the schools in their area.

Respondents also identified variation in information sharing between different school types, with maintained schools generally felt to be sharing information well (91% of LA respondents) whilst academies, some special schools, alternative provision settings and independent schools were rated lower (66%, 63%, 49% and 45% of LA respondents respectively).

The Department's recent review of provision for children in need<sup>4</sup> also highlights the need to ensure a pupil's social worker is notified, if they have one, when they are moved out of school. This is not, however, a requirement of these regulations.

### **Views on impact of identifying moves amongst different groups**

Findings from the research report showed some variation in how well the 2016 amendments had helped to identify mid-year moves across specific groups of pupils.

73% of respondents to the LA survey thought that the amendments had made a clear difference in helping to identify mid-year moves concerning both pupils moving to unknown destinations and to children missing education. For home educated pupils and pupils at risk of harm, 58% and 52% of respondents respectively thought that amendments had made a difference to identifying these pupil groups. The amendments were considered to have had less of an impact in identifying the following pupil groups: pupils on managed moves (34%); gypsy, Roma and traveller (GRT) pupils (37%); excluded pupils (38%); pupils in alternative provision (38%); pupils with SEND (40%); and children new to the country (41%).

### **Views on challenges of the 2016 amendments**

Findings from the research report identified some challenges in implementing the 2016 amendments, but these have reduced as LAs and schools have become more familiar with their requirements.

The most commonly reported challenge by LA CME officers was capacity in the LA, identified by 69% of respondents. 52% felt that capacity in schools was a challenge. Respondents felt that the amendments required additional work in a time of budget pressures.

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<sup>4</sup> *Review of Children in Need* available at: <https://www.gov.uk/government/publications/review-of-children-in-need>

Communication between the LA and schools, and between LAs, were identified as the next biggest challenges (by 54% and 35% of respondents respectively).

The most frequently raised issue apart from communication between organisations and their capacity was that of information systems, including both IT and administrative processes. Respondents expressed support for standardisation of systems between local authorities and schools, and more widely with other agencies.

Feedback suggested that where local authorities thought they had been more effective in implementing the 2016 amendments, they attributed this to better resourcing, organisation, relationships with schools, and general determination to prioritise the issue of CME.

Stakeholders also identified variation in school compliance. Some local authorities who thought themselves less effective in dealing with CME felt that the current regulations do not provide them with either the enforcement powers or sanctions that might help with their difficulties.

## **Section 5: Key risks, assumptions and sensitivities**

The original Impact Assessment (IA) made key assumptions about the time it would take schools to undertake additional administrative tasks under the new arrangements. To assess whether the assumptions made in the original IA were accurate, the Department carried out a survey with schools and engaged with AEWG to circulate a survey to local authorities. This allowed us to estimate the indicative overall cost of the policy and the estimated direct net cost to businesses (which only applies to independent schools) which were both included in the original IA. We had insufficient data to complete analysis to understand time taken for LAs to complete administrative tasks related to the amendments. As such, the data from the two completed surveys is not included in the cost estimations. We received 30 surveys from schools<sup>5</sup>, which included responses from 14 maintained schools, 8 academies (including an Alternative Provision Academy), 3 special schools and 5 independent schools (including an Alternative Provision independent school).

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<sup>5</sup> Annex C: Cost assessment survey questions for schools

Of the 30 responses received, 2 were discounted as the exact time commitments for the individual tasks were not provided and 28, consisting of 4 independent schools and 24 state-funded schools, were used to inform estimated direct net cost to businesses.

The interviews we carried out with schools included both independent and non-independent schools, and we used the all-school averages for both the overall impact and the impact on independent schools. For this research, the underlying assumption is that independent schools' responses would be generally similar to other schools as the time commitment in reporting to LAs is broadly similar. We are reasonably confident that our estimates would not change if we repeated the survey explicitly for independent schools.

To assess the accuracy of key assumptions of time taken to communicate changes outlined in the original IA, we conducted analysis on schools' responses to the survey questions 1a and 1b (Annex C). Our analysis of responses to these questions shows that the best estimate for the relevant member of staff to understand and communicate changes in the regulations was on average 50 minutes which is lower than the original assumption of 56 minutes in the IA. Fifty percent of responses were between 10 and 30 minutes, but there were outliers of 0 and 360 minutes.

As noted in the IA, the time required can vary depending on various factors, including the ease with which new regulations can be understood; and the ease with which the new regulations can be communicated to staff in schools (and any queries/challenges raised by staff).

The original IA made assumptions about the time requirements to complete five tasks the policy changes required (Table 2 – Original IA 2016).

<b>Table 2: Time assumptions for tasks</b>		
<b>Tasks</b>	<b>Original IA, 2016</b>	<b>PIR, 2019</b>
Schools – Reporting a removal to the LA	16	15
Schools – Seeking additional information from a parent	39	19
Schools – Reporting an addition to the LA	17	19
Parents' time	18	22
LA administration	25	Insufficient data

Our analysis of questions 2a-b, 3a-b, and 4a-b show that estimations from responses to questions on time taken to report removals to the LA, to seek additional information from a parent and to report an addition to the LA were similar to estimations made in the IA, as shown in Table 2 above. A comparative analysis of assumptions made about time taken for LA administration could not be made due to the low survey response rate. Based on that, we are unable to confirm the accuracy of the assumption made in the 2016 IA. The table above shows that assumptions about parents' time are significantly higher than estimations made in the IA. This could be due to local sensitivities such as how well established the communication links are between schools and parents.

It should be noted that assumptions made about time taken to undertake the listed tasks are averages and can vary due to a range of sensitivities, as outlined in the IA:

- the difficulty of contacting parents to seek additional information/the extent to which schools routinely collect this information for their own purposes;
- the possibility of realising 'economies of scale' in sending data to LAs and collecting data from parents;
- the possibility of realising 'economies of scale' in undertaking administrative tasks to update the LA systems with the new pupil information; and
- how well established the communication links are between schools and local authorities – in particular between independent schools and LAs.

Additionally, the IA identified a range of key risks. These were: variations across schools so costs may fall disproportionately on particular schools (those who see a high turnover of pupils), LAs that do not have in place and cannot develop systems for dealing with additional tracking information, and a lack of compliance from parents.

The original IA highlighted a risk with parental cooperation, where the amendments to regulations may not sufficiently improve communications and co-ordination between schools and LAs as this requires input from parents. Therefore, the information that schools provide LAs is only as good as the information provided by a parent.<sup>6</sup> Feedback from stakeholders suggests that parental cooperation remains a concern especially with regard to informing schools in writing when they have started electively home educating their child. There is no legal requirement on a parent to provide this.

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<sup>6</sup> Impact Assessment for The Education (Pupil Registration) (England) (Amendment) Regulations 2016, available at: <http://www.legislation.gov.uk/ukxi/2016/792/impacts>

School compliance using the Common Transfer File (CTF) and installation of systems in independent schools were noted as key risks. Research found there to be variations in systems and file types used by schools to transfer information to local authorities, and in systems used by local authorities. As noted in the potential improvements section, a standardised system for information sharing was suggested by respondents, along with better guidance on how to use systems such as the School2School (S2S) database.

The IA identified a risk to LAs and in particular their systems for dealing with the additional tracking; suggestions for improvement included a statutory requirement for schools to tell LAs when a pupil has been removed and introducing best-practice guidance on software, data sharing and managed moves were received.

## **Section 6: Cost evaluation**

The equivalent annual net direct cost to business (EANDCB) of the policy has been revised, but has stayed close to the original estimates, and well below the £5 million threshold introduced for independent scrutiny by the Regulatory Policy Committee (RPC) since the amendments came into force.

The updated EANDCB is £707,000 in the independent sector as calculated in 2018 prices (approximately £650,000 in 2015 baseline prices). This is close to the estimated £700,000 in the original impact assessment in 2015 baseline prices.

The updated estimate of the undiscounted average annual overall cost for the policy is £38,500,000 (approximately £35,000,000 in 2015 baseline prices) compared to the original undiscounted £30,467,000 overall cost. This includes costs to schools, including the independent sector, and parents' and LAs' costs in sharing information.

Generally, the differences in cost can be explained by real time estimates collected during research being lower than those in the original IA. Additionally, increases in wages and the increased share of non-wage labour costs to businesses, as calculated by Eurostat for secretarial and administrative occupations, will also have impacted on the overall cost.

The updated estimate was produced using data from 28 completed surveys, on:

- schools' time requirements to share data with LAs and chase parental information sharing
- time commitment of parents needed to share information with the school

The estimate included updated 2018 figures for the original sources used in IA, on:

- updated wage costs for LAs education welfare officers and parents
- updated wages of school administrative staff and senior leadership
- updated non-wage labour costs to schools, LAs and parents as given by Eurostat statistics in 2018
- updated pupil movement volumes according to increases in pupil numbers in England, compared to the original snapshot data

In the case of principal welfare officers' wages, we followed the original impact assessment in trying to collect new salary estimates from online job adverts. However, due to the limited number of data points available, we decided to use the figures as presented in the original IA.

In general, we are confident that the annual net direct impact on businesses, as estimated within the original IA, has been an accurate prediction.

## **Section 7: Were there any unintended consequences?**

The research report included a list of unintended consequences however, the issues raised were not direct consequences of the amendments. Our review of the evidence did not identify any specific unintended consequences of the amendments, but, as in the research report, we were made aware of some areas for potential refinement of the system and this is covered in Section 8.

## **Section 8: Potential improvements**

Suggestions for potential wider refinements to the system were identified by participants during research. These included:

### **Guidance**

Additional guidance on: the definition of 'reasonable enquiries'; whether information should be reported to the LA in which the school is situated or the LA in which the pupil resides; whether the start date for an addition to the admission register should refer to

the child's actual first attendance date or the date when the place is allocated; and GDPR requirements in terms of sharing information with LAs.

### **Information sharing process**

Standardisation of systems between local authorities, local authorities and schools, or more widely with other agencies; potentially extending statutory duties to apply to other agencies.

### **Tracking process**

Schools are currently only required to provide information for non-standard transitions. This could be extended, and regulations could be amended to capture what form of education a child will receive when a child is to be educated otherwise than at a school.

### **Enforcement**

Giving LAs stronger powers to carry out their duties, such as tackling instances where a pupil has been incorrectly deleted from the admission register and enforcing compliance of regulations.

## **Related Issues**

In addition to the suggested improvements listed above, the research report and stakeholders identified some related issues:

### **Over-interpretation of rules**

The research report identified that some stakeholders appeared to have over-interpreted the amendments. Examples included LAs wrongly informing schools they were unable to delete a pupil from the school admission register until a new address or new school had been confirmed; and delays to processes due to gathering the information about leavers' new destinations.

### **Parental cooperation**

Parents are not required to inform the school in writing that the child is being home educated, but regulations require this before the school can delete the pupil from the admission register. This can lead to a pupil remaining on the admission register when they are being educated otherwise than at school.

### **Definition of Children Missing Education**

Some stakeholders wanted the legal definition of children missing education to be extended. Section 436A of the Education Act 1996 as amended, places a duty on LAs ‘to make arrangements to enable them to establish (so far as it is possible to do so) the identity of children in their area who are of compulsory school age but are not registered at a school, and who are not receiving suitable education otherwise than at a school’.

It was the view of some CME officers and schools that this duty on LAs should apply to pupils of who are not of compulsory school age.

In addition, the National Children’s Bureau’s (NCB) 2018 report *Children Missing from Education in England 2016-17* recommended extending the definition of CME to include children registered at school but who are not receiving a suitable education.<sup>7</sup>

### **Data variation**

NCB’s report found that there was a variation in the number of children recorded as CME across local authorities. It suggested this variation was likely to stem from LAs reporting and recording data differently. NCB highlighted that this makes national comparison, identification of problem areas or best practice, and analysis of overrepresentation of vulnerable groups hard to make.<sup>8</sup>

None of the potential improvement identified in research and shown in this section are directly related to the amendments. The Department will, however, take into consideration what if any action can be taken on these issues when exploring future CME policy development.

### **Timpson Review**

The Timpson Review of School Exclusion<sup>9</sup> recommended steps be taken to increase transparency when children move out of schools. Timpson recommended pupil moves (such as off-rolling or managed moves) be systematically tracked, which should lead to improved oversight of CME.

The Department will work to deliver the commitments set out in the Government response to the

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<sup>7</sup> Full details of NCB’s recommendations to the Department can be found in National Children’s Bureau (NCB), 2018, *Children Missing Education*, available at:

<https://www.ncb.org.uk/sites/default/files/field/attachment/Children%20Missing%20EducationFINAL.pdf>

<sup>8</sup> *Ibid.*,

<sup>9</sup> The Timpson review of school exclusion and the government response is available at:

<https://www.gov.uk/government/consultations/school-exclusions-review-call-for-evidence>

## **Section 9: Conclusion**

This review has shown that the amendments have been successful in achieving their policy objective.

DfE concludes that government intervention is still required and continuation of the measure is necessary to ensure all schools provide LAs with the appropriate information to record, track and identify children who are not registered at school and not receiving suitable education otherwise, in order to undertake their safeguarding duties.

Additionally, this policy helps to ensure there is a dynamic process where all schools are consistently sharing information and working collaboratively with local authorities.

While the existing form of regulation is viewed to be the most appropriate approach to ensuring policy objectives are met, the review and feedback from stakeholders identified potential further changes to improve implementation within the system. The Department will consider the feasibility of these suggestions and which, if any, fall within the remit of central government.

The Department also recommends that the 2016 amendments to the Education (Pupil Registration) (England) Regulations 2006 are amended to remove the review clauses as set out in Regulation 16 (4). This is because Statutory Guidance under s.31 of the Small Business, Enterprise and Employment Act introduced in December 2017 set out a new +/-£5m threshold below which a review would be disproportionate. This measure therefore no longer meets the threshold requirement for conducting statutory post implementation reviews. The Department therefore suggests that the regulation is amended to remove this clause when parliamentary time allows.

Going forward, the Department will continue to monitor and develop the Education (Pupil Registration) (England) Regulations 2006 as amended.

**Annex A: Pupil Registration Regulations 2016 Amendments - Final research report by Dr Sara Bubb**

# **Pupil Registration Regulations 2016 Amendments: views from LAs and schools**

**Research report**

**May 2019**

**Dr Sara Bubb: Sara Bubb Associates**

# Contents

<a href="#">Figures</a>	21
<a href="#">Tables</a>	22
<a href="#">Acknowledgements</a>	23
<a href="#">Executive summary</a>	24
<a href="#">Introduction</a>	27
<a href="#">Methodology</a>	28
<a href="#">Impact of the Amendments on information sharing</a>	30
<a href="#">Information sharing</a>	31
<a href="#">Mid-year admissions</a>	32
<a href="#">Mid-year removals from roll</a>	32
<a href="#">Information-sharing by type of school</a>	34
<a href="#">Information sharing concerning different groups of pupils</a>	35
<a href="#">Challenges of implementing the Amendments</a>	38
<a href="#">Unintended consequences</a>	41
<a href="#">Potential improvements</a>	42
<a href="#">Conclusion</a>	45
<a href="#">Appendix A: Survey for CME officers in Local Authorities</a>	46
<a href="#">Appendix B: Focus group topic guide</a>	52
<a href="#">Appendix C: Topic guide for interviews with schools</a>	54

## Figures

<a href="#">Figure 1: CME officers' views of the impact of the Amendments (n=127)</a> .....	25
<a href="#">Figure 2: CME officers' views of the impact of the Amendments (n=127)</a> .....	30
<a href="#">Figure 3: CME officers' views of schools' information-sharing for in-year admissions (n=127)</a> .....	32
<a href="#">Figure 4: CME officers' views of schools' information-sharing when pupils are removed from roll (n=127)</a> .....	33
<a href="#">Figure 5: CME officers' views of information-sharing by type of school (n=127)</a> .....	34
<a href="#">Figure 6: CME officers' views about the impact of the Amendments on identifying mid-year moves amongst different groups of pupils (n=127)</a> .....	36
<a href="#">Figure 7: CME officers' views of the main challenges of the Amendments (n=352)</a> .....	38

# Tables

<a href="#">Table 1: Achieved sample</a> .....	28
<a href="#">Table 2: Types of schools involved in the research</a> .....	29

# Acknowledgements

Many people contributed to this research. I would like to give special thanks to my colleagues, Paul Humfryes, Cath Blayney and Jonathan Crossley-Holland, as well as to all members of the DfE team.

I would like to thank all the people who contributed to the research: the 127 people who completed the survey of CME officers; the eight LA staff who took time to be interviewed; the LA officers who helped organised the focus groups and the 21 people who attended them after busy days at school; and the 30 staff in schools who were kind enough to be interviewed.

# Executive summary

## The research

This research was part of a review of the 2016 Amendments to the Education (Pupil Registration) (England) Regulations 2006, that require schools to notify their local authority (LA) when a pupil is added to or removed from their roll outside of the usual transition periods, and to provide further relevant information about their destination.

Sara Bubb Associates<sup>10</sup> were commissioned to gather views from local authority (LA) Children Missing Education (CME) officers and schools to help understand how the 2016 Amendments to the Pupil Registration Regulations (2006) were being implemented and to gather views on their effectiveness. The research was based on a survey of CME officers, interviews with CME officers to gain greater insight, focus groups to discuss issues, and semi-structured telephone interviews with schools.

The survey was anonymous, and designed to be answered in 15 minutes. The link was sent to CME officers in all 152 local authorities in England and was open between 25 March to 18 April 2019. 127 responses were received with a coverage of 115 LAs. The regional spread ranged from 57% of LAs in the West Midlands to 91% (i.e. all but one) in the East of England.

During April and May 2019, telephone interviews were held with eight CME officers in seven LAs across six regions to gain further insight. Two focus groups were held in Yorkshire and East Anglia with a mixture of LA officers and schools. There were seven officers from six LAs and people from 14 schools – primary, secondary, special, independent and alternative provision. Telephone interviews were held with 30 schools in 19 LAs across six government regions.

## Key findings

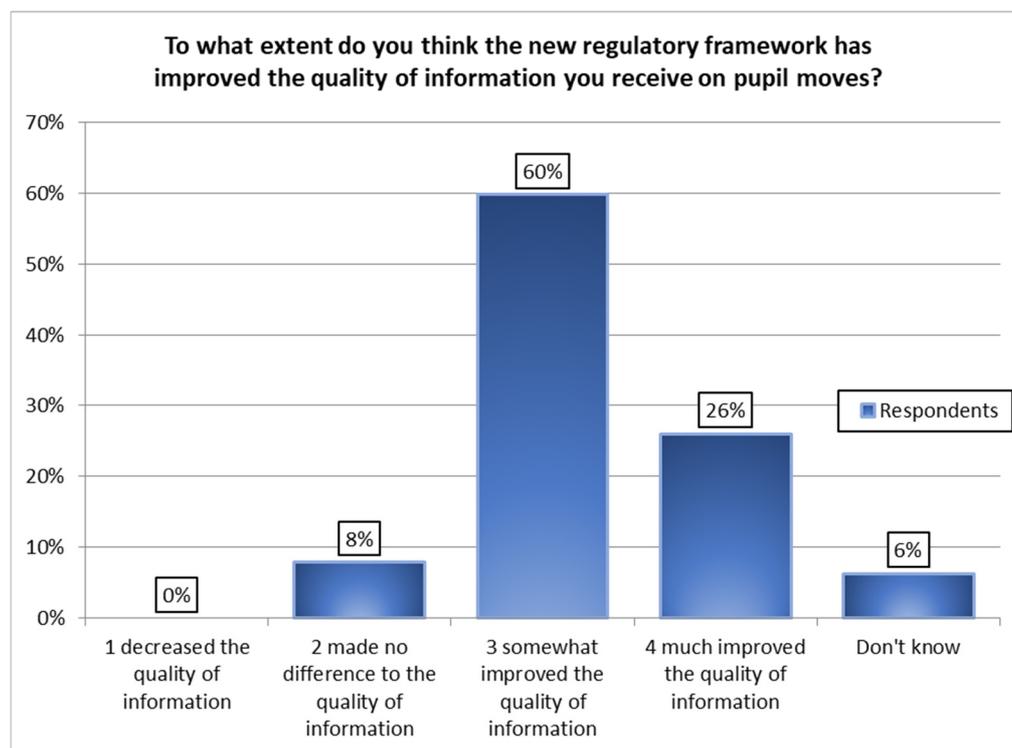
It was clear that the Amendments had made the tracking of mid-year pupil moves better since 2016. We heard that although LAs had found the new requirements initially challenging, two-and-a-half years later data-sharing through management information systems had helped to improve matters.

As Figure 1 shows, 86% of survey respondents thought that the regulatory framework had improved the quality of information they received on pupil moves, either 'somewhat' (60%) or 'a lot' (26%). Thirteen per cent of LAs responding felt that schools shared information 'very effectively' for both mid-year admissions and removals from roll.

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<sup>10</sup> Dr Sara Bubb, assisted by Jonathan Crossley-Holland, Cath Blayney and Paul Humfries

**Figure 1: CME officers' views of the impact of the Amendments (n=127<sup>11</sup>)**



The research nevertheless identified variability in compliance, with academies, special schools, alternative provision and independent schools being identified by LAs as more problematic than maintained schools in their sharing of information.

Findings suggest that the 2016 Amendments have provided some additional leverage for LAs. Where LAs have been more effective in implementing the new regulations, they ascribe this to better local resourcing, organisation, relations with schools, and general determination to prioritise the issue of CME. Feedback from open responses suggest that amongst LAs that believe themselves to be less effective in dealing with CME, some feel that the current legislation does not provide them with either the enforcement powers or sanctions that might help them with their difficulties.

The areas most commonly appearing in respondents' top three challenges were 'LA capacity' (69%), 'school capacity' (52%), and 'communication between schools and the LA' (54%)<sup>12</sup>. The most frequently raised issue that went across different challenges was that of information systems. Improving these was seen as key to making it easier for schools to comply with requirements, and allowing LA staff to focus on following up missing pupils rather than chasing data. The theme of connectivity and standardisation between LAs, LAs and schools, and more widely, was a common thread. There were some ambitious suggestions for databases, some embracing health, social care, housing, benefits, and cross-border movement, backed in some cases by enforcement powers and penalties.

<sup>11</sup> *n* is used to denote the number of valid survey responses received in answer to the question concerned.

<sup>12</sup> Question 7 and the options presented in the copy of the survey (Appendix A)

Apart from general claims of strained resources, a number of adverse unintended consequences of the regulations were identified. These included: increased delays in making some ex-pupils' places available; formal responsibilities exceeding schools' capacity, such as tracing non-arrivals or finding missing pupils. The latter often requires schools to divert staff members from normal duties to undertake e.g. home visits as part of 'reasonable enquiries'. These are not only time-consuming but also carry a risk for staff.

As well as ideas on IT and procedural standardisation, suggestions for improvements included improved training and guidance; stronger enforcement powers; and wider statutory requirements for multi-agency co-operation. There were also calls for some regulatory changes: to extend the definition of CME beyond statutory school age to include all pupils registered at schools; to deal stringently and fairly with admissions processes for troubled and excluded pupils – especially between academies and maintained schools; and to tighten the notification requirements on parents electing to home educate their children.

# Introduction

In 2016 amendments were made to the Education (Pupil Registration) (England) Regulations 2006 to require schools to notify their local authority (LA) when a pupil is added to or removed from their roll outside of the usual transition periods, and to provide further relevant information about their destination. All schools must notify the LA within five days of adding a pupil's name to the admission register. All schools must notify the LA when a pupil's name is to be deleted from the admission register as soon as the ground for removal is met. Schools and their LA should jointly make enquiries to locate the whereabouts of a pupil who has been absent from school without permission or failed to return to school following an agreed period of leave.

The following research questions are addressed in this report.

- Views on whether the position is better or worse than in 2016
- How effectively local authorities believe information is being shared between schools and local authorities when pupils are removed or added to schools' admissions registers, and whether they have put local arrangements in place to improve information sharing
- Whether, and the extent to which, administrative processes and information sharing with schools have changed since the introduction of the amended regulations. If so, whether they consider these have improved the quality and the quantity of information they receive on pupil moves
- How well the new regulatory framework enables local authorities to perform their duties concerning:
  - children not receiving suitable education
  - children who are suffering, or are likely to suffer, significant harm
  - co-operation between the authority and relevant partners
- Whether there are any challenges and/or unintended consequences of the new regulatory framework
- Views on potential improvements or changes to the registration regulations or approach

## Methodology

Sara Bubb Associates<sup>13</sup> were commissioned to gather views from local authority (LA) Children Missing Education (CME) officers and schools to help understand how the 2016 Amendments to the Pupil Registration Regulations (2006) were being implemented and to gather views on their effectiveness. This report is based on a survey of CME officers, interviews with CME officers to gain greater insight, focus groups to discuss issues, and telephone interviews with schools (Table 1).

**Table 1: Achieved sample**

	Survey respondents	Focus group participants	Interviewees	Total
LA officers	127	7	8	142
Secondary schools		6	10	16
Primary schools		3	14	17
Special schools		2	2	4
Alternative provision		2	1	3
Independent schools		1	3	4
<u>Total</u>	<u>127</u>	<u>21</u>	<u>38</u>	<u>186</u>

The anonymous survey<sup>14</sup> was designed to be answered in 15 minutes and asked for views on eight questions. The link was sent to CME officers in all 152 local authorities and was open between 25 March to 18 April 2019. As Table 1 shows, 127 responses were received: these represented a coverage of 115 LAs. This equals a response rate of 76% of LAs in England. The regional response rate ranged from 57% of LAs in the West Midlands to 91% (i.e. all but one) in the East of England.

All respondents to the survey completed the optional comment boxes (many at length) and 67 shared good practice. Telephone interviews were held with 8 CME officers in 7 LAs across 6 regions to gain further insight.

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<sup>13</sup> Dr Sara Bubb assisted by Jonathan Crossley-Holland, Cath Blayney and Paul Humfryes

<sup>14</sup> See Annex A for a copy of the survey.

Two focus groups<sup>15</sup> were held in Yorkshire and East Anglia with a mixture of LA officers and schools. There were 7 officers from 6 LAs and people from 14 schools – 3 primary, 6 secondary, 2 special, 1 independent and 2 alternative provision settings.

Telephone interviews<sup>16</sup> were held with 30 schools in 19 LAs across 6 Government regions. There was a range of 14 primary (5 academies, 9 LA-maintained), 11 secondary (6 academies, 4 LA-maintained and an independent) and 5 all-through schools (3 academies and 2 independent). Two of the all-through schools were for pupils with severe special needs and one was an alternative provision for excluded pupils.

We heard the views of people from 44 schools in a range of positions, such as headteacher, attendance officer and head of inclusion. The survey of LAs identified variability in compliance with the pupil registration regulations, with academies, special schools, alternative provision, and independent schools being identified by LAs as more problematic in their sharing of information. These settings were therefore included in the sample (Table 2).

**Table 2: Types of schools involved in the research**

	LA-maintained	Academy	Total
Secondary schools	4	13	17
Primary schools	11	5	16
Special schools	1	3	4
Alternative provision	1	2	3
Independent schools			4
<u>Total</u>	<u>17</u>	<u>23</u>	<u>44</u>

The quantitative survey responses were thoroughly analysed but no significant regional differences were found. The qualitative data were analysed thematically. Each section of this report sets out the findings from the survey and expands on the key themes with the qualitative information gathered through the survey comments and examples of good practice, the focus groups and telephone interviews with schools and CME officers.

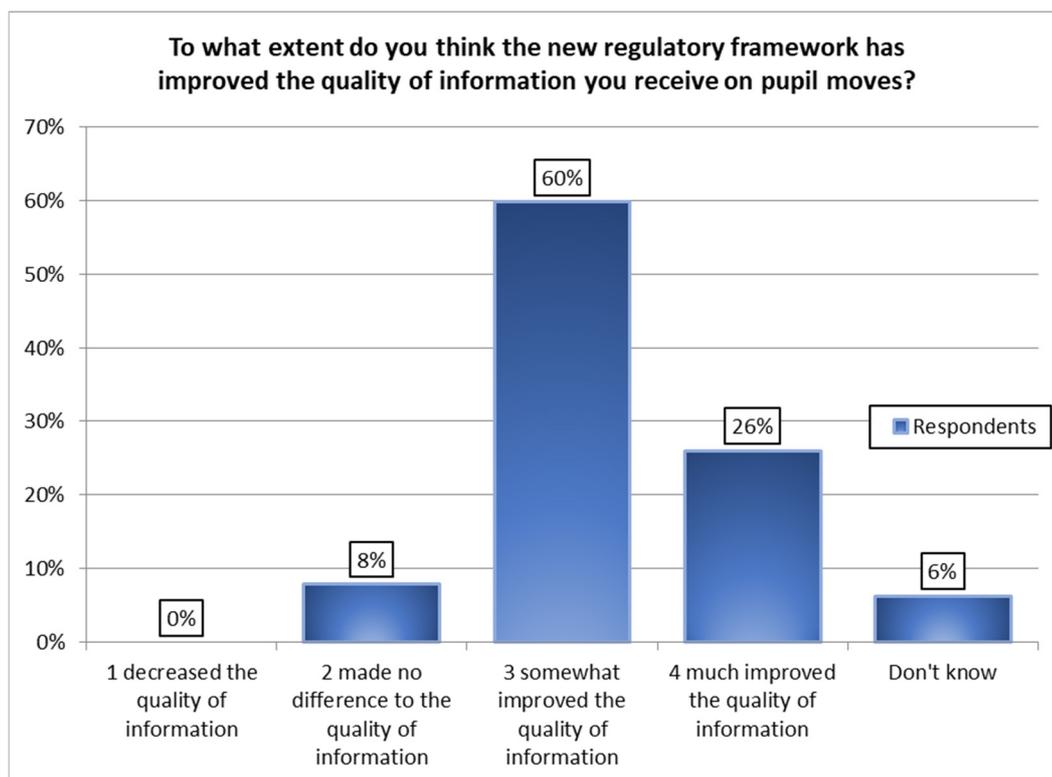
<sup>15</sup> See Annex B for the topic guide for focus groups.

<sup>16</sup> See Annex C for the telephone interview topic guide.

## Impact of the Amendments on information sharing

In order to gain an impression of the impact of the 2016 Amendments, and whether the position was now better or worse than pre-2016, we gathered views using a survey of CME officers, focus groups and interviews with schools and LAs. It was clear that the Amendments had made the tracking of mid-year pupil moves better than in 2016. We heard that LAs found it difficult initially – “we were swamped at first” – but that two-and-a-half years later data-sharing through management information systems had brought about improvements.

**Figure 2: CME officers’ views of the impact of the Amendments (n=127)**



As Figure 1 shows, the majority (86%; 109 out of 127 respondents) of CME officers responding to the survey reported that the Amendments had improved the quality of information: 60% (76) reported some improvement and a further 26% (33) reported that the new framework had ‘much improved’ the quality of information. No respondents reported that the 2016 Amendments had decreased the quality of information, but 8% of respondents (10) reported that they had made no difference to the quality of information. Amongst these, seven responses centred around LAs having limited powers to make schools give them the information required but three respondents said that existing processes were already good. Indeed, one had had processes in place for 17 years: “We receive admissions and deletions on a weekly basis which are followed up by a half termly audit which finds only minimal anomalies”. This was from a LA in a region where several CME officers were struggling and/or new to the role. Interviews with LA staff highlighted a desire for more CME officer networking opportunities.

The CME officers in some regions were more enthusiastic about the impact of the Amendments than others, with 45% (13) of London respondents, 41% (7) of those from the South-East and 36% (4) from the East of England telling us that the Amendments had ‘much improved’ the quality

of information. No respondents from LAs in either the South-West or the West Midlands made this judgement, although 92% (11) and 89% (8) respectively of respondents in those regions said the position was 'somewhat improved'.

Respondents from 13% (17) of LAs felt that schools shared information 'very effectively' for both mid-year admissions and removals from roll. It was clear though that variability of information provided to LAs from schools was still a significant issue. As one respondent put it, "for the system to work really well, there needs to be 100% engagement". Such engagement was a challenge: for instance, a CME officer who considered there to be complete compliance in procedures for removing pupils from the register reported only around 50% compliance in adding new pupils within five days. Another said, "Schools are aware of the need to inform us before a child is withdrawn from school roll, however we receive fewer notifications for children being added."

Knowledge and understanding of the Amendments were the cause of some of the variation. Although some schools considered that they were well-briefed by their LA, many others believed that they had far too little briefing and relied on information from *The Key*<sup>17</sup> or similar organisations. This was the case not only in academies and independents (i.e. schools outside of LA control) but also in a few instances the view from LA-maintained schools. Several CME officers shared good practice in this area, such as guidance given at briefings for headteachers, governors, office staff and Designated Safeguarding Leads; informative LA websites; a dedicated helpline; and in one case, an anonymous web-based referral form for the public and a separate one for professionals to use. One CME officer said, "I have done a round of CME information sessions across the county to help schools with roll removal decisions and to explain reasonable enquiries".

One area of confusion and potential risk concerned the time elapsing before schools alerted the LA to a child missing education. Some tended to treat the 20 days absence period referred to in the regulations as a threshold to be passed before a pupil is classed as CME. By contrast, proactive CME officers encouraged information sharing as soon as a pupil was unaccountably absent.

## Information sharing

We considered how effectively LAs believe information is being shared with them by schools when pupils are removed or added to schools' admissions registers, and whether any arrangements have been put in place to improve information sharing. When surveyed, 127 CME officers from 115 LAs gave their views. They were provided with five options: 1 (not at all effectively) to 4 (very effectively) or 'don't know' and they were provided with the opportunity to expand on their responses in a comment box.

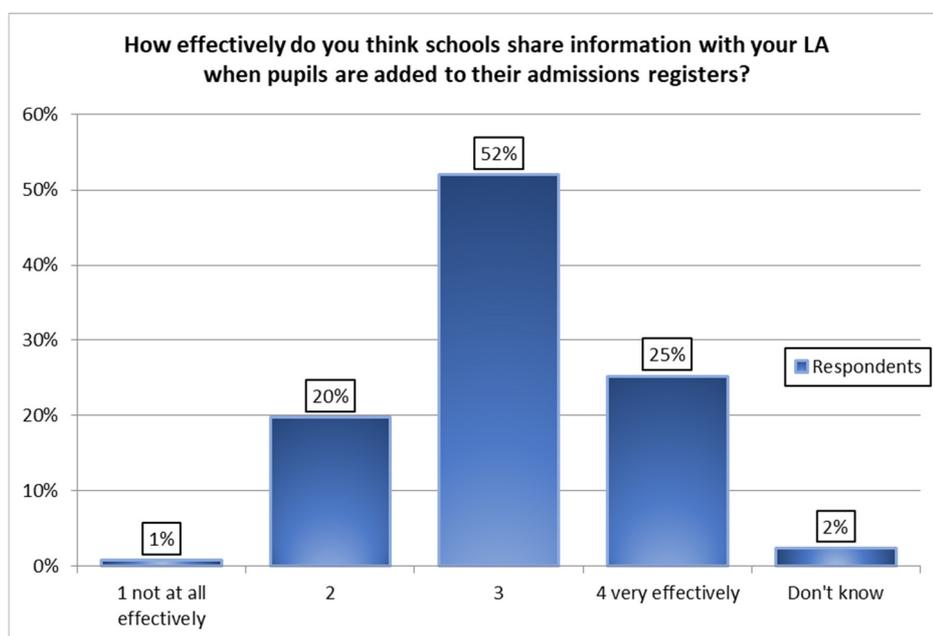
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<sup>17</sup> <https://schoolleaders.thekeysupport.com/>

## Mid-year admissions

As Figure 2 shows, 77% (98) of respondents were on balance positive about the effectiveness of mid-year admissions: about half (52%, 66) of respondents gave a score of 3 out of 4 for how effectively they thought schools shared information on mid-year admissions, signifying a reasonable level of effectiveness, and an additional 25% (32) thought that schools shared information 'very effectively'. A fifth of respondents were on balance negative, with 20% of respondents (32) grading their response as '2', and one respondent who thought schools did not share information 'at all effectively'.

**Figure 3: CME officers' views of schools' information-sharing for in-year admissions (n=127)**



Written comments and interviews with CME officers suggest that their views tend to be governed to a considerable extent by local relations with schools and administrative infrastructure. Overall, the feedback suggests that a large gap exists between the most effective LAs and others, but matters are generally improving. For example, one LA reported that schools' compliance with notifying the LA within five days of adding a pupil's name to the admission register had increased from 34% in 2016/17 to 55% in 2017/18.

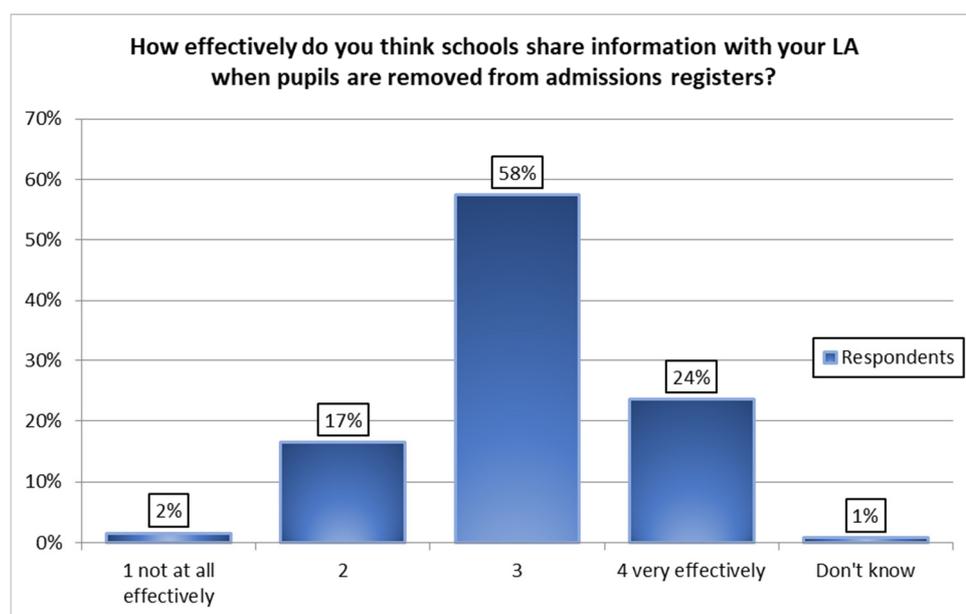
Within an LA, the timeliness with which different schools notify LAs of admissions can vary. For example, one CME officer estimated that around 15% of schools in the area notify the LA within the expected five days, but that around 15% regularly fail to comply, and about 70% endeavour to meet this timescale but fail. Where LA officials and staff in schools were most positive, technology and clear communication had aided information exchange.

## Mid-year removals from roll

We also examined the removal of pupils from roll during the school year. The distribution of CME officers' survey responses (Figure 3) with regard to pupils leaving registers was slightly more positive than for schools' information-sharing when *adding* pupils to their registers, with 82% of

respondents (103) feeling positive overall and 24% (32) judging that schools shared information ‘very effectively’ (compared to 77% and 25% respectively in regard to pupils joining their roll). However, 19% of respondents (23) were on balance negative. The CME officers in the East of England and London were slightly more positive than other regions overall. The two LAs where information sharing was deemed ‘not at all effective’ were both in the North West, although five CME officers in the same region considered that schools were ‘very effective’ in sharing information. Within each region there were LAs where information sharing was deemed effective and others where it was not. In other words, in each region there are LAs that others can learn from.

**Figure 4: CME officers’ views of schools’ information-sharing when pupils are removed from roll (n=127)**



A headteacher said, “Some schools and MATs bend the rules and the LA never seems to do anything about it. Everybody knows about it.” We heard examples of strategies to address off-rolling being inappropriately used, such as the headteacher personally insisting on signing the removal from roll forms for these important decisions – previously this decision might have been taken by a head of year, for instance.

Through the interviews and the survey, there were many examples of LAs and schools putting local arrangements in place to improve information sharing. These largely centred around administrative improvements and management information systems such as SIMS, which saved schools and LAs time. Systems compatibility and ease of use were important for timely sharing of information. As one CME officer put it, “Schools using software that links with that of the LA – will be real time data. Schools without software to export – there will be delays”.

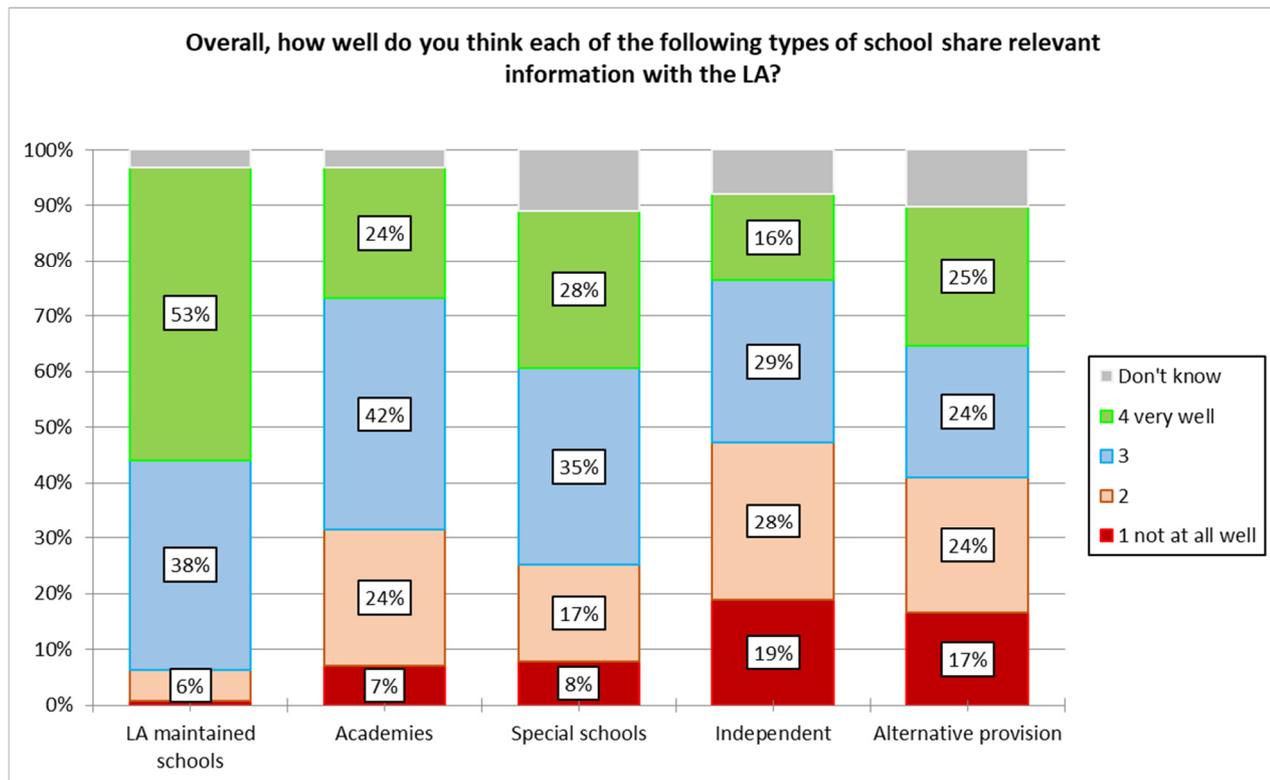
A lack of effective data systems led to inaccuracies. One special school headteacher told us

It always surprises us when the LA send us a checklist [of pupils], it is often not right e.g. pupils who are at our school are missing and pupils who have left our school are on the return.

## Information-sharing by type of school

The quality of information shared varied by type of school, as Figure 4 shows. The overwhelming majority of CME officers thought that LA-maintained schools shared relevant information with LAs either well or very well (91%, 115). Indeed, half of LA respondents (53%, 67) considered that LA maintained schools did this 'very well'. These results compare very favourably with all other types of school. This was confirmed in interviews with schools.

**Figure 5: CME officers' views of information-sharing by type of school (n=127)**



Academies and special schools respectively were considered to share information 'well' or 'very well', by 66% (83) and 63% (81) of survey respondents respectively. These schools also attracted the lowest judgement ('not at all well') from 7% (9) and 8% (10) of respondents respectively. As one CME officer wrote, "Academies don't want anything to do with the LA, so they do not share information". In an interview, another CME officer said that academies turned off the attendance data communication system deliberately. The 2016 Amendments had enabled CME officers to tackle non-compliance:

Some academies will follow their own processes and 'do their own thing' if they feel adamantly about removing a pupil. They do not like to be challenged, but I think they now accept that they will be.

A reason for lower engagement by special schools was suggested by a CME officer:

The SEN process has always run parallel to the standard admissions process and is not as easy to track – especially for pupils attending specialist provision out of borough.

Independent schools and Alternative Provision were the types of schools which were least commonly reported as sharing information well or very well – by 45% (57) and 49% (62) of survey respondents respectively. These types of schools were also significantly more likely to be reported as sharing information ‘not at all well’ – 19% (24) and 17% (21) of LAs respectively. Independent schools were considered to vary from the very efficient to the uncommunicative. One CME officer told us of an independent school that shut suddenly for which the LA had no pupil registration information. After much effort, 15 pupils out of an estimated 60 or 70 were traced. Respondents from three LAs, however, noted in their open responses that there had been much-improved communication with independent schools where there had been no links previously. Interviews with independent schools highlighted variation between LAs, with one being praised for helpful advice and another where “We send information but never hear anything. I presume I’m doing things right...”

## **Information sharing concerning different groups of pupils**

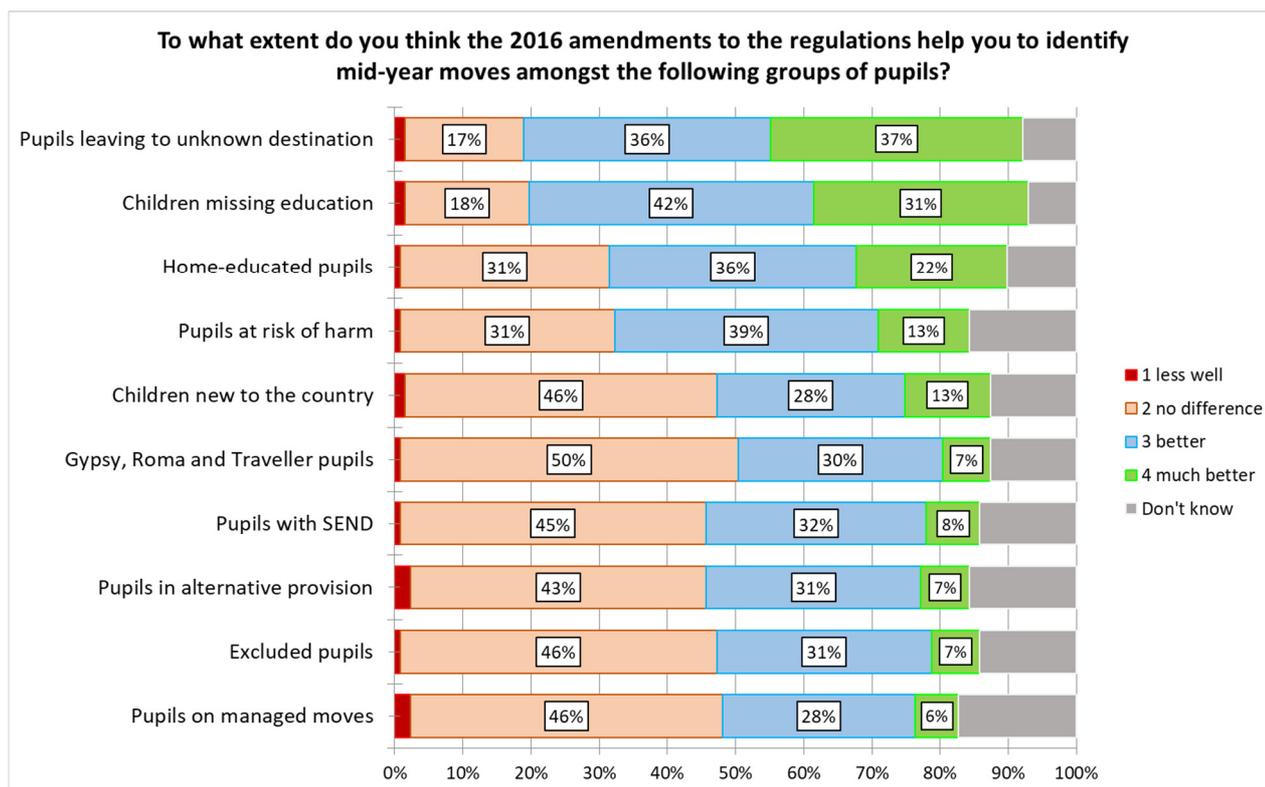
There was a good deal of variance in the extent to which the 2016 Amendments had helped LAs to identify the mid-year movements of different pupil groups, as Figure 5 shows, nearly three-quarters of survey respondents (73%, 93) considered that the Amendments had made a clear difference in each case with regard both to pupils moving to an unknown destination and to children missing education. Indeed, 37% and 32% of respondents (47 and 40) respectively felt that the Amendments had made these processes ‘much better’. Primary-secondary transfer was identified as a time where children can go missing if they fail to start at their new school in September. Although the secondary school was responsible for the pupils, it was considered difficult to track them as staff were unlikely to have established relationships with either the pupil or their parents/carers.

The Amendments were considered to have had less impact on identifying mid-year moves for home educated pupils and those at risk of harm, but nonetheless 22% (28) and 13% (17) of respondents respectively gave the ‘much better’ rating. The percentage of respondents reporting ‘no change’ in being able to identify them was 32% (40 and 41 respondents respectively). It is noteworthy that 16% of respondents (20) gave a “don’t know” rating in respect of pupils at risk of harm.

Between 34% and 41% of respondents considered that the Amendments had made a difference to tracking pupils who were either new to the country, identified as Gypsy, Roma or Traveller (GRT), had special educational needs and/or disabilities (SEND), were in alternative provision, had been excluded, or were on managed moves. However, between 45% and 50% considered that the Amendments had made no difference in these cases.

When pupils are moving abroad, unless there is a confirmed named receiving school, they are listed as a child missing education (CME). This was considered to inflate CME numbers. Confirming that a pupil had left the country was difficult, as “The Border Agency will only share information if we can evidence safeguarding concerns”.

**Figure 6: CME officers' views about the impact of the Amendments on identifying mid-year moves amongst different groups of pupils (n=127)**



One CME officer gave a specific example of the impact of tracking of pupils with SEND more closely:

These arrangements have had a positive knock-on impact on High Needs spend as funding can be stopped, redirected or recouped as soon as a change of placement is notified through our 'LA Off-Rolling Notification' and 'New Starter' processes.

In this LA the off-roll forms emphasise that 'Pupils with an Education, Health and Care Plan (EHCP) must not be removed from roll without written confirmation from the local authority confirming that the new provision can meet the child's needs'.

Just over half of CME officers (53%, 66) considered that the Amendments had improved information sharing for pupils at risk of harm. The new regulations led some LAs to amend their 'LA Off-Rolling Notification' and 'Missing Pupil Alert' processes to ensure the addition of questions that highlight pupils with social care involvement or fleeing domestic violence.

Elective home education (EHE) was an area of concern to many CME officers and schools: 58% of survey respondents (74) considered that the Amendments had improved the tracking of this group – 36% (46) thought it was better and 22% (28) much better. However, 31% (39) of survey respondents considered that the Amendments had made no difference. All survey respondents or interviewees who commented on EHE were concerned about an increase in this group. While accepting parental rights, schools and CME officers interviewed mentioned that too often it was used as an alternative to addressing complaints from schools. One said, "Home education is no

education". We heard examples of strategies to address EHE being inappropriately used, such as schools that asked parents to attend a meeting with the headteacher before taking them off roll so that the implications were clear. In one LA, families were visited within a fortnight of EHE starting to ensure that pupils were receiving education.

Pupils from GRT families were identified as the most difficult group to track and monitor. Half of survey respondents (50%, 64) considered that the Amendments had made no difference in identifying their mid-year moves. However, 30% (38) thought the situation was better and 7% (9) much better. One issue is that, "a significant number don't actually register themselves as GRT when completing ethnicity for fear of persecution or for other reasons, making it difficult to actual establish a true picture".

We heard some success stories from staff in schools about managed moves and 34% of CME officer survey respondents considered that the Amendments had improved the tracking of these pupils. However, 46% of CME officers felt that the Amendments had made no difference and that this was an area that needed improvement. One said,

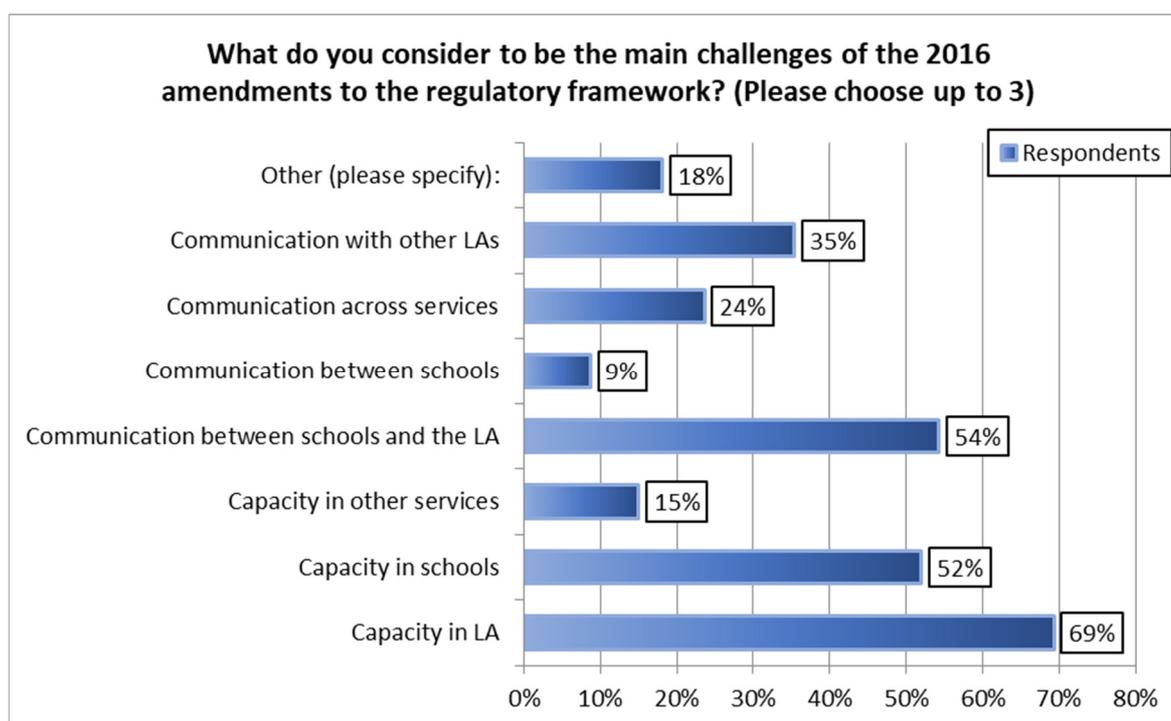
Managed moves are little short of disastrous in terms of their regulation. There are no regulations governing their use, how long a child should be kept on both school rolls and the end of a managed move... This leads to 'back door' exclusions and children disappearing as some original schools refuse to take the child back and ask them to stay at home instead.

## Challenges of implementing the Amendments

The survey asked CME officers to choose the three main challenges in implementing the Amendments from a list of options. The percentages shown in Figure 6 reflect the proportion of respondents selecting each choice. The greatest reported challenge was 'capacity in the LA', which was identified by just over two-thirds of respondents (69%, 88). Written feedback indicated that this was because the Amendments required them to do more at a time when budgets were shrinking. However, there was a great sense that CME officers were "going above and beyond" to fulfil their duties, seeing it as an important area of safeguarding. The two challenges next most commonly reported by the LAs were 'capacity for schools' (52%, 66), and the communication between LAs and schools (54%, 69). After these, 'communication with other LAs' (35% of respondents, 45) and 'communication across services' (24%, 30) were the next most common.

The challenges mentioned within the 'other' category (18%, 23) often centred around communication problems arising from sharing information between different data systems, and communication between schools and families. It was also felt that communication about sensitive issues had been made more challenging by GDPR, often indirectly. For example, in seeking to comply with good practice, academies were using encrypted emails in formats which LA staff had disproportionate difficulties in opening.

**Figure 7: CME officers' views of the main challenges of the Amendments (n=352)**



Within the theme of challenges, the most frequently raised cross-cutting issue was that of information systems, including both IT and administrative processes. Improving IT systems was seen as key to making it easier for schools to make returns and therefore comply with requirements, and allowing LA staff to focus on following up missing pupils rather than chasing data. One CME officer reported that there were seven different systems across the state-funded schools in their LA alone.

The theme of connectivity and standardisation was a common thread. There was considerable support for the standardisation of systems between LAs, LAs and schools, and more widely with other agencies. There were some ambitious suggestions for databases of various kinds, some embracing all LAs, schools, health, social care, housing, benefits, and cross-border movement, backed in some cases by enforcement powers and penalties.

Other respondents brought up practical aspects of inter-agency communication, such as the high turnover of personnel connected with a pupil. One suggestion was that there should be a standard question on all relevant social work, health and police forms – "Is this child registered at a school? If NO, inform the local authority's CME Officer."

There was a desire for processes to be more uniform, with standard forms. Some LAs asked for their own referral form to be completed. Representatives from multi-academy trusts who worked in settings that crossed LA borders spoke of frustrations with different systems.

In [one LA], on their CME form, it's electronic and they have quite strict processes in terms of, have you done X, if you haven't you need to before you move on. Includes first day calling, texts, letters, so that we can guarantee that the child is not at the address. The form that [neighbouring LA] do is paper form so you can be quite selective on what you document on that form but with the [first LA] online system it won't let you carry on until you've said 'yes' or at least 'no' but given a clear example, which I think is a better process as they are saying 'have you taken every reasonable step prior to contacting them?'.

Secure and efficient data transmission was an issue raised by some respondents, with one pointing out the administrative effort and delay entailed where agreed protocols were not in place; the same respondent suggested use of the Government's "white list". Another favoured "Removal of the freedom for schools to use an independent IT system which may not be compatible with LA systems". Several advocated the use of Egress.

A standardised method of communication between LAs with a designated contact point list would help. With different boroughs using different secure data transfer methods and sending data to various different people, often a message may get lost or not be received by the right person at all. This adds risk to the system. If all LAs used one method of data transfer (e.g. Egress) and agreed to send to a point/person designated by the LA, this would reduce risk.

Better information and guidance were called for on how to use the Lost Pupil database and S2S.

The School2School (S2S) database is an extremely useful tool for national searches for CME when families have moved out of the authority and their whereabouts are unknown. However, in its current format it is not as effective as it could be.

Many people offered views about why schools fail to comply with the off-rolling rules. The increase in children missing education was seen as a by-product of the pressures that schools are under. Some schools and CME officers argued that the issue was related to what they saw as the “unfairness” of being judged through national testing and Progress 8 measures, performance tables and Ofsted inspections. One headteacher said, “I’ve got no problem with publishing results but there needs to be a caveat that says this school took in these sorts of kids”. A CME officer commented

As long as schools continue to be judged on exam results then they will want to reduce the numbers of pupils who have a negative impact on these outcomes ... this is the major driver for the increase in CME.

A secondary school leader said

People’s jobs are at stake. A negative Progress 8 score can lead to a negative Ofsted which can lead to senior people losing their jobs. If you have a pupil who joins just before census day [4 October] in Year 11 and doesn’t sit any exams because he’s so disillusioned, he could have a progress measure of -4.5 so he’s cost us massively. He’s had 12 years of schooling but we’re responsible for his GCSE results because we took him through FAP [Fair Access Panel].

Schools which had available places spoke of receiving a disproportionate share of challenging pupils and families. Some schools, it was said, were not acting with integrity and were using the system to reduce the number of challenging pupils on their rolls without taking all the steps they could to keep them.

## Unintended consequences

Although the research found that the Amendments had improved matters, there were nevertheless some unintended consequences identified by LAs and schools.

- The lack of clarity in the *Children Missing Education* guidance document at times led to confusion. Terms such as ‘reasonable enquiries’ are open to interpretation and a few schools felt frustrated at being told by LAs that they must do more. For instance, one primary headteacher telephoned every school in a distant city because she heard that the father of a missing child was working there.
- Some LAs appeared to over-interpret the rules. For instance, one told a school that a pupil who had moved 100 miles away had to be kept on their roll until a new school had been confirmed; in fact, the school could have off-rolled on the grounds that the pupil had ‘ceased to attend the school and no longer ordinarily resides at a place which is a reasonable distance from the school at which he is registered’.
- Evidence of forwarding address was another issue. For example, schools who had educated the children of overseas students did not always have a new address when the parents finished their university course, did not know whether they were receiving education in their home country, and could not always definitively prove that they had left the UK.
- Hold-ups in gathering the information about leavers’ new destinations meant that schools could not offer the place to any other pupil. Feedback from focus groups suggested that this was an issue for over-subscribed schools, particularly those serving university populations. Three headteachers said that this affected their budget because the off-rolling of former pupils after 20 days happened just before the census date.
- The LA where the pupil attends school is notified of a mid-year move but not the LA where the child lives, meaning that “a lot of the time we are unaware of the movement of our own children.” This issue was raised mainly by London LAs and independent schools .
- The Amendments have caused unplanned increases in schools’ workload. Almost all the staff in schools who we interviewed considered that they undertake more than their fair share of ‘joint enquiries’, compared to their LAs.
- Schools are concerned about the risks to staff. In order to carry out reasonable enquiries about pupils’ whereabouts, schools told us they conduct home visits: “we check the home for signs of the family and ask neighbours and locals”. This is not only time-consuming but also poses personal risks to staff, especially as they are not trained in the skills of Education Welfare Officers (EWO). As a result, staff (sometimes in pairs for safety “one senior leader and one member of the admin team”) make home visits, which pulls them away from other work. We also heard of difficult encounters with occupants other than pupils’ families, and situations including overcrowding, potential illegal immigration, and possible human trafficking. Schools have a duty of care to their employees not to put them in danger.

# Potential improvements

Participants in the research were asked to offer opinions on how the regulations, or the way people or agencies work, might be improved to ensure greater information-sharing across schools, the LA, and other local agencies to help ensure that no children are missing from education.

## Standardisation of systems

Many suggestions for improvement concerned communications, information exchange and IT: these were made by 28 respondents (22%) to the survey and mentioned by the CME officers (15) whom we spoke with. There was considerable support for standardisation of systems, whether between LAs, LAs and schools, or more widely with other agencies. Proposals ranged from the relatively straightforward, “Have a generalised reporting form across the country”, to the ambitious, “A national data-base should be created which details all movement within schools/educational provisions throughout the country and requires compulsory notification”. The setting up of secure emails and data-sharing agreements with schools and other LAs in the absence of standardisation served to delay responses to information requests. The multi-academy trust attendance officers we spoke with complained of different systems in use across the different LAs they worked with.

## Clearer guidance

Guidance was requested from DfE on several specific issues. There should be a clearer definition of the term ‘reasonable enquiries’, which appeared to be interpreted differently between LAs and schools. Clarification was sought on, for example, how to report pupils with reduced timetables, and who is responsible for following up on non-arrivals – the allocated school or the LA. More guidance was sought on the ownership of the movement of a pupil who resides in one LA but is on roll at a school in another. Independent schools queried why they should send information to the LA in which they were situated but not the LAs where the pupils resided. Requests for technical clarifications of the law included, “When is a child actually considered to be on roll at a school? At point of allocation? When the child actually attends for a session? Regulation 5(3) needs to be clearer”.

Many respondents wanted existing LA and school processes to be made to work more effectively, particularly around admissions so that troubled and excluded pupils were fairly distributed among schools. There was a strong feeling among LA-maintained schools that academies did not always “play by the rules” but suffered no consequences. One headteacher spoke of dreading being unable to attend Fair Access Panels because he feared being allocated the most difficult pupils in his absence. Others said, “Admissions for all schools and academies should be brought back into LA control with additional funding made available for this to happen”.

## Enforcement

There was a clear sense that LAs should have stronger powers to help in a range of tasks and contexts (mentioned by 44 (35%) survey respondents in response to open questions about improvements). For example, schools that off-roll incorrectly should “face financial penalties and safeguarding investigations”. The latter point appeared in various forms many times, often with a suggestion of financial penalties attached. Where enforcement was proposed, it was most frequently ascribed to Ofsted, failing whom usually the LA would be the regulator (“LAs should be given powers to enforce the Regulations to hold headteachers to account, and additional funding to instigate investigations”), although one respondent reported, “It needs to be reflected in the law that failing to [share information] is a *criminal* offence”. One LA respondent asked for “an appendix like that in the Exclusions guidance for headteachers and governors would clarify schools’ responsibilities”. CME officers would like timely access to academies’ census data.

## GDPR

There was mention of misguided GDPR concerns by nearly a tenth of participants, which it was suggested could be addressed through authoritative national guidance that “Safeguarding trumps GDPR”. Several CME officers suggested that GDPR was being used by academies as an excuse for not sharing information with the LA.

## Multi-agency working

Both schools and CME officers (22, 17% of survey respondents) considered that multi-agency working was an area to improve. They wanted to clarify and extend statutory duties, for example “There should be statutory responsibility on all other agencies to notify the LA where they suspect a child may [not] be registered at a school.” Practical suggestions in this vein included that “a standard question on all Social Work, Health and Police forms should be, Is this child registered at a school? If *no*, inform the local authority's CME Officer.”

Schools and LAs appreciated that budgetary constraints had taken their toll in other sectors, notably the Education Welfare Service (EWS), and that this had a detrimental impact on the most vulnerable pupils: “Everything takes longer”; “A lot of alternative provision has gone”. Several LAs and schools wanted more help in confirming whether pupils had left the country.

Establish national guidelines and operating practices between the key organisations such as Health, HMRC, Border Agency and LAs so that enquiries to establish the whereabouts of pupils of or approaching statutory school age are securely but routinely and effectively managed.

A few respondents made suggestions that might raise privacy concerns, advocating information sharing about pupils with many agencies, covering housing, benefits, immigration, youth offending, policing, and health. One attendance officer wanted passport and parents’ national insurance numbers to be added to the information collected on pupils.

## **Training**

Many CME officers (25 (20%) survey respondents raised this in response to an open question) and schools asked for increased training and guidance, especially as the EWS had been disbanded or reduced in many areas. Attendance officers and other school staff found themselves having to carry out the work of EWOs but without any training in, for instance, carrying out home visits. Some of the school staff we spoke with brought skills from former employment (e.g. police officer, EWO) and were surprised at the lack of training opportunities. One MAT attendance officer led webinars for other academies in the trust.

## **CME officer status**

Many CME officers recommended that the role be given more status and time. The commitment of CME officers was striking to me as a researcher; when interviewed there was a sense that they felt overworked and isolated. National and regional meetings for LA CME officers and school attendance / admissions officers to talk about issues, best practice, interpretations, and processes were suggested. Such meetings were highly valued in areas where these were organised (often informally).

## **Elective home education**

Home education was a specific area of concern especially in interviews and focus groups, because it was seen as a way by which children could too easily become lost from the system. We were told of schools that encouraged the home-education of difficult pupils, when this was not suitable. One CME officer said

EHE regulations need to be tightened to include not only a central register but that a parent has to allow the EHE officer access to seeing the child in the family home as well as the work they are undertaking. We also want to see a requirement on EHE parents to notify the LA of changes in address and contact details.

We heard of parents paying for online unregistered 'schools' of dubious quality.

## **Extension beyond compulsory school age**

The duty on schools to report information to the LA on missing children applies to all pupils registered at a school. However, LAs have a duty to track only those of compulsory school age (5-16 years). This was considered a weakness in the system by both the primary schools and CME officers who raised it in response to open questions about improvements. Although there were concerns about the workload implications for schools and LAs, it was considered wise to treat all pupils registered at a school in the same way, especially with regard to their safeguarding needs. People felt most strongly about under-fives, where the impact of poor attendance and missing education was most damaging. One CME officer said, "I think losing children at the very beginning of their academic life is as serious an issue as Year 11 inappropriate off-rolling." Missing pupils aged 16 and over were considered vulnerable in the context of safeguarding duties towards them but that there were other systems (e.g. NEET, Prevent) to help.

## Conclusion

In conclusion, “The introduction of the 2016 procedures has been extremely positive in contributing in the area of safeguarding”, to quote a CME officer. Findings from the survey of CME officers, supported by what we have heard from schools, suggest that the 2016 Amendments have provided additional leverage for LAs – ‘a game-changer’ in the words of one CME officer – although a fifth considered that schools did not share information well.

The Amendments were considered to have raised the status of the importance of school attendance, but yet more could and should be done.

Missing education needs to be highlighted as the major safeguarding risk it is. It often seems to be regarded as a minor issue compared to other challenges facing children and young people.

Where LAs have been more effective in implementing the new regulations, they ascribe this to better resourcing, organisation, relations with schools, and general determination to prioritise the issue of CME. Amongst LAs that believe themselves to be less effective in dealing with CME, they feel that the current legislation does not provide them with either the enforcement powers or sanctions that might help them with their difficulties.

There is a desire for nationwide intervention from the centre, ranging from the straightforward to the highly ambitious, including technical solutions and multi-agency collaboration. It is likely, however, in the opinion of some respondents, that some helpful clarifications of definitions, roles, and accountabilities could be achieved through updated regulations and statutory guidance.

# **Appendix A: Survey for CME officers in Local Authorities**

Consultation on the 2016 Amendments to the Pupil Registration Regulations - views of LA CME officers

This short survey seeks to hear the views and experiences of the Children Missing Education (CME) officer in every local authority (LA) about the 2016 Amendments to the Pupil Registration Regulations (2006). These require schools to notify LAs when a pupil is added or removed from their roll outside of usual transition periods and to provide relevant information about their destination.

The survey should take no more than 10-15 minutes to complete and is open until 18 April.

Individual responses will be confidential to me, Dr Sara Bubb, and you don't need to provide your identity. However, saying which LA you are from will avoid you receiving reminders and will help analysis.

The Department for Education (DfE) will use my report of the anonymised survey findings to inform their review of the Amendments to regulations, which they will publish in the Autumn. Please see the email and attached privacy notice that was sent with the link to this survey, for more information.

For any queries please contact Sara at [research.sara.bubb.associates@gmail.com](mailto:research.sara.bubb.associates@gmail.com) or Karen at [school.attendance@education.gov.uk](mailto:school.attendance@education.gov.uk) .

1. How effectively do you think schools share information with your LA when pupils are added to their admissions registers? \*



1 not at all effectively



2



3



4 very effectively



Don't know

Please explain why you have given that score:

2. How effectively do you think schools share information with your LA when pupils are removed from admissions registers? \*



1 not at all effectively



2



3



4 very effectively



Don't know

Please explain why you have given that score:

3. To what extent do you think the new regulatory framework has improved the quality of information you receive on pupil moves? \*



1 decreased the quality of information



2 made no difference to the quality of information

 3 somewhat improved the quality of information

 4 much improved the quality of information

 Don't know

Please explain why you have given that score:

4. To what extent do you think the 2016 Amendments to the regulations help you to identify mid-year moves amongst the following groups of pupils? \*

	1 less well	2 no difference	3 better	4 much better	Don't know
Pupils with SEND					
Pupils at risk of harm					
Pupils on managed moves					
Home-educated pupils					
Gypsy, Roma and Traveller pupils					
Excluded pupils					
Pupils leaving a school roll to an unknown destination					
Children missing education					
Pupils in alternative provision					
Children new to the country					

Please explain why you have given these scores

5. Are there any other practices that you would like to share with us which improve information-sharing for the benefit of pupils' safeguarding and education?

 Yes

 No

 Don't know

Please let us know more

6. Overall, how well do you think each of the following types of school share relevant information with the LA? \*

	1 not at all well	2	3	4 very well	Don't know
LA maintained schools					
Academies					
Independent					
Alternative provision					
Special schools					

Please explain differences in your scoring

7. What do you consider to be the main challenges of the 2016 Amendments to the regulatory framework? (Please choose up to 3) \*

Capacity in LA

Capacity in schools

Capacity in other services

Communication between schools and the LA

Communication between schools

Communication across services

Communication with other LAs

Other (please specify):

Please let us know more about your main challenges

8. In your opinion, how might the regulations, or the way people or agencies work, be improved to ensure greater information-sharing across schools, the LA and other local agencies to help ensure that no children are missing from education? \*

Thank you for your responses. The survey has almost finished but we have a final few questions about your role and local authority (you or your LA will NOT be identified publicly or with DfE).

9. Which region do you work in?



North-East



North-West



South-East



South-West



East



London



Yorkshire & Humber



West Midlands



East Midlands

10. Which Local Authority do you work for?

# Appendix B: Focus group topic guide

## Introduction

- Facilitator introductions
- About the focus group - purpose and structure
- GDPR – inform participants that the group will be recorded. Privacy Notice sent in advance – consent.
- Confidentiality

## Warm up (5 minutes)

- Info about the regulations
- Round table introductions
  - Name and role
  - How long have you been in your position?

## Awareness of amendments to the regulations (10 minutes)

- What do you know about the regulations and the 2016 amendments?
- How are relevant staff informed about their duties? [training?]
- Have the changes to the 2016 amendments to the pupil regulations helped you fulfil your duties? (Yes / No)

## Information sharing and capacity (15 minutes)

- How well is information shared between:
  - Schools and local authorities, including other LAs

*Prompt - issues with particular categories of school and children.*

- Other agencies and organisations
- Did the introduction of the amendments in 2016 affect the way you worked with others, and the processes involved? If so how?
- How can information sharing be improved?

*Prompt – IT systems, timeliness*

- What processes are in place to address difficulties?
  - How do schools and local authorities work collaboratively/jointly to identify children missing education?
- Does the framework enable suitable education for all children?

**Concerns and unintended consequences (10 minutes)**

- Have there been unintended consequences of the 2016 amendments?

*Prompt – Have you found it easier or harder to identify particular groups of pupils? School places? Not being able to allocate places for new children?*

- Concerns / challenges about capacity:
  - Are there any limitations to information sharing based on school type; understanding of GDPR
  - Communication between schools, local authorities and services

*Prompt: Communication about information shared*

*Prompt: Communication about responsibilities and timeliness (what's required from all parties)*

**Suggested improvements (10 minutes)**

- What could be done to improve the regulations?

*Prompt: If you could make one improvement to the regulations, what would it be?*

- Are there any practices that you would like to share with us which improve information-sharing between schools and local authorities?

**Close (5 minutes)**

Are there any other points you would like to make?

# Appendix C: Topic guide for interviews with schools

## 1. Introduction

Thank you ...confirm that their consent form has been received (and that they have received the privacy notice in advance); remind them that the interview will take 20mins and will be recorded; reiterate confidentiality.

## 2. Background

The Department for Education (DfE) are reviewing the 2016 amendments to the Pupil Registration Regulations (2006). As part of this review, Sara Bubb Associates has been commissioned to gather views from schools to help understand how the 2016 amendments to the pupil registration regulations are being implemented and to gather views on their effectiveness.

As part of this, we have heard views from Children Missing Education (CME) officers in local authorities, and really want to hear the views from schools.

- What is your role? How long have you been in this role?

## 3. Awareness of the 2016 amendments to the regulations

- Are you aware of the 2016 changes to regulations?
  - Prompt – Changes to the regulations include requiring schools to notify local authorities when a pupil is added or removed from their roll outside of usual transition periods and to provide local authorities with further relevant information about their destination.

Have you received any training / updates / helpline?

#### **4. Information sharing and collaborative working**

- Do you get sufficient information from parents when a pupil joins the school mid-year; is going to be living at another address; leaves mid-year?
  - If 'sometimes' or 'no', explore the reason for this e.g. not followed up; followed up but not been established; difficulties for certain types of pupils e.g. GRT, EAL, pupil premium pupils; pupils with siblings in other schools etc. If not covered – how do you usually receive this information?
- How do you share information with the LA when a pupil is added to/deleted from the admission register?
  - Probe e.g. data system compatibility, live feeds, etc
  - Probe as appropriate – do you think there are any issues because you are [an academy, special school, independent].
- What happens when a pupil moves to another LA?
  - Where a pupil has been absent without permission or failed to return to school following an agreed period of leave, do you make enquiries jointly with the local authority to locate the pupil? If so, how?
    - Prompt – what is the general process for this? How do schools and local authority work together? Have there been any limitations? What has worked?
  - When necessary, how do you share information with other schools or agencies?
    - Probe for any difficulties tracking pupil moves.
  - As far as you are aware, have any of the processes of information sharing with your LA or other schools or agencies changed since the 2016 amendments to regulations? If so how?
    - Probe for views on whether changes were an improvement on the previous arrangements.

## **5. Barriers and concerns**

- Are there any barriers to informing the local authority when a pupil is added to or deleted from your admission register?
- In your view, does anything else need improving?
  - e.g. sharing information with your LA; other LAs; other schools; and other agencies
- Do you think that there have been unintended or undesirable consequences of the changes to regulations?
  - e.g. for pupils? for your school?

## **6. Good practice**

- Are there any practices or processes that would be good to share?

Invite any final comments or questions on anything covered today.

Thank you!

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## **Annex B: Stakeholder engagement topic guide**

### **Review of the 2016 Amendments to the Pupil Registration Regulations**

The Education (Pupil Registration) (England) (Amendment) Regulations 2016 came into force on 1 September 2016. These amendments aim to:

- Enable better information sharing between all schools and local authorities where pupils are removed and added to school admissions registers;
- Ensure local authorities are better able to comply with their duty to make arrangements to establish (as far as it is possible) the identities of children of compulsory school age in their area who are not registered pupils at school and are not receiving suitable education other than at a school;
- Ensure local authorities are better able to ensure that those children are receiving suitable education
- Ensure local authorities are better able to safeguard and promote the welfare of all children in their area.

The review of the 2016 Amendments to the Pupil Registration Regulations aim to assess the effectiveness of the amendments to the regulation.

#### **Amendments**

Do you think the amendments to the Pupil Registration Regulations have:

- a) Improved communication and information sharing between schools and local authorities when pupils are removed and added to school admissions registers?
- b) Improved coordination between schools and local authorities when pupils are removed and added to school admissions registers?
- c) Ensured that all schools provide local authorities with the appropriate information to record and track all pupils?
- d) Enabled local authorities to quickly and effectively identify children of compulsory

school age who are missing education?

- e) Raised awareness on schools duties to provide information to local authorities when pupils are removed and added to school admissions registers, and collaborate with local authorities to make reasonable enquiries to locate a child missing education?

### **Unintended changes, consequences or burdens as a result of regulation changes**

- Do you think there have been unintended consequences / burdens / changes as a result of the 2016 amendments?
- (If yes) How significant are these unintended consequences / burdens / changes?
- Have there been any new concerns as a result of the regulation changes?
- Are there any pre-existing concerns / issues despite regulation changes?

### **What has worked**

- Best practice for schools and local authorities – any examples?

### **Suggested improvements**

- Do you think the amendments need to be developed / improved further?
- What improvements could be made to the regulations?

## Annex C: Cost assessment survey questions for schools

### Schools

The Department for Education is reviewing the 2016 amendment to the Education (Pupil Registration) (England) Regulations 2006. Please see below for further information about main changes to the regulations.

As part of this review, we need to assess the assumptions that were made to the time it would take to administer the changes and would be very grateful for your help in answering the following questions.

### Consent statement

Any personal information that you provide will be held in the strictest confidence and your details will not be passed on to a third party.

Your participation is entirely voluntary, and you can withdraw at any time. Your responses will also be recorded in an anonymised way.

The findings from this interview will be used to inform our review of the 2016 amendments to the Pupil Registration Regulations (2006).

Data will only be collected for the purpose of this research and will therefore only keep your data for 12 months

If you would like to withdraw your consent or if you have any other questions, please contact Karen Kennedy ([school.attendance@education.gov.uk](mailto:school.attendance@education.gov.uk)) with 'Review of pupil regulation amendments'

### Consent

- I consent to participating in this survey.  YES / NO
- I consent to my information to be used as part of this research.  YES / NO

Name:

Date:

## Questions for schools

1. How long (in minutes) on average would you estimate it has taken for one member of staff to have:
  - a) familiarised themselves with the amendments to the regulations introduced in Sept 2016, and
  - b) disseminated information about the changes in the regulations to all relevant staff?
2. How long (in minutes) on average would you estimate that it takes for schools to carry out the following tasks:
  - a. Collate relevant information and make a return to their LA when a pupil's name is deleted from the admission register
  - b. Collate relevant information and make a return to their LA when a pupil's name is added to the admission register
3. How long (in minutes) on average would you estimate that it takes for schools to collect the following additional information when a parent notifies that school that:
  - a. **A pupil will be moving to a new address** - the full name of the parent with whom the pupil will live, the new address, and the date when it is expected the pupil will live at this address.
  - b. **A pupil will be moving to a new school or will be registered at different school** - the name of the other school, and the date when the pupil first attended, or is due to start attending, that school.
4. How much time (in minutes) on average does it take for parents to provide the following information:
  - a. **When a pupil moves to a new address** - the full name of the parent with whom the pupil will live, the new address, and the date when it is expected the pupil will live at this address.
  - b. **When a pupil moves to a new school or will be registered at different school** - the name of the other school, and the date when the pupil first attended, or is due to start attending, that school.
5. How many returns did you make to your local authority for pupil's being added to the admission register in the academic year 2017/18?
6. How many returns did you make to your local authority for pupil's being deleted from the admission register in the academic year 2017/18?
7. Since the amendments were introduced in September 2016, has any new software been implemented in your school to aid information transfer between schools and the local authority? If so, has this reduced, increased or made no difference to the time it takes to share information?

## What were the main changes to the regulations?

- All schools must include in the admission register any new address at which a pupil will be living and any new school which a pupil will be attending.
- All schools must notify the local authority within five days of adding a pupil's name to the admission register. The notification must include all the details contained in the admission register for that pupil.

This duty does not apply when a pupil's name is entered in the admission register at a standard transition point – at the start of the first year of education normally provided by that school – unless the local authority requests that such returns are to be made.

- All schools must notify their local authority when they delete a pupil's name from the school admission register under any of the grounds prescribed in the regulations<sup>18</sup>.  
This duty does not apply when a pupil's name is removed from the admission register at standard transition points – when the pupil has completed the final year of education normally provided by that school – unless the local authority requests that such returns are to be made.
- When deleting a pupil's name from the admission register, the notification to the local authority must include:
  - the full name of the pupil;
  - the full name and address of any parent with whom the pupil normally resides;
  - at least one telephone number for any parent with whom the pupil normally resides;
  - the pupil's future address, if applicable;
  - the name of pupil's new school, if applicable, and
  - the ground in regulation 8 under which the pupil's name is to be removed from the admission register.
- The grounds for deletion under regulation 8(1)(f) and (h) requires the school and local authority to jointly make reasonable enquiries to establish the whereabouts of the pupil.

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<sup>18</sup> Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended

## Annex D: Cost assessment survey questions for local authorities

The Department for Education is reviewing the 2016 amendment to the Pupil Registration Regulations. As part of this review, we would like to assess the assumptions made to the time it would take to administer the changes. Please see below for further information about main changes to the regulations.

### Proposed questions for local authorities

1. How long (in minutes) on average would you estimate it has taken for one member of LA staff to have:
  - a) familiarised themselves with the amendments to the regulations introduced in Sept 2016, and
  - b) disseminated information about the changes in the regulations to all relevant staff in the LA?
  - c) disseminated information about the changes in the regulations to all relevant staff in schools?
2. How long (in minutes) on average would you estimate it takes to process:
  - a) Information received when a pupil's name is added to the admission register
  - b) Information received when a pupil's name is deleted from the admission register
3. How many returns did you receive from all schools in your LA for pupils being added to the admission register in the academic year 2017/18?
4. How many returns did you receive from all schools for pupil's being deleted from the admission register in the academic year 2017/18?
5. Since the amendments were introduced in Sept 2016, has any new software been implemented in your LA to aid information transfer between schools and the local authority?

If so, has this reduced, increased or made no difference to the time it takes to share information?

### Proposed questions for schools

1. How long (in minutes) on average would you estimate it has taken for one member of staff to have:
  - a) familiarised themselves with the amendments to the regulations introduced in Sept 2016, and
  - c) disseminated information about the changes in the regulations to all relevant staff?
2. How long (in minutes) on average would you estimate that it takes for schools to carry out the following tasks:

- a) Collate relevant information and make a return to their LA when a pupil's name is deleted from the admission register
  - b) Collate relevant information and make a return to their LA when a pupil's name is added to the admission register
3. How long (in minutes) on average would you estimate that it takes for schools to collect the following additional information when a parent notifies that school that:
- a) **A pupil will be moving to a new address** - the full name of the parent with whom the pupil will live, the new address, and the date when it is expected the pupil will live at this address.
  - b) **A pupil will be moving to a new school or will be registered at different school** - the name of the other school, and the date when the pupil first attended, or is due to start attending, that school.
4. How much time (in minutes) on average does it take for parents to provide the following information:
- a) **When a pupil moves to a new address** - the full name of the parent with whom the pupil will live, the new address, and the date when it is expected the pupil will live at this address.
  - b) **When a pupil moves to a new school or will be registered at different school** - the name of the other school, and the date when the pupil first attended, or is due to start attending, that school.
5. How many returns did you make to your local authority for pupil's being added to the admission register in the academic year 2017/18?
6. How many returns did you make to your local authority for pupil's being deleted from the admission register in the academic year 2017/18?
7. Since the amendments were introduced in September 2016, has any new software been implemented in your school to aid information transfer between schools and the local authority?

If so, has this reduced, increased or made no difference to the time it takes to share information?

## What were the main changes?

- All schools (including academies and independent schools) must notify the local authority within five days of adding a pupil's name to the admission register. The notification must include all the details contained in the admission register for that pupil. This duty does not apply when a pupil's name is entered in the admission register at a standard transition point – at the start of the first year of education normally provided by that school – unless the local authority requests that such returns are to be made.
- All schools (including academies and independent schools) must notify their local authority when they delete a pupil's name from the school admission register under any of the grounds prescribed in the regulations<sup>19</sup>. This duty does not apply when a pupil's name is removed from the admission register at standard transition points – when the pupil has completed the final year of education normally provided by that school – unless the local authority requests that such returns are to be made.
- When deleting a pupil's name from the admission register, the notification to the local authority must include: (a) the full name of the pupil; (b) the full name and address of any parent with whom the pupil normally resides; (c) at least one telephone number for any parent with whom the pupil normally resides; (d) the pupil's future address, if applicable; (e) the name of pupil's new school, if applicable, and (e) the ground in regulation 8 under which the pupil's name is to be removed from the admission register.
- The grounds for deletion under regulation 8(1)(f) and (h) requires the school and local authority to jointly make reasonable enquiries to establish the whereabouts of the pupil.

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<sup>19</sup> Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended