

Looked after children who are not in school

May 2023

Contents

Foreword from Dame Rachel de Souza.....	4
Executive summary	7
1. What is known about children not in school.....	10
2. The importance of school for looked after children	13
2.1. All looked after children should be receiving the best education	13
2.2. Looked after children’s education outcomes are worse than their peers.....	15
2.3. There are substantial gaps in the data, making it hard to ensure that looked after children are in school.....	16
3. The looked after children who are out of school.....	17
3.1. Description of the data requested.....	17
3.2. Many looked after children are missing out on education	18
3.3. Some groups of children with particular vulnerabilities are more likely to not be in education	22
3.3.1 Unaccompanied Children Seeking Asylum.....	22
3.3.2 Older children and boys.....	22
3.3.3 Children with Special Educational Needs (SEN).....	25
3.4. There are some structural factors that make missing out on education more likely	27
3.4.1 Absence during autumn term 2021.....	27
3.4.2 Setting last attended.....	28
3.4.3 Placement type.....	29
3.4.4 Stability and location of care placement.....	31
3.4.5 Regional differences.....	32
4. The reasons looked after children are not in school	34
4.1. Looked after children who were not on any school roll.....	34
4.2. Looked after children not in formal registered education	39
4.2.1 Receiving 1:1 or small group private tuition.....	40
4.2.2 Attending an unregistered setting full-time	42
4.2.3 Elective home education.....	42
4.3. Looked after children who were on enrolled at a school but not attending	43
5. The way forward.....	44
5.1. Education as form of early intervention for vulnerable children.....	44

5.1.1 Increase support for children in need to access education	44
5.1.2 Updating and expanding Pupil Premium Plus	45
5.2. Children in care should receive care to the age of 18.....	46
5.3. Ensuring that the education that children receive is high quality and safe.....	47
5.3.1 Strengthening the definition of suitable education	47
5.3.2 The need for registration across the Alternative Provision sector.....	48
5.3.3 Elective Home Education.....	49
5.4. Supporting children with particular vulnerabilities to thrive in school.....	50
5.4.1 English language support to help UCSA transition into school	50
5.4.2 Support for children with SEND.....	51
5.5. Ensuring children do not miss out on school	51
5.6. Increasing accountability and collaboration across the system so vulnerable children are safe and supported	53
5.6.1 VSHs should feel empowered to advocate for vulnerable children.....	53
5.6.2 VSHs should have the powers they need to ensure children are in the best schools	53
5.6.3 Schools should be made corporate parents	54
5.6.4 A school's governing body should champion the needs of vulnerable children.....	54
5.6.5 Improve the data collected on the education status of vulnerable children.....	55
5.6.6 Improve data tracking through a unique child ID.....	55
6. Methodology.....	57
Analytical Annex.....	61
Analytical assumptions.....	61
Regression analysis.....	62
References.....	68

Foreword from Dame Rachel de Souza



Attending school, and all that comes with that experience, is something that many of us will have taken for granted over the course of our lives. I want every child to be excited about getting up for school in the morning, making new friends, learning new things and establishing formative relationships with their teachers. School should be a place where children thrive, achieve and pursue their dreams and ambitions, so that their adult lives can be enriched by the opportunities a fantastic education affords you.

Unfortunately, for some groups of children, this is far from their reality. Too many children are not in school, do not attend regularly, and don't have the support they need to engage with learning.

Since taking up my role as Children's Commissioner in 2021, I have become increasingly concerned about groups of particularly vulnerable children who are missing out on the opportunities a good education provides: not just in outcomes and grades, but in life experience, mental wellbeing and stability.

This is reflected in what children told me in The Big Ask, the largest ever survey of children. That they love school, that its absence over lockdowns renewed the importance of it for friendship, safety and learning. Where children with additional needs received support in school, they told me they were happier than the overall cohort of children in their school. This corroborates what I know from speaking to thousands of children over the course of my career. Children want to go to school, and they want

school to work for them and their peers. They see it as their right. Article 28 of the UN Convention on the Rights of the Child (UNCRC) sets out that every child has the right to an education.

This is why I have made it my mission to make sure every child is in school, every day, ready to learn. I have looked at the barriers to attendance in multiple forms: through my Attendance Audit last year, which explored the reasons children are missing school and what they need to return; through my 'Voices of England's Missing Children' research, which set a clear goal that no child should fall through the gaps and miss out on education; and through my work as a member of the Government's Attendance Action Alliance.

My business plan for 2023-24 sets out a bold programme of work exploring how children end up out of education and how this can be prevented. Today I'm publishing the first major part of that work, focusing on looked after children, for whom I have a statutory responsibility as Children's Commissioner.

For these children, being in school and receiving an excellent education could not be more important. School forms a central part of the safety net supporting these children and can provide them with a sense of stability and trusted relationships they need but may not freely have.

That is why, using my statutory data collection powers, I have asked every local authority for information about all the children in their care of compulsory school age, and what school they attend. A lack of proper, robust information on these children should no longer be the reason they are not receiving a suitable education.

Of the 50,846 children in-scope for this research – who have been in the care of their local authority for at least four weeks and who are school-aged – the vast majority are being educated in a registered school, as they should be. That is due to the hard work and dedication of foster carers, social workers and virtual schools across the country that support looked after children to attend school.

But, concerningly, this research also shows that looked after children are over-represented¹ among those missing from school: 2.7% of looked after children are not in school. Amongst other findings, my office's analysis reveals that unaccompanied children seeking asylum, male children, older children, children with special educational needs, and children without stable care placements were disproportionately more likely to not be in school.

Local authorities are the 'corporate parents' for children in care and have statutory duties to make sure looked after children in their care are attending the best schools, unblocking any barriers that present themselves to getting children the right education that can meet their needs effectively.

In short, they should be discharging these responsibilities to act and advocate for these children in the way that any other parent would and be their first and best champion. Making sure they are in school every day and getting the education they are owed by law is the absolute minimum I expect from a corporate parent. But it cannot be their responsibility alone: attendance is everyone's business, including the attendance of looked after children. That corporate parenting responsibility needs to be seen in the spirit, values and culture that everyone working with and for children adopts. It cannot solely be the purview of the local authority.

All parents are held to account for their children not being in school – from informal conversations with teachers or meetings with the headteacher, to being issued with fines. I expect the same level of scrutiny and accountability when it comes to ensuring corporate parents are getting children in to school.

There is no excuse for not getting this group of vulnerable children into school. For them, being in school acts as an additional protective measure, giving them the chance to build stable, positive relationships with staff and for safeguarding professionals to see them regularly. We cannot start transforming care leavers' outcomes when they leave care. It starts in the early years. It starts with education.

Children who have come into care are every bit as ambitious about their futures as other children and deserve to be in schools that can help them achieve all they want to. Ambition is a watchword of mine, because to truly support children to succeed we must be as ambitious for them as they are for themselves – this will be a driving force behind all my work this year.

Executive summary

This report is part of a series of reports the Children's Commissioner is conducting as part of the Attendance Action Alliance to understand what leads to children missing out on school.

School is important for every child, and every child should be able to attend. But it is perhaps most important for the most vulnerable children, including those children who are in care. These are children who have experienced trauma and upheaval, and where school can and should be a source of stability and caring relationships that help them to develop. Children in care are ambitious for their futures but for a multitude of reasons are at greater risk of poor education and employment outcomes so access to a brilliant education is essential.

That is why the Children's Commissioner is beginning this work by exploring how many looked after children are missing out on school altogether, and the reasons why.

While some nationally available information is collected on children who are missing education, only aggregate numbers are collected, which makes it hard to understand the characteristics and journeys of the individuals. The Children's Commissioner therefore requested data from every local authority on the education status of all their children in care, so the data in this report is the first to present child-level data on the education status of looked after children who are not in school.

The office found that, using the Children's Commissioner's office (CCo) definition of children not in school (set out in detail in section 3.2. below, in March 2022 **1,363** looked after children (**2.7%**) were missing from school. It is of course welcome that the vast majority of looked after children are therefore in school. But it is concerning, given the clear duties on services to ensure these children can access the best schools, that too many are still missing out altogether and within the wider school-age population, the Department for Education has no way of identifying who these children are, leaving the number who go without an education nationally unknown.

Further analysis shows that certain groups of children, some with particular vulnerabilities, and some factors relating to a child's education and care placements, made them more likely to be missing from school.

The following groups of looked after children are more likely to be missing from school:

- Unaccompanied Children Seeking Asylum (UCSA);
- Children with Education, Health and Care Plans (EHCPs), and children with Social and Emotional Mental Health needs or Autistic Spectrum Disorder;
- Older children;
- Boys; and,
- The 'Other' ethnic group had the highest rate of children not in school, but when taking account of UCSA in the analysis, the Black ethnic group becomes the ethnic group with the largest proportion of children not in school.

Factors related to a child's education:

- Children who missed more than 10% of sessions in autumn term 2021 without authorisation were more likely to be missing school in March 2022;
- Children who previously attended schools rated inadequate by Ofsted were more likely to be missing school; and,
- Looked after children who had previously attended a state-funded alternative provision (AP) were more likely to become not in school than those who previously attended a state-funded mainstream or special school.

Factors related to a child's care placement:

- Children in foster care were much less likely to not be in school than looked after children in fully or semi-independent living;
- Having a higher number of care placements in a year was associated with being not in school; and,

- Looked after children living in placements outside of their home local authority were more likely to not be in school.

The reasons for these children being out of school vary. Drawing on case studies from the Children's Commissioner's independent advocacy service, 'Help at Hand', and discussions with local authorities, this report outlines some of the biggest challenges for ensuring all looked after children are in school. These include the complexity of supporting children on an EHCP who are placed out of area, the need for greater English language education for UCSA to help them integrate into mainstream education, and the lack of sufficient places able to meet the needs of children.

This report makes several recommendations for government, schools and local authorities to ensure that every child identified as vulnerable is attending a good or outstanding school every day. These cover:

- Increasing support for children in need to access education;
 - Updating and expanding Pupil Premium Plus ;
 - Ensuring that the education that children receive is high quality and safe;
 - Supporting children with particular vulnerabilities to thrive in school;
 - Ensuring children do not miss out on school; and,
 - Increasing accountability and collaboration across the system so vulnerable children are safe and supported.
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1. What is known about children not in school

This chapter sets out the Children's Commissioner's commitment to supporting every child to be in school every day. It provides an overview of the Commissioner's work so far on attendance, which has highlighted how some children are missing out on school altogether.

Through the Attendance Action Alliance, the Children's Commissioner has committed to investigate the different ways children become defined as 'not in school'. Given that these children are vulnerable and given the clear duties on local authorities to promote their education, the office has chosen to start this work by focusing on looked after children.

The Children's Commissioner's work on attendance and children not in school

School is central to children's lives. It is the place they can get a great education, unlocking the doors to their future, access enriching opportunities and make lasting friendships. That is why the Children's Commissioner has made it her objective for every child to be attending school, every day, and for that school to support the child to thrive by effectively meeting their needs.

When the Children's Commissioner took up post in March 2021 it was clear that the pandemic had profoundly affected children's attendance at school. Many children had become isolated and were struggling to engage in education following periods of school closures imposed by the lockdowns.

In the academic year 2021/22, the percentage of children persistently absent from school was 22.5%, up from 11.2% in 2017/18, although it is important to note that increase was partly driven by illness. For unauthorised absences only, over that same period, the rate also grew, from 1.4% to 2.1%.² Last year the CCo set out to understand why children were absent and to learn more about the barriers they faced in engaging with school. Through the CCo's Attendance Audit³ the office spoke to children, parents and carers, and professionals. The office also surveyed all local authorities, about the attendance rates of children and the number of children missing education in their area.

This work revealed that there is a group of children who have dropped out of the education system altogether, or who have never been a part of it. These children, the 'children missing from school' are

those who aren't in registered maintained or independent schools and have not been registered as receiving elective home education.

The research showed that many local authorities struggled to report how many children there are in their areas – let alone the number of these children who were not receiving an education. Even the local authorities that could provide an estimate of children missing education provided estimates that were unlikely to be accurate, as they were largely based on the children who had fallen off school rolls, rather than the total who were missing education. This means that an accurate national picture of the number of children missing out on 'education does not exist. There is therefore an urgent need for a greater understanding of this group of children, and what led to them missing out on education.

That is why this year, as part of the Attendance Action Alliance – a group of professionals convened by the Government with the aim of raising attendance – the office will carry out new research investigating the range of journeys children take to becoming a child who is not in school. This work will also aim to examine what effective action can be undertaken by schools, local authorities, and other agencies to get children back into education. This research will combine new analysis of national data with qualitative research with children and services, placing their stories at the heart of the analysis.

Focusing on vulnerable children who are not in school

The Children's Commissioner is concerned about all children who are missing from school. For all children, school can be a safety net and a form of early help, identifying any additional needs or challenges. For children who have been identified as having a vulnerability and are classified as a 'Child in Need', school is an essential form of support and safeguarding structure. But the Commissioner has chosen to begin this work by considering looked after children who are not in school. These children are some of the most vulnerable in the country, and there are clear duties on local authorities to promote their education. Given the extensive involvement of support services in these children's lives, there is no excuse for them to be missing from school. This report therefore examines the education status and placements of looked after children across local authorities in England.

The Department for Education (DfE) asks local authorities on a voluntary basis to provide the aggregate number of children in their area who are not in education. This provides a local authority level estimate of the number of these children who are looked after but provides no information about the individuals.

The child-level data collected by the CCo and presented in this report offers, for the first time, estimates of the characteristics as well as numbers of looked after children who are not in school, as well as new detail on what, if any, form of education they are receiving.

The CCo has not used the government's current definition of 'children missing education' (CME) as the office believes that there is too much ambiguity in the definition.⁴ The government defines CME as 'children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school'. This definition, and the accompanying guidance for local authorities, parents and schools, fails to outline what a 'suitable' education that is 'otherwise than at school' should consist of. This lack of clarity means that that parents, schools and local authorities have to make their own assessments of what provision children should receive. This is particularly concerning for looked after children who are particularly vulnerable and should be receiving the highest quality education to support them to thrive.

2. The importance of school for looked after children

This chapter provides an overview of local authorities' responsibilities for supporting looked after children to get the best education, including the duties of the Virtual School Head (VSH) to ensure looked after children are in a school that can effectively meet their needs. Despite these responsibilities this chapter outlines that looked after children underachieve on average in education compared to their non-looked after peers. Finally, this chapter explains that the gaps in the way that the data is currently collected make it hard to identify why children are missing from school.

2.1. All looked after children should be receiving the best education

Looked after children must receive the care, love and support they need to overcome the challenges and trauma they have experienced and help them to achieve their ambitions. For these children, who have moved into new homes, with new carers, school can be a vital source of stability in their lives.

In The Big Ask, the largest ever survey of children, it was clear that children in care are just as ambitious about their futures as other children.

“I feel like children in care are treated differently to people who live with their biological family. But we are the same as other young children.” – Girl, 14, The Big Ask

That ambition must be matched by professionals working with them. Two thirds of the looked after children who responded to The Big Ask survey told CCo that their top aspiration was to get a good job or career.⁵

No child in care should miss out on accessing a high-quality education. Local authorities have a statutory duty under the Children Act 1989 s 22(3)(a) to promote a looked after child's educational achievement. Statutory guidance sets out how this duty should be fulfilled, with every child having a personal education plan (PEP) to ensure their educational needs are met. In discharging this duty, local authorities should do everything possible to minimise disruption to a child's education. Wherever possible, children should be supported to stay at the same school when they come into care. In addition, guidance for local authorities sets out that schools judged 'good' or outstanding' should be prioritised when seeking

a place for a looked after child.⁶ The school admissions code outlines that schools should prioritise the admission of looked after children and those who have been previously looked after.⁷

The role of the Virtual School Head

Virtual School Heads (VSH) play an immensely important role in supporting looked after children into education and supporting them to pursue their ambitions and thrive. VSHs is a role which was established in 2014 with responsibility for overseeing the education of looked after children.⁸ The role of the VSH was extended to all children who are classified as 'Children in Need' in 2021 on a non-statutory basis. However, as discussed below, there isn't yet parity between the role of the VSH for looked after children and Children in Need.⁹

Local authorities are required, under the Children and Families Act 2014, to appoint a VSH who has a statutory responsibility to promote the educational achievement of looked after children. A VSH's duties include responsibility for managing a child's PEP and the allocation of Pupil Premium Plus - dedicated funding for looked after children, which is designed to support these children in their education. The VSH also receives data on attainment and attendance of looked after children and coordinates with the school's designated teachersⁱ to ensure the needs of looked after children are met.

As a good parent would, VSHs aim to ensure that looked after children have access to the educational opportunities that will support them to fulfil their dreams. VSHs are therefore a vital mechanism through which the local authority discharges its corporate parenting responsibilities.

Perhaps most importantly, the VSH is responsible for liaising with schools' admissions authorities to make them aware of their duties in relation to admitting looked after children. A looked after child's local authority has the power – discharged by the VSH – to direct the admission authority for any maintainedⁱⁱ school to admit the looked after child.¹⁰ Academies and free schools are independent from the local authority and each acts as its own admissions authority. In practice this means that if a local

ⁱ All maintained schools, academies and free schools are required to appoint a designated teacher to champion the educational attainment of looked-after and previously looked-after children, and act as a source of information and advice about their needs.

ⁱⁱ A 'maintained school' means community school, foundation school, voluntary aided school, voluntary controlled school, community special school, foundation special school or maintained nursery school. The Admissions Code does not apply to special or nursery schools.

authority considers that an academy school would be the best fit for a looked after child's needs, the local authority can ask the academy to admit that child but lacks any power to direct it to do so. If the academy refuses admission, the local authority can ask the Secretary of State for Education (SoS) to intervene. The SoS has the power under an academy's funding agreement to direct the academy to admit a child and can seek advice from the Schools Adjudicatorⁱⁱⁱ in reaching a decision.^{iv}

For Children in Need, VSHs are responsible for working collaboratively with local agencies to address the barriers and challenges with attainment and engagement in education. However, they do not have the power to direct admissions for these children, who are also not entitled to priority in admissions processes, or to Pupil Premium Plus.

2.2. Looked after children's education outcomes are worse than their peers

Despite these measures, the attainment outcomes of looked after children and children in need remain low compared to their peers who are not in contact with the children's social care system.¹¹

The average attainment of looked after children is lower than that of other children. Only 11% of children looked after for at least 12 months as of 31st March 2022 achieved good GCSEs in English and Mathematics (grade 5 or above) in 2021/22, much lower than the 50% in the overall pupil population.¹² And the latest government data from 2022 shows that 38% of 19–21-year-old care leavers were not in education, employment, or training, compared to 11% of all other young people in the same age group.¹³

The CCo's 'Back Into School: new insights into school absence' report showed that looked after children were less likely to be absent than their non-looked after peers.¹⁴ This is testament to the hard work of foster carers, children's home staff and social workers and Virtual School Heads.

ⁱⁱⁱ The Schools Adjudicator must consider whether admission arrangements referred to him or her comply with the Admissions Code and the law relating to admissions.

^{iv} In 2021 the Office of the Schools Adjudicator advised on 8 local authority requests for a SoS direction to an academy

Improving attendance is one vital part of driving up attainment. In 2019, pupils with higher attendance were more likely to achieve the expected standard in Key Stage 2 and Key Stage 4 reading, writing and maths than pupils with lower attendance.¹⁵

However, as this report demonstrates, there are some looked after children who are not attending school at all. The first step must therefore be to get all these children into school.

2.3. There are substantial gaps in the data, making it hard to ensure that looked after children are in school

At the national level, there is no data collection on children who are not in school. While individual-level data collections, such as those in DfE's National Pupil Database (NPD), can be used to identify children who disappear from school rolls, the reason for that disappearance is almost impossible to determine. The data does not differentiate between children who leave school rolls because they are out of school, or because they have moved abroad or died. As independent and unregistered providers do not submit child-level data to DfE, children can disappear from the NPD while still receiving education within England.

Some children – such as unaccompanied children seeking asylum – may never appear on a school roll in the first place. As a result, these children and their lack of education can go entirely undetected within DfE's data.

Looked after children are known to the state regardless of their education status. Child-level data on this group is collected from local authorities by DfE through the annual children looked after return (CLA return). While the CLA return itself contains no information about the education status of these children, in most cases it can be joined to the NPD to find that information. DfE already completes this process annually, although for the reasons discussed above, this provides no information on why a child is missing from the NPD.

3. The looked after children who are out of school

Last year the CCo published the 'Voices of England's Missing Children', which set a clear ambition that no more children should fall through the gaps and miss out on education. An essential first step to achieving this is ensuring there is good information available on what education children are receiving.

To fill the gaps in the data, the CCo used the Children's Commissioner's statutory power under Section 2F of the Children Act 2004 to collect data on the education status of their looked after children.

This chapter provides an overview of the CCo's findings. In summary, the office found that under the CCo's definition, in March 2022 1,363 looked after children (2.7%) were missing from school.

The data the office collected show that certain groups of children, some with particular vulnerabilities, were more likely to be missing from school. There were also some structural factors that related to a child's education and care placement that made missing out on school more likely.

3.1. Description of the data requested

Through the statutory data request, the CCo asked all local authorities in England to provide a record of the enrolment status in education provision of their looked after child population on 31st March, 2022.

Specifically, the office asked local authorities to provide information on the education of looked after children who had been in care for at least four weeks as of 31st March 2022, and who were of statutory school age^v, using the following options:¹⁶

- Enrolled in full-time registered education
- Enrolled in part-time registered education
- Attending an unregistered setting full-time

^v Children can leave school on the last Friday of June if they will be aged 16 by the 31st of August. It is not meaningful to comment on whether children past the statutory school age are in school, as they have no requirement to be there.

- Attending an unregistered setting part-time
- Receiving elective home education
- Receiving private 1:1 or group tuition
- Educated through other provision
- Not receiving any education provision

The office did not ask local authorities to report on the quality or suitability of the education. In total the office received data from 149 local authorities. Three local authorities did not respond to the data request: Nottingham, Sefton, and Middlesbrough.

More information on the data and analysis can be found in Chapter 6.

3.2. Many looked after children are missing out on education

There were 50,846 children in scope of the analysis, of whom the office received data on 49,536 (97%) from 149 local authorities. Where possible, incomplete data was completed using DfE's National Pupil Database^{vi}.

The office defined three distinct categories of children who are not in education. Looked after children were defined as not in education if their education status on 31st March 2022 could fit into any of the following three categories:

- Looked after children who were not enrolled in any school
- Looked after children who were enrolled at a school but not attending
- Looked after children who were receiving unregistered education provision

Under the CCo's definition, 97.3% of looked after children were in school, and 1,363 (2.7%) of looked after children were not in school. By local authority, this varied from 0% to 13.4%. Table 1 gives the number and proportion of looked after children within each category.

^{vi} Specifically, the Spring School Census, the AP Census, and the Children Looked After Return.

1. Looked after children who were not enrolled in any school

541 (1.1%) of looked after children were not enrolled on any school roll. This is the simplest category of children not in school as these children were neither receiving any education, nor enrolled with any education providers.

This category of children not in school aligns with the government's definition of children missing education, which defines the group as 'children of compulsory school age who are not registered pupils at a school'.¹⁷

2. Looked after children who were enrolled at a school but not attending

This category includes looked after children for whom their local authority had told the CCo that the child was on a school roll but the child's attendance records show that they were absent without authorisation for 100% of sessions in the spring term (the same term as the point in time covered by the data collection from local authorities). 149 (0.3%) of looked after children were unauthorised absent from 100% of sessions.

3. Looked after children who were receiving only unregistered education provision

A further 673 (1.3%) of looked after children were receiving only unregistered education provision. For the purposes of this report, the definition of unregistered education is any provision that a looked after child is receiving that is not registered as a school with DfE.^{vii} As the quality of these forms of education is not regulated by the government or inspected by Ofsted, it is impossible to assess the appropriateness of education on offer for the children who receive it. It is particularly concerning that looked after children are accessing unregulated education given that these children are vulnerable and need the highest quality education and support to help them to thrive.¹⁸

The CCo's data collection found that there are a range of types of unregistered education that local authorities draw on to plug the gaps in a child's education. These are: being home schooled, known as

^{vii} For more information see section 4.2. below.

elective home education (EHE); private 1:1 or small group tuition; an unregistered setting; or other unregistered provision.

The guidance is clear that local authorities should prioritise schools judged good or outstanding when seeking a place for a looked after child. The CCo believes that children who are identified as vulnerable should be supported to attend school every day so that any issues with the child’s welfare or barriers to learning are identified and addressed on a timely basis.

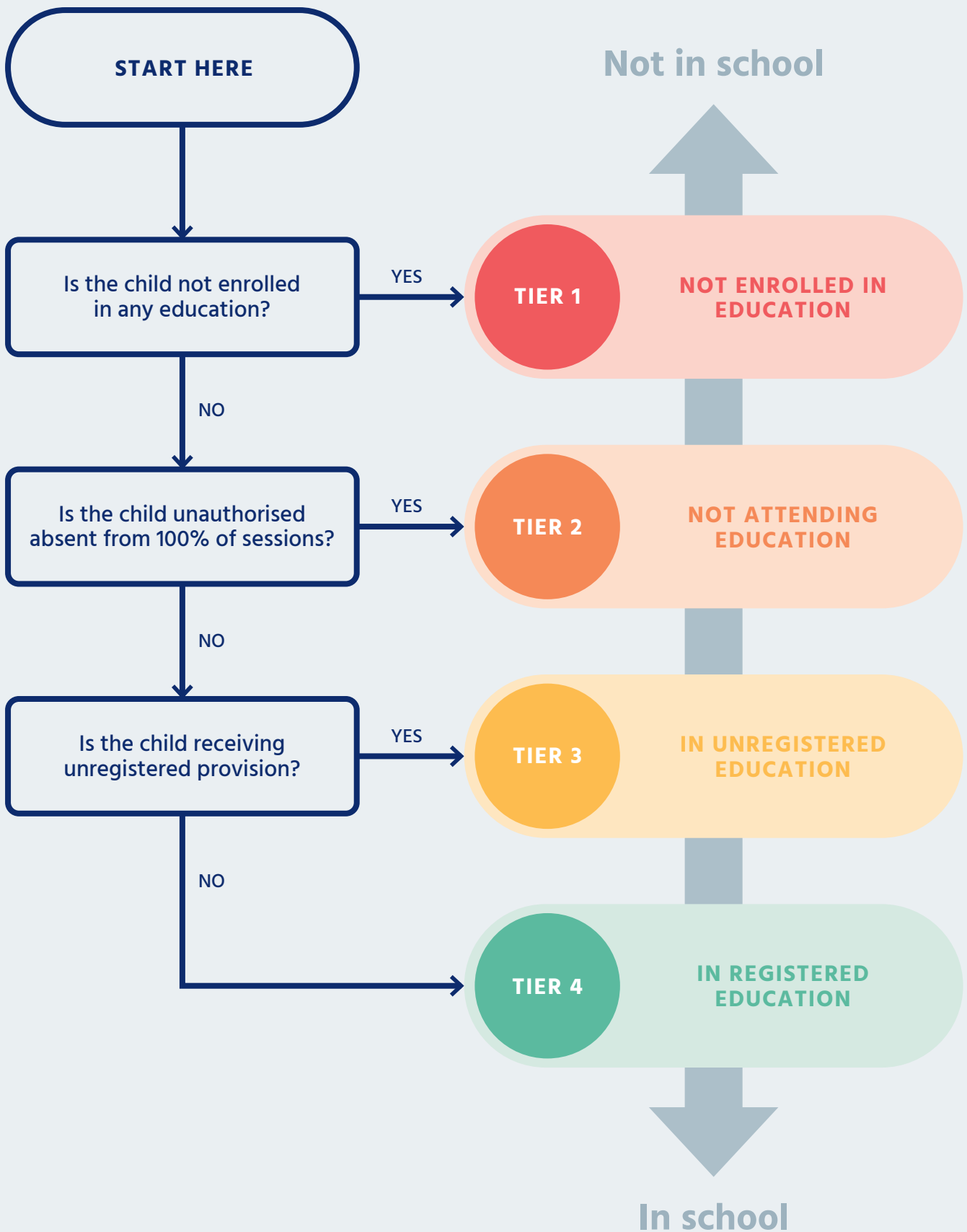
This category also includes cases where children were receiving unregistered education from multiple sources. Children receiving a mixture of both registered and unregistered education were not counted in this category.

Table 1: the number and percentage of looked after children in each category

Education status	Number	Percentage
Not enrolled in any school	541	1.1%
Receiving unregistered provision	673	1.3%
Enrolled at a school but not attending	149	0.3%
Enrolled at, and attending, a registered school	49,483	97.3%
Total (all of the above)	50,846	100%

The following diagram, on page 21, shows all the categories of ‘not in school’ used in this report, and their definitions.

Defining 'not in school'



3.3. Some groups of children with particular vulnerabilities are more likely to not be in education

3.3.1 Unaccompanied Children Seeking Asylum

Unaccompanied Children Seeking Asylum (UCSA) were overrepresented among the population of looked after children who were not in school. Published data show there were 5,570 UCSA on 31st March 2022, of whom a minority of 1,408 were in-scope for this analysis (the majority were past compulsory school age).¹⁹ Of these in-scope UCSA, 21% (291) were not in school. By comparison, 2% of non-UCSA looked after children were not in school. Figure 2 highlights the substantial discrepancy in the proportion of UCSA who were not in school when compared against other characteristics.

The high prevalence of UCSA this report identifies as being not in school is reflected in the ethnicity characteristics. The ethnic group with the highest rate of not in school, at 12.7%, was Other, of whom 88% were UCSA. Once UCSA are taken account of in the analysis, the Black ethnic group becomes the ethnic group with the highest rate of not in school, at 3.7%.

These findings reflect what the CCo heard from local authorities. Often, UCSA are placed in local authorities at short notice and VSHs can struggle to get them into schools. Then, even when on a school roll, too often schools are not equipped to meet the needs of UCSA. As a result, the office heard that UCSA often fall between the gaps in education and local authorities have to make use of a patchwork of unregistered education provision.

3.3.2 Older children and boys

Male children are overrepresented in the population of children not in school: 68% of looked after children not in school are male, compared to 55% of looked after children in school. Although 96% of UCSA are male, looking at only non-UCSA, males are still overrepresented in the population of looked after children not in school, at 60%, compared to representing 54% of looked after children in school.

The risk of being not in school increased with increasing child age. This was the case both for UCSA and non-UCSA looked after children. The average age^{viii} of a child not in school was 14. Amongst these children, children from the White ethnic group were on average aged 13.5, while children from the Asian and Black aggregated ethnic groups were aged 14.6 on average. This is reflective of the wider care system, where the data shows that children from the White ethnic group are younger on average. In-scope UCSA who were not in school were on average aged 15.4, while non-UCSA not in school were aged 13.6. The proportion of looked after children not in school by individual age is presented in figure 3.

When looking at the age of children not in school, the data shows a peak in the proportion of looked after children who are not in school at age 16. Children who turn 16 before the end of the summer holidays can leave school on the last Friday of June²⁰. As the data relates to their age on the 31st March, these children still should have been in school.

These findings align with reflections the CCo heard from local authorities that in some instances it can be difficult to get older children a school place later in the school term. For example, if a child either comes into care or is moved to an out of area placement in the summer term, it can be difficult for a VSH to get children a school place, as schools can be unwilling to take on children so late in the academic year. Local authorities told us that this tendency is more pronounced for older children and children with additional learning needs.

^{viii} Age on the date of the data collection, 31st March 2022.

Figure 2: The percentage of looked after children who were not in school by characteristic, March 2022

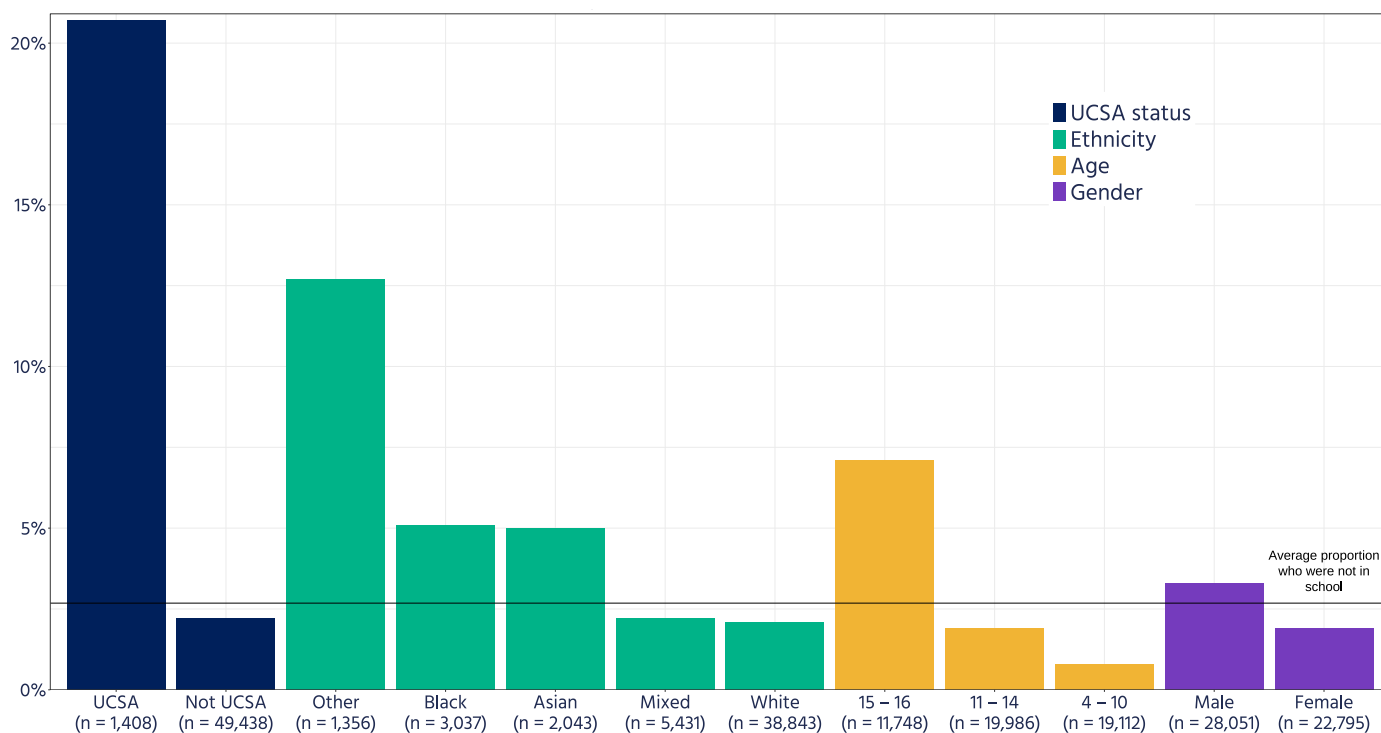
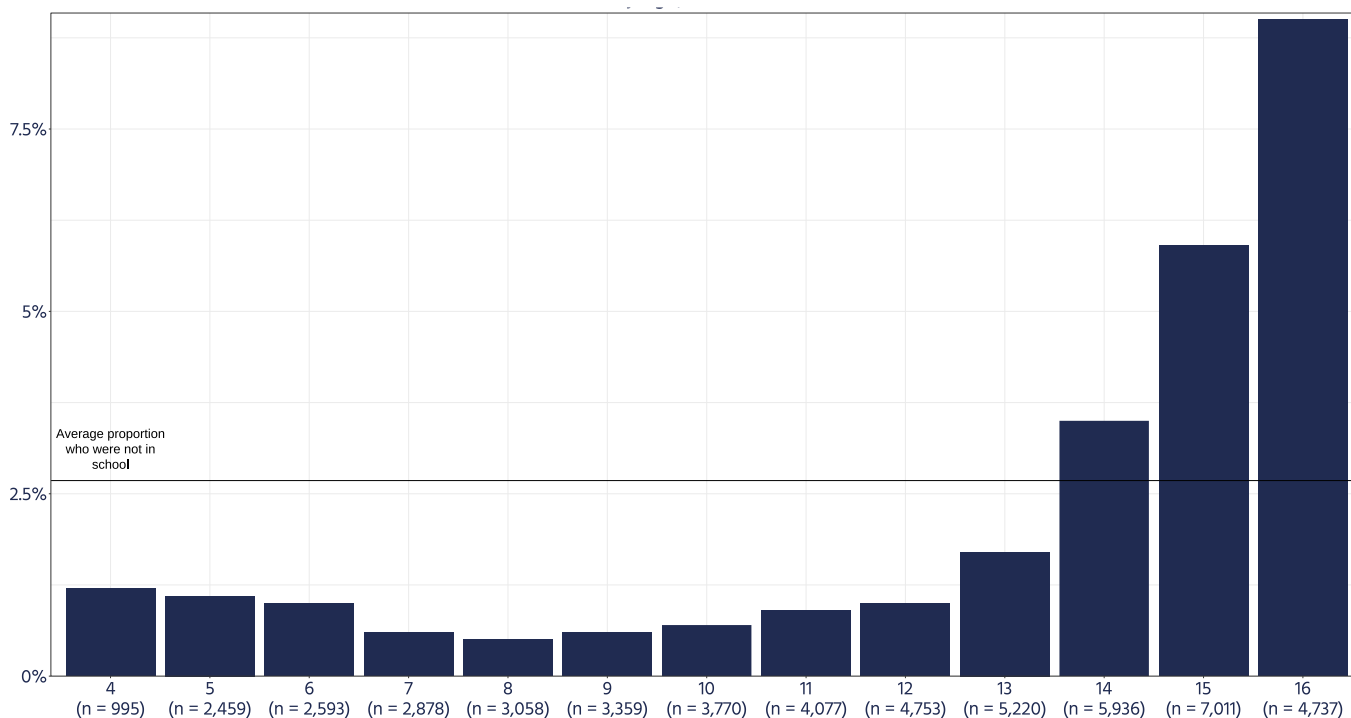


Figure 3: The percentage of looked after children who were not in school, by age on the 31st March 2022



The age with the highest proportion not in school is age 16, while there is a small peak between ages 4 to 6 compared to ages 7 to 11.

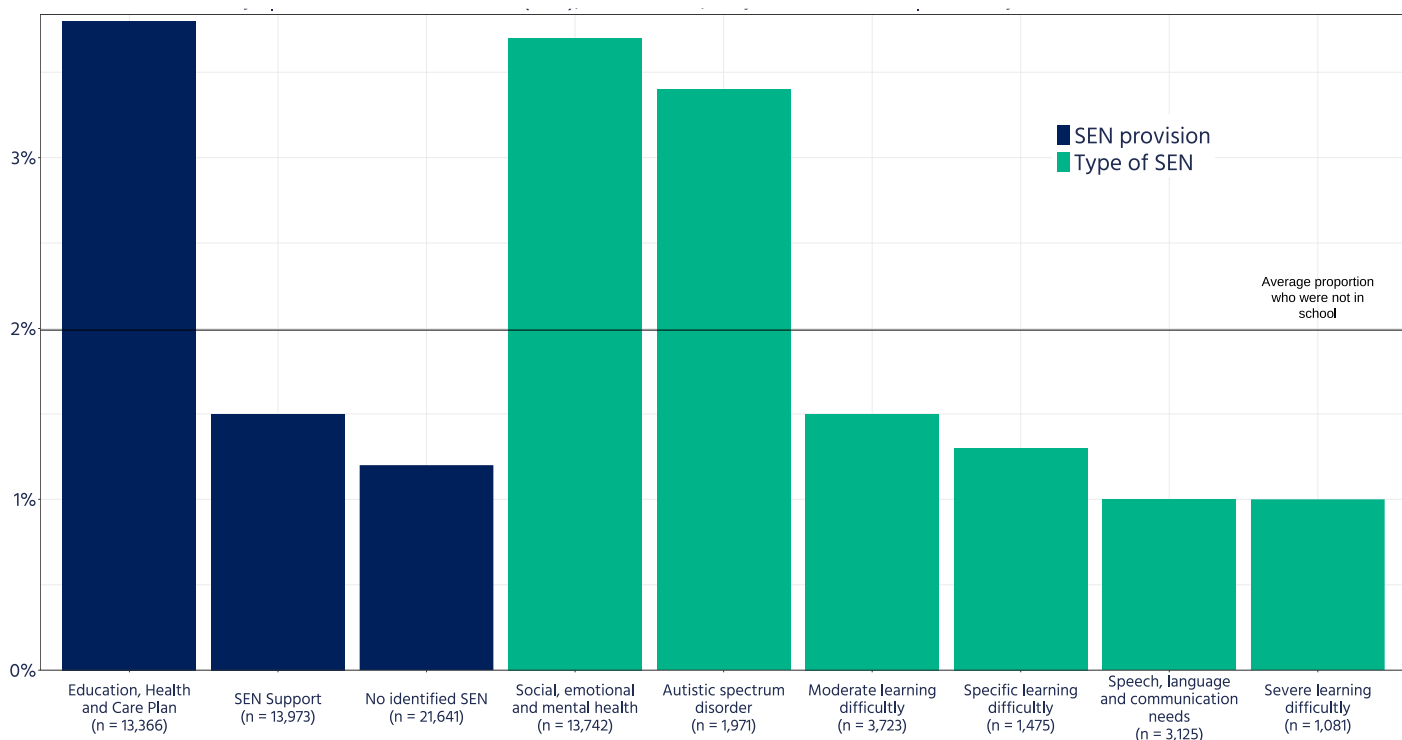
3.3.3 Children with Special Educational Needs (SEN)

The vast majority of looked after children who are not in school have Social, Emotional and Mental Health needs. This is also the case for the wider population of looked after children.

The data shows that a relatively high proportion (3.9%) of looked after children who were not in school are also on an Education, Health and Care Plan (EHCP) – see figure 4. These findings reflect wider trends in DfE data that show that children with an EHCP can often struggle to attend school regularly. For example, the overall absence rate for pupils with an EHCP was 12.1% in 2021/22 and 10.0% for those with SEN Support, compared to 6.9% for children with no identified SEN.²¹

One of the issues that the Children's Commissioner's independent advocacy service 'Help at Hand' encounter when supporting children is delays in getting the support, they need through their EHCP. This issue is discussed in greater detail in Chapter 4.

Figure 4: The percentage of looked after children who were not in school by Special Educational Needs (SEN), March 2022



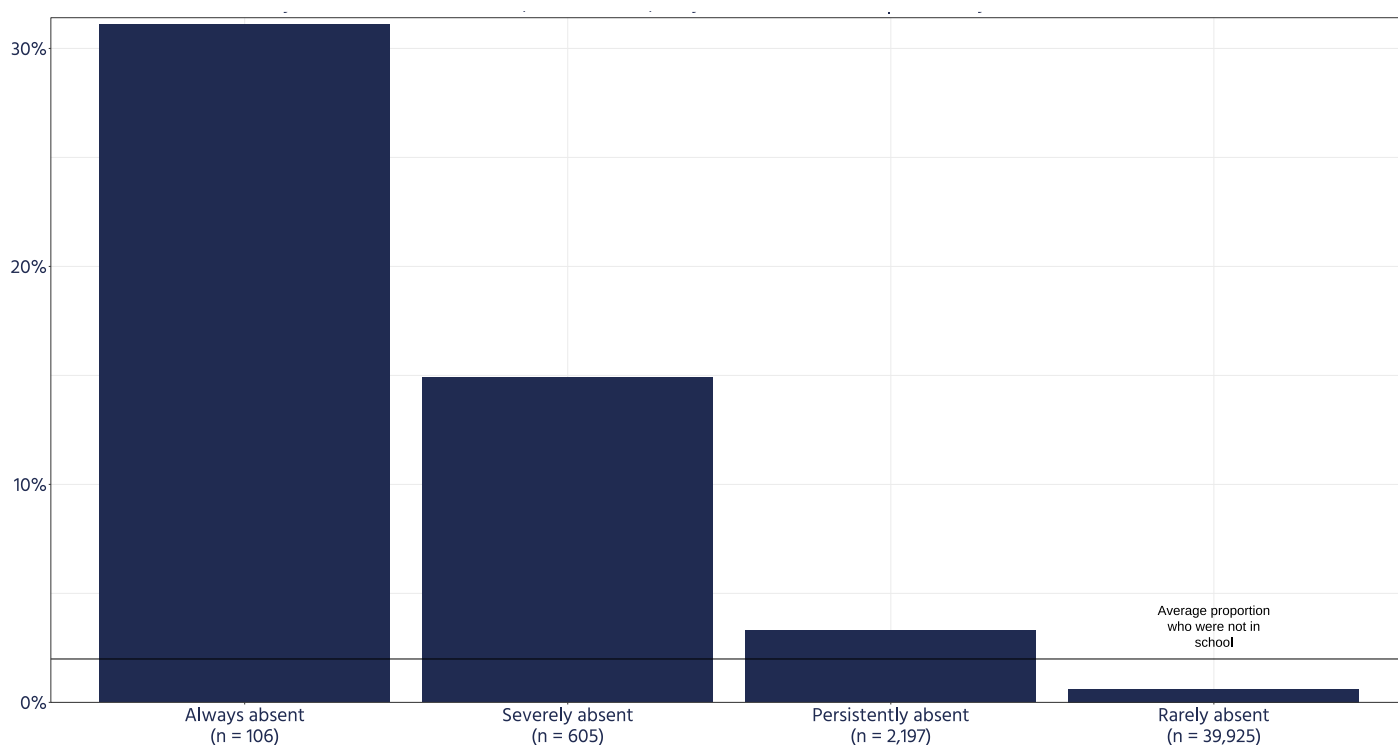
Note: only children who had previously been enrolled at a state-funded school are included. For children not in school, their record from the last state-funded school they attended was used. Types of SEN with fewer than 10 children not in school have been excluded (e.g. hearing impairment), due to low confidence in their not in school rate.

3.4. There are some structural factors that make missing out on education more likely

3.4.1 Absence during autumn term 2021

A high proportion of looked after children who were always absent (unauthorised absent from 100% of sessions) or severely absent (50% to 99.9% of sessions) in the autumn term 2021 (prior to data collection) were not in school at the point of the data collection in March 2022 – see figure 5.

Figure 5: The percentage of looked after children who were not in school by absence rate during the previous autumn term, March 2022



Note: only children enrolled at a state-funded school during autumn 2021 are included.

Children who are always absent in the spring term are classed as not in school by the CCo definition. Always absent children were unauthorised absent from 100% of sessions, severely absent children were unauthorised absent from 50% to 99.9% of sessions, persistently absent children were unauthorised

absent from 10% to 49.9% of sessions, and rarely absent children were unauthorised absent from 0% to 9.9% of sessions.

Looked after children who were severely absent shared many characteristics with children who were always absent. For example, both populations have a similar average age (14.5 for severely absent children, against 14.0 for always absent children). However, they are more likely to be female (52% of severely absent children are female, compared to 32% of always absent children); less likely to come from the Black ethnic group (6.2%, compared to 11.4%); and more likely to have no identified SEN (44%, compared to 19%).

3.4.2 Setting last attended

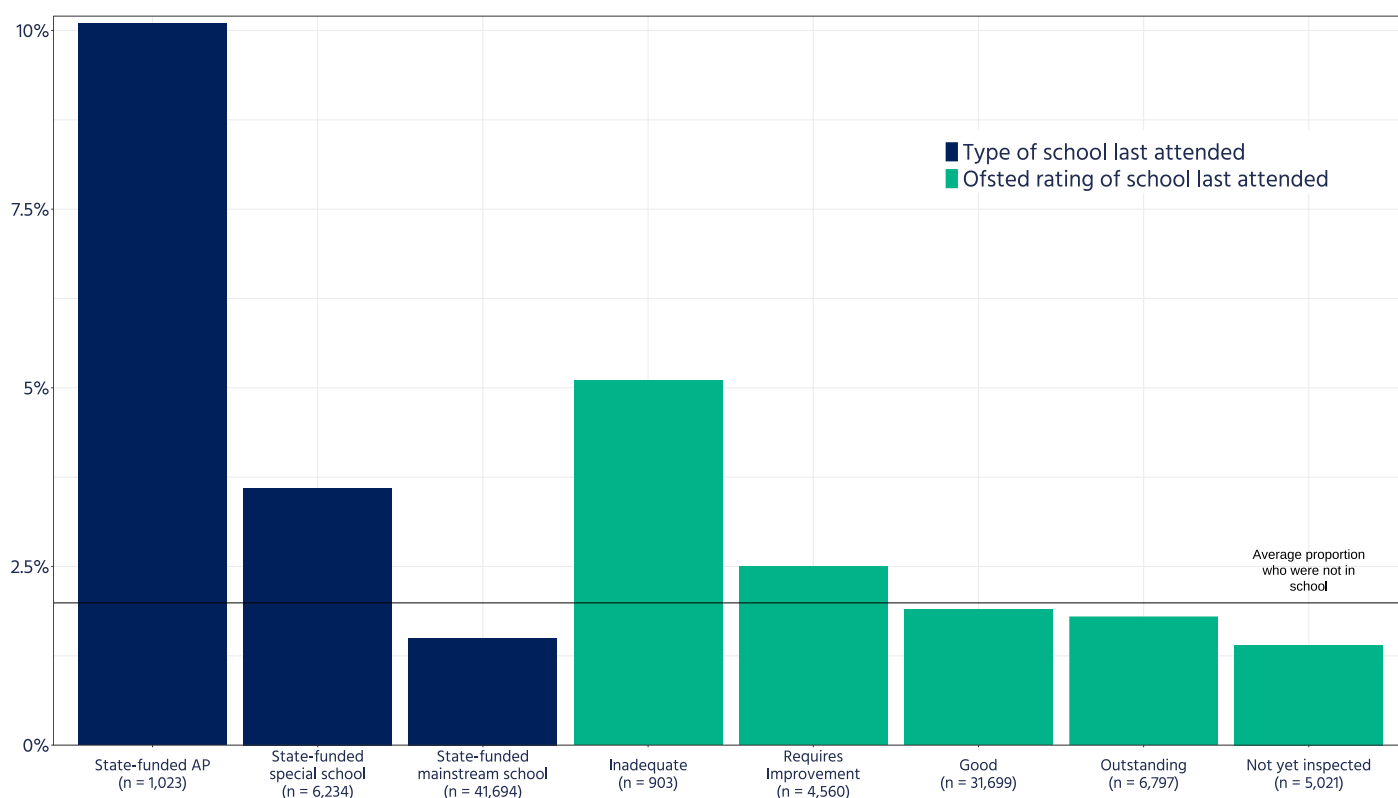
Looked after children who had previously attended a state-funded alternative provision (AP) were more likely to become not in school: 10.1% of looked after children who had previously attended a state-funded AP were not in school, compared to only 1.5% of looked after children who had previously attended a state-funded mainstream school and 3.6% of children who had previously attended a state-funded special school^{ix}.

5.1% of looked after children who had previously attended a school rated 'inadequate' were not in school, while only 1.9% of looked after children who had previously attended a 'good' or 'outstanding' school were not in school. Data for type of school last attended, and Ofsted rating of school last attended, is presented in figure 6.

The majority of looked after children who were not in school had previously attended a state-funded mainstream school (66%) and had attended a school rated 'good' or 'outstanding' by Ofsted (76%).

^{ix} For the purposes of this analysis, non-maintained special schools have been treated as state-funded special schools. Settings outside the coverage of the School Census and AP Census – for example, nurseries and colleges – have been excluded.

Figure 6: The percentage of looked after children who were not in school, by the characteristics of the school which they'd last attended, March 2022



Note: only children who had previously enrolled at a state-funded school are included.

3.4.3 Placement type

Looked after children living in either independent or semi-independent accommodation were overrepresented in the population of children not in school, with 14% of those not in school living in such accommodation, compared to just 1% of looked after children who were in school. Of those in this accommodation and not in school, over half (52%) were UCSA.

Of the 608 looked after children in independent or semi-independent accommodation, 85% were aged 16 at the census date. The remaining 15% were younger, aged 12 to 15.

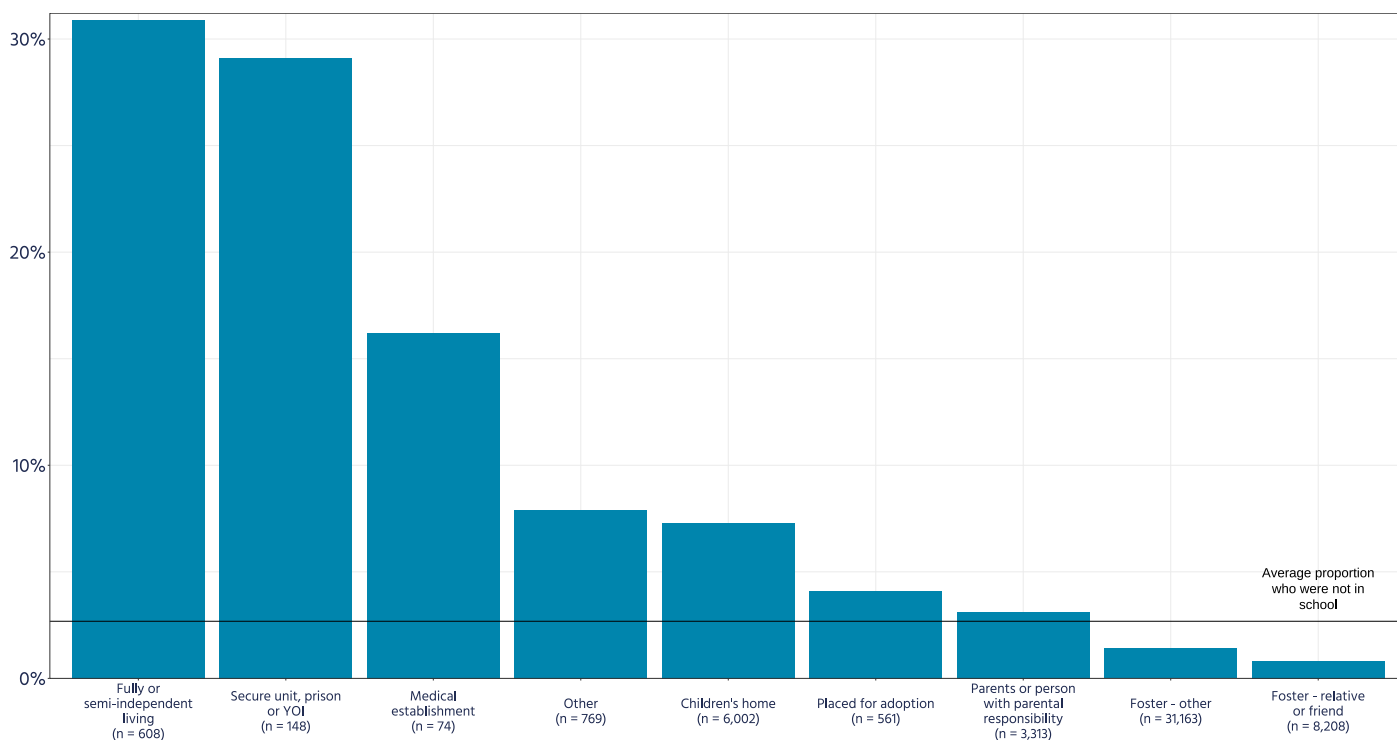
The government has recently extended regulations and an Ofsted inspection regime to cover independent and semi-independent accommodation (known as supported accommodation) for 16- and

17-year-old looked after children. In addition, in September 2021 the government introduced a ban on looked after children aged under 16 being placed in the (then unregulated) independent or semi-independent accommodation.²² Despite this, the CCo's data from local authorities reveals that, concerningly, 15% of the looked after children were living in these independent or semi-independent accommodation settings that they should not have been in as they were under the age of 16. Of those underaged (under 16) and living in independent or semi-independent accommodation, 26 (29%) were not in school.

Looked after children in children's homes were also overrepresented in the not in school population, with 32% of the not in school population living in children's homes, compared to 11% of looked after children in school.

The proportion of children in each type of care placement who are not in school is presented in figure 7.

Figure 7: The percentage of looked after children who are not in school, by type of care placement, March 2022



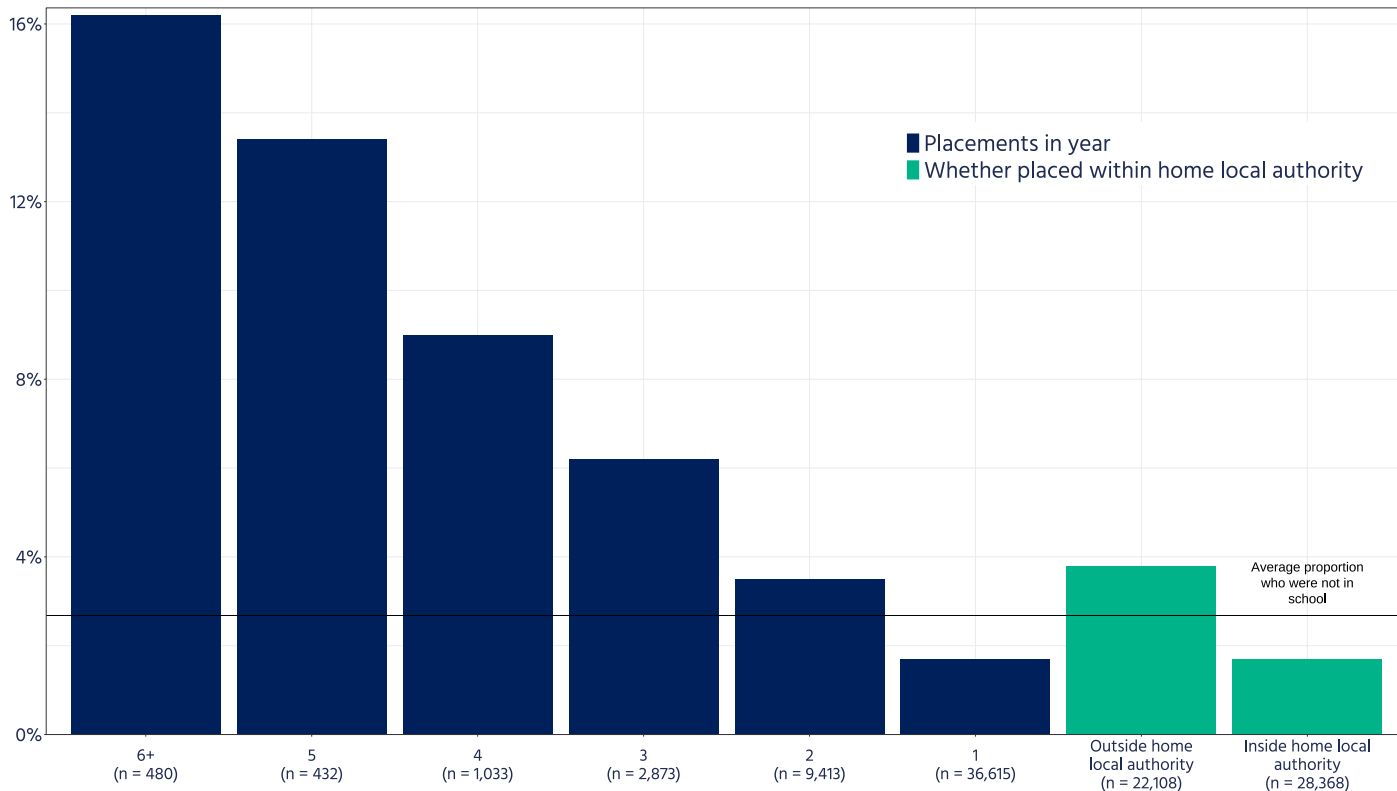
Note: YOI stands for Young Offenders Institute.

3.4.4 Stability and location of care placement

The data shows that having a higher number of care placements in a year was associated with not being in school. As shown in figure 8, even moving from one care placement to another in a year led to a higher-than-average rate of not being in school.

Looked after children living in a placement that is 'out of area' (meaning that the child was living in a local authority other than their 'home' local authority) were overrepresented within the not in school population. 62% of looked after children not in school were placed outside their home local authority, compared to 43% of looked after children in school.

Figure 8: The percentage of looked after children who were not in school, by number of care placements in the year, and by whether they were placed inside or outside their home local authority, March 2022



Note: in-area or out-of-area placement status is as of 31st March 2022. In line with the CCo and DfE definitions of 'placement stability', children in care placements for the purpose of a short break have not been included.

3.4.5 Regional differences

As shown in table 2, the regional data shows a clear North-South divide. London has the highest rate of looked after children not in school, at 4.6%. The remaining Southern regions (South East, South West and the East of England) have the next-highest rates, ranging from 3.6% to 3.4%. The Northern regions (North West, North East and Yorkshire and The Humber) have the lowest rates, ranging from 1.9% to 1.4%. The East and West Midlands fall in between, with rates of 2.7% and 2.1% respectively.

Even if UCSA are removed from the analysis, this North-South divide persists, with adjusted rates ranging from 3.5% (London) to 1.2% (Yorkshire and The Humber).

Table 2: The percentage of looked after children not in school by region

Region	Number
London	4.6%
East of England	3.6%
South East	3.6%
South West	3.4%
East Midlands	2.7%
West Midlands	2.1%
North West	1.9%
North East	1.5%
Yorkshire and The Humber	1.4%
England total	2.7%

Note: this data is based on a child's placement in their home region rather than the region they are placed in if placed 'out of area'.

4. The reasons looked after children are not in school

Drawing on case studies from the Children's Commissioner's independent advocacy service 'Help at Hand' and conversations with practitioners, this chapter presents some of the biggest challenges that affect the education of looked after children.

This section explores some of the factors that drive looked after children to not be on a school roll, to only be receiving unregistered education and to not be attending school (despite being on roll).

Key issues discussed in this chapter include the complexity of supporting children on an EHCP who are placed out of area, the need for greater English language education for UCSA to help them integrate into mainstream school and the lack of capacity within mainstream and specialist schools to meet the needs of children.

4.1. Looked after children who were not on any school roll

Of the 1,363 (2.7%) looked after children who were not in education, 541 (1.1%) were not on any school roll. The team spoke to professionals in a range of local authorities who reflected on the difficulty of getting looked after children a place at a school that was able to meet their needs. One issue that many areas cited was the shortage of capacity and expertise in mainstream schools to support children with EHCPs. As the government's SEND and alternative provision green paper and improvement plan acknowledges, there are capacity issues across the system to support children with SEN.²³

Over the past year, the Children's Commissioner's independent advocacy service 'Help at Hand' has supported many looked after children who have been missing out on education. The Help at Hand team has worked with social workers and VSHs to help get looked after children into schools that can meet their needs. Many of the issues raised with the team reflect what professionals spoken to for this project told the CCo.

The team has come across a range of issues with EHCPs, particularly for children placed out of area, which impact children being able to access education that is consistent and suited to their needs. While a looked after child's home local authority is responsible for their care plan, the local authority where the child is living (if placed out of area) is responsible for their EHCP.

One issue raised by local authorities and observed by the Help at Hand team is that there is often confusion over which local authority should pay for any costs associated with getting the child the right education through their EHCP when the child is placed out of area. While the SEN team in the local authority where the child lives (resident local authority) takes over responsibility for reviewing the child's EHCP and ensuring it reflects the child's needs, VSHs in the child's home local authority retains overarching responsibility for a child's education. The division of responsibility across the local authority, and between home and resident local authority, all contributes towards delays in looked after children into appropriate schools.

Another factor explaining why looked after children are not always in education is that some schools are not adequately equipped to support children with SEN. As illustrated in the case study below, the Help at Hand team has seen examples of schools reporting they lack the capacity or expertise to support children with SEN. Schools are not always able to adequately deliver the support set out in a child's EHCP. This issue is compounded by the fact that local authorities cannot direct an independent special school to admit looked after children, where they believe a placement in the school is appropriate. These issues are exacerbated by the shortage of specialist school placements across the system.

Over the past year the CCo's Help at Hand service has supported many looked after children who are not in school. The four case studies below illustrate the complexity of these issues and the impact on a child's education.

Case study 1

'Gary' is 14 and a looked after child with an EHCP. Gary was moved out of his local authority following a traumatic foster home breakdown. He had been doing very well in a special school up to this point but had no school to go to when he was moved as the distance to his previous school was too far.

Gary's virtual school head contacted Help at Hand when he had been out of school for 5 months. The delay in finding him a school appears to have been largely due to poor communication and substantial drift and delay from the new local authority where he is placed and poor information sharing between the SEND teams in both the home and placing local authorities.

The Children's Commissioner wrote on behalf of Gary to both local authorities and a school place and funding for tutoring for Gary was finally agreed.

Case study 2

'Matthew' was 7 when his virtual school head contacted the team with concerns that, since moving to a foster home out of area, he had no school place (at this point he had been out of school for several months).

Matthew had significant behavioural needs but had made great progress, however his EHCP did not reflect his current level of need. Schools therefore said they would not be able to support him based on information that was out of date. Help at Hand made representations to both local authorities and subsequently communication between the two improved. Matthew has now started school.

Case study 3

'John' is eight years old and a looked after child who has experienced serious trauma. He has learning difficulties and challenging behaviour, which has made it difficult to find suitable foster carers for him. He was moved to carers out of the local authority's area, which meant he had to leave his special school, named on his EHCP.

The local authority did not secure an alternative school place before going ahead with the move. The fostering agency for his carers contacted Help at Hand after he had been out of school for four months. This was due to communication difficulties between his 'parent' local authority and the SEND team in the local area, and the challenges in finding a school that could meet his needs and would offer him a place.

Many schools refused and the local authority decided not to challenge them. In the interim, both local authorities cooperated in arranging activities for John during the day, but this was not equivalent to him being in full-time education and he started to struggle with the lack of a routine, which his carers found challenging. The carers told the local authority that, although they were committed to keeping John, they could not do so if there was no progress in finding a school place. Despite representations from Help at Hand to both local authorities, this did not happen in time for the carers, and they served notice. This meant another distressing and disruptive move for John, solely due to the failure to arrange suitable educational provision for him.

Case study 4

'Tom' is 15 and a looked after child who was moved to a children's home outside his local area. He has an EHCP and had been doing well in his special school prior to the move. However, after moving, the local SEND team approached more than 20 schools and were unable to find him a place, as schools reported that they either couldn't meet his needs or were at full capacity.

This led to him being out of school for 6 months, with only 10 hours per week of online tuition (which Tom worked hard on). He was very keen to get back to school and to make friends in his local area. His children's home contacted Help at Hand for support and the team made representations to both local authorities requesting urgent action to provide suitable education for Tom. Ultimately, he was offered a place at a vocational college for the next academic year, although this still meant being out of education for 10 months. Both local authorities accepted that 10 hours per week of learning was inadequate and arranged a tutor for Tom in the afternoon, with his care home staff providing additional support with reading and other key skills. Tom is really keen to start college after everything he has missed, as he has always wanted to be in education.

When speaking to local authorities and other stakeholders, the CCo also heard of concerning practices in relation to the admission of UCSA specifically. The office heard reports of cases where a school has signalled to the local authority that they would admit a UCSA but then do not put the child on their school roll.

While the child still attends the school, they are not on the school roll and the local authority is not notified that the child is only receiving supplementary education rather than the full curriculum. Some stakeholders the office spoke to felt that this practice was driven by schools not wanting incoming UCSA to affect their league table results.

4.2. Looked after children not in formal registered education

The Education Act 1996 requires local authorities to ensure that children are accessing a full-time education.²⁴ The CCo has seen that, where a child is not receiving an education at a registered school, local authorities are sometimes using a patchwork of other provision from unregistered settings to fulfil this duty.

The CCo is clear that no child should receive unregistered education instead of attending a school that is registered with the DfE. The DfE's guidance on the registration of schools sets out that settings should register as a school if they provide full-time education to five or more pupils, or to one pupil who either has an EHCP or who is a looked after child.²⁵

The guidance sets out that 'there is no legal definition of what constitutes full-time education ... generally, we consider any institution that is operating during the day, for more than 18 hours per week, to be providing full-time education'²⁶.

As set out earlier in this report, of the 1,363 (2.7%) looked after children who were not in school, 673 (1.3%) were only accessing unregistered education – see table 3. Children receiving unregistered education were the largest category of looked after children who were not in school, in the CCo's analysis. To understand the factors driving local authorities to use these forms of unregistered education, the office spoke to professionals in a range of local authorities that reported using these different forms of education.

Table 3: Different forms of unregistered education provision reported by local authorities^x

Enrolment status	Number	Percentage
Receiving 1:1 or small group private tuition	320	48%
Educated through other provision	171	25%
Attending an unregistered setting	168	25%
Elective home education	14	2%
Total only receiving unregistered provision	673	100%

4.2.1 Receiving 1:1 or small group private tuition

Small group or 1:1 private tuition was the most frequently reported form of unregistered education (Table 3).

Virtual School Heads emphasised that their priority was to ensure that children were integrating into schools. However, they reported that structural barriers affected their ability to ensure seamless transitions into schools for some looked after children. They reported that there is often a reluctance from mainstream schools to take on children with complex trauma histories and additional needs.

Some common themes about the groups of children receiving 1:1 or small group provision emerged from conversation with local authorities.

^x Despite 'educated through other provision' making up a large proportion of the provision reported by local authorities for children who are not in school, very little is known about this provision. It is unclear from the data the office received from local authorities what structure and form of education was provided to looked after children through this type of provision.

Unaccompanied Children Seeking Asylum

Across the local authorities the office spoke to, a prominent theme was the use of 1:1 and small group tuition as a form of transition support for UCSA. When UCSA are transferred to local authorities from temporary accommodation (such as Home Office run hotels) they have often had very little English language education. Local authorities reflected that UCSA often need some form of 1:1 and small group tutoring to enable them to transition into a school environment.

Local authorities also reflected on the value that a relationship with a consistent and reliable tutor can have for these children. For UCSA who have faced complex challenges with no consistent routine or trusted adult relationships, having a tutor who they can rely on can be important. Local authorities felt that this type of provision can help to bridge the gap for USCA who have often missed out on months of education or, in some instances, may never have been to school.

One local authority mentioned that for some children, including UCSA who have experienced trauma and instability, they had made use of creative mentors alongside 1:1 tutoring to help children process trauma and build their confidence for a school environment.

Children who have experienced many placement moves

Stability is of paramount importance to vulnerable children. Local authorities mentioned that, for some children who have experienced lots of instability in their lives and had many adult relationships and placements breakdown, having regular tutoring with a consistent adult can help with gaining the knowledge and confidence needed to transition to a school environment.

Children with an EHCP who are moved out of area

Another common theme that emerged from the CCo's conversations with local authorities was the use of 1:1 and small group tutoring for looked after children who have an EHCP and had been placed out of their home local authority area. Some local authorities reflected that delays in transferring a child's EHCP from their home local authority to another local authority where the child has been placed can affect their ability to secure an appropriate school place for the child. It was clear from many of the local authorities that tutoring is used to plug a gap while waiting for a child to be given a school place.

While the office can see the value of this provision, the CCo is clear that no child, particularly looked after children, should be receiving education that is unregulated by the government. More needs to be done to regulate this sector and ensure that provision by private tutors is appropriate and high quality.

4.2.2 Attending an unregistered setting full-time

In the data the CCo received from local authorities, a total of 63 looked after children were receiving full time non-registered Alternative Provision, meaning that these children might have been given illegal education provision. To fulfil the office's safeguarding duties, the office contacted all 29 of the local authorities concerned, to ask for clarification about the education provision that these looked after children were receiving.

The office received responses from 21 of the local authorities. It is clear from many responses that these looked after children who were not on a school roll were receiving a mixture of education provision that was not registered. This means that many looked after children received various forms of unregistered education, for example, 10 hours of provision from an unregistered AP and 5 hours of 1:1 tuition, in place of attending one school full time. Local authorities that reported using multiple forms of provision noted that no one form of provision surpassed the DfE's minimum 18-hour limit. These children are in a grey area of guidance, with many receiving a range of unregistered education provision technically within the letter of the guidance but without any government oversight or quality assurance. Not only is this detrimental to children receiving a full education but also poses a safeguarding risk to children who are already known to be vulnerable.

In response to the CCo's queries on this issue, many local authorities cited a lack of appropriate school placements or an unwillingness of schools to admit children with complex additional needs.

4.2.3 Elective home education

As the CCo's analysis has shown, 14 looked after children were reported by local authorities to be EHE, making looked after children less likely than the general pupil population to be electively home educated.²⁷ The DfE's guidance for parents on home education refers to Section 7 of the 1996 Education Act. It notes that 'the parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable – (a) to his age, ability and aptitude, and (b) to any special educational needs

he may have, either by regular attendance at school or otherwise'. In instances where a child is looked after, as outlined in the guidance to local authorities on EHE, the local authorities assume the duties of parents in this regard.²⁸

It is legally possible for looked after children to be EHE by foster carers at home, if the decision is made in consultation with the carers. Children who are in foster care should be being prioritised for admission to the best schools (those rated good or outstanding) and their local authority should be advocating for them to be in school.

4.3. Looked after children who were on enrolled at a school but not attending

This category includes cases where the local authority told the office that the child was on roll at a school on 31st March 2022, but the child's attendance data shows that they were unauthorised absent for 100% of sessions during the spring term 2022.

As the office outlined in the Attendance Audit, a multi-agency approach is needed to provide successful attendance interventions, where support is brought together around a child, designed to meet their specific needs and vulnerabilities. In order to do this effectively, every agency that supports children needs to be aware when they become persistently or severely absent. Swift and effective earlier intervention could prevent these children from becoming always absent and missing out on school.²⁹

Last year the CCo surveyed local authorities and found that only half were able to provide estimates for persistent and severe absence, as they had set up bespoke data sharing arrangements with some or all of their schools, to allow them to receive more frequent attendance data.³⁰

This is not good enough, particularly for vulnerable children who should be in school every day. While the office welcomes the DfE's introduction in 2022 of a daily attendance data collection, more needs to be done to ensure that government and policy makers can access timely attendance data, particularly for children with a social worker.

5. The way forward

This chapter presents the Children's Commissioner's recommendations for what the government, schools and local authorities can do to ensure that every child identified as vulnerable is attending a good or outstanding school every day. The recommendations include a focus on:

- *Increasing support for children in need to access education;*
- *Updating and expanding Pupil Premium Plus ;*
- *Ensuring that the education that children receive is high quality and safe;*
- *Supporting children with particular vulnerabilities to thrive in school;*
- *Ensuring children do not miss out on school; and,*
- *Increasing accountability and collaboration across the system so vulnerable children are safe and supported.*

5.1. Education as form of early intervention for vulnerable children

5.1.1 Increase support for children in need to access education

The CCo believes that school can be a safety net and vital form of early help for children. For children who have been identified as having a vulnerability and placed on a child in need or child protection plan or as a looked after child, school is an essential form of support and safeguarding structure. Many looked after children will have previously been on a child in need or child protection plan, so stepping in earlier with proactive support, when a child is first identified as needing help from a social worker could ensure that welfare, development and learning needs are identified promptly and children receive the support they need before problems escalate.

VSHs play a central role in ensuring that children are in the best schools. The CCo believes that the fact that the vast majority (97.3%) of looked after children are in school is a testament to the role of the VSH.

For children assessed as needing a social worker, VSHs are responsible for working collaboratively with local agencies to address the barriers and challenges with attainment and engagement in education. However, they do not have the power to direct admissions for these children, and they are also not

entitled to priority in admissions processes, or to Pupil Premium Plus. The CCo believes that every child identified as vulnerable should receive all the help and support they need to thrive in school.

Recommendation: The government should enhance the role of VSH for children with a social worker so that they have the power to direct admissions for this group of children. In addition, these children should be prioritised for admission to the best schools (good and outstanding schools).

Recommendation: The Government should invest in education as a form of early help by extending Pupil Premium Plus eligibility to all children in need. To address delays getting children into school, every child with a social worker should have a named school on their plan (e.g., on their child in need plan) to replicate the practice with an EHCP.

5.1.2 Updating and expanding Pupil Premium Plus

In recognition of the additional challenges that looked after children have faced, VSH receive Pupil Premium Plus to support them to improve attainment of looked-after children and to close the attainment gap between them and their peers. Currently, the guidance on the use of Pupil Premium Plus references the need to use the Education Endowment Foundation's guidance when investing in interventions to support looked after children. The office believe that more work is needed to identify best practice interventions that improve the attainment and attendance of looked after children and children in need.

Recommendation: The What Works Centre for Early Intervention and Children's Social Care should carry out or commission research on understanding what interventions are most effective at improving the attainment and attendance of looked after children and children in need at an individual and whole cohort level. The guidance on use of Pupil Premium Plus should then clearly signpost VSH to the most effective interventions.

Government data shows that children are entering care at an older age, with the latest data showing that in 2022, children aged 16 and older made up 25% of the looked after children population.³¹ In addition, the CCo's analysis shows that the age with the highest proportion not in school is age 16. The office welcome's the extension of funding for pilots of Pupil Premium Plus for children aged 16-18 but believes that more could be done to support children's education.

Recommendation: The Government should extend Pupil Premium Plus for all looked after children until the age of 18.

5.2. Children in care should receive care to the age of 18

While the office welcomes the intention to drive up standards in the supported accommodation sector for 16–17-year-olds children in care through the introduction of regulations for settings, these standards should be viewed as an interim step with a clear expiry date.

Every child in care should be able to receive care until the age of 18. While the new standards may improve the quality of provision within the sector and create greater safety for children, the next step should be a requirement for settings to register as children’s homes and be able to provide the most crucial thing that these children need – care.

In relation to education specifically, in the CCo’s response to the government’s consultation on the draft regulations outlined that there was scope for significant improvement in the section on education and standards. The CCo noted a need to ensure that supported accommodation staff are doing more than simply sign-posting children towards other professionals.

Recommendation: The government should set out clear timelines for achieving equitable standards for all children in care, by aligning the supported accommodation regulations with Children’s Homes regulations. The new regulations for supported accommodation should be used to drive up standards in order to ensure sufficiency of provision.

5.3. Ensuring that the education that children receive is high quality and safe

5.3.1 Strengthening the definition of suitable education

There is ambiguity in the government's current definition of CME. The DfE's statutory guidance for local authorities and definition of CME set out that 'children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school'.³² But the guidance does not define a 'suitable education'. The CCo notes the government's consultation on 'children missing education' and will be responding to it highlighting findings from this report.

As a result, looked after children are too often receiving a patchwork of education provision from unregistered providers. Not only is the quality of the education that is delivered unregulated, but the lack of regulatory oversight also poses a major safeguarding risk to children who access these settings. The office heard from local authorities that reported using multiple forms of unregistered provision to plug the gap and ensure children receive full time education. Concerningly, in practice this means that some vulnerable children are exposed to multiple forms of unregistered settings that may pose a risk to their education and safety.

The DfE should have stringent oversight of the education children receive. As discussed, children who have a social worker are identified as having known vulnerabilities. It is paramount that these children have a stable education that can support them to overcome the challenges they have faced. Ultimately, the CCo is clear that every child with a social worker should be attending a school that can appropriately meet their needs full time. Intervening earlier, when a child is identified as being in need, would ensure that vulnerable children are kept safe and supported to excel in their educational journey.

Recommendation: The DfE should update its statutory guidance on children missing from education so that it clearly defines what is meant by a 'suitable education'. This guidance should clearly outline that it is not appropriate for a looked after child, or any child with a social worker, to only access education provision that is not registered as a school with DfE. The government guidance should clearly outline

that every looked after child and child with a social worker should be on roll at a school full time and supported to attend every day.

5.3.2 The need for registration across the Alternative Provision sector

The CCo is deeply concerned that vulnerable children who are not in school and who often have complex needs and SEN are currently accessing a range of provision from unregistered settings. For many children with complex needs, including SEN, there is currently a lack of sufficient appropriate education provision. The CCo welcome's the government's commitment to increasing the number of specialist schools for children and would like to see children with a social worker prioritised for admission to these new settings.

As set out in the recommendation above, the CCo is clear that looked after children and children in need should be on roll at a school full time and supported to attend every day. However, the office also understands that for children with complex needs and SEN, a high-quality registered AP that can holistically meet a child's needs is often the best provision for them. Last year, through the DfE's call for evidence on the use of unregistered Alternative Provision, drawing on the voices of children the office heard from, the CCo noted that this Alternative Provision works best when it is designed around the needs of children and is integrated with mainstream and special schools.

Forms of supplementary unregistered education should only ever be used in instances where a child, with a social worker or not, is on roll full time at a registered school. There are some instances where additional tuition can be of enormous benefit to a child, helping them to explore new interests or access additional support. In these cases, supplementary tuition outside of school hours from an unregistered provider should be permitted, but never in place of a full-time education at a registered school.

However, as this report has highlighted, the current gaps in requirements around registration of provision are driving perverse incentives. Local authorities are using a patchwork of provision under the 18-hour limit that would require them to register as a school. This is not in a child's best interests and is a legal loophole that needs to be addressed.

Recommendation: A directory of unregistered alternative provision should be created by the DfE. Children should only be able to attend supplementary Alternative Provision if the provider appears on

this official directory. The CCo notes the DfE's commitment to develop a bespoke national Alternative Provision performance framework which will be overseen by an expert group. Building on this commitment, the CCo proposes that the DfE focus on supporting more forms of unregistered Alternative Provision register with the Department.

5.3.3 Elective Home Education

As the CCo's analysis has shown, 14 looked after children were reported by local authorities to be electively home educated. As discussed earlier in section 4.2.4, it is legally possible for looked after children to be EHE by foster carers at home, if the decision is made in consultation with the carers.

Schools are a central part of the safeguarding network that supports a child. Without daily access to school, vulnerable children are at risk of slipping through the gaps in the system. The CCo is clear that EHE should not be used for children who are identified to be at risk of harm from their home environment. Instead, these children should be in school where they can get the education they need to thrive.

Recommendation: The Government should introduce a ban on the use of EHE for any child with a social worker where the child has been identified as being at risk of harm from the home environment that could impact a child's health, welfare or development. The DfE's guidance on EHE should then be updated to clearly outline these groups of children should not be EHE unless in exceptional circumstances and it is agreed with the child's social worker.

Recommendation: The office believes that the government should fulfil its commitment to legislate for a compulsory child not in school register. While the government has not progressed with the Schools Bill, momentum for setting up a children not in school register should not be lost.

5.4. Supporting children with particular vulnerabilities to thrive in school

5.4.1 English language support to help UCSA transition into school

As this report has shown, Unaccompanied Children Seeking Asylum are much more likely to not be in school than other groups of looked after children.

Local authorities that reported a high use of 1:1 or small group tuition explained that this form of unregistered provision is often used for UCSA as a stopgap before they are placed in a school.

It's clear from the CCo's visits to the temporary accommodation where some UCSA are housed while awaiting transfer to local authorities that the English language provision that children receive is patchy and inconsistent from one hotel to another. As a result, these children often require intensive English language support when they first arrive in a local authority to support them to effectively integrate into a mainstream school.

Local authorities said that, once UCSA had developed their English language skills and gained confidence in their social skills, many go on to thrive in mainstream school environments. The office is clear that unless a child has complex needs that cannot be supported by a mainstream school, UCSA should be supported with high quality English language tuition to attend mainstream schools. By default, every unaccompanied child should receive a bespoke on roll English language education offer to support them to integrate into mainstream school.

Recommendation: The DfE should work with local authorities with a high number of UCSA to pilot a ESOL programme that should run alongside a child's education to help them thrive in a mainstream school environment where appropriate.

5.4.2 Support for children with SEND

Local authorities reported that in some instances where a child is placed out of area, delays in receiving a child's EHCP from their home local authority can mean that a child misses out on education in the interim. Currently a child's home local authority (the local authority with the role of corporate parent) is responsible for their Care Plan, while the local authority where the child is placed in accommodation is responsible for their EHCP. As the CCo's Help at Hand team has found, this fragmentation in responsibility can cause delays to children getting the right support and, in some instances, mean that children fall between the gaps altogether.

Recommendation: The CCo recommends that EHCP and Care Plans be, in effect, bound together so that ownership stays with the local authority taking on the role of the corporate parent and who, along with the local Virtual School Head, is best placed to make decisions about a child's education.

The CCo welcomes the government's SEND Improvement Plan, particularly plans to digitalise EHCPs, which the CCo has consistently called for. The office also welcomes the introduction of the role of Designated Social Care Officers (DSCO) and believes that it has the potential to address some of the silos that exist in the system and improve the communication between the education and care elements of a child's EHCP. The DSCO should also be responsible for working with the VSH and a child's care team to ensure that looked after children who are placed out of area have an appropriate school place.

Recommendation: The government's SEND Improvement Plan outlines that DfE will strongly encourage local authorities to adopt the DSCO role in SEND teams. However, the CCo believes that to take full advantage of the benefits this role can offer and to avoid a postcode lottery of implementation, this role should be mandatory for all SEND teams.

5.5. Ensuring children do not miss out on school

Teachers and schools can be a vital source of stability for vulnerable children who have experienced instability at home, challenges in their educational journey and breakdowns in their adult relationships. Schools form a central part of the safeguarding network around a child.

The CCo welcomes the extension of the role of VSH to support all children with a social worker and as outlined above, the office believes this role should be extended further.³³

As discussed earlier, a multi-agency approach is needed to provide successful attendance interventions where support is brought together around a child, designed to meet their specific needs and vulnerabilities. To do this effectively, every agency that supports a child needs to be aware when they become persistently or severely absent. To address these issues, the CCo recommends the following for children with a social worker:

Recommendation: There is a need for consistent and up to date data that is available at a national level on the attendance of children with a social worker. This would support government and policy makers to carefully monitor the attendance of these children and target interventions to improve their attendance effectively. Using the current trial of automatic attendance data collection from schools, the DfE should prioritise collecting and publishing data on attendances rates that is broken down by whether a child is a looked after child, on a child in need plan, or a child protection plan. As set out below the government should also introduce a consistent unique identifier for children.

Recommendation: Where a child with a social worker is excluded, be it temporarily or permanently, they should be in registered Alternative Provision from the first day, there should be no grace period. Children where a professional has deemed home to be a source of risk, should not be excluded there, temporarily or permanently. This would ensure that no child where there is a safeguarding vulnerability is not in school.

Recommendation: Whether permanent or temporary, a child's social worker should be informed if a child is excluded and the social worker and other professionals that support the child should review the child's education and development needs and consider whether additional support is needed.

5.6. Increasing accountability and collaboration across the system so vulnerable children are safe and supported

5.6.1 VSHs should feel empowered to advocate for vulnerable children

When speaking to local authorities about the children who were reported to not be in school, it was clear that in some areas there can be a breakdown in the communication between the virtual school and the schools in the area.

Some of the VSHs that the office spoke to expressed frustration at the delays in getting looked after children into school, citing that in some instances there is no clear reason for a mainstream school to be refusing to admit a child.

VSHs should feel empowered to take on the role of the aspirational parents for all children in their area with social workers, and actively seek out opportunities to work with their local network of schools to admit children. To support VSH to achieve the best for children, the office recommends:

Recommendation: The What Works Centre for Early Intervention and Children's Social Care should carry out or commission research on the VSH role focusing specifically on identifying the best practice models of collaborative working between the virtual school and their local network of schools.

5.6.2 VSHs should have the powers they need to ensure children are in the best schools

The government's guidance is clear that looked after children should be prioritised for admission to the best schools (rated good or outstanding). VSHs have the power to direct maintained schools to admit a looked after child, but this power does not currently extend to academies and MATs. Meaning that in practice, a local authority can ask the academy to admit a looked after child but has no power to direct it to do so.

Recommendation: As set out in the Schools White Paper³⁴, the Cco believes that that local authorities should be given powers to direct academy trusts to admit looked after children. The government should

fulfil the commitment set out in the Schools White Paper to consult on a new backstop power for local authorities to direct trusts to admit children.

5.6.3 Schools should be made corporate parents

Schools play a central role in lives of children in care and care leavers. The Cco believes that schools should work collaboratively with VSHs and other safeguarding partners to support looked after children to access the best opportunities and the help they need to thrive.

Recommendation: In recognition of the importance of the role of schools, corporate parenting responsibilities should be extended to all schools in England. The corporate parenting responsibilities for schools should clearly outline that schools and local authorities should work together collaboratively to support children with a social worker to thrive in education. Schools and colleges should also become full statutory members of Local Safeguarding Partnerships alongside local authorities, police, and the NHS.

5.6.4 A school's governing body should champion the needs of vulnerable children

Every school in England has a governing body that provides strategic leadership for the school. Whether in the form of a board of governors (for maintained schools) or a board of trustees (for academies and MATs), this structure provides an overarching layer of accountability. One of the core functions of these boards is to hold 'executive leaders to account for the educational performance of the school(s) and its pupils and the effective and efficient performance management of staff'.³⁵

The CCo believes that these boards should play a central role in holding schools to account for their approach to support children with a social worker to thrive in school.

Recommendation: Through the extension of corporate parenting responsibilities to all schools, every school governor and/or trustee should undertake mandatory training on best practice in supporting looked after children to thrive in school, including a focus on attainment, attendance, and wellbeing. School governors should provide strategic oversight of how the school is working collaboratively with the local authority to target Pupil Premium Plus effectively to support children's learning and development.

5.6.5 Improve the data collected on the education status of vulnerable children

The DfE has recently updated its guidance for state-funded mainstream schools on its minimum expectation on the length of the school week. State-funded mainstream schools will be expected to provide at least 32.5 hours of schooling per week by September 2023. In comparison, the CCo heard from many local authorities that looked after children who are not in school receive provision from an unregistered setting for less than 18 hours a week, meaning that the setting does not have to register with the DfE. Looked after children and children in need should be receiving a full-time education at a registered school but instead those not in school are often receiving a patchwork of unregistered provision on a part time basis.

Despite this 'other provision' (see table 3) making up a large proportion of the provision reported by local authorities for children who are not in school, very little is known about this provision. It is unclear from the data the office received from local authorities what structure and form of education was provided to looked after children through this type of provision.

Recommendation: To ensure that the DfE is aware of the quality and appropriateness of the education of all children, the Department should collect data from local authorities and schools about the education placements and status of children. The data collection should include information about a child's care status (including looked after children and children in need) and should be collected on an annual basis. This would allow for future research and enable the Department to produce regular publications using the data collection to track the proportion of all school-aged children who are not in school and their characteristics.

5.6.6 Improve data tracking through a unique child ID

As the CCo outlined last year in the 'Voices of England's Missing Children',³⁶ children slip through the gaps in the system due to the lack of information on children and complicated data sharing practices. As this report has shown, many looked after children are not in school and it is difficult to establish what other unregistered settings children are attending. As children, particularly looked after children, are known to many services, they are assigned a range of unique identifiers, including an NHS number, a Unique Pupil Number (UPN) used by DfE, and a child ID from their local authority children's services. It is

difficult to track children across multiple data systems. As a result, children can get lost in the system and fail to get the support they need.

Recommendation: The CCo reiterates its call for a consistent unique identifier for children. This would facilitate better data matching between organisations responsible for safeguarding and supporting children to ensure children do not fall through the cracks between information systems.

6. Methodology

This report is based on analysis of: data gathered by the CCo from local authorities in England, existing data held by DfE, cases of looked-after children supported by the Help at Hand service, and discussions with local authorities.

At the national level, there is no statutory data collection for children missing from education. While individual-level data collections, such as those in DfE's National Pupil Database (NPD), can be used to identify children who disappear from school rolls, the reason for disappearances are almost impossible to determine. The data does not differentiate between children who leave school rolls because they are missing education, or because they moved abroad or died. Further, as independent schools and unregistered providers do not submit individual-level data to DfE, children can disappear from the NPD while still receiving an education within England.

Of course, some children – such as unaccompanied children seeking asylum – may never appear on a school roll, and so there is no disappearance to be detected. As a result, these children and their lack of education are entirely absent from DfE's data.

This is why the CCo chose to focus this analysis on looked after children, as they are known to DfE regardless of their education status. Child-level data on these children is collected by DfE through the annual statutory children looked after return (CLA return). The CLA return itself contains no information on the education status of these children. However, for children who are in education, the CLA return data can be joined to the NPD, which does contain that information. DfE already completes this process annually, although for the same reasons as those discussed above, this provides no information on why a child is missing from the NPD.

Therefore, to acquire this data, under the Children's Commissioner's statutory data collection power under Section 2F of the Children Act 2004, the CCo asked the 152 local authorities of England to return the following data for the looked after children in their areas:

- The child's education status, given as one of eight possibilities: enrolled in registered education full time; enrolled in registered education part-time; attending an unregistered setting full-time;

attending an unregistered setting part-time; elective home education; private 1:1 or group tuition; other education; or missing education.

- The child's ID (the local authority's internal ID for that child and, if available, the child's Unique Pupil Number).
- If the child was enrolled in registered education, the ID of their provider (either URN, UKPRN or LAEstab).

The coverage of the request was children who were of statutory school age and had been in care for at least four weeks at the date of the most recent CLA return, 31st March 2022. In this report these children are referred to as 'in-scope' children. Four weeks was chosen as it gave local authorities a window of opportunity to find suitable education for children who had freshly entered their care systems, although legislation does not provide a grace period for local authorities.³⁷

Data was initially received for 49,808 individuals from 149 local authorities. 680 were excluded from the analysis because they were outside the scope of the analysis, leaving a sample of 49,128.

Once the data had been received, it was joined to the data in the CLA return. This led to CCo identifying 1,718 children in the CLA return who were missing from the data provided by local authorities. The office contacted 13 local authorities with the highest omission rate, 11 responded, and nine were able to provide data for the missing children in full. This additional data contained 408 children, leaving 1,310 omissions, 3% of all in-scope children.

To fill in the missing data for these children, the CCo used the 2021/22 Spring School Census and the Alternative Provision (AP) Census from the NPD, and assumed that any child missing from both censuses was not in school. These censuses occur in the January before the CLA return, leaving a gap of two months during which these pupils may have started school. However, 77% of these children were also in-scope in January (i.e. they had been in care for at least four weeks at the time) and so fell within CCo's definition of not in school at the time of the School and AP Censuses. Combined with their omission from local authority returns to the CCo, which raises questions about how aware their local authorities are of these children, the CCo has judged it unlikely that these children found a school in the intervening two months.

The final sample was made up of the 49,128 children in the initial return, the 408 in the follow-up returns, and 1,310 children omitted from both returns but whose data was added from the School and AP Censuses. This final sample size was 50,846. The three local authorities which did not provide data, and all children in those areas – Middlesbrough, Nottingham and Sefton – were entirely excluded from the analysis, so that the missing data would not skew the results.

Assuming that all looked after children not present in the School Census and AP Census are not in any school is a significant assumption. The assumption is mitigated by the coverage of the AP Census, which is a data collection from local authorities of all education placements they wholly fund – typically placements with independent and unregistered providers. Unlike in the general child population, local authorities will typically fund the placements of their looked after children, and so looked after children are more likely than other children to appear in the AP Census. Further, the assumption is only applied to the relatively small number of children who did not appear in the local authority data sent to the CCo.

The CCo used 12 years of historic placement data from the NPD (2010/11 to 2021/22) to examine the education journeys of children missing from education. This includes, where applicable, the school they had last attended before dropping out of education, and the characteristics recorded about the child while there, such as free school meal eligibility and special educational needs status. The choice of 12 years ensures that a full education journey, from Reception to Year 11, can be described for even the oldest children in the data.

The NPD's absence data was also used to analyse the attendance of looked after children who were enrolled at a school. From this data, the CCo defined an additional category of 'missing school': children who were enrolled but were not attending. CCo defines 'not attending' as a 100% unauthorised absence rate, with authorised absences excluded from the analysis, as they may include, for example, prolonged periods of illness.

This category of not attending education joins the CCo's other new category of not in school: receiving unregistered provision. This category includes children who were reported to be receiving education through: an unregistered setting; elective home education; private 1:1 or group tuition; or other unregistered provision.

The CCo included characteristics which are only available from the School or AP Censuses, such as special educational needs and type of school. For children not current in school, the analysis has taken the characteristics from their most recent School or AP Census record, where available. Children who have never appeared in these censuses are not included in analyses looking at these characteristics.

Throughout this report, results are presented which show the proportion of children with a given characteristic who are also not in school. The CCo performed regressions to isolate the effect of one characteristic on missing school from the effects of all other characteristics. Additional information on these regressions can be found in the Analytical Annex.

Analytical Annex

Analytical assumptions

Assumption that data provided by local authorities is valid

This analysis assumes that the information provided by local authorities, in response to the CCo's statutory Section 2F data collection, is to be trusted. Due to the data gaps this project is tackling, this assumption is critically important as, while the CCo has used information in DfE's NPD to fill in missing data, for the reasons discussed in the Methodology, that data is not ideal for this analysis and should only be used where necessary. As an example consequence of this, this analysis covers both all in-scope children in the CLA return, as well as an additional unexpected 19 in-scope children who do not appear in the CLA return but do appear in the data provided to CCo by local authorities.

The NPD was used to complete missing data to gain as complete a picture as possible of the activity within the local authorities who made a return to the CCo. As discussed in the Methodology, this approach had limitations: the lack of information in the NPD about destinations of children who leave its coverage; and the two month gap between the School and AP Censuses (both January 2022) and the data CCo received from local authorities (March 2022). This is why data from the NPD has only been used with the relatively small number of omissions from responding local authorities, and not also to all children in the three local authorities that did not respond to the CCo's data request.

Assumption that non-responding local authorities are typical

Of the three local authorities that did not respond, it has also been assumed that the activity in their areas does not skew the national picture. The records in the CLA return for these three local authorities show that the in-scope children in these local authorities were of very similar ages and genders to the in-scope children in the local authorities which did respond. However, they were also less likely to be UCSA and more likely to be from the White ethnic group. Following the analysis presented in this report, this does raise the possibility that the proportion of looked after children not in school has been over-estimated, but the local authorities that did not respond are responsible for only 2% of looked after children, meaning any effect will be small.

Assumption about whether 4-year-olds were in school

The CCo has also had to make assumptions about children who were aged four at the start of the 2021/22 academic year. DfE guidance specifies that children can start education at the 'usual time' – the September after their fourth birthday – but, if a child's parent or guardian does not think their child is ready to start school at the usual time, they can opt to delay.³⁸ As a result, while all children aged five at the start of the academic year are eligible to be marked as 'not in school', as defined by this report, children aged four may either be not in school or have not opted into education yet. For this analysis, the CCo has only labelled children who were aged four as not in school on the 31st March 2022 if evidence of an earlier education placement in January 2022 in the School or AP Censuses could be found.

Assumption that certain historic characteristics of children remained true in March 2022

The CCo has used historic records from the School Census to find information on the characteristics of looked after children which is only available through the School Census: special educational needs (SEN) provision; type of SEN; free school meal (FSM) eligibility; type of school last attended; and Ofsted rating of school last attended. In doing this, the CCo has assumed that historic characteristics are still true for those children today.

For children with an Education, Health and Care Plan (EHCP), this assumption is likely true, as DfE statistics show that only a small proportion of EHCPs cease each year.³⁹ Meanwhile, SEN Support is provision which is identified by, and provided through, a child's school, and so a child with SEN Support is unlikely to have their needs met while not in school. As such, it has been assumed a child who previously had SEN Support will retain their SEN while not in school. No clear pattern between FSM eligibility and not being in school could be found, and so it has been excluded from the findings in this report.

Regression analysis

To reduce the burden on local authorities, the CCo requested as little data as reasonable, as described in the Methodology. As a result, all data on child characteristics which could be used in a regression comes from joining the local authority data to the CLA return and the School and AP Censuses. While data in the CLA return is reliably available for looked after children, children will only have data in the School or AP Census if they have previously been enrolled at a provider. As 29% of not in school children,

and 63% of UCSA, have never appeared in the School Census, including characteristics from the School or AP Censuses would require excluding many children, leaving what is likely a non-representative population. As such, only basic demographics (e.g. age, gender and ethnicity) and care characteristics (e.g. type of care placement) from the CLA return have been used in regression analysis.

The data had an imbalanced class distribution, as children in education represent over 95% of the sample. In preparation for the regression, therefore, 90% of looked after children in education were randomly under-sampled (i.e. excluded from the analysis). Not doing this would skew a regression towards associating all characteristics with being in education. No data for looked after children not in school was discarded.

As the dependent variable is binary – a child is either in school or they are not – the analysis used a logistic regression. A multinomial logistic regression was tried, which would serve the same purpose as a logistic regression and would additionally allow the dependent variable to take more than two values. That would allow the dependent variable to be split into the three categories which comprise CCo's definition of not in school. However, that was found to add little benefit to the analysis, as the characteristics within each category of not in school are broadly similar, while it also reduced the sample size available within each category.

The characteristics used in the logistic regression model were:

- Gender (female, male)
- High-level ethnic group (Asian, Black, Mixed, Other, White)
- In-area placement (whether placed in or out of their home local authority)
- Unaccompanied Child Seeking Asylum status (UCSA or not UCSA)
- Placement type (e.g. foster carer, children's home, fully or semi-independent living, etc.)
- Home local authority
- Primary need identified at CIN assessment (e.g. absent parenting, abuse or neglect, family dysfunction, etc.)
- Age in years (4 to 16)
- Number of care placements in the year (1+)

Tests were used to assess the quality of the model. When used to predict whether or not a child was not in school in a test data set,^{xi} the model had an overall 85% true positive rate. However, the true positive rate for predicting not in school specifically was only 53%. The response operating characteristic (ROC) curve for the model had an area under the curve (AUC) of 0.84.^{xii} And the McFadden pseudo R-squared was 0.39, giving a relationship of 39% between predictors and prediction.

These measures of model quality are indicative of a model with middling ability to explain the variation observed in the dependent variable, which is not surprising given the limited number of characteristics available to use as independent variables. Regardless, this model quality is sufficient to get a sense of which available independent variables are predictors of not in school.

Examined individually, seven of the nine characteristics examined were shown to have a statistically significant effect on whether a child was not in school^{xiii}: gender; home local authority; in-area placement; UCSA status; placement type; age; and number of care placements in the year. The other two characteristics, ethnicity and primary need identified at CIN assessment, did not have a statistically significant effect.

The CCo additionally analysed the predicted probability of not being in school when all other characteristics are held equal. Those results, for selected characteristics, are presented in figure 9 below.

These results generally demonstrate that most characteristics have a statistically significant relationship with whether a child was not in school, confirming what was reported in the main body of this report. Of the characteristics which were not shown to have a significant effect on whether a child was not in school:

1. Ethnicity: In the figure below, the Black ethnic group is now the ethnicity with the highest probability of children not in school, and the disparity between the Other ethnic group and all other ethnic groups has vanished. As noted in the main body of the report, 88% of children in

^{xi} 70% of the data was used to create the logistic regression model, while 30% of the data was put aside to be used as a test data set to assess the model's ability to predict known results. A theoretic perfect model would have a true positive rate of 100%.

^{xii} A theoretical perfect model would have an area under the curve of 1, while a model with no predictive power would have an area of 0.5.

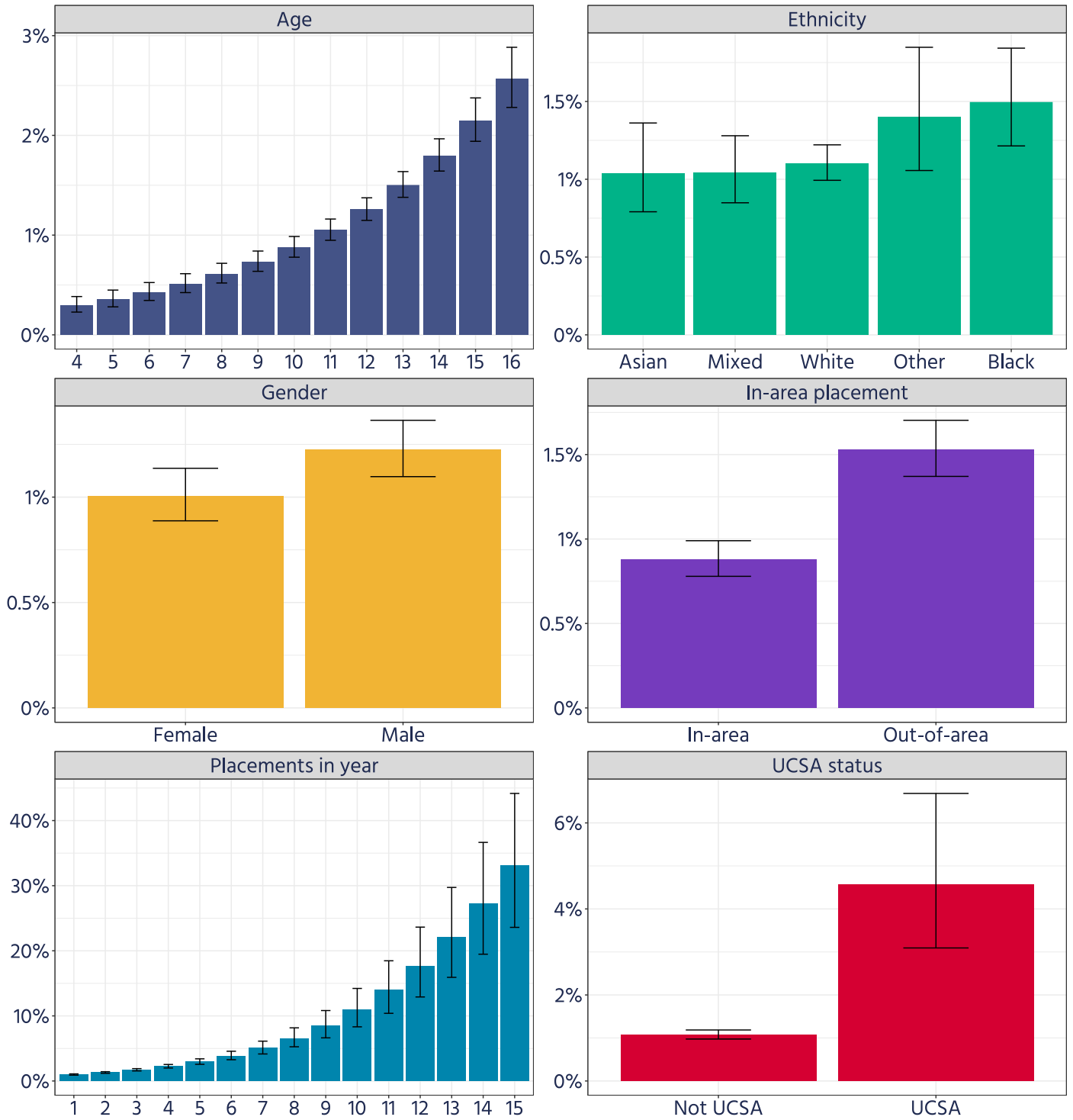
^{xiii} Statistically significant is defined here as where the p-value is less than 0.05.

the Other ethnic group are UCSA so, when controlling for whether a child is seeking asylum, it is unsurprising that the effect of the Other ethnic group is mostly removed.

2. Primary need identified at CIN assessment: the apparent differences in the proportion of children not in school by primary need is also a result of a strong correlation with UCSA status, as almost all UCSA children have a primary need of 'absent parenting'. This characteristic has not been used in the main body of this report.

In short, UCSA status explained away: the effect of being in the Other ethnic group; and the effect of the primary need identified at CIN assessment. Characteristics which remained statistically significantly related to not being in school, when considered together rather than individually, were: being older; being male; the home local authority; being placed outside that home local authority; the placement type (e.g. being placed in fully or semi-independent living); the number of care placements in the year (i.e. placement stability); and UCSA status.

Figure 9: the predicted probability of not being in school, for selected characteristics, when all other characteristics are held equal



Note: The regression used for this graph uses the full sample, as under sampling would skew the predicted probabilities of not being in school. Home local authority has been excluded from this regression, as the small number of children per local authority led to high uncertainties when predicting for other characteristics.

References

- ¹ Children's Commissioner's Office, *Where are England's Children? Interim findings from the Children's Commissioner's Attendance Audit*, 2022, [Link](#). The analysis in this report showed that 0.3% of children aged 11 to 15 were missing education. However, due to differences in methodology, this is not directly comparable with the 2.7% published in this report.
- ² Department for Education, *Pupil absence in schools in England*, 2023, [Link](#).
- ³ Children's Commissioner's Office, *Where are England's Children? Interim findings from the Children's Commissioner's Attendance Audit*, 2022, [Link](#).
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