

## **FREEDOM OF INFORMATION ACT 2000**

Your request for information has now been considered and the Council's response to your questions is shown below.

**You asked:**

**We are using the legal definition of children missing education as our guide for this request. This is quoted in Ofsted's report on children missing education (<http://www.ofsted.gov.uk/resources/pupils-missing-out-education>):**

**"The Education Act 1996 says: 'Local authorities have a statutory duty to arrange suitable education for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them', Education Act, HMSO, 1996; [www.legislation.gov.uk/ukpga/1996/56/contents](http://www.legislation.gov.uk/ukpga/1996/56/contents). This duty was restated in Section 3 of the Children, Schools and Families Act 2010, which came into force on 1 September 2011; 'Local authorities must ensure that all children who fall within the scope of section 19 receive suitable full-time education unless reasons that relate to their medical condition mean that this would not be in their best interests', Children, Schools and Families Act 2010, HMSO, 2010; [www.legislation.gov.uk/ukpga/2010/26/contents](http://www.legislation.gov.uk/ukpga/2010/26/contents)."**

**In the Ofsted report, they define children missing education as:**

- **have been permanently excluded**
- **have particular social and behavioural difficulties and have personalised learning plans: this means that, by arrangement, they do not attend their usual school full time**
- **have mental health needs and access Child and Adolescent Mental Health Services (CAMHS), either as an in-patient or through services provided in the community**
- **have medical needs other than mental health needs**
- **rarely attend school and have personalised learning plans as part of attempts to reintegrate them into full-time education**
- **are pregnant or are young mothers of compulsory school age**
- **have complex needs and no suitable school place is available. In addition, small numbers of children and young people do not currently attend school in the usual way because they:**
  - **are returning from custody and a school place has not been found for them**
  - **are new to the country and are awaiting a school place**
  - **are from a Gypsy, Roma or Traveller background and alternative provision has been made**
  - **have moved from another area and a school place**

## Request:

- **The total number and percentage of children of compulsory school age in your local authority who are recorded as missing education.**

The number of children who are missing from education varies from between 350-415 at any given point; these are children whose whereabouts are unconfirmed: NB the vast majority are located and at the point they are located (usually outside of the LA), their education provision is established and they are removed from the CME list. The LA fails to locate much less than 1% of those whose whereabouts are investigated. In relation to children whose whereabouts are known to be in the LA but who are not in education (but should be), at any given point, there will be between 25 - 45 children in this group. These figures do not include cases where parents are following normal admissions processes where their children have not yet started at a school.

- **Any statistical breakdown on the different groups/reasons why these children are recorded as missing education in your local authority.**

The children referred to above are the children who are traditionally classified as children missing from education (CME). The further details you e-mailed by way of clarification relate to pupils who are not in the CME group.

With regards to the bullet points taken from Ofsted, please note that we understand here that you are asking for numbers of children who are not in full-time provision. Information is recorded about all children on school rolls (including the Pupil Referral Units, the Children's Hospital School etc.) in terms of their timetables, however, in relation to any children who are not in full-time provision, this information is not currently held in a reportable format other than in relation to children on the roll of the Children's Hospital School: there are 37 Leicester City children on roll currently due to predominantly psychological difficulties and 16 on roll due to physical conditions. These children receive tuition in line with their medical needs and the majority will be receiving part-time provision.

Further specific areas that we are able to provide data on are as follows: there are no children who are returning from custody without a school place, there are 199 children who are attending Pupil Referral Units (PRUs) or, who have some or all their provision at alternative placements arranged in or by PRUs, and 320 children who have some or all of their provision out of school arranged by a specialist body (college placements etc.) none of whom are young mothers or pregnant.

In relation to children who are known to CAMHS, you would need to contact the service directly to obtain this data. This letter acts as a refusal notice under section 17.1 of the Freedom of Information Act 2000 because, in accordance with section 1.1 of the Act, this information is not held by Leicester City Council.

In relation to children new to the country, have moved from another place are awaiting admission, or, from a Gypsy, Roma or Traveller background. This information is held in the narrative field of our records and can only be extracted manually, it is not held in a reportable format. This would require the manual trawl of over 400 records. Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for local government is set at £450. This represents the estimated cost of one person spending more than 18 hours in determining whether the department holds the information, locating, retrieving and extracting the information.

This is therefore a Refusal Notice under section 17.1 of the Freedom of Information Act, because under the provisions of section 12.1 of the Act, the Council estimates that to comply with your request in its current form will exceed the appropriate limit.

The legislation allows you to use the information supplied for your own personal use. Please be aware that any commercial or other use, for example publication, sale, or redistribution may be a breach of copyright under the Copyright, Designs and Patents Act 1988 as amended unless you obtain the copyright holder's prior permission.

Not all the information that is supplied which is covered by copyright will be the Council's copyright, for example it may be the copyright of a government department or another Council. You should seek either the Council's consent or their consent as appropriate. The Council is willing to advise you of any such potential issues on request. In order to make a request to re-use the information please contact the Information Governance Manager using the details below.

If you are dissatisfied with the handling of your request please write to:

**Information Governance Manager**  
**Information and Support**  
**Leicester City Council**  
**FREEPOST (LE985/33)**  
**New Walk Centre**  
**LEICESTER LE1 6ZG**  
e-mail: [info-requests@leicester.gov.uk](mailto:info-requests@leicester.gov.uk)

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such

request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

**Information Commissioner's Office**

**Wycliffe House**

**Water Lane**

**Wilmslow SK9 5AF**

**Telephone: 01625 545 700**

[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to the Information Governance Manager before contacting the Commissioner.