

# Changes Pupil Registration Regulations 2016

Legal references on this page apply to England.

## Changes Pupil Registration Regulations 2016

The Education (Pupil Registration) (England) Regulations 2006 will be amended from September 1st 2016 (described by the Government as "*Improving information in identifying children missing education*") This [was announced](#) on the last day of Parliament before the Summer recess.

NB schools are ALREADY required to notify the LA when a child is being taken out of school to be home educated, but this hasn't been happening with all types of school.

All schools (including independent schools) will be required to inform their LA in **every circumstance when they are about to delete a pupil's name from the admission register**; inform their LA of the **pupil's destination school and home address** if the pupil is moving to a new school (where they can reasonably obtain this information); and also inform their LA of **all new pupils**, including the pupil's address and previous school (again where they can reasonably obtain this information).

<https://www.gov.uk/government/consultations/identifying-children-who-are-missing-education>

At the moment, schools are only required to notify the local authority that a pupil's name has been deleted from the school roll **1/** when the pupil has ceased to attend and is to be home educated; **2/** has moved out of the area; **3/** has been certified as medically unable to continue attending; **4/** is detained under a court order; or **5/** has been permanently excluded.

In future, DfE says schools will **ALSO** have to notify the authority in the following circumstances:

- pupil stops attending school named in school attendance order
- pupil stops attending one school while registered at two schools
- pupil has not returned for 10 days after authorised absence, is not believed to be unwell, and neither the school nor the local authority knows where the child is (NB The school and LA will also now be required to work co-operatively in investigating)
- pupil has been absent from school for 20 days (continuous) without authorisation
- pupil has died
- pupil stops attending other types of school (independent?)
- pupil reaches end of compulsory school age and will not be returning to school
- pupil who has been attending nursery doesn't continue to primary
- pupil leaves boarding school, fees unpaid

View as tracked changes [HERE](#)

In addition, the amendments will give LAs the discretion to require the same information on standard transitions, which occur when a pupil reaches the final year of that school. There are two other proposed amendments relating to sections 8(1)(f)(iii) and 8(1)(h)(iii) of the Regulations which will require 'reasonable enquiries' to track down a pupil's whereabouts to be performed collaboratively between the school and LA, rather than separately. Schools would also have to inform their LA within five days of registering a new pupil.

Currently, once a pupil's name is on the register, it can only be deleted in the circumstances set out in regulation 8. If the child is of compulsory school age, regulation 8(1) lists the 15 grounds on which their name can be deleted (including home education). Regulation 12(3) requires schools to inform the local authority if they are about to delete a name on the grounds that the pupil.

- (d) has been withdrawn from school to receive home education (unless a school attendance order prevents this);
- (e) has left school and no longer lives within a reasonable distance of the school (unless the pupil is a boarder);
- (g) has been certified as unlikely to be fit to attend school again until after they are no longer of compulsory school age (unless they or their parent(s) have told the school that they wish to stay on at the school beyond compulsory school age);
- (i) is being detained under a court or government order for at least four months and the school has no reason to think they will return afterwards; or
- (m) has been permanently excluded.

DfE proposes to amend the Regulations so that a school must inform the local authority before deleting a pupil's name on any of the other 10 grounds listed in regulation 8(1).

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Below are the 15 grounds currently set out in Regulation 8. I have added **bold type** where the school is **currently**

required to notify the local authority.

## Deletions from Admission Register

<http://www.legislation.gov.uk/ukSI/2006/1751/regulation/8/made> Pupil Registration Regulations 2006

8.—(1) The following are prescribed as the grounds on which the name of a pupil of compulsory school age shall be deleted from the admission register—

- (a) where the pupil is registered at the school in accordance with the requirements of a school attendance order, that another school is substituted by the local education authority for that named in the order or the order is revoked by the local education authority on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his age, ability and aptitude otherwise than at school;
- (b) except where it has been agreed by the proprietor that the pupil should be registered at more than one school, in a case not falling within sub-paragraph (a) or regulation 9, that he has been registered as a pupil at another school;
- (c) where a pupil is registered at more than one school, and in a case not falling within sub-paragraph (j) or (m) or regulation 9, that he has ceased to attend the school and the proprietor of any other school at which he is registered has given consent to the deletion;
- (d) in a case not falling within sub-paragraph (a) of this paragraph, that he has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school;**
- (e) except in the case of a boarder, that he has ceased to attend the school and no longer ordinarily resides at a place which is a reasonable distance from the school at which he is registered;**
- (f) in the case of a pupil granted leave of absence exceeding ten school days for the purpose of a holiday in accordance with regulation 7(3), that —

[(i) omit “*exceeding ten school days for the purpose of a holiday*”;

(ii) for “*regulation 7(3)*”, substitute “*regulation 7(1A)*”

[2013 Amendment](#) ]

- (i) the pupil has failed to attend the school within the ten school days immediately following the expiry of the period for which such leave was granted;
- (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and
- (iii) both the proprietor and the local education authority have failed, after reasonable enquiry, to ascertain where the pupil is;
- (g) that he is certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither he nor his parent has indicated to the school the intention to continue to attend the school after ceasing to be of compulsory school age;**
- (h) that he has been continuously absent from the school for a period of not less than twenty school days and —
- (i) at no time was his absence during that period authorised by the proprietor in accordance with regulation 6(2);
- (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and
- (iii) both the proprietor of the school and the local education authority have failed, after reasonable enquiry, to ascertain where the pupil is;
- (i) that he is detained in pursuance of a final order made by a court or of an order of recall made by a court or the Secretary of State, that order being for a period of not less than four months, and the proprietor does not have reasonable grounds to believe that the pupil will return to the school at the end of that period;**
- (j) that the pupil has died;
- (k) that he will cease to be of compulsory school age before the school next meets and the relevant person has indicated that he will cease to attend the school;

(b) for sub-paragraph (k) substitute—

“(k) that the pupil will cease to be of compulsory school age before the school next meets and—

(i) the relevant person has indicated that the pupil will cease to attend the school; or

(ii) the pupil does not meet the academic entry requirements for admission to the school’s sixth form.”

[2013 Amendment](#)

(l) in the case of a pupil at a school other than a maintained school, an Academy, a city technology college or a city college for the technology of the arts, that he has ceased to be a pupil of the school;

**(m) that he has been permanently excluded from the school; or**

In regulation 8(1) (deletions from admission register), omit “or” at the end of sub-paragraph (m) and, after sub-paragraph (n), insert—

“or

(o) where—

(i) the pupil is a boarder at a maintained school or an Academy;

(ii) charges for board and lodging are payable by the parent of the pupil(2); and

(iii) those charges remain unpaid by the pupil’s parent at the end of the school term to which they relate.”

[2011 Amendment](#)

(n)where the pupil has been admitted to the school to receive nursery education, that he has not on completing such education transferred to a reception, or higher, class at the school.

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Below are the current limited circumstances in which the school must notify the local authority that a pupil's name has been deleted from the school roll

## Returns

### [2006 Regulations](#)

"12.—(1) Subject to paragraph (2), the proprietor of every school shall make to the local education authority, at such intervals as may be agreed between the proprietor and the local education authority, or as may be determined by the Secretary of State in default of agreement, a return giving the full name and address of every registered pupil of compulsory school age who—

(a) fails to attend the school regularly; or

(b) has been absent from the school, where the absence has not been treated as authorised in accordance with regulation 6(2), for a continuous period of not less than ten school days, and specifying the cause of absence if known to the proprietor.

(2) Paragraph (1) shall not apply with respect to —

(a) any absence from the school due to the pupil attending another school at which he is a registered pupil; or

(b) any period during which the pupil was attending an approved educational activity in accordance with regulation 6(4)."

"(3) As to the contents of the admission register comprising particulars relating to a pupil whose name is to be deleted in accordance with regulation 8(1)(d), (e),(g),(i) or (m), the proprietor shall make a return to the local authority for every such pupil giving the full name of the pupil, the address of any parent with whom the pupil normally resides and the ground upon which their name is to be deleted from the admission register as soon as the ground for deletion is met in relation to that pupil, and in any event no later than deleting the pupil's name from the register."

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## Sir Michael Wilshaw Letter

The initiative was prompted by [this letter from Sir Michael Wilshaw, Ofsted](#) which said: Her Majesty's Inspectors (HMI) have become aware of potentially high numbers of pupils whose names are being deleted from school admissions registers **without either the schools or the local authorities having an accurate understanding of where those pupils have gone**.... While schools and local authorities were, in the main, complying with their statutory duties, HMI found: **inconsistent practices** for recording and reporting cases where children are removed from the school; **poor communication and coordination** between schools and local authorities on individual cases; and **inadequate systems for identifying and tracking pupils who leave independent schools**. More worryingly, HMI noted that the current regulations place no legal duty on schools to establish and record the onward destination of pupils who are deleted from an admissions register nor, in the majority of cases, do they require local authorities to check the whereabouts of these children. As a result, HMI found that **schools often did not record a destination for pupils**. In many cases, schools only noted very generic reasons for a pupil being removed from the register. Examples of this included 'gone to live with grandparents', 'moved to Manchester', 'gone back to Libya' or, in a number of cases, simply 'moved abroad'. This makes it very difficult, if not impossible, for schools and local authorities to distinguish the minority of children who may be at risk from the majority who will be safe and receiving a suitable education in mainstream schools, registered independent schools or in their home. It is equally hard to see how local authorities can be certain they are fully meeting their **legal duties to safeguard and promote the welfare of all children in their area and to ensure that those children are receiving suitable education**. We cannot be sure that some of the children whose destinations are unknown are not being **exposed to harm, exploitation or the influence of extremist ideologies**. We do not know whether these children are ending up in **unregistered provision**...I believe that the regulations relating to in-year transfer, which date back to 2006, need to be urgently reviewed and considerably strengthened. They should take account of our heightened awareness of the **risks that some young people face**, such as female genital mutilation, forced marriage, child sexual exploitation and falling prey to radicalisation. It is vital that we have a **much more accurate understanding of the whereabouts of children after they are deleted from an admissions register**. There should be a requirement for headteachers to **collect and record more detail about onward destinations**. There should also be a clear requirement for schools to **send these details to the local authority on a regular basis** and to highlight any cases where they have been unable to obtain the necessary information. The regulations also need to be much more explicit about the **action that local authorities should take if the onward destination data is uncertain**."

## Related Pages

[Deregistration](#)

[Children Missing Education Guidance](#)

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## Link Reference

This article is <http://edyourself.org/articles/pupilregconsult.php>. The following links to other websites are contained in the

article, displayed as citations to aid you in printing the document.

1. HERE <http://edyourself.org/prrchanges.pdf>
2. <http://www.legislation.gov.uk/uksi/2006/1751/regulation/8/made>  
<http://www.legislation.gov.uk/uksi/2006/1751/regulation/8/made>
3. 2013 Amendment <http://www.legislation.gov.uk/uksi/2013/756/regulation/2/made>
4. 2013 Amendment <http://www.legislation.gov.uk/uksi/2013/756/regulation/2/made>
5. 2011 Amendment <http://www.legislation.gov.uk/uksi/2011/1625/regulation/2/made>  
<http://www.legislation.gov.uk/uksi/2011/1625/regulation/2/made>
6. 2006 Regulations <http://www.legislation.gov.uk/uksi/2006/1751/regulation/12/made>
7. Deregistration <http://edyourself.org/articles/deregistration.php>
8. Children Missing Education Guidance <http://edyourself.org/articles/cme.php>