

Engaging with children and young people – [consultation on the children missing education database regulations 2025](#)

What is the consultation about?

The main aim of the regulations is to help local authorities to identify children living in their areas that they don't currently know about and ensure that they have access to education.

The regulations require local authorities to each have a 'children missing education database'. These will include names of children who do not attend school or another education setting (EOTAS), and those who recorded as home-educated (EHE) but the local authority has not been able to determine that those children are receiving a suitable education at home. These children are all potentially missing education, or 'CME'.

What do the regulations say?

The regulations have two main requirements. They state that local authorities must set up a database of children in their area who may be missing education. Local health boards must send basic information about children registered with them, to the local authority where the child is living, so that the local authority can check this against their education data.

How will they regulations work?

Each year, local authorities will receive a list of children's names and addresses from the local health board. Most of the names on the health list will also be on the local authority education lists as local authorities are legally required to have this information. However, the health list may include children who are not known to the local authority because they are not at school or known to be EOTAS or EHE. The local authority will record this information on their CME database and try to find out where the child is and if they are missing education. Only children who are potentially CME will be on the database and the rest of the information will be deleted. Also, if a local authority identifies a child on the CME database and knows that they are receiving an education, the name will be removed.

Why are we proposing these regulations?

Local authorities have statutory duties under the Education Act 1996 and the Education Act 2002. The duties are in relation to all children of statutory school age (5-16) living within their local authority area, even those they do not know about. The main duties are section 175 of the Education Act 2002 and section 436A of the Education Act 1996. S.175 requires local authorities to undertake their education functions with a view to safeguarding and promoting the welfare of children. S.436A requires local authorities to establish that children are in receipt of a suitable and efficient education and to act if it appears they are not. Local authorities have told us that they cannot undertake these duties if they do not know if a child is living in their local authority.

There are also concerns because numbers of children who are home educated have increased significantly over the past few years and therefore the numbers of children missing education may also increase. A parent can educate their child at home instead of school but they must be able to provide a suitable and efficient education.

The local authority must be able to determine that this is happening and will normally ask for examples of work, a report from the parent, and may also ask to see the child. The parent or child can refuse a meeting but this may make it more difficult for the local authority to decide if the education is suitable. Until the local authority decides that the education is suitable the child will be CME, not EHE.

How were the regulations developed?

In 2020 the Welsh Government consulted on different regulations – the [local authority education database regulations](#). The revised regulations have been amended following that consultation. We have listened to the responses and made the regulations more proportionate and more closely linked to missing education. This is why the database will now only hold information on children who are potentially missing education, rather than all children. We also reviewed responses from the health community, home educators and local authorities.

How are we seeking views for this consultation?

The consultation in 2020 was a 12 week public consultation, which also included a child friendly online version of the consultation document and table talk workshops for young people to have their say. We did not request information from consultees about age, but it is apparent that very few – less than 1% - of the responses from individuals (rather than organisations) were submitted by young people.

The revised regulations aim to help local authorities identify children they do not currently know about, and children who are known to the local authority but contact is limited (and they cannot undertake their duties in relation to that child). We want to hear the views of children and young people on matters that affect them, but realise they may not always have a safe space or feel that they are able to respond. The child and young persons' version of the consultation document is being shared via our trusted partners – Children in Wales, the Children's Commissioner's office, and local authority forums that allow children to discuss relevant issues.

Responses can either be submitted via the consultation link online (by 25 April), or children and young people can return their response to the organisation that issued the information. This will then be fed back to the Welsh Government.