# Children missing education database

**Consultation response form**

Your name:

Organisation (if applicable):

email/telephone number:

Your address:

Responses should be returned by **25 April 2024** to:

Equity in Education Division

Public Services and Welsh Language

Welsh Government

Cathays Park

Cardiff

CF10 3NQ

or completed electronically and sent to:

email: CME.Consultation@gov.wales

**Question 1** –Currently local authorities do not know about all children in their area but are still responsible for them. Do you think the requirements in the regulations will help local authorities to identify children not currently known to them or children missing education?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

If you have responded no, please explain why you believe the regulations will not help local authorities to undertake this duty.

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**Question 2** – Does this proposal allow for local authorities to meet their section 175 duty under the Education Act 2002, which is to undertake their education functions with a view to safeguarding and promoting the welfare of children?

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| --- | --- | --- | --- | --- | --- |
| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

If you have responded no, please explain why you believe the regulations will not help local authorities to undertake this duty.

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**Question 3** – Under the regulations, local health boards will disclose the information in the Schedule (name, address, gender and date of birth of child) to the local authority so that they can develop a children missing education database.

1. Do you agree that the information requested in the Schedule is reasonable and proportionate to enable the local authority to identify children not currently known to them and who may be missing education?

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| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

Please provide additional information to support your answer.

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1. Do you agree that the information requested in the Schedule is sufficient to enable the local authority to identify children not currently known to them and who may be missing education?

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| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

If you do not believe the information requested is sufficient, please outline what information should be included in the Schedule.

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**Question 4** – Are there alternative systems and processes that would enable the local authority to identify a child they have no prior knowledge of?

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| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

If you have answered yes, please state what those systems and processes are.

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**Question 5** – What, if any, advantages and disadvantages do you think there would be in the disclosing of the required data to populate the database? Complete the section relevant to you.

1. Parents and carers

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1. Children and young people

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1. Local health boards and general medical contractors

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1. Local authorities

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1. Other

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**Question 6** – The draft regulations propose that local health boards disclose information to local authorities annually. Do you agree with an annual return?

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| --- | --- | --- | --- | --- | --- |
| Agree | [ ]  | Disagree | [ ]   | Neither agree nor disagree | [ ]   |

If not, how often do you think this information should be provided to local authorities and when would the most appropriate time be?

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**Question 7** – What would be the implications of a more frequent data return in terms of technical, administrative and resource implications on:

1. local health boards

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1. local authorities

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1. other

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**Question 8** – Who within the local authority would need access to the database in order to carry out their functions?

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**Local health boards (9 to 12)**

**Question 9** – Can you identify any key privacy risks and associated compliance and corporate risks?

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| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Supporting comments**

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**Question 10** – Do existing protocols concerning data of children who have died ensure that any processing of that data does not lead to any inappropriate communications with families?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Supporting comments**

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**Question 11** – Do you have any previous experience of this type of data disclosure and processing?

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| --- | --- | --- | --- | --- | --- |
| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Question 12** – Are there additional resource and technical implications of processing and disclosing the required data to local authorities?

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| --- | --- | --- | --- | --- | --- |
| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Supporting comments**

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**General medical services contractors (13 to 14)**

**Question 13** – Are there any privacy risks or associated compliance and corporate risks?

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| --- | --- | --- | --- | --- | --- |
| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Supporting comments**

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**Question 14** – Do existing protocols concerning data of children who have died ensure that any processing of that data does not lead to any inappropriate communications with families?

|  |  |  |  |  |  |
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| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Local authorities (15 to 19)**

**Question 15** – Do you (the local authority) believe that your existing children missing education systems and processes enable you to be confident you are aware of all children of compulsory school age within the local authority area?

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| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Supporting comments**

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**Question 16** – Do existing protocols concerning data of children who have died ensure that any processing of that data does not lead to any inappropriate communications with families?

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| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Supporting comments**

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**Question 17** –Can you identify any key privacy risks and associated compliance and corporate risks?

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| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Supporting comments**

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**Question 18** – Do you have any previous experience of this type of processing?

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| --- | --- | --- | --- | --- | --- |
| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Question 19** – Are there additional resource and technical implications of processing the data received from local health boards?

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| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Supporting comments**

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**Question 20** – Do you think anything in the draft regulations could have a disproportionate impact on those with protected characteristics?

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| Yes | [ ]  | No | [ ]   | Don't know | [ ]   |

**Supporting comments**

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**Question 21** – What, in your opinion, would be the likely effects of the draft regulations on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?

Do you think that there are opportunities to mitigate any adverse effects?

**Supporting comments**

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**Question 22** – In your opinion, could the draft regulations be formulated or changed so as to:

* have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
* mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

**Supporting comments**

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**Question 23** – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

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| Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: | [ ]  |