

Children and Young People in Care who are Missing

Protocol between Hampshire Constabulary and the Following Local Authorities:

**Hampshire Children's Services Department
Southampton Children's Services Department
Portsmouth Children's Services Department
Isle of Wight Children's Services Department**

1. Introduction

- 1.1 This joint protocol refers to situations when children and young people in care go missing from wherever they are placed. The protocol:
 - a) defines the roles of police, children's services staff and carers;
 - b) provides guidance to these staff and carers.
- 1.2 This should be read as guidance, which cannot anticipate every situation. Police, children's services staff and carers should use their professional judgement to take any action they feel that is necessary to protect the safety of the child, based on an assessment of risk for each individual child.
- 1.3 All parties involved in the protocol should be clear about the definition of a missing person, and discourage the casual reporting of 'unauthorised absences' as missing persons.
- 1.4 Children who go missing from care may place themselves and others at risk. The reasons for their absence are often varied and complex and cannot be viewed in isolation from their home circumstances and their experiences of care. Every 'missing' episode should attract proper attention from the professionals involved with the missing person and they must collaborate to ensure a consistent and coherent response is given to the missing person on his/her return.
- 1.5 Channels of communication between the local authority and the relevant Police Area must be established and maintained in order to facilitate the partnership approach.
- 1.6 This protocol applies to all children in care missing from residential care or foster care.

2. Definitions

- 2.1 Where this protocol refers to a 'child' or 'children', these terms include young people under the age of 18 years.
- 2.2 **Unauthorised absence:** Clearly some children absent themselves for a short period and then return and their whereabouts are known. Sometimes children stay out longer than agreed, either on purpose or accidentally, and may be testing boundaries. This kind of boundary testing is within the range of normal teenage behaviour and not necessarily considered a risk. The Police Control Room should be notified at an appropriate point (depending on the circumstances), but clarifying that no action is required at that point.
- 2.3 **Missing:** Where the child's location or reason for absence is unknown and/or there is cause for concern for the child because of their vulnerability or there is a potential danger to the public. A child in this category must be reported to the police.

3. Risk Assessment

- 3.1 In assessing the significance of a child's absence, all staff and carers must apply the above definitions and take into consideration guidance already agreed and incorporated into the child's care plan including:
- The age of the child;
 - The legal status of the child;
 - Previous behaviour and history;
 - The emotional needs of the child, e.g. whether there has been any variation in their mood or whether they have expressed any intention to harm themselves or others;
 - Behaviour of the child as influenced by peer groups or others;
 - Whether the child is perceived as running to/running from someone/something;
 - The risk of offending;
 - The risk that the child may be targeted for sexual exploitation.
- 3.2 Staff in all organisations concerned should avoid dismissing the potential significance of repeated running away. Often such children are immediately labelled as the problem and insufficient consideration is given to why they persistently abscond. Persistent running needs to be explored, particularly at the time of post return interviews.
- 3.3 A range of 'push' and 'pull' factors may be reasons for being absent:
- Push factors – conflict with parents or carers, feeling powerless, bullying, being unhappy in care, physical or sexual abuse.
 - Pull factors – wanting to be with family or friends, peer pressure re established behaviour, attractions of street life, and attractions of people who may present a risk and exploit the child.

4. Planning before the event

- 4.1 Where there is a likelihood that a child in care may go missing from their identified placement, their placement plan, completed by their social worker, with the carers, should include an assessment of the likelihood that the child might go missing and the risk they may face as a consequence. Carers should contribute to this assessment and the process should actively include the child/young person. All relevant information relating to the possibility of the child going missing should be included in the placement plan and risk assessment. Consideration should also be given to sharing the risk assessment (or parts thereof) with the police at admission for those children who have a history of running away and/or for those where it is considered a particularly high risk.
- 4.2 These assessments should include information on the following: (Appendix 1)
- The likelihood of the child going missing;
 - The child's view;
 - The level of supervision /support that care staff propose to provide for the child;
 - The views of parents/carers on their child needs and the action that needs to be taken if the child is absent;
 - The risk of harm to the child and his/her vulnerability if he/she is absent;
 - Consideration of any external influences which may result in a child's removal without consent;
 - The likelihood of the child being harboured.
- 4.3 The child should have this protocol explained to him/her and the potential dangers that they may encounter so that he/she understands the implications of running.

5. Incidents of specific concern

- 5.1 If the running away/going missing of any child or young person is causing specific concern, e.g. by its frequent repetition or indicators of particular risk such as contact with a Schedule One offender, there will be a meeting, called by the responsible local authority to discuss the combined response to such incident and concern. Child protection procedures may need to be followed. A meeting may be necessary during a period when the child is missing but in some circumstances, it may be appropriate to convene the meeting when the child is available and can be involved in the most appropriate way. It should be attended by:
- A representative of the police from the Community Safety Public Protection Unit;
 - A representative of the local authority responsible for the child's care of sufficient seniority to be able to take authoritative decisions about the steps needed to locate and protect the child;
 - The registered manager of the children's home/family placement representative/social worker (depending on the child's placement and legal status);
 - those holding parental responsibility (if applicable);
 - The child;
 - Legal representation from the responsible authority (if the case is likely to be particularly high profile);

- Where the child is not placed within the boundary of their responsible authority – representatives from the two authorities' Safeguarding Units should agree representations and attendance, having been notified by the child's Social Worker
- Other relevant agencies, e.g. representatives from the Youth Offending Team, Drugs Action Team and Child and Adolescent Mental Health Service (CAMHS).

6. Notification of absence

- 6.1 When a carer realises that a child is missing from their care they should consider which definition the absence falls within.
- 6.2 Support and advice in making this decision will be available from the children's services department responsible for the child, or from the responsible out-of-hours service. (Appendix 2 – to be completed)
- 6.3 If the absence is considered to fall with the definition of missing, carers must without delay inform:
- The police;
 - The parents and those who have parental responsibility;
 - The social worker or the accountable team manager;
 - The Out-of-Hours team (if applicable), the social worker and accountable team manager the next working day;
 - The supervising authority
- 6.4 Any case of an absent child which causes significant concern, or where circumstances give rise to suspicion of harm should be brought to the attention of the accountable service manager and team manager from the authority responsible for the child's care and the duty inspector for the police area from which the child is missing as soon as possible, who will treat this in accordance with the police High Risk Missing Person Guidance.

7. Information to be made available

When reporting to the police, the person taking the report will need the following information:

- A description of the child and their clothing;
- Details of when the child was last seen and with whom;
- A recent photograph (if available);
- Family addresses and next of kin;
- Known associates and addresses frequented;
- Personal details of the child, e.g. name, date of birth, legal status;
- Any previous history of absconding / absenteeism and circumstances of where found;
- The names and addresses of the child's GP and dentist;
- The circumstances under which the child is absent;
- Any factors which increase the risk to the child;
- Whether the child is on the child protection register (CPR) (or the child is the subject of a Child Protection Plan when this supersedes the CPR)

- Name of staff member/carer/parent that has completed search of home for the child (NB police reserve the right to conduct further searches).
- Whether translation/interpretation service is needed for either child or parent

It will be useful for the police to have the above information for any missing child.

8. Response

- 8.1 Police will investigate all cases falling within this protocol and will respond in accordance with Police Missing Persons policy. Children's services' staff will continue to make all efforts to find the child and to work cooperatively with police during any enquiry.
- 8.2 Even after reporting a child in care as missing, staff should recognise that children's services are responsible for children in their care at all times and carers should remain proactive in determining the child's whereabouts.

9. Informing the media

- 9.1 The police have responsibility for advising the media regarding children missing from local authority care (having referred to their guidance on media involvement regarding missing persons). However, decisions to publicise (including the use of photographs) will always be made in consultation with Children's Services who will consult the parents and/or carers.

10. Recording

- 10.1 Throughout the process in this protocol, carers and social workers must keep a full record of all actions taken and messages received and given. Police will likewise keep a record on the appropriate missing person report.

11. Planning for return

- 11.1 If a child's absence is defined as 'missing', the appropriate children's services senior manager in consultation with social workers, carers, parents and police as appropriate, should start contingency planning for when the child is found. The manager must consider:
- Arranging for an 'independent person' to talk to the child about the reasons they went missing to inform the decision as to whether the child will return home or to the previous placement;
 - Arrangements to escort the child and support them to return;
 - Whether the police wish to interview the child before he/she is returned either home or to their placement.

12. Police powers

- 12.1 Police powers are limited and difficulties can arise when missing children are found but do not want to return to their placement.
- 12.2 Under the Children Act 1989, where there is reasonable cause to believe that the child could suffer significant harm the police can take the child into police protection under the Children Act 1989, and remove to suitable accommodation which could include the home from which the child originally went missing. The police are not given the power to use force to take children into police protection unless it is to prevent them suffering significant harm.
- 12.3 There will be occasions when a child is found in a location that may be considered unsuitable, but where there would not be legal grounds for taking them into police protection. In such cases, police and the accountable senior manager from the responsible children's services authority will need to liaise to discuss what steps may be necessary in order to safeguard the child's welfare.
- 12.4 Any child unlawfully at large from a secure unit or penal establishment may be liable to arrest and returned by police.

13. Child/Young person on remand

- 13.1 If the remand is without conditions processes defined in paragraph 11 should apply. If there are court imposed remand conditions and they are breached, the child can be detained and brought before a court.

14. Communication

- 14.1 Following a reported absence, staff/carers may need to inform other staff/carers and children within the home/placement. This stops distressing rumours and additional information regarding the child's whereabouts may be obtained. Staff/carers should also notify the child's school as soon as possible in case they have any relevant information. Any information should be reported to the police without delay.

15. The return

- 15.1 The child should be given the opportunity to talk to someone independent of their placement about their absence. This independent person should have no line management responsibility for the family, residential home or foster carer. In some instances this person could be a police officer. It may be however that the child would prefer to speak to a social worker or to an independent agency. Consideration must be given to the need for translation/interpretation services for both the child and parent (s) where they have communication difficulties either due to disability or because English is not their first language.
- 15.2 The accountable manager in the authority responsible for the child's care should ensure that an independent return interview is arranged. If there are concerns that the child ran away as a result of circumstances relating to their placement then

this interview would need to take place prior to the child's return. Otherwise this should take place within 72 hours of his/her return from absence.

- 15.3 Where an allegation of physical or sexual abuse is made or becomes evident, child protection procedures must be implemented and contact made immediately with the police Child Abuse Investigation Team and the safeguarding service at the authority where the child is living. Immediate consideration must be given to the possible collection of forensic evidence.
- 15.4 If there is any suggestion that the child has been a victim or perpetrator of crime, consideration must be given to securing evidence by police including by forensic examination. If the child is believed to be a victim of crime then it should be remembered that the child his/herself may contain evidence and consideration should be given to securing clothing and delaying bathing etc. If the child is suspected of being involved in the commission of a crime or crimes, then again the child may contain evidence. In this case the child has specific rights and it must be remembered that all necessary permissions are obtained from the child's parents and/or those with parental responsibility. The child cannot give consent to some of these procedures taking place. The Police will lead on this. It is essential to recognise that the welfare of the child is paramount and careful consideration might be given to the potential effects of the procedures on the child.
- 15.5 Parents, police, social workers and any other persons informed of the child's absence, should be advised of the child's return without delay.
- 15.6 The social worker and line manager should decide in consultation with residential staff/carers and the child whether they should convene a statutory review of the child's care plan.

16. Missing during external activity, e.g. school trip/residential home

- 16.1 If a child becomes absent outside their area, the carer in charge of the external activity or holiday will:
 - Arrange a search in the area where the child became absent;
 - Notify the local police for that area;
 - Notify those with parental responsibility (if appropriate);
 - Notify the child's social worker or the accountable team manager and the senior manager responsible for the child;
 - Notify a senior manager at the home if relevant;
 - Notify the Youth Offending Team if the Child or Young Person is on remand;
 - Notify the Out-of-Hours team if out of hours.

17. Longer absences

17.1 A meeting will be called to develop a strategy whenever a child is missing for a longer period, and within a maximum of 7 working days. This will be based on the assessment and will depend upon the child's individual circumstances.

17.2 This meeting will involve, as appropriate:

- Parents/carers;
- The accountable team manager from the authority responsible for the child's care;
- The local police (Operational Unit Commander);
- Other relevant staff representatives from the authority where the child is living;
- The registered manager of the children's home or fostering service;

17.3 The senior police officer will review the action taken up to this point, and satisfy themselves that all possible steps are being taken to locate and return the child.

18. Monitoring the protocol

18.1 The designated manager of the local authority with responsibility for children missing from care and the superintendent of police for the relevant area must be responsible for ensuring that the general principles of this protocol are followed. They will seek wider feedback from operational colleagues regarding any issues and/or areas for development.

Appendix 1

Assessment of Risk, Absence of Looked After Child

To be completed prior to placement by placing Social Worker (in consultation with Foster Carer and Parent) & kept with LAC Forms and summarised on Swift (Contingency Plan code). To be updated after any incident of absence and at each LAC Review.

Date of Completion:

Date of Review:

Name of SW:

Name / Age of Child
Likelihood of child going missing including history of past absence (include dates)
History of self harm (specify)
Physical / Learning disabilities (specify)
Previous behaviour patters (include alcohol / substance use)
What is the risk of harm should child/young person be missing, including is the child perceived as running to someone or from a situation <ul style="list-style-type: none">▪ Contact restricted with anyone? ▪ Risk of being harboured ▪ Other external influences
Is the child subject to Court Order (please state)
Any guidance agreed within child's own care plan

Should an absence from placements always result in a Missing Person report to Police? Yes / No
Child's view
Parental/carers view on actions that need to be taken if child is missing.

