

Children Missing From Local Authority Care

**Multi-agency
Protocol 8**

1. Responsibilities

- 1.1 The local authority has a duty of care for any child/young person looked after by them under the requirements of the Children Act 1989. This applies to all children/young people, wherever they are placed, irrespective of their age, legal status or previous difficult behaviour. It includes young people over the age of 16 who are accommodated, even if they are considered to be of sufficient maturity to make independent decisions.
- 1.2 Residential care staff and foster carers (who are the majority carers of children/young people away from home) are caring for the most vulnerable young people who may go absent and be at risk. The local authority, as corporate parent, therefore retains a responsibility at all times.
- 1.3 The police have a responsibility to protect life. They will actively pursue cases of missing persons where circumstances surrounding the disappearance are suspicious, with a particular focus on vulnerable persons, including any child/young person reported as missing.

2. Definitions

2.1 Child/Young Person

For the purpose of this protocol, the term 'child/young person' refers to any child or young person under 18 years of age.

2.2 Missing

For the purpose of this protocol, a child/young person is regarded as 'missing' when their whereabouts and the reason for absence is unknown and there is concern that the child/young person is at risk or there is potential danger to the public.

2.3 Unauthorised Absence

This category is critical to the clarification of the roles of the police and social services. Some children/young people absent themselves for a short period and then return. They may be testing the boundaries of control and not necessarily considered at risk.

- 2.4 In cases of Unauthorised Absence, an initial Risk Assessment should determine the need for, and frequency of, any subsequent assessments. (See section 4 below).

2.5 Absconded

An absconder is a child/young person who is absent without permission of the responsible authority and who is looked after, either in accommodation or as the result of a court order (Remand, Emergency Protection Order, Interim Care Order, Care Order, or is under Police Protection).

3. Reasons for Absences

- 3.1 Children/young people who absent themselves without permission may be carrying on a pattern of behaviour that has been established over a long period, starting before any involvement with Social Services. Alternatively, they may be reacting specifically to their present circumstances. It is as likely that a child/young person is running *from* something as *to* something. They may want to escape conflict with carers, bullying, abuse, or just general unhappiness and may be under enormous temptation to leave from peer pressure or perceived advantages of returning to their families or street life.
- 3.2 When a child/young person has a history of repeatedly going missing, care must be taken not to see successive incidents as simply 'crying wolf'. Any child/young person who consistently goes absent may be experiencing personal problems, which may lead him/her into potentially difficult or dangerous circumstances. It is crucial that each episode is assessed in its own right, as well as being assessed against the previous history of absence.

4. Assessment of Risk

- 4.1 The ability to be able to assess the potential risk posed to, or by, a child/young person is fundamental to the good management of each case. The issues that effect whether or not a child/young person may go absent should be regularly addressed through the Social Services 'Care Plan' for the child/young person and at Placement Agreement Meetings. This is most important at times of significant change, such as when first being looked after; at changes of placement or when the child/young person is displaying behaviour that could indicate the possibility of going absent.
- 4.2 It is important to identify key relatives and friends of the child/young person as research shows that almost half of those who go absent are found with relatives or friends. In these cases, they should not be considered as 'missing' but an 'unauthorised absence' (see section 2 above).
- 4.3 Every time a child/young person goes missing, a risk assessment will be carried out, to establish the degree of risk they may be at when absent. A child/young person should not be reported missing to the police until a risk assessment has been completed by:
- (a) in residential care, the senior officer on duty (in consultation with the child/young person's social worker or the Emergency Duty Team/Emergency Duty Service worker)
 - (b) in foster care, by the social worker or EDT/EDS worker (in consultation with the carer).

Issues that need to be considered when assessing level of risk:

- 4.4 Absences which cause concern are those where staff or carers have no indication that a child is likely to return within a short space of time or where there is immediate concern for the child's safety or there is potential danger to the public.

In assessing the risk, all staff need to take account of the above definition and take the following into consideration:

- Child's age – the younger a child is, the more vulnerable he/she is.
- Have they gone missing before? If a child regularly goes missing this may be of less concern. If a child has never gone missing before then this may increase your concern.
- Is this the reason for absence known? If the reason for absence is known then this will either increase or diminish the cause for concern. If no reason is known this should increase the level of assessed risk.
- Whether the child/young person has any disability or medical condition that requires treatment
- History of self harm
- Likelihood of self harm
- Competence of the child/young person
- Particular circumstances at time of incident
- State of mind at time of incident
- Subject of secure accommodation
- Remanded to local authority care by the court
- His/her likely associations when absent
- Length of time missing (case-by-case basis)
- The time of day or night
- (Refer to other relevant Protocols for guidance)

- 4.5 A record should be made by the staff member of their assessment of risk.

- 4.6 Any child/young person, whether categorised as Missing or Absconded, assessed as high risk will merit an immediate police response.

- 4.7 If the child or young person is assessed as a medium to low risk then a measured police response will be instigated at an early stage, there being a strong possibility that the child/young person will return of their own volition. This response will increase if the child/young person does not return and will depend on individual circumstances, including the receipt of further information.

- 4.8 The risk assessment score will be considered in discussion between the investigating police officer and the person responsible for reporting the child/young person missing, to agree an Action Plan. (The

Reporting Person may be the social worker, EDT/EDS worker, residential worker, foster carer or supportive lodgings provider). Additional information or changes of circumstances should be reported to the police so that the Action Plan can be reviewed.

- 4.9 The above criteria should be considered in every case where a child/young person is absent without permission, but must be applied with sensible judgement. He/she may be simply returning late or testing the boundaries of control. On the other hand it may be obvious to the carer that the child/young person is at *significant risk*, in which case the police should be informed *immediately*.
- 4.10 The intention is to trigger police action at a mutually agreed stage, which is based on a *high* level of concern, not simply the number of hours absent.

5. Action in Residential Placements

- 5.1 The discovery of a child/young person's unauthorised absence should immediately be notified to the senior officer on duty, who will assess the level of risk to decide whether the child/young person should be regarded as missing. In reaching this decision the officer should, if time and circumstances permit, consult with the child's social worker/team manager.
- 5.2 If the child/young person is deemed to be 'missing' then the senior duty officer should inform the police and the social worker.
- 5.3 The child/young person's parents or person(s) with parental responsibility should be informed, as appropriate, by either the senior duty officer or the social worker.

6. Missing During External Activity of a Residential Home

- 6.1 The person in charge of the external activity will:
- Notify the local police in that area
 - Notify the manager at the Home
 - Institute a local search, if staffing levels permit.
- 6.2 The manager at the Home will be responsible for ensuring that the general procedures in relation to a missing child/young person are followed.
- 6.3 The manager at the Home and the person in charge of the party will decide within 24 hours of the absence whether the party should return to the Home.
- 6.4 Ongoing communication regarding the missing child/young person will be maintained between the Home and the police local to where the absence occurred.

7. Action for Foster Placements/Supportive Lodgings

- 7.1 On discovering the child/young person is absent without permission, foster carers/lodgings providers should notify the child/young person's social worker or, outside office hours EDT/EDS.
- 7.2 A Risk Assessment will be made by the team manager responsible for the child/young person or by the EDT/EDS worker, as to whether the child should be considered as missing and the degree of risk involved.
- 7.3 The foster carer/lodgings provider will inform the police, as they will have the most up-to-date information on the child/young person.
- 7.4 The child/young person's parents or person(s) with parental responsibility will be advised by the most appropriate person, to be agreed at the time.
- 7.5 Whilst the carers will be able to provide key information for the Risk Assessment, the *responsibility* for the assessment remains with Social Services.
- 7.6 If the incident occurs outside office hours, the EDT/EDS and the carers must notify the local office the next working day.

8. Action for Independent Placements

- 8.1 Where a young person on a Care Order, aged 16-18, is living in independent accommodation e.g. hostel, council accommodation, B&B, and either the police or Social Services are notified or become aware of a young person missing, the same Risk Assessment and reporting process should be followed.

9. Police Response

- 9.1 As a result of the Risk Assessment process, the police will only be notified of those children/young people who are categorised as 'missing' (see section 2 above).
- 9.2 It is the responsibility of Social Services to provide comprehensive information to the police to enable all the risk factors to be considered.
- 9.3 A full investigation will then be conducted by the police, in line with the agreed Action Plan and in compliance with the police Missing Persons policy. This investigation may involve:
 - Local and/or national circulation
 - Inclusion on the police national computer
- 9.4 The information to be made available to the police, with regard to the child/young person is:
 - A description (including clothes worn, items taken, money, etc)
 - When last seen and with whom
 - A recent photograph
 - Family addresses

- Known acquaintances and their addresses
- Any previous history of missing/absconding
- The name and address of their GP and dentist
- Any circumstances likely to increase the level of risk.

10. Informing the Press

- 10.1 It is the responsibility of the police to decide whether and when to advise the media regarding any child/young person who is missing and looked after by the local authority.
- 10.2 This will be arranged at a local level, under the direction of the Police Operations Manager of the Division.
- 10.3 A decision to publicise by press/radio/television will always be made in consultation with a Social Services manager, allowing time for the parents to be informed. Refer to Wiltshire ACPC/Swindon VPC Media strategy.

11. When a Child/Young Person Remains Missing

- 11.1 A child/young person who remains missing will be treated as an active Social Services case.
- 11.2 The police will conduct reviews of the case at least daily.
- 11.3 Whenever a child/young person is missing for 14 days (or earlier if considered appropriate) a Strategy Meeting should be held. This should be attended by a Social Services manager and police Duty Inspector, together with other appropriate staff from both agencies.
- 11.4 The Strategy Meeting should elicit a clear statement of the actions being taken regarding the absence, to ensure all that should be done is being done.
- 11.5 At this stage, the Director and the Assistant Director, Children & Families, should be informed of the continuing absence. They will need to brief a lead member for Social Services.
- 11.6 Social Services should formally review at senior level (Assistant Director or Area/Service Manager) all cases where a child/young person has been absent for three months, in order to be satisfied of the actions taken to recover the child/young person.

12. Planning for the Child/Young Person's Return

- 12.1 If a child/young person's absence continues beyond a few hours and falls within this Protocol, the Social Services manager responsible for him/her, in consultation with the parents and police, as appropriate, should commence contingency planning for when the child/young person is located.
- 12.2 Such plans should include:
- Will the child/young person return to the previous placement?

- How will he/she be conveyed there?
- Do the police wish to interview him/her before being returned to placement?
- Is it necessary to appoint an 'independent person' to talk to the child/young person after his/her return and, if so, who would be an appropriate person?

13. The Child/Young Person's Return

- 13.1 The child/young person must be given the opportunity to speak to an appropriate person (e.g. Children's Rights Officer, police officer, social worker, teacher, Child Protection Unit Officer) about any concerns they may have, as soon as possible after the event.
- 13.2 On his/her return, the child/young person's medical condition should be discussed immediately and an offer made to arrange medical attention, if indicated as appropriate.
- 13.3 Parents, police, social workers, EDT/EDS and all others informed of the absence should be advised of the child/young person's return without delay.
- 13.4 The social worker and manager, together with the police Duty Inspector should, in consultation with the Home staff/carers, decide whether a special 'debriefing' meeting is required in order to examine the reasons why the child went missing and plan any necessary actions to prevent further absconding.
- 13.5 It is the responsibility of Social Services to ensure that the child/young person receives a visit from their social worker or another appropriate person as soon as possible but within 72 hours of returning.

14. Record Keeping

- 14.1 Following the child/young person's return the 'Children Missing From Placement Notification/Monitoring Form' must be completed by the residential worker, child's social worker (for foster care/supportive lodgings) or EDT/EDS worker (if the child returns outside office hours).
- 14.2 In Wiltshire, this form is passed to the Area Manager, who will monitor and collate details of all children missing from placement. In Swindon, this information is collated in monthly information reports which are provided to the Service Managers and the Manager, Quality Assurance.
- 14.3 A record must be kept on the child/young person's file of each absence, noting the date on which the absence started and the date of return.
- 14.4 A record should also be kept in the residential home's daily log book/foster carers' diary recordings.
- 14.5 A Log of all incidents of children missing from a residential home must be kept by an appropriate nearby police station (in line with the Waterhouse report recommendations).

15. Reviewing the Protocol

- 15.1 The 'ownership' of this Protocol rests with the Area Child Protection Committee.
- 15.2 Reviews of the Protocol will be conducted by the Practice and Procedures sub-group, initially after 12 months then every 3 years thereafter.
- 15.3 Regular Quality Assurance will be undertaken by the Quality Assurance sub-groups.

16. References

- 16.1 In the production of this Protocol, reference has been made to:
 - "Going Missing – Young People Absent from Care (Living Away from Home: Studies in Residential Care)", 1998.
 - The Waterhouse Report, 2000.
 - The UK National Standards for Foster Care, 1999.
 - "People Like Us"- Utting's Report of the Review of Safeguards for Children Living Away From Home, 1997.
 - Children Act, 1989.

Authors: Practice & Procedures sub-committee working party.
Review date: June 2004.