

# **Young People Missing From Local Authority Care**



**Leicestershire  
Constabulary**

**Joint Protocol  
Leicestershire Constabulary  
Leicester City Council  
Leicestershire County Council  
Rutland County Council**

First Published June 2006

**LEICESTERSHIRE CONSTABULARY  
LEICESTER CITY COUNCIL  
LEICESTERSHIRE COUNTY COUNCIL  
AND RUTLAND COUNTY COUNCIL**

**Young People Missing from Local Authority Care Joint Protocol**

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**Equality Impact Assessment**

This protocol has been assessed for its equality impact by Leicestershire Constabulary and through associated stakeholder consultation. Date of Assessment: April 2011.

**Human Rights Act 1998**

The Human Rights Act 1998 has been considered with regard to this policy. Proportionality has been identified as the key to Human Rights compliance. This means striking a fair balance between the rights of the individual and those of the rest of the community. The right to life and the protection thereof will always be the primary consideration in striking this balance. There must be a reasonable relationship between the aim to be achieved and the means used.

**Health and Safety Act 1974**

Health and Safety issues have been considered with regard to this policy. Adherence with this policy will therefore ensure compliance with Health and Safety legislation and internal Health and Safety policies.

**Freedom of Information Act 2000 (Applies to Sections 1 - 5 only)**

Freedom of Information issues have been considered with regard to this policy. Adherence with this policy will therefore ensure compliance with the Freedom of Information Act 2002 and internal Freedom of Information policies.

**Data Protection Act 1998**

Data Protection issues have been considered with regard to this policy. Adherence to this policy will therefore ensure compliance with the Data Protection Act 1998 and internal Data Protection policies.

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**YOUNG PEOPLE MISSING FROM LOCAL AUTHORITY CARE  
JOINT PROTOCOL  
LEICESTERSHIRE CONSTABULARY  
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LEICESTERSHIRE COUNTY COUNCIL  
AND RUTLAND COUNTY COUNCIL**

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This protocol has been produced following the recommendations contained within The National Policing Improvement Agency *'The Guidance on the Investigation of Missing Persons 2010'*. This will be referred to as 'The Missing Persons Policy'. It also reflects the DCSF (now known as the Department of Education) Statutory Guidance on Children who go Missing from Local Authority Care July 2009.

## **1. Introduction**

The arrangements contained within this document are concerned with young people who are in care and who absent themselves from residential or foster care without permission. It concerns young people cared for by other local authorities who are placed in the Leicestershire<sup>1</sup> area and young people from Leicestershire who are living outside the county boundaries.

Young people who go missing from local authority care can place themselves and others at risk. The reasons for their absence can be varied, complex and cannot be viewed in isolation from their previous home circumstances and their experiences of care. Some young people may run away because they are suffering abuse in their placement. If someone goes missing it should be regarded as an indicator of other issues and in many areas such as child exploitation and trafficking, is a key indicator in identifying that young people are experiencing such criminality. Even though some young people go missing on a frequent basis it is important to ensure that the welfare of the young person remains paramount.

It is important, through the risk assessment process, to ensure that resources are targeted at locating those young people who are particularly vulnerable based on an agreed risk assessment.

This protocol defines the roles and responsibilities of all those concerned with this process. The protocol depends on good communication and a willingness by all parties to work together to promote the welfare of young people who are in the care of the local authority, or in public care.

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<sup>1</sup> The term 'Leicestershire' refers to the geographical area covering Leicester City, Leicestershire County and Rutland local authority areas. This area is coterminous with the Leicestershire Constabulary policing area

This protocol should be read in conjunction with the Safeguarding Procedures. These are available on the LCSB web site at <http://www.lscb-llr.org.uk/> For Police Officers the protocol should be read in conjunction with the “Missing from Home Policy” as well as the “Procedure for Investigation & Safeguarding of Young Persons through the use of Child Abduction Warnings” (formerly known as Harbourers’ Warnings).

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## 1.1 Aims

The aims of this protocol are:

- To develop a high level of co-operation between agencies
- To provide a framework and guidance for the risk management of missing young persons
- To set out the responsibilities and actions required in individual cases based on an agreed risk assessment
- To establish systems for the maintenance of this protocol which includes training and awareness raising
- To effectively manage 'missing from care' procedures at senior and local levels within agencies, including the monitoring and reviewing of these procedures
- To encourage partner agencies to include this protocol in ongoing training and induction programmes.
- To gather information and data both personal and non-personal, where a “missing from care” instance occurs.
- To establish a response to urgent/out of hours referrals from police or other agencies are in place.

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## 2. Prevention and Planning

In order to safeguard the welfare of young people it is important to try to reduce the likelihood of running away episodes as well as planning strategies to deal with young people who have run away.

- Prevention measures should start when a young person first arrives in the placement. Strategies should be developed by social workers<sup>2</sup> and carers<sup>3</sup> to avoid a young person running away.

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<sup>2</sup> Social workers refers to the child's or young person's allocated child care worker

<sup>3</sup> 'Carers' refers to both residential workers and foster carers

- The care plan of the young person should assess the potential risks of going missing. Carers should be given the names and addresses of all the people to whom the young person is likely to want to run to.
- Carers should agree how they will respond to a particular behaviour exhibited or how they will pro-actively manage a particular young person. This will be done with help and advice from the child's social worker.
- Carers should be encouraged to have photographs of children and young people in their care. This is obviously an important tool in the process of tracing a missing person and searching/identification could be hindered without such material.
- Carers should have all the appropriate information available to enable them to be able to report a young person as missing. (Medical information including ailments and medication being taken/required may be particularly important).
- Consideration should be given to consultation with and the direct involvement of other agencies to help manage particular behaviours.
- Patterns of running away should be considered. Some young people are looked after because of their tendency to run away regularly; some young people run away from their placements to family or friends. Other young people may run away from abuse by carers or other young people within the care setting. Young people may also be drawn away from their placement as a result of outside influences such as being drawn into criminality or sexual exploitation.
- A young person's age, level of vulnerability and legal status must be considered in the planning process. A young person who is subject to a care order cannot, for example, just be left at their parent's home. Young people placed with their parents are subject to statutory regulations and the placement requires the permission of a senior social care manager.
- It is also important to start to plan for the young person's return and introduce strategies to address any issues and prevent a further occurrence of the person going missing.
- At each social care meeting there should be discussion about the risks of a young person going missing (Refer to [Appendix 2](#) for risk management pro-forma).

Where appropriate, the discussion should include the following and be recorded in the young persons care plan:

- The degree and level of risk the young person presents to themselves and others by going missing.
- The young person's view.
- The parent's view.



**The care plan and relevant information should all be available out of office hours and to those who will be responsible for reporting a missing young person to the police. This will help to guide the carer about what appropriate information can be given to the police.**

## **2.1 Safeguarding**

When children and young people go missing from care there should be a constant awareness of the child protection implications. This might be because children risk being abducted by parents or carers from whom the safeguarding department wishes to protect them. Some young people may be running to unsuitable people and situations.

It is sometimes the case that missing young persons may be the victims of sexual exploitation. This may not come to notice through normal crime reporting as the victims often do not recognise that they are being exploited or are too fearful to make a report.

Persons utilising this protocol should also be mindful of the issues of Human Trafficking in its various forms including:

- Asylum Seekers/Refugees.
- Labour Exploitation.
- Domestic Servitude.
- Criminal Practices.
- Sexual Exploitation.
- Illegal Adoption.
- Forced Marriage.

## **2.2 Care and Control**

There needs to be a balance between the young person's wishes and the care and control responsibilities of the carer. If a young person indicates that they propose to leave without permission, staff and carers should not be afraid to assert their authority. This may mean standing in the way, or at least stating forcefully, the reasons why they do not have permission to leave and the likely consequences of the young person's actions. Physical restraint should be used within the guidelines of existing policy and procedures of the care facilities.

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## **3. Action by Carer to the Report of a Missing Young Person**

When it first appears that a young person might be missing, the residential worker or foster carer should try to find them by undertaking the following:

- Speak to other members of the household to establish whether the young person is, in fact, missing without permission.
- Consider previously agreed guidance incorporated within the care plan.
- Make enquiries to try to discover the whereabouts of the young person. Such enquiries would normally be made by phone and should include any places where the young person may have gone, including their home address, friends, etc.
- Start a written record of the missing episode.
- Conduct a search of the building including outhouses and attics. Record exactly when and where you have searched and the extent/thoroughness of that search.
- Make a risk assessment. There are 3 possible outcomes to this assessment. (For more details see below and refer to [Appendix 2](#)).

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#### **4. The Risk Assessment**

If the whereabouts of a looked after child is not known, a risk assessment should be carried out to assess the degree of risk. [Appendix 2](#) contains the questions considered by the police when they carry out their risk assessment.

In brief, the following points should be considered:

- The age of the young person.
- The vulnerability of the young person, e.g. special educational needs physical/learning disability.
- The young person's legal status, and who has parental responsibility.
- Previous patterns of behaviour e.g. the absence is "out of character" and is considered as being unusual. Also consider where they were found on any previous occasions
- The state of mind/perceived risk, e.g. the young person is considered to be at particular risk by virtue of self harm or being harmed by others.
- Exploitation, e.g. financial or sexual.
- Risk of trafficking.
- Whether the young person is perceived as running to someone or running from a situation.

A risk assessment concludes with the decision that a young person falls into one of the following three categories. Young people can move from one

category to another so risk assessments should be repeated at regular intervals.

#### **4.1 Unauthorised Absence**

**Children and young people in this category are not required to be reported to the police.**

This category includes:

- Young people who have been absent for a short period, who are not considered at risk and who may just be just testing boundaries.
- Young people who stay out longer than agreed, either on purpose or unwittingly. This kind of boundary-testing activity is well within the range of normal teenage behaviour and should not come within the definition of 'missing' for the purposes of this protocol.
- Young people who choose to absent themselves and are known to be staying at locations that are deemed unauthorised. This will cause concern; however they should be managed within existing procedures such as planning/strategy meetings and may involve the police without necessarily reporting the young person as 'missing'.

Young people who fall within the category of 'unauthorised absence' must be the subject of continuous assessment whilst they remain absent. During their absence circumstances may change and carers need to be in a position to respond. In this phase carers should continue to take all reasonable/ practical steps to establish the whereabouts of the young person and encourage them to return.

Where the young person's location has been established and carers believe that a breach of the peace would be likely should they physically attempt to bring the young person back, the police may be requested to attend the address jointly with care staff in order to prevent such an occurrence. This attendance may form part of a "scheduled" response rather than an "immediate" response, depending on the individual circumstances.

The risk assessment form found at [Appendix 2](#) should be used to help determine when a young person has moved to the category of 'missing with cause for concern' rather than unauthorised absence.

It is possible for young people on care orders to be included in the category of unauthorised absence. Their care plan and current placement may however have been agreed by the court. Any stay with parents that is not part of an approved contact arrangement would need to be agreed by a senior manager in Children's Services [4] under the 'Placement with Parents' procedures

[4] The term 'Children's Services' is used to describe the social care services provided by the Children and Young People's Service within each local authority.

## 4.2 Missing with Cause for Concern

**Young people who are missing with cause for concern should be reported to the police.**

There will be a wide range of circumstances when children and young people are missing with cause for concern. These will range from young people at risk of homicide; abduction or risk of exploitation to young people will go voluntarily into risky situations.

The police also carry out a risk assessment and identify three levels of risk. Young people up until their 17th birthday will always be categorised as being at high or medium risk. (More details about this risk assessment process can be found in *Appendix 2*.)

<b>HIGH RISK</b>	
<b>Degree of risk</b>	<b>Police response</b>
The risk posed is immediate and there are substantial grounds for believing that the subject is in danger through their own vulnerability; or may have been the victim of a serious crime; or the risk posed is immediate and there are substantial grounds for believing that the public is in danger.	This category requires the immediate deployment of police resources and a member of the BCU senior management team or similar command level must be involved in the examination of initial enquiry lines and approval of appropriate staffing levels. Such cases should lead to the appointment of an Investigatory Officer and possibly a Senior Investigating Officer (police). There should be a press/media strategy and/or close contact with outside agencies. Family support should be put in place. The NPIA Missing Persons Bureau should be notified of the case without undue delay.

<b>MEDIUM RISK</b>	
<b>Degree of risk</b>	<b>Police response</b>
The risk posed is likely to place the subject in danger or they are a threat to themselves or others.	This category requires an active and measured response by police and other agencies in order to trace the missing person and support the person reporting

<b>LOW RISK</b>	
<b>Degree of risk</b>	<b>Police response</b>
There is no apparent threat of danger to either the subject or the public	In addition to recording the information the Police National Computer, the police will advise the person reporting the disappearance that following basic enquiries and unless circumstances change, police will not carry out further active enquiries. The missing person's details will be passed to National
<b>No young person who is under the age of 17 and</b>	

<b>who is missing is ever classed as 'low risk'.</b>	Missing Persons Helpline (NMPH) in line with the national protocol. Low risk missing persons, however, must be kept under review as risk can increase with the passage of time.
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### 4.3 Young people who have repeated missing incidents

Young people who have repeated incidents should be the subject of multi-agency planning meetings. These should start at a local level but, if the incidents of running away continue, a formal multi-agency strategy meeting should be convened.

### 4.4 Absconded from Local Authority Care

**Young people who are in the absconded category should be reported to the police.**

This relates to a young person who is missing and is in breach of a legal requirement, such as a care order, which carries a power of arrest, including Section 46 Children Act (police protection) and Section 38(6) Police and Criminal Evidence Act 1984. It also applies to young people in breach of court or police-imposed curfew orders.

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## 5. Reporting to the Police

**In the case of a young person who goes missing and there is a significant risk of immediate harm to that person, an urgent response may be required. In these exceptional circumstance the person reporting should dial 999, explain the circumstances of the child's disappearance and the reason(s) for the concern.**

**The police can (with the permission of a senior officer) issue a Child Rescue Alert. This involves immediate high profile publicity about a child's disappearance.**

To inform the police about a missing young person dial **0116 222 2222**. The operator answering the call will take the necessary information or will put you through to the right person. **The police will give an incident number. It is important that a note is kept of this number.**

The decision to report to the police a young person 'missing with cause for concern' or 'absconded' should, if possible, be taken by residential staff in consultation with senior colleagues. If this is not possible line managers should review the circumstances of young people who have been reported missing to see if the correct procedures have been followed.

Foster carers should discuss their risk assessment with their fostering social worker or with the child's social worker. Outside office hours foster carers should first seek advice from the Foster Carer's Support Line or from the Emergency Duty Team.

Parents and those with parental responsibility for the child or young person, should be notified by the carer.

When the police receive a notification that a young person is 'missing with cause for concern', they will need immediate information to help them to search for the missing person. As part of their efforts to locate the young person they will normally ask to search the home of the young person. This search will include looking in outbuildings and accessible attic spaces. If carers can demonstrate by their written record that they have carried out a thorough search the police officers may not have to repeat this process, thereby enabling them to concentrate on their missing person enquiries elsewhere.

It is acknowledged that these searches are very disruptive. Every effort will be made by the police to keep searches in the middle of the night to a minimum, although the need to search should be balanced against the degree of risk associated with 'cause for concern'.

If the police have reason to believe that a young person has gone to another police area they will liaise with that police area.

As a minimum, the following Information must be made available to the police:

- A current description of the young person.
- The time and date a young person was last seen and with whom.
- A recent photograph.
- The family/ home address.
- Any previous history of going missing in as much detail as possible, e.g. dates and times of missing episodes, from where missing and, especially, to where they were traced.
- Their known acquaintances.
- Their mobile phone number(s).
- Any relevant medical information.
- Any circumstances which increase the risk to the young person.
- A young person's immigration and nationality status, if this is relevant.
- Any marks, scars and tattoos that would assist in any identification of the missing young person.

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## **6. Internal and External County Placements of Young Persons.**

It is acknowledged that young persons will be placed within the areas of Leicestershire, Leicester and Rutland by external Local Authorities. Conversely, it is also understood that young persons normally domicile in Leicestershire, Leicester and Rutland will be placed externally. There will be a requirement to record instances of the young persons being missing and this protocol should be utilised during those occurrences.

### **6.1 Young People from Leicestershire, Leicester or Rutland who are in placements outside the Leicestershire area**

There is an expectation that the local police and the allocated social worker will be informed. Part of the commissioning arrangements should include obtaining information about the agency's missing protocol. If it seems that the young person is running back to their home authority, close liaison will be needed between the two police forces.

The procedures regarding risk management and planning/strategy meetings should apply regardless of where a young person is placed.

### **6.2 Young people who are in independent sector placements within the Leicestershire area, placed by Leicestershire, Leicester or Rutland**

This protocol applies to this group of young people. It is the responsibility of the placing local authority to ensure that the providers they commission implement this protocol.

### **6.3 Missing during an Out of Authority Activity**

The person in charge of the external activity will:

- Notify the local police in that area.
- Notify a senior manager.
- Institute a local search if staffing levels permit.

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## **7. Returning Young People to their placement**

Whoever locates a young person has a responsibility to try to find out why the young person has run away. This may be the only opportunity a young person has to report abuse, bullying or mistreatment in order to avoid returning to an abusive care setting. If this does occur, the young person should not be returned to their placement until the EDT (Emergency Duty Team), or CAIU (Child Abuse Investigation Unit) or the young person's social worker has been contacted to enable child protection procedures to be initiated.

### **7.1 Unauthorised Absence**

There will be occasions when a young person is located but there will be a risk if the "carer" goes alone to try to return that young person to his or her placement.

In these circumstances the Emergency Duty Team can be approached for assistance out of office hours or residential carers and field social workers can make a joint visit.

In circumstances where there is risk of violence or a likely breach of the peace, the police may also be asked to attend. This may amount to a "scheduled" (non-urgent) attendance rather than an "immediate" response, depending on the individual circumstances.

### **7.2 Reported Missing With Cause For Concern**

If the young person contacts the placement or the police and asks to return, it is the responsibility of the placement and placing authority to ensure the young person's return.

The use of taxis should be considered, with the possibility that a young person may have to contribute towards the costs. Otherwise the placing authority is responsible for the cost.

If collecting the young person from a particular location involves a likelihood of danger or breach of the peace, then the police may also be asked to attend. This may amount to a "scheduled" attendance rather than an "immediate" response, depending on the individual circumstances.

If the police locate a young person, who has been reported missing themselves, they may be able to assist in the transportation of the young person.

### **7.3 Absconded**

The police will generally be responsible for the return of these young people to their placement.



## **7.4 Young person aged 16 years or older**

If a young person is aged over 16 years, the police have limited powers to enforce a return if the young person resists, especially if they are accommodated under section 20 or are a Section 24 (care leaver) and are not subject of a care order.

Where a missing young person is over 16 years, prior discussions should take place to assess whether the police or children's services have the legal powers to enforce a return.

Within this context special consideration should be given to the needs of care leavers, (including unaccompanied asylum seeking young people). Although some of them may decline to have contact with the relevant safeguarding department, efforts should continue to be made to have contact with them.

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## **8. Extended Absences**

Any young person missing for 24 hours should be reported to the Assistant Director (or equivalent) within Leicester, Leicestershire or Rutland Children's Services Departments.

If the young person is a Ward of Court, the court will be informed.

Any young person missing for five days (or fewer depending on the risk assessment) will be subject to a joint meeting that will include, as a minimum, children's services and the police, to discuss further actions that may be taken to recover the young person. The respective Local Policing Unit Commander or his or her nominee will represent the police at this meeting. The Assistant Director and Director of Children's Services will also be informed.

In all cases, the duty for ensuring that reports are prepared, meetings are held and notifications are completed rests with the allocated social worker.

The National Missing Persons Helpline (0500 700 700) has a specialist Missing From Care Service (020 8392 4527). They will provide help, support and publicity for children who are missing from care. They also provide a 'Message Home Helpline' to help a child missing from care to get back in touch (0800 700 740). Details of this service should be made available to young people in care. This phone number is in every telephone kiosk in the UK.

### **8.1 Episodes lasting longer than 28 days**

Whenever a young person is missing for 28 days, or if considered necessary, before hand, a multi-agency Strategy Meeting should be held, attended by

senior Children's Services' managers and senior police representatives, together with other appropriate staff from both agencies. At this meeting these senior officers should elicit a clear statement of the actions being taken in respect of the absence and should be satisfied that everything possible is being undertaken.

Whilst the young person remains missing, their case should remain open on the Children's Services database and should be reviewed at three-monthly intervals by an officer at Assistant Director level to ensure that actions are being taken to recover the young person. The Assistant Director will communicate the outcome of this review to the respective Area Chief Inspector (Operations). They will agree any future joint action.

All police missing person's files will remain live until the person is traced or until the Area Chief Inspector (Operations) in consultation with the respective Assistant Director, is satisfied that all lines of enquiry have been exhausted. They will then forward the file to their appropriate line managers who will make the final decision as to whether to file or otherwise.

Where the decision to file has been made, the Operations Intelligence Bureau (OIB) will be responsible for bringing forward the file on persons who remain missing for review by the appropriate senior managers, 12 months after the file date.

## **8.2 Actions taken by the police**

On receipt of a missing notification the police will make an entry on the Police National Computer (all risk levels). For high-risk cases they may also inform the National Missing Persons Helpline (0500 700 700). For medium risk cases the Helpline may be informed after 72 hours (14 days for low risk cases). The police also inform the National Missing Persons Bureau of all cases where the young person has been missing for 14 days.

## **8.3 Informing the Media**

The police will be responsible for liaising with the media regarding a young person missing from the care of the local authority; this may be arranged at local level under the direction of the Area Chief Inspector (Operations) or another member of the BCU Senior Management Team. A decision to publicise by media will always be made in consultation with the placing authority's Children's Services and with prior notification, in order to allow all interested parties, including the parents, to be informed (see note on Wards of Court made above).

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## 9. The Return

On the young person's return, carers should make clear to the young person that they are relieved to see the young person is safe and well. Their general condition should be assessed immediately and, if appropriate, medical attention should be arranged. Food and drink may also be a priority. The safety and welfare of the young person also should be ensured especially if it appears that they have run away because of bullying or harassment. Information about the return should be recorded in full by the person undertaking the return procedure. If criminal offences have been committed then these should be brought to the attention of the police immediately in order for them to be investigated.

Parents, police, social workers and all others informed of the absence should be advised of the young person's return without delay.

Consideration should be given to whether a strategy meeting is required if, for example, a pattern of running away is developing. Any of the partner agencies of this protocol can request a strategy meeting following consultation with their first line manager, if it appears that there is significant risk to a young person or there are child protection concerns.

### 9.1 Voluntary Return

The police should be informed immediately following the return of a young person who has been reported missing. If all appears well and there is no evidence of harm the police will make a return phone call to a residential home to ensure that the notification of return is genuine. The police will not routinely visit children's homes to verify a young person's return although, depending upon the circumstances, may decide to do so. Confirmation of a return to a foster home can be provided by a social worker. If the child or young person returns at an unsociable hour the verification of the return can be delayed until a mutually agreed more sociable time.

### 9.2 Independent Interview

The young person should be told that they will be given the chance to talk to someone, independent of the home or the foster home, about their absence. They should be told that this would normally be their allocated social worker but, if they wish, it could be another person with whom they have a rapport. The independent person should have no formal line management links with the home. In some circumstances the independent person could be a police officer.

**The allocated social worker (or a member of their team) must visit and see the young person within 72 hours of his or her return.**

If the young person persistently goes missing from care, the arrangements in relation to independent interviews should be made explicit in the on-going risk

assessment document associated with that person. In such cases, more than one missing incident is likely to be discussed at each independent interview. Patterns of missing episodes should be discussed and any areas of concern should be identified and the concerns raised.

The interview by the social worker or by an independent person must be recorded. They should try to establish where the young person was during the time they were missing, with whom they stayed, how they survived, and whether any offences were committed by them or against them. The record of interview must be passed on to the residential home or foster home so that it can be used if the young person goes missing again. As a matter of urgency relevant information should be shared with the police to assist them with future investigations, safeguarding and future searches.

It is important to establish if the young person was running away from incidents in the home, or to someone, such as being enticed for the purposes of exploitation.

**In all circumstances concerned persons should be mindful of the possibility of a young person being enticed or kept away from their place of care.**

If a child under the age of 18yrs in Local Authority Care:

- is reported missing and is found on 2 or more occasions to be in the company of a suspect
- or
- is the subject of reports that suggest their behaviour and association with a suspect is giving significant cause for concern

then the “Procedure for Investigation & Safeguarding of Young Persons through the use of Child Abduction Warnings” (formerly known as Harbourers’ Warnings) may be invoked.

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## **10. Recording within Children's Services**

Throughout the process a full record must be kept of all actions taken and messages received or given. This recording should be made within the placement logbook, diary or case file.

A full record should be kept of all incidents of young people absenting themselves from placements without permission, irrespective of whether reports are subsequently made to the police. This should show the time of the start of the absence, the time and circumstances of the return (e.g. why the

young person ran away). This may lead to a range of secondary action if, for instance, the young person gave bullying or other problems as the precipitating factor. Similarly, difficulties at home or school may need to be followed through by social workers, carers and residential workers.

In addition to any follow up action which may be required, residential staff and carers are required to keep the allocated social worker and parents informed and involved with the day to day activity and behaviour of young people being looked after. Allocated social workers are expected to follow up incidents with young people running away and to explore with them the possibility of the behaviour being related to the placement itself.

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## 11. Arbitration Arrangements

The welfare of the young person must not be compromised as a consequence of local agency difficulties. Managers and practitioners are expected to adopt a common sense approach that ensures the safety and welfare of the young person.

This protocol will assist both managers and practitioners in responding effectively to young people missing from local authority care. It is recognised that the protocol cannot include guidance for all eventualities occurring in this important area of partnership working. However, where difficulties at the local level arise, the following action should be considered.

Initial discussions should take place between the respective line managers, i.e. the Local Authority Team Manager (either in placements or in child care teams) and the Local Policing Unit Commander or the Operational Command Inspector (a post which is covered 24 hours a day) with a view to solving any difficulties at a local level.

**In situations where the difficulty cannot be resolved at the local level, line managers should report to the Local Authority Service Manager (who has lead responsibility for this protocol) and the respective area Chief Inspector (Operations).**

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## 12. Monitoring

It is the responsibility of each organisation that has agreed to this protocol to maintain their own monitoring arrangements on the number of young people who go missing from care within their area. Monitoring is important at a local and area-wide level so that patterns of running away can be understood and responded to in an appropriate fashion. Monitoring will enable agencies to

identify whether concern should be raised about particular locations or units, patterns of activity, or about particular individuals.

Monitoring information should be available on a quarterly basis for consideration by partner agencies. Missing episode numbers will be jointly evaluated a minimum of twice per year.

The Joint Agency Review Meeting will be held a minimum of three times per year and will consider interventions for those people who most frequently go missing from care.

### **13. Training and Induction**

The contents of this protocol should be shared with all key members of staff within each agency. Joint training should be considered if necessary. The protocol should be part of the induction of residential staff, foster carers, field social workers, EDT and foster carer support line staff. It should be part of the induction of the following staff within the police force: Local Policing Units Commanders, supervisors within Contact Management Centre and Sergeants.

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### **14. Review**

This protocol will be subject to annual review by all the agencies that are subject to it.

This review will

- Assess appropriate monitoring data.
- Examine multi-agency approaches to missing young people from local authority care.
- Respond to particular reports and issues.
- Make recommendations for improved practice.

### **15. Handling Personal Information.**

It should be remembered that the personal details of any individual, amount to personal data. That includes information about the missing person, the person reporting, anyone the missing person has been associating with during the time they have been missing and any other person whose details have been recorded, as a result of the enquiries undertaken.

Additional information about an individual's medical history, offences committed by them whilst missing, or similar information about others with whom they have been in contact whilst missing, may amount to sensitive personal information and must be handled accordingly.

Those involved in the collection of information relating to a missing person must ensure compliance with the Data Protection Principles in that the information collected must be accurate, relevant and necessary to achieve the particular aim.

As much information is collected 'out in the field', it must be kept secure and only disclosed to those with a need to know.

Personal and sensitive personal information should be handled in accordance with the Government Protective Marking Scheme. Officers and Local Authority staff should ensure that all personal information is exchanged and held securely.

## **Appendix 1 - Definitions**

### **Child or Young Person**

Someone under the age of 18 years

### **Children Looked After by the Local Authority**

Children and young people who are looked after by the local authority are cared for under one of the following legal categories

- Sections 31 and 38 of the Children Act (Care Orders or Interim care orders).
- Placement with Parents (PWP). Young people who are subject to a care order but living with their parents following agreement by a senior manager in Children's Services.
- Sections 44 and 46 of the Children Act (children subject to an Emergency Protection Order or are in police protection).
- Arrested juveniles subject to Section 38(6) of PACE.
- Children remanded to local authority accommodation.
- A young offender subject to a supervision order imposing a residence requirement.
- Section 20 of the Children Act 1989. These are accommodated children. The local authority does not have any parental responsibility for these children but it does have a duty of care

### **Recovery Order**

A recovery order can be sought to assist in the location of a young person who is in care, or is the subject of an emergency protection order, or in police protection, to return them to their placement. A recovery order would normally be obtained following a strategy meeting where there has been access to legal advice.

### **Strategy Meeting**

These are multi-agency meetings chaired by a senior manager from Children's Services. They are called to share information and to reach a joint understanding of a child's current situation. They generally lead to an action plan and a timetable for further meetings. They can be called by any agency but normally they are arranged by the child's social worker and their manager.

### **Child Sexual Exploitation**

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others



performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterized in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

DCSF Guidance – 'Safeguarding Children and Young People from Sexual Exploitation'

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## Appendix 2 - Initial response to a missing young person

This decision-making guide is taken from 'The Management, Recording and Investigation of Missing Persons 2005' (Produced on behalf of Chief Police Officers by, The National Centre for Policing Excellence). It should be used to assist workers and carers in making an assessment about the status of a missing young person.

The following check list is to be completed in all cases to assist in identifying the level of risk posed by the young person being missing and the appropriate risk assessment.

<b>Decision Making Guide</b>		
Consider all of the questions below in order to structure enquiries and to assist in determining the level of risk		
<b>Investigative Consideration</b>	<b>Details &amp; Circumstances</b>	<b>Person giving information</b>
Is the person vulnerable due to age or infirmity or any other similar factor?		
Behaviour that is out of character is often a strong indicator of risk: Are the circumstances of going missing different from normal behaviour?		
Is the person suspected to be subject of a significant crime in progress eg, abduction?		
Is there any indication the person is likely to commit suicide?		
Is there a reason for the person going missing?		
Are there any indications that preparations have been made for the absence?		
What was the person intending to do when last seen .e.g. Going to the shops, and did they fail to complete there intentions?		
Are there family or relationship problems or recent history of family conflict and/or abuse		
Are they the victim or perpetrator of domestic violence		
Does the missing person have any physical illness or mental health problems		
Are they on the child protection register?		

Previously disappeared and suffered or was exposed to harm?		
Belief that the person may not have the ability to interact safely with others or an unknown environment		
Do they need essential medication that is not likely to be available to them		
Ongoing bullying or harassment e.g., racial, sexual, homophobic or local community concerns or cultural issues		
Were they involved in a violent and/or hate incident immediately prior to the disappearance?		
School/College/University/ Employment or financial problems?		
Drug or alcohol dependency?		
Other unlisted factors which the carer / officer / supervisor considers should influence the risk assessment		
Are there any concerns regarding the young person being sexually exploited.		
Completed by .....		

Guide taken from "The management, recording and investigation of missing persons 2005"

## Appendix 3 – GPMS marking

### Government Protective Marking Scheme Handling Rules Regarding Protectively Marked Material

Any information which relates to identifiable individuals or which may disclose current investigations or investigative techniques should be classified as "Restricted" and handled as instructed below.

If the information about an individual is such that disclosure of the information would be likely to cause a risk to the safety of the individual or if the investigation is covert this should be classified as "Confidential" and handled as instructed below.

YOUR ACTION	RESTRICTED	CONFIDENTIAL
Storage of papers	Protected by one barrier, e.g. a locked container within a secure building/room	Protected by two barriers e.g. a locked container in a locked room, within a secure building
Disposal of papers	Use secure waste sacks.  <b>Keep secure when left unattended</b>	Downgrade by tearing into small pieces and place in secure waste sacks, or use a cross cut shredder.  <b>Keep secure when left unattended</b>
Disposal of magnetic media	Securely destroy  Floppy disk – dismantle and cut disk into quarters (at least), dispose with normal waste. <u>CD ROMs</u> – destroy completely – disintegrate, pulverise, melt or shred	Securely destroy  Floppy disk – dismantle and cut disk into quarters (at least), dispose with normal waste. <u>CD ROMs</u> – destroy completely – disintegrate, pulverise, melt or shred
Movement within organisation via internal dispatch	In a sealed envelope with protective marking shown.  A transit envelope <b>may</b> be used if sealed with a security label.	In a new sealed envelope with protective marking shown  Transit envelopes <b>must not</b> be used.

YOUR ACTION	RESTRICTED	CONFIDENTIAL
Movement between partner agencies	<p>By post or courier in a sealed envelope.</p> <p><b><u>Do not show</u></b> protective marking on the envelope.</p>	<p>By post or courier Double enveloped and both fully addressed.</p> <p>Protective marking shown on inner envelope only.</p> <p>Return address on <b><u>outer</u></b> envelope.</p>
Organisation Data Network	<p>May be used if network has been accredited to 'Restricted'.</p> <p>Your IT dept should be able to advise</p>	<p>May be used in conjunction with CESG Enhanced Grade Encryption.</p>
Email between partners	<p>Only to emails using PNN, GSI, CJSM or MOD secure addressing conventions.</p> <p>Remember emails to any other address are no more secure than writing the information on a postcard.</p>	<p>Not to be used.</p>
Internal and public telephone network	<p>May be used.</p>	<p>Only if operationally urgent.</p> <p>Use guarded speech and keep conversation brief.</p>
Mobile telephone (voice and text)	<p>Digital cell phones may be used.</p> <p>Only use analogue cell phones if operationally urgent, use guarded speech and keep conversation brief.</p>	<p>Digital cell phones may be used but only if operationally urgent</p> <p>Use guarded speech and keep conversation brief.</p>
WAP telephones	<p>Not to be used.</p>	<p>Not to be used.</p>

YOUR ACTION	RESTRICTED	CONFIDENTIAL
Radio not 'Airwave'	<p>Radio networks are continually monitored.</p> <p>Care should be taken when disclosing information of a sensitive or personal nature and if not operationally urgent another means of communication must be sought.</p>	<p>Only if operationally urgent.</p> <p>Use guarded speech and keep conversation brief. *</p>
Pager systems	Not to be used.	Not to be used.
Fax	<p>Check recipient is on hand to receive.</p> <p>Send cover sheet first and wait for confirmation before sending.</p>	Use secure fax machine only.

- If organisations do not find it possible to apply the appropriate security this should be discussed with the originator.