

**Joint Protocol
for
Children Missing from Home or Care**

**West Yorkshire Police
City of Bradford Metropolitan Borough Council
Calderdale Council
Kirklees Council
Leeds City Council
Wakefield Metropolitan District Council**

Revised: 09 February 2015

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1. Introduction

This protocol has been produced jointly by West Yorkshire Police and Children's Social Care Services in Bradford, Calderdale, Kirklees, Leeds and Wakefield. A document of this nature can not anticipate every situation and therefore individual judgement should be used to decide any action that is deemed necessary to protect the safety of the child or young person, based on an assessment of risk. Where appropriate, advice should be sought from managers, and the West Yorkshire Safeguarding Children Procedures followed as required.

Children who go missing from home or care place themselves and, at times, others at risk; they are also at increased risk of being harmed. The reasons why children go missing from home or care are complex and frequently involve a number of 'push' and 'pull' factors, which should not be viewed in isolation from a child's experiences in daily life. Every individual absent episode should warrant professional attention, and practitioners need to offer a consistent and coherent response to safeguard a child from harm. It is therefore important for safeguarding the welfare of children and young people using services in West Yorkshire, that all practitioners who work with children are familiar with this protocol.

This protocol defines the roles and responsibilities of parents and carers (including kinship carers and foster carers), residential staff, the Police, Children's Social Care Services and other relevant practitioners. It applies to all children that go absent or missing, including:

- All children under 18 who go missing from their family home;
- All children in the care of a Local Authority Children's Home within West Yorkshire;
- All children in the care of a West Yorkshire Local Authority placed outside West Yorkshire

- with a host authority;
- All children in the care of a West Yorkshire Local Authority placed with Local Authority foster carers;
- All children placed in private establishments or with Independent Fostering Agencies within West Yorkshire, where compliance with the protocol is specified in the contract or placement agreement;
- Children in the care of a responsible Local Authority who are placed in West Yorkshire (as the host authority); and
- All children in West Yorkshire for who the Local Authorities have continuing responsibilities towards as Care Leavers.

Although there are particular vulnerabilities associated with Looked After Children who go missing the majority of children who go missing, do so from their family home. Often, the same measures are required to protect both groups of children given that all children who go missing can experience the same risks.

Taking this into account, the first part of this protocol relates to protecting all children who go missing whether they go missing from home or care. Following this there is additional guidance covering the specific measures which are required to be taken when children go missing from care.

Practitioners should also be aware that when a child runs away or goes missing this may be an indicator that they are at risk of, or experiencing sexual exploitation; also that a child is more vulnerable to being sexually exploited when absent. All practitioners must therefore familiarise themselves with the indicators of child sexual exploitation and access the Child Sexual Exploitation procedures for more information and guidance.

http://westyorkscb.proceduresonline.com/chapters/p_sg_ch_and_yp.html

Going missing from home or care may also be an indicator of other specific risk factors including a child being a victim of trafficking or Forced Marriage. The procedures for Safeguarding children who may have been trafficked and Forced Marriage should therefore be consulted and read in conjunction with this protocol.

Safeguarding Children who may have been Trafficked

http://westyorkscb.proceduresonline.com/chapters/p_safeg_traff_ch.htm

Forced Marriage

http://westyorkscb.proceduresonline.com/chapters/p_force_marr.html

Children who are missing from education are not necessarily missing from home or care; however when children are missing from education this can be an indication of other risk factors. Any incidences of children missing from education should therefore be appropriately investigated. For further information please refer to Children missing education Statutory guidance for Local Authorities November 2013 (<https://www.gov.uk/government/publications/children-missing-education>) and the West Yorkshire Safeguarding Children Procedures: Children Missing from Education.

http://westyorkscb.proceduresonline.com/chapters/p_ch_miss_frm_educ.html

2. Definitions

The following definitions are used throughout this guidance:

Child	Anyone who has not yet reached their 18th birthday. The term 'Children' therefore represents children and young people.
Young runaway	A child who has run away from their home or care placement, or feels they have been forced or lured to leave.
Missing child	A child reported as missing to the Police by their family or carers.
Looked After child	A child who is looked after by a Local Authority by reason of a Care Order, or accommodated under section 20 of the Children Act 1989
Missing from Care	A Looked After Child who is not at their placement or the place they are expected to be (e.g. school) and their whereabouts is not known.
Absent	A child not at a place where they are expected or required to be.
Away from placement without authorisation	A Looked After Child whose whereabouts is known but who is not at their placement or place they are expected to be and the carer has concerns or the incident has been notified to the Local Authority or the Police.
Responsible Local Authority	The Local Authority that is responsible for a Looked After Child's care and care planning.
Host Local Authority	The Local Authority in which a Looked After Child is placed when placed out of the responsible Local Authority's area.
Care leaver	An eligible, relevant or former relevant child as defined by the Children Act 1989.
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 others performing on them, sexual activities.
Trafficking	Any child transported for exploitative reasons is considered to be a trafficking victim. Children may be trafficked both internally within the UK and externally, from or to abroad.

N.B. For the purposes of this protocol, a child who has run away or who is missing will be defined as one when the episode has been reported to the Police.

The Police categories of absent or missing do **NOT** incorporate Looked After Children who are defined as 'away from placement without authorisation'.

3. Procedures for Absent and Missing Children

Missing and Absent Criteria

A child will be defined as **Missing** if their whereabouts are unknown and:

- a) the circumstances are out of character; or
- b) the context suggests the child may be:
 - the subject of crime; or
 - at risk of harm to themselves or another.

A child will be defined as **Absent (low risk missing)** if the following criteria are met:

- a) The child has deliberately or carelessly absented themselves; and
- b) This is not out of character or there is an apparent explanation for them going absent on this occasion; AND
- c) The child is expected to return; AND
- d) The child is not expected to suffer or cause harm whilst absent; AND
- e) The level of risk does not justify police intervention at this time.

Responses if it is believed a child is possibly missing or absent

If any practitioner considers a child to be missing or absent they should:

- a) Inform the child's parent/carer of their concern and establish when the child was last seen and the circumstances for the child. If the practitioner remains concerned that the child is possibly missing they must advise the parent/carer to inform the Police. The practitioner should also inform the parent/carer that they will notify the Police of their concerns that the child is missing;
- b) Notify Children's Social Care Services if the child is already known to them or if there is a concern that the child is likely to suffer harm; and
- c) Record what has been done.

If Children's Social Care Services are already involved with the child (for example as a Looked After Child, a Child In Need or subject to a Child Protection Plan) the Social Worker / team responsible for the child should then:

- a) Inform other local agencies who know the child.
- b) Inform all practitioners involved with the child's plan
- c) Ensure that the missing episode is recorded on the child's file.

Responsibilities of the parent/carer prior to notifying the Police

A child's parent/carers should take all reasonable and practical steps to establish the whereabouts and well-being of a child in order to identify whether the child is absent or missing by:

- a) Determining the nature and reasons for absence (including consideration of likely push and pull factors and any trigger events);

- b) Ascertaining the likely intentions of the child;
- c) Searching the immediate locality;
- d) Telephoning and sending SMS (text) messages to the child's mobile phone and checking the child's social media sites, if these are accessible;
- e) Checking places frequented by the child;
- f) Making enquiries with the child's relatives;
- g) Making enquiries with the child's friends;
- h) Making enquiries with the child's school, college, providers of education or work placement, community groups or places of worship if appropriate;
- i) If the child is Looked After, making enquiries with the other children in the foster home, children's home, or residential school to establish if they have seen or heard anything (this can also stop distressing rumours from circulating);
- j) Making enquiries with and obtaining further information from other carers and professionals involved with the child; and
- k) Attending at addresses frequented by the child to see if they are there.

N.B. Where the child is in temporary foster placement, the Local Authority will assume the responsibility to ensure the Police are informed or that the carer has done so.

Informing the Police

When a child is reported as absent or missing to the Police, they will create an incident log, obtain information and ask questions to establish a level of risk.

Information the Police will require includes:

- Name and gender of the child (including all names and aliases);
- Date of birth and age;
- Description of the child and their clothing;
- The child's home address and if relevant the child's family home address;
- The location the child is absent from;
- Circumstances of the absence, including any signs of pre-planning (have they taken any money, clothing etc.);
- Whether the child told anyone they intended to leave, including if they have they left a letter or note;
- The child's mobile phone number and if they taken their mobile phone;
- If any contact has been made been made with the child, including if a message been left on the child's mobile phone and /or if a text message has been sent;
- Locations where the child may have gone, including places where were they found previously;
- Details of any friends and associates they may be with;
- Name, address and telephone number of the reporting person and their relationship to the child; and
- Addresses that the reporting person has already checked (Including time / date and details of who lives at the addresses visited.)

4. Risk Assessment

To establish the type of absence, level of risk and vulnerability and appropriate level of intervention, the Police will explore if the person reporting the child as missing has any concerns relating to;

- The child's level of vulnerability (including age and any learning difficulties);
- The child being a risk to others;
- The child's emotional and mental well-being; and
- The child's physical vulnerability.

This will include establishing if:

- The child being a victim of a serious crime such as murder, kidnap or abduction;
- If the child has been involved in any recent arguments or disagreements;
- If the child has been the victim of a recent violent, domestic, homophobic or racist incident;
- The risk of self-harm;
- If the child has been a victim of bullying;
- If the child has any alcohol or substance misuse problems;
- Whether the child takes medication and the risk to the child /others if they do not take it on time;
- If the child is at risk of sexual exploitation;
- Whether the child is at risk of trafficking or forced marriage;
- Whether the child is likely to visit someone who may be violent, sexually abusive or supply them with drugs or alcohol; and
- When the child's emotional and physical condition when they were last seen.

Risk Assessment – Absent / low risk missing

Where a child's whereabouts are not known, and they are not at a place where they are expected or required to be but are not expected to suffer or cause harm, West Yorkshire Police will make a record of the absent missing report and agree with the parent/carer reporting a course of action.

A Police Inspector can delay despatching an officer to undertake an initial missing report if they are satisfied that the appropriate criteria apply. Any decision to delay the Police response should be clearly recorded.

If an officer is despatched, a missing from home report occurrence will be created and a missing person report taken. If an officer has been despatched and locates the child before full details for a missing from home report are recorded an *Initial Police Return Interview* will be conducted by the officer with the child and will be attached to the missing person occurrence. Where a missing person occurrence report has been recorded and a child subsequently is located or returns home an officer will be despatched to complete an *Initial Police Return Interview*

If the child does not return as expected, is not located, or the risk increases, the parent or carer should notify the Police and report the young person as missing.

All children determined as absent /low risk missing, where no officer has been despatched to take a report, will be formally reviewed by the Police at least every 8 hours.

Any information subsequently obtained on the location of the child, or information subsequently obtained that affects the risk assessment, should be reported to the Police without delay.

An absence must also be kept under regular review by the appropriate carer. If a parent, carer, or practitioner subsequently assesses the absence to fall within the definition of missing, they must inform the Police as soon as possible. If in agreement, the Police will attend to receive or take a missing person

report and investigate.

Although children categorised as absent (low risk missing) will not, in most instances be seen by the Police, it is still important for the Police to identify any information which indicates that the child has suffered or is likely to suffer harm:

- Where an absent / low risk missing child returns or is located, the Police will therefore ask questions of the person informing them of the child's return, and record the details;
- If the Police establish concerns relating to the child's welfare or safety whilst the child has been absent, these will be shared with Children's Social Care Services;
- It is the responsibility of the parent/ carer to make arrangements for the child to return to their home;
- If a child who has run away or been absent from home, is the subject of an Assessment by Children's Social Care Services, a Section 47 Enquiry, is a Child in Need, is subject to a Child Protection Plan or is Looked After, the child's Social Worker should ensure that the period of absence is clearly recorded on the child's case file;
- When practitioners or agencies are aware of children who have been absent from home, who were not reported as reported missing to the Police, they should actively work with the child's family, to reduce the risk of further incidences and encourage the family to report any future episodes of running away;
- The Police must notify the Local Authority Missing Coordinator or the Local Authority nominated Manager of all instances of children reported as absence / low risk;
- Regardless of the level of risk, all absences should be upgraded to missing if they continue for 72 hours.

Risk Assessment- Missing

If the Police, from the information provided agree the child is missing, they will attend to take a missing person report and investigate.

Information Required by the Police

The Police will require:

- The information required to complete the Initial Reporting Form from the child's carers;
- A completed Initial Reporting form and the risk assessment, if the child is Looked After;
- Details of all the enquiries conducted so far; and
- A photograph of the missing child.

If the child is Looked After or known to Children's Social Care Services, a copy of this documentation should also be provided to the Social Worker to retain on the case-file.

Police Officer Attending

The Police Officer attending will take the following action:

- Complete or review the Initial Reporting Form in consultation with the carer and confirm the risk assessment. On the occasions when it has not been possible for a carer (foster carer or residential staff member) to complete the Initial Reporting Form prior to police attendance, the Police Officer will complete the form with the assistance of the carer;
- Check all details on the Initial Reporting Form and confirm the risk status of the missing child;
- Obtain a recent photograph of the missing child;
- Conduct a house search, or if the child resides in a care setting, search the child's room, in order to ascertain further information that will assist in locating the child. This will be undertaken in a way that is sensitive to the needs of any other children or young people the child lives with; and
- Commence initial enquiries

Investigation

If a child is not located as a result of the initial enquiries, the Police Officer will create a missing person occurrence record on the Police Computer System and a formal investigation will commence.

The Police will continuously review any missing from home report in line with the West Yorkshire Police Missing Person's policy

Carers, practitioners and all relevant agencies will be expected to help the Police to find the child and to work co-operatively during any investigation.

Planning for Return

From the moment a child is reported as missing, parents, carers, Social Workers, and the Police as appropriate, should start planning for when a child is found.

Planning for a child's return is extremely beneficial, especially with regard to children who go repeatedly missing or those who fall into the high risk category. If planning is not undertaken the likelihood of the child going missing again will not reduce.

This may involve contingency planning; such as identifying suitable alternative short term accommodation for the child. This should be done in partnership with the child, the child's carers, family and the Local Authority.

It is important that if alternative accommodation is required, that this is risk assessed and meets the child's needs. Children must not be placed in accommodation that leaves them vulnerable to exploitation or trafficking.

Regard must also be given to who will support the child once they have been found and to who is the most appropriate person to conduct the return interview with the child.

Child Protection Concerns Identified whilst the Child is Missing

The Police will always contact [Children's Social Care Services](#) to ascertain whether a child is already known to them.

If a child is not known to Children's Social Care Services, and child protection concerns become apparent

during the investigation, the Police will make a formal referral to Children's Social Care Services.

If at any time during an investigation, an agency becomes aware of information that indicates a child will be at risk on their return home, both the Police and Children's Social Care Services must be informed immediately so that they can develop contingency plans and take appropriate action. Children's Social Care Services will consider undertaking a Section 47 Enquiry to determine if the child is suffering or likely to suffer significant harm. Within this there will need to be consideration as to whether it is safe for the child to return home when they have been found.

Notification of Return

If a child returns or is located, all individuals who have previously been notified of the child's absence should be advised without delay.

Collection of the child

The carer is responsible for recovering and returning a child to their home after they have been located.

If a child has an allocated Social Worker, they may be able to assist with this.

If there are thought to be specific issues of safety or public order difficulties involved in recovering and returning a child, then co-ordinated action should be agreed with the Police.

The carer should only request Police assistance to recover a child if:

- The carer is being prevented from obtaining access to the child;
- There is evidence to suggest that the child is at immediate risk of serious harm;
- This is necessary to prevent a breach of the peace due to a threat of violence or disorder.

If the Police locate a child they should not leave them at a location where they are likely to be exposed to the risk of harm or from where they are likely to go missing again, prior to the child's carer being able to make arrangements to collect the child.

If the Police are considering leaving a child at an address to be collected by the Local Authority, they must contact the relevant Social Worker or Out of Hours Service to ensure that any known risk factors are shared and taken into account.

On occasions the Police may need to consider returning the child direct to their home or taking the child to a local Police Station after confirming a collection time with a carer or the Local Authority.

Children should not be returned to the place they ran away from until their safety is fully evaluated. If there are concerns that to do so would mean a child is likely to suffer significant harm, a referral must be made to Children's Social Care Services for the consideration of Section 47 Enquiries. The Police may consider the use of Police Protection Powers to ensure the safety of the child until Section 47 Enquiries are undertaken, including applying for an Emergency Protection Order, or applying for a Recovery Order.

If a Child Refuses to Return Home

If there is concern that the child is suffering or likely to suffer significant harm by being at home, a referral must be made to the Children's Social Care Services. Consideration will be given to taking the

child into Police Protection, applying for an Emergency Protection Order, or applying for a Recovery Order.

Where the child is assessed as **NOT** suffering or likely to suffer significant harm;

- If they are under 16 or subject to a Court Order, the Police and a nominated manager from Children's Social Care Services will liaise, to discuss what action should be taken to safeguard the child's welfare.
- If they are over 16 and subject to a Care Order, there should be a formal review of their Care Plan at the earliest opportunity

Referrals

The Police should make a referral to Children's Social Care Services when a child who has been missing from home has been located by the Police and there is a concern that the child:

- Is a Child in Need (as defined in Section 17 Children Act 1989);
- Has suffered significant harm;
- Is likely to suffer significant harm.

An evaluation of whether the child is likely to continue to go missing will be one of the factors informing the decision to make a referral to Children's Social Care Services.

If a referral to Children's Social Care Services is not appropriate, or after discussion with Children's Social Care Services it is agreed a referral is not required, then provision of Early Help support for the child (and their family) should be considered.

Medical Assessment

As soon as a child is located, consideration should be given to whether they need medical attention. If required, a medical examination should be arranged once appropriate consent has been obtained.

If a child is in the care of the Local Authority, the medical examination should be recorded on the child's case file.

Suspected Victim or Perpetrator of a Crime

If there is any suggestion that a child has been the victim or perpetrator of crime, consideration must be given to the securing of evidence including forensic examination.

Where an allegation of physical or sexual abuse is made or becomes evident, the West Yorkshire Safeguarding Children Procedures must be implemented and contact made immediately with the Police and either a referral must be made to Children's Social Care Services, or if the child already has an allocated Social Worker they must be informed of the allegation.

Safe and Well Police checks

The purpose of a Safe and Well check and *Initial Police Return Interview* is to check for any indications that the child has suffered harm and to give the child an opportunity to disclose any offending by, or

against them when they have been absent. It is common for children, to be unwilling to engage in this process. If a child does not engage it is important for the Police to record the child's manner, their physical appearance and any other factors that may be relevant as part of the ongoing investigation.

When a child is located, the Police must attend to conduct a safe and well check and initial return interview with the child, **within four hours** unless:

- The child has returned or was located by the carer prior to the initial Police attendance;
- The child is a mental health patient;
- The child is in the care of the Local Authority and a return interview strategy has been agreed between the Police District Missing Person Coordinator and the Local Authority.

The *Initial Police Return Interview* should establish:

- That the child is safe and well;
- Where the child was when they were missing;
- Why the child went missing (considering the push and pull factors as well as possible triggers);
- What the child did when missing, where they went, and if possible who they were with;
- Explore with the child positive alternative options to going 'missing', so that if a similar situation arises the child can consider what alternative action they might take, and where they could get support from; and
- What if any action is now required to help prevent a reoccurrence; For example a child sexual exploitation investigation, a referral to Children's Social Care Services, a referral for Early Help support and intervention.

The Police must always conduct an initial return interview with a child who was categorised as missing when they return or are located, no matter how many times the child has been missing before unless the Police District Missing Person Coordinator has agreed an alternative return interview strategy with the Local Authority.

The Police must record details of their safe and well check and initial return interview on a return interview form (Misper7) even if the interview was conducted on behalf of the Police by a suitable individual identified by a return interview strategy.

Independent Return Interviews

Independent Return Interviews should be offered to all children who have been reported as missing.

The interview is an opportunity to identify and understand any risks and issues experienced by the child.

When a Looked After Child, child subject to an Assessment, Child in Need or child subject to a Child Protection Plan has been missing, the carer and Social Worker must consider who is the most appropriate person to conduct the Independent Return Interview.

The interviews should be initiated and where possible completed within 72 hours of the child returning to their home or care setting and be held in a neutral place, somewhere where the child feels safe.

The interview should be undertaken by someone independent of the child's family, placement, or care.

The interview should explore the push and pull factors as well as any risk factors. This should include discussing with the child:

- The frequency of the child's missing episodes;
- Whether the child has been hurt or harmed ;
- The child's risk of sexual exploitation or trafficking;
- Any involvement the child may have had in criminal activity or substance misuse;
- Whether the child has had any contact with people who pose a risk to children;
- Any on-going risk factors that may impact on the child going missing again; and
- Any risk factors the child may experience in their home.

The interviewer needs to:

- Help the child feel safe and understand that they have options to prevent repeat instances of them running away;
- Provide the child with information on how to stay safe if they choose to run away again, including helpline numbers; and
- Undertake an assessment of whether a child might run away again.

This assessment should be based on:

- The child's individual circumstances, including family circumstances;
- The child's reasons and motivation for running away;
- Where the child might run away to in the future
- Who the child might run away to be with;
- The Child's recent pattern of absences;
- The circumstances in which the child was found or returned; and
- The child's individual characteristics, vulnerabilities and risk factors, including factors such as whether a child has learning difficulties, mental health issues, depression, is at risk of sexual exploitation, trafficking, or forced marriage.

Any information obtained during an independent return interview that may affect any future risk assessment or may assist in finding the child should they go missing again, should be exchanged between the Police, the Local Authority and other relevant agencies involved with the child, to help build up a comprehensive picture of why the child was absent and what support they and their carers may require, to reduce future missing episodes and risk to the child. This needs to be undertaken in accordance with the home Local Authority protocol.

If the child is Looked After, or subject of an assessment by Children's Social Care Services, the independent return interview should be recorded and retained with the young person's records and on the child's electronic file.

For children not subject of an assessment by Children's Social Care Services, (Section 47 Enquiry, or a Child in Need or Child Protection Plan) the return interview should be shared with the Local Authority Missing Coordinator or nominated manager.

If a child is not currently subject to a Children's Social Care Services Assessment has run away two or more times, the information obtained in the return interviews with the child, should inform a professional discussion with the child and their parent/carer to explore what support and guidance the child and family may wish to access.

If the person /agency undertaking the return interviews have concerns for the welfare and /or safety of the child, a referral must be made to Children's Social Care Services.

If a child chooses not to engage with a return interview the Independent person or the child's Social Worker must record the reasons for this and share this with the Local Authority Missing Coordinator or nominated manager.

5. Looked After Children

Initial Missing Risk Assessment

Placement planning for every child who is becoming Looked After or who is already Looked After must include consideration of the risks and vulnerabilities associated to missing (and sexual exploitation where applicable) and reach an agreement with all those concerned with the child's care, of how the placement is expected to respond to any incidences of missing and 'away from placement without authorisation'.

The child's Social Worker has responsibility for ensuring that an initial assessment of risk is completed when a young person is accommodated. This should include an assessment of the level of risk of the geographical area in which the young person is to be placed, particularly where the placement is outside of the Local Authority area.

Where appropriate this can be completed by the children's home or fostering service practitioners on behalf of the child's Social Worker.

It is recognised that in emergency or unplanned placements, the Placement Plan, including the initial assessment of risk, is unlikely to have been completed within the first 72 hours. However, all available information should be shared at the time of placement.

If there are grounds to suspect that the young person is likely to go missing from their new placement, a multi-agency preventative strategy discussion or meeting should be held to reduce the risks.

The initial risk assessment and any missing strategy documents should be reviewed as part of the Looked After reviewing processes and following any episode of missing.

The Initial Risk Assessment should consider:

1)	The likelihood of the child going missing	<ul style="list-style-type: none">• Has the child been absent, missing or 'away from placement without authorisation' before and if so, the pattern of their previous absent behaviour is?• What factors or potential incidents act as trigger events?• Are there any other circumstances, behaviour or indicators that suggest the child may go absent in the future?
2)	The risks the child is likely to face whilst absent:	<p>Is the child:</p> <ul style="list-style-type: none">• Likely to visit a person or people known to be a risk to children?• At risk of child sexual exploitation?• Likely to take alcohol or drugs?• Likely to sleep in risky places?

3)	Control measures to reduce the risks:	<p>At the time of placement, the child should be given clear information about:</p> <ul style="list-style-type: none"> • Times of going out and returning; • Who to inform about where they are going; • Appropriate telephone numbers to enable them to inform carers about their whereabouts; • An assurance that they can ring at any time and that carers will treat them positively and sensitively; • Their contact arrangements with families and friends; • How to seek help if they are unable to get back for the agreed time, whether this has happened accidentally or on purpose. <p>Consider how to raise the child's awareness of the risks.</p> <p>Provide guidance to carers on what they should do to prevent the child going absent.</p> <p>Be clear about any persons or addresses that the child should not be having any direct contact with or visiting.</p> <p>Ensure the child is aware of what action will be taken by the carers and the Police if they go absent or are away from placement without authorisation.</p>
4)	What action ought to be taken if the child goes absent:	<ul style="list-style-type: none"> • Who should be contacted by telephone? • Which addresses need to be visited? • What places frequented should be checked? • When should the Police be contacted ?

Photographs

Two recent photographs of the child (face and full body length) should be retained by the carer for missing from care purposes. Copies of these photographs should also be held on the child's electronic or paper record.

Digital photographs are preferable and they should be regularly updated.

If these are obtained post-placement, careful consideration should be given as to how these photos are taken so as not to stigmatise the child.

Away from placement without authorisation

Sometimes Looked After children can be absent for a short period of time with their whereabouts known. This might include children staying out longer than agreed, either on purpose, accidentally or to test boundaries. Examples of such situations include:

- Staying out at a known location with friends;
- Attending a known address;
- Staying at the home of family members; and
- Staying with a girlfriend /boyfriend.

In these circumstances the child will not be classified by the Police as missing, but they may still be placing themselves at risk because of where they are or who they are with. This might include children being at the homes of friends or family, where the carer has concerns about the risk of sexual exploitation, drug and alcohol misuse, offending behaviour etc.

Carers and Children's Social Care Services should take all reasonable and practical steps to locate and return the child.

If the assessment of the carer is that there is no apparent risk for the child's immediate safety, the carer is required to clearly record such absences as 'away from placement without authorisation' in the child's record.

The Social Worker needs to record the absence as required by national data requirements.

The record should be dated and timed including a log of any contact made or attempted with the child, the child's response (or lack of) an indication of the assessed risk, and a review period of the absence.

The responsibility for managing this type of absence remains with the carer, the child's Social Worker and the Local Authority.

All episodes of away from placement without authorisation should be recorded by the carer and reported to the child's Social Worker or the Local Authority Out of Hours duty team immediately.

If the carer or child's Social Worker know of the child's whereabouts, or suspect their whereabouts, they will need to make a decision about whether to allow the child to temporarily remain at that location, or make arrangements to aid the child's return.

After considering all the risk and vulnerability factors, if the decision is to arrange for the child's return and the carer has reason to believe that this may lead to public order difficulties; the carer should seek Police assistance.

Police assistance does not, in such circumstances, alter the 'away from placement without authorisation' categorisation.

If there is a concern for the safety of others and the child in returning the child, then action should be agreed between the Local Authority and the Police, with legal advice being sought should a Court Order be required.

Review of Risk and Category of Absence

Children who fall within the categories of absent or "away from placement without authorisation" must be the subject of a continuous risk assessment whilst they remain absent. During their absence, circumstances may change and carers and agencies need to be in a position to respond accordingly.

A review should be conducted and recorded by Local Authority staff at a minimum of six hourly intervals except during the night, when a review should be conducted and recorded at 2300 hours and then again at 0800 hours the following morning. Local Authority practitioners are able to seek advice from Police colleagues at any point if this is helpful to the assessment of risk.

When a child is absent or away from placement without authorisation, and the carer is concerned about the child's welfare and safety and / or the child has not returned, or been located, the carer should make a missing child report to the Police, clearly highlighting their concern and the risk factors.

A clear assessment needs to be made by the Local Authority in each individual case as to the length of time that elapses before a child who is 'away from placement without authorisation' becomes categorised as missing.

Where there is a difference of opinion between Children's Social Care Services staff and the Police over the appropriate category of absence, the Police will make the final decision about the Police response. However the Police Officer/member of Police Staff should refer all such cases of dispute to the Duty Inspector.

Where Children's Social Care Services are not satisfied with the decision of the relevant Inspector, they should refer the matter to a Manager as soon as possible.

If a child repeatedly stays away from their placement without authorisation, the child's individual missing risk assessment and plan must be reviewed and updated to reflect the issues and risk.

Local Authorities should keep accurate records of all episodes of children being away from placement without authorisation. For individual children this should include the length of time they are away from their placement, whether they return of their own accord or are found, and the locations that they are found at, or stay at and any other relevant information, such as who the child was believed to be with.

The Child's Independent Reviewing Officer (IRO) must be informed of all instances of a child being absent or away from placement without authorisation. The Care Plan should be reviewed to include details of arrangements required to keep the child safe and minimise the future risk of the child going missing from their placement.

Children who go Missing or Absent During External Activity or Outings

If a Looked After Child goes absent outside the Local Authority area they reside in, the carer in charge of the external activity or holiday will:

- Arrange a search of the area where the young person went absent;
- Notify the local Police for that area.

The Police for the area where the child went missing and the Police for the area where the child normally resides will decide which Police Force and division will take responsibility for managing the investigation. This will normally be the Police Force and division that covers the area where the majority of enquiries are likely to be conducted. The Police will notify a relevant Children's Social Care Services Team Manager of their decision.

The Children's Social Care Services Manager or an Out of Hours practitioner will be responsible for ensuring the general procedures in relation to a missing Looked After Child are followed.

The person in charge of the external activity or holiday will make a joint decision within 24 hours of the absence whether the rest of the party should return home.

If they do return home, ongoing communication must be maintained between the child's Social Worker and the Police Force responsible for managing the missing person enquiry to aid the investigation. The child's record must reflect all the actions and discussions undertaken.

The child's Social Worker should inform the child's parent or any other person with parental responsibility so soon as it practical to do so

Children who are subject to Placement with Parents Regulations

A child living at home and subject to the Placement with Parents Regulations is still a Looked After Child.

In such circumstances, it is the responsibility of the parent to inform the child's Social Worker or their manager, the Children's Social Care Services "Out of Hours" Service and the Police or when it is evident that the child has gone missing from the placement. This responsibility should be discussed with the parents before the placement is agreed and it must be part of the Placement Agreement.

The Children's Social Care Services Manager who approved the placement should also be informed of the incident at the earliest opportunity. The Social Worker must check that the child *has* been reported as missing to the Police and must record the missing incident on the child's electronic file.

A Social Worker should visit the child within 72 hours of the child returning to the placement and a return home interview must be completed.

Missing and absent and away from placement without authorisation - Out of Area Placements

An Out of Area Placement is a placement of a child by one Local Authority:

- In a residential placement that is located in another Local Authority area, (the host authority) or
- With foster carers who live in another Local Authority area.

Before a child is placed in an Out of Authority Placement, child's the Social Worker for the responsible authority should check with the residential / foster care agency provider that local protocols are in place that are consistent with this protocol and if not that the Agency agrees to comply with this protocol. The Agency should be fully informed and agree to the actions required to be taken if a child is reported as absent, missing or away from placement without authorisation from by their provider.

The Agency should contact the child's Social Worker or the responsible authority's Out of Hours Service as soon as it is confirmed that a child is missing from their care.

The appropriate responsible Children's Social Care Services Manager should be informed within 24 hours receive regular updates as to the situation.

The child's Social Worker should make any necessary enquiries to clarify the reasons why the child went missing and to plan how best to minimise the chances of this occurring in the future.

The child's Social Worker should also inform the child's parent or any other person with parental responsibility as soon as it practical to do so, but no later than 24 hours, after the child was reported missing.

A return home interview must be completed within 72 hours. The social worker is responsible for negotiating who is the most appropriate person to complete the interview.

Incidences of missing, absent and away from placement without authorisation must always be recorded on the child's electronic file.

The child's Independent Reviewing Officer must be kept fully informed of any incidences of a child missing, absent or away from placement without authorisation.

Record Keeping

Throughout any period that a Looked After child is absent or missing from their placement, the child's Social Worker and carers must keep a full record of all actions taken and information shared. This information must also be recorded on the child's electronic file.

Review of Looked After Child's Care Plan

When a Looked After Child who has been missing has been located, the child's Social Worker and their line manager should decide in consultation with the child's Independent Reviewing Officer, carers and the child whether they should convene an early statutory review of the child's Care Plan.

The statutory review will provide an opportunity to check that the Care Plan has been appropriately amended to address the reasons for the child's absences and include an intervention strategy to prevent reoccurrences.

The Child's Independent Reviewing Officer should also review the suitability of the placement in conjunction with the child, and his /her family, the child's, the placement provider and the child's Social Worker. This might require the statutory Looked After Review to be brought forward.

Children's Home Regulations

Children's homes are required under regulations to have a clear policy in place which seeks to prevent children going missing and identifies what action is required if children do go missing.

This policy must specify the roles and responsibilities of residential carers when a child is away from placement without authorisation or missing. For Children's Homes in West Yorkshire the policy must have regard for this protocol.

Media

The Police have responsibility for considering whether to inform the media regarding missing Looked After Children to assist in locating that individual and warning the public if that individual poses a significant threat.

However decisions to publicise a missing Looked After Child will only be taken after discussions have taken place between the Police and a senior representative (head of service level) of the Local Authority to agree a media strategy.

The Social Worker should consult relevant family members.

Any decision to publicise must be authorised by a member of the Divisional Senior Management Team and the approval of a senior representative of Local Authority Children's Social Care Services must be sought.

Where agreement over publicity cannot be reached between the Police and Local Authority, the ultimate decision on publicity is that of the Police. However, the Police must have cogent reasons to publicise against the wishes of the Local Authority and these reasons must be recorded.

Wherever possible, there should be an appropriate time-scale to enable those with parental responsibility to be informed and forewarned so that the first they hear of the child being missing is not through the media presentation.

Unless it is absolutely necessary, the child will not be identified as a Looked After child.

6. Information Sharing

Whenever there are concerns about a child's safety or well-being, it will be necessary for agencies to share information with each other. The safety and welfare of a young person must always be the first consideration.

Under the Data Protection Act 1988, sensitive information *can* be shared if it is necessary to protect a child or to prevent or detect a crime.

For further information and local protocols relating to information sharing, consult the West Yorkshire Safeguarding Children Procedures

http://westyorkscb.proceduresonline.com/chapters/p_info_shar_confid.html

7. Multi-Agency Missing Planning Meetings

Missing Planning Meeting

If a child missing from home or care is the subject of an assessment by Children's Social Care Services, a Section 47 Enquiry, is a Child in Need or subject to a Child Protection Plan or is Looked After; the relevant Children's Social Work Team should convene a missing planning meeting in accordance with the local area protocol.

The meeting will:

- Review the action taken so far;
- Identify what action now needs to be taken and time scales;
- Identify the most appropriate person to interview the young person when found; and
- Consider whether it is appropriate and safe to return the young person to their home address and consider if alternative accommodation is required to be identified.

Meetings in respect of persistent absent behaviour

If a child is repeatedly absent, missing or away from placement without authorisation and there are specific concerns due to risk factors then a multi-agency meeting should be held to develop a 'Missing plan to help prevent reoccurrence and reduce risk of harm.

If another type of Child Protection / Planning Meeting has already been organised for another purpose, it is possible to utilise that meeting in order to address the missing concerns and formulate a Missing Strategy rather than hold a separate meeting.

8. Missing Plan and Intervention Plan

Content of the plan

Should include:

- A risk assessment;
- A reporting strategy – which should include guidance on when to report a child as absent and when to report them as missing;
- Recommendations on the minimum enquiries to be conducted by the Local Authority;
- Recommendations on the minimum enquiries to be conducted by the Police;
- A Return interview strategy, and
- An Intervention strategy to address the long-term risk and vulnerability factors.

Intervention Plan

Missing interventions seek to reduce the risks that a child may be exposed to and prevent the likelihood of further incidents of the child being absent / missing / away from placement without authorisation.

Common strategies include:

- Disrupting the child's contact with adults suspected of being involved in grooming, abuse, coercion, trafficking, violence, use and supply of illegal substances, illegal activities and sexual exploitation;
- Disrupting the child's relationship with other young people suspected of introducing them to adults involved in grooming, abuse, coercion, trafficking, violence, use and supply of illegal substances, illegal activities and sexual exploitation;
- Gathering evidence to prosecute adults suspected of being involved in grooming, abuse, coercion, trafficking, violence, use and supply of illegal substances, illegal activities and sexual exploitation;
- Listening and taking account of the child's wishes and feelings;
- Promoting positive relationships with family, friends and carers;
- Identifying ways of physically protecting the child;
- Ensuring contact is maintained with a child whilst absent;
- Enhancing the return procedure to ensure it is a positive experience;
- Setting clear boundaries and developing contracts regarding expectations and responsibilities;
- Motivating positive behaviour;
- Empowering the carer/ foster carer;
- Building the child's self-esteem, self-confidence and self-worth through the provision of positive activities;
- Raising awareness of the risks associated with running away or being missing;
- Meeting any physical, emotional, mental health needs the child might have;
- Working with the carers or parents to make the child's home a place where they want to be;
- Working with education & training providers to meet the child's needs; and
- Providing specialist support through multi agency partnerships.

9. Legislation and guidance

This protocol is based on the following legislation, guidance and policy

- The Children Act 1989
- The Children Act 2004
- Safeguarding Children and Young People from Sexual Exploitation, (DCSF, 2009)
- The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage (DCSF, 2010)
- APCO guidance on 'Management, Recording and Investigation of Missing Persons', (APCO NPIA 2010)
- Missing children and Adults, A Cross Government strategy (Home Office, 2011)
- Safeguarding Children Who May Have Been Trafficked (DFE 2011)
- The National Minimum Standards in Residential and Fostering Agencies (2011)
- Working Together to Safeguard Children 2013
- Interim Guidance on the Management, Recording and Investigation of Missing Persons (ACPO 2013)
- Statutory guidance on children who runaway and go missing from home or care (DfE, 2014)

The legal parameters within which missing person enquiries are conducted can be found in common law, international law and the provisions of the European Convention of Human Rights. Some of the provisions of the ECHR have been given legal effect within the United Kingdom by virtue of the Human Rights Act 1998.

10. Data and problem profiling

The Local Authority Missing Person Coordinator (or nominated manager) should regularly review all incidents of children absent, missing and away from placement without authorisation to ensure appropriate referrals and responses are undertaken, effective safeguarding practices implemented, and multi-agency strategy meetings when required are held.

To assist in achieving this aim the Missing Person Coordinator (or nominated manager) should receive regular reports from all care homes of any absences not reported to the Police, in order to ensure a full pattern of missing/absence can be established for all individuals.

The Local Authority should ensure that reports relating to children placed within their care from out of area are shared with the responsible placing Local Authority, in order to instigate reviews of care placements if required.

Collecting, sharing and analysing data relating to children who go missing, is essential; the sharing of data assists to detect problems and issues as sexual exploitation, offending behaviour, adults who pose a risk to children and crime related activity, such as trafficking that might not be apparent. It also assists to contribute to implementation of effective preventative strategies which focus on reducing the incidence of missing children, whilst ascertaining the priorities for collaborative safeguarding, and ensuring that needs of children are met.

Additionally analysing data aids strategic problem profiling; identifying missing patterns and trends, for example, areas where children are frequently located, repeat missing individuals or if a particular

children's home has a high level of children reported as missing from care, allowing for informed responses and action.

Therefore missing children data is required to be cross referenced with children missing from education, children not in school data and youth offending service data on absconding and breaching to assist with comprehensive problem profiling.

All data relating to children missing or away from placement without authorisation should be reported to the Department for Education by the responsible Local Authority through their annual data returns on Looked After Children.

11. Legal Powers and Duties

See Appendix C for details of legal powers and duties to:

- A. Use physical restraint to prevent a child going missing
- B. To use reasonable force to recover a child ; and
- C. To enter premises to search for a child.

12. Harbourer's Warnings

The Police and the Local Authority should seek to identify those individuals that harbour children who go missing.

This will require a co-ordinated approach to investigation and the exchange of all relevant information and intelligence.

Detailed information relating to the criteria for Harbourer's Warnings can be obtained in [1.5.3 Investigation Strategy for Harbourers of Children and Young People](#) of the West Yorkshire Safeguarding Children Procedures.

13. Contact Information

When any child is missing or absent and there are concerns about their welfare and safety, this should be reported without delay to West Yorkshire Police.

When reporting a child who is missing is subject of an assessment by Children's Social Care Services, a Section 47 Enquiry, is a Child in Need or subject to a Child Protection Plan or is Looked After, this should be reported in the first instance to:

- The child's Social Worker, or in their absence;
- The relevant duty Social Worker for the team; or,
- Emergency Duty Team (EDT) when out of normal working hours/weekends.

Police		Local Authorities	During office hours	Out of hours
Emergencies	999	Leeds	0113 376 0336	0113 2409 536
Non Emergencies	101	Kirklees	01924 326 097	01924 326 489
		Calderdale	01422 393 336	01422 288 000
		Bradford	01274 437 500	01274 431 010
		Wakefield	0845 8503 503	0845 8503 503

Appendix A: Examples of Different Types of Absence

Please note that these examples are included as a guide only. Every case will be different and should be assessed based on the individual circumstances

High Risk Missing child	<ul style="list-style-type: none"> A 17 year old boy who is suspected of being abducted against his will for the purpose of rape and sexual assault. A young person who has left a suicide note, there are indications that they have taken an overdose and there is concern that they have left to make a genuine attempt at suicide. A 10 year old child who has been missing overnight
Medium Risk Missing child	<ul style="list-style-type: none"> An 11 year old girl who regularly goes missing and in the past has always gone to the home of a friend. She has not suffered significant harm when she has been missing before. A 16 year old boy with learning difficulties who is Looked After and has not returned to his foster placement after school. This is out of character
Low Risk Missing child /Absent	<ul style="list-style-type: none"> A 15 year old boy who has failed to return home. The parents believe he is staying at a friend's house overnight. They can contact him on his mobile phone, but he refuses to say where his friend lives. The parents do not think he is at immediate risk of harm, but he has no permission to stay out overnight. A 16 year old girl subject to a care order who is believed to be with natural relatives. The family are not co-operating and refuse to state where the girl is staying. The girl is not considered to be at risk of suffering significant harm A 14 year old girl who is Looked After and who fails to return to the residential children's home where she lives. She is regularly stays at her natural mother's address. She generally returns after a day or two unharmed.
Away from placement without authorisation	<ul style="list-style-type: none"> A 15 year old girl who resides in a children's home and who regularly leaves the home late in the evening to meet friends at a house in the local area. She is assessed as at risk of child sexual exploitation. A 12 year old boy who has not returned home to his foster placement, but has phoned his carer's and said that he is with a group of much older children in a local park. When he phoned the foster care believed him to be under the influence of alcohol or substances.

Appendix B: Example questions that may help to establish if a child is missing

1)	<ul style="list-style-type: none"> • Have they ever done this before? • Can you think of any reason why the child might be absent or have not returned? • Why do you think the child has left and not returned? • Are you surprised that the child has done this?
	<i>Establish whether the behaviour is out of character or whether there is an obvious explanation for the absence. If the behaviour is out of character and there is no good explanation for the person being absent, treat as a missing person.</i>
2)	<ul style="list-style-type: none"> • Do you expect the child to return? • When do you expect the child to return? • Do you know where the child is likely to be?
	<i>Do not report a child as missing if you know where they are likely to be unless there is an obvious immediate serious risk to the child or public. It is the responsibility of the carer to locate and return the child in these circumstances.</i>
3)	<ul style="list-style-type: none"> • Do you have any immediate concerns that the child will suffer or cause harm whilst absent? • What are those concerns? • How likely do you think it is that the child will suffer or cause harm? • How worried are you?
	<i>When a child is absent, there is always a certain level of concern. However, consider whether the risk is immediate and serious. Consider how likely it is that the child will suffer or cause harm whilst absent. Consider whether a responsible parent would take responsibility for locating the child or whether they would report the child as missing to the police in these circumstances.</i>
4)	<ul style="list-style-type: none"> • What have you already done to find the child?
	Attend addresses and search places frequented to find the child. The amount of effort the reporting person makes to locate the child will be considered by the police as an indication of how concerned the reporting person is.
	Local Authorities should not use the police to locate and return a child due to a shortage of resources when the risk level does not justify police intervention. Consider whether a responsible parent would ring the police in similar circumstances.

Appendix C: Legal Powers

Power to use Reasonable Force or Physical Restraint

Police

If a constable has reasonable cause to believe that a child would otherwise be likely to suffer significant harm, the constable may remove the child to a place of safety and keep the child there (S46 Children Act 1989).

The Children Act legislation implies the power to use reasonable force in appropriate circumstance to take a child into Police protection or to keep the child at a place of safety (Home Office Circular 44/2003).

This implied power 'is appropriate for detaining and returning missing from homes against their will so long as they are at risk from significant harm. For example, if a missing fifteen year old child is found safe and well at the home of a school friend where she had been doing homework, she is not at risk, but the same child walking the streets at 11.30pm would almost certainly be at risk' (*Police National Legal Database 2008*).

Local Authority

It is permissible to physically intervene to prevent a young person running from their care. This action will need to be justified by an assessment of the risks that the young person might face if they run. However, physical intervention does not offer a long-term risk management strategy (*Department of Health: Children Missing from Care and from Home – a guide to good practice 2002*).

Power of Entry to Recover Child/ Young Person

Under S17 (1) (e) Police and Criminal Evidence Act 1984:

A constable can use reasonable force, but in some cases a recovery order would be required to enter premises. The welfare of the child/ young person is paramount and where there are grounds to believe a vulnerable missing child/ young person is on premises and access is being refused, there should be no hesitation in gaining entry under this provision. The reason why there is no power of entry under the Children's Act 1989 to take a child/ young person into police protection is because the power under S17 (1)(e) was considered sufficient.

Under S17 (1) (b) Police and Criminal Evidence Act 1984:

A constable can use reasonable force to enter premises to arrest someone for an indictable offence. Therefore where there is another person on the premises who is preventing access, consideration should be given to entering to arrest that individual for abduction of a child contrary to S2 Abduction Act 1984 or S49 Children Act 1989.

Breach of the Peace:

Under Common Law, a constable has a power of entry to prevent a breach of the peace.

Recovery Order:

Under S50 (1) Children Act 1989, the court may make a recovery order, where it appears to the court that there is reason to believe that a child:

- Has been unlawfully taken away or is being unlawfully kept away from the responsible person
- Has run away or is staying away from the responsible person or
- Is missing.

A Recovery Order:

- Operates as a direction to a person able to do so to produce the child on request to an authorised person
- Authorises the removal of the child by an authorised person
- Requires a person who has information as to the child's whereabouts to disclose it, if so requested, to a constable or an officer of the court
- Authorises a constable to enter any premises specified in the order and search for the child, using reasonable force if necessary.

Emergency Protection Order:

Under S48 (3) an emergency protection order may authorise the applicant to enter premises specified by the order and search for the child with respect to whom the order is made.

Warrant:

Under S48(9) Children Act 1989, a warrant can be obtained authorising a constable to use reasonable force to enter and search premises if a person trying to exercise powers under an emergency protection order is being prevented from doing so by being refused entry to those premises.