

Khaya Home Limited

POLICY NO 72



**Missing from Care (Updated 2014)
(Quality Standard 5, 7) Regulation 12)
Children and Young People who go Missing from Home or Care Joint Protocol 2017
Leicester City Local Safeguarding Children's Board Leicestershire and Rutland
Local Safeguarding Children's Board
Leicestershire Police
See Appendix 1-2
Attached: Flowchart Responsibilities**

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1. Overview

The majority of young people whom we look after have, at some point, gone missing from care previous to their arrival at Khaya Home Limited.

Young people rarely go missing from care if ALL their needs are being met and if the environment is secure and stable. However, young people are influenced by outside pressures, and we have to be aware of the pressures placed on them whilst they are in our care - these may disrupt a seemingly settled period and could be an isolated occurrence or lead to a pattern of going missing from care. It is important for self-assessment, when a young person goes 'Missing from Care' to enable staff to identify and act upon any mistakes made. Groundwork must be built upon and the young person taken through the 'missing from care' process and challenged on their behaviour. (See appendix 1, 'Procedures for staff when children go missing from care', Appendix 2, 'Guidelines for children'.)

It is intended that the protocols of managing children who go missing from care should complement existing policy and good practice in the respective agencies, by providing specific guidance to Police Officers and Social Workers dealing with Young People who go missing from care.

The protocol will:

- * Identify agreed procedures which will assist operational staff
- * Ensure that all factors have been taken into account in identifying the appropriate response
- * Ensure that all parties, professional staff carers, parents and child/young persons are aware of the processes involved when a child/young person is missing
- * Ensure that appropriate levels of resources are deployed in accordance with the assessed risk

2. Guiding Principles

2.1 The safety of the child is the prime objective.

2.2 As a corporate parent, the Local Authority has a duty to care for the wellbeing and safety of the child, however, as the local authority delegates the day to day care of the child to Khaya Home Limited, the home will ensure that we take full responsibility for the care of the child missing from home.

2.3 Child Protection procedures will be observed in respect of Young People under 18 where child exploitation may be a factor.

2.4 The objective is to locate and return the Looked After Young person to a safe environment.

2.5 Notification to the Police will only take place in clearly defined circumstances according to each child's care plan.

2.6 The Police will act on any report of a Young Person missing from the care of the Local Authority.

2.7 Initial reporting of missing children by the Local Authority will comply with this protocol.

3. Definitions

3.1 For the purpose of this protocol the following definitions apply

3.2 'Child' - A person under 18 years of age*.

3.3 'Unauthorised Absence' - Some children absent themselves for a short period and then return, often their whereabouts are known. Some are testing boundaries by staying out longer than agreed. This type of behaviour is well within the range of recognised behaviour for teenagers, and such children are not necessarily considered at risk. The risk to children whose whereabouts are unknown require immediate assessment, and only when the risk assessment process identifies the child as 'missing from care' should notification be made to the Police. In all other cases the child's situation should be referred to as an 'unauthorised absence'. This category must be subject to continuous risk assessment. (This can include persons under 19 years of age where the child has special needs).

3.4 'Missing' - Where the Young Person's location is unknown, or reason for absence is unknown, and there is cause for concern for the Young Person because of their vulnerability, or there is potential danger to the public.

3.5 'Absconded' - An absconder is a child who has a court order with curfew conditions or a tag and who has deliberately absented himself/herself from where s/he is supposed to be. Although their whereabouts may well be known, this relates to a young person who is has a legal order to remain under supervision. The Police have the power to arrest without warrant when a child is absent, absconded, without the permission of the person responsible for him/her. For the purpose of this document the term 'missing' is used to encompass all three categories; 'unauthorised absence', 'missing' and 'abscond' unless those terms are specifically applied.

3.6 'Child In Care' – It applies to a young person in the care of the Local Authority and applied to children residing and absent from an address in that area. It applies to Residential Children's Homes, or foster homes. Care refers to children who are 'looked after', i.e. accommodated under Section 20 Children Act 1989 or Care Orders under Section 31 or Interim care orders under Section 38.

4. Early Risk Assessment

4.1 Pre-Planning 4.1.1 In the preparation of a care plan and at placement meetings, Social Services staff will consider the vulnerability and associated risks of a child going missing.

4.1.2 In cases where there have been previous concerns about the child going missing, the risk assessment/placement plan will include:

- * The likelihood of the child going missing
- * The level of supervision/support offered to the child
- * The parents' advice on what action they feel should be taken if the child goes missing
- * The level of risk presented if the child is missing

4.1.3 Where appropriate, the child should be given a copy of Annex A. This protocol explains the actions to be taken if he/she is missing or absents himself/herself from the usual place of residence. Every effort should be made to convey the principles of the protocol in cases where the child cannot read.

4.1.4 Where regular 'Missing from Care' incidents are anticipated, support workers and Social Workers may wish to consider the involvement of the local Police at the pre-planning stage.

4.1.5 Police and Social Workers should be beware of dismissing multiple incidents of missing from care by a young offender, thereby labelling the child as 'the problem' and failing to analyse the underlying cause for going missing.

5. The Joint Response

5.1 In assessing the significance of a child's absence, all staff will apply the relevant definitions and in addition, take the following into consideration:

- * Guidance already agreed in the Young Person's Placement Plan/Risk Assessment / 'Missing from care' procedures
- * The age and maturity of the child
- * The legal status of the child in care; whether subject of a Court order
- * Previous behaviour patterns/history of going missing/self-harm
- * The vulnerability of the child due to any mental or physical condition
- * Group behaviour
- * Whether the child is perceived to be running to, or from, someone or a situation
- * State of mind at time of going missing
- * Whether the child is at risk of sexual exploitation
- * Whether the child is involved in criminal activity
- * The time of day

5.2 Risk Assessment/Notification of Absence

5.2.1 In assessing the level of risk the following factors may be considered: Age of child - Under 10 years 10 - 14 years 14 - 16 years 16 - 18 years The Young Person's history of going missing from care

5.2.2 The level of concern will be affected by additional factors such as:

- * History of self-harm
- * Physical or mental disabilities
- * Particular circumstances at time of 'Missing from Care'
- * Young Person's state of mind
- * Legal Status

* Risk of sexual exploitation 5.2.3 In applying a degree of risk assessment by considering the criteria set out in

5.2.1 and 5.2.2, the carer responsible for the child will consider an appropriate course of action.

5.2.4 Where there is a high level of concern, the Police and Child's Social Worker, parents and those with parental responsibility are to be informed. The staff should at all times attempt to locate the young person. The Police are requested to deal with child as 'vulnerable missing person', despite the fact that the child may be over 17 yrs. (In all cases the staff may wish to consult the child's allocated Social Worker/ Case Manager at the point of assessing the level of risk).

5.2.5 Children who fall within the category of “unauthorised absence” must be the subject of continuous risk assessment. During their absence, circumstances may change and social services staff members need to be in a position to respond accordingly. In this phase, Khaya Home Limited care staff should take all reasonable and practical steps which a good parent would take, to establish the whereabouts or destination of a child, or the location of any persons with whom he/she is likely to be associating, and arrange for those places to be checked.

5.2.6 If the location of the child is known or suspected, then it is the responsibility of Khaya Home Limited support staff to return the child. If, however, there are thought to be specific issues of safety or public order difficulties involved in returning the child, the appropriate action should be agreed with the Police and Social Services. These circumstances would not mean the child should be categorised as missing.

5.2.7 A child categorised as ‘unauthorised absence’ should be considered ‘missing’ after a period of 6 hours.

5.2.8 Even after reporting a child missing, it should be recognised that Social Services are responsible for children in their care at all times and that they delegate the daily care of the child to the care home. Care staff should remember that responsibility is not absolved when they have reported a child missing to the Police and that they are required to keep searching for the child who is missing.

5.3 Information to be Made Available

5.3.1 When reporting a missing child, the following information, where known, should be made available.

- * A full description of the child
- * When the child was last seen and with whom
- * A recent photograph
- * Family addresses
- * Any previous history of ‘Missing from Care’
- * The legal status of the child, including any power of arrest
- * The name and address of the child’s GP and dentist
- Circumstances which increase the risk to a child should be drawn to the attention of the Police, e.g. contact with a potentially dangerous adult

5.3.2 Where the Constabulary Missing Person form is available, this should be completed by carers in anticipation of police attendance.

5.4 Media Liaison

5.4.1 The Police have the responsibility to advise the media in cases of children missing from the care of Local Authority. This will be arranged through the Press Liaison Officer or duty Inspector of the Division concerned. The Police will consult with Social Services before issuing a press release in order that the parents and relatives can be informed.

5.5 Record Keeping

5.5.1 The Police will maintain a full log of all actions on the missing person's report form.

5.5.2 Social Services, through Khaya Home care staff will make a full record in the home log book/records (where applicable) and a copy will be retained on the Young Person's file.

5.6 Action by Agencies

5.6.1 Where a child's absence continues overnight, those responsible in each agency for the review of the case will consider the need for a strategy meeting to discuss further enquiries and contingency plan in the event of the child's return.

- * Assessment of new information coming to light

- * Action by the respective agencies to seek the whereabouts of the child * Powers to detain the child once found

- * Transport arrangements

- * Future accommodation

- * Interview by police/Social Services if returned to his/her placement

- * Identification of an appropriate person to talk to the child on return

5.6.2 Seeking the Whereabouts of the Child: It should be emphasised that this is a collaborative effort and NOT the sole responsibility to one agency. Discussion may lead to actions for both agencies. Powers to Detain the Child once Found: The police do NOT automatically have power to detain a child unless the following apply:

- * The Young Person is at risk of significant harm

- * The Young Person is subject of a Section 31 Court Order

- * The Young Person is in breach of bail conditions Recovery orders can be applied for in respect of a Young Person who is either in care, the subject of an Emergency Protection Order, or in police protection.

Transport Arrangements:

It is the responsibility of the Social Services Department to make arrangements for transporting a Young Person who has been missing from care to his/her residence. This will usually be undertaken by Khaya Home Limited staff on behalf of social services. The Police will assist where resources allow. The child should, where appropriate, be conveyed direct to his/her placement and not to or via a police station, unless any information suggests that a direct return home is not in the child's interests.

Future Accommodation:

Early consideration should be given at a strategy meeting to the possibility that alternative accommodation will be required for the child. This would arise in circumstances where the child has been accused of an offence at the current placement, or where it is suspected that they may have been harmed there.

5.7 Information Gathering and Communication

5.7.1 If the child is still missing from the home after appropriate agencies and parents have been informed, the Senior Manager of the home should make

arrangements to inform all the Young People and Staff in the home. The children and staff in the home will be called to a meeting to inform the young people that their peer is missing. This will dispel distressing rumours and may bring forth additional information on the Young Person's whereabouts. The Young Person's school should be informed at the earliest opportunity. All information should be passed to the police.

5.8 The Return

5.8.1 On returning to the home after going missing from care, carers must attend to the child's needs and ensure that they are offered care, food and a warm, safe return and check whether they need to go for a medical check-up.

5.8.2 Parents, all relevant agencies and others informed of the missing child should be advised of the child's return without delay. A discussion should take place between the police and social services as to the sharing of this responsibility. The home will support a police officer safe and well-being check on the child.

5.8.3 As soon as possible, the home manager will meet with the child to discuss the missing from care incident and to ascertain that the child is safe and well following the incident. The manager will also discuss strategies with the child to reduce further incidents of going missing.

5.8.4 In all cases, persons having responsibility for the child will undertake an assessment of the absence. This assessment should take account of the child's mental and physical condition. The child's medical condition should be noted, and an offer made to arrange medical attention.

5.8.5 In particular, an assessment should consider the child's:

- * Explanation of the absence
- * Physical symptoms, suggestive of physical or sexual assault
- * Possession of large amounts of money or expensive items

5.8.6 Where such an assessment raises cause for concern over the Young Person's future welfare, the Young Person should be interviewed by an appropriate person. This person may be independent and not directly associated with the day to day care of the child.

5.8.7 In appropriate cases, an inter-agency meeting will be required to review the child's needs and care plan. This is particularly important in the case of multiple instances of a child going missing.

6. Children going missing during an external, off-site, activity

6.1 Where a child is discovered missing during external activity of a residential home, or whilst away from their usual Local Authority area in the care of foster parents, the person responsible for their care at that time will:

- * Notify the local police in that area
- * Notify a Senior Manager at the residential home (where applicable)
- * Notify the child's Social Worker/team duty officer/EDT where a child is in foster care
- * Initiate a search of the locality by adults if staffing levels permit

6.2 The responsible Social Services Manager will monitor the absence, and ensure that general procedures in relation to a missing child are followed; the Social Services Head of Operations/Assistant Director Children's Services should be kept informed.

6.3 The Senior Manager of the home will liaise with the police force local to the area where the child was discovered missing.

7. Longer Absences

7.1 All absences will be subject of an ongoing review process.

7.2 Whenever a Young Person is missing for a period of 14 days, a strategy meeting will be held (if this has not already taken place). This meeting will be attended by a Senior Manager for Children's Services, the police Family Liaison Officer and any other appropriate representatives from each agency in our out of the county.

7.3 The police will notify the Police National Missing Persons Bureau and continue to monitor the absence in accordance with the Police Force policy on missing persons.

8 Local Monitoring/Strategic Review

8.1 The Local Government Association and Association of Chief Police Officers publication - 'Missing from Care - Procedures and Practices in caring for Missing Children' recommend that each Care Home, should maintain a record of incidents of young people reported missing.

8.2 At a local level, the Police and Social Services should meet at an operational level to discuss the management of missing Young People according to information collated at a Police Divisional level.

8.3 The Area Child Protection Committee will have responsibility for annual reviews of agency data or Young People missing from care and make recommendations for improved practices where necessary.

Appendix 1

Procedures for staff when children go missing from care.

Procedure

1. Take steps to ensure that the Child/Young Person Is missing and not simply hiding within the home or grounds. If he/she is late back, could there be a legitimate reason for the delay - is action needed at that moment in time?
2. Check the child's care plan for specific procedures to follow in the event of that young person missing.
3. Only after consideration has been given to the 'risk', i.e. the age of the child, time of day/night, events prior to leaving/non-return, as well as checks with family and known associates should initial contact be made with the Police to notify them of the absence.
4. Staff will attempt to notify the Child/Young Persons Social Worker, Education Department, Parent/Guardian as soon as possible. Out of office hours the duty Social Worker should be contacted.
5. Every effort will be made to locate the Child/Young Person and ensure their return at the earliest possible time.
6. On return, the Police and all those notified under Point 3 above will be informed of the return.
7. Care will be given to striking a balance between ascertaining the reasons why the Child/Young Person absented themselves and our desire to ascertain their whereabouts, and a genuine and demonstrable concern as to their physical and emotional suffering. Any enquiries needed to exercise the possibility that a problem within the unit actively prompted the absence will be made as soon as possible.
8. The detailed records need to be completed during and following the absence period being retained for later scrutiny.

'Missing from Care' checklist

1. Make a note of the time and place of 'Missing from Care'.
2. Do a local search of surrounding area. If you see the Young Person do not endanger them i.e., by chasing them across dual carriageways, etc, Try and maintain dialogue with them and keep them in sight.
3. Report to local police - wherever you are, give description and contact number for Khaya Home Limited.
4. If off-site, then at the first opportunity contact Khaya Home Limited and speak to the Senior Person on duty.
5. If on site, ring the Police. You should ask for the Control Room. To make your report to them you will need Name, Date of Birth, Clothing worn and where the child 'Missing from Care' is from. Give your name and ask for the operator's name (usually a code). Record the time, name, case number and action.
6. Complete the Missing Person form. Fill it in, in as much detail as possible.

7. Contact the Social Worker or E.D.T. and inform them of the time the young person went 'Missing from Care'. Ask for the name of the operator, they may get a Social Worker to call back. If they do return the call, then record the name of the Social Worker and time of the call. When Police come for the Missing Person form, ensure that they go through it completely. Record the officer(s) name, number, and time of collection. Complete an Incident Report, recording details, 'phone calls, etc. On the Young Person's daily diary record all 'phone calls regarding 'Missing from Care' and also record in logbook all calls, and incident report number.

Return

Confirm the method of return with Home Manager, and inform the Social Worker/E.D.T/ parents/ carers and police if necessary.

Reception into Khaya Home should be welcoming and comfortable; we want them to stay and not go 'Missing from Care' again immediately. Check with them that they are all right and offer food and drink. The home should look at ways to ensure the young person remains safe at Khaya Home Limited and does not leave the home and put themselves in a unsafe situation or place. Discuss any anxieties with the Young Person. Sanctions should be discussed at a later stage. Try to put the Young Person at ease - they will expect people to be angry with them. The Young Person requires security and comfort. This should be readily available. It must be recognised that 'Missing from Care' incidents can be seen as part of the Young Person's behaviour pattern.

Appendix 2

Guidelines for children

will happen if you go missing?

* What is meant by 'missing'? You are missing if you go away from where you are meant to be without permission and fail to tell people where you are going or who you are with.

* What will happen if you are discovered missing? People responsible for you will ask your friends, contact relatives, and may search your room for clues of your whereabouts. The police may be notified where there is concern for your safety.

* What happens if you can't be found after some time? Your name and description will be given to other police forces and your photograph may be shown in newspapers. A search may be needed if you disappear in worrying circumstances.

* What happens when you are found? If the care workers, Social Worker, or foster parent responsible for you finds you, he or she will transport you home. If the police find you, they will arrange for you to be collected. In some cases, the police will return you, particularly if you have been ordered to stay at a particular home by the court.

* What happens when you come home? You will be spoken to, to find out the reason for your disappearance. This is a chance for you to tell someone what is troubling you. You do not have to speak to someone from the home; you can choose to speak to someone other than one of your support workers or Social Worker.

* Will anything else happen? If you are injured or unwell, you will be checked by a doctor or nurse. Your case worker will talk to you about going missing. If you have deliberately run away, the people responsible for you will meet to discuss ways in which such incidents can be prevented by looking at reasons for your actions.

REMEMBER You will always be allowed to use a telephone in private. If you are worried about something and just want to talk, the national CHILDLINE number is 0800 1111.