



Safeguarding children who go missing or are absent without permission from care

Regulation 25 of The Local Authority Fostering Services (Wales) Regulations 2018

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Introduction

Safeguarding children is a responsibility shared by everyone in contact with children and young people.

This procedure is primarily addressed to Newport City Council foster carers and to other relevant practitioners working with children (up to the age of 18).

This includes those working in early years, social care, education, health, the police, youth offending and youth, community and family support services (including the third sector).

Scope

This procedure provides information about safeguarding children who go missing from home or care or who are absent without authorization. It is based and should be used in conjunction with the Wales Safeguarding Procedures 2019.

This procedure was developed in accordance with *The Local Authority Fostering Services (Wales) Regulations 2019*, which came into force on 29 April 2019. Regulation 25 states that the Local Authority as a fostering service provider must have appropriate procedures to “include the individual roles and responsibilities of staff and others working for the service, and of foster parents, in reporting when a child is absent without permission. This will include instruction for staff on actions to be taken and mechanisms for referral to relevant partners and agencies.”

A **missing** person is: “Anyone whose whereabouts cannot be established will be considered as missing until located and their wellbeing or otherwise confirmed.”
(<https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/missing-persons/#definition-of-missing>)

An **absent** person is defined as a “person not at a place where they are expected or required to be” and perceived to be “not at any apparent risk”.
(<https://www.missingpeople.org.uk/latest-news/762-the-absent-category-safeguarding-children-and-vulnerable-adults.html>)

There are some issues which are common across safeguarding practice guides and some which are specific to the safeguarding of children missing or absent from home or care:

The United Nations Convention on the Rights of the Child (UNCRC) guarantees every child the right to grow up healthy, happy and safe. This includes to be protected from harm and be appropriately supported to recover from abuse. Practitioners and

professionals should adopt [A Children's Rights Approach](#) in line with the duty of due regard to the (UNCRC) and follow [National Participation Standards](#)

- Agencies must work together to provide a joined up response to safeguarding issues as set out in the Wales Safeguarding Procedures 2019.
- There is a statutory Duty to Report Children at Risk on relevant partners under Section 130 of the Social Services and Well-being (Wales) Act 2014
- Information sharing is central to good safeguarding practice. Practitioners must share information in accordance with data protection legislation. Data protection legislation allows for the sharing of information and should not be automatically used as a reason for not doing so. **One of the specific circumstances which provides for information sharing is in order to prevent abuse or serious harm to others.** When information is not shared in a timely and effective way, decisions about how to respond may be ill informed and this can lead to poor safeguarding practice and leave children at risk of harm.
- We know that sensory impaired and disabled children are at an increased risk of being abused compared with their non-disabled / non-sensory impaired peers. They are also less likely to receive the protection and support they need when they have been abused. Practitioners and professionals should explicitly recognize the increased vulnerability of sensory impaired and disabled children to abuse and neglect, as well as the barriers they may face, especially around communication and provide for any additional safeguards needed to protect them.

Evidence base

The reasons why children go missing are varied, complex and unique to individual children: They may be reacting to an event or change in their lives such as a change in family circumstances or a bereavement. We know that children who go missing from home or care often report problems at home or at the home where they have been placed because they are looked after. They may be unhappy about decisions being made about them by their parents or carers and they may not feel listened to. They may go missing to areas where they have family or connections. They may be experiencing neglect or abuse at home. They may also be encouraged or coerced to go missing by dangerous adults or by other children.

Children in some circumstances are more likely to go missing than their peers:

Children looked after are three times more likely to go missing than other children (The Children's Society (2011), *Make Runaways Safe*, p.7).

Children placed outside their local area are at particular risk of going missing

(<https://www.childrensociety.org.uk/sites/default/files/appg-absent-inquiry-final-report-may-2016.pdf>)

On 31 January 2016, Europol reported that 10,000 unaccompanied children are unaccounted for after arriving in Europe, with many feared to be exploited and abused for sexual or labour purposes (Shavev Greene and F. Toscano, 2016, *Summit report: best practices and key challenges on interagency cooperation to safeguard unaccompanied children from going missing*

https://researchportal.port.ac.uk/portal/files/3591754/report_SUMMIT_Safeguarding_Unaccompanied_Migrant_Minors_1mrt1.pdf)

It is estimated that 60% of suspected child victims of trafficking in local authority care go missing (House of Commons, Home Affairs Committee (2009) *The Trade in Human Beings: Human Trafficking in the UK Sixth Report of Session 2008–09, Volume 1* London: House of Commons)

Almost two thirds of trafficked children are never found (CEOP (2010) *Strategic Threat Assessment: Child Trafficking in the UK* London: CEOP)

We know that when a child goes missing they may be exposed to a range of emotional, physical and sexual risks: They may engage in offending behaviour to survive or because they are being exploited by adults. We know that children with multiple missing episodes and those who go missing for prolonged periods are at high risk of child sexual exploitation and/or criminal exploitation and may be trafficked while they are missing.

What to do when a child is absent or goes missing

Reasonable efforts to establish the whereabouts of a child

Anyone whose whereabouts cannot be established should be considered as missing until located and their well-being or otherwise confirmed. However, reasonable efforts to locate a child and establish their whereabouts should be taken before a child is reported as missing to the police.

- Attempt to make contact with the child and to check on the whereabouts of the child with the people and at the places where you think they might be. If the child is located and is in a place where they are not considered to be at risk then it will not be necessary to report the child as missing.
- If there is a care and support or child protection plan in place for the child there may be agreed actions contained in the plan in the event that the whereabouts

of the child cannot be established. It will be expected for the foster carers to follow these agreed actions. Residential providers should ensure that all staff are familiar with any plans and agreed actions in relation to individual children. There should also be a discussion with the child to ensure that they understand the actions agreed in relation to their care.

- Arrangements should be made for the child to return to the place where they live or to another agreed place where they will be safe.
- If there are any specific issues of safety or public order difficulties involved in returning them, then the Police will make a decision on whether they can assist in the recovery process.

When a child goes missing

A missing person is “Anyone whose whereabouts cannot be established will be considered as missing until located and their wellbeing or otherwise confirmed.”

- If a child is not where they are expected to be and all reasonable efforts to make contact with the child or to locate them are unsuccessful then the child should be reported as missing to the police.
- Should the person reporting the child as missing be aware of any details that suggest that the child might be at risk of significant harm, it is imperative that these details are passed onto the Police including any information that has led to these concerns.
- Where a child has identified care and support needs or is looked after then parents, carers and residential staff have the responsibility to report a child as missing and are expected to take reasonable steps to assist in locating the child.
- The failure to report a child as missing or inappropriate delays in reporting a child as missing should be considered as a safeguarding concern and may suggest that a parent, carer or provider is not able to provide for the safety of the child.
- Where it is established that a child is missing from care (where they are a looked after child) there is a duty to:
 - Notify the Police
 - Notify the parents and anyone else with Parental Responsibility
 - Notify the Local Authority responsible for the child, Social Worker
 - Notify the Registered Home Manager/on call Manager
- If the child is looked after by the Local Authority the allocated social worker will inform the team manager of the missing episode

The Wales Safeguarding Procedures 2019 recommend that a Child Information Form (see appendix 1) should be used for all children who are looked after. The form should be completed for individual children, be kept up to date and include an up to date photograph. The Placement Team should provide the form to the foster carer or

placement provider for the child and ask that they amend the form following any changes in information.

The Child Information Form should be shared with the Police when the child is reported missing. This will assist the Police in risk assessing the missing episode so that they can respond in an informed and timely way. Supervising social worker should have a conversation with the child about the information recorded in the Child Information Form and should explain the circumstances under which the Child Information Form will be shared with the Police and others.

- When the Police receive a report that a child is missing they will carry out a risk assessment based on the information they receive and any information they already hold about the child and this will inform their decision on the appropriate response to the report that has been made. The Police assess cases of missing persons against a continuum of risk (see appendix).
- Whilst the child is missing all agencies involved should liaise with one another and discuss what ongoing actions will be taken to try and locate the child. Timely and effective information sharing is key to a robust safeguarding response.
- Police forces are required to submit case details to the Missing Persons Bureau (MPB) in relation to all: people reported missing in the UK who are still missing after 72 hours; foreign nationals reported as missing in the UK (via INTERPOL or any other means) and UK residents reported as missing abroad.

Foster carers' responsibilities when a child or young person goes missing

- Try to contact the child or young person yourself and check with people and at places where you think they might be.
- If you can't locate the child or young person phone the police on 101. Contact the police immediately if you are worried that the child or young people may come to harm.
- You should give the police all the information you can about what the child looks like, who they might be with, places they go and how they were feeling when they went missing. You must also share any information or worries you have because they have been in danger in the past or because of something that makes you think they are in danger.
- You should inform social services that the child has gone missing.
- If a plan has already been agreed about what to do when the child or young person goes missing you should follow the actions in the plan.

When a child is found

- When a child who has been missing (whereabouts unknown) is located the Police will decide whether they need to conduct a Safe and Well Check and complete a Public Protection Notification (PPN) or their force equivalent which shares information surrounding the child and incident with relevant partner agencies. A Safe and Well Check is not a Return Home Interview.
- Parents/carers, Police, Social Services and anyone else who has been informed that the child was missing should be informed that the child has been located.
- If there is no information to suggest that it is unsafe for the child to return home or to stay at home if they have already returned there, the Police should provide information to the child and to their parent/care giver about sources of information, advice and assistance that they can access locally as part of the Safe and Well Check if one is completed.
- If any agency has concerns related to the circumstances under which the child went missing or about the capacity of the parent or carer to keep the child safe without assistance the child should be referred to Social Services as a child who may have care and support needs with the parents consent under [Part 3](#) of the Social Services and Well-being (Wales) Act or as a child at risk under [Part 7](#) of the Social Services and Well-being (Wales) Act.
- 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 is not in the child's interests (for example, if a return to the placement raised concerns about his / her safety or well-being).The police do not automatically have power to detain a child.
- Social Services should only seek the assistance of the police to use their 'powers of protection' in exceptional circumstances and where there is insufficient time to seek an Emergency Protection Order or other reasons prevail relating to the child's immediate safety. When Police Powers of Protection are used, an independent officer of at least Inspector rank must act as the designated officer. The powers of protection can last up to 72 hours.
- If it is believed that a looked after child, a child subject to an Emergency Protection Order, or that a child in police protection has been unlawfully taken away or is being kept unlawfully from the responsible person, then under Section 50 of the Children Act 1989, an application can be made to the Court for a Recovery Order.

When a child or young person returns home – guidance for foster carers and parents

The police will carry out a 'Safe and Well Check' to make sure that the child or young person is ok.

When a child or young person returns after they have gone missing or is returned by the police it is important to make them feel safe and comfortable.

They might find it easier to talk to someone other than their carer/parent or about why they went missing or about what has happened to them while they have been missing.

If children and young people feel that adults are angry and upset and with them this might encourage them to go missing again or delay them in returning if they do go missing again.

The police will leave a leaflet for your child/the child you care for with information about services they can contact to talk to someone about any worries they have.

Approach following an episode when a child has been missing

- When a child has been missing and they return back to their home or placement it is important that they are made physically comfortable and are received in a way that makes them feel safe.
- Children have said that the fear that parent(s) or carer(s) will be angry with them when they return can delay their decision to return home or to their placement.
- Information for parents, carers and residential workers (see appendices) includes information on how to respond when a child returns home.
- If the child requires medical treatment, discloses that they have been the victim of a sexual or physical assault which requires examination and/or is under the influence of alcohol or drugs this should be dealt with in line with child protection processes and before they are asked detailed questions about what has happened to them.
- When they are ready children should be given the opportunity to talk to about their experience of going missing. This should happen in a place where and at a time when the child is comfortable to talk.
- The child may be comfortable to talk to their parent(s) or carer(s) and parent/carers should be given details of how to share any information that could be used to protect the child or another child from future harm.

A proportionate response – multi-agency responsibilities

If the child is at immediate risk of significant harm contact the Police on 999.

- Where the child appears safe and well and where there are no concerns about that parent(s)/carer(s) ability to keep the child safe and well, information about support should be provided to the child and to their parent/carer
- If any agency involved with the child has concerns that the child may have care and support needs that their parent(s)/carer(s) cannot meet without support, they should seek parental consent to refer the child to the home local authority Information, Advice and Assistance service for an assessment of their needs.
- Relevant partners have a Duty to Report Children at Risk (Section 130) under [Part 7](#) of the Social Services and Well-being (Wales) Act. Section 130(4) defines a “child at risk” as a child who:
 - **a)** is experiencing or is at risk of abuse, neglect or other kinds of harm; and
 - **b)** has needs for care and support (whether or not the Local authority is meeting any of those needs).

When a child has been reported under section 130, the local authority must consider whether there are grounds for carrying out an investigation under section 47 of the Children Act 1989.

- If Social Services make a decision that the report/referral received does not relate to a child at risk they will make a record of this and the rationale for their decision.
- Social Services of the local authority in which the child is located should make a decision on the evidence on whether to convene a multi-agency strategy discussion, to inform a decision on a response for the child, including whether to hold a multi-agency Strategy Meeting. Representatives of each local authority relevant to the child and any Youth Justice Service relevant to the child should be involved in the multi-agency strategy discussion. There should be no delay in responding to information about a child at risk because the child is not ordinarily resident in the local authority where the safeguarding issue is identified.
- Where there is already a care and support plan, child protection plan or they are a looked after child or they are in the secure estate, there should be a multi-agency strategy discussion to decide whether a Strategy Meeting is necessary to inform the development or review of a plan for the child.
- Children and young people are entitled to an active offer of advocacy from a statutory Independent Professional Advocate (IPA) when they become looked after or become subject of child protection enquiries leading to an Initial Child Protection Conference. The ‘**active offer**’ is made directly to the child by the Advocacy Service. An ‘active offer’ is a sharing of information about the statutory right and entitlement of a child in particular circumstances to access support from an Independent Professional Advocacy Service. Information should be shared with them that includes an explanation about the role of Independent Professional Advocacy. This includes what it can and cannot do, how it operates based on their wishes and feelings, its independence and how

it works solely for the child/young person, its policy on confidentiality and significant harm – it explains the statutory right of children and young people to be supported to express their views, wishes and feelings as well as their right to make a representation or complaint.

APPENDIX 1 – CHILD INFORMATION FORM



Child information
form.pdf

APPENDIX 2

Police continuum of risk for assessing missing persons

No apparent risk (absent)

There is no apparent risk of harm to either the subject or the public.

Actions to locate the subject and/or gather further information should be agreed with the informant and a latest review time set to reassess the risk. Some Police forces do not use this category – check with your force.

Low risk

The risk of harm to the subject or the public is assessed as possible but minimal.

Proportionate enquiries should be carried out to ensure that the individual has not come to harm. Some Police forces do not use this category – check with your force.

Medium risk

The risk of harm to the subject or the public is assessed as likely but not serious.

This category requires an active and measured response by the police and other agencies in order to trace the missing person and support the person reporting.

High risk

The risk of serious harm to the subject or the public is assessed as very likely.

This category almost always requires the immediate deployment of police resources – action may be delayed in exceptional circumstances, such as searching water or forested areas during hours of darkness. A member of the senior management team must be involved in the examination of initial lines of enquiry and approval of appropriate staffing levels. Such cases should lead to the appointment of an investigating officer (IO) and possibly an SIO, and a police search adviser (PoISA).

There should be a press/media strategy and/or close contact with outside agencies. Family support should be put in place where appropriate. The MPB should be notified of the case without undue delay. Children's services must also be notified immediately if the person is under 18.

APPENDIX 3

These organizations are there for all children and young people in Wales. Professionals and practitioners should let children know about these organizations and how to contact them.

Meic is the helpline service for children and young people up to the age of 25 in Wales. From finding out what's going on in your local area to help dealing with a tricky situation, Meic will listen even when no-one else will. They won't judge you and will help by giving you information, useful advice and the support you need to make a change. You can:

- Chat to someone from Meic on-line: <https://www.meiccymru.org/>
- Call Meic for free and talk to someone: **080880 23456**
- Text Meic for free on: 84001

You can contact the [Children's Commissioner for Wales](#) Investigation and Advice service which is free and confidential. It's there as a source of help and support if children and young people or those who care for them feel that a child's been treated unfairly. You or you parent/carer can:

- Call the service for free: **0808 801 1000**
- Email the service: advice@childcomwales.org.uk

Childline is a free, private and confidential service where anyone under 19 can access support and advice. The Childline website www.childline.org.uk has information and advice pages as well as tools to help you work through problems yourself. If you want to talk or chat to Childline you can:

- Call Childline for free: **0800 1111**
- Register on-line to email Childline or chat on-line to a counsellor: www.childline.org.uk/get-support/

If you want to talk to Childline in Welsh see www.childline.org.uk/get-support/