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Missing from Care

This Operational Instruction is part of the Pan Sussex LSCB Child Protection and Safeguarding Procedures and will be updated when they are.

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Procedure for reporting children who go missing from care

1. Introduction

This procedure supplements the more detailed guidance contained in the Joint Policy for Children Missing in Sussex¹, and is designed to outline the action to be taken when a child goes missing from care.

The Joint Policy should be referred to for further details of:

- Risk assessment and planning before a child in care goes missing
- Planning to address incidents of specific concern
- How to respond to longer absences
- Children in care who go missing during an external activity of a residential home
- Police powers

2. Definitions

Child

Where the procedure refers to 'child' or 'children' these terms include young people under the age of 18 years.

Missing Person

Anyone whose whereabouts cannot be established and where the circumstances are out of character, or the context suggests the person may be the subject of crime or at risk of harm to themselves or another.

Missing Child

Where the child's location or reason for absence is unknown and/or there is cause for concern for the child because of their vulnerability or there is a potential danger to the public. A child in the latter category must be reported to the police.

Children who become lost

Children who because of their age or due to a degree of intellectual impairment become separated from their carers, become temporarily disorientated and become missing as a result and would wish to be found. This is clearly very frightening and upsetting for all involved.

Looked After Children

¹ Available from the LSCB Website

The term “looked after children” has a specific legal meaning deriving from Children Act 1989. Under the Children Act 1989 a child is “looked after” if he or she is:

1: Provided with accommodation for a continuous period of more than 24 hours (Children Act 1989, Section 20 and 21) or

2: Is subject to a care order (Children Act 1989, Part 1V).

Absent

A person who is not at the place where they are expected to be.

Clearly some children absent themselves for a short period and then return and their whereabouts are known. Sometimes children stay out longer than agreed, either on purpose or accidentally, and may be testing boundaries. Children who make telephone contact and agree a time to return but subsequently fail to do could also fall within this definition.

This kind of boundary testing is within the range of normal teenage behaviour and not necessarily considered a risk, although a more general response such as additional parenting support and advice may be helpful as behaviour of this nature may fall within the wider safeguarding remit for services.

3. Response

The responsibility for responding to reports of children who go missing and for undertaking enquires to locate them and ensure their return to a safe caring environment lies with the police.

Anyone may report a child as missing to the police; they do not have to be a parent, carer, or other relative. Any report of a missing child must be recorded by the police area receiving the report.

Children’s social care staff will be expected to help the police in finding the child and to work co-operatively with police during any enquiry.

Even after reporting a child missing, staff should recognise that children’s social care are responsible for children in their care at all times, and this responsibility remains after they have reported a child missing to the police.

When a child or young person is missing from home or has become detached from their social care staff/foster carers, the priority must be ensuring the immediate safety of the child by finding them and returning them to social care staff/foster carers, providing this does not place any child at greater risk of significant harm.

3.1 Information to be made available

When reporting to the police, the person taking the report will need the following information:

- A description of the child and their clothing
- Details of when the child was last seen and with whom
- A recent photograph (if available)
- Family addresses
- Known associates and addresses frequented
- Personal details of the child
- Any previous history of absconding / absenteeism and circumstances of where found
- The names and addresses of the child's GP and dentist
- The circumstances under which the child is absent
- Any factors which increase the risk to the child
- Placement address (where appropriate)
- Contact details of carer (where appropriate)
- Name of staff member who has completed search of home for the child (NB police reserve the right to conduct further searches)

3.2 Notification of absence for a child in care

When a member of staff of a children's home, or a foster carer, realises that a child is missing from their care they should consider which definition the absence falls within. Support and advice in making this decision will be available from the social care department responsible for the child or from the responsible out-of-hours service.

If the absence is considered to fall with the definition of missing, foster carers or residential staff must without delay inform:

- The police
- The parents and those who have parental responsibility. This decision must be made in consultation with a team manager.
- The social worker or the accountable team manager
- The emergency duty service if out of hours and the social worker and accountable team manager the next working day

If the child is considered to fall within the definition of absent, the decision to record the child as such, together with the evidence supporting that decision must be recorded.

Use Form Missing_From_Care_Proforma_May_2011.

Details of children who are absent should still be notified to the police in order that a record of the child's absence can be made, and agreement reached on what needs to be done, and who will do what. Although there is an expectation that residential staff and foster carers should continue to make reasonable enquiries to locate the child, it may also be appropriate for the police to initiate some enquiries as well

Residential staff and foster carers should continue to regularly review the circumstances in the light of any enquiries made or information received, and inform the police of any developments. If the period of absence continues for six hours, consideration should be given as to whether the child should still be regarded as absent, or whether they should now be considered as missing. Six hours should be regarded as the maximum period before reconsideration, and in many cases a shorter period would be more appropriate.

Any case of an absent child which causes significant concern, or gives rise to the suspicion of harm, should be brought to the attention of the accountable team manager from the authority responsible for the child's care.

3.3 Informing the media

The Police are responsible for advising the media regarding children missing from Local Authority care. However, decisions to publicise will always be made in consultation with children's social care who will consult the parents and/or foster carers.

4. The return

The child should be given the opportunity to talk to someone independent of their family or of their placement about their absence. In some instances that person could be a police officer. It may be, however, that the child would prefer to speak to a social worker or to an independent agency.

The accountable manager in the authority responsible for the child's care should ensure that an independent return interview is arranged. If there are concerns that the child ran away as a result of circumstances relating to their family or to their placement then this interview would need to take place prior to the child's return. Otherwise this should take place within 72 hours of his/her return from absence.

Where an allegation of physical or sexual abuse is made or becomes evident, child protection procedures must be implemented and contact made immediately with the police child protection team and the child protection service at the authority where the child is living, if the child is in care and placed in another authority.

If there is any suggestion that the child has been a victim or perpetrator of crime, consideration must be given to the police being able to secure evidence, including by forensic examination. This should also include securing clothing and delaying washing/bathing in relevant cases. It must be remembered that all necessary permissions must be obtained from the child's parents and/or those with parental responsibility. It is essential to recognise that the welfare of the child is paramount and careful consideration must be given to the potential effects of such procedures on the child.

Carers, police, social workers and any other persons informed of the child's absence, should be advised of the child's return without delay.

For a child in care, the social worker and line manager should decide in consultation with residential staff/foster carers, the Independent Reviewing Officer and the child, whether they should convene a statutory review of the child's care plan.