

SPECIALIST EDUCATION SERVICES

Children Missing From Care and Education Policy and Practice

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1 INTRODUCTION

The following policy and practice guidance has been reviewed in relation to the DfE document, "Statutory guidance on children who run away or go missing from home and care" (January 2014) and Norfolk County Council's procedures in accordance with the same document. Reference should be made to Norfolk Constabulary's "Safer Homes and Young People Protocol (SHAYPP)".

2 RATIONALE

There may be occasions when young people who are living and educated at SES establishments will leave the premises without permission. This may result from impulsivity, distress, anger, frustration or any other emotion or life event that the young person finds difficult to manage. We know from experience that because many of the young people in our care have social, learning or communication difficulties they can respond to events in a very reactive manner, sometimes resulting in flight behaviours.

3 CULTURE

Children are less likely to run away, become missing or absent themselves without consent where they feel secure and safe, able to express their feelings and wishes, make appropriate choices and develop positive relationships with the adults and their peers, which are free from bullying. Children should feel that their plans are being progressed, that they have a positive future and that staff are working enthusiastically to support, advise and listen to them.

They should also have a clear understanding of expectations upon them, the routines of the home and house rules; to this end, they should know whether it's acceptable, or not, to leave the home without permission or consent and they should be counselled and informed of the risks that are posed to them if they become missing, abscond or absent themselves, of the agencies that may be able to help them, such as their Individual Social Worker, **Children's Commissioner** or **Childline** - and of the consequences.

High levels of absence, running away or incidences of children being missing, indicate the need for managers to 'take stock' - they should undertake a formal review of the culture and strategies being used in the home and take steps to reduce the incidents.

The Appropriate and Suitable Location Review for both SES establishments clearly indicates that the rural neighbourhood and surrounding areas present extremely low risk in relation to specific potential triggers that may lead to young people going missing.

4 **DEFINITIONS**

Missing

A missing child is a child absent without consent to a degree or in circumstances where the absence causes concern for safety of the child or there is potential danger to the public, and their whereabouts are unknown.

Absent Without Consent

Some children absent themselves for a short period and then return, often their whereabouts are known or thought to be known, they may be simply late or have left to cool off. They are not considered at risk and usually they are testing boundaries. Sometimes children stay out longer than agreed either on purpose or unwittingly. Their Risk Assessment, circumstances of age, previous behaviour, and information known at the time does not yet give cause for concern. This "boundary testing" is not within the definition of "missing"; these children should be well within the range of normal teenage behaviour and should be regarded as children whose absence is unauthorised.

Absconded

A child or young person who has gone missing who is subject to an order or requirement resulting from the criminal justice process (e.g. remands, curfews, tagging, conditions of residence, or a secure order made in either civil or criminal proceedings. This category would apply to a child for whom the Police have the power to arrest e.g. where bail conditions have been breached. It should be recognised that children who fit this criteria may also be vulnerable and at risk.

5 ASSESSING LEVELS OF CONCERN

The following criteria will help to inform whether a child who is absent or missing should be considered as high or medium risk:

HIGH RISK

A Child is automatically High Risk in the following circumstances

- If the Child is **Remanded** or otherwise **Lawfully Detained**, s/he is Absconded;
- The child's death may occur;
- The child may be at risk of serious injury or harm, e.g. from adverse weather conditions or the child's inability to stay safe;
- The child requires essential medication/medical attention;
- The child is likely to suffer Significant Harm;
- The child may come into contact with a person who may pose them a risk. The child may be injured, including self injury, and require medical attention;
- There is a warrant for the child's arrest;
- The child may commit a violent or criminal offence;
- The child may be abducted;
- If the child's name is on the list for a child subject to a Child Protection Plan;
- The child is subject to Police Protection;
- The child is subject to an Emergency Protection Order or Recovery Order.

OTHER RISK FACTORS

These are risks/indicators that should be considered when assessing other Children, who do not automatically fall into the High Risk Category

Time Factors:

Risks must be (re) assessed every two hours or if circumstances change;

If a Child categorised as **Low Risk** has been Absent or Missing for 6 Hours s/he is automatically categorised as **Medium Risk**;

If a Child categorised as **Medium Risk** has been Absent or Missing for 6 Hours s/he is automatically categorised as **High Risk**.

Other Risk Factors that must be considered when assessing the risks to the Child or others:

- Any guidance agreed within the child's Risk Assessment, Care Plan or Placement Plan;
- Vulnerability due to age, maturity, level of understanding;
- Particularly vulnerable (e.g. Child subject to a Child Protection Plan);
- In need of regular medication (e.g. diabetic);
- Previous history of being missing;
- History of self harming;
- Possible involvement in crime;
- Health, including mental health;
- Weather (e.g. severe cold or heat), or geography (e.g. remote area);
- Dependency on drugs and/or alcohol;
- Known vulnerability of the Child, raising concern that they may have been led into danger, including sexual exploitation;
- Known associates that give rise to heightened concerns over the missing Child's safety (e.g. associates known to be involved in criminal activities);
- Degree of risk to the public;
- Recent significant events, contributory factors and the child's state of mind at the time of the absence; immediate antecedents
- Time of day/night;
- Weather conditions
- Length of time at the establishment
- Legal status.
- Access to technology/mobile phone
- Access to money/debit card

6 PROCEDURES

Once it is certain that a young person has left the site the senior member of staff on duty should be notified immediately. The **Duty DCM (or Head of Education during the Learning Centre day)** will decide how best to respond. Above all else staff should respond in a calm and professional manner, presenting the Head of Education or Duty DCM with any required information.

In some circumstances it may be advisable to allow the young person some space and a period of reflection in order to calm or to regain their composure. In other instances where the young person, because of their emotional state, poorly developed road safety or social skills would be considered to be at risk, staff will need to intervene to ensure the safety of the individual. The intervention may include arranging for staff to search the immediate and/or local area, if it is safe to do so. Searches beyond that considered to be "local" should only be undertaken with the approval of the DCM. Staff should only follow a young person when there is a reasonable chance of returning them safely, without undue commotion and without leaving the other children inadequately supervised. In some circumstances an individual risk assessments may specify that a staff member must follow a young person deemed to be at significant risk of harm to themselves or others.

No two incidents of this nature will be identical. However, the Duty DCM will have some clear choice points where a decision will have to be taken as to whether or not to involve others in the situation.

This could involve:

- discussions and consultation with the staff team on duty,
- discussion with other colleagues not on the shift team, but who might have useful information and/or advice,
- dialogue with the person designated 'First port of call',
- dialogue with the Registered Manager.

A further influence on the decision making process is the amount of time the child has been out of staff sight. Generally, any timing should start from the last time the child was in direct sight of staff. It is likely that concern would be raised after about 30 mins had elapsed and certainly formal consideration of issues should take place at the 40 to 45 min marking point. For some children, concerns may be raised earlier due to factors such as vulnerability or age; this should be indicated in their individual risk assessments. The Duty DCM is empowered and supported in making an informed professional decision taking everything into account at any time up to and beyond this timescale.

If the decision is taken that the level of concern regarding the child's welfare is significant (e.g. medium or high risk - factors outlined in section 5 above will all inform this decision), the senior member of staff on duty or their delegate will notify the police, the child's placing authority and parents, (where appropriate after checking the young person's legal status). When reporting the absence of the child to the police, the senior member of staff should state the child is absent without consent; the police will use their own criteria to decide whether the child is formally a missing person.

6.1 CHILD IN CARE MISSING OR ABSENT ON AN EXTERNAL ACTIVITY

If a child goes missing or absents themselves during an external activity arranged by SES the person in charge of the activity will notify the Duty DCM (or Head of Education during the Learning Centre day) at their establishment. They will be responsible for ensuring that the general procedures in relation to an absent or missing child are followed and for notifying the local Police in that area.

The Duty DCM and the person in charge of the external activity will decide whether the party should return to the home, whether some staff should stay at the designated meeting point and whether a search of the vicinity is safe to undertake.

There will be a need to maintain communication with the local Police where the absence occurred.

6.2 PHOTOGRAPHS AND MISSING PERSON FORM

Two recent (dated) photographs of the young person (face and full body length) should be held on the young person's electronic and casework record. They should be regularly updated at a minimum frequency of once every two months. Should a child/ young person go missing it is vital to the safe recovery of the child that a recent photograph of the child is made available.

On admission to care, the consent of a person with **Parental Responsibility** will be sought for a photograph to be used in any subsequent missing person investigation. If possible the consent of the child/ young person should also be gained.

A Missing From Care Form is shared with the police to assist them in locating the child. This contains all key personal details as well as additional information such as threats and risks. The Missing Persons Form is stored in the Essential Information section of the Casework File. The form and the photographs are reviewed informally by the personal tutor monthly, and are formally updated and reviewed every two months, by the 5th of the month, in January, March, May, July, September and November. It must also be updated after a significant event that has impact involving a missing episode. Previous paper copies are shredded and electronic copies stored in the appropriate folder in the Individual Children's folders in the staff area of the network.

The Principal will consider the most appropriate ways to meet the above requirements without stigmatising the child and should ensure that the child/young person is made aware of what will happen if they go missing, including their right to be interviewed by an independent person on or prior to their return, and be given a choice as to who that may be. They should be given information leaflets and contact details of advocacy services/other services that they can access or that can be accessed on their behalf.

Unless it is in the best interests of the welfare of the young person, the photographs should not be used for any other purpose without the young person's consent.

7 **ACTIONS ON A YOUNG PERSON'S RETURN**

When the young person's whereabouts become known, the Duty DCM must make arrangements for the young person to be collected and returned as soon as is practicably possible, consultation with the social worker may be necessary.

Once the young person has returned safely to the home and if they have been reported as "missing", the police, the child's placing authority and parents (where appropriate) must be informed of the circumstances of their return by the senior member of staff on duty or designated person. **The decision on whether a child is formally classified as 'missing from care' can only be established in consultation with the First Port of Call.**

The young person will be offered food and a hot drink if they have missed a meal or have been absent for a number of hours and staff will attempt to establish with the young person the reason for their absence.

Staff must complete a Serious Incident form and the associated Young Person Absence Form on Clearcare and record all facts associated with the absence.

Recording must cover:

- actions taken by staff
- circumstances of the child's return
- reasons for running away
- action taken in light of those reasons
- evidence that a missing from care meeting with the child's social worker has taken place or been requested where the incident has been recorded as 'missing from care' (see below).

Following a 'missing from care' episode, the young person's social worker will be contacted and requested to visit the young person within 72 hours, in line with the Children's Homes Regulations and Quality Standards 2015, so they can discuss the absence with someone independent of the home. The social worker could delegate this responsibility to a suitable professional such as a Police Officer, PCSO or another voluntary agency. **Details of this visit should be recorded on the Young Person Absence form** (see Return Interviews below).

If this visit does not take place a record should be made of the reasons why and any actions SES adults have taken to facilitate the visit.

Where a young person is persistently absent from the establishment, or if they are at risk of significant harm, the registered person may call for a placing authority to review a child's care plan.

If it is apparent, upon the return of the child, that they have been the victim of a crime whilst absent, or that they may be in danger or at risk from any person arising from the circumstances that have occurred whilst absent, the Police must be called and asked to attend without delay. This is vital for the protection of the child and the speedy recovery of evidence. In these circumstances Ofsted must be notified.

Any report from a young person that they were missing because of abuse must be referred immediately to the local social services department for consideration under Child Protection Procedures, and Ofsted must also be notified.

Other than in the case of a Child Protection referral, notification to Ofsted only becomes necessary if the child is missing from care for an extended period with extensive Police involvement. Decision making in these circumstances will always result in discussion with whoever is the 'first port of call'.

Police support in returning children who have been absent promptly to the home does not count as a missing episode and will not require a notification to Ofsted. This also applies to the follow up welfare checks where police have been informed but the child returns by some other means. The only exception to this would be individual circumstances in which the child has been at unknown risk. The decision to notify will be made in discussion with the First Port of Call.

Return Interviews

Every child who has been reported as missing from care must be offered a return interview and actively encouraged to take up the offer. The details of this must be recorded as part of the accompanying Young Person Absence Form.

A "return interview" must be conducted for each "missing from care" episode. The purpose of this interview is:

- To identify the factors leading to the missing episode.
- To inform efforts to prevent further missing episodes.
- To inform any future missing person investigation should the child go missing again.
- To learn of the activities, associates, risks and victimisation involved in the missing episode and where possible, to address those risks.

As already outlined, the decision on categorising a child's absence as 'missing from care' can only be taken in full consultation with the First Port of Call.

8 PREVENTION OF IMPROPER ABSENCE

SES establishments provide a safe and stable environment that supports young people in developing social interaction skills and positive self worth, thus reducing the potential desire for missing from care incidents. Some examples of this are:

- Highly personalised care, activities and learning opportunities tailored to individual needs
- Regular house meetings
- PAN process planning structures
- Young people's PAN My Journey meetings
- Promotion of family relationships through systemic practice
- Individual therapeutic approaches as appropriate to the young person
- Opportunities to discuss concerns with key adults in privacy
- Proactive measures for dealing with any occurrences of bullying

- An open-door policy for seeking support from senior managers

The care plan of any child where the risk of running away has been identified should include details of the arrangements that will need to be in place to keep the child safe and minimise the risk of the child being absent or missing from their placement.

Young people who are at significant risk when absent or missing from care will have specific programmes designed to restrict or reduce incidents of absence. These measures will have been agreed in advance with the young person, parents (if appropriate) and the placing authority, and will be deemed to be **in the child's best interest**. All such programmes will be recorded in a written format and will be included within the young person's individual Risk Assessment and Daily Care.

The child's social worker and where appropriate their team manager will be involved in any such discussion with any resulting agreement being recorded, evidenced and shared accordingly.

Staff should be aware of their powers in relation to preventing a young person from leaving without permission and these will be regularly reviewed in staff meetings and professional development sessions. Details of arrangements for individual children will be clearly recorded within the Child's Individual Risk Assessment.

When a young person is intent on leaving the building and site without permission staff may have to consider whether or not a restrictive intervention should be exercised. Staff should initially seek to prevent the absence by **persuasion and dissuasion** even if they consider that restrictive intervention criteria are met.

Restrictive interventions may include:

- close supervision on site
- requiring a person to be supervised when out
- removing items from a person which could cause them harm
- physically stopping a person from doing something which could cause them harm
- holding a person so that they can be given care and support

(Social Care Institute for Excellence [SCIE]: Key Messages from the Mental Capacity Act)

If staff need to follow a child for reasons of safety then the member of staff should attempt **dialogue** particularly pointing out the consequences of the action to the child. If the child does not respond and continues to run off the member of staff should return to the building, unless instructed otherwise. The decision to use any other response rests with the senior member of staff involved with the incident.

**THE USE OF PHYSICAL CONTROLS IS NOT A SUBSTITUTE FOR
USING ALTERNATIVE STRATEGIES TO THWART IMPROPER
ABSENCE.**

Any use of Restrictive Physical Intervention needs careful consideration.
(See the Positive Management of Behaviour Policy and Practice document for further guidance).

Restrictive Physical Intervention should only be used as a means of preventing Improper Absence if all other means have failed, or the potential dangers of Improper Absence are so severe as to make impracticable the use of alternative strategies. Physical intervention should only be used as a means of preventing a young person leaving if:

- the young person is so acutely and seriously troubled that it is clear he or she is in immediate danger of inflicting self-harm, harming others, or damaging property;
- the young person is young and lesser interventions have either not been understood or successful and the child would on absconding be potentially in physical or moral danger;
- the young person is older but socially immature and vulnerable and consequently potentially at physical and moral risk;
- its use is intended to return a young person to a less dangerous situation;
- it is described as a course of permitted action in the young person's Placement Plan or Care Plan.

In circumstances where this pattern of behaviour is repeated on a regular basis and the child does not show signs of responding to a range of de-escalation and support strategies it is likely that SES will require an urgent meeting with the placing authority.