

JOINT PROTOCOL

TAYSIDE POLICE ANGUS COUNCIL



**MISSING CHILDREN, ABSCONDERS AND
CHILDREN OTHERWISE ABSENT FROM LOCAL
AUTHORITY CARE**

LIST OF CONTENTS

- 1 Introduction
- 2 Ownership
- 3 Purpose/Aim/Goals
- 4 Categories of Absence
 - i Absence without authority - Assessment - Action
 - ii Missing Persons - Assessment - Action
 - iii Absconders - Assessment - Action
- 5
 - Actions to be taken
 - Debrief Interview
 - Response on return
- 6 Education responsibilities
- 7 Missing from Care service at the National Missing Persons Helpline
- 8 Summary
- 9 Media

- Appendix 1** Risk Assessment (CC27)
Appendix 2 Risk Assessment Checklist
Appendix 3 Missing Person Report

1 INTRODUCTION

The Chief Constable, Tayside Police and the Director of Social Work and Health in Angus have agreed this joint protocol. It is the aim of this council that Social Work and Health, in partnership with Tayside Police, provides a caring and appropriate response to the children who abscond, go missing or otherwise absent themselves from local authority care.

Children who are 'looked after' are the collective responsibility of everyone in the community. The local authority looks after these children on behalf of local communities but others have a role to play. As 'corporate parents' the local authority must ensure that when children go missing, or otherwise absent themselves from residential establishments or any other type of local authority care i.e. foster care, the response is that expected of any good parent. The child must be located and promptly returned to a safe place, have their wellbeing established and the opportunity given to discuss and have resolved the reason that led to their absence.

The protocol sets out the roles and responsibilities of the police and local authorities for such children.

It takes into account The Waterhouse Report "Lost in Care" published in February 2000 and best practice, which exists elsewhere in relation to the response to children, and young people who may be 'at risk'.

It also embraces the principles of the Human Rights Act 1998 that formally incorporated the European Convention on Human Rights into UK law in October 2000. The Act requires that all action taken by a public body must be compatible with the provisions of the Convention and any legislation must be read and interpreted as if the principles of the Convention had been applied to it.

The aim of this protocol is to protect and promote the wellbeing of children looked after by the local authority within the Angus area.

This protocol will take effect from 1 September 2006.

2 OWNERSHIP

Officers' responsible: Divisional Commander (Eastern Division)
Director of Social Work and Health

3 PURPOSE/AIMS/GOALS

General Guidance:

The purpose of this protocol is to help all staff match their responses to the needs of particular situations as they arise and as they develop.

It is hoped that over-reaction can be deterred but also that under-reaction likewise can be avoided.

The safety and protection of children/young people and that of the wider community is the central concern of both agencies.

The tendency to respond solely because of available resources should be resisted and the needs of the situation should determine each agency's response.

Through implementing this protocol and using our professional judgement in effective collaboration, situations can be identified which show a regular pattern and become a joint problem. The agencies' approach to resolving repeated absconsions/absences should likewise be a joint one. It is neither in the interests of individual children/young people, the community or the agencies concerned that regular missing persons reports are discussed or made and allowed to become an established pattern. Where this looks likely then collaborative efforts need to be made to meet the needs of these children/young people and that of the wider community.

Even where children/young people do go missing repeatedly, each incident needs to be considered in its own right and the circumstances properly evaluated. It would be unjustifiable to dismiss the importance of a particular absence because of a previous history and leave the child/young person at risk because the full circumstances have not been properly addressed.

This protocol is intended as a framework in which sound professional judgement can be used to properly meet our collective responsibilities so as to ensure the protection of children/young people and also meet the interests of the wider community.

Purpose:

The purpose of the joint protocol is to identify the agreed actions to be taken by the relevant agencies when a child absconds or otherwise goes missing from their place of care.

4 CATEGORIES OF ABSENCE

- i. Absent without authority
- ii. Missing person
- iii. Absconder

Note - all categories of absence should be based on the placement risk assessment (Appendix 1) completed on prior to or at the time of placement. Further factors must also be considered in the risk assessment when a child goes missing (Appendix 2)

(i) **Absent without authority (Category 1)** (Those children voluntarily accommodated by the Local Authority). A child may be categorised as absent without authority when:

- the child has left his/her home or placement without permission;
- the child has not returned at the agreed time;
- the whereabouts of the child are known;
- there is a low level of risk (as defined by the risk assessments - Appendices 1 and 2).

Children who fall into the 'absent without authority' category must be the subject of a continuous risk assessment while they remain absent. Their status may change to 'missing person' after an agreed period of time determined by the risk assessment.

Whilst the child's status remains 'absent without authority' they will not be reported as missing to the police.

Action to be taken by Social Work (where a child fits into 'absent without authority' category and it has not been reported to the police).

The young person's situation will be continually risk assessed by the foster carer or Kinnaird Street staff based on the information becoming available.

The young person's situation will be reviewed on an ongoing basis by the foster carer or Kinnaird Street staff.

The length of time a child will stay in the absent without authority category will be dependant on the age and stage of development of the child and other risk factors.

- Children, who **go missing during the school day**, should be reported missing if (s)he does not return home or to his or her placement within one hour of the end of the school day (or earlier if the circumstances give cause for concern).
- Children who **do not return from school** should be reported missing 1 hour after the time (s)he should have been home from school.
- If a child **has not returned home or to placement** by 1 hour of the agreed time (s)he should be reported missing. A decision will be taken regarding the length of time a child may stay in the 'absent without authority' category but will be no longer than 1 hour after which they would be deemed as 'missing'.

Contact will be made with the parent and other adults known to the child / young person to advise of the circumstances and to ascertain details if known of the child / young persons whereabouts.

When the location of a child is known or suspected, then Social Work and Health should make arrangements for the safe return of the child.

A decision needs to be made on occasions when assistance may be sought from the police in returning the child to the care placement i.e. in specific issues of safety, alleged abuse by the care giver within the residential establishment, or where there are public order difficulties in returning a child.

Specific responsibilities of carers and unit staff are outlined in the Kinnaird Street Handbook and Foster Carers Handbook.

Action to be taken by Police

There is normally no need for any active police response to children / young people who fall into the “absent without category” as the police will not be advised that they are absent without authority **but**

If the police come across a child/young person whom they believe to be missing from care but it is not recorded as such on the Police National Computer, **they will**

- Contact the unit/carer (if known) and confirm the status/situation of the child/young person.
- Advise the unit/carer of the current location of the child/young person.
- Agree with the unit/carer for uplift of the child/young person (and from where).
- Take child/young person to agreed location (usually police station) for uplift as agreed.

Out of hours these steps should be taken with the Out of Hours Social Work Team based at 353 Clepington Road Dundee Telephone Number 01382 432270.

However, if it becomes apparent that the child/young person may have been involved in the commission of offences, or been the victim of crime during their absence, the appropriate course of action should be taken. The unit / carer / social worker / Out of Hours Team should be immediately informed and involved as necessary.

If there is reason to suspect/believe that the child has been abused then Angus Child Protection Committee Interagency Guidelines for Professional Staff should be consulted and followed as appropriate.

(ii) Missing Children (Category 2)

A child may be categorised as ‘missing’ when he/she is absent from their placement and:

- has not returned at the agreed time and their whereabouts are unknown;
- the risk assessment suggests a high level of vulnerability;

Action to be taken by Social Work

Where a child falls into the category of 'missing', the senior member of staff or carer will:

- report the child missing to the police immediately, if this is out with Tayside the child should be reported missing in the area from which they have gone missing;
- complete Missing Person Report (Appendix 3) and give to the police officer attending;
- advise the parent/guardian; and
- review the risk assessment on a regular basis.

Care staff should agree a designated worker for the young person after notification to the police.

The specific responsibilities of unit staff and carers are detailed in the Kinnaird Street Handbook and Foster Carers Handbook.

Action to be taken by Police

On receipt of information at the Control Room from Social Work and Health that a child is 'missing' the incident will be recorded on CAPTOR. Any police officer receiving a missing person report by any method other than via the force control room should ensure that the incident is reported to the control room so it can be entered on CAPTOR (police command and control room system).

The relevant Duty Divisional Inspector and Section Sergeant must be notified as soon as possible.

A Police officer will attend at the unit / carers address and uplift the Missing Person Report (Appendix 3), which will be completed by a staff member/carers.

The Police officer should liaise with staff / carer regarding the risk assessment which will have been done by staff / carer prior to the child being reported 'missing'. All staff / carers concerns should be noted.

Police officers should ensure that the control room is updated as soon as possible with all the relevant information regarding the 'missing' child. It is the responsibility of the Control Room Supervisor to ensure that CAPTOR and PNC entries are made.

All enquiries thereafter regarding a child 'missing' from local authority care should be on the lines of a normal missing person enquiry.

AND

Police officers receiving reports of children falling into this category should comply with Force guidance on the handling of "Missing Persons".

(iii) Absconder (Category 3)

The term 'absconder' only applies to those young people who are subject to compulsory measures of supervision which explicitly state that they are to be kept in a place of safety or are remanded or sentenced by a court or are required by a condition of a supervision requirement to reside in a specific named place or establishment. It is important to check the exact wording of any legal documents pertaining to the child before assuming that he or she can be classified as an absconder.

Section 83 of the Children (Scotland) Act 1995 makes it an offence to knowingly assist or induce a child to abscond. Anyone found guilty of such an offence may be liable on summary conviction to a fine or imprisonment for a term not exceeding 6 months.

Note - a child should be categorised as an absconder if 'missing' from a place where he/she has been legally placed.

Action to be taken by Social Work

- In situations where a child is transported out with Tayside and (s)he falls into this category, subject to the risk assessment, must be reported immediately in the area from which they have absconded to the police as an 'absconder';
- Advise the parent/guardian;
- Review the risk assessment on a regular basis.

Specific responsibilities of unit staff and carers are detailed in the Kinnaird Street Handbook and Foster Carers Handbook.

In these cases responsibility for the young person rests with Social Work and Health responsible for the compulsory measures of supervision.

Action to be taken by Police

Note - Children's (Scotland) Act 1995, 82(1) - A child who "absconds may be arrested without warrant in any part of the UK and taken to a Place of Safety".

On receipt of information at the control room from Social Work and Health that a child is an 'absconder' the incident will be recorded on CAPTOR. Any police officer receiving an 'absconder' report by any method other than via the force control room should ensure that the incident is reported to the control room so it can be entered on CAPTOR.

The relevant Duty Divisional Inspector and Section Sergeant must be notified as soon as possible.

A Police officer will attend at the unit / carers address and uplift the Missing Person Report (Appendix 3) which will be completed by a staff member / carer.

The Police officer should liaise with staff / carer regarding the risk assessment which will have been done by staff / carer prior to the child being reported as an 'absconder'. All staff / carers concerns should be noted.

Police officers should ensure that the control room is updated as soon as possible with all relevant information regarding the 'absconder'. It is the responsibility of the Control Room Supervisor to ensure that CAPTOR and PNC entries are made.

All enquiries regarding the 'absconder' should then be completed along the lines of a normal missing person.

AND

Police officers receiving reports of children falling into this category should comply with Force guidance on the handling of "Missing Persons".

5 PROCESS

Social Work action to be taken on the return of a young person

If the child has been reported missing to the police and returns of his/her own accord, it is the responsibility of the designated worker to notify the police of his / her return and check that the child feels safe returning to their place of residence.

Police action to be taken

If the young person is returned by the police, prior to the police returning the child to their carer or unit, they should ascertain whether their period of absence was due to any abuse within their residential establishment or care placement - if this is the case child protection procedures should be followed (please refer to Child Protection Protocol Manual).

Debrief Interview

- All young people who go missing from a residential care facility or a foster home will be subject to a debriefing interview as soon as possible after their return. Specific agreements arrangements for conducting debrief interviews for children who abscond on a regular basis should be incorporated into the child's care plan. Preferably this debriefing interview should be conducted by someone not involved in the direct provision of the day-to-day care of the child. A decision should be made on the child's return about who conducts the interview i.e. police, fieldwork staff or OOHS staff.
- Interviews will be recorded by police on the Missing Person Report and by Social work within the child's case file.

The purpose of these interviews is to:

- explore the reasons for their absence - could it have been prevented?;

- ascertain if possible the child's whereabouts during the period of absence;
- ascertain whether any harm has come to the young person during their period of absence;
- ascertain whether they had been involved in sexual exploitation; and
- ascertain whether they have been involved in or witnessed acts of a criminal nature.

Note - Officers from the Family Protection Unit and the Child Protection Team / Child Care Team should conduct the interviews which may involve allegations of sexual or other abuse in accordance with Angus Council's child protection operational instructions.

Response on Return - Social Work Staff

- A young person should be made welcome upon return.
- Every effort should be made to talk to the young person to ensure they are physically safe and well.
- Assess whether the young person is under the influence of drink, drugs or other substance, discussion between the unit staff / carers and police should take place to ascertain whether the young person needs to be taken to A&E.
- Any information given should be recorded in the young person's file.
- Ascertain the medical condition of the young person and arrangements made for medical attention if necessary; and
- Advise parents or other relevant adult of the child / young persons return.

6 EDUCATION

Where a child or young person is absent from school and no explanation has been provided by 9.45 a.m. a member of staff from the school should take steps to contact the parent/carer via one of the telephone numbers provided. Where it is impossible to reach anyone the child's social worker should be contacted.

If a parent or carer advises that his/her child will be absent from school for a fixed period of time the information should be noted and, if the child does not re-appear on the day indicated by the parent or carer, the school should take the initiative by contacting the home and enquiring about the child's health and his/her likely date of return.

The above steps should help identify children/young people who are missing at an early stage.

7 MISSING FROM CARE SERVICE AT THE MISSING PERSONS HELPLINE

The Missing from Care (MfC) service at the National Missing Persons Helpline accepts referrals from anyone involved with the missing child. Its main priority is to assist social workers return a missing "looked after" young person to a place of safety. MfC has close contacts with specialist police units and links with communities and organisations that can provide information or help. The Scottish Executive funds the MfC service. Contact can be made with the service on 020 8392 4527 or by email at mfc@missing-persons.org.

8 **SUMMARY**

Co-operation and clear lines of communication between agencies are essential in managing situations whereby children go missing from local authority care.

On each occasion a risk assessment must take place based on relevant information from all agencies involved.

The reporting of missing children by the local authority to the police will be in accordance with the protocol.

The police will respond in a manner appropriate to the circumstances under which the child has been reported missing and in accordance with the protocol.

Child protection procedures will be considered in respect of all cases of significant harm to a child or young person under 16 years of age or 18 years if the child is accommodated or looked after.

Listening to the child's account of the reason for absence is of paramount importance.

Someone not involved in the direct provision of day to day care of the child should debrief children.

9 **MEDIA**

In some cases decisions have to be made regarding a press release in relation to a child missing from local authority care. This decision will be made through the Divisional Commander or senior investigating officer in consultation with the senior manager, Social Work and Health.

Where possible family members will be notified of any proposed press release.

**RISK ASSESSMENT REPORT REGARDING
CHILD/YOUNG PERSON IN PLACEMENT**



PRESENT:

--

PLACEMENT DETAILS

Child/Young Person's Name:	
D. O. B:	___ / ___ / ___
Home Address:	
	Postcode:
Placement Address:	
	Postcode:
Carers/Key Workers Name:	
Date of Placement:	___ / ___ / ___
Date Risk Assessment Completed:	___ / ___ / ___
Review Date:	___ / ___ / ___
Date of Assessment:	___ / ___ / ___

Background Information (including specifics regarding previous incidents of concern/investigations):

Risks Assessed (general):

Situational Risks Identified in Current or Proposed Placement:

Actions Required to Manage Risks (state precise actions and person responsible):

Other specific Actions to be undertaken by Residential Staff/Carers to manage risks

RISK ASSESSMENT

In assessing the level of risk to a child and deciding on a category of absence, the following factors should be considered (this list is not exclusive) along with the recommendations agreed within the child's care plan, which includes the placement risk assessment.

- Age of the child/young person and an assessment of their level of social, emotional and sexual maturity.
- The reason for child being accommodated.
- Recent health of child/young person, including access to medication and any chronic condition or disability.
- Recent history of alcohol/drugs/substance abuse.
- History of self-harm.
- History of absconsions, truancy and pattern of behaviour, including offending behaviour.
- Involvement in sexual exploitation.
- Network of associates and parents when absent.
- Likelihood of self-return.

In assessing the level of risk to a child who is absent, these additional factors have to be considered:

- time child left;
- time child expected back;
- length of time overdue;
- particular circumstances at time of absence e.g. state of mind;
- any previous absences and how the child was returned; and
- any known reasons possibly contributing to the absence.

TAYSIDE POLICE **Appendix 3**
MISSING PERSON/ABSCONDER

MALE/FEMALE	AGE
-------------	-----

SURNAME			
FORENAMES			
DATE AND PLACE OF BIRTH			
HOME ADDRESS			
TELEPHONE NUMBER			
MOBILE TELEPHONE NUMBER			
PLACE MISSING FROM			
REASON FOR DETENTION/CARE			
MISSING SINCE	TIME	DATE	
PHOTOGRAPH - ATTACHED/UNAVAILABLE			
RESIDENT AT UNIT/HOME SINCE			
NICKNAME(S)			
ETHNIC APPEARANCE			
HEIGHT			
HAIR COLOUR	TEMP HAIR COLOUR		
HAIR STYLE			
FACIAL HAIR	FALSE FACIAL HAIR		
EYE COLOUR	EYE COLOUR 2		
EYE TYPE	EYEBROWS		
COMPLEXION			
BUILD			
MARKS			
SCARS			
TATTOOS			

CLOTHING WORN	
---------------	--

OTHER POSSESSIONS	
-------------------	--

MONEY IN POSSESSION	
---------------------	--

LAST SEEN BY	
TIME	
DATE	
PLACE	
CIRCUMSTANCES	
REASON FOR DISAPPEARANCE	

ACCOMPANIED BY	
----------------	--

ACCESS TO VEHICLE	
-------------------	--

REPORTED TO POLICE BY	
TIME AND DATE	

FORM HANDED TO		
Name	Rank & No	

MISSING PERSON/ABSCONDER

RELATIVES AND ASSOCIATES – (Please provide Name, Address, Tel number and relationship)

SCHOOL	
--------	--

PREVIOUSLY MISSING – YES/NO	
IF YES – WHERE TRACED-	

LAST MISSING		HOW LONG	
--------------	--	----------	--

FREQUENTS	
-----------	--

MENTAL STATE	
--------------	--

AT RISK–YES/NO	
IF YES – DETAILS –	

DOCTOR	
DENTIST	

ADDITIONAL INFORMATION –