

# **Children and Young People who go Missing from Home or Care Joint Protocol 2022**

## **Leicester Safeguarding Children Partnership Board and Leicestershire & Rutland Safeguarding Children Partnership, Integrated Care Board and Leicestershire Police**



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See also

[Statutory guidance on children who run away or go missing from home or care \(DfE\)](#)  
where the child is, or has been, persistently absent from the placement.

[Definition of 'Missing' \(College of Policing website\)](#)

## 1. Introduction

This protocol is important for the safeguarding of children and families across Leicester, Leicestershire, and Rutland, or those using services in the area. It should be read and implemented, where necessary, by all professionals, practitioners and managers working with children or young people who are at risk of going missing from home or care or who are already doing so.

This protocol will assist in developing robust responses to missing children and young people and should be used to engage partner agencies in developing preventative services for children and young people who are at risk of going missing.

The Leicester, Leicestershire and Rutland Local Safeguarding Children Partnerships expect all agencies working with children or young people who are **missing** to implement this protocol and ensure that all relevant staff are aware of it and how to use it. It should be used in all new contacts with children and young people.

The Leicester, Leicestershire, and Rutland Safeguarding Children Partnerships will be responsible for ensuring an annual review of the effectiveness of all aspects of this protocol.

### 1.1 Contact Information

If you believe that a child is at immediate risk, this should be reported without delay to Leicestershire Police on the emergency number 999. Non-emergency reporting can be made by calling 101. If you have a safeguarding concern then you should contact Children's Services on:

- Leicester City: 0116 454 1004
- Leicestershire: 0116 305 0005
- Rutland: 01572 722407

Leicestershire Police Missing Persons Team can be contacted regarding **currently missing cases/investigations** as follows:

Email: [missingpersonsteam@leics.police.uk](mailto:missingpersonsteam@leics.police.uk)  
Telephone: 101 Ext. 5008

Leicestershire Police Missing Prevention and Reduction Team (MPRU) - a team who work with parents/carers/guardians and professionals to prevent and/or reduce repeat missing episodes.

Email: [MPRU@leics.police.uk](mailto:MPRU@leics.police.uk)

## 2. Principles

Our joint aim is to reduce the incidence of all children going missing. The reasons for their absence are often varied and, in some cases, complex and cannot be viewed in isolation from their home circumstances or their experiences.

Every missing episode should prompt the professionals and practitioners involved to collaborate to ensure a consistent and coherent response is given to the child upon their return.

When a child does go missing our joint aim is to prevent that child suffering harm and to recover the child to safety as soon as possible. We do this through partnership working, information sharing, problem-solving and performance management.

Interventions are important in attempting to address repeat missing episodes. Interventions for looked after children must be informed by and reflected in the placement information record and in the care plan.

## 3. Missing Person Definition

The following definition applies to this protocol and relate to children who go or have gone missing. (This is the current National Definition and is currently under review by National Leads for Missing and the College of Policing):

The definition for a missing person is as follows:

***Anyone whose whereabouts cannot be established will be considered as missing until located and their wellbeing or otherwise confirmed.***

### 3.1 What makes missing children and young people important?

We all have a responsibility to safeguard young and vulnerable children. Going missing can be symptomatic of wider problems in a child or young person's life.

For whatever reason, it is clear that children are vulnerable and those that decide to go missing have worries, are vulnerable and could be in danger. More tragically, some missing episodes may lead to loss of life or being exploited.

**The Children's Society through its research has identified that the following risk factors can precede a missing incident:**

- Argument and conflict
- Conflict in placement
- Poor relationships with family
- Physical and emotional abuse
- Boundaries and control
- Step-parent issues

**The Immediate risks associated with going missing include:**

1. Involvement in criminal activities
2. Victim of abuse (including forced marriage and so called honour-based violence)

3. Exploitation – criminal and sexual
4. Modern slavery
5. Substance misuse
6. Alcohol misuse
7. Deterioration in physical and mental health
8. Missing education

This protocol should be read in conjunction with individual agency internal policies and procedures and the LLR Children Safeguarding Procedures available on the SCP websites:

- Leicester City: [www.lcitylscb.org](http://www.lcitylscb.org)
- Leicestershire and Rutland: <https://lrsb.org.uk/>
- Procedures on line <https://lrsb.proceduresonline.com/zoom/search.php?>

## 4. Legislation

The legal parameters within which missing person enquiries are conducted can be found in common law, international law, and the provisions of the European Convention of Human Rights (ECHR).

### 4.1 Human Rights Act 1998

The Human Rights Act 1998 has been considered with regard to this protocol. Proportionality has been identified as the key to Human Rights compliance. This means striking a fair balance between the rights of the individual and those of the rest of the community. The right to life and the protection thereof will always be the primary consideration in striking this balance. There must be a reasonable relationship between the aim to be achieved and the means used.

### 4.2 GDPR and new Data Protection Act 2018

It should be remembered that the personal details of any individual amount to personal data. Personal data means any information which, directly or indirectly, could identify a living person. That includes information about the missing person, the person reporting, anyone the missing person has been associating with during the time they have been missing and any other person whose details have been recorded, as a result of the enquiries undertaken. Each organisation that processes personal data must ensure that the personal data it uses fulfils the requirements of the GDPR.

## 5. Who does this protocol relate to?

**Child:** *A child or young person under the age of eighteen years with the exception of a former relevant child within the meaning of the Children (Leaving Care) Act 2000; these young people continue to be the responsibility of the Local Authority up to the age of 21 (24yrs if in receipt of fulltime education).*

- **Looked after Children (LAC), also known as Children in Care (CIC)** – these are children in care of a local authority and includes unaccompanied asylum-seeking children (UASC).

- **Children placed in Leicester, Leicestershire, and Rutland (LLR) by other Responsible Local Authorities**

All professionals should record when these children are missing and ensure that the Responsible (placing) Local Authority with overall responsibility for the child is kept informed of the situation and close liaison will be needed between the authorities and Police forces.

- **Children from LLR in a placement outside LLR**

The Local Police and Local Children's Service where the child is placed should be notified of any missing episodes by the care provider. If it seems that the child may be returning to their home authority, close liaison will be needed between the authorities and Police forces.

- **Young people** (children 16+ who are in any form of care provision, which is supported by the responsible authority).
- **Children missing from Home**

The Protocol should be read as guidance only and cannot anticipate every situation. Anyone working with children in a professional capacity should use their judgement to take whatever action is deemed necessary to protect and safeguard a child, based on an assessment of risk for each child.

## **6. Actions to be taken**

If it comes to the attention of any agency that a child is missing, they must advise the parent/carer/guardian of the need for them to report the matter to the Police and it is the duty of the agency to verify that the child has been reported missing.

If the missing child is under the care of the Local Authority then the person reporting must share the correct name and date of birth, the legal status (details of any open cases and/or care orders etc.) and any significant history.

Leicestershire Police will make an initial assessment as to whether the child should be recorded as missing and determine the initial level of risk. If the child is assessed as missing, Leicestershire Police will record an incident and provide a unique incident reference number.

It is the ongoing responsibility of the parent/carer/guardian to inform the Police immediately if they have any contact with or any new information about the child's situation or whereabouts, and to continue trying to locate them.

In the event that the child has returned or been located, the parent/carer/guardian must immediately inform the Police.

If the child is found/verified by the police, the police will carry out an interview. The purpose of this is to check any indication that a child has suffered harm, where and whom they have been with, and to give an opportunity to disclose any offending against them.

When children are reported missing, the Local Authority will consider if a Strategy Discussion is required.

When a child has been missing for a period of 48 hours, the Local Authority will consider if a 'Need to Know' will be required.

Multi-Agency consideration can be given to applying for recovery orders (Section 50 Children Act 1989) or issuing child abduction warning notices where appropriate.

When a child is no longer missing, an independent missing return interview will be offered. This is to ensure that there is no ongoing risk and to put in place any support required to prevent further missing episodes.

All Local Authorities will keep data regarding missing episodes and ensure that return interviews and outcomes are shared with partnership agencies.

## **7. Preventing and reducing missing episodes**

In order to safeguard the welfare of young people it is important to try to reduce the likelihood of missing episodes as well as planning strategies to deal with young people who have been missing. The Looked after Children and young people Care providers' information pack (LAC Pack) provides guidance and good practice around responding to risks faced by looked after children.

### **7.1 Philomena Protocol**

The Philomena Protocol is a scheme that asks parent/carer/guardian to identify children and young people who are at risk of going missing, and to record vital information about them that can be used to help find them quickly and safely.

Consideration should be given to completing the form, if there is a concern that a young person might go missing. The form includes details like a physical description, who their friends are, a recent photograph, whether they've gone missing before and things like what the young person was wearing at the time and where they were last seen.

The police only need to see the completed form if the child or young person is reported as missing, hence if completed, tell the call handler that you have a Philomena Protocol form.

The LAC Pack, which also hosts information and guidance about the Philomena Protocol and forms, can be accessed via the LLR Safeguarding Procedures under [LLR Local Resources](#):

## **8. Absent without Authority**

A person is 'absent' by the Local Authority when they are not at a place where they are expected or required to be. This relates to those young people who are often in local authority residential placements and have either missed their curfew or have stayed out later than agreed. Unless there is a risk known, these young people should be internally reported as Absent without Authority and carers/guardians should continue to try to establish their whereabouts.

## **9. Media Strategy**

In some cases, particularly where a missing child is felt to be especially vulnerable or where they have been missing for a long period of time, it may be necessary to publicise the case via the media. Such an approach is not routine but is usually a response to very serious concerns for the child's safety. Either parents/carers/guardians or the Police may suggest such an approach. Normally, such decisions to publicise will be jointly made and, where appropriate, in consultation with parents and Children's Services.

The consent of a person with parental responsibility will be sought for a photograph to be used in any subsequent missing person investigation.