



Children's MARS Protocol

Children who run away or go missing from home and care

January 2024

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Introduction

This protocol should be read and implemented, where necessary, by all practitioners and managers working with children or young people who are at risk of going missing from home or care, or are already doing so. The protocol has been developed in accordance to the Statutory Guidance on [Children who Run Away or Go Missing from Home or Care](#) (2014) Department for Education.

The following definitions apply to this protocol and relate to children who runaway or go missing from home or care:

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

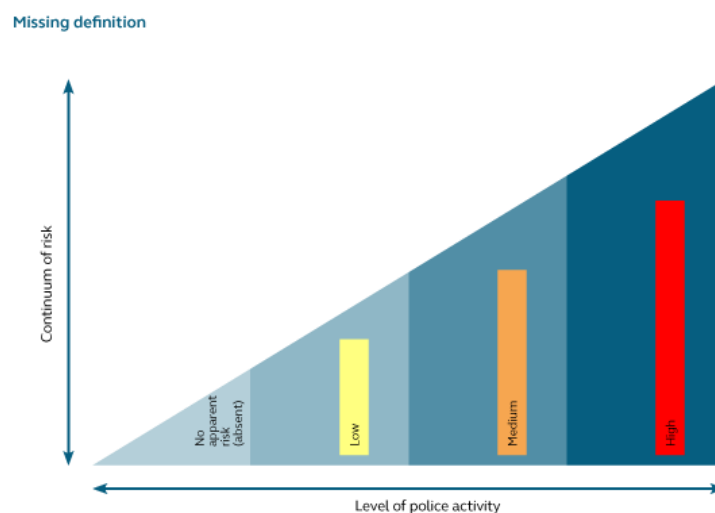
Young runaway: a child who has run away from their home or care placement, or feels they have been forced or lured to leave

Missing child: a child reported as missing to the police by their family or carers.

Missing from care: a looked after child who is not at their placement or place they are expected to be (e.g. school) and their whereabouts is not known.

For further information about the definitions used in this protocol see [appendix 1](#).

All reports of missing people sit within a continuum of risk from 'no apparent risk' (previously referred to as absent) through to high-risk cases that require immediate, intensive action.



The College of Policing Authorised Professional Practice (APP), November 2016

This protocol should be read as guidance only and does not cover 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 children. This should be based on an assessment of risk for each child.

For further information see:

- [One Family Approach - Helping Children and Families in North Lincolnshire document 2020/24](#)
- [Children's MARS policy and procedure for assessing need and providing help](#)
- [Information sharing guidance](#)

The legislative background to this protocol is outlined in [appendix 2](#).

The protocol applies to:

- all children living in North Lincolnshire
- looked after children by North Lincolnshire placed within residential children's homes or foster homes (either local authority or independent) within the local authority area
- looked after children by North Lincolnshire who are living with parents or relatives and who are subject to a Care Order
- looked after children by external local authorities who are placed in North Lincolnshire within independent residential children's homes or foster homes.

North Lincolnshire retains responsibility for looked after children who are placed outside the local authority area. In these cases, North Lincolnshire will require the placement provider to comply with the protocols for their local area supplemented by this protocol.

External local authorities placing looked after children within North Lincolnshire will be required to comply with this protocol.

Within this context, 'Looked After Children' refers to children accommodated under Section 20 of the Children Act 1989, children subject to Care Orders including Interim Care Orders, sections 31 and 38 Children Act 1989, and children who are otherwise provided with accommodation under section 21 Children Act 1989. These include Police and Criminal Evidence Act (PACE) transfers, children on remand and children subject to a supervision order with a residence requirement.

In addition, the protocol will apply to all young people placed within North Lincolnshire (including those aged over 18) for whom North Lincolnshire Council has continuing responsibilities for under the Children (Leaving Care) Act 2000. The local authority and other agencies will report a child missing to the police according to this protocol. Humberside Police will receive and record reports of children missing from their home or care.

The local authority and the police will monitor compliance with the protocol and outcomes through the Multi Agency Missing Children Meeting and the monthly performance report.

The Children's MARS Board will monitor responses to missing children. The Multi Agency Missing Children Meeting will report to the Risk Outside the Home Strategic Group. The Children's MARS Board will also receive regular reports analysing data, themes and including updates on required actions and those taken in relation to children missing from home or care.

Aim of the protocol

The purpose of this protocol is to assist practitioners from all organisations to develop robust responses to children who run away or go missing. The reasons for their absence can be varied and complex and should be considered within the context of their home and care experiences.

Children who go missing may face risks and each missing episode is potentially serious. When a 16 or 17 year old runs away or goes missing they are no less vulnerable than younger children and are equally at risk, particularly from sexual exploitation, violent crime or gang exploitation or to drug and alcohol misuse. Every missing episode should attract proper attention from the professionals involved, who must collaborate to ensure a consistent and coherent response is given to the child on his / her return. Children missing from care are particularly vulnerable however the majority of missing children are not looked after and go missing from their family home. [Appendix 3](#) outlines some information about the prevalence of missing children, the reasons why children may go missing and associated risks.

The aim of the protocol is:

- to reduce the incidence of all children going missing and the risks associated with children who go missing
- to prevent the missing child suffering from harm and to recover the child to safety as soon as possible

This will be achieved by providing effective support and interventions, including good information sharing, multi-agency assessment / planning and performance management. Interventions will include a consideration of risks for each individual child and a focus on reducing repeat missing episodes. Working in partnership with children and their families is key part of this process and children's views and concerns will be taken seriously.

All interventions will be informed by effective return interviews. Support and interventions may be focused on the individual child, the child's home or by targeting 'push or pull' factors in the community. 'Push or pull' factors are the influences which appear to 'push' the child from his or her place of residence or 'pull' the child to an alternative place. Interventions for looked after children must be informed by and reflected in the placement information record and in the care plan.

North Lincolnshire Council and Humberside Police have named leads that are responsible for children missing from home or care.

Missing people

Support for children and young people who are going missing and their families is available through Missing People at www.missingpeople.org.uk which is free and confidential. Call or text 116 000 or email 116000@missingpeople.org.uk

Responding to missing children

All practitioners working with children at risk of going missing should discuss the dangers of running away with the child and, if appropriate, their family. They should be told about support services, helplines and independent return interviews for children. See [appendix 4](#) for associated resources.

Responses and considerations

Concerns about immediate risk to a missing child

If a child is at immediate risk this should be reported without delay to Humberside Police on 999, otherwise the police should be informed by calling 101.

Children's Services should also be informed by contacting the Single Point of Contact on 01724 296500 Monday to Friday and on evenings and weekends by contacting the extended hours team on 01724 296555

Concerns that a child is missing from home

Parents and those with parental responsibility are normally expected to have undertaken the following basic measures to try to locate the missing child, if considered safe to do so. Anyone else who has care of a child without parental responsibility should take all reasonable steps to locate the child and ascertain their safety.

Professionals working with families should support parents and carers in taking the following necessary steps:

- search bedroom / accommodation / outbuildings / vehicles
- contact known friends and relatives where a child may be
- visit locations that the child is known to frequent or was known to be attending, if it is possible e.g. a friend's house or party
- call or text any mobile phone held by the child and leave a message asking them to make contact
- contact the child's school or school friends to gather any available information regarding the child's whereabouts
- check to see if any items are missing from the home

At the point where a parent / person with parental responsibility consider the child to be missing they should inform the police without delay on 101. The parent/carer should always ask for and record the police incident number.

If it comes to the attention of any agency that a child is missing, they should check that the parents / carers have taken steps to try and locate the child as outlined

above. They must advise parents / carers of their need to report this matter to the police if the child cannot be located. If it is believed that a child has not been reported as missing then professionals need to check this with the police and follow this up by contacting them to verify that the child has been reported missing.

Concerns that a child is missing from care

(Also see [Section 4. Additional Arrangements Relating to Looked after Children](#))

When a child in care goes missing it is the responsibility of the carer to undertake the steps outlined above. The carer should always ask for and record the police incident number.

Reporting a child missing to the police

When reporting a child missing to the police any relevant information that might help to find or support the child should be shared.

The following set of questions may assist during the initial assessment of risk:

- Why are you worried about the missing person?
- What has been done so far to trace the individual?
- Is this out of character?
- Have they been missing before? If yes, what happened whilst they were missing?
- Are there any specific medical needs?
- Are they likely to become the victim of crime?
- Are they likely to be hurt or harmed?
- Are they currently at risk of child exploitation?
- Are they likely to self-harm or attempt suicide?
- Do they pose a danger to other people?
- Are they likely to have travelled abroad?
- Is there any other information relevant to their absence?

In addition to the information gathered in response to the initial risk assessment questions (above) the following will also be recorded as a minimum when taking the initial report:

- Name
- Age
- Description of child
- Description of clothing
- Home address
- Location missing from
- Circumstances of going missing
- Details of any vehicle or other transport used
- The relevant information concerning the person reporting the disappearance
- Location of where the missing person might be
- Any medication the missing person requires, frequency of taking and effects of not taking it

- Information about known risks e.g. a child known to be at risk of being sexually exploited
- Information about any person who might have contact with the missing person, such as people with whom the missing person was found in previous incidents e.g. estranged parents, boyfriends and girlfriends
- Name, address and telephone number of person reporting (if the missing child is in local authority care, consideration should be given to obtaining alternative and out of hours contact details in case the investigation is ongoing when the person reporting goes off duty)

See [appendix 5](#) for the Missing Person Risk Assessment questions used by the police.

A leaflet providing guidance for parents and carers around what to do when their child goes missing is available on the Children's MARS website. It also gives advice on what to do and how to react when they return home.

Children who have not been reported missing

Some missing children, who have not been reported as missing to the police, may come to the attention of agencies. Agencies should work with families to help them recognise the risks associated with a child running away and the importance of reporting this to the police. There may also be trafficked children who may not have previously come to the attention of the police or local authority. All agencies have a responsibility to take appropriate action in these cases by informing the police and Children's Services.

There is recognition that children from black and minority ethnic groups and children that go missing from education are less likely to be reported as missing. The local authority and the police will work proactively with communities where they believe under reporting is taking place or more likely.

Responsibility of anyone who has care of a child without parental knowledge or agreement

Anyone who has care of a child without parental knowledge or agreement should also do what is reasonable to safeguard and promote the child's welfare. In these circumstances, they should inform the police, Children's Services and the parents of their whereabouts and safety. If this is not complied with, the police should consider advice or warning under the Child Abduction Act (1984), if it is appropriate.

Anyone who 'takes or detains' a runaway under 16 years old without lawful authority may be prosecuted under Section 2 of the Child Abduction Act (1984). The police may formally warn a person under the abduction legislation prior to prosecution and a subsequent marker may be placed against them on their Police National Computer (PNC) record. See [appendix 6](#) for relevant legislation and a summary of police powers in relation to children and young people who go missing.

Children under the age of 16 years old are not legally considered as being able to live independently. For children over the age of 16 years old, consideration should be given to their legal status, physical and emotional needs when making a judgement as to whether they can live independently.

The role of the police

Responsibilities

The police are the frontline agency to which missing children reports should be made by parents, persons with parental responsibility, carers and agencies / services. Once a child has been reported as missing, the police are the lead agency in relation to finding and securing their safe return. However, all partner agencies are required to assist them to carry out this role. They are also required to ensure that practice within their own agencies makes timely and appropriate reports.

The police will investigate all cases of missing children and will respond in accordance with the College of Policing Missing Persons' policy in conjunction with the Humberside Police force procedure which provides specific criteria that have been devised for Humberside Police. It is therefore imperative that any guidance available from the College of Policing APP is read in conjunction with the Humberside Police procedure. Other partner agencies will work collaboratively to assist them with their duties.

A link to the College of Policing Authorised Professional Practice (APP) can be found here: [College of Policing \(2016\): Missing persons](#).

When accepting a missing person report, the police will advise the caller that they will share information about the missing child and seek assistance from partner agencies to find the child. They will have the presumption that all missing children are vulnerable unless a risk assessment determines otherwise. The police have the ultimate responsibility for determining the action that needs to be taken and when it needs to be escalated.

Missing Person Risk Assessment

The Missing Person Risk Assessment questions used by the police can be found in [appendix 5](#).

On receipt of a missing report, the police will:

- Enter the details onto the Niche platform (missing persons case management system)
- Check whether or not there is intelligence relating to the missing child and follow internal procedures
- Forward details to the responsible local authority
- Where a situation appears to the police to be urgent, they will also immediately contact children's social work services to make a referral or for assistance.

The police will allocate the report for a response:

- Wherever possible, the responsible officer will contact the person who has made the report for further information
- The call taker / supervisor or officer will undertake an assessment of the risk a missing child may be exposed to and will take account of information available to them from partner agencies, particularly Children's Services
- They will be alert to the potential significance of repeated missing episodes and will consider:
 - The age of the child
 - Previous behaviour and history
 - The emotional needs of the child, e.g. whether there has been any variation in their mood or whether they have expressed any intention to harm themselves or others
 - Behaviour of the child as influenced by peer groups or others
 - Whether the child is perceived as running to / running from someone / something
 - The risk of offending
 - The risk that the child may be targeted for economic or sexual exploitation.

The following table should be used as a guide to an appropriate level of police response based on initial and on-going risk assessment in each case. Risk assessment should be guided by the College of Policing [Risk principles](#), the [National Decision Model](#) and Police [Code of Ethics](#).

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.
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.
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

	<p>levels. Such cases should lead to the appointment of an investigating officer (IO) and possibly an SIO, and a police search adviser (PoISA).</p> <p>There should be a press/media strategy and/or close contact with outside agencies. Family support should be put in place where appropriate. The Missing Persons Bureau (MPB) should be notified of the case without undue delay. Children's services must also be notified immediately if the person is under 18.</p>
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Children who are missing will not be recorded by Humberside Police as no apparent risk or low risk. The only available grading is either medium or high.

When the police are notified that a child is missing, there is a clear responsibility on them to prevent the child from coming to harm. Where appropriate, a strategy discussion may be held.

As a starting point, any child who goes missing should be considered as high risk initially. From this starting point, information and intelligence may allow a downgrading to medium risk in certain circumstances. If a missing child is to be downgraded from high then a full and detailed rationale must be recorded on the Niche system to justify the change in grading. The change of a risk grading can only be undertaken by an officer of the rank of Inspector or above (or a Sergeant from the Locate Team)

Risk of serious harm has been defined as (Home Office 2002 and OASys 2006):
 'A risk which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible.'

Where the risk cannot be accurately assessed without active investigation, appropriate lines of enquiry should be set to gather the required information to inform the risk assessment.

Missing person enquiries will continue until the child is found / returns, Niche will be updated and the responsible local authority notified. Any child protection concern will be dealt with under child protection procedures. See [Children's MARS policy and procedure for assessing need and providing help](#)

Review of continued missing

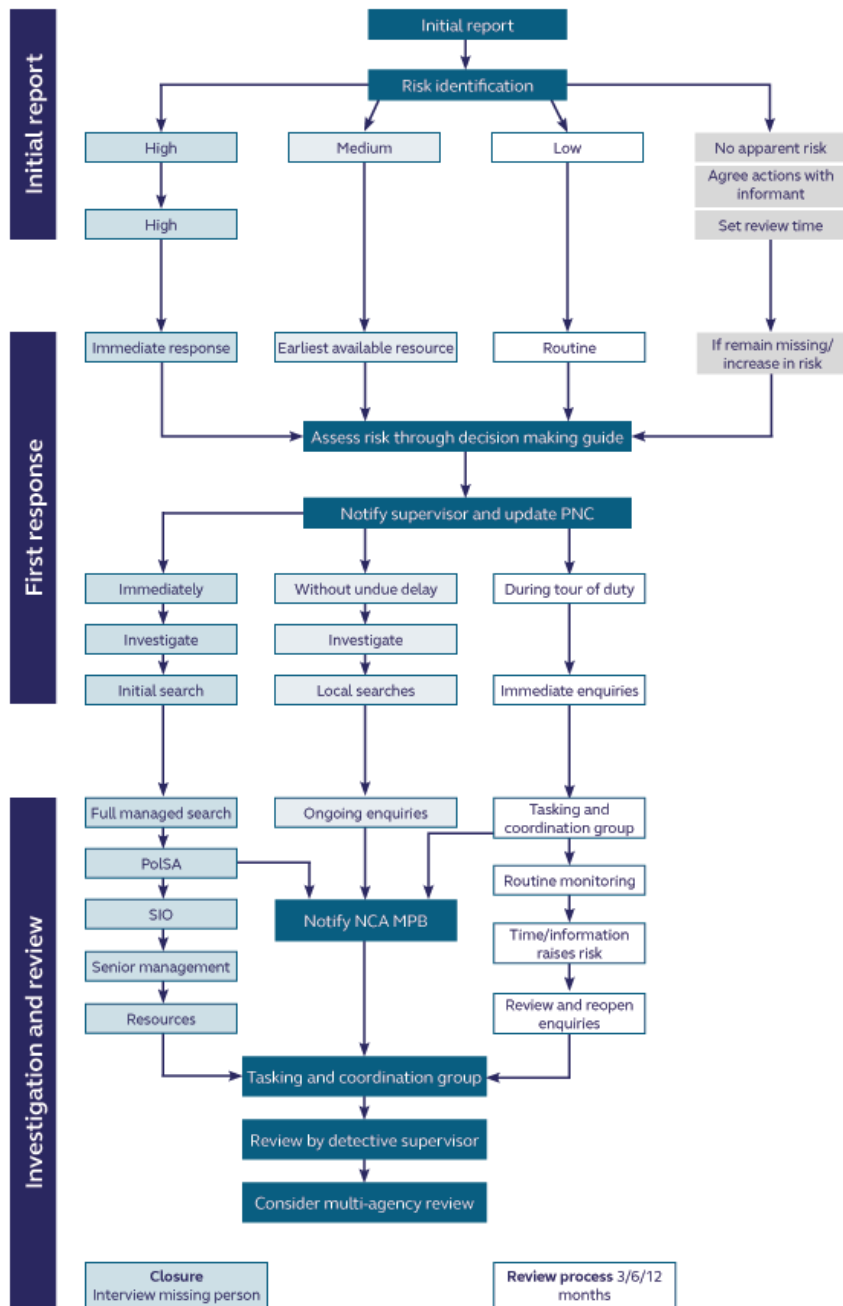
Throughout the missing episode, the police are responsible for on-going enquiries, risk assessment and proportionate actions. Information from multi-agency safeguarding partners should be sought in order to inform the risk assessment and ongoing activity.

Risk assessment is a dynamic and ongoing process which requires further assessments to be made as the investigation progresses and new information and evidence comes to light. The passage of time can increase the risk grading and this must not be overlooked.

The assessment of risk should be reviewed and monitored by a supervisory officer as soon as practicable after the report has been taken and then regularly monitored thereafter.

The missing child is subject of discussion/review/action at the Police's internal meetings. Throughout the missing episode, parents/carers and the police will continually review the case. After the child has been missing for 48 hours, or earlier, if circumstances suggest urgency, the police should update parents/carers and Children's Services of any significant developments and then at least every five days thereafter or earlier if deemed appropriate.

The police will follow the missing person's process chart below.



At any point that the police or any agency has concerns that a child is in need or in need of protection then a referral should be made to Children’s Services.

Whenever there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm there should be a strategy discussion involving local authority children’s social care (including the fostering service, if the child is looked after), the police, health and other bodies such as the referring agency. This might take the form of a multi-agency meeting or phone calls and more than one discussion may be necessary. A strategy discussion can take place following a referral to Children’s Services or at any other time, including during the assessment process and when new information is received on an already open case.

Referrals and actions thereafter will be undertaken in accordance with Working Together 2018 and the [Children's MARS policy and procedure for assessing need and providing help](#)

Police powers

The police have powers to safeguard vulnerable children. These include powers to enter premises, to recover children and to take children into police protection.

When a missing child is found or known to have been in company with an adult during any missing episode, in circumstances which afford reasonable grounds to suspect that an offence has been committed by that adult relating in any way to that child (i.e. child abduction, sexual offence, drug offence, assault, aid, abet, counsel or procuring child to commit an offence etc.) the incident will be taken seriously throughout the process of reporting, investigation and provision of follow up care. The police priority is the safety and wellbeing of the child. Thereafter the police will take positive action against any perpetrators, hold them accountable for their actions and prefer charges where appropriate.

It is recognised that children who have been the victim of a serious offence may not always see themselves as victims or be willing to assist in the investigation, particularly in the early stages. Likewise those whom others have used for criminal purposes may not be willing to assist the police. A complaint from a victim is not required to make an arrest. Usually reasonable suspicion is enough to arrest. When such an offence has occurred and a power of arrest exists, the offender should normally be arrested. An officer should be prepared to justify a decision not to arrest in these circumstances.

Without prejudice to the welfare of any child, Children's Services will support the police in taking appropriate action against those who commit crimes against children and / or involve children in their offending behaviour.

For further information, see [appendix 6](#).

Wanted/ missing

There should be no child recorded by Humberside police as no-apparent risk or low risk if they are missing (even if they are also a wanted person).

There will be occasions when children may be reported as missing who are wanted in relation to:

- their suspected involvement in a criminal investigation
- an outstanding warrant issued by a court
- having absconded from lawful custody/care – being absent without leave (AWOL)

The police should evaluate each case on an individual basis and respond appropriately, according to the priority that should be given in that case.

Police forces should seek to avoid duplicating the investigation and record keeping. The investigating or supervisory officer will need to consider and decide which response and investigative approach to take based on a risk assessment and should be guided by their national decision model.

When completing this risk assessment decision makers should consider both the prevailing risk to, and vulnerability of, the missing child and public, as well as the requirement to pursue the child, detain them, and ensure that they are subject to criminal justice processes. The views of the reporting person should be taken into consideration and the rationale for deciding on whether to treat the child as 'missing' should be discussed with them.

Police officers making decisions should be particularly mindful of the risks associated with children. It is important for decision makers to decide how they wish to involve the person reporting the missing person in the investigation. The reporting person may be a source of information to assist in tracing the missing child, they may, however, be acting with dishonest motives. Investigating officers must decide on the most appropriate approach, balancing the needs and risks of the investigation with the duty to keep people with a valid interest in the missing child updated on progress.

If a decision is taken to treat a child as 'wanted' a missing report will still need to be recorded in order to accurately reflect the appropriate level of investigation for that missing child. A missing child report may be closed or marked as 'inactive' while a 'wanted' investigation continues.

If a decision is taken to treat an individual as 'wanted' and a current missing report is already recorded on Niche, the missing person report may be closed while a 'wanted' investigation continues.

Choosing to pursue a person as wanted rather than missing does not mean that the case does not require further attention. Regular and sustained attempts to arrest the individual should be made and actions documented on the appropriate system. Clear ownership of this task must be recorded.

A person who is wanted for a criminal offence should almost always be circulated on the Police National Computer.

A Superintendent must document their rationale for closing a missing investigation if the decision is made to treat the person as wanted.

Police missing person recording

Niche missing person reports should be created as soon as possible, as the submission of the report now triggers Police National Computer (PNC) circulation.

Sharing information

The police will receive reports about children missing and record them in accordance with locally agreed procedures. They will notify the responsible local authority of a child who is missing as recorded on Niche. This will be done via an automated

secure email process. The police will notify Children's Services of all children missing from North Lincolnshire recorded on Niche as part of the performance framework. See section on [Intelligence and prevention](#).

The role of the Local Authority

On receipt of missing children reports from police Niche via secure email the local authority will check to find out whether or not a case is known to them

Open cases to Children's Services

An open case to Children's Services is where a child is subject of a Child in Need, Child Protection or Care/Pathway plan.

Where a child is an open case to Children's Services a missing child form will be opened on the CareFirst recording system and the Niche report will be copied to the Social Worker, Practice Supervisor, Children's Missing Advocate and the Youth Justice Partnership. If the child's case is open to Family Support, Children's Services admin will forward the Niche report to the Family Support email and Family Support will record the child as missing on the Eclipse recording system.

The Social Worker involved with the child will:

- liaise with the police, other services/agencies and the Children's Missing Advocate
- contact the family and offer support if this is appropriate
- take into account the circumstances relating to the missing episode (and return) in any ongoing assessments and interventions
- hold a multi-agency risk management discussion/meeting with the police and those involved with the child (including the parents/carers) when a child has been missing for 48 hours. This could be held as part of a review of the child's plan. The discussion, agreed actions and frequency of review discussions/meetings will be recorded on CareFirst. A strategy discussion can replace the need to hold a multi-agency risk management meeting.

Unknown or closed cases to Children's Services

Where a child is unknown or a closed case to Children's Services, a missing child form will be opened on the CareFirst recording system and the Niche report will be copied to the Children's Missing Advocates and the Youth Justice Partnership for viewing by them. If the child's case is open to the Family Support, Children's Services admin will forward the Niche report to Family Support enquiries email and Family Support will record the child as missing on the Eclipse recording system.

The Children's Missing Advocate will:

- Liaise with the police, other services/agencies
- Contact the family and offer support if this is appropriate. The focus of this contact will be to provide information and to signpost to sources of support
- It may be determined that there are wider needs to be addressed through an appropriate assessment such as the Early Help Assessment or that a referral to Children's Services is necessary in accordance with Working Together

2018. For further information see the [One Family Approach - Helping Children and Families in North Lincolnshire document 2020/24 and Children's MARS policy and procedure for assessing need and providing help.](#)

Children looked after children by external local authorities placed in North Lincolnshire

Where a child is a looked after child by an external local authority and placed in North Lincolnshire, a missing child form will be opened on the CareFirst recording system and the Niche report will be copied to the Children's Missing Advocates and the Youth Justice Partnership for viewing by them.

The Children's Services admin team will share the report with the local authority with responsibility for the child's plan, copying in the Children's Missing Advocates.

The child's Social Worker should regularly liaise with the residential home/carer, Fostering or Adoption Social Workers/their own Practice Supervisor/Lead Officer as well as keeping the North Lincolnshire Missing Children's Advocate and North Lincolnshire Children's Services up to date with significant developments.

The Children's Missing Advocate will with the police, other services/agencies and the child's social worker to agree how independent return interviews will be supported. Further information can be found in [appendix 7](#).

The child's Social Worker should consider holding a multi-agency risk management discussion/meeting with the police and those involved with the child (including the parents/carers) when a child has been missing for 48 hours. This could be held as part of a review of the child's plan. The discussion, agreed actions and frequency of review discussions/meetings will be recorded on agencies own recording systems and on CareFirst by North Lincolnshire staff should they be made aware/involved in this discussion. At each stage the Social Worker/ Practice Supervisor/ Lead Officer should consider whether a strategy discussion is required.

Looked after children

Where a child is a looked after, a missing child form will be opened on the CareFirst recording system and the Niche report will be copied to the Social Worker, Practice Supervisor, Children's Missing Advocates and the Youth Justice Partnership. If the child's case is open to Family Support, Children's Services admin team will forward the Niche report to Family Support enquires email and Family Support will record the child as missing on the Eclipse recording system.

Where the child is looked after by another responsible local authority, a missing child form will be opened and sent to the responsible local authority where a secure email address has been supplied.

North Lincolnshire Children's Services remain responsible for the children in their care who are missing. The allocated Social Worker will liaise with the Fostering, Adoption and Independent Reviewing Services as necessary throughout the child's missing episode.

North Lincolnshire Children's Services and / or the Missing Children's Advocates will liaise with other responsible local authorities as necessary in relation to children placed in North Lincolnshire who are missing and follow this protocol in relation to them.

Carers and the child's Social Worker will be responsible for liaising with the police, taking an active interest in the investigation and passing on all information, which may help to inform the investigation and assist in protecting the child whilst missing.

Carers and the child's Social Worker should continue to make appropriate enquiries with other residents or by telephone with all persons who may be able to assist with the investigation unless they are requested not to do so by the police. All information established from these enquiries should be passed to the police.

Once a child is reported missing to the police, the police will normally conduct all physical enquiries away from the premises from which the child is missing. However there is no reason why staff, carers, parents cannot continue to physically check known places, relative's addresses etc.

In certain circumstances the police may need to revisit duties initially performed by care staff. When necessary they will do so in liaison with the appropriate Children's Service's staff and will do so sensitively, causing as little disruption as possible to the establishment and residents.

Throughout the process in this protocol, carers and Social Workers must keep a full record of actions taken and messages received and given on the child's file. The police will likewise keep a record of all aspects of the investigation.

In all cases, the Social Worker, other professionals or the carer for the child should escalate concerns through their management structure.

When a missing child is found

A supportive, non-judgemental, honest approach is more likely to engage the child in conversation about their reason for going missing, where they went and any risks that they faced. Giving explanations about concerns or further actions and actively listening will also have a greater chance of preventing the child from going missing again and safeguarding them against other risks. This approach and skills are in keeping with feedback from children as principles for all those involved with children who are at risk of or go missing.

Return of a missing child

If a child's whereabouts are known or suspected, it is the responsibility of the parents or carers to arrange for the child's return. In exceptional circumstances, in the interests of the safe and speedy return of the child, the police may agree to requests from parents or carers to assist. The police should not unreasonably withhold assistance in cases involving local recovery for vulnerable children.

Return of a missing looked after child

If the whereabouts of a looked after child are known or suspected, it is the responsibility of the local authority to arrange for the child's return. There will be circumstances however when, in the interests of the safe and speedy return of the child, the police may agree to a request from the local authority to assist. The police should not unreasonably withhold assistance in cases involving local recovery for vulnerable children.

Missing children who are found but do not wish to return

Difficulties can arise when missing children are found but do not want to return. Under the Children Act 1989 whenever there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm there should be a strategy discussion involving local authority children's social care (including the fostering service, if the child is looked after), the police, health and other bodies such as the referring agency. This might take the form of a multi-agency meeting or phone calls and more than one discussion may be necessary. A strategy discussion can take place following a referral to Children's Services or at any other time, including during the assessment process and when new information is received on an already open case.

The police have powers to take a child into police protection and remove them to suitable accommodation which could include the home from which the child originally went missing.

There will be occasions when a child is found in a location that may be considered unsuitable, but where there would not be legal grounds for taking them into police protection. In such cases, the police and the responsible manager from the responsible Children's Services will need to liaise to discuss what steps may be necessary in order to safeguard the child's welfare.

Reporting that a missing child is found / returned

When a child is found or returns home parents / carers must inform the police. Where possible they should also inform the responsible local authority. Any agencies and practitioners involved with the family should support them to do this.

When a looked after child returns to their placement, it is the responsibility of the carers to notify the police and the child's Social Worker in the responsible local authority. If the child is looked after by North Lincolnshire Children's Services, the Social Worker will also notify the children's residential home, Fostering or Adoption Service or vice versa as necessary. The Social Worker will inform the Children's Missing Advocate of any relevant information to be taken into account during the independent return interview.

The police will notify North Lincolnshire Children's Services of the return of the child and any relevant information including the details of the prevention interview (safe and well check) through the Niche missing found form and by phone as necessary. North Lincolnshire Children's Services will update the Missing Child form. The Children's Missing Advocate and Youth Justice Partnership will automatically be

notified at this point. If the child's case is open to the Family Support, Children's Services admin team will forward the Niche report to Family Support enquiries email and Family Support will record the child as found on the Eclipse recording system.

Police prevention interviews (safe and well checks)

On finding a child, or on their return, a prevention interview¹ will be undertaken by the police as soon as possible. Prevention interviews will not usually be conducted over the telephone.

The purpose is to check for any indications that the child has suffered harm, where and with whom they have been and to give them an opportunity to disclose any offending against or by them. This will lead to the police closing the missing person report on Niche and the case being cancelled on the Police National Computer. This is not a return interview.

Where a child goes missing frequently, it may not be practicable for the police to see them every time they return. In these cases, a reasonable decision should be taken, where appropriate in agreement between the police and the child's parent or carer, or their Social Worker, with regard to the frequency of such checks bearing in mind the established link between frequent missing episodes and serious harm, which could include gang involvement or criminal exploitation, forced marriage, bullying or sexual exploitation. The reason for a decision not to conduct a prevention interview should be recorded on the case file.

If the child makes an allegation of a crime that occurred whilst they were missing or that contributed to them going missing the police will record this allegation and take appropriate action.

If it is apparent, on the return of the child, that they have been the victim of a crime whilst missing, or that they may be in danger or at risk from any person arising out of circumstances that has occurred whilst they were missing then the police will instigate further enquiries. This is vital for the protection of the child and for the speedy recovery of evidence. In such circumstances, the missing child's clothing, mobile phone and trace evidence from their body, fingernails or hair may be crucial. In cases of sexual abuse the child should be discouraged from washing and immediate advice sought from the police.

The police should give advice to parents / carers if they become aware of the location of a scene of any crime committed against the child, or the location of any crucial evidence. This will enable the police to take steps to secure and preserve evidence.

The police will make a referral to Children's Services should there be a concern that the child is in need under section 17 or a child is in need of protection under section 47 of the Children Act 1989. For further information see [Children's MARS policy and procedure for assessing need and providing help](#)

¹ In the Humberside force area, safe and well checks are referred to as prevention interviews

Where it is determined that a child or family need additional support an Early Help Assessment should be considered for more information see [One Family Approach - Helping Children and Families in North Lincolnshire document 2020/24 and Children's MARS policy and procedure for assessing need and providing help.](#)

Independent return interviews

When a child is found, they must be offered an independent return interview within 72 hours of their return. Independent return interviews provide an opportunity to uncover information that can help protect children from the risk of going missing again, from risks they may have been exposed to while missing or from risk factors in their home.

The interview should be carried out within 72 hours of the child returning to their home or care setting. This should be an in-depth interview and is normally carried out by an independent person (i.e. someone not involved in caring for the child) who is trained to carry out these interviews and is able to follow-up any actions that emerge.

In North Lincolnshire this role is carried out by an independent Children's Missing Advocate yet in some cases independent return interviews may be completed by other professionals where it is deemed in the best interests of the child to do so. Children sometimes need to build up trust with a person before they will discuss in depth the reasons why they ran away. The interview provides an opportunity to uncover information that can help protect children from the risk of going missing again, from risks they may have been exposed to while missing or risk factors in their home. See [appendix 7](#) for information about independent return interviews.

Where children refuse to engage with the independent interviewer, parents and carers should be offered the opportunity to provide any relevant information and intelligence of which they may be aware. This should help to prevent further instances of the child running away and identify early the support needed for them.

It is important to acknowledge that a returning child may well share different parts of their experience with different people. It is the responsibility of all agencies therefore, to attend to issues of immediate safety, future support and safeguarding needs, and information-sharing in a way which respects and safeguards children and young people. As children and young people have fed back that they may be asked by different professionals involved with them about a missing episode, professionals need to liaise with Social Workers or lead professionals to reduce duplication and re-telling of their story.

For looked after children it is noted that away from their placement without authorisation, or late returns will not necessarily constitute a missing episode and the discretion of the residential staff and carers is necessary to define the nature of the absence. Periods of absence of any sort should be fully considered in a child's review which can be brought forward in serious situations.

Care staff and foster carers should always discuss and explore the reasons with any child or young person who has been missing or away from their placement without

authorisation showing concern as any good parent would do with their own child unless specifically asked not to further question the child.

For children who are looked after by an external local authority and placed in North Lincolnshire agreement should be made between the responsible local authority and the North Lincolnshire Children's Missing Advocate's as to who will undertake the independent return interview. North Lincolnshire Children's Missing Advocates will conduct independent return interviews for children if agreed with the placing responsible local authority / placement provider. Should the placing responsible local authority undertake the independent return interview this will be forwarded to the North Lincolnshire Children's Missing Advocate's for recording within the local Missing Child form.

Recording independent return interviews

The Children's Missing Advocate will update the independent return interview section of the missing child form or facilitate completion of this if the interview has been completed by another worker in conjunction with the relevant Children's Services supervisor / manager on open cases who will sign off the record.

The Children's Missing Advocate share relevant information in relation to the missing incident electronically with the police. This will include detail on when the independent return interview was completed.

The police will ensure that relevant information and intelligence is recorded from the details of the independent return interview. In some circumstances the child may make sensitive disclosures that need particularly careful management that should be recorded separately but referred to in the independent return interview section of the Missing Child form. In such circumstances it may be appropriate for the interviewer to discuss the information with relevant professionals such as the Local Authority Designated Officer for allegations against people who work with children.

Where an independent return interview leads to a disclosure that needs a specific action, for example, to safeguard the child or investigate a crime the matter should be referred to the local authority and / or the police. See the [Children's MARS policy and procedure for assessing need and providing help.](#)

Actions following the independent return interview

The interview and actions that follow from it should:

- Identify and deal with any harm the child has suffered – including harm that might not have already been disclosed as part of the prevention interview
- Understand and try to address the reasons why the child ran away
- Help the child feel safe and understand that they have options to prevent repeat instances of them running away
- Provide them with information on how to stay safe if they choose to run away again, including helpline numbers.

Following the police prevention interview check and independent return interview, local authority Children's Services, police and other agencies including voluntary services should work together:

- To build up a comprehensive picture of why the child went missing
- To understand what happened while they were missing
- To understand who they were with when they were missing and where they were found
- To decide what support they require upon returning to home or their care placement. See the [One Family Approach - Helping Children and Families in North Lincolnshire document 2020/24 and Children's MARS policy and procedure for assessing need and providing help](#)
- To ensure that there is a multi-agency plan to reduce repeat missing incidents
- If relevant, [Community Partnership Intelligence Forms](#) are also submitted to share non urgent and relevant community partnership intelligence

Support can include interventions to:

- Increase the child's awareness of the dangers of running away and the issues young runaways face
- Build up a trusting relationship with the child leading to opportunities to identify the issues that made them run away from home or care
- Help the child to seek safer solutions to deal with their issues other than running away
- Enable the child to feel safe to ask questions if they don't understand something or want to find answers to their questions

Where further advocacy support has been this will be provided through the Children's Advocacy Service.

Police prevention interviews and independent return interviews provide an opportunity to inform case planning and for wider strategic planning. The outcomes of the checks and interviews will therefore be recorded on Missing Child forms and in case file notes so that they can be shared with professionals. For further information see [section on Intelligence and prevention](#).

Incidents of specific concern

Where an allegation of abuse or neglect is made or becomes evident, child protection procedures must be implemented and contact made immediately with North Lincolnshire Children's Services (including the responsible local authority for children placed in North Lincolnshire by them) and the police.

Appropriate safeguarding procedures should be followed where there are safeguarding concerns for example:

- Where the child has been hurt or harmed whilst they have been missing (or this is believed to have been the case)
- Where there is known or suspected risk of sexual exploitation, criminal exploitation trafficking, radicalisation, Female Genital Mutilation, Forced

Marriage, honour based abuse or contact with persons posing a risk to children.

For more information see [Children's MARS policy and procedure for assessing need and providing help.](#)

Additional policy, procedures and guidance can be on the [Children's MARS website](#) for each of these specific safeguarding concerns:

- Child Sexual Exploitation. Definition and guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation
- Child Criminal Exploitation. Definition and guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation
- Guidance on safeguarding children who may have been trafficked
- Guidance on working with children, young people and adults who are vulnerable to radicalisation
- Identifying and responding to concerns about honour based abuse and forced marriage
- Identifying and responding to concerns about female genital mutilation

If it is apparent, upon the return of a child, that they have been the victim of a crime whilst missing, or that they may be in danger or at risk from any person arising out of circumstances that have occurred whilst they were missing then the police must be called and asked to attend without delay. This is vital for the protection of the child and for the speedy recovery of evidence. Consideration must be given to securing evidence by the police including by forensic examination.

Community Partnership Intelligence Form

Intelligence relating to a child is submitted by partners online to support safeguarding and prevention as [Community Partnership Intelligence Forms](#). Examples include locations, addresses, associated adults and children and details of criminal and antisocial behaviour.

Any intelligence emerging from the Independent Return Interview should be submitted via the online police partnership intelligence form. If reporting events where an adult, child or young person is at immediate risk of harm, consideration should be made to request an immediate police response by calling 999 or by calling 101 to obtain police assistance and advice if not an emergency or where a practitioner feels a crime is being or has been committed.

Additional arrangements relating to looked after children

In addition to that previously outlined, the following arrangements should be put in place regarding looked after children.

On admission to the placement

Each looked after child has a care plan based on a full assessment of the child's current and future needs, including potential risk to self and others. The care plan will

therefore take account of any risk that the child may go missing in the future and any factors which may increase the risk to the child should they go missing.

Children's residential, fostering and adoption service staff should be included in placement and care planning. As part of this assessment it may be appropriate for the local authority to consult with the police to share information that may be of relevance. Where the child has previously gone missing prior to becoming looked after this risk should be addressed and planned for as part of the care plan.

In respect of looked after children a recent photograph of the child will be kept on record by the local authority. Where possible 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 agreement of the child should also be gained.

Should a child go missing it is vital to the safe recovery of the child that a recent photograph of the child is made available. Most commonly the photograph will be used by local police officers to help them recognise the child whilst patrolling or when actively looking for the child at relevant locations. In very serious cases where the child is believed to be at significant risk, the police and local authority may decide to use the photograph more widely and even involve publishing the photograph to national or local media.

The local authority will ensure that sufficient knowledge and information about the child is recorded to enable carers to report the child as missing.

The residential home manager/foster carer should consider the most appropriate ways to meet the above requirements and whether it is necessary and appropriate to discuss the issue of running away with the child.

If a child resides in a residential placement in North Lincolnshire, the residential staff complete a Philomena Protocol Form for each child in line with the Philomena Protocol. This will be kept updated regularly and submitted to the police if the child goes missing. For further information, see Philomena Protocol section below.

Away from placement without authorisation

Away from placement without authorisation relates to a looked after child whose whereabouts are known but who is not at their placement or the place they are expected to be and the carer has concerns or the incident has been notified to the local authority or the police.

Clearly some children absent themselves for a short period with their whereabouts known to the carer. Sometimes children stay out longer than agreed either to test boundaries or accidentally.

Examples of situations where unauthorised absence will apply are:

- Failing to return on time
- Staying at a known location with a friend / family member

If the carer assesses that the child is at risk due to any factor(s) known to the carer then the child should be reported missing without delay and the believed risk communicated to the police. The police will confirm whether the report has been classed as missing.

If the assessment by the carer is that there is no apparent risk for their immediate safety but the child is away from home without authorisation it is still important that staff / carers record these incidences as away from their placement without authorisation on the child's record. In addition to this staff / carers should always start a dated / time record of their contacts, risk assessment and decisions throughout the episode from the point that they are aware of the child's unauthorised absence, in case the level of risk changes and so that decisions are auditable.

A period of no more than six hours should normally be regarded as the absolute maximum for any child whose whereabouts are not known or become unknown and who cannot be contacted and for them to remain categorised as away from their placement without authorisation, rather than being formally reported as missing. In many cases a shorter period will be appropriate. It will not be appropriate for any child whose whereabouts are not known and who cannot be contacted to remain out overnight without being formally reported as missing.

If the child's whereabouts are known or suspected the local authority staff will decide whether to allow the child to remain at that location, albeit temporarily, or to arrange for their return. If the decision is to arrange their return and there is reason to believe that there may be public order difficulties, the police may assist. Police assistance in these circumstances does not necessarily mean that the child is categorised as missing. Each such occurrence needs to be evaluated based upon the relevant factors and upon other information established from the child, friends, family and associates.

It is expected that the first response carers along with any relevant staff from their responsible authority, which could include the child's Social Worker, in circumstances where a child is late home will be to take all steps a responsible parent would take to try to locate the child and to make a careful assessment in accordance with the circumstances.

Instances of young people away from placement without authorisation should not be reported to Humberside Police unless there are concerns then police assistance may be requested. Humberside Police will not record instances of 'away from their placement without authorisation'. They will record children as 'missing' and follow their review processes outlined above.

The responsibility for managing this type of absence lies with the staff of the residential home or carer. It is not the responsibility of the police to influence or determine the decision of whether a child is missing or away from the placement without authorisation. The police will make the ultimate decision based on the information provided.

A clear assessment needs to be made by the carer in each individual case as to the length of time that elapses before a child who is unauthorised absent becomes categorised as missing. An away from their placement without authorisation absence must be kept under regular review by the carer. It is important to consider whether the circumstances of the disappearance would now render the child at risk of harm, for example:

- The child requires medication at a set time; or
- Weather conditions have severely deteriorated.

Staff of children's home or foster carer's are expected to conduct a thorough search of the home and gardens. A premises search may also be undertaken by Police Officers.

Absconder

An absconder is a child who is absent from the placement without permission and who is subject to an order or requirement resulting from the criminal justice process (e.g. remand, curfew, tagging, conditions of residence, other bail conditions or a Secure Order made in either civil or criminal proceedings). A child in this category must be reported to the police without delay.

If an absconder is under the age of 16 years or if the absconding does not involve a power of arrest, the police will treat the case as both a missing child case and an absconder. This means that it will be necessary to provide detailed information to the police on the missing child. This will lead to a proactive police investigation managed by the police on the Niche system. When the child is traced however it is likely that they will also be arrested or dealt with by the police in relation to any offence or breach. It is essential however, that they are also viewed as a child in need of protection and safeguarding and any risks exposed to during their absence must be reviewed fully.

If the child is aged 16 or over and is liable to arrest, the police will treat the child solely as an absconder and not a missing child, unless there are grounds to suspect that factors other than the absconders desire to evade justice are involved in their disappearance. If the police treat the case solely as one of absconding, in these circumstances they will actively seek the absconder for arrest. Notwithstanding, absconders in this category must also be reported to the police without delay.

Children remanded to local authority accommodation

Children may become looked after children because they are remanded to local authority accommodation by a youth court, having been charged with a criminal offence. This is known as remanded to local authority accommodation (RLAA).

A court remanding a child to local authority accommodation may, after consultation with the designated authority, impose on the authority requirements for securing compliance with any such conditions imposed on the child, or requirements stipulating that the child must not be placed with a named person. In the absence of any such requirements, it is for the designated local authority to decide where the child resides.

The child may be placed in secure accommodation, in a non-secure children's home, foster placement, with parents or their wider family/friends. A child who goes missing when RLAA, in legal terms has escaped custody.

Where the child has escaped custody, a risk assessment and appropriate action must take place to safeguard the child's wellbeing and to ensure that they are returned safely (see Wanted/Missing section above for additional information).

The Police Investigating Officer will need to liaise with an appropriate officer in the Youth Justice Partnership and the Social Worker.

Care planning and review

Care plans should include a detailed assessment of the child's needs, including the need for the provision of an appropriate placement that offers protection from harm. Where a child goes missing from a placement, a statutory review of their care plan can provide an opportunity to check that it addresses the reasons for them being missing. The review of the care plan should result in the development of a strategy to minimise a repeat of the missing episode. In particular, any issues relating to the vulnerability of the child to sexual exploitation, trafficking or criminal or gang involvement should be identified. Actions to address these needs and ensure the child is kept safe should be clearly set out in the care plan and review. The police and other relevant agencies should be given the opportunity to contribute to the review.

Where a child already has an established pattern of running away, the care plan should include a strategy to keep them safe and minimise the likelihood of the child running away in the future. This should be discussed and agreed as far as possible with the child and with the child's carers and should include detailed information about the responsibilities of all services, the child's parents and other adults involved in the family network. Independent Reviewing Officers should be informed about missing or away from placement without authorisation episodes and they should address these in statutory reviews with consideration given to bringing a review forward to specifically review the child's case due to them having been missing.

Philomena Protocol

The Philomena Protocol is an initiative to help locate and safely return a young person as quickly as possible when they are missing. The basis of the scheme is for vital information about the young person to be recorded on a form which can be used to locate them safely and quickly. The form contains confidential information about a person so it should be stored securely.

The Philomena Protocol form can be obtained from the Humberside Police Locate Team or downloaded via the [Humberside Police website](#). The police will only ask for a copy of the form, or the information in the form if the person is reported missing.

The protocol is implemented for children living in residential children's homes in North Lincolnshire. As a young person enters care in any residential home, a form is

completed by the carers for each child. The form is updated regularly with information and intelligence and submitted to the police force control room via email and it is uploaded to Niche.

Out of area placements

North Lincolnshire has a notification process for informing other host local authority areas and other specified services when they place children out of North Lincolnshire.

It is expected that placement providers follow their local children who runaway or go missing from home or care (RMFHC) protocol as well as following the processes specified in the North Lincolnshire RMFHC protocol for reporting and responding to children missing and away from placement without authorisation and when they are found.

When a child is placed in North Lincolnshire by another responsible local authority, it is expected that the responsible authority notifies North Lincolnshire as the host authority and other specified services. It is expected that placement providers within North Lincolnshire follow this RMFHC in addition to complying with other processes that are specified in the protocol of the responsible local authority for reporting and responding to children missing and away from placement without authorisation and when they are found.

It is possible that the child will return to the area of the responsible authority so it is essential that liaison between the police and professionals in both authorities is well managed and co-ordinated.

The [Out of authority placement of looked after children](#) (2014) DFE guidance should be followed. Also the [Children's MARS policy and procedure for assessing need and providing help](#) should be followed.

Care leavers

Care leavers may go missing from their home or accommodation face the same risks as other missing children. Local authorities must ensure that care leavers live in suitable accommodation as defined in regulation 9 (2) of the Care Leavers (England) Regulations 2010, (made under section 23B(10) of the Children Act 1989). In particular, young people should feel safe in their accommodation and the areas where it is located. Local authorities should ensure that pathway plans set out where a young person may be vulnerable to exploitation, trafficking or going missing, and put in place support services to minimise this risk.

Looked after children who may have been trafficked from abroad

Some looked after children are unaccompanied asylum seeking children or other migrant children. Some of this group may have been trafficked into the UK and may remain under the influence of their traffickers even while they are looked after. Trafficked children are at high risk of going missing, with most going missing within one week of becoming looked after and many within 48 hours. Unaccompanied

migrant or asylum seeking children who go missing immediately after becoming looked after should be treated as potential victims of trafficking.

The assessment of need to inform the care plan will be particularly critical in these circumstances and should be done immediately as the window for intervention is very narrow.

The assessment must seek to establish:

- relevant details about the child's background before they came to the UK
- an understanding of the reasons why the child came to the UK and
- an analysis of the child's vulnerability to remaining under the influence of traffickers.

In conducting this assessment, it will be necessary for the local authority to work in close co-operation with the UK Human Trafficking Centre (UKHTC) and immigration staff familiar with patterns of trafficking into the UK. Immigration staff who specialise in trafficking issues should be able to advise on whether information about the individual child suggests that they fit the profile of a potentially trafficked child.

Provision may need to be made for the child to be in a safe place before any assessment takes place and for the possibility that they may not be able to disclose full information about their circumstances immediately. The location of the child should not be divulged to any enquirers until their identity and relationship with the child has been established, if necessary with the help of police and immigration services. In these situations the roles and responsibilities of care providers must be fully understood and recorded in the placement and care plan. Proportionate safety measures that keep the child safe and take into account their best interests should also be put in place to safeguard the child from going missing from care or from being re-trafficked.

It is essential that the local authority continues to share information with the police and immigration staff, concerning potential crimes against the child, the risk to other children, or other relevant immigration matters.

[Safeguarding Children Who May Have Been Trafficked \(2011\)](#) contains practical guidance for agencies which are likely to encounter, or have referred to them, children and young people who may have been trafficked. Where it is suspected that a child has been trafficked, they should be referred by the local authority into the UK's victim identification framework, the National Referral Mechanism (NRM). The Trafficked Children Toolkit, developed by the London Safeguarding Children Board, has been made available to all local authorities to help professionals assess the needs of these children and to refer them to the National Referral Mechanism.

See also [Care of unaccompanied migrant children and child victims of modern slavery – Statutory guidance for local authorities](#) (2017).

Additional arrangements in other specific situations

Parental child abduction

Some cases of missing children can turn out to be a case of parental child abduction. This can often occur when one parent removes a child from the UK without consent of the other parent.

In such cases or where this is suspected the police should be informed immediately.

Truancy, unauthorised absence or children leaving educational premises
Truancy, unauthorised absence or children leaving educational premises is not normally something that should be dealt with as a missing child investigation. Reporting all such cases would place an impossible burden on the police service.

Police officers should consider the circumstances behind any such report to determine if there are any indications that an investigation is warranted.

Truancy, unauthorised absence or children leaving educational premises from schools, colleges or education providers could indicate that a child or young person may be at risk and any concerns should be shared with partner agencies and investigated where appropriate.

Prior to reporting any school, college or education provider reporting a child as missing in such situations, the education service should:

- Risk assess upon the child truancy, being absent without authorisation or leaving the premises
- If the child is at immediate risk the police should be called immediately
- If the child is not at immediate risk the education service should contact parents / carers to inform them that their child is not present and may be truanting, that the child is absent without authorisation or has left the education premises and request that they make efforts to locate and have continual communication with education service until the child is found. The education service and parents / carers can then continue to risk assess and give consideration to a report to the police or the police response should a report have been made. Any professionals involved with the child should also be notified.
- If parents are not contactable or dismissive, the education service should make reasonable efforts to locate (where able to do so), attempt to contact emergency contacts and then make a judgement as to whether a police response is required or not, discussing the situation with professionals involved.

Children who repeatedly run away and go missing

Repeatedly going missing should not be viewed as a normal pattern of behaviour. For example, repeat episodes of a child going missing can indicate sexual exploitation, for more information about child sexual exploitation see:

- [One Family Approach - Helping Children and Families in North Lincolnshire document 2020/24](#)

- [Children's MARS Policy and Procedures on Child Sexual Exploitation definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation.](#)

If a child has run away two or more times there should be a discussion with the child, their family or both, to offer further support and guidance. Actions following earlier incidents should be reviewed and alternative strategies considered. Specific attention should be given to the risk of significant harm, particularly looking at the length of the missing episode, frequency of running away, risk factors and the family history of the child.

This should be considered by the child's worker if they are subject of an Early Help, Child in Need, Child Protection or Child in Care Plan or by the Youth Justice Partnership and via a multi-agency review meeting as necessary.

If the child's case is not open to any service through such a plan the police, Family Support or any other agencies involved with the child and the Children's Missing Advocate should identify any action required to prevent future missing reoccurring and reduce the risks to the child should they go missing again. This could include an Early Help Assessment or a referral to Children's Services.

For looked after children see the care planning and review section above. In addition a missing strategy should be developed for each individual looked after child who has been missing to prevent a future missing reoccurrence and to reduce the risks to that child or young person should they go missing again.

The strategy should be included in the child's care plan or recorded on their case record to include:

- A review of the risk assessment/analysis
- A reporting strategy which should include guidance on when to report the young person as missing to the police (or away from placement without authorisation which is applicable to looked after children and should be recorded by the carer and reported to the child's Social Worker)
- Any specific details of enquiries to be conducted by the local authority or police
- An intervention strategy to address the long term issues.

Intelligence and prevention

Arrangements for information sharing can be found in the [Children's MARS Information Sharing guidance](#) in addition to the arrangements outlined above.

If a child runs away to another local authority and/or police force area information sharing will take place between North Lincolnshire Children's Services and/or Humberside Police with the other local authority and/or police force area.

Collecting, sharing and analysing data on children who go missing

There is a performance framework in place to monitor outcomes and analyse patterns for children who go missing. This includes children placed in North

Lincolnshire by other local authorities and North Lincolnshire's looked after children placed out of area.

Relevant data collated by North Lincolnshire Children's Services jointly with the police and shared across partner agencies includes missing episodes for children from home or care, police prevention interviews, information from return interviews and identification of specific risks such as child sexual or criminal exploitation and honour based abuse etc.

This is completed through the Multi Agency Missing Children Meeting and a quarterly Children's MARS Performance Report. There is a Child Exploitation and Missing Analysis Report in place which is updated quarterly.

Missing children information is quality assured monthly at a case specific level to ensure that all required actions have taken place such as police prevention interviews checks, independent return interviews and dip sampling facilitates a more qualitative analysis to further improve practice.

Missing children information is analysed monthly to identify areas of concern for an individual child, especially those who go missing repeatedly and themes/patterns of concern requiring action.

The performance framework for analysing and evaluating the data provides a comprehensive evaluation of all children who go missing in North Lincolnshire and North Lincolnshire's looked after children placed out of area.

This framework is aimed at further developing prevention measures to reduce the incidence of and risks associated with children going missing at case specific, operational/service and strategic levels which is summarised below:

Multi Agency Missing Children Group

The Multi Agency Missing Children Group brings together lead officers, managers and supervisors from local agencies with specific responsibilities for missing children cases.

The meeting is chaired by the Lead Officer Quality and Participation, NLC and meets on a monthly basis. The meeting provides a focused opportunity to share information, intelligence and data and work collaboratively to prevent and reduce children going missing leading to better outcomes and experiences.

The purpose of this group is:

- oversight of missing children performance and activity data
- discusses children's cases agreed in advance of the meeting
- to agree, implement, monitor and review partnership action focused on identified children's cases

- analyses emerging themes from data on missing children (from police prevention interviews/independent return interviews, identified from case discussions, or raised by individual agencies)
- identifies areas of effective multi-agency practice and areas for development/learning (including gaps in systems/ processes and practice and develops ways of enhancing these)
- considers local and national research and best practice to inform professional practice
- recommends further development of training and development for professionals across all agencies

Children’s MARS Risk Outside the Home Strategic Group

This thematic group brings together strategic and lead officers with responsibilities for protecting children who may be vulnerable to abuse or exploitation from outside their families. It is responsible for the development, implementation and oversight of the Risk Outside the Home (ROTH) Strategic Group and underpinning action plans and associated workstreams.

The partnership arrangements are through the Children’s MARS Board, who receive and scrutinise missing children data as part of the performance management framework. Oversight is given to this protocol to make sure that it is effective and up to date. The ROTH Strategic Group also reports through to the Community Safety Partnership Board, as required.

The chair of the Risk Outside the Home Strategic Group will report into and attend the Children’s MARS Board.

Child Exploitation Lead Officers Group

The Child Exploitation Lead Officer’s Group (CELOG) brings together lead officers from across the partnership to oversee, lead, seek assurance about, and respond to, the effectiveness of multi-agency working in tackling and preventing the exploitation of children and young people. The group use data to better understand the cohorts of children and young people who are being exploited and vulnerable to being exploited

Preventative approaches

The Children’s MARS Board expects all agencies and professionals working with children who are missing from home or care, or at risk of being missing from home or care, to implement this protocol to ensure that all staff are aware of it and how to use it. It should be considered by professionals and agencies in all new and existing contacts with children including where agencies become aware that a child is or has been missing.

Preventative approaches hinge on those involved with children who are at risk of or who do go missing to identify children who need Early Help, children in need and in need of protection. This includes particularly looking at the length of the missing episode, frequency of running away, risk factors, family history of the child and any other child development, parenting capacity or wider environmental/family factors.

For further information see [One Family Approach - Helping Children and Families in North Lincolnshire document 2020/24 and Children's MARS policy and procedure for assessing need and providing help.](#)

Appendix 1 - Definitions

Missing: Anyone whose whereabouts cannot be established will be considered as missing until located, and their well-being or otherwise confirmed.

Child: anyone who has not yet reached their 18th birthday. 'Children' therefore means 'children and young people' throughout this guidance.

Young runaway: a child who has run away from their home or care placement, or feels they have been forced or lured to leave.

Missing child: a child reported as missing to the police by their family or carers.

Looked after child: a child who is looked after by a local authority by reason of a care order, or being accommodated under section 20 of the Children Act 1989.

Responsible local authority: the local authority that is responsible for a looked after child's care and care planning.

Host local authority: the local authority in which a looked after child is placed when placed out of the responsible local authority's area.

Care leaver: an eligible, relevant or former relevant child as defined by the Children Act 1989.

Missing from care: a looked after child who is not at their placement or the place they are expected to be (e.g. school) and their whereabouts are not known.

Away from placement without authorisation: a looked after child whose whereabouts is known but who is not at their placement or place they are expected to be and the carer has concerns or the incident has been notified to the local authority or the police.

For the purposes of this protocol a child who has run away or who is missing will be defined as one where the episode has been reported to the Police and recorded on the Police Niche database.

Appendix 2 - Legislative framework

This protocol is based on the following legislation, statutory guidance and reports:

- [Multi-Agency statutory guidance for dealing with force marriage and multi-agency practice guidelines: Handling cases of forced marriage](#) (2023)
- [Working together to safeguarding children](#) (2018)
- [Care of unaccompanied migrant children and child victims of modern slavery](#) (2017)
- [Child Sexual Exploitation. Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation](#) (2017)
- [Tackling Child Sexual Exploitation: Progress Report](#) (2017)
- [Children missing education: Statutory guidance for local authorities](#) (2016)
- [Major investigation and public protection missing persons](#) (2016)
- [Statutory guidance on children who run away or go missing from home or care](#) (2014)
- [Missing Children and Adults Strategy](#) (2011)
- [Safeguarding Children who may have been trafficked: Practice Guidance](#) (2011)
- [The Children Act 1989 guidance and regulations volumes on care planning and review](#) (2021)

Appendix 3 - Prevalence, reasons why children go missing and associated risks

[Missing People](#)² cite that more than around 70,000 children are reported missing every year accounting for almost 215,000 incidents. Furthermore, the Children's Society note that estimates of the number of children who go missing are likely to be underestimates and that research evidence shows that a significant number of children run away from home and are not reported to the police and are, therefore particularly vulnerable³.

Children may run away *from* a problem, such as abuse or neglect at home, or *to* somewhere they want to be. They may have been coerced to run away by someone else. Whatever the reason, it is thought that approximately 25 per cent of children and young people that go missing are at risk of serious harm.

Missing People indicate that there are a wide range of reasons why children go missing, and often there is more than one cause. Some of the most common reasons cited by Missing People for children to be missing are:

- conflict, abuse and neglect at home
- sexual exploitation
- trafficking
- mental health

There are particular concerns about the links between children running away and the risks of sexual exploitation. Children rarely self-report child sexual exploitation and it is important that practitioners are aware of potential indicators of risk which include children leaving home/care without explanation and persistently going missing or returning late. For more information see the [Children's MARS Policies and Procedures Child Sexual Exploitation – Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation.](#)

Missing children may also be vulnerable to other forms of exploitation, to violent crime, gang exploitation, or to drug and alcohol misuse. A child's involvement in child criminal exploitation activity often leaves signs. A young person might exhibit these signs, either as a member or an associate of a gang or group dealing drugs. Children persistently going missing from school or home and/or being found out of area is considered a risk indicator. For more information see the [Children's MARS Policies and Procedures Child Criminal Exploitation – Definition and a guide for practitioners.](#)

² The statistics were developed by Missing People using statistics in the National Crime Agency (NCA) report 2019-20. The figures used are the number of incidents (i.e. the total number of reports of someone going missing, including missing incidents) and the number of individuals (i.e. number of individuals reported missing, which does not reflect repeat missing). Missing People have made some estimations for individual missing people in Scotland, as those figures are not included in the NCA report.

³ Children's Society. [The First Step: How return interviews can improve support and safeguarding for missing young people](#)

[local leaders and decision makers working to protect children from child sexual exploitation.](#)

Looked after children who are missing from their placements are particularly vulnerable. Children who are looked after are disproportionately likely to go missing⁴. One in every ten looked after children will go missing compared to an estimated one in every 200 children generally⁵. Children who are looked after are also much more likely to be reported missing on multiple occasions. Missing People estimate that nearly 65% of missing looked after children were reported missing more than once in 2020⁶.

The Children's Society⁷ cite that the available evidence on the relevance of type of care placement, foster or residential, increasingly suggests that young people in residential care are more likely to go missing.

The Children's Societies [First Step](#) report⁸ references that a higher propensity among young people in care to run away or go missing should not be seen as a negative reflection on the care system. This is because the lives of young people who live in care or who spend time in care during their childhoods are often characterised by the experiences that are known to lead to running away – for example, conflict with parents, abuse or neglect at home, problems with school, issues related to substance misuse etc. In that sense they are not a random group, but represent a disadvantaged subgroup of the general population who would be expected to go missing more often (Safe on the Streets Research Team, 1999).

The First Step report notes that in contrast, other reports have asserted that factors directly related to care placements may contribute to or cause a young person to run away for example if they have been abused by a member of staff or another young person. Reports have also suggested that features of living in care can lead to a young person going missing for example perpetrators of sexual exploitation targeting residential children's homes to groom young people (APPG, 2012)⁹.

Consultation undertaken by [Missing People](#) with children in care found that children spoke about a range of push and pull factors that may cause people to go missing¹⁰, headlines include:

Push factors:

- Unhappiness with care placements
- Issues with the boundaries or rules set by placements
- Wanting time to themselves or becoming more independent

⁴ Missing People, [Children's views on being reported missing from care](#) (2021)

⁵ [Department for Education, Children looked after in England including adoptions \(19 February 2021\)](#)

⁶ Missing People, [Children's views on being reported missing from care](#) (2021)

⁷ Children's Society. [The First Step: How return interviews can improve support and safeguarding for missing young people](#)

⁸ *ibid*

⁹ *ibid*

¹⁰ Missing People, [Children's views on being reported missing from care](#) (2021)

- Escaping unsafe home environments

Pull factors:

- Seeing family and friends
- Seeing friends without restrictions associated with being in care
- Exploitation
- Drug or alcohol abuse

The consultation also indicated that children felt going missing could be a warning sign of serious harm, however on other occasions they might just be socialising with friends.

In 2012, two reports highlighted that many of these children were not being effectively safeguarded: the Joint All Party Parliamentary Group (APPG) Inquiry on Children Who Go Missing from Care and the Office of the Children's Commissioner's inquiry into Child Sexual Exploitation in Gangs and Groups.

Key issues identified suggested that:

- children in residential care are at particular risk of going missing and vulnerable to sexual and other exploitation; and
- Local Safeguarding Children Boards have an important role to play in monitoring and interrogating data on children who go missing.

The Ofsted report 'Missing Children' published in February 2013 on local authorities' work in relation to children missing from home and care highlighted a number of concerns. These were that:

- risk management plans for individual looked after children were often not developed or acted on;
- placement instability was a key feature of looked after children who ran away;
- reports about looked after children missing from their care placement were not routinely provided to senior managers in local authorities; and
- there was little evidence that safe and well checks or return interviews were taking place.

Although looked after children are particularly vulnerable when they go missing, the majority of children who go missing are not looked after, and go missing from their family home. They can face the same risks as a child missing from local authority care. The same measures are often required to protect both groups of children.

Research by the Children's Society has identified the following risk factors that can precede a missing incident:

- Arguments and conflicts
- Conflict within a placement
- Poor family relationships
- Physical and emotional abuse
- Boundaries and control
- Step parent issues.

The immediate risks associated with going missing include:

- No means of support or legitimate income - leading to high risk activities
- Involvement in criminal activities
- Victim of abuse
- Victim of crime, for example through sexual assault and exploitation
- Alcohol/substance misuse
- Deterioration of physical and mental health
- Missing out on schooling
- Increased vulnerability.

Longer-term risks include:

- Long-term drug dependency/alcohol dependency
- Crime
- Homelessness
- Disengagement from education
- Child sexual exploitation
- Poor physical and/or mental health.

Appendix 4 - Associated resources

General guidance

- [Working Together to Safeguard Children](#) clarifies the core legal requirements on individuals and organisations to keep children safe, including the legal requirements that health services, social workers, police, schools and other organisations who work with children must follow.

Missing children guidance, strategy and police resources

- [Authorised Professional Practice \(APP\) Major investigation and public protection Missing Persons](#) (2016)
- [Children who run away or go missing from home or care](#) (2014)
- [Missing children](#) (2013)
- [Missing Children and Adults – A Cross Government Strategy](#) (2011)
- [APPG for Runaway and Missing Children and Adults and the APPG for Looked After Children and Care Leavers - Report from the Joint Inquiry into children who go missing from care](#) (2012)

Prevention and supporting missing children and their families

- [Childline](#) (telephone: 0800 1111)
- [NSPCC](#) (telephone: 0808 800 5000)
- [Child Exploitation and Online Protection Centre](#) (CEOP)
- [Missing People](#) (telephone or text: 116 000 or email: 16000@missingpeople.org.uk)
- [Missing People information, research and policies](#) - Reports on various related issues
- [The Children's Society – information for professionals and young people](#)
- [The First Step: How return home interviews can improve support and safeguarding for missing young people \(Children's Society\)](#)
- [When the search is over. Reconnecting missing children and adults](#) (2014) Oak Foundation and Missing People

Children in care

- [Children's views on being reported missing from care](#) (2021) Missing People
- [No place at home. Risks facing children and young people who go missing from out of area placements](#) (2019) APPG

Online Safety

- [Cyber Aware](#) National Cyber Security Centre
- [Child Exploitation and Online Protection Centre](#) (CEOP)

Child Criminal Exploitation

- [Serious and Organised Crime Toolkit: An Interactive Toolkit for practitioners working with young people](#) Home Office
- [Criminal exploitation of children and vulnerable adults: county lines](#) (2023) Home Office

- [All of us were broken. An exploratory study into family experiences of child criminal exploitation](#) (2019) Missing People
- [Advice to parents and carers on gangs](#) (2014) Home Office
- [Advice to schools and colleges on gangs and youth violence](#) (2013) Home Office

Child sexual exploitation

- [Child Sexual Exploitation. Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation](#) (2017)
- [Tackling Child Sexual Exploitation: Progress Report](#) (2017)
- [What to do if you're worried a child is being abused: advice for practitioners](#) (2015)
- [National Working Group](#), a UK network of over 1000 practitioners working on the issue of child sexual exploitation (CSE) and trafficking within the UK. includes relevant resources for practitioners
- [Parents Against Child Sexual Exploitation \(PACE\)](#)
- [If only someone had listened \(2013\)](#) Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups
- [Still Hidden? Going missing as an indicator of child sexual exploitation](#) (2012) Missing People
- [I thought I was the only one. The only one in the world](#) (2012) Office of the Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups

Radicalisation

- [Prevent Duty Guidance: for England and Wales](#) (2023)
- [Prevent Multi-Agency Panel Duty Guidance: Protecting people vulnerable to being drawn into terrorism](#) (2023)
- [Channel Duty guidance – Protecting people susceptible to radicalisation](#) (2023)

Honour based abuse, forced marriage and female genital mutilation

- [Multi-agency statutory guidance for dealing with forced marriage and multi-agency practice guidelines: Handling cases of forced marriage](#) (2023)
- [Foreign and Commonwealth Office and Home Office Guidance Forced Marriage](#)
- [Forced Marriage Protection Orders](#) (2020)
- [Apply for a forced marriage protection order](#)
 - [Multi-agency statutory guidance on female genital mutilation](#) (2020)
 - [Mandatory reporting of female genital mutilation: procedural information](#) (2020)
 - [Female Genital Mutilation Protection Orders: Factsheet](#) (2016)
 - [Understanding the female genital mutilation enhanced dataset: updated guidance and clarification to support implementation](#) (2015)

Child trafficking

- [Modern Slavery Statutory Guidance](#) (2023)
- [Still in Harm's Way. An update report on trafficked and unaccompanied children going missing from care in the UK](#) (2018)
- [Care of unaccompanied migrant children and child victims of modern slavery](#) (2017)
- [Safeguarding Strategy – unaccompanied asylum seeking and refugee children](#) (2017)
- [Heading back to harm. A study on trafficked and unaccompanied children going missing from care in the UK](#) (2016)
- [Safeguarding Children Who May Have Been Trafficked Guidance](#) (2011)
- [On the Safe Side: Principle of Safe Accommodation of Child Victims of Trafficking](#) (2011)
- [UK Visas and Immigration's Arrangements to Safeguard and Promote Children's Welfare \(Every Child Matters\)](#) (2009)

Appendix 5 - Police Missing Person Risk Assessment

The following questions are taken from the Humberside Police Missing Person Report on the Niche system.

1. Full circumstances including the missing person's intentions and any preparations for absence if known
2. Is the missing person likely to commit suicide?
3. Is the person vulnerable due to age, infirmity or any other similar factor?
4. Does the person have any physical illness, mental health problems or essential medication requirements?
5. Is the person suspected to be the subject of a significant crime in progress, for example abduction, child sexual exploitation etc?
6. Is the missing person likely to be the victim of abuse?
7. Does the missing person pose a danger to other people?
8. Is the missing person currently at risk of sexual exploitation?
9. Did the person prepare to be away?
10. Is the person's behaviour significantly out of character?
11. What were the person's intentions when last seen?
12. What are the enquiries the informant has made or intends to make?
13. Is there a reason for the person to go missing?
14. Are there family or relationship problems or a recent history of family conflict and/or abuse, including honour based abuse and forced marriage?
15. Is the missing person a victim or perpetrator of domestic violence?
16. Is the missing person on a child protection plan?
17. Has the missing person ever suffered or been exposed to harm in a previous missing episode?
18. Is there a belief that the missing person may not have the ability to interact safely with others in an unknown environment?
19. Is there any ongoing bullying or harassment, for example racial, sexual, homophobic, local community concerns or cultural issues etc.?
20. Was the missing person involved in a violent and/or racist incident immediately prior to their disappearance?
21. Does the missing person have any workplace (school/college/university/place or work) or financial problems, for example truancy, threat of expulsion/redundancy/sacking, debt or possible or known blackmail?
22. Does the missing person have a current or previous history of a drug or alcohol dependency?
23. Are there any unlisted factors that the officer or supervisor considers should influence this risk assessment, for example current weather conditions, reliability of witness etc?

Appendix 6 - Relevant legislation and summary of police powers in relation to children and young people who go missing

Children Act 1989, Section 49 Abduction of children in care

This offence applies to any child/young person subject to a care order, emergency protection order or in police protection even if the child/young person is 16 or over providing the care order has not elapsed.

Offence

A person is guilty of an offence if, knowingly and without lawful authority or reasonable excuse, takes a child to whom this section applies away from the responsible person; keeps such a child away from the responsible person; or induces, assists, or incites such a child to run away or stay away from the responsible person.

Points to prove

1. That the offender knew:
 - That the child is subject to a care order, emergency protection order or in police protection;
 - That the offender knew that the responsible person had not given their permission for the child to stay with the offender;
2. That the offender has either:
 - Taken the child;
 - Kept such a child away from the responsible person; or
 - Induced/assisted/incited such a child to run/stay away from the responsible person.

Child Abduction Act 1984, Section 2 abduction of a child

This offence applies to any child under 16 even if the child is not subject to a care order, emergency protection order or in police protection.

Offence

A person not connected with the child is guilty of an offence if, without lawful authority or reasonable excuse, he takes or detains a child under the age of 16:

- So as to remove him from the lawful control of any person having lawful control of the child; or
- So as to keep him out of the lawful control of any person entitled to lawful control of the child.

Guidance notes

A person is connected with a child if:

- He is a parent of the child; or

- In the case of a child whose parents were not married to each other at the time of his birth, there are reasonable grounds for believing that he is the father of the child; or
- He is the guardian of the child; or
- He is a person in whose favour a residence order is in force with respect to the child; or
- He has custody of the child.

Therefore, if the child is in the care of the Local Authority and is being kept away from the foster carer or residential home by a natural parent, the S49 Children Act offence should be used, not the S2 Child Abduction Act 1984.

Points to prove

- That the child was under 16.
- That the offender acted without lawful authority or reasonable excuse.
- That the offender was not connected with the child.
- The offender took or detained the child.
- So as to remove/keep him/her from lawful control.

Children Act 1989, Section 46 place of safety power to remove to place of safety or prevent removal from

Where a Constable has reasonable cause to believe that a child would otherwise be likely to suffer significant harm, he may:

- Remove the child to suitable accommodation and keep him there; or
- Take such steps as are reasonable to ensure that the child's removal from any hospital, or other place, in which he is then being accommodated is prevented.

This is the primary power for the police in emergency situations.

Children Act 1989, Section 44

Where a person applies to the court for an order to be made under this section concerning a child, the court may make the order if, but only if, it is satisfied that there is reasonable cause to believe that the child is likely to suffer significant harm if;

- He is not removed to accommodation provided by or on behalf of the applicant; or
- He does not remain in the place where he is then being accommodated.

Children Act 1989, Section 48

Where it appears to a court making an emergency protection order that adequate information as to the child's whereabouts:

- a) is not available to the applicant for the order; but
- b) is available to another person;

It may include in the order a provision requiring that other person to disclose, if asked to do so by the applicant, any information that he may have as to the child's whereabouts (S48(1)).

An emergency protection order may authorise the applicant to enter premises specified by the order and search for the child with respect to whom the order is made (S48(3)).

A person shall be guilty of an offence if he intentionally obstructs any person exercising the power of entry and search under subsection (3) or (4) (S48(7)).

Where, on an application made by any person for a warrant under this section, it appears to the court:

- a) That a person attempting to exercise powers under an emergency protection order has been prevented from doing so by being refused entry to the premises concerned; or
- b) That any such person is likely to be so prevented from exercising any such powers;

It may issue a warrant authorising any constable to assist the person mentioned in paragraph (a) or (b) in the exercise of those powers, using reasonable force if necessary.

Children Act 1989, Section 50 recovery order/order to produce child on request and remove child

A Recovery Order allows a court to order the recovery of a child who has been prevented from returning to his/her lawful guardian or has run away. A Recovery Order can be made in respect of any child/young person subject to a care order, emergency protection order or in police protection.

Application

A court can make a Recovery Order where it appears to the court that there is a reason to believe that a child to whom this section applies:

- Has been lawfully taken away or is being unlawfully kept away from the responsible person;
- Has run away or is staying away from the responsible person; or
- Is missing.

Effect of an order

A Recovery Order

Operates as a direction to a person able to do so to produce the child on request to an authorised person;

- Authorises the removal of the child by an authorised person;
- Requires a person who has information as to the child's whereabouts to disclose it, if so requested, to a constable or an officer of the court;

- Authorises a constable to enter any premises specified in the order and search for the child, using reasonable force if necessary.

Offence

It is an offence to intentionally obstruct a person from removing a child under a Recovery Order.

Changes to Prohibition Orders for Registered Sex Offenders (RSOs)

On 08 March 2015, the Anti-Social Behaviour, Crime and Policing Act 2014 introduced changes to the orders which can be obtained under the Sexual Offences Act 2003 Part 2 (SOA 2003).

There were a number of orders which could be imposed on offenders who had been convicted, cautioned, warned or reprimanded for a specified schedule 3 (sexual) or 5 (other dangerous) offence under SOA 2003. These were Sexual Offences Prevention Orders (SOPO) and Foreign Travel Orders (FTO). There was also an order which can be imposed on any adult thought to pose a risk of sexual harm to a child - a risk of sexual harm order (RoSHO).

These orders are now replaced with the following new orders:-

Sexual Harm Prevention Order (SHPO)

- Replaces the sexual offences prevention order (SOPO)
- Can be made against a person with a conviction for a schedule 3 or 5 SOA 2003 offence
- Makes the person subject to 'sex offender registration'
- Contains prohibitions to protect the public in the UK from sexual harm
- May contain prohibitions to protect children and vulnerable adults outside of the UK from sexual harm
- Lasts for a minimum of 5 years with no maximum duration with the exception of foreign travel restrictions which must be renewed after 5 years (if applicable)
- The orders can be made 'standalone' (via Legal Services) or upon conviction
- A SHPO can be made by a court to impose restrictions on the offender from the point of conviction, in cases where this is necessary in order to protect the public from sexual harm from that offender
- The process remains the same for officers requesting SHPO prohibitions 'on conviction'. Please request under Section 8 of the MG5 but highlight the change in title of the new order
- Breach of a SHPO or an interim SHPO, without reasonable excuse, is a criminal offence. An offender convicted of such an offence on summary conviction (in the magistrates' court) will be liable to a term of imprisonment of up to six months or to a fine or both. An offender convicted on indictment (in the Crown Court) will be liable to a term of imprisonment of up to five years. The court cannot, by virtue of section 113(3), make an order for conditional discharge.

Sexual Risk Order (SRO)

- Replaces the risk of sexual harm order (RoSHO)

- For those without a conviction for a schedule 3 or 5 offence (or any offence) but who pose a risk of sexual harm
- Contains prohibitions to protect the public in the UK from sexual harm
- May contain prohibitions to protect children and vulnerable adults outside of the UK from sexual harm
- Lasts for a minimum of 2 years with no maximum duration with the exception of foreign travel restrictions which must be renewed after 5 years (if applicable)
- The orders can only be made 'standalone' (via Legal Services)
- The order cannot require the offender to comply with conditions requiring positive action, although it does have the effect of requiring the individual to notify the police of their name and address (this information must be updated annually and whenever the information changes) while the order has effect
- Breach of a SRO or an interim SRO, without reasonable excuse, is a criminal offence. An offender convicted of such an offence on summary conviction (in the Magistrates' court) will be liable to a term of imprisonment of up to six months or to a fine or both; an offender convicted on indictment (in the Crown Court) will be liable to a term of imprisonment of up to five years. The court may not, by virtue of section 122H (4), make an order for conditional discharge
- A conviction, caution etc. for breach of a SRO or an interim SRO will render the defendant subject to the notification requirements in Part 2 of the 2003 Act. These requirements will remain in place for the duration of the SRO the breach of which gave rise to the conviction etc.

Appendix 7 - Independent return interview

The process and practice focus of an Independent Return Interview is:

1. The Children's Missing Advocate receives information from the police Niche system and it is recorded on the Children's Services CareFirst recording system when a child/young person is missing and again when they have returned from a missing episode. The Children's Missing Advocate records the independent return interview on the Missing child form on CareFirst. Additional case notes will also be recorded as necessary.
2. The Children's Missing Advocate makes initial enquiries in respect of relevant background information.
3. The Children's Missing Advocate makes arrangements to interview the child/young person within 72 hours of their return.
4. Every effort will be made to contact a child/young person by contacting them direct, via school or at home. If, after all reasonable attempts have been made, a young person cannot be contacted, or repeatedly fails to attend an arranged interview, the Children's Missing Advocate will write to them to explain the reason for wanting to meet, provide their contact details and invite them to get in touch.
5. Consideration will also be given to talking to parents/carers or other relevant adults/professionals to gain any relevant information and intelligence of which they may be aware and facilitate any support needed for parents/carers. This should help to prevent further instances of the child running away and identify early the support needed for them.
6. Interviews are, wherever possible, held in a neutral venue and in private unless the child/young person indicates that they wish to be supported.
7. The focus of the interview is to hear from the child/young person about why they went missing, to understand the child/young person's perspective, to gain insight into risks and issues involved and to discuss prevention strategies.
8. The interview and actions that follow from it should:
 - identify and deal with any harm the child/young person has suffered – including harm that might not have already been disclosed as part of the 'safe and well check' – either before they ran away or whilst missing;
 - understand and try to address the reasons why the child/young person ran away;
 - help the child/young feel safe and understand that they have options to prevent repeat instances of them running away

- provide all children/young people with information on how to stay safe if they choose to run away again, including helpline numbers. The Advocate provides written information as well as guidance/advice.
9. Particular issues to explore could include where a child/young person:
 - has been reported missing on two or more occasions and if so is there a multi-agency plan to reduce missing incidents;
 - is frequently away from placement (or their home) without authorisation;
 - has been hurt or harmed while they have been missing;
 - is at known or suspected risk of sexual exploitation or trafficking;
 - is at known or suspected risk of involvement in criminal activity or drugs;
 - has contact with people posing a risk to children; and/or
 - has been engaged (or is believed to have engaged) in criminal activities while missing.
 10. The assessment of whether a child might run away again should be based on information about:
 - their individual circumstances, including family circumstances;
 - their motivation for running away;
 - their potential destinations and associates;
 - their recent pattern of absences;
 - the circumstances in which the child was found or returned; and
 - their individual characteristics and risk factors such as whether a child has learning difficulties, mental health issues, depression and other vulnerabilities.
 11. Following the independent return interview the Advocate will work with Children's Services, police and any other agencies working with the child/young person who should work together:
 - to build up a comprehensive picture of why the child went missing;
 - to understand what happened while they were missing;
 - to understand who they were with when they were missing and where they were found; and
 - what support they require upon returning to home or their care placement in accordance with the 'Working Together' guidance
 - To ensure that there is a multi-agency plan to reduce repeat missing incidents.
 12. Where a child declines an interview or will not engage in the interview the Advocate will ensure that all relevant information is shared with professionals. Consideration will be given, in consultation with professionals as to whether there is another suitable person, with whom the child would engage with and who could undertake the independent return interview. If this is the case the Advocate will give advice where necessary on what is required from the interview and ensure that the information is recorded in conjunction with Children's Services managers.

13. The Advocate will make a referral to Children's Services at any point during the missing episode or when/after a child is found should there be a concern that the child is in need under section 17 or a child is in need of protection under section 47 of the Children Act 1989. Where it is determined that a child or family need additional support rather than a referral being made an Early Help Assessment should be considered. Reference will be made to the [One Family Approach - Helping Children and Families in North Lincolnshire document 2020/24 and Children's MARS policy and procedure for assessing need and providing help.](#)
14. Where a need for further advocacy support has been identified, this will be provided through the Children's Advocacy Service.