

<b>POLICY TITLE:</b>	<b>Missing from Care or Education - Scotland</b>
<b>Policy Number:</b>	ACS06B
<b>Applies to:</b>	All Service Types: Scotland
<b>Version Number:</b>	02
<b>Date of Issue:</b>	30/09/2024
<b>Date of Review:</b>	30/09/2025
<b>Author:</b>	Debra Murray - Head of Quality, Care Katie Dorrian – Head of Safeguarding
<b>Ratified by:</b>	Debra Murray, Head of Quality – Care
<b>Responsible signatory:</b>	Natasha Sloman, Interim Director of Quality and Governance
<b>Outcome:</b>	This policy aims to ensure: <ul style="list-style-type: none"> <li>• A consistent and proactive response to safeguarding children and young people by reducing the risks of young people going missing and ensuring a consistent response in the event of such incidents.</li> </ul>
<b>Cross Reference:</b>	AOP04 Incident Management, Reporting and Investigation ACS04 Positive Behaviour Management AOP08 Safeguarding Adults AOP06 Safeguarding Children Education AOP06A Safeguarding Children Residential Care AOP06.1 Child Protection (Scotland)

**EQUALITY AND DIVERSITY STATEMENT**

Aspris is committed to the fair treatment of all in line with the Equality Act 2010. An equality impact assessment has been completed on this policy to ensure that it can be implemented consistently regardless of any protected characteristics and all will be treated with dignity and respect.

In order to ensure that this policy is relevant and up to date, comments and suggestions for additions or amendments are sought from users of this document. To contribute towards the process of review, email [AsprisGovernanceHelpdesk@Aspris.com](mailto:AsprisGovernanceHelpdesk@Aspris.com)

## MISSING FROM CARE OR EDUCATION - Scotland

### 1 INTRODUCTION

- 1.1 In order to effectively implement this policy each Aspris Children's Service will have local procedures in place, where necessary, which explain how this policy is applied and put into practice at service level.
- 1.2 Template **ACS LP 06** is provided for this purpose and includes a key content checklist.

### 2 AIMS

- 2.1 When a child or young person goes missing, they are at risk. The effective safeguarding of the children and young people cared for and educated within Aspris Children's Services includes protecting them from this risk. This policy outlines the framework for effective risk assessment management and prevention of running away/missing episodes.
- 2.2 Since local procedures may vary considerably, being agreed with local police forces to align with their own protocols and those of the host authority, this policy provides an overview and basic principles for prevention and response to incidents of going missing, to be supported by detailed local procedures.
- 2.3 At every service protocols are expected to align with the Scottish Government's National Missing Framework

### 3 DEFINITIONS

- 3.1 Consistent and clearly understood definitions for children or young people who are not present where they are expected to be are key to ensuring a suitable and timely response to missing incidents.
- 3.2 The categories and definitions listed in statutory guidance are:
  - 3.2.1 **Away from placement/home without authorisation:** a looked after child whose whereabouts is known but who is not at their placement/home 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;
  - 3.2.2 **Absent:** a person not at a place where they are expected or required to be;
  - 3.2.3 **Missing:** anyone whose whereabouts cannot be established and where the circumstances are out of character, or the context suggests the person may be subject of crime or at risk of harm to themselves or another.
  - 3.2.4 **Missing from care (Missing from Home):** a looked after child who is not at their placement/home or the place they are expected to be (e.g. school) and their whereabouts is not known.
  - 3.2.5 **Absconded:** When a missing child is subject to a court order, such as curfew or bail conditions. Police must be made aware of the order and the expiry date in order for the child to be classified as an absconder. If the expiry date of the order is not known, the child will be classified as a 'missing person' NOT an absconder
- 3.3 **Schools and colleges:** In Common Law, schools have a duty of care towards their pupils. This duty of care requires that all reasonable steps are taken to ensure that pupils are safe and remain within the care of the school at all times throughout the school day, and during school

led activities.( refer to Included, engaged and involved Part 1: promoting and managing school attendance Scottish Government)

3.3.1 All **schools** must inform the local authority of any pupil who fails to attend school regularly, or has been absent without the school's permission for a continuous period of 10 school days or more, at such intervals as are agreed between the school and the local authority(refer to Children Missing from Education ( Scotland) Guidance for Local Authorities.

3.4 A child or young person who goes missing places themselves and others at risk; every 'missing' episode requires immediate attention. When a child or young person goes missing the immediate response of colleagues should be to prevent harm and to recover the young person to safety as soon as possible.

### 3.5 **International placements (Sponsored Students)**

In the event of a child or young person who is attending under a student sponsor visa arrangement running away or going missing, the Registered/ Manager/ headteacher should, in accordance with the child/young person's Individual Missing Risk Assessment take all agreed steps to promote the safety and well-being of the child/young person. They must also take the necessary steps to inform the relevant authority that the child/young person is not present under the change of circumstances guidance in the International Students Policy – Appendix B, at the point when their absence reaches the specified thresholds for notification.

## **4 LOCAL PROCEDURES AND PROTOCOLS**

4.1 Each service will have specific local procedures and protocols to follow, developed in consultation with their local police force and other relevant agencies, and taking into account their Local Area Risk Assessment. Both documents will be reviewed at least annually.

## **5 PREVENTION AND RISK ASSESSMENT**

5.1 On admission a Missing Risk Assessment (**ACS Form: 06**) should be completed for each child or young person. This should be reviewed annually, and after any incident of going missing. This process identifies the likelihood of the child or young person going missing, and the probable/their vulnerability whilst missing, enabling colleagues to appropriate action in any individual case.

5.2 Colleagues are expected to be aware of and seek to minimise individual risk of going missing, utilising where necessary the de-escalation skills taught through behaviour support and intervention Training and other behaviour support, listening and communication training.

## **6 COLLEAGUE AWARENESS OF RISK**

6.1 In addition to being aware of individual and environmental risks associated with children and young people and the local area, colleagues should be fully aware of the risks associated with children who are missing: Training in relation to safeguarding, child sexual exploitation and other forms of exploitation including the risks of extremism and radicalisation are provided to all colleagues:

## **7 RESPONDING TO INCIDENTS OF MISSING**

7.1 Stage 1:

7.1.2 In all cases when a young person is found to be missing from the home colleagues must:  
1. Undertake enquiries locally and with the other children as to the whereabouts of the child to establish that (s)he is absent. This may include a thorough check of the local area and the home and may include contacting people who know the child or going out to look for

them. If the child has become absent during an activity away from the Home, colleagues should conduct a search of the vicinity, if it is safe to do so.

2. Searches beyond the local vicinity may only be undertaken with the approval of the manager.
3. If colleagues are satisfied that the child is absent or away from the placement/home without authorisation but they are aware or suspect the whereabouts of a child, they should consult a manager with a view to recovering the child. This may include attempting to communicate with the child on his or her mobile phone, ask other colleagues or young people if they know the whereabouts or potential whereabouts of the young person;

## 7.2 Stage 2:

### 7.2.1 In all cases the next step is to:

1. Consult the young person's Absent Child Arrangements and Missing from Care Profile and follow the steps outlined – which will include when to inform the family/Police/E.D.T./social worker etc;
2. Make a report of a missing person as per the relevant protocol and risk assessment; ( Refer to Appendix C of National Missing Framework Page 33-35)
3. Complete the Missing from Care Record as appropriate and ensure that all actions taken are logged and/or cross referenced;
4. Update the child's risk assessment and placement/care plan.

7.3 Any actions taken to recover the child and return them to the home must focus on promoting the child's welfare and must take account of their legal status, age, understanding and the level of risk posed to the child or others. If children are found but refuse to return to the home, colleagues must consult the manager (who should consult the child's social worker) or, in an emergency and/or where the child or others are seriously at risk, call the Police.

7.4 The use of physical interventions, such as restraint should not be used unless there is an immediate risk of significant harm, serious damage to property, as a last resort and if colleagues are confident that such interventions will work/de-escalate the situation and make the child safe; if this outcome is not likely, they should withdraw and immediately consult their manager or the Police.

## 8 REPORTING AND RECORDING

8.1 All incidents of missing must be fully recorded using the Group Incident reporting system, (see AOP04 Incident Management, Reporting and Investigation for details).

8.2 For serious and significant incidents colleagues should also use the division's immediate escalation process (see ACS Form 58) to inform all relevant persons.

8.3 Registered Managers/ Headteachers are responsible for ensuring that all safeguarding protocols and statutory reporting procedures are followed, including where a Tier 4 General Student Visa holder go missing or colleagues encounter a potential victim of modern slavery/human trafficking (n.b. Head of Safeguarding should be contacted for advice and guidance)

8.4 In any incident involving missing, many actions and communications take place, often extending over several shifts: To ensure effective management of information, a chronology of events form is available for colleagues to use to keep a running record of the incident (**ACS Form: 06C**). An individual record of episodes of missing should be maintained for each child who is involved in any episode of being missing (**ACS Form: 06D**).

## 9 'SAFE AND WELL' CHECKS

- 9.1 After returning from any episode of going missing the child or young person should always be offered a 'safe and well' check, including seeing a health professional should they so wish. (Refer to Appendix D of National Missing Framework)
- 9.2 Safe and well checks should be completed by an independent person, and where a placing authority does not provide such a person, services should be prepared to use local resources to provide such an independent person. This will generally require having a suitably trained and checked person in place who is able to respond promptly should the need arise.

## 10 LEARNING AND DEBRIEFS

- 10.1 After returning from any episode of going missing, the child or young person should be encouraged and supported to participate in a 'Debrief Meeting': The structure, format and conduct of such meeting will vary on an individually responsive basis: A basic template detailing areas to be covered and providing a recording framework is provided on (**ACS Form: 06B**), however services may choose instead to record the debrief directly on the group reporting system, using (**ACS Form: 06B**) as a guide to content.
- 10.2 Managers reviewing debrief reports are expected to ensure that any lessons learned and actions identified and recorded on group incident reporting system, as well as being disseminated and/or implemented in a timely manner. This includes notifying the relevant responsible authorities of any issues which may relate to possible offences and/or safeguarding.

### 10.3 Independent return interviews

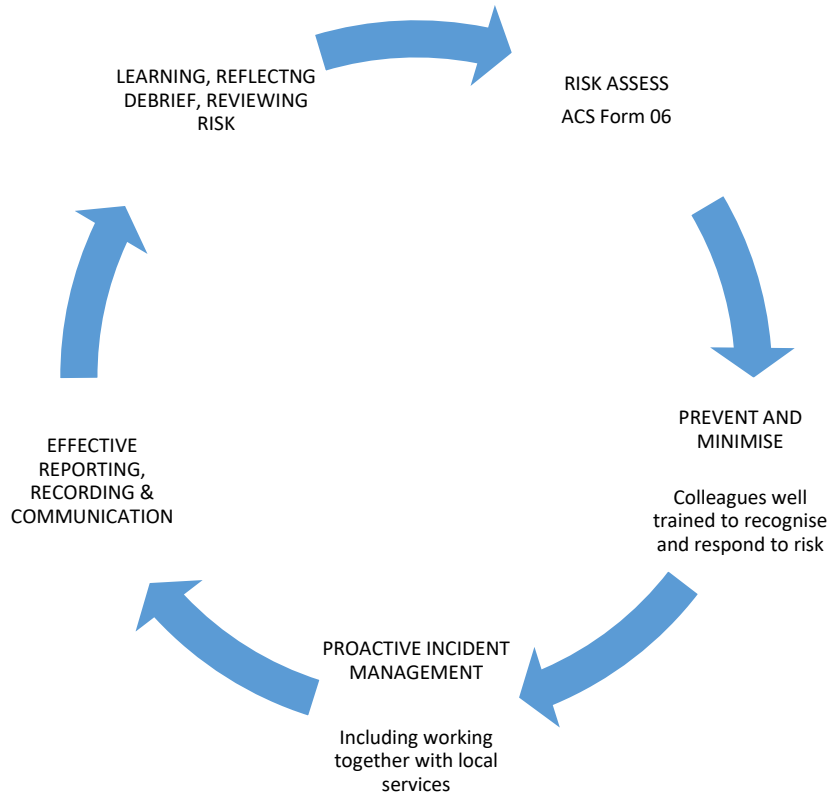
When a child is found, they must be offered an independent return interview. Independent return interviews provide an opportunity to uncover information that can help protect children from the risk of going missing again, from risks they may have been exposed to while missing or from risk factors in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

## 11 GOVERNANCE AND MONITORING

- 11.1 Registered Managers and Headteachers are responsible for monitoring incidents of missing at their own services, with their Regional Operational Team overseeing incidents.
- 11.2 The Incident Review Panel meets weekly by Teams call to review all incidents of missing.
- 11.3 Missing incidents are also a Quality Review monitored monthly at Company level.
- 11.4 Where the Regional Operational Team feel it necessary, a Critical Incident Review in relation to missing incidents. (**ACS Form: 06A**)

## 12 BASIC ACTION CYCLE: MISSING from Care or Education:

12.1



**13 REFERENCES**

- 13.1 Care Standards Act 2000
- Children Act 2004
- Regulation of Care (Scotland) Act 2001
- Education (Scotland) Act 1980
- National Guidance for Child Protection in Scotland (Scottish Government 2021)
- Children and Young People (Scotland) Act 2014
- Children Missing Education (Scotland): Guidance for local authorities
- Included, engaged and involved Part 1: Promoting and managing School attendance
- Scottish Government (2018) Health and Social Care Standards: My support, my life
- Children and Young people Scotland Act 2014
- Children and Families Act 2014
- The Children and Social Work Act 2017
- Student Sponsor Guidance: Document 2: Sponsorship Duties: Home Office: Version 09/2021, to be used from 29 September 2021
- Data Protection Act 2018
- Looked After and Accommodated Children Who Go Missing from Residential and Foster Care In Scotland National Guidance (Police Scotland)
- UN Convention on the Rights of the Child
- Modern Slavery Act 2015

**Associated Forms and Documents:**

- ACS Form: 06** Missing Risk Assessment
- ACS Form: 06A** Missing Critical Incident Review
- ACS Form: 06B** Missing Debrief Report
- ACS Form: 06C** Missing Chronology of Events
- ACS Form: 06D** Missing Individual Chronology
- ACS Form: 13D** Local Area Risk Assessment
- ACS Form: 58** Escalating Significant Incidents