

IMPLICATIONS OF THE RECOMMENDATIONS CONTAINED IN THE ALL-PARTY PARLIAMENTARY GROUP REPORT ON THE JOINT INQUIRY INTO CHILDREN WHO GO MISSING FROM CARE

INTRODUCTION

An All Party Parliamentary Group produced a report in June 2012, outlining their enquiry into children who go missing from care. This document was circulated to members of the Policy Overview Committee before the previous meeting in October 2012, and was referred to in the scoping report in July 2012.

This report produced thirty-one separate recommendations which picked up some of the main issues identified within the Parliamentary enquiry.

The full list of recommendations is listed below, along with commentary from the perspective of the London Borough of Hillingdon on how far these recommendations could/should be implemented, at a local/national level.

Recommendation 1: *Guidance 238 should be amended so that all children in care have a statutory right to independent advocacy as part of care reviews and placement planning, not just as part of complaint processes.*

It is already the expectation that all children in care should have access to independent advocacy, as part of their statutory review and placement planning process. The practice in Hillingdon is for the allocated social worker and/or Independent Reviewing Officer to provide information about the Children's Rights and Advocacy Service at the first statutory review, and ensure that the young person has an information leaflet with a confidential contact telephone number, in terms of how to contact the Children's Rights Service.

Any amendment to guidance would be merely confirming what should be best practice in most local authorities, as it is in Hillingdon.

Recommendation 2: *Before placing a child in another local authority, the home local authority should, in collaboration with the receiving local authority, make an assessment of the geographical area to determine whether or not it is safe for the child based on what is known about the risks facing the child.*

Any placements that are made on a planned basis do take into account some limited information about the receiving local authority and the geographical area. However, for placements that are made in an emergency, this may

prove to be difficult to achieve, and these are the cases that are usually the most risky.

The information about each geographical area is complex and would require some extensive research, prior to a placement being made from a number of sources; so whilst this is desirable, it may not be achievable for every placement. However, for those children where there is a pattern of running away or possibly trafficking/exploitation, completing such an assessment could easily be built into the checklist for placing such children. This will be explored with the Placement Service in Hillingdon, to improve practice for this targeted cohort of children.

Recommendation 3: The Care Planning, Placement and Case Review (England) Regulations 2010 should be amended to ensure they adequately meet the needs of children when they go missing. For example they should require the placing authority to call a placement review meeting whenever they are notified that a child in care has gone missing to assess the level of risk and agree an action plan with the host authority and local police.

It is our belief in Hillingdon that the existing procedures are sufficient to enable a placing authority to call a placement review whenever a child has been reported missing, and to develop a risk assessment/action plan for that child. This expectation is already captured in the Child Protection Procedures and national guidance for children who go missing. The overriding issue is about compliance and ensuring that it happens rather than making any further changes to the regulations. A program of regular staff briefings, as we have in Hillingdon, would help to achieve better adherence to the existing procedures.

Recommendation 4: A weighted scorecard, similar to the one recently introduced for adoption, to be introduced for local authorities to assess their provision for children in care who go missing. This should include performance against sufficiency of accommodation duties, the numbers and management of missing incidents, the number of out of area placements and placement stability.

A weighted scorecard would be helpful as an agreed way of rating local authority performance against sufficiency of accommodation alongside the number and management of missing incidents. However, there would need to be absolute clarity about the definitions of whether it is children who are being counted or episodes of children going missing. This would have to be a Central Government national target, which could be implemented locally to provide information to the Local Safeguarding Children Board about the incidents of missing children. A data set about children who go missing from home or care is already being presented to the Local Safeguarding Children Board in Hillingdon, and is replicated in many other Local Safeguarding Children Boards across the country; and so the weighted scorecard may help to consolidate best practice. Overall, having more centrally driven targets

from Government may become unwieldy, and take energies away from best practice in the local area.

Recommendation 5: *The pilot scheme run by Department for Education and Barnardo's to train more foster carers to support trafficked children and/or sexually exploited children should be rolled out nationally with support to help local authorities engage effectively with the scheme.*

This recommendation is wholly desirable to support foster carers who provide care for trafficked or sexually exploited children. In Hillingdon, foster carers already receive such training in the indicators of trafficked children and sexually exploited children; and this has proven to be successful in terms of reducing the numbers of children who go missing from care, especially asylum seeking children. Again, this recommendation reflects what should be best practice.

Recommendation 6: *A legal advocate with parental responsibility should be appointed for all unaccompanied migrant children.*

This recommendation is likely to be unachievable, given the numbers of unaccompanied migrant children, and could also be expensive and unwieldy to administrate through court processes with no evidence of outcomes being improved for this cohort of children. As it stands, in Hillingdon, if there is a particular need for an unaccompanied migrant child to have legal advocacy or a person holding parental responsibility, then legal processes are already followed, and are available in the existing framework; eg special guardianship, etc, on a case by case basis. This recommendation would not be helpful as a prescription for every migrant child, and is probably disproportionate.

Recommendation 7: *For the government to move away from using the term 'out-of-area placements', which defines a process, to defining 'cross-boundary children in care' as an especially vulnerable sub-group within the wider children in care population and for the Children's Improvement Board to lead on sharing best practice on safeguarding cross boundary children in care.*

The change in terminology may well improve the understanding around risk and the risk factors linked to 'cross-boundary children in care'. However, changing the terminology may not improve the practice in any straightforward way. The existing processes and procedures are there already, available to local authorities and should be used consistently to protect the needs of this vulnerable group of children who are prone to running away or being exploited.

The Children's Improvement Board is already taking a lead in terms of sharing best practice, on safeguarding cross boundary children in care as evidenced by the recent review undertaken in Kent of which our own Lead Member, David Simmonds, was a key person in highlighting the issues of cross-boundary children in care.

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Recommendation 8: For Health and Wellbeing Boards to assess whether the number of available care placements within their area is sufficient to meet the needs of the local population as part of their Joint Strategic Needs Assessment.

This represents best practice and should already be included in the commissioning arrangements for Health and Well-Being Boards, when they become statutory, underpinned by a comprehensive joint strategic needs assessment. The Children's Commissioning Team in Hillingdon have already included this issue within their own emerging joint strategic needs assessment for the forthcoming year.

Recommendation 9: LSCBs to request annual statements from local authorities on the number of children from its local authority that are placed 'out of area', the distance from the placement to the 'home' local authority, the type of placements and how many go missing from care. This should include information about unaccompanied migrant children. It should also set out the steps taken to safeguard these groups of children and prevent them going missing, as well as an analysis of return interviews.

The exact data set which would need to be developed to capture this information is complex. However, a number of Local Safeguarding Children Boards, including the one in Hillingdon, is in the process of collecting data and performance information about children who go missing, to ensure that practice around return interviews is robustly monitored. This work will be done by the Performance & Intelligence Team within the local authority and via the Performance & Quality Sub Group of the Local Safeguarding Children Board.

Recommendation 10: The Children's Improvement Board should lead a programme of work to support local authorities to meet the needs of trafficked children through child protection frameworks.²³⁸ Children's Act 1989 Guidance and Regulations

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This is a very positive initiative and the involvement of the Children's Improvement Board in supporting local authorities to meet the needs of trafficked children is a welcome one. In London, there is already an assessment framework in place which supplements the child protection procedures (Trafficking Tool Kit) and this needs to be applied consistently in practice to drive up standards with this cohort of children. This was demonstrated in a recent London survey carried out by Children and Families Across Borders (CFAB). (Survey findings available on request).

Recommendation 11: An independent investigation of residential care in England should be undertaken. This should examine the availability of

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specialist placements for children with complex needs; consider the creation of a nationally funded centre of excellence for children in care to support improvements in their care; address the negative and damaging attitudes of some professionals towards safeguarding older children; address the issue of placing children out of area and the systems in place to safeguard them.

This is a matter for Central Government and for the DfE to consider an independent investigation of standards of practice within residential care. The themes around safeguarding children who are placed in residential care (especially teenagers and older children) are now well documented in serious case reviews; it is the training of staff in implementing this researched and informed best practice which is the most effective solution in safeguarding children placed out of area, as reflected in the operational group already in place within Hillingdon. The training needs to be multi-agency to be most effective (as it is in Hillingdon).

Recommendation 12: *For all Joint Strategic Needs Assessments to include assessment of data on the number of children in care and how many of these have gone missing.*

It would be helpful to have the data quantified in the manner described; however, there would need to be clarity about the definition of 'missing' and whether it is children or episodes of going missing, which are being counted. There should be no room for equivocation, as such data can be misleading and will not be helpful if the definitions are not clarified and made consistent throughout a local joint strategic needs assessment; as we have already seen in the review undertaken by this Policy Overview Committee.

Recommendation 13: *The SSDA903 return should be reviewed by the Department for Education in conjunction with the Home Office and a new reporting system which incorporates data from the police and local authorities created. There should be clarity and consensus on how to record why a child goes missing, how long for and any harms they experience whilst away from their placement.*

This recommendation would assist enormously if the various Government Departments, including the Home Office (HO) and Department for Education (DfE) were both aligned in terms of collecting data, and used it uniformly to analyse the types of exploitation for children who are reported missing; to assist in finding out about their experience, whilst being away from their placement or home.

Recommendation 14: *For GEOP and ACPO to review the data collection systems used by forces and ensure they are fit for purpose and adequately safeguard children going missing from care and that there is effective compliance with the ACPO guidance on the management, recording and investigation of missing persons²³⁹.*

It is vital that the police forces across the country have data collection systems that are consistent and align with local data collection systems within the borough police. The Local Safeguarding Children Board in Hillingdon is collaborating already with the Child Exploitation and Online Protection Service (CEOP) who have been given the national lead for missing people and standardising the data collection systems across the country. A representative from CEOP is in discussion with Hillingdon Borough about the issues raised in our operational meeting.

Recommendation 15: *For a comprehensive and independent national system of data collection on trafficked children who go missing to be established.*

This would help local authorities such as Hillingdon to make sense of the information which is collected by the UK Human Trafficking Centre and the Borough Police. The Hillingdon Safeguarding Children Board has already been campaigning for alignment of the data collected on trafficked children, and for using that data to identify the potential threats to children within the borough. Anything that can be done by Central Government to deliver this system would be beneficial for all agencies and practitioners, providing that it is accessible.

Recommendations 16: *For independent care providers to be required to notify their local area authority of all new cross-boundary placements they receive and when placements end as a means of strengthening the notifications system.*

This recommendation would be helpful in capturing the data from non-local authority care providers who set up within the boundaries of the borough. This is a loophole which should be closed and would be helpful in strengthening the local arrangements, such as the operational meeting, which includes independent care providers on an 'invitation basis', at the present time.

Recommendation 17: *Ofsted's inspection framework should be revised to state that inspectors must always contact the local police for data on missing incidents relating to a children's home as part of their inspection, as well as local schools to ask for information on the number of absences recorded for children living in the home.*

The revised Ofsted multi-agency inspection framework includes the intention of picking up safeguarding issues through the local police Missing Persons Unit and will focus on the child's journey through the system. On this basis, no particular requirement should be placed within the Ofsted framework as it is already implied in the framework that has recently been signed off by Ofsted.

Recommendation 18: *Ofsted's inspections should give a greater weighting to children's homes' performance against NMS 5 and 10. These relate to how children's homes effectively manage missing incidents by children in their care, and also the risks that an area presents to children placed there.*

It is Hillingdon's experience that Ofsted inspections are already giving significant weight to children's homes performance against the national minimum standards relating to missing children. Further changes to the Ofsted inspection regime are not required, as there is sufficient scope already in the guidance and the practice of Ofsted has already changed to reflect the recognition of children going missing as a particularly vulnerable cohort of children who need to be safeguarded.

Recommendation 19: *The Department for Education should take steps to overcome the barriers to Ofsted sharing information on the names and locations of children's homes with local police forces.*

Our local experience in Hillingdon has been that Ofsted do share information with children's services who also share this information appropriately with the local police through the various operational meetings that already exist. There are no barriers in principle, to this information being shared at a departmental level between the DfE and the Home Office, as there are clear safeguarding issues at stake for this cohort of children.

Recommendation 20: *Ofsted's reports on individual children's homes should be shared proactively with the local authority, the LSCB, local police force and local schools.*

This is already happening in practice. The outcomes of Ofsted reports on performance of children's homes is proactively shared within the local authority and reported to the LSCB on an ongoing basis, through the performance profile.

Recommendation 21: *Local authorities must ensure that they have a nominated contact to receive information from Ofsted regarding the names and addresses of children's homes in their area.*

Most local authorities have a Head of Safeguarding or Head of Placement Service who acts as a single point of contact for receiving information from Ofsted, regarding the names and addresses of children's homes in their area. Hillingdon already have this in place. The issue is one of communication. The infrastructure and system is already in place for this to happen.

Recommendation 22: *When Ofsted receives an application for a children's home to be registered, it must both notify the local authority's children's services and ensure that the home has been granted planning permission before granting registration.*

239 ACPO guidance on the management, recording and investigations of missing persons (2010), NPIA

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This seems like an eminently sensible suggestion, and should be enforced by the regulator (Ofsted) as part of the registration process for children's homes being set up in any local authority. Hopefully, this would be something that can be done on a national level, which will benefit each local authority in terms of maintaining oversight of children's homes registering in their area.

Recommendation 23: *Local authorities to be supported by central government and ACPO to set up a local multi-agency information sharing process, for instance a Multi-Agency Safeguarding Hub (MASH) to ensure that information is shared between agencies on individual running away incidents and patterns of running away in the local area. This should also include information on trafficked and sexually exploited children. In port authorities, the multi agency information process sharing should include UKBA staff.*

Most local authorities in London are moving towards a multi-agency safeguarding hub (MASH). Hillingdon are on course for delivering a MASH by the end of March 2013; and this will include accessing information from the UK Border Agency, due to Hillingdon's position as a port of entry. The infrastructure for sharing information is already in place via the LSCB in Hillingdon, and works well, and has been commended as best practice on a national level.

Recommendation 24: *For Police and Crime Commissioners, as part of carrying out their duty to safeguard children in their area, to examine the procedures in place for children missing from care and the sharing of information with local authorities and LSCBs with regards to organised criminal networks, trafficked and sexually exploited children.*

For most local authorities in London, the local borough police is signed up to the London Child Protection Procedures, which already include the sharing of information in relation to trafficked and sexually exploited children, as well as organised criminal networks. This sign up to the London Procedures will be refreshed in the New Year (2013) once the Pan London Procedures have been revised in the light of 'Working Together' – Government guidance.

Recommendation 25: *Children's homes, fostering services and local police forces should draw up joint protocols for the management of individual missing incidents.*

For Hillingdon, and most other local authorities, these protocols are already in place, and need to be refreshed and tightened-up for the management of incidents of individual missing children. This is reviewed regularly at the

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Missing Children Operational Meeting in Hillingdon as already described and witnessed to the Policy Overview Committee on previous occasions.

Recommendation 26: *That pilots reclassifying the terms ‘missing’ and ‘absent’ and the corresponding police response should not be rolled out unless there are designated officers in place to ensure safeguarding standards are being met and guidance on safeguarding with particular reference to repeat absences as an indicator of high risk is issued alongside.*

This clarification of classification already happens via the operational meetings in Hillingdon. High risk cases are defined by repeat absences of children going missing, as well as the length of time for which children are missing. The terms used to describe children who run away, go missing or are absent from care continually need to be re-examined to ensure that the same meaning is being used across all professional groups and captures the level of risk involved in each case. This dialogue happens within the operational meetings as described, to ensure that correct meanings are given to each of the terms being used, and that the risk factors are identified as part of that case discussion. Most importantly, an action plan is devised based on the level of risk, which will help to protect the individual child or young person.

Recommendation 27: *The revised Children Who Run Away or Go Missing From Home or Care guidance should state that every child or young person who runs away from care should receive a return interview from a responsible adult the child or young person is comfortable speaking with and disclosing information to, within 72 hours of a missing incident.*

This practice is reviewed already in Hillingdon via the operational meetings, which ensures that children do have ‘return interviews’ with an appropriate adult and that the intelligence from these return interviews is disseminated across the agencies. This needs to be kept under review at all times, as sometimes the person needing to do the interview may not need to be a law enforcement officer. This can be decided on a ‘case-by-case basis’ and is already determined in this way, within Hillingdon.

Recommendation 28: *Under Schedule 5 of the Children’s Homes Regulations 2001, which relates to ‘Events and Notifications’, the obligation for homes to notify agencies of ‘Involvement or suspected involvement of a child accommodated at the home in prostitution’ should be changed to ‘suspicion that a child accommodated in a home is ‘at risk of abuse or child sexual exploitation’.*

The terminology around involvement with prostitution does not reflect the level of risk, which is included in child sexual exploitation or child abuse, as it can be equally damaging for children who are exposed to sexual exploitation without necessarily being prostituted, as such. The use of the term ‘prostitution’ does tend to stigmatise young people who have been exposed to

sexual exploitation; and may deter them from disclosing their experiences of abuse.

Recommendation 29: *For police to consider trafficking indicators at initial assessments for a missing persons report and identify these children as 'high risk'.*

The Trafficking Tool Kit already enables the identification of risk indicators of trafficking whenever missing children are being assessed or considered. This is best practice and is already being used within the London Borough of Hillingdon. Multi-agency training on child trafficking and use of the Trafficking Tool Kit is delivered four times per year in Hillingdon. Over the past 4 years, there have been 400 practitioners trained in the identification of trafficking and exploitation.

Recommendation 30: *All unaccompanied migrant children who go missing should be circulated on the Police National Database as missing ensuring the case is kept active and monitored.*

The police national database needs to accurately reflect the levels of risk of migrant children who go missing; and there needs to be ongoing proactive monitoring of the list of children who have not been found after an episode of being missing.

Recommendation 31: *For a proportion of funds from the National Lottery to be ring fenced for innovative projects that work with vulnerable children who go missing or run away from care.*

This is probably desirable and a worthy cause, but this is out of the control of the local authority and will need to be progressed at a national level, through the relevant Government mechanisms for allocation of the National Lottery Funding.

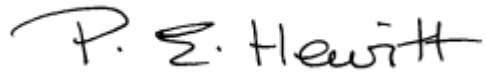
CONCLUSION

In the main, the recommendations made by the All Party Parliamentary Group on missing children do reflect best practice; and in many instances are already adopted within Local Safeguarding Children Boards and host local authorities. The London Borough of Hillingdon already has many of these processes and procedures localised and needs simply to tighten-up and continually review what is deemed to be best practice. The recommendations already suggested for the Policy Overview Committee do capture the main issues for safeguarding children who go missing within this locality, and extend best practice to children who go missing from home, as well as those who go missing from care.

The issue of data collection and having agreed definitions for counting instances of children going missing is a key issue for Central Government

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Departments; especially the Home Office (police) and DfE (Ofsted). It would help local authorities enormously if these Government departments could agree on the systems for data collection; and also the process for analysis, so that cohorts of children who are genuinely at risk who go missing are properly identified, with a proportionate response from the key safeguarding agencies.

A handwritten signature in black ink that reads "P. S. Hewitt". The signature is written in a cursive style with a large initial 'P' and a distinct 'S'.

Paul Hewitt
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Safeguarding Children & Quality Assurance Service