



**The 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**

**June 2012**

## **Acknowledgments**

We would like to thank the witnesses who gave oral evidence and the organisations that provided written submissions to the Inquiry, as well as to those who joined us on the panel. We are also grateful for the time and attention that Tim Loughton MP and Lynne Featherstone MP gave to the Inquiry and for the support of the staff at The Children's Society and The Who Cares? Trust.

Finally, we would like to give a special thank you to the brave young people who shared their experiences of going missing from care with us and the Inquiry. Their comments very much informed the report and our recommendations.

## Foreword

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There is a scandal going on in England involving children missing from care – and until recent cases of child sexual exploitation in Rochdale and other places put the spotlight on this issue – it was going on pretty much unnoticed.

Going missing is a key indicator that a child might be in great danger. When children go missing, they are at very serious risk of physical abuse, sexual exploitation and sometimes so desperate they will rob or steal to survive.

Until recently protecting these children has not been at the top of anyone's priority list. As a consequence, we do not know for sure how many children go missing from care, where they go missing or what happens to them when they are gone.

In fact, even though police data shows that there are an estimated 10,000 individual children going missing in a year from care, the government's official data only recorded 930 children going missing from care last year. This is a huge and worrying discrepancy.

Children are taken into care from their parents because we do not think they are safe or cared for well enough at home. But the evidence clearly shows that we fail to keep the most vulnerable children safe whilst they are in our care. In fact, children who go missing from care are being systematically failed – and placed in great danger – by the very systems and professionals who are there to protect them. This is unforgivable.

As Chairs of the APPG for Runaway and Missing Children and Adults and the APPG for Looked After Children and Care Leavers, we know that the sad reality is that children in care are often not looked after in the way we would expect if they were our own children. We need to start turning over the stones we have left untouched for a very long time and find out what is really happening to the vulnerable children we purport to take care of.

Conscious that the issue of going missing from care, and its often harrowing consequences, had not been high on the political agenda, we wanted to give it greater prominence. To this end, we initiated a parliamentary Inquiry to examine this issue in more detail and give it the attention it desperately needs.

Our Inquiry has demonstrated how the system is far from fit for purpose and needs an urgent rethink. We have set out a number of practical recommendations to reduce incidents of children running from care and to ensure that when a child runs away from care they are provided with a genuine safety net.

However, we would like to take this opportunity to commend ministers for the progress already made with the publication of the Missing Children and Adults Strategy and the Child Sexual Exploitation Action Plan, and the positive way in which they have engaged with the Inquiry and the issues it has raised for them, their departments and the agencies that they oversee.

We were pleased to hear ministers say that they would not hesitate to introduce tougher laws and regulations to ensure children are kept safe, and we look forward to their response to our findings and recommendations.

**Ann Coffey MP**  
**Chair of the APPG for Runaway and Missing Children and Adults**

**Earl of Listowel**  
**Vice-Chair of the APPG for Looked After Children and Care Leavers**



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## Introduction

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There are just over 65,000 children in care in England. Most of these children live in foster care but around 7% of children in care live in one of England's 1,810 children's homes.<sup>1</sup> Many have had difficult starts to their lives and have experienced abuse or neglect. As a consequence, these children are often extremely vulnerable and easy prey for predatory adults exploiting the gaps in the systems put in place to keep them safe.

10,000 children are estimated to go missing from care in a year.<sup>2</sup> When these children run away they are in great danger of being physically or sexually abused or exploited. As children in care – foster care or residential care – are three times more likely to run away than other children<sup>3</sup>, agencies' understanding of, and response, to this issue are critical.

Recently, concerns have been raised regarding the care and support received by children who go missing from care. In response to these concerns, the All-Party Parliamentary Group (APPG) for Runaway and Missing Children and Adults and the APPG for Looked After Children and Care Leavers called a parliamentary Inquiry to examine these issues more closely. They took evidence from children who have run away, ministers, national agencies such as the Child Exploitation and Online Protection Centre (CEOP) and Ofsted, as well as the voluntary sector, police forces and local authorities. All spoke about the need for urgent change.

The Inquiry heard harrowing stories, from children themselves as well as professionals, of what happens when children go missing from care, including the physical and sexual abuse they encounter. This abuse is exacerbated by an attitude among some professionals that these children are "troublesome"<sup>4</sup>, "promiscuous"<sup>5</sup> "criminals"<sup>6</sup> or "slags who knew what they were getting themselves into" – rather than extremely vulnerable young people in need of support.<sup>7</sup> This means that signs of abuse or exploitation can go undetected – leaving children unprotected and abusers unpunished.

Examples of good practice and how the care system can often make a positive difference to children who have been neglected by their parents were shared with the Inquiry. But the Inquiry also heard that too many older children are placed in poor quality and unsuitable care placements. And, almost half of all children in children's homes (46%) are placed many miles from home<sup>8</sup>. The statistics of the sheer numbers of very vulnerable children living so far away from home are shocking and the Inquiry has seen evidence that one local authority placed every single child in its care outside its boundary.<sup>9</sup> This is despite evidence clearly showing that being placed a long way from family and friends is often a factor in causing children to run away.<sup>10</sup>

There are also serious shortcomings in the data collected on children who run away from care and processes in place for sharing this information are seriously flawed. The worrying lack of information about children looked after away from their local authority has been

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<sup>1</sup> DfE (March 2012) *Children's Homes in England Data Pack*, London: HM Government, 1,810 children's homes were registered with Ofsted on 30 September 2011. Of these, 439 (24%) were local authority run and 1,371 (76%) were in the private or voluntary sector.

<sup>2</sup> UK Missing Persons Bureau (2012) *Children Missing from Care*, NPIA p.2

<sup>3</sup> The Children's Society (2011), *Make Runaways Safe*, p.7

<sup>4</sup> Sue Berelowitz, Deputy Children's Commissioner, *Oral evidence 3*, p.12

<sup>5</sup> *Ibid*, p.12

<sup>6</sup> ECPAT UK UK, Written evidence submission, p.8

<sup>7</sup> Practitioner who works with young people at risk of Child Sexual Exploitation (anonymised), *Written evidence submission*, p.1

<sup>8</sup> House of Commons Library (2012), *Children in Care in England: Statistics*, p. 7

<sup>9</sup> DfE (March 2012) *Children's Homes in England Data Pack*, London: HM Government

<sup>10</sup> Dr Roger Morgan OBE, Children's Rights Director for England, *Oral evidence session 3*, p.3

highlighted by a report from Lancashire County Council which concluded that there is *“limited confidence by anyone at a local level that the system of notifications and register maintenance is functioning as it should.”*<sup>11</sup> The role of Ofsted to safeguard children and young people who run away from care has also been raised by the police and other agencies as being inadequate. And the current pilots run by the police with a revised definition of ‘missing’ have particular significance, and raise some concerns for repeat runaways from care.

What has come through loud and clear to the Inquiry is that far too many of the vulnerable children who go missing from care are being failed by the very people and systems that are supposed to protect them. Trafficked children from abroad are particularly being let down and their needs ignored because the authorities view child trafficking as an immigration control issue. Hundreds of them disappear from care every year and the majority are never found again.

This report outlines the findings of the Inquiry, and based on the evidence received, makes a number of recommendations to government, Ofsted, local authorities and the police about how to significantly improve the care and support given to vulnerable children in care to help reduce instances of children in care running away or going missing and to protect them if they do. Our recommendations seek to remove existing barriers and improve current regulations. The key to success lies in all local agencies sitting down together, sharing information and developing ways to help and protect vulnerable children.

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<sup>11</sup> Lancashire County Council Overview and Scrutiny Committee Taskforce (2011) *“Who Cares?” Cross Boundary Looked After Children Task Group Report* p. 7

## Executive summary

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Children in care are amongst the most vulnerable in our society. They have often experienced abuse, neglect or trauma. As a consequence, when they go missing, they are in great danger of being physically or sexually abused or exploited. Given that children in care are three times more likely to run away than other children<sup>12</sup>, agencies' understanding of, and response to this issue are critical.

Recently, grave concerns have been raised about the inadequacy of the care and support received by children who go missing from care. Because of these concerns, the All-Party Parliamentary Group (APPG) for Runaway and Missing Children and Adults and the APPG for Looked After Children and Care Leavers called a parliamentary Inquiry to examine these issues more closely.

They took evidence from children who have run away from care, ministers, national agencies such as the Child Exploitation and Online Protection Agency (CEOP) and Ofsted, the voluntary sector, police forces and local authorities. All spoke of the need for urgent change in how we protect and nurture vulnerable young people in the care system who go missing.

During the course of the Inquiry, the panel was told of serious shortcomings in the data collected on children who run away from care. The children's minister, Tim Loughton MP, admitted that it was impossible to know the true extent of the problem as the data collected by police, care services and Ofsted was "raw and erratic"<sup>13</sup>. Indeed, the Department for Education recorded only 930<sup>14</sup> instances of children going missing from care last year, whilst police data showed an estimated 10,000 individual children going missing from care in a year.<sup>15</sup> This is a startling discrepancy and severely hampers agencies' and professionals' ability to effectively intervene and protect vulnerable children.

The Inquiry also heard the quality and stability of care placements was a key issue. It heard that many older children with complex needs are placed in poor quality and unsuitable care placements, and often a long way from home, family and friends. The Inquiry found that half of all children in children's homes are living outside their own local authority, despite evidence which shows that this is often a major factor in causing them to run away<sup>16</sup> and goes against the duties placed on local authorities to meet the needs of children within their local authority.<sup>17</sup>

The role of Ofsted to safeguard children and young people who run away from care was raised by the police and other agencies as being inadequate. Police pilots of a revised definition of 'missing' were also highlighted to the Inquiry as having particular significance for repeat runaways from care, and some of the evidence seen by the Inquiry about these was concerning.

Both children and professionals also told the Inquiry that not only are the systems not working, professionals are failing some children by not picking up the signs of abuse or exploitation. The Inquiry heard that some professionals perceive these children as "troublesome"<sup>18</sup>, "promiscuous"<sup>19</sup> "criminals"<sup>20</sup> or indeed "slags who knew what they were

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<sup>12</sup> The Children's Society (2011), *Make Runaways Safe*, p.7

<sup>13</sup> Tim Loughton, children and families minister, *Oral evidence session 4.1*, p. 8

<sup>14</sup> House of Commons Written Answer 106451, 16 May 2012, Catherine McKinnell MP

<sup>15</sup> UK Missing Persons Bureau (2012) *Children Missing from Care*, NPIA p.2

<sup>16</sup> Dr Roger Morgan OBE, Children's Rights Director for England, *Oral evidence session 3*, p.3

<sup>17</sup> DfE (March 2012) *Children's Homes in England Data Pack*, London: HM Government

<sup>18</sup> Sue Berelowitz, Deputy Children's Commissioner, *Oral evidence 3*, p.12

<sup>19</sup> *Ibid*, p.12

<sup>20</sup> ECPAT UK, *Written evidence submission*, p.8

getting themselves into” – rather than extremely vulnerable young people in need of support.<sup>21</sup>

Trafficked children from abroad are particularly being let down and their needs ignored because the authorities view child trafficking as an immigration control issue. Hundreds of them disappear from care every year, many within 48 hours and often before being registered with children’s services. The majority of these children are never found again.

The Inquiry has shown how the system is far from fit for purpose for the thousands of children who go missing from care every year. It needs an urgent rethink. Going missing is a key indicator that something is not right in a child’s life. It must be seen as a cry for help and always trigger early help. Many of our society’s most vulnerable children are given care and support that falls dramatically short of what we would expect for our own children and what is needed to keep them safe.

This report sets out a number of practical recommendations to ensure that when a child runs away from care they are provided with a genuine safety net. Our recommendations seek to remove existing bureaucratic barriers and improve current regulations. The key to success lies in all local agencies working together, sharing information and developing ways to help and protect vulnerable children.

We urge the government to consider these as a priority. We urge professionals charged with the care of these very vulnerable children to do everything they can to provide them with appropriate care and support to keep them safe from harm – and help pave the way to a happy adulthood.

### Key recommendations:

1. An independent investigation into children’s homes in England which are failing to manage and protect children who run away or go missing. This is despite spending £1billion a year<sup>22</sup> on just under 5,000 children cared for in children’s homes averaging £200,000 per child.<sup>23</sup>
2. A local authority performance ‘scorecard’ should be introduced to assess the care and protection of the 10,000 estimated to go missing from care in a year.
3. Urgent action on “out of area placements” to reduce the number of children living outside their own local authority, despite evidence which shows that this is often a major factor in causing them to run away and putting them at risk.
4. Barriers which stop the police from being informed of the names and addresses of all children’s homes in their area must be overcome.
5. A completely new system of reporting incidents of children going missing from care, which combines data from both the police and local authorities.
6. Ofsted should not be allowed to give a ‘good’ inspection report to a home where there have been hundreds of missing incidents and more weighting should be given to the management of missing incidents in Ofsted’s inspections.

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<sup>21</sup> Practitioner who works with young people at risk of Child Sexual Exploitation (anonymised), *Written evidence submission*, p.1

<sup>22</sup> House of Commons Written Answer 77679, 3 November 2011

<sup>23</sup> Department for Education (2012), Children’s Homes in England Data Pack

## Context

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### What is running away and going missing?

1. The Department for Education describes a young runaway or a missing child as '*children and young people up to the age of 18 who have run away from their home or care placement, have been forced to leave, or whose whereabouts is unknown.*'<sup>24</sup>
2. Statutory guidance states that children's homes and foster carers must report any missing incidents to local police, the authority responsible for the child's placement and the child's parents<sup>25</sup>. However it is important to note that not all children and young people who fall within the Department for Education definition are reported as missing.<sup>26</sup>

### How many children and young people are reported missing from care?

3. The local authority with responsibility for a child is required to report on whether they have run away for more than 24 hours to the Department of Education (DfE) once a year<sup>27</sup>. Data for 2011 shows that 930 individual children went missing.<sup>28</sup> Using this measure of going missing for over 24 hours, police figures suggest 17,000 incidents and 5,000 individual children going missing from care every year.
4. The Inquiry heard persuasive evidence of the risks involved in going missing for any period of time, including shorter periods. So, if shorter periods of missing are included, the recent study of missing persons reports by the UK Missing Person's Bureau shows that there were 42,000 missing incidents relating to children going missing from care, involving an estimated 10,000 individual children in a year.<sup>29</sup>

### Why do children run away or go missing from care?

*"When young people start to go missing, that is one of their ways, when they are putting their hands up and saying "outside world, things aren't great for me now."* Richard Haigh, Programme Manager, The Children's Society

5. Children in care go missing for different reasons. As the Children's Rights Director for England, Dr Roger Morgan OBE, made clear in his evidence to the Inquiry: *"we need to be careful not to treat running as just one phenomenon"*<sup>30</sup>. His 2006 report highlighted the different reasons children and young people go missing, including being unhappy, missing family or not being able to participate in activities<sup>31</sup>. Some young people also 'run for fun' – staff may know where they are and they come back. Other young people are running away from something intolerable. This could be bullying or abuse, a feeling that they are in the wrong placement or not feeling 'listened to'. Some young people are running to where they want to be: back with family or friends.<sup>32</sup>

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<sup>24</sup> DCSF (2009) *Statutory guidance on children who run away and go missing from home and care* London: HM Government p.6

<sup>25</sup> *Ibid*, p.34

<sup>26</sup> Emilie Smeaton, Paradigm Research, *Written evidence submission* p.2

<sup>27</sup> DfE Statistics (2012) *SSDA903 return Guidance Notes: Children looked after by local authorities in England*. London: HM Government p.42

<sup>28</sup> House of Commons Written Answer 106451, 16 May 2012, Catherine McKinnell MP.

<sup>29</sup> UK Missing Persons Bureau (2012) *Children Missing from Care* NPIA p.3

<sup>30</sup> Dr Roger Morgan OBE, Children's Rights Director for England, *Oral evidence session 3* p.4

<sup>31</sup> Dr Roger Morgan OBE, Children's Rights Director for England (2006) *Running Away: A Children's Views Report*, p.7. 'Some young people told us that staff would not let them go to stay overnight at a friend's house, so they had gone there without permission instead. Staff had told them they weren't allowed to give permission to stay with friends: "They say that you have to go through social services, but you can't 'cause they're closed".'

<sup>32</sup> Dr Roger Morgan OBE, Children's Rights Director for England, *Written evidence submission* pp.2-3

6. 'Sarah', a young person The Children's Society works with, told the Inquiry that *"The reason I was running away as bad as I was because I had a boyfriend then. At the time you don't get any attention from the workers when you are in a care home, because there are loads of other people to deal with, so to me that was the person who would give me the attention, so I would just go back to there, it is just attention isn't it, and that's what I wanted"*.<sup>33</sup>

### *Children and young people who are vulnerable to sexual exploitation*

7. The evidence presented to the inquiry suggests there is a strong link between children in care who go missing and those being groomed or sexually exploited. A study by the University of Bedfordshire into child sexual exploitation showed that over half of all young people using child sexual exploitation services on one day in 2011 were known to have gone missing (a quarter over 10 times), and 22% were in care.<sup>34</sup> Evidence submitted by the Office of the Children's Commissioner for England (OCC) explains that *"children can go missing as a consequence of sexual exploitation in addition to their missing episodes placing them at risk of sexual exploitation"*.<sup>35</sup>
8. The Inquiry heard how a significant minority of young people coming into the care system are targeted for sexual exploitation. These perpetrators target children's homes specifically because of the high vulnerability of the children in them and how easily they can make contact with the children. The OCC submitted evidence that it had *"been informed about children's homes being targeted by perpetrators of child sexual exploitation, with multiple children across extended periods of time being groomed and abused by the same perpetrators"*.<sup>36</sup>
9. Some young people fall in to patterns of going missing when they meet people who show them the attention that they crave but do not receive from care staff. The Deputy Children's Commissioner, Sue Berelowitz, told the Inquiry that *"These children are particularly vulnerable because they often feel unloved, and frankly they are often unloved, so they are very susceptible to being groomed by men who tell them how much they love them, and give them gifts. It is easy to see how such children can fall into the grip of exploiters....The young person can be left feeling deeply conflicted – wanting to escape and yet being drawn to their exploiter. When a young person feels unloved they are vulnerable to someone who says "I love you so much I want to share you with all my friends"*.<sup>37</sup>
10. As Richard Haigh, Programme Manager, The Children's Society, told the Inquiry: *"we need to understand that a lot of young people have such low self esteem that their approach is that bad drama is better than no drama, so given the choice of staying in yet again by themselves, or going to that flat although they know some dodgy things happen there, they are going to go to the flat, because at least someone wants them to be there"*.<sup>38</sup>
11. It is clear that children in care's vulnerability to sexual exploitation must be taken into account across the whole of the care system to reduce instances of sexual exploitation –

<sup>33</sup> Sarah, *Oral evidence session 3* p.25

<sup>34</sup> Barnardo's (2012) *Cutting them free: How is the UK progressing in protecting its children from sexual exploitation* Barnardo's , p.5 quoting Jago, S et al (2011) *What's going on to safeguard children and young people from sexual exploitation? How local partnerships respond to child sexual exploitation* University of Bedfordshire, Bedford

<sup>35</sup> OCC, *Written evidence submission* p.5

<sup>36</sup> *Ibid*, p 6

<sup>37</sup> Sue Berelowitz, Deputy Children's Commissioner for England, *Oral evidence session 3* p.7

<sup>38</sup> Richard Haigh, The Children's Society, *Oral evidence session 3* p.32

from care planning to training and the attitude of care staff. Agencies such as the police, who often come into contact with children who are experiencing sexual exploitation when it manifests itself in repeatedly going missing, must be trained to identify and understand the risks in order to protect children.

### *Trafficked children in care*

12. Agencies<sup>39</sup> who identify children they think have been trafficked can make referrals to a central system known as the National Referral Mechanism (NRM). 438 children were referred to the NRM from April 2009 to June 2011.<sup>40</sup> It is, however, widely accepted that the real number of trafficked children is likely to be far higher. Indeed, CEOP identified 287 children as potential victims of trafficking in just the first nine months in 2011. Information gathered by voluntary organisations also indicates much higher numbers.<sup>41</sup>
13. Given the patchy and incomplete data that is available on trafficked children, there is very little information on trafficked children going missing from care but what we do know is that:
  - It is estimated that 60% of suspected child victims of trafficking in local authority care go missing.<sup>42</sup>
  - Almost two thirds of trafficked children are never found.<sup>43</sup>
  - Most victims go missing within one week of being in care, many within 48 hours and often before being registered with social services.
  - One of the reasons many non-British trafficked children go missing from care is that they are groomed so effectively by their traffickers that the children are so terrified of what might happen to them or their families if they break their bond or tell the authorities that they run back to their traffickers.
  - Being exploited for labour is the most common form of exploitation for trafficked children, followed by sexual exploitation, cannabis cultivation, domestic servitude, benefit fraud, street crime and forced marriage<sup>44</sup>. Many of the victims are subject to multiple forms of exploitation.
14. The Inquiry heard how trafficked children are placed in inappropriate accommodation, leaving them '*desperately vulnerable*' to further exploitation according to Sue Berelowitz, the Deputy Children's Commissioner.<sup>45</sup> In 2009, the Home Affairs Select Committee report on human trafficking was particularly alarmed by accounts that traffickers may be using the "*care home system for vulnerable children as holding pens for their victims until they are ready to pick them up*".<sup>46</sup>
15. Witnesses highlighted that this situation is partly due to a lack of awareness of the indicators that a child might have been trafficked combined with a lack of knowledge of the steps to take to prevent trafficked children from going missing – such as placing the child away from the local area where their traffickers are.

<sup>39</sup> For a full list of first responder agencies: <http://www.soca.gov.uk/about-soca/about-the-ukhtc/national-referral-mechanism>

<sup>40</sup> UKHTC (2011) *National Referral Mechanism Statistical Data April 2009 – June 2011*

<sup>41</sup> CEOP (2011) *Child Trafficking Update* London: CEOP. Data is based on referral data collected by NSPCC's Child Trafficking Advice and Information Line, NRM referrals between January 2011 to 15th September

<sup>42</sup> House of Commons, Home Affairs Committee (2009) *The Trade in Human Beings: Human Trafficking in the UK Sixth Report of Session 2008–09, Volume 1* London: House of Commons

<sup>43</sup> CEOP (2010) *Strategic Threat Assessment: Child Trafficking in the UK* London: CEOP

<sup>44</sup> CEOP (2011) *Child Trafficking Update* London: CEOP

<sup>45</sup> Sue Berelowitz, Deputy Children's Commissioner, *Oral evidence session 3* p.6

<sup>46</sup> House of Commons, Home Affairs Committee (2009) *The Trade in Human Beings: Human Trafficking in the UK Sixth Report of Session 2008–09, Volume 1* London: House of Commons

16. Budget constraints in local authorities and a culture that prioritises immigration control and criminal prosecution over child protection combined with a lack of specialist accommodation or foster care also contribute to the inadequate support that these young people receive.<sup>47</sup>
17. Barnardo's submission to the Inquiry noted that: "*Child trafficking is a hidden problem enhanced by the culture of disbelief and lack of awareness amongst members of the public and practitioners. As a consequence, children are put at risk in unsuitable accommodation rather than being given the specialist protection they need*".<sup>48</sup>

### **The costs to society of children going missing from care**

18. As well as the significant individual impact attached to going missing, there is also a broader societal impact. When a child runs away there are substantial financial and social costs. The Children's Society's analysis of the costs to various services shows that for less severe incidents of running away, the costs are at least £82 million each year for the police, other public services and society – and the overall burden could be significantly greater.<sup>49</sup>
19. The Children's Society also estimate that the average cost of providing support to a young person when they have run away for the first time is £800. If this early intervention is successful it will prevent two further incidents of running away as well other problems later on. It could result in substantial net savings to public services of, in some cases, up to £300,000 or more per child.

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<sup>47</sup> ILPA and The Children's Society, *Written evidence submissions*

<sup>48</sup> Barnardo, *Written evidence submission* p.2

<sup>49</sup>The Children's Society (2011) *Make Runaways Safe Launch Report* London: The Children's Society

## Section One – How can we prevent children going missing from care?

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20. This section examines some of the measures that can be taken to prevent children going missing from care, including improving placement planning, the quality of care homes and the skills and training levels of staff in children's homes, as well as looking at the practice of placing children far away from their homes and how to better involve children themselves in their care.

### Placement Planning

21. The Children's Rights Director for England, Dr Roger Morgan OBE, said that young people have told him that '*getting placements right*' is one of the key things that would stop them running away.<sup>50</sup> 'Hannah', a young person in care with experience of running away, told the Inquiry "*getting a placement right is probably the most important thing because some kids don't match with their carers, and I have had a couple of carers I have hated, and that has caused me to run away because of it, and you fall out with them. Getting the placement right...then you feel more settled and happy*". Ofsted's Deputy Chief Inspector, John Goldup, echoed this assessment, telling the Inquiry that "*I think it is fundamentally down to the quality of the assessment – what is it that this child most needs and can most benefit from, the quality of the placement match, placement planning, and that is variable across local authorities*".<sup>51</sup>

22. Current regulations state that "*before making any decision with respect to a child whom the local authority are looking after or proposing to look after, the authority must, so far as reasonably practicable, ascertain the wishes and feelings of the child and that, in making any decision in relation to the child, [the local authority] should give due consideration to those wishes and feelings, having regard to the child's age and understanding*".<sup>52</sup>

23. However, the Inquiry was told by Elise Noblet, Senior Project Worker, The Children's Society, who works with young people in Manchester that often children are placed in care settings because there is a bed there rather than due to proper care planning. She told the Inquiry "*there are times where there are very good examples of care homes and care plans, but a lot of the time I think it is a case of 'we need a bed', a young person goes into that care home*".<sup>53</sup> She said that choosing the right placement, introducing the child or young person carefully to it and letting them know the ground rules, are all key to a placement working out. She told the Inquiry that when one of the young people her project works with changes placement, a project worker will go with them to the new placement and stay with them a while to settle them in. In contrast she said that the experience of her project has been that this is not always the case with children's social services as characterised by one social worker's attitude, telling young people "*Well, here is where you're going to live now*".<sup>54</sup>

24. The Inquiry also heard that placement decisions can be based on economic reasons, rather than on what is in the best interests of the child. Jonathan Stanley, Principal Partner for the National Centre for English Residential Child Care and consultant to the Independent Children's Homes Association, told the Inquiry that it is "*not always the social worker who makes the decision, but the decision comes from commissioning*

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<sup>50</sup> Dr Roger Morgan OBE, Children's Rights Director for England, *Oral evidence session 3* p. 4

<sup>51</sup> John Goldup, Ofsted, *Oral evidence session 4.2* p.13

<sup>52</sup> DfE (March 2010) *The Children Act 2009: Guidance and Regulations, Volume 2: Care Planning, Placement and Case Review* London: HM Government p.5

<sup>53</sup> Elise Noblet, The Children's Society, *Oral evidence session 3* p.29

<sup>54</sup> *Ibid*, p.29

*colleagues in the local authority*.<sup>55</sup> He goes on to say that *“We have evidence that cost over care balance is as much as 80:20, often 70:30, and 60:40 is good today”*.<sup>56</sup> Planning placements for vulnerable young children must be centred on that child’s needs, not based on what is cheapest or most easily available.

25. Dr Roger Morgan OBE, the Children’s Rights Director for England, said young people tell him *“getting placements right and not moving us when placements are going well for policy reasons or financial reasons”* would reduce the likelihood of them running away.<sup>57</sup>
26. The Inquiry also heard how many children and young people are given little time to prepare for moving from one care placement to another. Sadly, it also often means that they are provided with little information about where they are going in advance of being moved, such as how many other children they are going to live with and how old those children are.<sup>58</sup> Practitioners told us that this can be a reason young people run away – it is the only way in which they can exercise control over their own lives. As Richard Haigh, Programme Manager, The Children’s Society, put it *“These are young people who have no power in any area of their lives, and one of the things they do have power is, ‘you know what, I will come back when I feel like it”*.<sup>59</sup>
27. Young people who go missing from care are often moved to a different placement as a result. However, the Inquiry heard that for many this does not address the causes of their running away, but simply moves the problem elsewhere. Alison McCausland MBE, a practitioner and former police officer, told the Inquiry *“I am still hearing from young people, they were moved to another placement because they were running. Running seems to be the big thing, and we are not dealing with the problem but moving them. If you move a young person who has a history of running, they take that history with them, and they then become influential in local groups of young people, but they also bring with them predators against children, so we move the problem around and we provide fresh opportunities for people who are not there for the good of that child”*.<sup>60</sup>
28. The Inquiry was also told that more emphasis needs to be given to carrying out effective assessments. Robert Tapsfield, Chief Executive of The Fostering Network, highlighted that in many cases, foster carers are not told by the placing social worker of a child’s previous running away incidents. This hinders the foster carers’ ability to look after the children in their care and giving them the support they need.
29. There also needs to be better assessment of the needs of the other children and young people in a particular care setting before placing a vulnerable child with them. Witnesses gave examples of cases of when young people who were already vulnerable to harm and who had run away frequently had taken that behaviour with them to a new placement, or where young people had been influenced by others in their new care home.
30. Sue Berelowitz, the Deputy Children’s Commissioner, told the Inquiry of an 11 year old girl she called ‘Holly’ who was serially raped over a period of several days and subsequently placed in care *“she was then placed in care in a home with two other children who were known to have been sexually exploited, and who regularly went missing. During her first night, this desperately troubled child was taken by the older girls to an abandoned house that the older two girls knew about. They got completely drunk, were raped during the night, and by the time Holly and the girls had made their way back*

<sup>55</sup> Jonathan Stanley, Independent Children’s Homes Association, *Oral evidence session 3* p.19

<sup>56</sup> Jonathan Stanley, Independent Children’s Homes Association, *Written evidence*, p.1

<sup>57</sup> Dr Roger Morgan OBE, Children’s Rights Director for England, *Oral evidence session 3* p.4

<sup>58</sup> *Ibid.* p.4

<sup>59</sup> Richard Haigh, The Children’s Society, *Oral evidence session 3* p.32

<sup>60</sup> Alison McCausland MBE, *Oral evidence session 2* p.18

to the children's home the next day, none of them could really remember exactly what had happened. It is extremely concerning that vulnerable children are placed in such risky situation".<sup>61</sup> Sue Berelowitz stressed that "it is essential that proper risk assessments are done so that children are not placed at further risk when taken into care".<sup>62</sup>

31. Although many children in care clearly experience poor placement planning this is by no means the experience of every child. Debbie Jones, President of the Association of Directors of Children's Services (ADCS), highlighted some good practice in commissioning of placements to the Inquiry "In North London there are good commissioning practices where a number of boroughs are working together and that is already producing huge dividends, both in quality places, because you are looking to place in only good or outstanding placements, and the price you get to pay because of economies of scale. There are plenty of regional illustrations".<sup>63</sup>
32. Elise Noblet, Senior Project Worker, The Children's Society, captured the shortcomings of the care system in protecting vulnerable young people from further harm "because where they have come from there has been a safeguarding issue, there has been some form of abuse, they have been taken into care to be safeguarded. Sometimes you think, is that happening, has that made any difference?".<sup>64</sup>

**Recommendation 1:** Guidance<sup>65</sup> 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.

**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.

**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.

**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.

### *Meeting the needs of trafficked children in care*

33. The evidence received by the Inquiry unanimously argued that the best solution to help trafficked children to break the contact with their traffickers and prevent them from going back was specialist foster care. This is because these carers are trained to identify and respond to specific issues and needs of trafficked children, and know how to keep them safe.

<sup>61</sup> Sue Berelowitz, Deputy Children's Commissioner for England, *Oral evidence session 3* p.7

<sup>62</sup> Ibid, P.7

<sup>63</sup> Debbie Jones, ADCS, *Oral evidence session 4.1* p.19

<sup>64</sup> Elise Noblet, The Children's Society, *Oral evidence session 3* p.29

<sup>65</sup> Children's Act 1989 Guidance and Regulations

34. Submissions from the Office of the Children’s Commissioner (OCC), the End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes (ECPAT UK) and The Children’s Society reported very limited provision of specialist accommodation for child victims of trafficking. Instead many trafficked children are being accommodated in provision such as B&Bs, hostels and supported lodgings which do not give the level of supervision and specialist support needed to prevent trafficked children from going missing or being targeted for further exploitation.
35. This is despite government guidance which states that trafficked children should be placed in foster care or residential care and that the local authority should assess the child’s vulnerability to the continuing influence or control of their traffickers and take into account the risk that they will go missing.<sup>66</sup>
36. Bali Hothi, Project Co-ordinators, The Children’s Society, told the Inquiry of the tragic consequences of one such instance when a child was placed in inappropriate care: *“The Nigerian girl that I worked with was sixteen, placed in a semi-independent unit, went missing within a few days. This Nigerian woman approached her, said I will help you, just come on the train with me, took her to Germany, and she was there during the German World Cup, placed in a brothel, there was a raid, she was picked up, brought back in the UK”*.<sup>67</sup>

***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.*

#### *Immediate preventative interventions for trafficked children in care*

37. The Inquiry heard how many trafficked children go missing almost immediately after they have been taken into care, and often before they are registered with children’s services or identification material has been taken. Therefore the reports have little value. CEOP and the Association of Chief Police Officers (ACPO) recommend that photos, passport numbers, nationality, fingerprints and DNA of the children are taken.<sup>68</sup>
38. Evidence to the Inquiry showed that certain profiles of trafficked children go missing immediately. For these groups, it is particularly important that immediate interventions take place – preferably within 24 hours of being placed into care – to prevent these children going missing. Indeed, the OCC, in relation to child trafficking in Kent, recommended that *“Given that virtually all of the Vietnamese children who arrived in Kent in 2010 went missing and the only ones recovered (to date) were those found working in cannabis factories, OCC is of the view that all unaccompanied Vietnamese children should be regarded, prima facie, as having been trafficked”*.<sup>69</sup> The OCC also suggested that for some potential victims, police surveillance should be considered *“with the aim of catching those responsible for trafficking children...and bringing them to justice”*.<sup>70</sup>
39. As evidenced, children of certain nationalities who go missing from care are likely to have been trafficked, and the missing episode is often the first indicator that they have been trafficked. Identifying a child from a certain nationality would allow them to be flagged and

<sup>66</sup> DfE and Home Office (2011) *Safeguarding children who may have been trafficked: Practice guidance*

<sup>67</sup> Bali Hothi, The Children’s Society, *Oral evidence session 1* p.11

<sup>68</sup> CEOP and ACPO, *Written evidence submission*, p.30

<sup>69</sup> OCC, *Written evidence submission* p.9

<sup>70</sup> *Ibid*, p.12

appropriate safety measures to be put in place. Only five out of the 64 local authorities who responded to the Inquiry's call for evidence collect the nationality of children in care who going missing<sup>71</sup>, therefore missing a key opportunity to identify potential child victims of trafficking before they disappear.

40. Lynne Featherstone MP, Home Office minister, highlighted the importance of local authorities taking simple practical steps to prevent trafficked children going missing from care to the Inquiry: *"It is not rocket science...It could make you weep because it is so obvious"*.<sup>72</sup> The Home Office are looking at rolling out local best practice, where it exists, as the minister stated that *"You just can't deal with it at national level"*.<sup>73</sup>

### *Legal Advocates for trafficked children in care*

41. The Children's Society, ECPAT UK and Immigration Law Practitioners Association (ILPA) highlighted in their evidence to the Inquiry that there is currently no person who has legal parental responsibility for child victims of trafficking – meaning that there is no one to support, accompany and help children negotiate complex welfare, legal, asylum and immigration processes, and take decisions based on their best interests.<sup>74</sup>
42. A legal advocate was identified by many submissions as a key tool in helping prevent trafficked children from going missing from care. By building a relationship with the child, this person would be able to recognise when there may be changes in a child's behaviour or situation and act quickly which would minimise the risk of the child going missing. ECPAT UK note in their submission that this will *"assist in severing their links with traffickers, and provide a secure foundation to begin what, for many, will be a long and traumatic recovery"*.<sup>75</sup>
43. Many submissions recommended that all unaccompanied children (children who have arrived in the UK alone or been abandoned once they are here) should be provided with a legal advocate whether they are a suspected victim of trafficking or not. This is because trafficked children are often not identified as being trafficked by the first local authority they come into contact with.
44. The Inquiry also heard that it is particularly important that this person is able to instruct solicitors on behalf of the child. According to written submissions by ECPAT UK, ILPA and The Children's Society, unaccompanied children frequently have to instruct their own legal advisors. When a trafficked child is unwilling to instruct his/her solicitor because they are afraid of what the trafficker will do to their family, a guardian would have legal parental responsibility for the child and could instruct the solicitor to act in the child's best interests.

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

<sup>71</sup> Hillingdon, Oxfordshire, Buckinghamshire, Doncaster and Hampshire.

<sup>72</sup> Lynne Featherstone, Home Office minister, *Oral evidence session 4.2* p.23

<sup>73</sup> *Ibid*, p.23

<sup>74</sup> In civil matters involving children, there is a requirement for a 'litigation friend' to be present in order to conduct court proceedings, under Part 21 of the Civil Procedure Rules. The only requirements for the litigation friend are that they are able to sign a certificate of suitability that confirms that they can fairly and competently conduct proceedings on behalf of that child and have no interest adverse to that of the child; and where the child is a claimant that they will undertake to pay any costs on behalf of the child. If there is no-one suitable to take on this role the court may appoint one.

<sup>75</sup> ECPAT UK, *Written evidence submission*, p.11

## Cross-boundary children in care

45. The practice of placing a child or young person for whom one local authority has corporate parental responsibility in a care placement within another local authority is known as an ‘out of area’ or ‘cross-boundary’ placement. Evidence submitted to the Inquiry suggests that being placed a long way from family and friends is often a factor in causing them to run away and cross-boundary placements often have a detrimental impact on the young person.<sup>76</sup>
46. Local authorities also have a duty to ensure that they are able to provide sufficient accommodation within their local authority area to meet the needs of children in care.<sup>77</sup> Additionally, they also have a duty to ensure that, as far as reasonably practicable, the placement allows the child to live near his/her home and is in the local authority’s area.<sup>78</sup>
47. Despite this, in 2011, nearly 22,000 of the 65,000 children who were in local authority care were living in placements in a different local authority. Almost 8,000 were placed over 20 miles away from their authority.<sup>79</sup>
48. The Department for Education data shows that although 22 local authorities had spare capacity in the children’s homes they provided, they still placed children outside their area. One local authority, with at least one children’s home that it ran in its area, placed all its children outside the local authority boundary. In Cheshire “*approximately 80% of looked after children have been placed by an outside authority*”.<sup>80</sup>
49. However, the Inquiry also heard that for some trafficked children, being placed out of borough can help break the bonds with their trafficker. The London Safeguarding Trafficked Children Guidance<sup>81</sup>, which the government’s Trafficking Strategy recommends is rolled out nationally, specifies that a child should be placed out of borough if this is in their best interests. This must be taken into account when addressing the issue of reducing cross-boundary placements.
50. Even taking into account that some children in care may need to be placed ‘out of area’ for reasons of their own safety, the large number of children placed away from home suggests serious failings on the part of many local authorities to meet their sufficiency duties.
51. A report by a Lancashire County Council Scrutiny Committee seen by the Inquiry highlights the vulnerability of cross-boundary children in care noting that “*under current arrangements, cross-boundary LAC [looked-after children] in Lancashire, as a discrete group, are especially vulnerable, difficult to keep track of, and at risk of drift within the local and national support system*”.<sup>82</sup>
52. When local authorities place children and young people in residential care in another local authority, they often have no way of knowing the safety or suitability of the local area around the home in the way that the ‘host’ local authority would. Maggie Blyth,

<sup>76</sup> Dr Roger Morgan OBE, Children’s Rights Director for England, *Oral evidence session 3*, p.3

<sup>77</sup> DfE (March 2010) *The Children Act 1989: Guidance and Regulations, Volume 2 Care Planning, Placement and Case Review* London: HM Government, p.39

<sup>78</sup> Ibid, p.39

<sup>79</sup> DfE (March 2012) *Children’s Homes in England Data Pack* London: HM Government, s.13

<sup>80</sup> ACPO, *Written evidence submission*, p.9

<sup>81</sup> London Safeguarding Children Board (2011) *London Safeguarding Trafficked Children Guidance* London: London Councils

<sup>82</sup> Lancashire County Council Task Force (2011) “*Who Cares?*” *Cross Boundary Looked After Children Task Force Report* Lancashire: Lancashire County Council Overview and Scrutiny, p.34

Independent Chair of Kent Local Safeguarding Children’s Board (LSCB) told the Inquiry that *“The added difficulty is children who are placed in Kent are often placed in areas that are already full of other vulnerable people, and certainly there have been long discussions with the Probation Service and the police and local authorities in relation to the placement of children by local authorities in areas where there high risk prisoners, violent and sex offenders coming out of prison have been placed. We also know there are a number of hostels and places with two and three beds in. The question is are these children being looked after and if you talk to any director in Kent, the answer would be, we don’t think we can provide adequate levels of care to children placed in Kent unless we have agreed to their placement here. I am very concerned about the added pressures of placing very vulnerable children in an area – often without any notification - in settings that we also know house other vulnerable children and other perpetrators of crime, and particularly those sorts of crime”*.<sup>83</sup>

53. Cross-boundary placements may also put a huge physical distance between the social worker responsible for a child and the child themselves. In many cases this results in reduced involvement in a young person’s life. Alison McCausland MBE, a practitioner and former police officer said *“If you move a child outside, you should be far more involved in what is happening. I have experience of a local authority saying we have tried to get the presenting authority to call a professional meeting and we can’t get them to do it”*.<sup>84</sup>
54. Maggie Blyth explained that placing children miles away from their local authority *“absolutely makes [monitoring] difficult and there is also added to that the room for misunderstandings between the person holding the case, and the myriad of other professionals that then get involved with the child. The person holding the case may make assumptions they have greater involvement with the child than they actually do, so the distancing at the home base from what is happening in reality on the ground where the child is moved to, then you add to that pressures the young person is feeling at the place they have, and perhaps wanting to run back to the place they have come from, it makes it really difficult”*.<sup>85</sup>
55. John Goldup, agreed with this assessment, and told the Inquiry *“I think there is an issue in terms of the difficulties which arise when children are placed – sometimes for very good reasons – at a considerable distance from their home authority. There are really significant difficulties then for children and young people, and access to services in the authority they are placed is just one example of that”*.<sup>86</sup> Indeed, he went on to say that this also had meant that *“a significant number of local adolescents were effectively discriminated against in the availability of services because of the different arrangements between children resident in the area that lived in that area, and children in that area who had been placed from elsewhere. There is a clear inequity too often in access to local services when children are placed far away from home”*.<sup>87</sup>
56. Peter Davies, Chief Executive of CEOP, told the Inquiry that *“What should happen in circumstances like that...is that if the placement takes place it is done with due consideration to the factors that need to be considered, the welfare of the child, their safeguarding needs, the information about the placement, its location, vulnerability and risk should be communicated to particular points of contact in the host area, who are plugged into all the various agencies. The opportunities should be there to understand, analyse, consider and plan for the risk of that child being placed if not before they arrive, as soon as possible afterwards, whether they are arriving in a local authority run,*

<sup>83</sup> Maggie Blyth, Kent LSCB, *Oral evidence session p.13*

<sup>84</sup> Alison McCausland, *Oral evidence session 2 p.19*

<sup>85</sup> Maggie Blyth, Kent LSCB, *Oral evidence session p.13*

<sup>86</sup> John Goldup, Ofsted, *Oral evidence session 4.2 p.13*

<sup>87</sup> *Ibid*, p.13

privately run or fostered setting. That plan should be focused on prevention and should also have contingency plans if something goes wrong".<sup>88</sup> The evidence presented to the Inquiry clearly suggests in general this is not happening.

**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.

**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 (JSNAs).

**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 quality of children's homes and the knowledge and awareness of professionals

"When I worked with young children in care, one of the key reasons they went missing, is to do with their residential setting", Elise Noblet, Senior Project Worker, The Children's Society

57. The Inquiry learnt that 76% of children's homes are owned by the independent sector and 24% are owned by local authorities.<sup>89</sup> In terms of size, homes owned by the independent sector have an average of 4.1 places, whilst local authority owned homes have an average of 6.3 places. 6% are registered for just one place whilst 19% are registered for two places. Only 10 homes have more than 20 places and the maximum number of places was 43.<sup>90</sup>

58. The children placed in children's homes are generally older, vulnerable and more likely to have complex needs. They are also more likely to have been through many care placements.

59. The Inquiry heard how children's homes often are seen by Children's Services departments as a 'last resort' for young people with complex needs and many placements already behind them. By the time young people are coming into care homes they are in many cases already significantly damaged emotionally. Jonathan Stanley, Principal Partner for the National Centre for English Residential Child Care and consultant to the Independent Children's Homes Association, thinks "*the residential child care providers are getting to the point where they are now viewing children's services as being unable to use their settings in a positive manner. When you start looking at the data set from the Department for Education, most young people come into our children's homes aged fifteen and a half, they stay for seven months, and only 21% stay longer than a year... We know that many of our young people coming into children's homes have had at least three previous placements, probably five, probably many more than*

<sup>88</sup> Peter Davies, CEOP, Oral evidence session p.11

<sup>89</sup> DfE (March 2012) *Children's Homes in England Data Pack* London: HM Government s.16

<sup>90</sup> Ibid. s.16

*five, and certainly we have had children who have had thirty or forty different placements by the time they have come to their children's homes".<sup>91</sup>*

60. This situation highlights the urgent need for a closer look at how children's homes are used within the care system. Tim Loughton MP, children and families minister, recognised these difficulties in his evidence to the Inquiry, and told the Inquiry of a model of pedagogue-style children's homes pilot attempting to replicate the Scandinavian system that his department has been funding. He highlighted the contrast between this type of children's home and other homes in England, saying *"whereas here in too many cases the job of the person working there is almost to constrain the child who happened to be placed there, rather than a much more empathetic relationship – how can they make the most out of this particular placement"*.<sup>92</sup>
61. This is echoed by evidence submitted to the Inquiry that young people who come into care want to feel that someone is concerned for them. Because of their earlier experiences, they may also need to be supported to develop trusting relationships with care staff. 'Sarah', a young person in care told the Inquiry, of care staff: *"All they see looking after as – in my eyes – is making sure they are eating, making sure they are clean. The main thing for a child in care is like they need love and attention, that is what kids in care need, they have obviously gone into care for a reason where there hasn't been love and attention, for them to understand would be so much better, not to just understand just half of it, but understand all that we have got to say"*.<sup>93</sup>
62. Tim Loughton told the Inquiry he recognised that there is lack of consistent good quality care home provision. He said: *"I think it is a very mixed picture and I think we need to do more to make sure all children's homes are focused on improving their quality, many of them have done so already but we need to make sure that we have a greater consistency so that a children's home is a place of first choice where it is the most appropriate place and it is not something that ends up as a last resort because everything else has failed"*.<sup>94</sup>

### *Skills and experience of care home staff*

63. The variable quality of staff in children's homes was an issue raised by many witnesses. The current low levels of training for children's homes staff who are dealing with vulnerable children were highlighted as a key factor in the current low standards of care by many witnesses. Whilst *"there are some children's homes who achieve extraordinary feats, and can absolutely change and turn around children's lives"*<sup>95</sup> the Inquiry heard that in many cases standards are unacceptably low. Alison McCausland MBE, a practitioner working with young people who go missing from care and a retired police officer, told the Inquiry that *"You can have someone looking after a young person, who the day before their experience may have been working at a deli counter in ASDA"*.<sup>96</sup>
64. Jonathan Stanley, Principal Partner for the National Centre for English Residential Child Care and consultant to the Independent Children's Homes Association, contrasted the workforce development of the residential care workforce in England with that of the workforce in other European countries. He told the Inquiry *"in Europe it is three and a half years and a graduate qualification, and in this country it is a vocation diploma, some of*

<sup>91</sup> Jonathan Stanley, Independent Children's Homes Association, *Oral evidence session 3* pp. 18-19

<sup>92</sup> Tim Loughton MP, minister for children and families, *Oral evidence session 4.1* p.12

<sup>93</sup> 'Sarah', young person, *Oral evidence session 3*, p.25

<sup>94</sup> *Ibid*, pp.12-13

<sup>95</sup> John Goldup, Ofsted, *Oral evidence session 4.2* p.15

<sup>96</sup> Alison McCausland, *Oral evidence session 2* p.18

*which are very good, and some may need to be developed much further. If we are to have a good residential child care workforce we need a strategy for it”.*<sup>97</sup>

65. Witnesses told the Inquiry that more specific training of children’s home staff is needed in areas where young people are being targeted for sexual exploitation. Jonathan Stanley argued that *“leaving it to the market to provide the training that is required might not be... the short term positive solution that everyone in the room has been talking about today”.*<sup>98</sup>
66. The poor level of training is exacerbated by the lack of consistency of staff in children’s homes.<sup>99</sup> Due to low staff pay and an over-reliance on agency workers, turnover of staff can be very high. This is despite the average cost of a placement being close to £2,500 per week<sup>100</sup> and some residential homes charging up to £250,000 per year for caring for a child with complex needs.<sup>101</sup> Simon Cottingham, Programme Manager, The Children’s Society, who works with young people in care in Birmingham told the Inquiry *“If you believe a good children’s home - as was said earlier - has consistency of relationship within the home, then you are not going to get that if you have high levels of agency staff”.*<sup>102</sup>
67. He contrasted work that has been done to reduce the number of social workers children have with the number of different carers children might encounter in a children’s home, saying *“We often talk about social workers, and the amount of social workers a child can have throughout their time in care, and you don’t talk about the number of people they come into contact with if they are in a residential home. We know foster care works partly because of that consistency with developing the relationship. So I do think the good homes are ones where you have good retention rates with staff, less agency staff being used”.*<sup>103</sup>

### *Professionals’ awareness of trafficked children in care*

68. The attitudes to trafficked children from some professionals, witnesses told the Inquiry, were often negative and this had implications for the way the children were treated. Evidence from all frontline agencies stated that they routinely saw trafficked children failed by statutory child protection procedures because immigration control is prioritised over children’s best interests.<sup>104</sup> Philip Ishola, Director, Counter Human Trafficking Bureau said *“The safeguarding framework for trafficked children is not working... The view that trafficking is an immigration issue – a border issue – is hugely powerful and influencing the approach”.*<sup>105</sup>
69. Many witnesses also spoke of how trafficked children are seen as a drain on local authority resources in a time of budget cuts. The OCC’s submission argued that *“Providing an adequate level of protection in the first few days following arrival when these children are particularly vulnerable to going missing is likely to be resource intensive and it seems inequitable that the financial burden should rest entirely with the local authorities that happen to be a ‘gateway’ to the UK. While the resource issue is recognised in respect of asylum seeking children through the UKBA reimbursement grant*

<sup>97</sup> Jonathan Stanley, Independent Children’s Homes Association, *Oral evidence session 3* p.20

<sup>98</sup> *Ibid.* p.20

<sup>99</sup> Simon Cottingham, The Children’s Society, *Oral evidence session 4.2* p.29

<sup>100</sup> DfE (March 2012) *Children’s Homes in England data pack* London: HM Government s.24

<sup>101</sup> Andrew Norfolk, *The Times* (10/05/12) ‘Care homes ‘must be improved to stop abuses’

<sup>102</sup> Simon Cottingham, the Children’s Society, *Oral evidence session 4.2* p.27

<sup>103</sup> *Ibid.* p.24

<sup>104</sup> ECPAT UK, ILPA, The Children’s Society, CFAB, Barnardo’s, NSPCC, *Written evidence submissions*

<sup>105</sup> Philip Ishola, Counter Human Trafficking Bureau, *Oral evidence session 1* p.24

*system, there does not currently appear to be a parallel system of financial support for trafficked children who may not claim asylum on arrival.*<sup>106</sup>

70. Before being identified and placed in care, trafficked children are more likely to come in contact with the police than any other agency. They are often identified entering the country or in exploitative situations such as brothels or cannabis cultivation. Despite guidance from ACPO<sup>107</sup> and the Crown Prosecution Service<sup>108</sup>, written evidence from the NSPCC and ECPAT UK highlighted that a lack of knowledge amongst the police of the indicators that a child may have been trafficked is a key barrier to keeping these children safe. If a child is not identified as trafficked, children's services can not be alerted and the child will not receive the appropriate response to prevent them going missing from care. This lack of awareness is also linked to police attitudes that often perceive trafficking victims as criminals.<sup>109</sup>
71. Lack of knowledge among social workers about the asylum system and trafficking was also highlighted as a significant problem by all witnesses. Bali Hothi, Project Co-ordinator, the Children's Society, told the Inquiry that *"Social workers are often given half a day's training on working with asylum seeking children full stop, trafficking might be given a fifteen minute slot. I have run training sessions for social workers at university, and it is literally trying to pack in everything into a couple of hours, and it is not sufficient."*<sup>110</sup>
72. Children and Families Across Borders (CFAB), who train local authorities, report *"enormous variance across local authorities...the majority of practice is poor...Our experience through training local authority social workers...is that 98% of social workers have not heard of the NRM nor have any clear understanding of the issues involved in identifying or protecting trafficked children."*<sup>111</sup> ACPO also report little knowledge within local authorities of the coercive methods employed by traffickers, such as threats against family, the use of witchcraft, Ju Ju or physical threats.<sup>112</sup>
73. There have been some initiatives to raise awareness, though implementation is limited. In 2009 *The London Trafficked Children Toolkit*, produced by the London Local Safeguarding Children Board, was launched and distributed to all local authorities as a resource to help them identify and safeguard child victims of trafficking. ECPAT UK reported regularly meeting staff who are unaware of this toolkit, including the employees of local authorities which have been promoting it publicly as a tool they use.<sup>113</sup>

***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.*

<sup>106</sup> OCC, *Written evidence submission p.10*

<sup>107</sup> ACPO (2010) *Position from ACPO Leads on Child Protection and Cannabis Cultivation on Children and Young People Recovered in Cannabis Farms* London: ACPO

<sup>108</sup> CPS (2012) *Legal Guidance on Human Trafficking and Smuggling* London: HM Government

<sup>109</sup> NSPCC CTAIL and ECPAT UK, *Written evidence submission*

<sup>110</sup> Bali Hothi, Project Co-ordinator, The Children's Society, *Oral evidence session 1 p.11*

<sup>111</sup> CFAB, *Written evidence submission p.3*

<sup>112</sup> CFAB, *Written evidence submission p.3*

<sup>113</sup> ECPAT UK, *Written evidence submission p.4*

## Children’s own experience of the care system

74. The nature of a particular care setting can be critical to a young person’s experience, and for some children settings that more closely resemble a family unit both in size and in the rules for the children<sup>114</sup> can reduce young people’s vulnerability to running away.
75. Elise Noblet, Senior Project Worker, The Children’s Society, told the Inquiry that *“Too many times in certain care homes you see young people surrounded by restrictions, they are not allowed to go in the kitchen, they are not allowed to go to the office, they are on restricted spend, that is not what a family home is. Care homes are supposed to be replacing what a parent didn’t do, and that should be what a residential staff member is, in essence their parent. There are a lot of children’s homes that I work in that offer good quality care, and it really feels like a family home, young people go shopping with staff members, they make the tea together, they can go into the kitchen and make a drink, it feels like a family home, and they do not regularly have children missing.”*<sup>115</sup>
76. This also applies to trafficked children. ECPAT UK’s study into safe accommodation with trafficked young people found that one way to reduce the risk of trafficked children going missing is to involve children in the development of their safety plan as much as possible. They should be asked what makes them feel safe, and given sufficient information to help them make informed decisions about their accommodation. Overly restrictive safety measures can result in trafficked children feeling punished and imprisoned especially if they do not see themselves as having been exploited or at risk. It is important that the use of safety measures does not further traumatise children by mimicking the methods used by traffickers to control them.<sup>116</sup>
77. Throughout the Inquiry witnesses spoke of the need to make care ‘less box-ticking’ and more like a family home setting. The Children’s Rights Director for England, Dr Roger Morgan OBE’s *Running away: a children’s views report*, submitted as evidence to the Inquiry, reported that some young people said that staff would not let them go to stay overnight at a friend’s house, so they had gone there without permission instead: *“They say that you have to go through social services, but you can’t ‘cause they’re closed”*.<sup>117</sup>
78. Young people gave examples to the Inquiry of how they felt care staff did not listen to them properly. This is echoed by what children and young people in care answer when asked by the Morgan review, what would make them not run away again or would stop other people running *“The most common answer is ‘if we are listened to more and the problems we raise are not dismissed but are sorted out”*<sup>118</sup>.
79. Simon Cottingham, Programme Manager, The Children’s Society, spoke of how care home staff are given training in restraint, but not in listening to young people.<sup>119</sup> ‘Sarah’, a young person The Children’s Society works with, told the Inquiry: *“Basically I used to go missing all the time...and I mentioned to one of the workers, I went to a girl’s house and there was like prostitution going on there, and that affected me, I didn’t want to be in that environment, and I didn’t know till afterwards. I went back and told one of my care workers about what had happened because it disturbed me, and after that they put on my risk levels ‘suspicion of prostitution’, and since then I haven’t said anything to them, I*

<sup>114</sup> Elise Noblet, The Children’s Society, *Oral evidence session 3* p.30

<sup>115</sup> *Ibid.* p.30

<sup>116</sup> ECPAT UK (2011) *On the Safe Side: Principles for the safe accommodation of child victims of trafficking* London: ECPAT UK

<sup>117</sup> Dr Roger Morgan OBE (2006) *Running Away: A Children’s View Report*, Newcastle Upon Tyne: Office of the Children’s Rights Director for England p.8

<sup>118</sup> Dr Roger Morgan OBE, Children’s Rights Director for England, *Oral evidence session 3* p.4

<sup>119</sup> Simon Cottingham, The Children’s Society, *Oral evidence session 4.2* p.28

haven't told them anything, because I feel like they didn't listen to me then, they didn't listen to the story, they had their suspicions that I was a prostitute. I didn't say anything to them after that. I guess it is the way they perceive things. You say things to them, and in their heads like when they are writing it down on paper, they don't think about the way it affected you. They just saw it as prostitution, they thought 'she might be a prostitute', and that's all they wrote down. They never took time to listen to how I felt about it."<sup>120</sup>

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

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<sup>120</sup> Sarah, young person, *Oral evidence session 3* p.24

## Section Two – Protecting children who run away or go missing from care

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80. This section examines some of the measures that can be taken to protect children who going missing or run away from care, including looking at data collection and information sharing arrangements, police responses to children going missing, the role of Ofsted and the inspection framework in safeguarding children who go missing from care.

### Risk assessment and resource planning

81. The Health and Social Care Act 2012<sup>121</sup> states that every local authority in England must have a Health and Wellbeing Board. The boards will conduct a Joint Strategic Needs Assessment (JSNA) of the local population each year, before planning and prioritising needs. Local authorities have a duty to safeguard all the children and young people living within their boundaries and LSCBs are charged with securing the welfare of children and young people in their area.

82. In an environment of increased financial constraints making sure children are safe requires effective local planning of resources. To be able to do this, strategic bodies and the police require data on vulnerable groups of people, including children and young people who go missing from care.

83. Data is not only necessary for local risk assessment and resource planning but also for risk assessments of individual children and young people, in particular of repeat runaways. The evidence put before this Inquiry has shown unequivocally that current data is not sufficient to allow local strategic planning bodies to fulfil their statutory functions or for operational risk assessment.

### Data collection

84. It is impossible to be sure who is running away or going missing from care in England, why they are going, for how long they are gone and how often they are missing. The Children's Rights Director for England, Dr Roger Morgan OBE, said: *'if you ask me how many children run from care... I don't think anyone knows the answer to that and that is a major concern'*.<sup>122</sup> David Simmons, Deputy Leader of the London Borough of Hillingdon and Chair of the Local Government Association's Children and Young People Board described *'the statistical fog which surrounds this issue'*<sup>123</sup> whilst the Home Office minister, Lynne Featherstone MP, told the Inquiry that from meetings she has attended on the issue *"the discussion that came up most... was the mess round the data, who is sharing what, and it is clearly a key issue."*<sup>124</sup>

85. The discrepancy between the data collected by the Department for Education and the police on children and young people missing from care is startling. The Department for Education's data for 2011 reports a figure of 930 children in care having gone missing from care<sup>125</sup>, yet, the UK Missing Persons Bureau, making a basic approximation based on police data, suggest a figure of 10,000 individual children, responsible for around 42,000 missing incidents in a year.<sup>126</sup>

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<sup>121</sup> Health and Social Care Act 2012

<sup>122</sup> Dr Roger Morgan OBE, Children's Rights Director for England, *Oral evidence session 3* pp.3-4

<sup>123</sup> David Simmons, London Borough of Hillingdon, *Oral evidence session 4.1* p.4

<sup>124</sup> Lynne Featherstone, Home Office minister, *Oral evidence session 4.2* p.20

<sup>125</sup> DfE, *Children looked after who went missing from care during the year ending 31st March 2011: years ending 31st March 2002 to 2011* London: HM Government

<sup>126</sup> UK Missing Persons Bureau (2012) *Children Missing from Care*, NPIA p.3

86. A number of factors contribute to this difference. Each year local authorities are required to fill out a form<sup>127</sup> with details of every child in their care and submit this to the Department for Education. The form only records missing incidents of more than 24 hours, which, evidence seen by the inquiry indicates, is an arbitrary limit and children who go missing for less than 24 hours are also at risk of serious harm and these incidents should be recorded. For instance, DI Philip Shakesheff, West Mercia police, told the Inquiry that *"I am baffled to understand why we are only collecting those individuals who have gone missing for longer than 24 hours, because all the evidence suggests that children are likely to come to harm in the first couple of hours as opposed to over 24 hours"*.<sup>128</sup> The figure of 10,000 individual children in care from the UK Missing Persons Bureau relates to all children reported as missing, regardless of whether this was for more or less than 24 hours.
87. However, even when children who went missing for under 24 hours are removed from police figures, they suggest that 5,000 children went missing in 17,000 incidents, a significantly higher figure than the Department for Education data.<sup>129</sup> Evidence submitted to the inquiry also highlights the discrepancies in data collection. Philip Shakesheff told the Inquiry: *"I recently collected some data from Merseyside – the whole of Merseyside's local authorities in 2010 reported there were 30 children missing from care...so my enquiry of Merseyside [police force] was to return exactly the same Department for Education data in terms of individuals, not incidents, in their local authority care, and only those who had gone missing in 24 hours, and their return was 400"*.<sup>130</sup>
88. Additionally, although the form records the number of missing incidents relating to each child, this is not published by the Department for Education. So in the data published, a child could have gone missing one or a hundred times but it is impossible to tell. Just over half of England's police forces use a searchable database and can record individual children who are reported missing, while those who do not use this database can only record the number of incidents.<sup>131</sup>
89. Local authorities are required by the Department for Education to report only on children for whom they have parental responsibility. As David Simmonds, Deputy Leader of the London Borough of Hillingdon and Chair of the Local Government Association's Children and Young People Board told the Inquiry, *"so [a council] like mine, which is a large outer London authority, has a large number of children placed within it by other councils, because of the availability of foster homes, children's home etc. So the children that might go missing from these homes...are not on the statistics that Hillingdon provide"*.<sup>132</sup>
90. As part of this Inquiry, all local authorities were asked to provide information about children in its care going missing, both children placed within the local authority and children placed outside the local authority. Of the 64 responses the Inquiry received – which accounts for 42% of the total number of the local authorities – 97% of local authorities were able to report whether children in the care of their local authority living within their local authority went missing. Local authorities reported 1,930 children missing from care in the care of their local authority. This is likely to be an under-estimate as only 81% of local authorities could report whether a child in its care placed away from the area

<sup>127</sup> SSDA903

<sup>128</sup> Philip Shakesheff, West Mercia Police, *Oral evidence session 2* p.3

<sup>129</sup> UK Missing Persons Bureau (2012) *Children Missing from Care*, NPIA p.3

<sup>130</sup> Philip Shakesheff, West Mercia Police, *Oral evidence session 2* p.3

<sup>131</sup> 20 out of 39 police forces in England use Compact (a searchable database)

<sup>132</sup> David Simmonds, London Borough of Hillingdon, *Oral evidence session 4.1* pp.4-5

went missing from care,<sup>133</sup> but significantly higher than the Department for Education figures for 2011 of 930.<sup>134</sup>

91. The importance of qualitative data, as well as quantitative, was also stressed to the Inquiry. Recording the reasons why young children and young people go missing so agencies are better able to help them was raised by the Children's Rights Director, Dr Roger Morgan OBE, who said we need *"a recording system that records not only the incidents of running, but the themes coming back from debriefs with children who have run, and the actions and sorting out, from which (a) we can monitor what is happening and (b) which we can learn what policies, procedures and practices we might actually pursue which might actually work preventing it"*.<sup>135</sup>
92. The importance of good quality data is also recognised in ACPO's evidence which notes that *"forces are continuing to take steps to improve data collection in the future through new computerised control systems or improved systems that are able to extract other details for missing persons such as locations and time."*<sup>136</sup> Currently around half the police forces in England use a searchable IT system that allows data on individuals to be retrieved, including whether the child is in care. This allows forces to identify and report on who goes missing and where they are missing from, building a much richer picture of missing children. This enables police forces to support risk assessments of both individual cases and of their local area, as well as share their data with other police forces.
93. Calculations submitted to the Inquiry by Philip Shakesheff, indicate that for the remaining forces in England to move to the searchable IT system they use, the total cost is the equivalent of investigating 375 missing children.<sup>137</sup> He argued that the cost of this investment would be outweighed by the savings accrued through more accurate resource allocation very quickly.
94. There are also major problems with quality of data collected on trafficked children. The numbers recorded by CEOP<sup>138</sup> – approximately 300 between 2007 and 2010 – is widely thought to be the very tip of the iceberg and the lack of robust and comprehensive data was also identified by the Inquiry as a key obstacle to keeping these children safe.
95. The Children's Society told the Inquiry that *"reliable and representative data is needed in order to fully understand and confront the scale and nature of human trafficking. This must include sufficient and reliable intelligence on trafficked children, including data disaggregated by age, gender, nationality and forms of exploitation. Without a full picture of the true scale of child trafficking, the government makes policy and assigns resources on partial and incomplete information leaving vulnerable children even more at risk."*<sup>139</sup>
96. Data from local authorities provided to the Inquiry revealed that only two local authorities out of 64 who responded collect centralised data on whether children have been trafficked (Hillingdon and Portsmouth). And only five local authorities collect the nationality of children in care who going missing.<sup>140</sup> Children who go missing from certain nationalities are very likely to have been trafficked and the missing episode is often the first indicator that they have been trafficked. Identifying a child from a certain nationality

<sup>133</sup> Data received from 64 out of 152 local authorities surveyed by Ann Coffey, Chair of this Inquiry

<sup>134</sup> Ibid

<sup>135</sup> Dr Roger Morgan OBE, Children's Rights Director for England, *Oral evidence session 3* p.5

<sup>136</sup> ACPO, *Written evidence submission* p.12

<sup>137</sup> Philip Shakesheff, West Mercia Police, *Oral evidence session 2* p.4

<sup>138</sup> CEOP (2010) *Strategic Threat Assessment: Child Trafficking in the UK* London: CEOP

<sup>139</sup> The Children's Society, *Written evidence submission* p.6

<sup>140</sup> Data received from 64 out of 152 local authorities surveyed by Ann Coffey, Chair of this Inquiry

early would allow that child to be flagged as a suspected victim of trafficking and appropriate safety measures to be put in place immediately.

97. The current lack of data represents a failure to protect children by the Department for Education and Home Office. Although far from perfect, it is clear that police data is more comprehensive than that of the Department for Education and any review of data collection must focus on how to use police data to inform Department for Education data.

98. As the minister for children and families, Tim Loughton MP, told the Inquiry: *“It is in everybody’s interests if we sort out exactly what missing is, what aspect of missing we need to take much more seriously than just going along, filling in a form, and then filing it. And we need to make sure what is required by Ofsted and what is required by my Department is complementary to what the police respond to”*.<sup>141</sup> He also admitted that *“the data is so raw and erratic at the moment as to not really know how meaningfully one can use it.”*<sup>142</sup>

***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.

***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.

***Recommendation 14:*** For CEOP 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 persons<sup>143</sup>.

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

### *Sharing data and intelligence*

99. The Inquiry heard how accurate data collection is critical, but in order to protect children agencies must also share data and information with each other on individual children, local patterns of missing and risks. This will enable agencies both to respond to individual children and plan a strategic response to the issue of missing from care.

100. The recent Strategy for Missing Children and Adults and the Child Sexual Exploitation Action Plan both indicate that data sharing is central to government’s expectation of the local response. Yet this Inquiry has found an extremely patchy picture of local data sharing which falls far short of what is needed to protect children. Maggie Blyth, Independent Chair of Kent’s LSCB and also giving evidence on behalf of the independent chairs of LSCBs stressed the need for accurate data to inform statutory agencies of the problems which exist and highlighted that the issue of poor data collection and sharing is *“often an unintentional consequence of always thinking it might be someone else’s particular problem”*<sup>144</sup>.

<sup>141</sup> Tim Loughton MP, minister for children and families, *Oral evidence session 4.1* p.5

<sup>142</sup> *Ibid*, p.8

<sup>143</sup> ACPO guidance on the management, recording and investigations of missing persons (2010), NPIA

<sup>144</sup> Maggie Blyth, Kent LSCB, *Oral evidence session 3* p.9

101. ECPAT UK's submission to the Inquiry highlighted a *"consistent failure of intelligence sharing between UKBA [UK Border Agency], SOCA [Serious and Organised Crime Agency], police teams and statutory authorities about organised criminal networks and trafficking trends and information, leaving many children vulnerable. Many local authorities are not updated about information that the police have which could be vital in safeguarding these children. Local authorities and other agencies, such as education services, are not actively sharing information with police which could assist cases and working together to safeguard children."*<sup>145</sup>

### *Cross-boundary children in care and out of area placements*

102. Particular concerns were raised regarding the data and information sharing about children in care outside their 'home' local authority. The relevant guidelines<sup>146</sup> state that *"before approving a decision to place a child outside their area the social worker must ensure that...the local authority in which the child is to be placed has been notified"*.<sup>147</sup>

103. Each local authority is also required to maintain a register of children for whom it is responsible as well as of all children placed in the area by another local authority. The register should include the following information: the name, gender and date of birth of the child; the name and address of the person with whom the child is placed; the name and address of the child's parents and all those with Parental Responsibility; the name of the placing authority; the child's legal status; whether the child has a Child Protection Plan or has a disability; the date on which the placement was made and the date when it terminated including the reason for the termination; where and what arrangements have been made by the host local authority to undertake the duties of the placing local authority; as well as the name of the person within the placing authority with whom they were agreed.

104. Serious concerns that 'host' local authorities are not being notified of children being placed in their area by the 'placing' authorities were raised with the Inquiry. The ACPO evidence states that *"compliance with the regulations varies across England and Wales"* and that *"examples exist within forces that children from outside their local authority area are being placed within their area although no consultation with the host local authority has taken place"*.<sup>148</sup> This lack of cross-boundary notification when placing a child *"generally comes to light as a result of prolonged or regular episodes of missing"*.<sup>149</sup>

105. This was again highlighted in the evidence received by the Inquiry from local authorities. More than a third (36%) of local authorities were not able to report whether children placed in their area by another local authority had gone missing due to not receiving notifications or lack of centralised data collection systems. Additionally, 19% of local authorities were unable to report whether children in its care placed in another authority, had gone missing. This is concerning because these are children for which the local authority has parental responsibility. Most local authorities responded that there are no formal arrangements for sharing information on children placed out of area who go missing and missing cases are dealt with on a case by case basis.<sup>150</sup>

106. If a local authority in which a particular child has been placed has no knowledge that the child is there, the chances of information held by agencies in that authority – such as

<sup>145</sup> ECPAT UK UK, *Written evidence submission* p.2

<sup>146</sup> DfE (2010) *The Children Act 1989 Guidance and Regulations, Volume 2: Care Planning, Placement and Case Review* London: HM Government

<sup>147</sup> *Ibid*, p.44

<sup>148</sup> ACPO, *Written evidence submission* p.3

<sup>149</sup> ACPO, *Written evidence submission* p.3

<sup>150</sup> Data received from 64 out of 152 local authorities surveyed by Ann Coffey, Chair of this Inquiry.

police – being fed back to the placing authority, are very slender. This casts further doubt on the quality of the data on missing incidents held by the Department for Education.

107. This lack of notification significantly reduces not only a local authority's ability to perform a comprehensive local risk analysis and plan resources effectively, but also severely limits its ability to carry out its safeguarding duties to all children living within its boundary. As evidence from ACPO highlights *'with no knowledge of a child's existence in their area and with no sharing of relevant information, the host local authority's ability to safeguard the child is reduced. Decision making in relation to the child's welfare would be uninformed and there is a risk that appropriate decisions about the child would not be made and risks of harm may go unrecognised, as particular needs/issues are unknown.'*<sup>151</sup>
108. Peter Davies, Chief Executive of CEOP, also told the Inquiry that *"there is clear evidence from a variety of forces of local authorities placing children outside their area, and that information is not even going to the partner local authority, still less to the local police and that creates a self-evident danger."*<sup>152</sup> Maggie Blyth, Independent Chair of Kent's Local Safeguarding Children's Board, highlighted *"The difficulty it places local professionals in, is not actually ever knowing who might be arriving in a GP's surgery, might be arriving at A&E, might be turning up at school, might be arriving and might be extremely vulnerable"*.<sup>153</sup>
109. These concerns were highlighted in a recent report by a Lancashire County Council Taskforce that states: *"There is, it seems, limited confidence by anyone at a local level that the system of notifications and register maintenance is functioning as it should. This has certainly been the experience in Lancashire and other 'net importers' of cross-boundary looked after children, such as Kent County Council, Stockport Metropolitan Borough Council and Blackpool Council. For example, in October 2010, the figure available to Lancashire County Council for placements into the area by other local authorities was 825, but this was a figure judged by officers as so unreliable as to be counter-informative, partly because Lancashire County Council cannot be confident that it is being notified by other authorities when new placements are made in the area or when they cease'*.<sup>154</sup>
110. The report goes on to say: *"Local knowledge of the sector is piecemeal, incomplete and far from satisfactory for the purposes of service resource planning and delivery for all. Certainly, that has been the case prior to this Inquiry. Furthermore, the capacity for local control of it has been almost none. The government agency Ofsted is the regulator and inspector for the sector. 'Not knowing what we don't know', as one councillor puts it, is a real part of the problem here."*<sup>155</sup> It also emphasises a number of factors as the reason for this, including: *'Multifarious entry points into which notifications are received into the County Council and limited awareness levels of staff across the authority as to how to handle them.'*<sup>156</sup>
111. Maggie Blyth, Independent Chair of Kent LSCB, told the Inquiry of issues around children placed away from their home local authority *"there is some difficulty in providing accurate data on...the numbers placed from other local authorities. In Kent there is a monthly notification that goes to all local authorities across the country asking for an up to*

<sup>151</sup> ACPO, *Written evidence submission* p.4

<sup>152</sup> Peter Davies, CEOP, *Oral evidence session 2* p. 11

<sup>153</sup> Maggie Blyth, Kent LSCB, *Oral evidence session 3* p.9

<sup>154</sup> Lancashire County Council Overview and Scrutiny Committee Taskforce (2011) *"Who Cares?" Cross Boundary Looked After Children Task Group Report* p. 7

<sup>155</sup> *Ibid* p.8

<sup>156</sup> *Ibid* p.34

date account as to who has been placed in Kent, and around 75 local authorities respond to that on a regular basis".<sup>157</sup>

112. Debbie Jones, President of the ADCS, suggested that the real problem might be "less a problem with notification and more a problem with follow through".<sup>158</sup> She told the Inquiry that "the issues will arise when young people who have been placed by one authority into the receiving authority go missing, and what happens then. Are the systems sufficiently sensitive and flexible to pick up?"<sup>159</sup> However, although follow through has been highlighted as an issue, the majority of evidence seen by the Inquiry suggests the picture of notifications is at best deeply inconsistent.

113. The children and families minister, Tim Loughton MP, summed up the problems with the current situation of lack of notification by placing authorities, saying "I have got it from my own constituency experience where the regulations quite clearly state that the responsible authority which places a child out of area, and can only do subject to certain criteria....I am concerned still too many of them are not fulfilling the criteria before children are going out of area....This is still a problem and I am determined to clamp down on it as I thought we had, but it is still not being achieved in practice".<sup>160</sup>

**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.

### Ofsted

114. Ofsted regulates and inspects children's homes and local authority children's services. Inspectors assess individual children's homes' adherence to the National Minimum Standards (NMS) for children's homes. Standard 5 of the NMS relates to children missing from care. The outcomes under this standard are: "Children rarely go missing and if they do, they return quickly" and "Children who do go missing are protected as far as possible and responded to positively on their return".<sup>161</sup> When Ofsted inspects a children's home against NMS 5 they look at the home's own data. This is not cross-referenced with police data relating to missing incidents from that address.

115. The lack of proactive data sharing by Ofsted with other agencies was raised repeatedly during the course of the Inquiry. ACPO stated to the Inquiry that "the lack of effective information sharing by Ofsted is an issue. There have been instances where children's home inspections have taken place and Ofsted have not sought information from the police which would impact on their assessment of the standards of care".<sup>162</sup>

116. ACPO's evidence also states that "a number of children's homes have, following inspection, been given a 'good' or 'outstanding' rating, yet the homes have children repeatedly going missing. In these cases there is no consultation with [the] police or LSCB in that grading".<sup>163</sup> It gives the following example: "West Mercia police informed Ofsted of a private care home in Shropshire that had reported a child missing on 39 occasions between 6<sup>th</sup> June and 25<sup>th</sup> October 2011 and had made over 100 reports in total in that same period...Ofsted subsequently supported a good award for that home.

<sup>157</sup> Maggie Blyth, Independent Chair of Kent's Local Safeguarding Children's Board, *Oral evidence session 3* p.9

<sup>158</sup> Debbie Jones, ADCS, *Oral evidence session 4.1* p.16

<sup>159</sup> *Ibid.* p.16

<sup>160</sup> Tim Loughton MP, minister for children and families, *Oral evidence session 4.1* p.6

<sup>161</sup> DfE (March 2011) *Children's Homes: National Minimum Standards* p.14

<sup>162</sup> ACPO, *Written evidence submission* p.21

<sup>163</sup> ACPO, *Written evidence submission* p. 21

*The child in question has continued to go missing from the home and 130 missing reports have been made in relation to her”.*<sup>164</sup>

117. It is clear that without data from local police on missing incidents relating to a particular home, Ofsted inspectors cannot make an accurate judgement on the home’s compliance with NMS 5 or indeed set out the steps needed to improve that home’s performance. Evidence from ACPO states that *“For a thorough inspection to take place, inspectors must have reference from all the relevant agencies including the police. The new regime will only see Ofsted ask forces for information on the homes if they perceive a problem. There is the likelihood that an inspector may not be made aware of some of the issues around missing children”.*<sup>165</sup>
118. DI Phil Shakesheff, West Mercia police, told the Inquiry that *“I think the current Ofsted inspection regime seems to focus on a tick box culture, have you got quality in place, without actually digging behind that thin veneer. You need a holistic examination of how the home is performing, the quality of staff and what the outcomes are for the children, not a tick box culture, “have you got a policy, are you working with the police”, without even consulting the police, and asking the local policing areas how well they are doing.”*<sup>166</sup>
119. He also told the Inquiry that *“A recent case was in Telford, and it was two privately run care homes owned by the same person right next door to each other...they had about four children in each home, next door to each other. They telephoned the police over 900 times, 300 missing person reports, and that home got a good Ofsted report. On that occasion I referred the case to Ofsted...In 2010 we had 50 – so that was the impact, a positive outcome following an Ofsted visit to the home.”*<sup>167</sup>
120. John Goldup, Deputy Chief Inspector of Ofsted, told the Inquiry that the nature of unannounced inspections *“has imposed limitations though on the amount of pre inspection data we are able to receive from other agencies”.*<sup>168</sup> However there is no reason for why police data could not be included in the writing of the report or indeed the grading of the home.
121. Ofsted also told the Inquiry that its reports are shared proactively only with the children’s homes themselves. John Goldup told the Inquiry that *“In terms of who we share the report with, our current practice is we share the report with the children’s home provider, that is our responsibility, our obligation”*<sup>169</sup>.
122. The Inquiry heard that a local authority would have to ask Ofsted for the report rather than being provided with it as a matter of course, with John Goldup telling the Inquiry *“We publish the report on our website but we do not identify the children’s home by name and address. You have to have access to the unique reference number of the children’s home to access that report, and I know this is a subject of great contention and difficulty, by regulation the only agency we are allowed to share this information with is with the local authority, so local authorities have access to reports on all the children’s homes in their area – and should they need it, all the children’s homes in the country. That is a vital source of information we know that social workers use when deciding on appropriate placements”.*<sup>170</sup>

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<sup>164</sup> Ibid, p.23

<sup>165</sup> Ibid, p.24

<sup>166</sup> Philip Shakesheff, West Mercia police, *Oral evidence session 2* p.7

<sup>167</sup> Philip Shakesheff, West Mercia police, *Oral evidence session 2* p.8

<sup>168</sup> John Goldup, Ofsted, *Oral evidence session 4.2* p.9

<sup>169</sup> Ibid, p.9

<sup>170</sup> John Goldup, Ofsted, *Oral evidence session 4.2* p.9

123. Accessing data on missing incidents relating to individual children’s homes is further hindered by the fact that Ofsted does not share the names and locations of children’s homes with local police. ACPO have been working with Ofsted at a national level to attempt to work towards sharing data on the position of children’s homes but *“The fact that Ofsted will not share these at the present time is making it difficult for local forces to liaise with all children’s homes. A number of forces have in the past reported this as an issue”*.<sup>171</sup> CEOP’s Chief Executive, Peter Davies, said this *“just seems another example of how the data gaps are preventing good safeguarding practice.”*<sup>172</sup> If Ofsted did share this information, supplying inspectors with police data on missing would be simple. Not having the names and locations of children’s homes not only slows the police’s capability in informing Ofsted inspections. It also greatly hampers their ability to risk assess and plan resources.
124. Local authorities can however ask Ofsted for a list of the children’s homes in their area and Ofsted has *“reminded them of the availability of that information”* through regular communications with Directors of Children’s Services.<sup>173</sup> Indeed, Ofsted drew the Inquiry’s attention to the fact that since March 2012 it has sent out information about the names and addresses of children’s homes via secure email to nominated contacts in local authorities. Ofsted told the Inquiry that quite a number of local authorities have not yet given details of the contacts they wish to receive this information and are therefore not currently receiving this vital information.
125. Ofsted’s submission to the Inquiry set out its position on the sharing of data with the police stating that *“Ofsted has no express statutory power of disclosure in relation to children’s social care. Accordingly any information sharing would have to be on the basis of Ofsted’s implied powers (in paragraph 8 of schedule 13 to the Education and Inspections Act 2006) and we have to ensure that we balance our safeguarding duties with our duty to comply with legal requirements relating to human rights, data protection and confidentiality”*.<sup>174</sup>
126. Ofsted’s Deputy Chief Inspector, John Goldup, told the Inquiry that *“it is our view that the government would have to change the regulations in order to allow us to do that, and the indication we have had consistently from the Department for Education, is there is no mind in government to do so”*.<sup>175</sup> However, Tim Loughton MP, minister for children and families, told the Inquiry that *“there is an additional issue ‘Are we sharing information on children’s homes’, particularly the police and Ofsted and the local authority, which is an ongoing bugbear which I am trying to tackle as well”*.<sup>176</sup> He said that *“there seems to be a reluctance – which I don’t quite understand – between Ofsted and the police about sharing details like the location of the children’s homes as well, and it seems to me sensible good practice that everyone knows what we are dealing with officially.”*<sup>177</sup>
127. Ofsted also submitted evidence to the Inquiry that the Children’s Rights Director for England has previously advised against routinely sharing a national list of all children’s homes with the police. His advice was based on concerns that the police may use the list to assist them with investigating crime by treating children in children’s homes as a *‘group of first suspicion’*, based on the hypothesis that children living in children’s homes are

<sup>171</sup> ACPO, *Written evidence submission* p.22

<sup>172</sup> Peter Davies, CEOP, *Oral evidence session 2* p.16

<sup>173</sup> John Goldup, Ofsted, *Oral evidence session 4.2* p.9

<sup>174</sup> Ofsted, *Written evidence submission* p.7

<sup>175</sup> John Goldup, Ofsted, *Oral evidence session 4.2* p.10

<sup>176</sup> Tim Loughton MP, minister for children and families, *Oral evidence session 4.1* p.5

<sup>177</sup> *Ibid*, p.6

more likely to commit crime than the general population.<sup>178</sup> This concern needs to be addressed if information is to be shared.

128. There are also issues around what planning permission is needed for children's homes to be established. Alison McCausland MBE told the Inquiry: *"When anyone applies for a change of use, the planning department in that area will have to grant approval to change it to a residential placement. That information should go straight to Children Services and they should make local police aware of it."* Conditions vary between local authorities as to whether they require children's homes to obtain planning permission for homes of three beds or fewer.<sup>179</sup> Ofsted have indicated that the onus is on the children's homes to find out whether the local authority will require them to obtain planning permission.<sup>180</sup>

***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.*

***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.*

***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.*

***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.*

***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.*

***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.*

### **Multi-agency responses**

129. The Inquiry heard from practitioners and the police that effective multi-agency working would improve information sharing and strategic responses. Pat Geenty, ACPO lead on missing, told the Inquiry how the issue of missing needs to be recognised and referred into a multi-agency environment *"a lot of forces are working on these multi-agency safeguarding models because of child safeguarding issues and serious case reviews, which constantly and repeatedly come back to not sharing information. Multi-agency will help us solve that problem, but missing needs to be one of those areas which is recognised and referred into that environment, and not just treated as a routine issue that the police have to deal with"*.<sup>181</sup>

<sup>178</sup> Ofsted, *Written evidence submission* p.7

<sup>179</sup> Ofsted, *Written evidence submission*

<sup>180</sup> Ofsted, *Written evidence submission*

<sup>181</sup> Patrick Geenty, ACPO, *Oral evidence session 2* p.17

130. He said that *“For me the Holy Grail is MASH, the Multi-Agency Safeguarding Hub, in every police force in the country, if we can get those in place and we can bring our local authorities and our different agencies together in one room, all referrals going into case management, we would have an opportunity of sharing information, sharing data much more effectively”*.<sup>182</sup>
131. A Multi-Agency Safeguarding Hub (MASH) is the central resource for safeguarding and child protection enquiries in a local area. They are staffed with professionals from a range of agencies including police, probation, fire, ambulance, health, education and social care, who share information to ensure early identification of potential significant harm, and the emphasis is on triggering interventions to support the child or young person and their family to prevent harm.<sup>183</sup> The Home Office minister, Lynne Featherstone MP, told the Inquiry that, in relation to MASH, *“From what I have heard and understood in conversations about them thus far, they seem to be absolutely the right place for information to come into and I would expect them to be the way forward”*.<sup>184</sup>
132. ACPO recommends that local authorities inform the police and relevant agencies of all trafficked or exploited children that are currently in care in the force area, so that local strategy meetings can be held to implement measures within the police force, identify the level of risk and regular meetings can be planned to discuss the risks and their needs through risk management and care plans. Pat Geenty, argued that *“The police response to trafficked/exploited children must be part of a multi-agency response with the emphasis being on partnership to safeguard the child effectively when it is first appreciated that the child is trafficked before the child goes missing.”*
133. There are examples of good practice local multi-agency working and Richard Haigh, Programme Manager, The Children’s Society cited the M-SET (Missing, Sexual Exploitation and Trafficking) group he chairs in Newcastle<sup>185</sup>, and the Inquiry also heard of data and information sharing protocols in Manchester and West Mercia. West Mercia police have delivered training, focused on the adherence to their pan West Mercia Joint Protocol on Missing children to 120 delegates from all their constituent local authorities, children’s services and LSCBs.<sup>186</sup>
134. The Inquiry also heard from Paul Hewitt, Service Manager for safeguarding children at Hillingdon Borough Council, how they have reduced the number of unaccompanied children that have gone missing to eight from 79 during 2007-2009 by establishing a 3 level multi-agency model (strategic, policy and operational) in partnership with law enforcement.<sup>187</sup>
135. Closer partnership working allows the sharing not only of quantitative data but also of qualitative data that is not captured in data returns but can be crucial to understanding incidents and planning an effective response. Being in the same room together can facilitate the sharing of more useful data.
136. As the new Police and Crime Commissioners will be *“a locally accountable and elected person with some responsibility for overseeing effective partnership activity”*<sup>188</sup>, they should ensure that police forces work in partnership with the local authority and care providers in sharing information on young people who go missing from care.

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<sup>182</sup> Ibid, p.16

<sup>183</sup> Information from Devon Safeguarding Children’s Board’s website

<sup>184</sup> Lynne Featherstone MP, Home Office minister, *Oral evidence session 4.2* p.21

<sup>185</sup> Richard Haigh, The Children’s Society, *Oral evidence session 3* p.32

<sup>186</sup> ACPO, *Written evidence submission* p.16

<sup>187</sup> Paul Hewitt, London Borough of Hillingdon, *Oral evidence session 1* pp.18-19

<sup>188</sup> Peter Davies, CEOP, *Oral evidence session 2* p.12

137. The Inquiry also heard of examples of effective multi agency work to support trafficked children, particularly at airports like Heathrow and Gatwick (Operation Newbridge). However, despite commitments in the recent Human Trafficking Strategy to roll out models like these, this has not happened. Paul Hewitt, Children’s Services Manager at Hillingdon Borough Council, told the Inquiry that *“We know that it isn’t [rolled out] because we get frequent phone calls from other ports of entry, Stansted, Birmingham and Bristol, who say what is going on, how do we deal with this? It really is simple and effective, and that sort of model should be rolled out across all the ports of the entry”*.<sup>189</sup> He also pointed out to the Inquiry that *“The mechanisms we use in Hillingdon are the ones that are built in statute anyway”*.<sup>190</sup>

**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.*

**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.*

## Local responses to missing incidents

### *The response of children’s homes and foster carers to missing incidents*

138. Evidence seen by the Inquiry highlighted the higher levels of reporting of missing incidents from children’s homes compared to those from family or foster homes. Missing People told the Inquiry that *“according to the Metropolitan Police, for example, 80-90 per cent of young people reported missing are from the care system. But, rather than indicating genuine running incidents, these high rates reflect the fact that carers are likely to report children and young people as missing, even in cases of unauthorised absence or the child is simply home late”*.<sup>191</sup>

139. Peter Davies, Chief Executive of CEOP, also told the Inquiry that *“the evidence we have received shows quite clearly a number of private care homes will almost be on the phone before the child has disappeared because it is a risk aversion issue”*.<sup>192</sup> DI Philip Shakesheff, West Mercia police, contrasted this behaviour with the response of families whose children go missing stating that *“When we receive a report from mum and dad their child has gone missing, we find mum and dad have generally been to their friends’ houses, they have searched the bedroom, searched the recreation ground, tried them on their mobile”*.<sup>193</sup>

140. After the report has been made, however, staff in children’s homes were characterised to the Inquiry as being uninterested in the outcome of the missing report. Philip Shakesheff said that *“During the course of the Inquiry... the family is in regular contact with us... I don’t see that engagement from carers once they have picked up the*

<sup>189</sup> Paul Hewitt, London Borough of Hillingdon, *Oral evidence session 1* p.19

<sup>190</sup> *Ibid*, p.18

<sup>191</sup> Missing People, *Written evidence submission* p. 3

<sup>192</sup> Peter Davies, CEOP, *Oral evidence session 2* p.16

<sup>193</sup> Philip Shakesheff, West Mercia Police, *Oral evidence session 2* p.6

telephone and reported.”<sup>194</sup> He also told the Inquiry: “There are a small number of care homes where it is clear in my view the police are filling a vacuum in their resources, particularly privately managed care homes...We are getting many inappropriate reports”.<sup>195</sup>

141. Yet the Deputy Children’s Commissioner, Sue Berelowitz, gave evidence that some children are not being reported missing when they should be. She said that “*what we have heard from some local authorities is that if a child only goes missing from something like midnight to six in the morning, that does not constitute an overnight disappearance, therefore they do not report the child as missing and do not take any action. I am afraid it is quite possible for a child to be very seriously exploited and misused in that space of six hours, and what clearly is happening in some places, people are simply not treating this as potentially serious for the child*”.<sup>196</sup>
142. This is a difficult area to negotiate for agencies. As patterns of grooming for sexual exploitation and other harms such as drug taking or involvement in gangs often involve relatively short periods of being away from the care placement, it is crucial that care staff and other local services are alert to these dangers and informed when a young person’s pattern of behaviour indicates risk. Yet an over-reporting of missing incidents to the police runs the risk of a downgrading of the response from local forces as they tire of being used as a ‘taxi service’ for children’s homes.
143. Better partnerships on the ground between local police and care home staff can work to improve relationships and reduce over-reporting whilst ensuring adequate safeguarding. Pat Geenty, ACPO lead on missing, suggested that the Multi-Agency Risk Assessment Conference (MARAC) approach could be extended to work between the local police force and care home staff.<sup>197</sup> The MARAC, currently used in cases of domestic violence, is a victim-focused meeting where information is shared on the highest risk cases of domestic abuse between criminal justice, health services, child protection, housing practitioners, IDVAs (Independent Domestic Violence Advocate) as well as other specialists from the statutory and voluntary sectors. A safety plan for each victim is then created. Such a system would “*bring that relationship together, so that you can get police officers and workers from care homes working together to understand the issue*”.<sup>198</sup>
144. Closer relationships also need to be developed between care homes, the local authority and the social worker who has placed the child, and in particular the roles and responsibilities in relation to children who go missing need to be clearly defined. Ofsted’s Deputy Chief Inspector, John Goldup, told the Inquiry that “*Where a pattern is developing...the home has a responsibility, but the local authority who is responsible for placing that child has a lead responsibility, and I think we do quite often experience or hear the frustration from children’s homes themselves, that they have made repeated efforts to get the local authority to take responsibility, to take charge of the situation, and that is not always successful and there is an issue there*”.<sup>199</sup>
145. A Fostering Network survey of 40 members with experience of looking after children who go missing found that over 50% had not been given training on looking after young

<sup>194</sup> Ibid, p.6

<sup>195</sup> Ibid, p.6

<sup>196</sup> Sue Berelowitz, Deputy Children’s Commissioner for England, *Oral evidence session 3* p.7

<sup>197</sup> Patrick Geenty, Chief Constable, Wiltshire Police, and Lead on Missing People, the Association of Chief Police Officers, *Oral evidence session 2* p.16

<sup>198</sup> Ibid, p.16

<sup>199</sup> John Goldup, Deputy Chief Inspectors, Ofsted , *Oral evidence session 4.2* p.13

people who run away or go missing and concerns were raised about the support they were getting from the local authority".<sup>200</sup>

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

### *Police responses to missing – ACPO pilots*

146. Responding to an individual missing incident costs a police force around £1,000.<sup>201</sup> As set out above, police are regularly called upon to pick up children missing from children’s homes who are not ‘missing’ in the sense that their whereabouts are unknown, but ‘missing’ in the sense of being absent without permission from their care home. In an environment of reduced resources this is both time consuming and costly for individual police forces.
147. To tackle this issue, ACPO and Home Office Reducing Bureaucracy Programme Board initiative are running pilots in Greater Manchester, the West Midlands and Staffordshire with a revised definition of ‘missing’. The newly created definition of ‘missing’ states that *“Anyone whose whereabouts cannot be established and where the circumstances are out of character, or the context suggests the person may be the subject of crime or at risk of harm to themselves or another”*.<sup>202</sup> A different category of ‘absent’ has also been created and is defined as *“A person not at a place where they are expected to be and where the circumstances and context suggest a lower level of risk”*.<sup>203</sup>
148. Incidents judged to be in the category ‘absent’ are recorded but not investigated as missing persons incidents by the police. The intention is to free up police time. However, some of the submissions received by the Inquiry raised grave concerns about the scope of the pilots, the lack of independent evaluation of them and also about the fact that some police forces outside the pilot areas are already implementing this new way of working before it has been evaluated. Alison McCausland MBE, a practitioner and former police officer told the Inquiry that *“I know Cheshire wasn’t one of those pilot projects, yet it has jumped into this already, and that is very worrying. If you are going to have a pilot, yes, do it properly, evaluate it, and then recommend what worked, what didn’t work, but to actually have people doing this, it is dangerous”*.<sup>204</sup>
149. However, the Inquiry also received evidence from Cheshire police about work they had been doing aimed at preventing missing events. Their evidence states that by working with local authority partners and proactively challenging *“inadequate care plans and/or inappropriate placements we have reduced all such events whether they be absent or missing by up to 75%”*.<sup>205</sup> The evidence submitted also argued that this approach addressed the concerns raised around safeguarding and the ACPO pilots.
150. The Inquiry also heard from DI Jon Gross, Sussex police, the force that originally piloted the scheme. It was clear from his evidence that certain safeguards are critical to the success of the pilot and he stressed that *“the definition we ran was not possible to adopt without doing some other fundamental things first. One of those was to make sure that any revised approach in Sussex not only represented better value and a more risk based approach to deploying officers to first response, but importantly the work that*

<sup>200</sup> Robert Tapsfield, The Fostering Network, *Oral evidence session 3* p.17

<sup>201</sup> *It has been estimated that the average missing person enquiry costs £1,000* CEOP (2011) *Scoping Report on Missing and Abducted Children*, London: CEOP p.17 quoting Lancashire Police force 2004

<sup>202</sup> ACPO, *Written evidence submission*, p.18

<sup>203</sup> *Ibid*, p.18

<sup>204</sup> Alison McCausland MBE, *Oral evidence session 2* pp. 20-21

<sup>205</sup> Steve Watson, Cheshire police, *Written evidence submission* p. 1

*happens secondary to that, in terms of the safeguarding issues, was able to be picked up in a joint agency way”.*<sup>206</sup>

151. Jon Gross stressed the importance of the pilot being embedded within a multi-agency approach and the additional value that the voluntary sector provides to the police: *“It is a non-authoritarian intervention to the process. The Catch22 in East Sussex is a fine example of that. In Brighton we have the WiSE Project, and in West Sussex we use Banardos, and what you get in all three areas is people who have the expertise and time to follow things through.”*<sup>207</sup>

152. Jon Gross also highlighted the critical importance of the police ‘missing persons co-ordinators’ to *“be the local divisional borough-based focal point...with the appropriate strategic level of management above that to engage with social care and voluntary services providing services to runaways, so we could share information, not only statistically, and problem solve round the most vulnerable cases.”*<sup>208</sup>

153. The missing persons co-ordinator scrutinises the ‘absent’ information daily to identify trends and judge whether referrals to children’s services need to be made.<sup>209</sup> Jon Gross also emphasised the importance of the expertise residing in the missing person’s coordinator role and the importance of its retention: *“You cannot always expect a front line officer to really get it, there are so many pressures on their time, and also they are not really engaging with the young person at a time when they are going to get a response you are looking for. So while we do our best in that area - it is that secondary response – of the missing person co-ordinators who we line manage within our child protection teams so they naturally get that kind of expertise in engaging with young people.”*<sup>210</sup>

154. The Inquiry heard from practitioners in several of the pilot areas who are concerned that this crucial oversight is not taking place and that in a climate of constrained resources, police forces implementing this pilot will not resource the necessary safeguards. Alison McCausland MBE said *“I am very concerned in Cheshire that the criterion is “If they have not been missing for twenty four hours or more we don’t refer them. I am sorry I didn’t know there was a specific timeframe needed for grooming. You can get involved in things quite easily in much shorter periods of time.”*<sup>211</sup>

155. These concerns run contrary to government’s intention – in both the Missing Children and Adults Strategy and the Child Sexual Exploitation Action Plan – to ensure that the risks associated with running away are fully understood by all those working with children and young people. It is important that if the pilots are rolled out forces understand the difficult safeguarding issues involved.

**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.*

<sup>206</sup>DI John Gross, Sussex Police, *Oral evidence session 4.2 p.2*

<sup>207</sup> *Ibid*, p.5

<sup>208</sup> *Ibid*, p.2

<sup>209</sup> *Ibid*, p.3

<sup>210</sup> *Ibid*, p.5

<sup>211</sup> Alison McCausland MBE, *Oral evidence session 2 p.20*

### Return interviews

156. Evidence to the Inquiry highlighted confusion amongst local agencies over their roles when missing young people return. To adequately protect young people by identifying vulnerability to harm early, all agencies must understand their distinct role in the process and allocate resources accordingly.
157. Police forces are required to carry out a 'safe and well check' of all missing people when they return, as part of their duty to preserve life and protect crime.<sup>212</sup> This should take place as soon as possible on the person's return. The Inquiry is clear that the 'safe and well check' is not sufficient to ascertain a young person's vulnerabilities, nor is it the role of police officers responding to the missing incident to carry out more in depth debriefs.
158. According to statutory guidance,<sup>213</sup> each young person who is reported missing should also receive a 'return interview' from a responsible adult that they are comfortable disclosing to. It is critical that children and young people have the opportunity to speak to someone about why they went missing and 'return interviews' are an opportunity to discover serious risks to the child. Dr Roger Morgan OBE, the Children's Rights Director for England, in his submission stressed the value of a 'debrief' with someone independent when the young person returns. He said that "*They are not convinced that the first thing that will happen is police will consider them as needing debrief, counselling and support. If they have just run for fun, fair enough, they say, but if they have been running because of some of the other categories, they would like debriefing from someone independent. Actually the police could arrange that "If we are going back, can someone independent debrief us why we ran. If we ran from something or to something, then that needs to be taken seriously, these problems need sorting, so please engage with us"... "I want to choose my time and place for that debrief"*".<sup>214</sup>
159. Pat Geenty, ACPO lead on missing, told the Inquiry that voluntary sector involvement in the safe and well checks police forces are required to carry out elicits a more useful response than if it is carried out by police officers: "*Some of the pilots are using charitable organisations, trained individuals to do those return safe and well visits, and are getting better results than a police officer doing it who is coming to the end of their shift, and has to do a safe and well visit, 'Are you okay, anything happen to you? No, thank you very much, goodbye'. I am sure that is a gross exaggeration, but that can happen*".<sup>215</sup>

**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.*

### Professionals' attitudes to children who go missing

160. The issue of some professionals' attitudes toward children who go missing from care, and the prevailing culture around child protection responses to older children was been raised consistently with the Inquiry. It is not only seen as a major concern, but indeed a key obstacle to keeping children and young people safe.

<sup>212</sup> ACPO (2010) *Guidance on the Management, recording and investigation of missing persons* – Second edition, NPIA

<sup>213</sup> DCSF (2009), *Statutory guidance on children who run away and go missing from home or care*, London: HM Government, p.37

<sup>214</sup> Dr Roger Morgan OBE, Children's Rights Director for England, *Oral evidence session 3* p.4

<sup>215</sup> Patrick Geenty, ACPO, *Oral evidence session 2* p.13

161. For instance, some care staff do not adequately understand the signs of sexual exploitation when it is occurring. Sue Berelowitz, the Deputy Children's Commissioner, told the Inquiry of a young girl who *"whilst in care was going missing repeatedly for up to eight days at a time. During these periods she was hardly given any food, virtually nothing to drink, nowhere to wash, she was repeatedly raped. She said she would emerge covered in sores, very thin, smelling and in a filthy state. But nobody asked what was happening to her. You have to ask what is going on in some of our children's homes that people are not asking about what is happening to these children"*<sup>216</sup>.
162. Witnesses explained to the Inquiry that in many cases where children are at risk of sexual exploitation, they are seen as promiscuous and making an active choice to become involved in a particular lifestyle. Indeed, the Inquiry was told that some professionals see sexual activity between a child under 16 and an adult as acceptable as the young person has 'consented' rather than as a child protection or sexual exploitation. This attitude is ingrained within the system – for example care staff are required to notify the placing authorities, the police and the local authority of *involvement or suspected involvement of a child in the care home in prostitution*.<sup>217</sup> In the last five years Ofsted has received 631 notifications of these instances.<sup>218</sup>
163. Written evidence from a practitioner working with children at risk of CSE who asked to be anonymised reported that after disclosing a sexual transgression, a young person's social worker commented, *"well if she won't stay in then that's what will happen to her"* His evidence goes on to say, *"these may be isolated examples, but are indicative of a rudimentary lack of understanding on the complex nature of CSE, why young people go missing, and the psychological manipulation experienced by the young people at the hands of deviant adults. These young people do not choose to be sexually exploited, it is not a lifestyle choice they consciously opt into and clearly some professionals show little empathy to victims of a heinous crime."*<sup>219</sup>
164. Repeatedly running away is often an indicator that something is wrong in a child's life or that he or she is being hurt or abused. Despite this, many professionals, and in particular the police, often view children who go missing repeatedly as 'streetwise' and requiring less of a professional response rather than more. ACPO admit that: *"the police response to repeat runaways is not consistent across all forces"* and *"forces acknowledge that there has been a perception in the past that repeat runaways are occasionally viewed as 'streetwise' therefore misguidedly not considered vulnerable"*.<sup>220</sup>
165. Indeed, many missing children also present to the police as perpetrators of crimes and this can stop the police from thinking of the child as a vulnerable young person who needs support. CEOP's Chief Executive, Peter Davies, told the Inquiry that *"There are obviously a number of other vulnerabilities including the increased possibility of engaging in criminality in order to support themselves. One of the difficulties is many missing children present to us primarily as offenders who have been caught"*.<sup>221</sup>
166. He also said that *"the phenomenon of children going missing is not a stand-alone phenomenon, it is part of a continuation of a life which often involves high vulnerability, levels of abuse and harm already inflicted, and must be seen as an opportunity to solve*

<sup>216</sup> Sue Berelowitz, Deputy Children's Commissioner, *oral evidence session 3* p.7

<sup>217</sup> Children's Homes Regulations, Schedule 5

<sup>218</sup> Andrew Norfolk, *The Times* (10/05/12) Care homes 'must be improved to stop abuses' Notifications received 01/04/2007 – 17/02/2012

<sup>219</sup> Practitioner working with children at risk of CSE (anonymised), *Written evidence submission*, p.1

<sup>220</sup> ACPO, *Written evidence submission* p.14

<sup>221</sup> Peter Davies, CEOP, *Oral evidence session 2* p.10

*the problem and understand the problem, not merely a response issue to be addressed as quickly as possible and then moved on from*".<sup>222</sup> It is vital that operational policing and other professionals 'on the front line' are properly trained and informed of the facts to ensure they understand this also.

167. ACPO's evidence also highlights some good practice in this area, such as in South Yorkshire where "sergeants and inspectors are informed of their role in contacting Children's Services to call a professionals meeting in response to a child repeatedly reported missing" and in Somerset and Avon where "the introduction of missing person co-ordinators...has led to improved processes in which children repeatedly reported missing from home/care are identified and a multi-agency safeguarding meeting is convened".<sup>223</sup> Due to funding cuts some forces no longer have dedicated staff.<sup>224</sup>
168. However, many submissions from organisations working with children who go missing on several occasions argue that this perception is not "in the past".<sup>225</sup> Evidence from a practitioner working with children and young people at risk of CSE who asked to be anonymised stated "The response from professionals towards young people at risk of CSE varies dramatically. On the whole dedication to help can be witnessed and the willingness to protect and safeguard can be observed. However there have been several occasions in which the young people report they feel victimised, problematised and ultimately not listened to. One girl commented that she has been called 'slag' and 'white trash' by a beat-officer, another said she was one told after disclosing a sexual transgression '...what do you expect dressed like that, you're looking for it...'"<sup>226</sup>
169. According to several witnesses, trafficked children who come into contact with the police are also often treated as offenders rather than victims. Research from CEOP has found that Vietnamese children who are exploited for cannabis cultivation and Roma children, who are forced to steal and beg, in particular, are being criminalised. They face punitive measures including custodial sentences without any investigation into why they might be engaging in such behaviour.<sup>227</sup>
170. The NSPCC's Child Trafficking Advice line (CTAIL) case experience demonstrates that some trafficked children are treated as 'low risk' when they go missing because, as The Children's Society reported to the Inquiry, many local and police authorities are not aware of their obligations to search for unaccompanied children. The NSPCC cite several examples where trafficked children have not been circulated on the Police National Database and of one not being classed as 'missing' at all "The referrer was told it was UKBA's responsibility and that the child could not be missing as he had no status in the UK."<sup>228</sup>
171. This contradicts ACPO guidance that states that trafficked children should not be criminalised for their involvement in criminal activity because they were exploited and therefore cannot consent to any involvement.<sup>229</sup> Sue Berelowitz, the Deputy Children's Commissioner told the Inquiry that "In terms of those going missing, many of them are never heard of again. They just disappear. They surface sometimes in the criminal justice

<sup>222</sup> Ibid, p.10

<sup>223</sup> ACPO, *Written evidence submission*, p.15

<sup>224</sup> Ibid, p.15

<sup>225</sup> Practitioner working with children and young people at risk of CSE (anonymised) *Written evidence submission*, p.1

<sup>226</sup> Ibid, p1

<sup>227</sup> CEOP (2010) *Strategic Threat Assessment: Child Trafficking in the UK* London: CEOP

<sup>228</sup> NSPCC CTAIL, *Written evidence submission* p.10

<sup>229</sup> ACPO(2010) *Position from ACPO Leads on Child Protection and Cannabis Cultivation on Children and Young People Recovered in Cannabis Farms* London: ACPO

system when they have been convicted of working in cannabis factories they are, in our view, victims of trafficking.”<sup>230</sup>

**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’.

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

**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.

### Service Provision

172. Throughout the Inquiry witnesses and written evidence submissions spoke of the importance of specialist support for children who go missing or at risk of going missing, and it is clear more of this specialist support is needed. Simon Cottingham, Programme Manager. The Children’s Society, told the Inquiry “I don’t want us to get carried away in thinking that there are a lot of voluntary community specialist agencies working with children who run away. I think we can count the numbers on one hand and then we have to look at the reality of the resources that go in”.<sup>231</sup>

173. He explained that local agencies who end up dealing with the effects of young people in care going missing should consider funding voluntary projects with the resources they would already be spending. He said “We have tried for years to get health, the police and others to say so how can we use our resources differently in order to put together a better response for children and young persons that go missing, and we are still doing the same old thing we have been doing for a number of years, and I think that we do need to change that dynamic, we do need to get agencies to think that they can use their resources differently, not to do the same old thing.”<sup>232</sup>

174. Ring fenced funding from an organisation such as the Big Lottery Fund could be the key to projects that deliver these services and to allow these to continue and expand in away that is necessary to protect these vulnerable young people.

**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.

<sup>230</sup> Sue Berelowitz, Deputy Children’s Commissioner, *Oral evidence session 3* p.6

<sup>231</sup> Simon Cottingham, The Children’s Society, *Oral evidence session 4.2* p.24

<sup>232</sup> *Ibid*, p.25

## Conclusion

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Every year we spend £2.8bn on children in care. Half of this – £1bn<sup>233</sup> – is spent on 5,000<sup>234</sup> children in children’s homes. The average cost per child is £200,000 and some private children’s homes charge up to £250,000 every year to care for children with complex needs. This is a very large amount of money so there is no excuse for not getting it right and providing these children with the best standards of care.

The evidence – both from recent cases highlighted in the media as well as much of the evidence submitted to the Inquiry – shows that we really are not getting it right and are too often failing some of the very children who need our help the most. This is unacceptable. It is not good enough for the vulnerable children who are in our care. They deserve better than that from us.

When the leader of Rochdale Council, Colin Lambert, says that children should no longer be sent to care homes in his local authority because their safety *"is not being guaranteed"*, something has clearly gone very wrong.

The horrific cases of child sexual exploitation in Rochdale, where nine men were recently found guilty of being part of a child sexual exploitation ring and abusing a large number of young girls, clearly exposed the failings of the child protection system in that local authority.

But, as evidence to this Inquiry shows, these failures are happening in many areas of the country. It cannot be right that we do not know how many children go missing from our care, how often they go missing and what they do when they go missing. Many of our society’s most vulnerable children are given care and support that falls dramatically short of what we would expect for our own children and what is needed to keep them safe. Going missing is a key indicator that something is not right in a child’s life. It must be seen as the cry for help that it is and trigger early help.

There is widespread concern amongst professionals and agencies that the current legislation and regulation is not sufficient, and has large gaps that makes it easy for predators to sexually exploit children in our care.

Witnesses unanimously agreed that the true scale and nature of children going missing from care is not known because of failures in how data is collected and shared by police, local authorities and the Department for Education. In fact, the children’s minister, Tim Loughton MP, admitted that it was impossible to know the true extent of the problem as the data collected by police, care services and Ofsted was *"raw and erratic"*<sup>235</sup> – and often not comparable. This hampers agencies’ and professionals’ ability to effectively intervene and protect vulnerable children.

Children in residential care homes are mostly older children, often extremely vulnerable and with complex needs. Many have experienced serious abuse or neglect. These children require high quality support and therapeutic care. Yet the variable – and often poor – quality of some children’s homes and other care placements was identified as a major issue by many of the submissions to the Inquiry.

The lack of availability of good quality care was also highlighted, with one witness revealing that she had concerns that children were being placed *"where there was a bed free, not*

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<sup>233</sup> House of Commons Written Answer 77679, 3 November 2011

<sup>234</sup> DfE (2012), Children’s Homes in England Data Pack

<sup>235</sup> Tim Loughton, children and families minister, *Oral evidence session 4.1*, p. 8

where would be most suitable<sup>236</sup>. This, and the fact that nearly a third of all children in care are placed away from their local area – often many miles away – clearly indicates serious breaches by local authorities with regard to their ‘sufficiency duties’.

Witnesses also spoke of how children’s homes were often seen by social workers and other professionals as a ‘last resort’ for troubled young people with several placements behind them – sometimes more than 40. By the time they arrive, their trust in adults and of usual boundaries have been eroded.

The high turnover and low training and skills levels of some staff in children’s homes were also raised with the Inquiry. One practitioner told the Inquiry: “*You can have someone looking after a young person, who the day before their experience may have been working at a deli counter in ASDA*”.<sup>237</sup>

The deeply inadequate response received by trafficked children is also particularly worrying. Most child victims go missing within one week of being in care, many within 48 hours and often before being registered with children’s services. Of the trafficked children that make it into local authority care, almost two thirds of those going missing are never found.

It is notable that none of the evidence submitted to the Inquiry called for greater powers for care home staff to prevent children from running away from a care placement. What they all asked for was better trained staff and better availability of good quality, appropriate care placements. The principle of the child’s best interest always taking precedence is set out in the Children’s Act 1989. This should be upheld and means that the safest homes for children are those that best meet their individual needs.

There are already lots of regulations and rules in place for how we should care for these children. These are not being followed. Based on the comprehensive evidence submitted to the Inquiry, we have provided practical recommendations that can make a real impact on the lives of the thousands of very vulnerable children who run away from care every year, as well as removing the barriers to people working together effectively to protect and care for them.

During this Inquiry, it has become increasingly clear that there needs to be radical reform and this Inquiry is calling for an independent investigation of residential care in England to be undertaken, including looking at the issue of placing children out of area and the safeguarding systems around them. The government also needs to address the way in which police, local authorities and the Department of Education collects and shares data and information about children going missing from care.

There are however, some reforms that could happen immediately to better protect children. These include addressing the barriers to Ofsted sharing the information about children’s homes with the police, making sure that Joint Strategic Needs Assessments include data on children going missing from care, ensuring that every local authority nominates a contact to receive information from Ofsted about children’s homes in their area and making return interviews mandatory as a response to children going missing from care.

We urge the government to consider these as a priority. We urge professionals charged with the care of these very vulnerable children to do everything they can to provide them with appropriate care and support to keep them safe from harm – and help pave the way to a happy adulthood.

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<sup>236</sup> Elise Noblet, The Children’s Society, *Oral evidence session 3*, p. 30

<sup>237</sup> Alison McCausland MBE, *Oral evidence session 2* p.18

As recent cases like Rochdale have exposed, this is not an “if” but a “must”. We cannot afford to allow these systematic failures to continue for a moment longer.

## Full list of recommendations

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**Recommendation 1:** *Guidance<sup>238</sup> 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.*

**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.*

**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.*

**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.*

**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.*

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

**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.*

**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.*

**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.*

**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.*

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<sup>238</sup> Children's Act 1989 Guidance and Regulations

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

**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.*

**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.*

**Recommendation 14:** *For CEOP 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 persons<sup>239</sup>.*

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

**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.*

**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.*

**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.*

**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.*

**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.*

**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.*

**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.*

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

**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.

**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.

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

**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.

**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.

**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'.

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

**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.

**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.

## List of witnesses and written submissions

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### The Inquiry took oral evidence from the following witnesses:

- Christene Beddoe, Director, End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes (ECPAT UK)
- Sue Berelowitz, Deputy Children's Commissioner, Office of the Children's Commissioner
- Maggie Blyth, Chair of Kent Local Safeguarding Children's Board
- Simon Cottingham, Programme Manager, The Children's Society in Birmingham and Black Country
- Peter Davies, Chief Executive, Child Exploitation and Online Protection Centre (CEOP)
- Lynne Featherstone MP, Minister for Equalities and Criminal Information, Home Office
- Nadine Finch, Barrister, Garden Court Chambers
- Charlie Hedges, Manager for Missing, Trafficked, Abducted and Kidnapped Children, Child Exploitation and Online Protection Centre (CEOP)
- Patrick Geenty, Chief Constable, Wiltshire Police, Lead on Missing People, Association of Chief Police Officers(ACPO)
- John Goldup, Deputy Chief Inspector, Education, Children's Services and Skills, Ofsted
- Jon Gross, Detective Inspector, Sussex Police and Lead on Operation Newbridge
- Richard Haigh, Programme Manager, The Children's Society in Newcastle
- Paul Hewitt, Service Manager for safeguarding children, London Borough of Hillingdon
- Bali Hothi, Project Co-ordinator, The Children's Society West Midlands
- Phillip Ishola, Director, Counter Human Trafficking Bureau (CHTB)
- Helen Johnson, Operations Manager Children's Panel, Refugee Council
- Debbie Jones, President, The Association of Directors of Children's Services (ADCS), and Director of Children Services, Lambeth
- Tim Loughton MP, Minister for Children and Families, Department for Education
- Alison McCausland MBE, Founder, Talk Don't Walk
- Roger Morgan OBE, Children's Right Director, Ofsted
- Elise Noblet, Senior Project Worker, The Children's Society in Manchester
- Philip Shakesheff, Detective Inspector, West Mercia Police
- David Simmonds, Deputy Leader, London Borough of Hillingdon, and Chair, Local Government Association's Children and Young People Board
- Jonathan Stanley, Principal Partner for the National Centre for English Residential Child Care and Consultant to the Independent Children's Homes Association
- Robert Tapsfield, Chief Executive, Fostering Network
- Tyrone\*, young person
- Sarah\*, young person
- Hannah\*, young person
- Claire\*, young person

\* The names of the young people have been changed to protect their identity.

## List of written submissions

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### Written evidence was submitted to the Inquiry by the following organisations:

- Anonymous practitioner working with children at risk of sexual exploitation
- Association of Chief Police Officers (ACPO)
- Barnardo's
- Cheshire Police
- Child Exploitation and Online Protection Centre (CEOP)
- Children and Families Across Borders (CFAB)
- The Children's Society
- Counter Human Trafficking Bureau (CHTB)
- Emilie Smeaton, Paradigm Research
- End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes (ECPAT UK)
- Gwent Police
- Immigration Law Practitioners Association (ILPA)
- Jonathan Stanley, Principal Partner for the National Centre for English Residential Child Care and Consultant to the Independent Children's Homes Association
- Lancashire County Council
- Local Government Association (LGA)
- London Borough of Croydon
- London Borough of Islington
- Missing People UK
- National Policing Improvement Agency (NPIA)
- North Tyneside Council
- NSPCC
- Office of the Children's Commissioner (OCC)
- Office of the Children's Rights Director for England
- Ofsted
- Unseen UK
- The Who Cares? Trust
- 64 survey responses from local authorities in England

## Panellists

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Ann Coffey MP, Co-Chair  
Earl of Listowel, Co-Chair  
Alex Cunningham MP  
Paul Goggins MP  
Dan Rogerson MP  
Craig Whittaker MP  
Natasha Finlayson, Chief Executive of The Who Cares? Trust  
Martin Houghton- Brown, Chief Executive of Missing People  
Shan Nichols, Interim Chief Executive of The Children's Society  
Marcellus Cousins, young person  
Abdou Sidibe, project worker  
Liam Withers, apprentice

The Inquiry was supported by The Children's Society and Missing People, Joint Secretariat for the APPG for Runaway and Missing Children and Adults, and The Who Cares? Trust, Secretariat for the APPG for Looked After Children and Care Leavers