

Revised Statutory Guidance for Local Authorities on Children Missing from Home or Care

Consultation Response Form

The closing date for this consultation is: 8 April
2009

Your comments must reach us by that date.

department for
children, schools and families

THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Children, Schools and Families e-consultation website (<http://www.dcsf.gov.uk/consultations>).

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

Please tick if you want us to keep your response confidential.

Name Emilie Whitaker
Organisation (if applicable) Children England
Address:

If your enquiry is related to the policy content of the consultation you can contact the Public Communications Unit on:

Telephone: 0870 000 2288

e-mail: info@dcsf.gsi.gov.uk

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 311

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<input type="checkbox"/> Director of Children's Services	<input type="checkbox"/> Lead Member for Children's Services	<input type="checkbox"/> Councillor
<input type="checkbox"/> Council Leader	<input type="checkbox"/> Local Authority	<input type="checkbox"/> Health Professional
<input type="checkbox"/> Youth Worker	<input type="checkbox"/> Social Worker	<input type="checkbox"/> Foster Carer
<input type="checkbox"/> Teacher	<input type="checkbox"/> Parent	<input type="checkbox"/> Police
<input type="checkbox"/> National Organisation	<input checked="" type="checkbox"/> Voluntary / Third Sector	<input type="checkbox"/> School
<input type="checkbox"/> Union / Professional body	<input type="checkbox"/> Other	

Please mark an X in the box below that best describes you as a respondent.

Please Specify:

Children England is the leading membership organisation for the children, young people and families' voluntary sector. With member organisations working in all parts of the country ranging from small local groups to the largest household names in children's charities, Children England is in a unique position to use the collective voice of the voluntary sector to achieve positive change for children. Children England provides capacity building, support and information to its members and the wide range of voluntary sector organisations working with children, young people and families. It does this by building active networks, promoting good practice, stimulating policy debate and ensuring that the issues that matter most to its members are taken up with decision makers.

General Questions

1 Does the introductory section clearly explain the scope and purpose of this guidance?

Yes

No

Not Sure

Comments:

The introductory section sets out the context to the guidance which is helpful, and fit it firmly within the wider policy context of ECM, the Children's Plan and the importance of dealing with run-away scenarios quickly and effectively to avert any long-term damage to the young person.

2 a) Do you think the guidance is user-friendly?

Yes

No

Not Sure

Comments:

The guidance is user-friendly in so far as it usefully separates between the needs and responses required to deal effectively with young people in care who run away and young people who run away from home.

However, it would be more user-friendly if in the initial sections of the document key requirements/recommendations were stated through bullet points. This would then act as a quick reference guide especially to those on the front line. This would also be helpful as there is already so much guidance on many areas of practice that an initial summary would make for ease of reference. This could also link in to a section at the back where there could be a summary of the evidence for why actions are needed and best practice to achieve positive outcomes for the children and young people in question.

In its present form the document is based very much on encouraging local authorities and their partners to take action, and methods to do so, rather than

something stronger – if not actual requirements there should be more drivers for increasing responses and actions taken if partners do not fulfil their responsibilities to these vulnerable children and young people. In summary, the guidance could do with being more directive.

2 b) What would you suggest that we do to make it more user-friendly

Comments:

See response to previous question.

3 a) Do you think the flow charts in Annex 2 are a useful way of illustrating processes?

X Yes

No

Not Sure

Comments:

However they could be improved. The flowcharts are fine in so far as they state general pathways of action to take when a young person goes missing. Most of this however, should be common sense for the agencies involved particularly for those who work regularly with children and young people in care.

However, it should offer greater guidance to partners such as the police who may be in more need of information on this issue through a lack of regular involvement in issues surrounding children and young people in care. This should also support voluntary sector partners who have on occasion encountered police responses which state they haven't the time and resources to respond to an incident of a regular absconder.

The flow chart could benefit from timescales for example, working with Police stage 3 – how long is expected to complete a Risk Assessment and what is expected response?

3 b) Would you prefer the flow charts in an annex or in the main body of the text?

In an Annex

In the main body of the text

No preference

Comments:

The signposting is useful in the flow chart but the chart should be at the front along with the summary of recommendations for ease of reference.

4 a) Is the information in the 'signposting section' at the end useful?

Yes

No

Not Sure

Comments:

The information is useful – however how it is listed and organised could be improved. For example, rather than listing policy strategies or legal requirements, there should be dedicated titles covering each element. There could also be greater detail on some aspects which are either of greater importance, e.g. The Staying Safe Action Plan, or where practitioners are likely to have less knowledge on, e.g., the guidance on Housing and Children's Services.

A final point is that under each section could be a brief set of actions arising from the associated document/strategy.

This also covers response to 4 b below.

4 b) should anything else be added?

Comments:

See response 4a.

5 We initially planned to have the final guidance in place for April 2009 to support the introduction of the new national indicator however as the findings from the emergency accommodation review will not be known until the late spring we

would like to get your views on whether you think the final guidance should still be published as planned in April.

Please indicate which of the two options you prefer

Option 1: We delay the publication of the draft guidance until we know the recommendations that come out of the emergency accommodation review. However, given that these recommendations could lead to a significant change in what we expect from local authorities in terms of emergency accommodation, we would also need to undertake a three month consultation on this section of the guidance. This would mean the guidance is unlikely to be published before November 2009, more than six months after the new national indicator is in place.

Option 2: We go continue to aim for an April publication date including as much information as we can about the emergency accommodation review at that point from any preliminary findings. However, we only publish this version electronically and amend the guidance when the full results of the review are known, only publishing in hard copy at that point.

<input type="checkbox"/> Option 1	<input checked="" type="checkbox"/> Option 2	<input type="checkbox"/> No preference
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Comments:

The guidance should be published now electronically to get local authorities and their partners thinking about the level of existing support and procedures for young runaways in their localities and to encourage them to make swift improvements and progress. This should help to improve their responses and the level of co-ordinated support they can offer vulnerable young people. Any relevant updates can then be added as an addition to this guidance or as an additional note. However, to improve both sets of documents following the review, Government needs to make stronger recommendations or preferably requirements. This should also ensure a greater standardisation of support for young runaways across the country. Model protocols should be developed and opportunities for sharing good practice should be proposed in future work on this issue.

The questions below relate to chapter 2 of the guidance – Responding to the needs of children who go missing from home

6 Do you think the structure and general headings for the sections are correct?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments:

7 Does this section clearly explain the principles on which effective practice in supporting children who go missing from home should be based?

Yes

No

Not Sure

Comments:

The principles are clear, yet there is room for improvement in clarifying these principles and how they can be implemented in practice. The points below highlight this.

Children and young people who run away each year are in varying degrees in need of support and services. Although there is no single profile for a child who runs away, there are common services and approaches that can provide support before, during and after a running away incident. It is crucial that these services respond to the incident quickly, coherently and holistically. This should form the driving force of guidance. There should be similar expectations for all Children; both those in Care and those not in care. 'Running away' is generally symptomatic of trauma and many of the instances that lead to a child running away from their home precipitate reception into Care. In many ways, the risks for Children in Care are known but for all children the risks are high and with similar potential outcomes.

2.5

More emphasis could be placed on the importance of interagency protocols for managing cases of children missing from home, with so many local authorities having few or poorly implemented systems. It may also be emphasising the use of sub-regional protocols on this issue- particularly in the case of the need for emergency accommodation.

The guidance on the importance of information gathering and risk assessment is clear in the guidance, but what would be of use are more definitive recommendations and protocols to ensure young people to receive the best possible intervention after running away and that this is standard practice across the country.

To adequately support inter-agency working, multi-disciplinary training should be encouraged – particularly for partners such as the police who may have less experience of working with vulnerable young people.

Independent interviews are likely to form a crucial part in not only assessing the reasons a child ran away from home, but equally the services that needs to be put in place to support the child or young person. To facilitate the best outcome in a return interview independent advocates should be available and kept informed of the process. The voluntary sector is in an idea place to provide this support. This is of even more importance when it is deemed necessary for a child to have a police interview.

2.6

There is a risk of bombarding children and young people with questions in unfamiliar surroundings through three different interview processes identified in the guidance – independent interviews, police interviews and return interviews. There also needs to be more clarity around 'Return Interviews'. They need to happen very quickly to be meaningful. They need to receive a priority, as our member organisations have informed us that often social workers complete this business over the telephone as they have not had time to visit.

Although rare, it is possible for a child or young person to have all three interviews. We endorse point 81 which states the importance of having an independent advocate for the young person often from the voluntary sector to support the child and to ensure any actions are followed up. This should also be extended to both the police and return interview scenarios where a child wishes it and it is appropriate.

2.8

Emergency accommodation remains a problem. The guidance should emphasise the vital importance of having accessible emergency

accommodation and more importantly that young people know where it is and are informed as to how to access it. Emergency provision can provide a safe-haven for a young person unable to return home until it is deemed safe and equally for someone who is currently on the streets and who does not or cannot return home. To ensure a basic level of provision across the country Government needs to offer firm guidelines to local authorities on the type and standard of provision it wants to see offered. The role of the police in ensuring these places remain safe and free from possible dangers should also be a priority. This will hopefully form part of the recommendations stemming from Government's review into existing models of emergency accommodation provision. Government needs to ensure that this issue remains a high priority in every local area.

8 Is the information in this chapter useful?

Yes

No

Not Sure

Comments:

The inclusion of good practice examples would be useful.

2.9.

The list of helplines are useful, but emphasis should be placed on advertising these help-lines in areas where young runaways are know to gather, and in places where children and young people regularly socialise.

2.10

The 'actions to take' section needs to include more detail, perhaps linking this into the pathway at Annex 2. The missing details are not helpful, and in future if a section has a headline/title something really needs to be there rather than a 'will be added' comment, even if details are sketchy and pending review.

9 Are there any sections that could be reduced in length, or where more information is needed?

Comments:

The guidance is quite long so it would be useful to highlight the primary points/recommendations at the beginning of each chapter to ensure they are not missed. There is some repetition. For example Paragraphs 96-102 are repeated at the end of the document.

10 This guidance puts more emphasis on the importance of local authority return interviews than the 2002 guidance – do you believe this section is useful?

Yes

No

Not Sure

Comments:

Most definitely yes. Not only should the local authority take responsibility to ensure that the interviews happen face to face, but also they should have responsibility to collate evidence pertaining to the sorts of reasons that young people run away.

11 One of the aims in revising the guidance is to help re-address the imbalance that currently exists between services for children who go missing from home and children who go missing from care, do you think the guidance will help local authorities in achieving this?

Yes

No

Not Sure

Comments:

The guidance highlights the need to adequately address the needs of children and young people who are not in care and run away. However, there is a need for caution in attempting to separate out the treatment of young people in care who run away and those who run away from home. Whilst highlighting the needs of young people who run away from home should ensure local authorities and their partners have protocols for action and support systems in place, there does need to be a standard approach to all children and young people. To truly re-address the balance there needs to be one approach to all children and young people not a different set of expectations for children running from home and those running from Care.

12 a) Do you think the actions in the 'Actions to Take' section are achievable?

Yes

No

Not Sure

Comments:

The actions in the section will be achievable if the guidance when the guidance becomes more than a document of encouragement for practice. Protocols should be national and mandatory. There needs to be some cross-county/country working together to collate evidence and to ensure that when young runaways cross county boundaries and police force areas that there are already cross-border arrangements in place and they are do not fall between the cracks in provision. This requires some form of national directive. The procedures for Return interviews need direction and should be illustrated with examples of best practice.

12 b) Would you prefer them to be spread throughout the document a bit more?

Yes

No

Not Sure

Comments:

13 Any other thoughts or comments on this section

Comments:

Paragraphs 92, 93, 94 are very clear. They could be highlighted more. For all children and young people safeguarding should be the priority.

The questions below relate to chapter 3 of the guidance – Responding to the needs of children who go missing for local authority care

14 Do you think the structure and general headings for the sections are correct?

X Yes

No

Not Sure

Comments:

However, for Looked After children the process of Care Planning→ Placement Planning→ Prevention should be re-stated throughout the document. There could also be a separate section on Running Away actions and Return Interview actions.

15 Are there any sections that you think don't contain enough information or alternatively are too detailed?

Comments:

There is enough information but as stated earlier needs to be re-organised with stronger direction.

3.1

103 – Corporate Parents, need to have legal expectations made clear and also moral and societal expectations. 'Roughly equivalent' to parents is inexact, there are clear expectations and these should be reinforced.

104- the Duty to ensure diversity and sufficiency of supply from Children and Young Persons Act needs to be made clear here.

107 – Need to make clear actions required by Regulation 33, 34 of National Minimum Standards for Children's Homes and actions required by regulators, Ofsted.

3.2

109 – Could refer to the Placement Plan and Individual Placement Agreement from the National contract for children's homes (DCSF). Specific planning must be agreed by Social Worker through statutory reviews and the involvement of the Independent Reviewing Officer. Must include notification of all services in

LA where a placement made within boundaries. Paragraph 112 is not enough.

3.3

121 – Need national thresholds with data collected, analysed and reported.

129 – Delay should not be tolerated – potential obstacles should be recognised and noted with examples of how to overcome.

3.5

138 – Independent Advocacy should be centrally funded in order to ensure true independence.

3.8

160 – opportunity here for requirement for data collection and analysis and reporting.

16 a) Do you think the actions in the 'Actions to Take' section are achievable?

X Yes

No

Not Sure

Comments:

Though the actions are achievable, in order to give them focus amongst many competing priorities, they should be a requirement. They should also be summarised at the beginning of the guidance.

16 b) Would you prefer them to be spread throughout the document a bit more?

Yes

X No

Not Sure

Comments:

17 Any other thoughts or comments on this section

Comments:

Whilst acknowledging the difficulties for residential workers and foster carers, the guidance avoids offering practical solutions as to how they can support young people from running away in the first place, and stopping this becoming a pattern of behaviour. The Restriction of Liberty in welfare provision is not addressed in the guidance despite it being a crucial part of understanding the difficulties both young people in care and their carers face. It would be useful to spell out exactly what carers can legally do to stop exit and what is prohibited. This is currently an area of real concern for carers whose powers are very limited in preventing children from running away.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply X

Here at the Department for Children, Schools and Families we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

X Yes

 No

All DCSF public consultations are required to conform to the following criteria within the Government Code of Practice on Consultation:

Criterion 1: Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any comments on how DCSF consultations are conducted, please contact Phil Turner, DCSF Consultation Co-ordinator, tel: 01928 794304 / email: phil.turner@dcsf.gsi.gov.uk.

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 6 April 2009

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