



## Norfolk Missing Persons Notification to Education Settings - Joint Procedure for Sharing Information

November 2020

Document Status	Final
Purpose	The purpose of this procedure is to explain the aims, objectives and intended outcomes for the Missing Persons Notifications to Education Settings scheme. This notification process is a multi-agency approach to give early notification to schools, academies and colleges that a child or young person is missing. Local schools will receive information from Norfolk Constabulary to afford them the opportunity to identify any information that supports locating the child and, should it be deemed appropriate to do so, to provide early support.
Partners	Norfolk Constabulary Norfolk County Council Norfolk Schools, Academies and Colleges
Publication date:	September 2019
Review Date	November 2020
Publication Date	December 2020

### 1. Background

From 30 March 2018 to 30 March 2019, Norfolk Police received 8,369 Missing Person Reports, 5,251 of these were in relation to children and young people.

A review of Norfolk's response to missing children conducted by the National Working Group in October 2018 recommended that the Operation Encompass model should be extended to include missing notifications to schools for children. This scheme builds upon the success of Operation Encompass (the Domestic Abuse Notification Scheme) that has been operating in Norfolk since 2016.

Norfolk Constabulary follows the College of Policing definition of missing:

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

This is **not** the same as Children Missing from Education or children who are persistently absent from school. Schools will still need to follow the [CME procedures](#) and the school's attendance procedures in these circumstances.



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Where a child is absent from school without authorisation during the school day, schools liaise with parents and consult the [guidance and checklist](#) provided by Norfolk Constabulary before considering the need to involve the police to locate a child/young person who has failed to attend or has left the school without authorisation.

### 2. Aims and Objectives

We recognise that children and young people who go missing may be at risk and may place others at risk. The reasons for their absence are often varied and complex and cannot be viewed in isolation from their home circumstances and their experiences of care.

Every missing episode should attract proper attention from the professionals involved with the missing person and they should collaborate to ensure a consistent and coherent response is given to the missing person on his/her return. To this end these procedures have been developed to assist with the sharing of information, with the aim to:

- Implement a notification system that will enable Norfolk Police and Children's Services to share Missing Person Notifications with Education Settings within Norfolk.
- Foster effective multi-agency communication and enable education settings to effectively share any concerns or intelligence with the multi-agency Missing Team to safeguard and promote the welfare of the missing children.
- Increase earlier identification of emerging missing person issues and the possibility of location.
- Facilitate a timely and appropriate response to children and young people affected by missing person episodes.
- Address factors which contribute to missing person episodes, with a view to minimising the impact on children and young people involved in these episodes.
- Ensure that education settings are able to implement strategies to support a child and exercise reasonable care to protect them from harm where a missing person report has been received by the police.

**This procedure is complementary to, and does not replace, the existing arrangements in place for the protection of children. If you have safeguarding concerns regarding a child or young person, you should contact Norfolk Children's Advice and Duty Service.**

### **3. Lawful Basis for Sharing this Information**

An Information Sharing Agreement (ISA) has been considered but in consultation with Norfolk Police Information Management Team and Norfolk County Council Compliance Team this is not required; the grounds and rationale for sharing this information is included within these procedures. Unlike Operation Encompass, the notification is about a child is or has been missing within the last 24 hours or over a weekend or school holiday period and only minimal and relevant information will be shared in order to safeguard the child.

The risk of not sharing this information is that vital information that the education setting holds in relation to the child could be missed and this could lead to a delay in identification of emerging missing person issues and the possibility of location of a missing child.

It is the responsibility of each Party to ensure that any processing of personal information owned by that Party is carried out in accordance with the requirements and principles of relevant legislation, including the General Data Protection Regulation (GDPR), the Data Protection 2018, the common law duty of confidentiality and the Human Rights Act 1998. Personal data shall be processed fairly and lawfully, in a transparent manner, and in particular, shall not be processed unless at least one of the lawful bases for processing exists under Article 6 of the GDPR.

Statutory and Common Law Powers to share. The Human Rights Act 1998 – The sharing of information between agencies has the potential to infringe an individual's Article 8 Human Rights Act 1998 rights. Information will be shared only when it is necessary to do so and proportionate to the risk posed to the child, and will be directed to the prevention of disorder or crime, or the protection of health or morals, or for the protection of the rights and freedom of others. In exercising their management of individuals under this scheme procedure all agencies will give effect to the rights of individuals in accordance with the relevant article.

Duty to share information can also be found in a number of different sources:

Section 17 of the Children Act 1989 - *duty to safeguard and promote the welfare of children;*

Section 47 of the Children Act 1989 - *duty to investigate cases where there is reasonable cause to suspect significant harm; and*

Section 10 of the Children Act 2004 – *duty to promote co-operation between relevant partner agencies to improve well-being of children.*

Section 11 of the Children Act - *duty to ensure that their functions are discharged having regard to the need to safeguard and promote the welfare of children.*

#### Consent

Sharing a notification of a missing young person with the child's school is not reliant on obtaining consent from the parent/carer. However, as soon as it is appropriate



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parents/carers will be notified that the information has been shared along with the justification for doing so; this is likely to be the person who completes the Return Home Interview (RHI).

#### **4. Information Sharing Process (see Appendix 1)**

A notification will only be made when:

- a child has gone missing within the last 24 hours whether or not they are still missing or have been found;
- a child has gone missing over a weekend or school holiday period.

If the child is still missing at the point the notification has been made, the CADS Education Representative will make a follow up notification once the young person has returned and record this contact on the tracker document.

The Constabulary will securely email the missing list to the Children's Services Staff within the Education Quality Assurance, Intervention and Regulation Service (EQAIRS) via: [operationencompass@norfolk.gov.uk](mailto:operationencompass@norfolk.gov.uk) including the following information:

- Name and date of birth of the child;
- the police reference number;
- the time and date missing episode;
- circumstances surrounding the missing incident – this will not be shared with the school or college

The missing notification will be made by the CADS Education Representative via Anycomms+ on the day the report is received to the named Key Adult(s) for Operation Encompass at the school.

Disclosure will be preformatted and will only include child names, date of birth and when they went missing; no other details of the missing episode will be shared.

The Key Adult at the school will be asked to make checks of their systems and with relevant parties in the school and then share pertinent education information and any concerns by completing the Education Information Screening Form provided. This information should be e-mailed to the CADS Education Representative within 24 hours of receiving the notification via: [operationencompass@norfolk.gov.uk](mailto:operationencompass@norfolk.gov.uk) (See Appendix 2 for the Screening Tool).

Missing notifications will be provided via Anycomms+ during school holiday periods. During holiday periods, these may not always be sent daily due to annual leave. This is because missing is a key indicator of other vulnerabilities and risk; the school needs to be made aware in order to provide support in preventing further missing episodes. There is no expectation for Key Adults to pick these up and respond to them during these times but the facility to receive the notifications will be there for those that wish to. The expectation is the Key Adult must record this information and store this in the school's child protection recording system in accordance with their safeguarding procedures.



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### **Recording the information**

On receipt of the completed screening tool, the CADS Education Representative will record this information by adding a case note into the relevant missing episode in LCS module of Liquid Logic and uploading the form to the documents section with an alert to the Missing Children and Young People Team

The school will use the information as set out and will not share the information received from the Council with other parties. The Key Adult receiving the notification should record the information and any action taken on the form provided with the procedure (Appendix 3). This record must be securely held in the child's safeguarding file.

### **The Constabulary's role**

The Constabulary will collate and prepare a spreadsheet of all missing episodes. This will be emailed to Children's Services staff via [operationencompass@norfolk.gov.uk](mailto:operationencompass@norfolk.gov.uk). The accuracy of the information will be the responsibility of the Discloser. The Discloser will therefore ensure that the Information is accurate and up to date before the data is disclosed. If the Discloser becomes aware of any inaccuracies in the Information, it should inform the other Parties immediately for the data to be corrected or recalled.

### **The Council's Children's Advice and Duty Service (CADS) Role:**

The Council's CADS Education Representative will:

- identify the relevant School(s) by searching Liquid Logic (LCS/EHM) /PSS/Core+.
- provide a notification securely via Anycomms+ to Key Adults with the school on the day the information is received.
- Ensure any notifications are deleted from school or college's AnyComms+ systems as required.
- keep an accurate log of all notifications made including any information provided by the school in response to the notification.
- Ensure relevant screening information provided by the school is received by CADS.
- keep an accurate record of named Key Adults for each education provider.

### **The Council's Overarching Role**

The Council will:

- provide briefing information for all DSLs to ensure they understand the purpose and implications of the notification scheme. Education settings will be informed of any changes to the scheme via a Management Information Sheet.
- ensure schools are informed of the scope, purposes and conditions of the notification scheme through two-day DSL training.
- regularly review the missing notification scheme with Norfolk Constabulary and CADS.



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### **The School's role:**

The Schools will:

- ensure that the DSL and any alternate DSLs who act as Key Adults within the school have accessed and understood the briefing information prior to receiving notifications.
- ensure they keep an accurate record of each notification using the recording form provided at Appendix 3 and store it utilising the current process used to store child protection paperwork within the school. The information will be retained by the setting in accordance with retention schedules for child protection records. The information will then be destroyed by the in a secure and confidential manner.
- Inform CADS Education Representative via [operationencompass@norfolk.gov.uk](mailto:operationencompass@norfolk.gov.uk) if the child is no longer an enrolled pupil or student.
- share any concerns or intelligence with the CADS Education Representative that either supports locating the child or identifying any potential risk by completing the Screening Education Information Form (Appendix 2) and submitting this to the CADS Education Representative via [operationencompass@norfolk.gov.uk](mailto:operationencompass@norfolk.gov.uk) within 24 hours of receiving the notification.
- only use the information for the purposes set out in this Protocol
- not share the information with any third party without the written consent of the Discloser (Norfolk Constabulary).

### **5. Responding to children, young people and parents**

This report is likely to be a trigger for staff to make welfare enquiries with a child or young person but in order to retain confidentiality the approach to these enquiries should be general.

Schools should use their professional judgement in discussing issues relating to missing persons episodes with children and young people and their parents and seek advice if they are unsure about whether it is appropriate to do so. These discussions should be conducted in an appropriate manner and in line with school protocols on confidentiality. Under no circumstances should staff of the school notify the child or parents that they are in receipt of the missing person report if there is reason to believe this will place the child at risk of further harm.

Schools should contact the CADS Education Worker via [operationencompass@norfolk.gov.uk](mailto:operationencompass@norfolk.gov.uk) if they have any queries regarding sharing information about missing notifications.



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## **6. Information Security**

Each Party must ensure that they have appropriate security arrangements in place and take all reasonable steps to adequately protect the information from both a technological and physical point of view. The information must be stored securely and deleted when it is no longer required for the purpose for which it was provided.

These procedures outline a process for sharing personal information, and therefore they are strictly bound by the General Data Protection Regulations and Data Protection Act 2018. If the guidance for sharing information outlined in these procedures is not followed it will be a breach of the regulations and Act.

It is recognised that the handling of such confidential, sensitive information needs to be dealt with in a way that is proportionate and appropriate to the needs of the child or young person. Where information is shared about missing episodes, it will only be shared with trained Designated Safeguarding Leads (DSLs) who also acts as a Key Adult for Operation Encompass, the DSL must ensure that any records they have made are stored and secured in the same way as other child safeguarding files.

Only appropriate and properly authorised persons will have access to the information specified in this Agreement. If in doubt, a person intending to share or access information should contact their SPOC or Data Protection /Information Management Team.

All Parties must be fully aware of their obligations under the GDPR and DPA 2018 and must have the appropriate training, policies and procedures in place to ensure compliance.

It will be the responsibility of all partners to ensure that:

- Realistic expectations prevail from the outset
- Ethical standards are maintained
- A mechanism exists by which the flow of information can be controlled
- A mechanism exists by which the integrity of the data is upheld
- Appropriate training with regard to both this agreement and the GDPR and DPA 2018 in general is given to all relevant staff
- Adequate arrangements exist to audit adherence to the Agreement
- The sharing is covered under each party's privacy information notice

The Parties are aware that the deliberate or reckless disclosure of personal data (obtained under this procedure) to other organisations or persons may amount to a criminal offence under the DPA.

## **7. Third Parties**

Information shared under this procedure must not be disclosed to any third party without the written consent of Norfolk Constabulary as the data controller for this information. If a school or college receives a Subject Access Request, they must contact the police via: [compliance@suffolk.pnn.police.uk](mailto:compliance@suffolk.pnn.police.uk) to request the release of



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any information stating exactly what data you are requesting to release and the reason for this.

Disclosure of personal data must be relevant. Only the minimum amount of information that needs to be shared to achieve the purpose for sharing it shall be supplied by the CADS Education Worker. Where a notification is received regarding a child who resides in Norfolk but attends an out of county school then this information will not be shared as they are not covered by this procedure.

The identity of the originator must be recorded against the relevant data. No secondary use or other use may be made of the information unless the consent of the disclosing party to that secondary use is sought and granted in writing.

Disclosure must be compatible with the second data protection principle:

'Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purpose ('purpose limitation').

(Article 5 (1(b)) General Data Protection Regulation).





**Appendix 1: Information Exchange from Norfolk Constabulary to Norfolk Schools and Academies.**

**POLICE ACTION**

Norfolk Constabulary responds to a missing person report – they take whatever immediate action is required; an incident report and risk assessment is generated

The daily missing list will be sent via secure email Children’s Services staff via [operationencompass@norfolk.gov.uk](mailto:operationencompass@norfolk.gov.uk) a report that gives an address, name & date of birth of the child and a brief summary of circumstances.

**CADS ACTION**

The **CADS Education Representative** will identify which school the child attends and contact the school’s Key Adults, via Anycomms+ to notify them that a missing episode has occurred. The notification will only provide relevant details of the episode including the name and date of birth of the missing child and time and date of the episode. **Where possible this should happen within 24 hours of receipt of the incident report.**

**SCHOOL ACTION**

**Key Adult** receives the notification, they will only share information with relevant staff members on a need to know basis and provide relevant pupil information as requested to the CADS Education Representative. The Information will be treated confidentially and **must not be shared with parents or the child.**

Complete and submit the Education Information Screening Form to [operationencompass@norfolk.gov.uk](mailto:operationencompass@norfolk.gov.uk)

**POSSIBLE NOTIFICATION:**

**Staff to consider who could be notified that an incident report has been received**

- Tutor
- Head of Year/House
- Pastoral Team
- Senior Leadership Team
- SENCO
- Teachers

**POSSIBLE ACTION:**

- Advise the CADS Education Rep if contact with the missing child takes place
- Monitor (e.g. behaviour changes)
- Referral to outside agency
- Emotional / practical support
- Any knowledge of further missing episodes

## Appendix 2: Education Information Screening Form

<b>Name of Student</b>		<b>DOB</b>	
<b>School / College / Education Provider</b>		<b>Staff Member and Role</b>	
<b>Completed by</b>		<b>Date and Time</b>	

<b>1. Attendance</b>	
<b>2. Behaviour &amp; Exclusions</b>	
<b>3. Timetable</b>	
<b>4. Academic Progress including any SEND</b>	
<b>5. Peer Group</b>	
<b>6. Travel To/From School</b>	

Please submit completed form to [operationencompass@norfolk.gov.uk](mailto:operationencompass@norfolk.gov.uk) within 24 hours of missing notification.

### Appendix 3: Missing Incident - Record of notification form

<b>Date of notification:</b>			
<b>Name of child:</b>			<b>Date of birth:</b>
<b>Date and time of child reported missing:</b>			
<b>Date and time child found:</b>			
<p><b>Please complete the Education Information Screening Form and return to <a href="mailto:operationencompass@norfolk.gov.uk">operationencompass@norfolk.gov.uk</a> within 24 hours of receipt of this notification.</b></p>			
<b>Actions taken by the school:</b>			
<b>Name:</b>			
<b>Signature:</b>			
<b>Date:</b>			

This information remains the property of Norfolk Constabulary and, as such, must not be shared with any parties without the express permission of the owner.