

**Memorandum of Understanding
Information sharing regarding children reported missing**

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MEMORANDUM OF UNDERSTANDING

A multi agency agreement between:

- South Gloucestershire Council (the LA)
- Avon and Somerset Police
- Education provision within South Gloucestershire

1 BACKGROUND AND PURPOSE

1.1 In 2014 the Department for Education issued statutory guidance to local authorities on children who go missing from, home or care.

1.2 This guidance sets out the steps local authorities and their partners should take to prevent children from going missing and to protect them when they do go missing.

1.3 It also requires local safeguarding partnerships (LSPs) to have a local 'Runaway and Missing From Home and Care' (RMFHC) protocol and regularly receive and review information about children who go missing.

1.4 The South Gloucestershire RMFHC can be found [here](#)

1.5 This statutory guidance also lays out the expectation that every child who is reported missing, when found, will be offered a return home interview (RHI) within 72 hours. The purpose of such an interview is to establish the reason for any episode, whether they have been harmed in anyway and what needs to be done in order to try to prevent any further episodes and ensure their ongoing safety.

1.6 The guidance is clear that the interview should be child led and should be able to be offered to the child at a neutral venue if they want this.

1.7 The RHI process within South Gloucestershire is undertaken by trained staff within the Council.

2 FULFILLING THE DUTY

2.1 In order to fulfil the duty to safeguard and promote the welfare of children; offer a return home interview to every child reported and to ensure that children are offered support and guidance at the earliest opportunity, the police reports regarding missing children are shared with the LA.

2.2 In turn where the LA holds up to date information about the education provision for that missing child, the police report will be forwarded to them.

2.3 This information is shared in fully accordance with the Data Protection Act 2018 and relies on the lawfulness of processing conditions of 'legal obligation', created by the duty to safeguard and 'official authority vested', created by the statutory guidance. This is because any missing episode may have safeguarding implications by the nature of that episode or in the context of other known information about that child. Therefore consent is not sought or required.

2.4 Schools, the LA and the police are key partners in safeguarding children. Sharing information in this way enables 'the school' to support the child at the earliest opportunity, assist in putting any safeguarding measures in place that are deemed necessary, as well as to assist where necessary in facilitating the offer of the RHI to the child should a neutral place for this to be undertaken be necessary.

2.5 Any education provision who is in receipt of the police missing report will hold this information in accordance with the Data Protection Act 2018, the Human Rights Act 1998 and the common law duty of confidentiality.

2.6 Reports are shared by the LA with education provisions, via Sophie (which is an established system that fully complies with the security standards needed to comply with the data protection laws) where the provision has access to this or otherwise via the secure email address for the designated safeguarding lead (DSL) for the school.

2.7 Reports are stored securely on schools systems and are only accessed by those staff directly involved in safeguarding or promoting the welfare of that child in order that they have information that may be pertinent to this.

3 ADDITIONAL BENEFITS

3.1 The 2014 guidance also notes that effective sharing of information between professionals can aid the identification of patterns of behaviour and/or 'hotspots' of activity in a local area.

3.2 Such sharing is key to agencies being able to best understand risks within the community relating to exploitation, crime and anti-social behaviour.

3.3 Sharing information can highlight links or associations between children reported missing but also seek to help identify 'hidden missing' children and enable help at the earliest opportunities to individuals as well as considering disruption opportunities where concerns arise about community behaviour.

4 TRAINING

4.1 Each agency is responsible for ensuring their own staff are adequately and regularly trained to enable them to comply with their own agency information sharing protocols, those practices set out in this agreement and in accordance of the general data protection regulation (GDPR) requirements for organisational measures to protect personal data.

5 MONITORING AND REVIEW

5.1 Ongoing monitoring of the effectiveness of this MOU should take place by the consultant social worker responsible.

5.2 An annual review should take place with any proposed adjustments/updates to be formally agreed by the key partners.

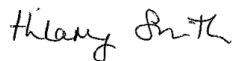
6 AGREEMENT

6.1 The signatory agencies agree to the following multi agency protocol in the Children’s Hubs to support safe and secure sharing of client information and to reduce the risk of breaches of confidentiality as outlined above.

7 SIGNATORIES

Each party by signing below confirms adherence to the principles of this memorandum of understanding

Signed on behalf of the Education Department



.....
Name: Hilary Smith

Title: Head of Education, Learning and Skills

Date: 26th May 2021

Signed on behalf of Avon and Somerset Police



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Name: Dan Forster

Title: Chief Inspector

Date: 12th May 2021

Signed on behalf of South Gloucestershire Council



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Name: Jo Cross

Title: Head of Integrated Children’s Services

Date: 27th May 2021

APPENDIX 1

1.1 LEGAL AND REGULATORY FRAMEWORK

This document sets out to comply with the following legal acts and guidelines

- [Statutory guidance on children who run away or go missing from home or care January 2014](#)
- South Gloucestershire RMFHC protocol
- Children's Act 2004
- Data Protection Act 2018
- Human Rights Act 1998
- *The relevant* Information Sharing Agreement
- South Gloucestershire Council ITD Security Policy