

## Southend Essex and Thurrock (SET) Child Protection Procedures Amendment (Draft)

### CHILDREN ABUSED THROUGH SEXUAL EXPLOITATION

#### 1 Introduction

1.1 The SET Child Protection Procedures (2011) were reviewed and amended following publication of Working Together to Safeguard Children (2010) and Safeguarding Children and Young People from Sexual Exploitation (2009). ***The amendments reflect the new working arrangements in place in SET.***

1.2 The following procedures amend the SET Child Protection Procedures *Section 9.33- Sexual Exploitation* where action is required to safeguard a child who is experiencing, or is at risk of, sexual exploitation, and the child ***is located in the SET area or usually lives in the SET area.***

1.3 The procedures describe the roles and responsibilities of agencies and action to be taken where there are concerns about a child or young person's safety or welfare.

1.4 In this document a child is anyone who has not yet reached their 18th birthday. The term "**child**" is used throughout and includes "children and young people". On occasion the term "**children and young people**" may be used to provide particular emphasis. The term "**parent**" may be used to include parents and carers who may or may not have parental responsibility.

1.5 Where action is required to safeguard a child who is experiencing or is at risk of sexual exploitation and the child ***is located in the SET area or usually lives in the SET area*** practitioners should have regard to these procedures.

1.6 It is acknowledged that vulnerable adults can be at risk from sexual exploitation as well. Anyone over the age of 18 is considered an adult, whether they receive services through a children and young person's team (16+ Teams) or whether they receive support through Adult Service or not. A 'vulnerable adult' is defined as some who is 'aged 18 years or over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or serious exploitation which may be occasioned by actions or inactions of other people ("No Secrets" DH2000).'

Based on the principles of the Mental Capacity Act 2005, a person over the age of 16 must be assumed to have capacity unless it is assessed that they lack capacity (in relation to a specific decision & in accordance with the Mental Capacity Act, 2005; Code of Practice 2007). If you have concerns about potential harm/exploitation of an adult, in the first instance contact the local authority or the police.

1.7 These procedures will be reviewed in September 2013 or following publication of further revision to the national guidance.

1.8 Further additional guidance is available: *Safeguarding children who may have been trafficked* (2011) Department for Education and the Home Office.

## **2 Definition of Sexual Exploitation**

2.1 The sexual exploitation of children and young people is a form of child sexual abuse. Working Together to Safeguard Children (2010) describes sexual abuse as follows: 'Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, sexual online images, watching sexual activities or encouraging children to behave in sexually inappropriate ways.' Working Together (2010)

2.2 These procedures use the following description of child sexual exploitation: "Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability" DCSF (2009)

## **3 Legal**

3.1 The Sexual Offences Act 2003 introduced 71 new offences to deal with those who abuse and sexually exploit children and young people. This also includes sections relating to the domestic and international trafficking of children and young people.

## **4 Principles**

4.1 The principles underpinning multi-agency responses to the sexual exploitation of children and young people are included in the following paragraphs.

4.2 The primary concern of anyone who comes into contact with a child or young person who has been or is at risk of being sexually exploited must be to safeguard and promote the welfare of the child.

4.3 It is important that the child or young person is assisted to participate as fully as possible in all decisions that are made in respect of them. Parents or carers should also be as fully involved as possible in the work.

4.4 Children and young people do not make informed choices to enter or continue to be sexually exploited, but do so from coercion, enticement manipulation or desperation. They may have difficulty distinguishing between their own choices around sex and sexuality and the sexual activities into which they are being coerced. Their experiences and circumstances mean that they have constrained choices.

4.5 Sexually exploited children and young people should be treated as victims of abuse.

4.6 Children and young people should be enabled to make realistic choices and whenever possible be supported with effective provision for “exiting” from the circumstances where they are being sexually exploited.

4.7 There should be equal importance given to the issues of Prevention, Protection and Prosecution. Legal action should be taken against the perpetrators of sexual exploitation, but where prosecution is unlikely, disruption strategies should be employed.

4.8 Where the police are considering criminal action against children and young people and the final decision rests with the police, they should consult with partner agencies through the child protection process to ensure that all alternative and appropriate actions have been considered for that child or young person in line with ensuring adherence to ACPO guidance in relation to not criminalising young people where possible.

4.9 Professionals involved in working with children and young people subject to sexual exploitation will need to show professional resilience and be prepared to take a pro-active approach in engaging the child or young person.

4.10 The professionals involved in making judgements on the levels of risk should be clear on the basis of those judgements and the sources of information.

## 5 Recognition/Indicators

5.1 The indicators below are recognised as the most common indicators of Child Sexual Exploitation and are included in the Risk Assessment Toolkit, the consistent application of which will inform professional judgement and will assist in the identification, level and monitoring of risk to children and young people. (See Appendix A).

**These indicators are a guide and do not replace, but should assist the exercise of professional judgement. The worker who is making the judgements needs to take into account the principle detailed at 4.10 and be clear on the evidence that the risk is actually occurring or whether further assessment is required to clarify this.**

ALL RISK FACTORS IDENTIFIED MAY REQUIRE ACTION BY A PROFESSIONAL OR MULTI AFGENCY TEAM. STANDARD RISK DOES NOT MEAN NO RISK

5.2 Standard Level Indicators:

- Regularly coming home late or going missing
- Overt sexualised dress
- sexualised risk taking including on Internet
- Unaccounted for monies or goods
- Associating with unknown adults or other sexually exploited children
- Reduced contact with family and friends and other support networks
- Sexually transmitted infections
- Experimenting with drugs and/or alcohol
- Poor self image, eating disorders some self harm

5.3 Medium Level Indicators (always discuss with your CSE Champion):

- Getting into cars with unknown adults
- Associating with known CSE adults
- Being groomed on the internet
- Clipping- (offering to have sex for money or other payment and then running before sex takes place)
- Disclosure of a physical assault with no substantiating evidence to warrant a S47 enquiry, then refusing to make or withdrawing a complaint
- Being involved in CSE through being seen in hotspots (i.e. Houses, recruiting grounds)
- Having an older boyfriend/girlfriend
- Non school attendance or excluded due to behaviour
- Staying out overnight with no explanation
- Breakdown of residential placements due to behaviour
- Unaccounted for money or goods including mobile phones, drugs and alcohol
- Multiple Sexually Transmitted Infections
- Self harming that requires medical treatment

- Repeat offending
- Gang member or association

- 5.4 High Level Indicators (always require referral to children's social care):
- Child under 13 engaging in penetrative sex with another over 15 years
  - Pattern of street homelessness and staying with an adult believed to be sexually exploiting them
  - Child under 16 meeting different adults and exchanging or selling sexual activity
  - Removed from known 'red light' district by professionals due to suspected CSE
  - Being taken to clubs and hotels by adults and engaging in sexual activity
  - Disclosure of serious sexual assault and then withdrawal of statement
  - Abduction and forced imprisonment
  - Being moved around for sexual activity
  - Disappearing from the 'system' with no contact or support
  - Being bought / sold / trafficked
  - Multiple miscarriages or terminations
  - Indicators of CSE in conjunction with chronic alcohol and drug use
  - Indicators of CSE alongside serious self harming
  - Receiving rewards of money or goods for recruiting peers into CSE

**Note:**

Remember the earlier the intervention the better chances of success.

- 5.5 Additional Vulnerability Factors -
- Witnessing/experiencing domestic violence
  - Children and young people 'Looked After'
  - Patterns of abuse and/ or neglect in family
  - Homelessness/sofa surfing
  - Substance misuse by Parents/Carers/child
  - Learning disabilities, special needs or mental health
  - Experiencing Homophobia
  - Breaks in adult relationships
  - Death, loss or illness of a significant person in the child's life
  - Financially unsupported
  - Some form of family conflict
  - Lack of love and security
  - Adult prostitution
  - Migrant/refugee/asylum seeker

## **6 Procedures**

### **Initial Response**

6.1 The suspicion of concerns that a child or young person may be being sexually exploited must always trigger these procedures to ensure the child or young person's safety and welfare, and to enable the Police to gather evidence about abusers and coercers.

6.2 When any practitioner becomes aware that a child or young person is at risk of being sexually exploited, they should identify and react to the need to protect that individual from any future harm. This should include seeking advice from their designated person for child protection within their organisation

6.3 In the event of an agency or individual having concerns that a child or young person is at risk of being sexually exploited, the level, nature and extent of these concerns should be established. This should be done by the completion of the Risk Assessment Toolkit by the professional identifying the concerns and should involve liaison with other involved agencies to ensure that there is multi-agency information and perspective on this.

6.4 On completion of the Risk Assessment Toolkit, the worker should consider the level of risk identified and undertake the relevant actions as detailed in the sections below. The worker should seek advice from an appropriate person within their agency or from a CSE Champion if available. In order to facilitate the systematic collation of information in respect of children and young people considered to be at risk of sexual exploitation, the worker should complete the Information Report form and forward this to the Essex Police Intelligence Unit.

### **Standard level of risk**

6.5 On completion of the Risk Assessment Toolkit and liaison with relevant multi-agency partners, if the professional judgement identifies the level of risk identified is low, the threshold for police or social care involvement is unlikely to be met.

6.6 Intervention should be undertaken or led by the identifying agency, completing and forwarding a CAF to their Locality Manager and including parents/carers and the young person in the assessment process where appropriate. The intervention will be basic intervention and awareness raising work.

6.7 Should concerns increase, then the Risk Assessment Toolkit should be updated and if the risk status for that child or young person escalates, the worker should follow the procedures for the relevant risk level (see below)

## **Medium level of risk.**

6.8 As indicated in 5.1 above, the indicators are a guide to assisting the exercise of professional judgement. In relation to the medium level indicators, after discussion with the CSE Champion, should professional judgement determine that there is reasonable cause to suspect that the child or young person is suffering or likely to suffer significant harm requiring investigation under S 47 then the procedures detailed under the higher level of risk (at 6.17) should be followed.

6.9 On completion of the Risk Assessment Toolkit and liaison you're your CSE Champion and relevant multi-agency partners, if the professional judgement identifies the risk level as medium, but does not require a referral to social care under S47, the identifying agency should complete and forwarding a CAF to their Locality Manager, including parents/carers and the young person in the assessment process where appropriate. If the locality manager agrees that the risk level is medium, the case will be considered at the next Children and Families Panel meeting including all involved and relevant agencies.

6.10 Should the locality manager or children & families panel decide that the level of risk to the child is high then the case will be referred to social care under S47 procedures.

6.11 In cases of medium or high risk, referral should be considered to available specialist CSE services if they are not already involved

6.12 All participants of the Children & Families Panel meeting will be expected to consider the Risk Assessment Toolkit from their perspective to assist in preparing their contribution to the meeting.

6.13 Any person with information should complete the Information Report Form. This should be shared with involved practitioners by the author and forwarded to the Essex Police Intelligence Unit. The regular and systematic sharing of information is crucial to assisting risk identification and ongoing intervention.

6.14 The Children & Families Panel meeting should be held and a plan agreed (see below)

6.15 The case should be considered at subsequent meetings of the Panel at least every 6 weeks, to monitor the progress of the action plan and to complete/update the Risk Assessment Toolkit at that meeting. This will assist measurement of changes in the level of risk to the child or young person.

6.16 If at any point the risk is seen to escalate between consideration of the case at the scheduled Panel meeting, liaison should take place with the Locality Manager to include the case in the next meeting of the Panel to amend the plan, or to escalate the case to S47 procedures.

## **High level of risk**

6.17 On completion of the Risk Assessment Toolkit and liaison with the CSE Champion and relevant multi-agency partners, if the professional judgement identifies the risk level as high, this is likely to require an immediate referral to children's social care for a Section 47 (Child Protection) joint investigation. The involved worker should make a direct referral to the Children's Social Care First Contact Team, who will refer through to the police.

6.18 A strategy meeting/discussion between children's social care, police and any relevant involved agency should take place in line with safeguarding procedures to plan the investigation.

6.19 On completion of the S 47 investigation, the core assessment should be completed and the social care service manager will make a decision whether an Initial Child Protection Conference(ICPC) should be called or whether the matter should proceed under Section 17 (Children in Need).

6.20 It is envisaged that the use of an ICPC in cases of sexual exploitation will be relatively rare, but will take place where there are a number of other concerns alongside the sexual exploitation, in particular neglectful or collusive parenting. Where the other issues indicate significant harm, but sexual exploitation is not the primary risk factor, the case will be passed to a child protection manager.

6.21 Where the case is to be considered at an ICPC, the procedures in relation to this should be followed and will address all matters covered by the standard ICPC agenda as well matters relating to CSE.

6.22 Where the child or young person becomes subject to a Child Protection Plan, the core group meetings and the review meetings will take place within the timescales detailed by the SET Child Protection Procedures.

6.23 If an ICPC is not appropriate and the case is to be progressed under S17, a Child in Need meeting will be arranged and coordinated by children's social care to consider the issues in relation to level and management of ongoing risk and to identify the plan for intervention

6.24 In cases of medium or high risk, a referral should be considered to CSE specialist services if they are not already involved

6.25 The core assessment to be forwarded to children's social care at least 2 days prior to the ICPC or Child in Need meeting with the Risk Assessment Toolkit

6.26 Following the ICPC or Child in Need, meetings of the core group of partner agencies to take place at least every 6 weeks.

6.27 Case to be reviewed at 3 months and then a minimum of 6 monthly intervals. The social care worker will complete an updated Risk Assessment with the core group and a report detailing the core group meetings, an update on the progress and actions of the plan highlight any emerging issues and an analysis of the current situation which should be forwarded to children's social care 3 days before the review meeting.

6.28 The review will consider the progress of the plan, the current level of risk, and what further actions are required to reduce the risk. The review will decide whether the case should continue to be reviewed through Child Protection/Child in Need procedures, or identify alternative processes through which the work should be conducted.

## **7 Cases already open to social care**

7.1 Where the case is already open to social care, and concerns in relation to sexual exploitation emerge, the social care worker should complete the Risk Assessment Toolkit as above.

7.2 On completion of the Risk Assessment Toolkit, the worker should make a judgement on the level of risk in conjunction with their manager and taking advice from the CSE Champion if available.

7.3 Where the level of risk of sexual exploitation is judged to be standard, the intervention should be undertaken by social care and any involved agency including calling a core group meeting and including parents/carers and the young person. The intervention will be basic intervention and awareness raising work. The Information Report form should be completed and forwarded to the Essex Police Intelligence Unit.

7.4 Where the risk level is assessed as medium, and not requiring investigation under S 47 (see 6.9) liaison should take place with the Reviewing Officer (RO) who, if the level of risk is agreed, will convene a review child protection conference (RCPC), including all involved and relevant agencies and parents/carer and child.

7.5 Where the child or young person is in the care of the Local Authority, the social care worker must inform the RO of the emerging concerns.

7.6 Where the child or young person is already subject to a Child Protection Plan for different reasons, and concerns in relation to potential sexual exploitation emerge, the social worker should complete the Risk Assessment Toolkit as above and liaise with the RO regarding convening a RCPC.

7.7 The most recent social care assessment should be updated to take into account the risks identified by the social care worker within 10 working days of the discussion with the RO

7.8 The updated assessment should be sent to the RO at least 2 working days prior to the RCPC.

7.9 All participants of the RCPC who have direct involvement with the child or young person and their family will be expected to complete the Risk Assessment Toolkit from their perspective and forward to the RO at least 2 days prior to the conference.

7.10 Any person with information should complete the Information Report Form. This should be shared with involved practitioners by the author and forwarded to the RO and Essex Police Intelligence Unit. The regular and systematic sharing of information is crucial to assisting risk identification and ongoing intervention.

7.11 Where the level of risk is deemed to be high, then the matter should be considered under Section 47 and the procedures described above should be followed and led by a qualified social worker.

7.12 Following the RCPC, the minutes and plan arising from the meeting will be circulated to all attending and relevant agencies, including the RO.

7.13 The case will be reviewed at 3 months and thereafter at a minimum of 6 monthly intervals. The social care worker will complete an updated Risk Assessment with the core group and a report detailing the core group meetings, an update on the progress and actions of the plan highlight any emerging issues and an analysis of the current situation which should be forwarded to the RO at least 3 days before the RCPC.

7.14 The RCPC will consider the progress of the plan, the current level of risk, and what further actions are required to reduce the risk. The review will decide whether the case should continue to be reviewed through child protection conference procedures, or identify alternative processes through which the work should be conducted.

## **Policy Dated**