

## All Wales Child Protection Procedures

# ALL WALES PROTOCOL

**Safeguarding and Promoting  
the Welfare of Children  
who are at Risk of Abuse  
through Sexual Exploitation**

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## Safeguarding and Promoting the Welfare of Children who are at Risk of Abuse through Sexual Exploitation

### 1. Introduction

This protocol is issued under *Safeguarding Children: Working Together Under the Children Act 2004* and sits within Part 5 of the All Wales Child Protection procedures. It sets out the formal Child Protection Procedure to be used where there are concerns that a child is at risk of, or abused through, sexual exploitation. It is to be used in conjunction with the Framework for Assessment.

Where relevant, colleagues should also refer to protocols for safeguarding children in specific circumstances including:

- Safeguarding and Promoting the Welfare of Sexually Active Young People
- The protection of Children from Abuse via Information Technology

### 2. Aim

The aim of this Protocol is to safeguard and promote the welfare of children and young people when there are concerns that they are at risk of abuse through sexual exploitation and to encourage the investigation and prosecution of those who perpetrate this form of abuse.

The purpose of this Protocol is to:

- define what is meant in this Protocol by 'sexual exploitation'
- raise awareness of all agencies involved with children and families of child sexual exploitation as a form of sexual abuse and a child protection matter
- ensure that police, local authorities, education, health and other agencies work together and share consistent policies and practice
- formalise the exchange of information between agencies
- provide a framework for the identification of risk
- provide a procedure for handling concerns
- outline responsibilities of various agencies
- establish a quality assurance process to monitor and evaluate arrangements

### 3. Definition

The sexual exploitation of children and young people is a hidden form of abuse. A number of different definitions have been developed through the work of researchers and practitioners though the concepts of exploitation and exchange are central to each.

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Child sexual exploitation is the coercion or manipulation of children and young people into taking part in sexual activities. It is a form of sexual abuse involving an exchange of some form of payment which can include money, mobile phones and other items, drugs, alcohol, a place to stay, 'protection' or affection. The vulnerability of the young person and grooming process employed by perpetrators renders them powerless to recognise the exploitative nature of relationships and unable to give informed consent.

Child sexual exploitation (CSE), for the purpose of this Protocol, includes:

- abuse through exchange of sexual activity for some form of payment
- abuse through the production of indecent images and/or any other indecent material involving children whether photographs, films or other technologies
- abuse through grooming whether via direct contact or the use of technologies such as mobile phones and the internet
- abuse through trafficking for sexual purposes

**Children do not volunteer to be sexually exploited and they cannot consent to their own abuse; they are forced and/or coerced.**

The guidance applies to male and female children up to the age of 18 years irrespective of whether they are living independently, at home, with carers, or in a residential setting.

#### 4. Information Sharing

Professionals can only work together to safeguard children if there is an exchange of relevant information between them. Whenever possible, consent should be obtained before sharing personal information with third parties. However, in some circumstances, consent may not be possible or appropriate but the safety and welfare of a child may dictate that the information must be shared. (*Safeguarding Children: Working Together under the Children Act 2004*)

The duty of confidentiality is not absolute. Where a professional believes that there is a risk to the health, safety or welfare of a child, young person or others, which is serious enough to outweigh the young person's right to privacy, they should follow the All Wales Child Protection Procedures.

Any disclosure or decision not to disclose must be justified according to the particular facts of the case and documented accordingly. Advice should be sought in cases of doubt from lead professionals in child protection within the practitioner's own agency without delay.

In relation to children at risk of, or abused through sexual exploitation, the protective network of professionals involved in strategy meetings, child in need plans and child protection plans should agree the ongoing response to risk together, enabling individuals to feel confident that information shared will be used to enable positive outcomes for the child or young person.

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Further information regarding principles of confidentiality and information sharing can be found in AWCPP section 3.14.14 and 5.4.2

## 5. Handling Individual Cases

This section should be read in conjunction with Part 3 of the AWCPP – The Child Protection Process.

### 5.1 Recognition

Evidence gathered on child sexual exploitation in Wales suggests that the majority of exploitation takes place ‘off street’, in private accommodation, hotels, or sauna/massage establishments. The hidden nature of this form of abuse has a significant impact on the visibility of the problem. Disclosure of sexual abuse and violence is always difficult for children and young people. The sophisticated grooming and priming processes executed by abusing adults and the exchange element of the abuse, act as additional barriers, which increase denial and make disclosure especially difficult.

Key to safeguarding vulnerable children then, is the ability to recognise ‘at risk’ children and young people and for agencies to work within a risk assessment framework. Level of risk can be identified by considering the number and range of risk indicators present in a child’s life. Evidence from research in relation to the vulnerabilities and risk indicators associated with sexual exploitation is now well established.

All staff in all agencies should be familiar with the vulnerability and risk indicators below. These agencies include:

- Social Services
- Police
- Education (schools, education other than in school, FE colleges)
- Health Services (substance misuse services, school health nurses, practitioners in young people’s advisory/sexual health services, GUM clinics, CAMHS, GPs, accident and emergency units, specialist nurses/doctors for LAC/CP, health visitors)
- Youth Justice Services
- Leisure and Community Services (youth workers, play workers, leisure centres, parks)
- Voluntary sector and Community groups

Each agency (Social Services, Education, Health, etc.) should identify a lead officer for child sexual exploitation. In addition, each team, residential unit, school or service etc. should identify a lead practitioner or manager for CSE. These lead individuals should have, or develop, a level of expertise in relation to CSE. They should be able to advise within their agency on identifying and referring a child at risk and how their agency can contribute to risk reduction work and a safeguarding plan. They should also be invited to attend multi-agency meetings held under this protocol.

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## 5.2 Vulnerabilities include:

- abuse or neglect by parent/carer/family member
- history of local authority care
- family history of domestic abuse
- family history of substance misuse
- family history of mental health difficulties
- breakdown of family relationships
- low self-esteem

## 5.3 Risk indicators include:

- staying out late
- multiple callers (unknown adults/older young people)
- use of a mobile phone that causes concern
- expressions of despair (self-harm, overdose, eating disorder, challenging behaviour, aggression)
- disclosure of sexual/physical assault followed by withdrawal of allegation
- sexually transmitted infections
- peers involved in clipping (receiving payment in exchange for agreement to perform sexual acts but not performing the sexual act)/sexual exploitation
- drugs misuse
- alcohol misuse
- use of the internet that causes concern
- unsuitable/inappropriate accommodation (including street homelessness)
- isolated from peers/social networks
- lack of positive relationship with a protective/nurturing adult
- exclusion from school or unexplained absences from or not engaged in school/college/training
- living independently and failing to respond to attempts by worker to keep in touch

## 5.4 Significant risk indicators include:

- periods of going missing overnight or longer
- older 'boyfriend' / relationship with controlling adult
- physical/emotional abuse by that 'boyfriend' /controlling adult
- entering/leaving vehicles driven by unknown adults
- unexplained amounts of money, expensive clothing or other items
- frequenting areas known for sex work physical injury without plausible explanation

Child sexual exploitation is a particularly hidden form of abuse.  
Disclosure of this form of abuse is rare.  
Vulnerability and risk indicators of CSE are well established.  
**It is possible to evidence risk** (see below).

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All staff in all agencies should be familiar with the sexual exploitation risk assessment framework (SERAF) and be able to identify children at risk of CSE

## 5.5 Referral

As with all child protection concerns, all agencies should refer any concerns that a child is at risk of any form of sexual exploitation to Social Services following the process set out in Part 2 of these procedures above. This includes all information gathered from any source including other young people.

Disclosure of this form of abuse is exceptionally rare and it is therefore essential that all information from a range of sources is pulled together; any information may help to build up a full picture that the child may be suffering harm.

Foster carers and staff in residential settings should **always** report any incidents or concerns.

The Social Services lead officer for children at risk of abuse through sexual exploitation (this is often, but not always the Child Protection/Safeguarding Co-ordinator) should be informed of the referral by the person taking the referral in Social Services. Where the child has an allocated social worker, they should also be informed.

When a referral is received regarding a looked after child, the allocated social worker must inform their team manager and the CSE lead practitioner/manager within their team.

## 5.6 Assessment

In research undertaken with 30 London boroughs and two local authorities outside London, only two local authorities surveyed stated that they had identified sexual exploitation through disclosure by a young person. In the same research, respondents welcomed the introduction of multi-agency strategy meetings and noted the difficulty of using traditional child protection processes with this form of abuse.<sup>i</sup> In light of the complex and hidden nature of this form of abuse which children and young people rarely disclose, it is important to work on the basis of concerns rather than relying on hard evidence.

A sexual exploitation risk assessment framework (SERAF) which includes four categories of risk has been developed for inclusion in this All Wales Protocol.<sup>ii</sup> The SERAF enables safeguarding actions to be linked to evidence of risk, thereby facilitating both preventive action and appropriate interventions and is intended to inform appropriate responses in relation to children and young people's safeguarding needs.

A sexual exploitation risk assessment should be undertaken to establish if a child is in need and requires protection. This should be completed by Social Services, within 7 working days of the referral. The risk assessment will consider all the vulnerabilities and risks and place the child in one of four categories of risk: not at risk, mild risk, moderate risk or significant risk.

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## 5.7 Sexual Exploitation Risk Assessment Framework (SERAF)

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SERAF Category of risk	Indicators of risk	Description	Associated actions
<b>Category 1 Not at risk</b>	No risk indicators but may have one or more vulnerabilities present.	A child or young person who may be 'in need' but who is not currently at risk of being groomed for sexual exploitation.	Educate to stay safe. Review risk following any significant change in circumstances.
<b>Category 2 Mild risk</b>	Multiple vulnerabilities. One or two risk indicators may also be present.	A vulnerable child or young person who may be at risk of being groomed for sexual exploitation.	Consider multi-agency meeting to share information and agree a plan to address risk and/or need.  Work on risk awareness and staying safe should be undertaken with this child/young person.  Review risk following any significant change in circumstances.
<b>Category 3 Moderate risk</b>	Multiple vulnerabilities and risk indicators present.	A child or young person who may be targeted for opportunistic abuse through exchange of sex for drugs, accommodation (overnight stays) and goods etc.	Convene multi-agency meeting under protocol for sexually exploited children and young people to ensure effective exchange of information with multi-agency colleagues and agree safety plan. At least one review meeting to be convened.  Work should be undertaken with this child/young person around risk reduction and keeping safe.
<b>Category 4 Significant risk</b>	Multiple vulnerabilities and risk indicators. One or more significant risk indicators also likely.	Indication that a child or young person is at significant risk of or is already being sexually exploited. Sexual exploitation is likely to be habitual, often self-denied and coercion/control is implicit.	Convene multi-agency meeting under protocol for sexually exploited children and young people to ensure effective exchange of information with multi-agency colleagues and agree safety plan, including regular review meetings.  Protection plan should include long-term intensive direct work with the child or young person.
<b>Moderate or Significant risk</b>	As above.	Young person aged <b>18 years</b> or above.	Where a young person is aged 18 years or over the associated action in relation to Moderate and Significant risk: sexual exploitation should be addressed as an issue in relation to this young person through the Pathway or other work plan;
	Title:	Page	Liaison Officer between Social Services and Police Public Protection Unit to address the young person's protection.
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## 5.8 Strategy Discussion

Following completion of a sexual exploitation risk assessment, it may be decided that a strategy discussion is required. A strategy discussion should always take place where a child is assessed as at moderate or significant risk of sexual exploitation. A strategy discussion may also take place where a child is assessed as at mild risk of sexual exploitation.

Police and Social Services should share and discuss all information received/gathered with other professionals/agencies as appropriate, and decide on the next course of action within 24 hours or without delay if there is immediate concern for the child. The person making the referral should be informed of the outcome of the strategy discussion.

## 5.9 Multi-Agency Strategy Meetings

**5.9.1** Multi-agency strategy meetings for children at risk of sexual exploitation should be conducted as set out in AWCPP (section 3.5.1) above and incorporate the following additional measures:

**5.9.2** A strategy discussion will, in most cases, agree that a multi-agency strategy meeting should be held. A strategy meeting should always be convened for children at moderate or significant risk of sexual exploitation.

**5.9.3** The meeting should be chaired by a Social Services' manager with lead responsibility for child sexual exploitation.

**5.9.4** Those attending the strategy meeting should include:

- the referrer, if a professional
- lead officers for CSE from Education and Health
- child's social worker (if they have one)
- identified police officer from Police Public Protection Team
- representative from any specialist child sexual exploitation service
- any other relevant person who can assist in the planning process for the child protection enquiries and in formulating a multi-agency safeguarding plan e.g. fostering link worker, residential key worker/manager, YOT worker, voluntary agency worker, designated child protection/LAC nurse
- representative from Probation Service working with any identified perpetrators

**5.9.5** The meeting should:

- share and clarify information
- identify all risks (including those in the sexual exploitation risk assessment framework ) and agree on action and make recommendations to address each risk
- consider the likelihood of prosecution of relevant adults and where prosecution is not likely, consider range of alternate action against perpetrators

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- develop a **written** plan to safeguard the child or young person
- agree a date to review the plan
- decide who will undertake direct work with the child or young person to enable recovery

**5.9.6** Following a multi-agency strategy meeting, category 3 and 4 cases will require allocation to a Social Services team to progress the child in need or child protection plan. Where a child is already allocated, any existing plans will need to be amended accordingly.

Implementing an effective child in need or child protection plan for a child at risk of sexual exploitation may require professionals to be extremely persistent in continuing to offer support and services. It may be that a professional from an agency other than Social Services is best able to provide a direct service. Nevertheless, the case should remain allocated to a social worker whilst a child in need or child protection plan is in place, in order to act as a point of contact for the child, family and professionals and to co-ordinate the plans. Plans should address each identified risk.

**5.9.7** The priority for the Police is the investigation and prosecution of offenders who have been involved in abusing the child through sexual exploitation. Sections 47 to 51 of the Sexual Offences Act 2003 deal with the sexual exploitation of children. The Act creates a number of offences that apply to CSE and are set out in appendix 2. This role should be undertaken in accordance with the principle of multi-agency co-operation to safeguard children.

Child sexual exploitation is a particularly hidden form of abuse and disclosure by the child is extremely rare. It may not always be appropriate to interview the child or young person in a formal manner, particularly where a child does not believe they are being sexually exploited. Evidence shows that a relationship with a protective, nurturing adult who over time challenges the perceptions of the young person can lead to an increase in the awareness of the child in relation to risks and experiences. Information may be most effectively gathered over time, by practitioners who have gained the trust of the young person in a manner that does not alienate the child, but rather involves them in the process, contributing to their own safety.

Where there may be limited evidence in relation to perpetrators, for example, the absence of a statement, action may still be taken in relation to particular concerns such as reports of internal trafficking or that an address or vehicle is being used for the purposes of CSE. All intelligence should be recorded and collated. Police should consider using the range of powers at their disposal including those set out in repeat search of premises and child abduction legislation (see Appendix 3).

The Multi Agency Public Protection Arrangements (MAPPA) provide a national framework for the assessment and management of risk posed by sexual and violent offenders. This includes individuals who are considered to pose a risk or potential risk of harm to children. The arrangements impose statutory requirements on the Police and Probation Services to make these arrangements under Sections 67 and 68 of the

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Criminal Justice and Court Services Act of 2000. Offenders are referred to the MAPPA process following conviction for a relevant offence. MAPPA are set out in detail in Section 4.11 of the AWCPP.

### 5.10 Child's wishes and feelings

Children at risk of sexual exploitation will often be in high risk situations and isolated from protective, nurturing adults. They will need to be enabled to express their wishes and feelings to make sense of their particular circumstances and contribute to decisions that affect them. Of particular relevance is the impact of those who may have groomed and conditioned children, in order to coerce and abuse them. Children may also be under very strong pressure, intimidated, afraid and/or dependent on the exploiter/s because of substance misuse. Children may therefore reject offers of help and support; interventions need to be designed to address this.

## 6. Intervention

Within the four categories of the SERAF, a different response is required in relation to each level of risk. Each of the four categories of risk has associated safeguarding actions.

### 6.1 Category 1 – Not at risk of sexual exploitation

Children and young people in Category 1 do not have indicators of risk in relation to sexual exploitation. The majority of children and young people will not be at risk of sexual exploitation. However children and young people in contact with support agencies such as Social Services are likely to have some vulnerabilities present.

Children and young people assessed as being in this category need access to basic information that will enable them to develop an awareness of the risks that can lead to a situation in which they may be exposed to sexual exploitation. They need access to information that will equip them to avoid risk situations and to protect themselves. Practitioners working in Social Services teams are well placed to deliver such information as part of their interaction with the children and young people with whom they are in contact.

The school Personal Health and Social Education (PHSE) curriculum provides a sound platform through which to deliver basic safeguarding information, to explore ideas around 'healthy' sexual relationships and to provide children and young people with a sense of agency and control about their bodies and selves. This also needs to include opportunities for children and young people to understand the very real risks involved in staying out late and going missing from school, home or care.

Health professionals such as school health nurses, practitioners in young persons' advisory/sexual health clinics and GPs have a role in promoting the young person's health which includes identification of immediate and on going health needs (including sexual health needs and emotional needs). As a universal service, health is well placed

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to offer support, counselling and information to enable young people to understand the risks and develop strategies for staying safe.

## 6.2 Category 2 – Mild Risk

A child identified as at mild risk is likely to have multiple vulnerabilities such as problematic parenting and childhood experiences present. One or two risk indicators may also be present. These vulnerabilities increase the risk of such children and young people being groomed for sexual exploitation. Early intervention and preventative work is needed to protect children and young people who have multiple vulnerabilities present.

A practitioner or agency view that a child is at mild risk (category 2) may be inaccurate and sharing information about that child may reveal them to be at moderate or significant risk – and in need of protection. Interventions to interrupt abuse through sexual exploitation and support children to recover a healthy lifestyle are more likely to be successful if a child who is at risk can be identified, and information about concerns shared within a multi-agency support network as early as possible.

Consideration should be given to convene a multi-agency meeting to ensure all information is shared and agree a child in need plan to address risk and need. The plan should include a programme of direct work with the child to raise awareness of sexual exploitation and to provide tools for the child to self protect. The programme should raise risk awareness, provide information on keeping safe and address specific identified issues that pose a threat to safety. It should be delivered by a practitioner who has a good working relationship with the child or young person. It should include opportunities for the child to understand the very real risks involved in activities such as staying out late and going missing from school, home or care.

Risk needs to be regularly reassessed as part of the planned work undertaken with a child or young person. Any significant change in circumstances which might increase vulnerability or any incidence of behaviour associated with risk should result in an immediate reassessment of risk using the sexual exploitation risk assessment.

## 6.3 Category 3 – Moderate Risk

A child or young person identified as at moderate risk is likely to have multiple vulnerabilities present as well as one or more indicators of risk. Children and young people at moderate risk may be groomed or targeted for opportunistic abuse and/or exploitative relationships by abusing adults.

It is in this category that any omitted information can have the greatest effect on accuracy of assessment and information sharing. A multi-agency strategy meeting for children at risk of abuse through sexual exploitation should always be convened in relation to child or young person assessed as at moderate risk. Multi-agency strategy meetings enable the effective exchange of information between representatives of key agencies. The meetings should include the individual who has identified risk or raised concerns in relation to the child or young person and representatives of Social Services,

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Police, Health, Education, Placements and any specialist child sexual exploitation services. Multi-agency strategy meetings should respond to the needs of children and young people for whom risk of sexual exploitation is indicated but not known, as well as responding to cases where evidence of sexual exploitation is available.

The multi-agency strategy meeting should agree a safeguarding plan and action to include direct work with the individual child or young person. The focus of any safeguarding plan and of direct interventions should be the reduction of specific risks which are causing concern. In particular where staying out late and/or going missing from school, home or care is identified, these should be addressed as a priority. The safeguarding implications of staying out late and going missing should not be underestimated by any agencies. The length of intervention required will be different in each case and is reliant on the specific circumstances of the child or young person and the nature of the risks which are being addressed. Individual children and young people may respond to intervention in different ways and this will also impact on the length of that intervention.

A change of circumstances such as a placement change for example may serve to support the reduction of risks in a relatively short space of time; conversely a placement change could serve to quickly escalate risk. At least one review meeting by the multi-agency strategy group should be conducted to ensure that actions have been taken, assess progress, consider the impact of interventions, share further information and reassess the level of risk. Risks should be carefully monitored and reviewed over time in relation to children and young people for whom there have been concerns as part of the assessment and planning processes.

Risk needs to be regularly reassessed as part of the planned work undertaken with a child or young person. Any significant change in circumstances which might increase vulnerability or any incidence of behaviour associated with risk should result in an immediate reassessment of risk using the sexual exploitation risk assessment.

The approach to working with children and young people at significant risk of or abused through sexual exploitation set out in Section 6.4.2 below can also be applied to children and young people in category 3.

#### 6.4.1 Category 4 – Significant Risk

Where a child is assessed as being in category 4, there is a clear indication that they are at significant risk of sexual exploitation or that they are already being abused through sexual exploitation. This is likely to include cases where abuse is habitual, denied, and where coercion and control is implicit.

A multi-agency strategy meeting for children at risk of abuse through sexual exploitation should always be convened in relation to a child or young person assessed as at significant risk. As with Category 3, multi-agency strategy meetings should ensure the effective exchange of information between representatives of key agencies. The meetings should include the individual who has identified risk or raised concerns in relation to the child or young person and representatives of Social Services, Police,

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Health, Education, Placements and any specialist child sexual exploitation services. Participants of the meeting should agree a safeguarding plan and action to include long-term intensive direct work with the individual child or young person. Review meetings should be conducted regularly to ensure that agreed actions are implemented, and to assess the progress and impact of agreed interventions. Risk should be closely monitored and regularly reassessed as part of the risk reduction process.

All agencies involved in working with the child or young person should address issues of sexual exploitation whether in relation to, for example, placements, offending behaviour, work with the child or young person's family, education or sexual health as part of their work with that child or young person. A coordinated and synchronised approach by all agencies maximises the effectiveness of interventions and the impact of planned actions. All agencies should agree and adopt a consistent approach that does not shy away from, or collude with risky behaviour. All agencies and professionals need to be aware of the intensive and long-term nature of the approach required. The presence of multiple vulnerabilities and risks in the lives of children and young people at significant risk often means that they are difficult to engage and that positive outcomes take time.

The use of a fit for purpose sexual exploitation risk assessment framework should allow for the identification of vulnerability and risk in relation to the majority of children and young people at an earlier stage. Over time, routine assessment, early identification and appropriate interventions should reduce the numbers of children and young people who are exposed to significant risk of sexual exploitation.

#### **6.4.2 Working with children and young people at significant risk of or abused through sexual exploitation**

By the point in a child or young person's life where they are significantly at risk of or are already abused through sexual exploitation, they are subject to a complex pattern of life experiences which impact negatively on each dimension of their life. Because of this they can present to agencies such as the Police as 'streetwise' or as 'problematic' rather than in need of support. Information, training, tools for risk identification, protocols and procedures and tools for assessment lead to a plan of intervention. Intervention, support and action should be based upon the child or young person's needs and be delivered by a trusted worker in conjunction with a protective network of appropriate agencies.

Working with children and young people for whom sexual exploitation is an issue requires a holistic approach through investment of time and resources in long term intervention. An important aspect of the work can be maintaining contact and being available to children and young people until they reach a point where they are ready to think about their situations and accept support. The process and effort spent by a worker on relationship building can be an important factor in bringing them to that point. These windows of opportunity, when they present, should be fully capitalised upon, with the right kind of support being made available at the time that it is required

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by the young person. This can only be achieved through the cooperation and joint working of an established network of appropriate agencies.

Establishing a positive trusting relationship with such vulnerable children and young people takes time. A relationship needs to be developed which offers something tangible to the child or young person. At the same time it is important to acknowledge that workers are not providing a friendship and that there are inescapable power differentials. Change needs to happen at a pace that is set by the young person and which provides real choices and promotes a sense of positive control for the young person. Working with children and young people who are exposed to risk situations and experiences of sexual exploitation requires an approach that is non-judgemental and where staff are 'unshockable'. There is a need to be consistently honest and to listen to and respect the views of children and young people:

- intervention should begin with relationship building, and assessment of risks and vulnerabilities with the child or young person
- honest discussions and inclusion in assessment and planning processes will assist the child or young person in feeling included, and create a sense of ownership and connection with the plan
- the plan should address each of the identified areas of risk

Workers need to be realistic about expectations and to understand that this is long term, intensive work, where progress will go backwards as well as forwards.

If the child is in a residential unit, the staff should be asked to take positive action to clarify and record any concerns and minimise the child's involvement in sexual exploitation. If suspicions are confirmed the following steps should be taken:

- treating the child as a victim of exploitation, not a troublemaker or criminal
- ensuring that all relevant information is recorded in the child's care plan and file – concerning adults and identifying information e.g. appearance, street names, cars registration details etc, telephone activity, the child's patterns of going missing etc – together with decisions and clear directions for action
- making every effort to dissuade the child from leaving to engage in sexual exploitation by talking to them, involving them in alternative activities, and ensuring they have the resources to attend those activities, including escorting where necessary
- ensuring that the child is aware of the legal issues involved, for example that those exploiting them are committing a range of offences
- monitoring telephone calls, text messages and letters by preventing the child from receiving some incoming calls, being present when phone calls are made, confiscating a mobile phone which is being used inappropriately, opening some letters in the presence of the child and withholding letters if necessary; reasons for intercepting letters and calls (for example, that they relate to a dangerous adult) should be included in the care plan
- monitoring callers to the home, or adults collecting children by car. This may involve turning visitors away, or passing information directly to the Police,

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monitoring any suspicious activity in the vicinity of the home and informing the Police

- using appropriate methods, in accordance with relevant guidance, to prevent the child leaving home to engage in sexual exploitation (these should be recorded in the care plan)
- where these efforts fail, and the child leaves, staff need to decide whether to follow them and continue to encourage them to return
- if they will not return, staff should inform the local Police that the child is missing and pass on all relevant information
- liaising with outreach agencies, so they can look out for a child who has gone missing
- offering sensitive and welcoming responses to children returning home

If the child is in foster care, the social worker and fostering link worker should meet with the foster carer to decide which of the above steps could reasonably be taken by the foster carer as part of the multi-agency plan.

The child's behaviour and attitude may be extremely challenging, and carers and staff will require ongoing support, advice and training in knowing how to respond. These needs must be considered and resources identified, either by the manager of the residential unit, or the fostering link worker.

### **6.5.1 Young people aged 18 years and over entitled to Aftercare Services**

The supplementary guidance 'Safeguarding children involved in prostitution (2000)' applies to all children and young people under the age of 18 years. However reference is made to a duty of care towards older young people leaving care under the Children (Leaving Care) Act 2000 with regard to the safeguarding guidance.

In cases where a young person entitled to receive services under the Children (Leaving Care) Act 2000 is assessed as at medium or high risk of abuse through sexual exploitation, the associated actions above should be followed.

The pathway planning should specifically identify their vulnerability to sexual exploitation, and address the factors known to impede successful recovery from sexual exploitation e.g. homelessness, poverty, lack of educational and employment opportunities and lack of supportive social contacts.

In relation to Category 1 and Category 2 cases, information and awareness raising actions should be included in the pathway planning process. Risk should be assessed and addressed as part of existing processes on an ongoing basis.

Similarly, where young people are assessed as Category 3 or Category 4 cases, work to reduce risk of sexual exploitation should be included in the pathway plan and regularly reviewed. As for children and young people under the age of 18, liaison between social services and the Police Public Protection Unit is also required in addressing the protection of the young person.

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## 6.5 Young people aged 18 years and over

A young person who has been subject to the complex pattern of life experiences including sophisticated grooming and priming processes that have brought them to a point where they are at risk of, or are abused through, sexual exploitation, does not stop needing support and protection when they reach the age of 18 years. They remain a vulnerable young person with ongoing needs. A person's vulnerability will depend on their circumstances and environment, and each case must be judged on its merits<sup>iii</sup>. Consideration should be given to referral through local Protection of Vulnerable Adults (POVA) arrangements.

A vulnerable adult can be defined as a person 18 years old or over whom:

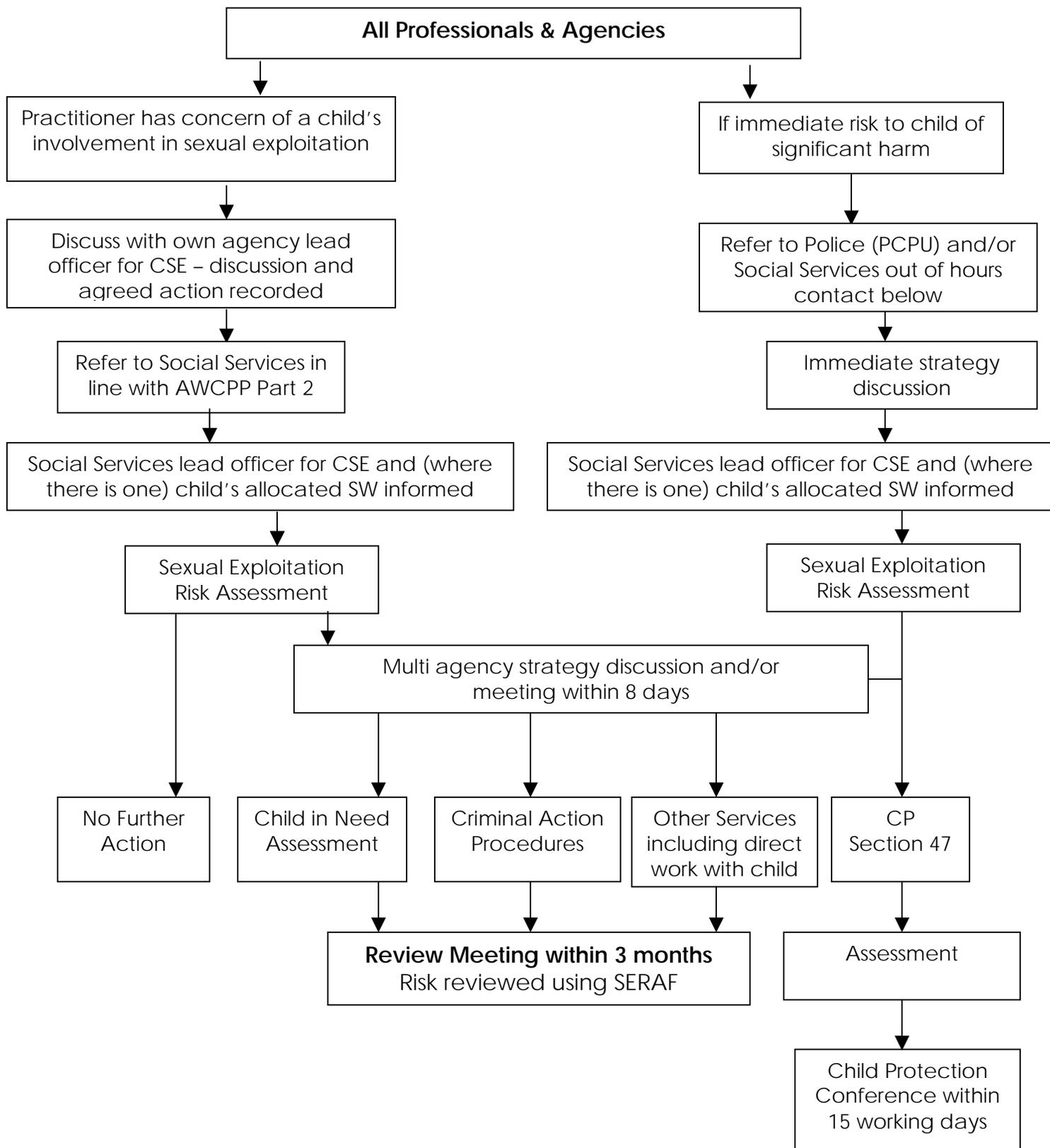
- is or may be in need of community care services by reason of mental or other disability, age or illness; and
- is or may be unable to take care of him or herself, or is unable to protect him or herself from significant harm or serious exploitation.<sup>iv</sup>

This definition of vulnerable adult may include a person who:

- has a physical or sensory disability; including people who are physically frail or have a chronic illness;
- has a mental illness, including dementia;
- has a learning disability;
- is old and frail;
- misuses drugs or alcohol;
- has social or emotional problems, or whose behaviour challenges services.<sup>v</sup>

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### 6.6 Flow Chart: Action where there are concerns that a child is at risk of abuse through sexual exploitation



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## 7. Monitoring

Local Safeguarding Children Boards should ensure that monitoring arrangements are in place. The numbers of strategy meetings held under this protocol, numbers of children involved and any deficits in service provision should be recorded and monitored by the LSCB in order to evidence local prevalence and need and ensure adequate service provision.

Agencies are encouraged to collect information to monitor prevalence, activity patterns and effectiveness of interventions for children who are sexually exploited in their area (a tool kit is available using the SERAF framework). The lead practitioner/manager for CSE should be responsible for this within agencies/teams/services and for passing that information onto the LSCB.

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**APPENDIX 1 - List of named lead contacts**  
(to be completed locally by each LSCB)

Agency	Name of CSE lead officer/manager/practitioner	Telephone Number
Social Services		
Police		
Health		
Education		
YOT		
Housing		
CAMHS		
MAPPA co-ordinator		
POVA Team		
Probation		

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## APPENDIX 2 – Relevant Legislation and Guidance

**The United Nations Convention on the Rights of the Child (UNCRC, 1989)** has been adopted by the Welsh Assembly Government as a framework for its Strategy for Children and Young People and has drawn up 7 Core Aims for all children and young people, each based on the UN Convention Articles. The UNCRC stipulates that the state shall protect children from sexual exploitation and abuse including 'prostitution', trafficking for sexual purposes and involvement in the production of child sexual abuse images.

**The Welsh Assembly Government's 7 Core Aims** include the right to '*enjoy the best possible physical and mental, social and emotional health, including freedom from abuse, victimisation and exploitation*' (Articles 6, 18-20, 24, 26-29, 32-35, 37 and 40). This Core Aim is central to protecting children and young people from sexual exploitation. Children and young people need access to 7 Core Aims so that they are not put at risk of child sexual exploitation. Where children and young people are put at risk of child sexual exploitation and where they are abused through child sexual exploitation they require additional support in order to access their rights and entitlements.

**The Children Acts 1989 and 2004** set out the arrangements for safeguarding and promoting the welfare of children and young people.

In '**Safeguarding Children: Working together under the Children Act 2004**' the Welsh Assembly Government emphasises that children involved in sexual exploitation should be treated primarily as victims of abuse, and their needs require careful assessment. They are likely to be in need of welfare services and, in many cases, protection under the Children Act 1989.

**Supplementary guidance** - *Safeguarding Children Involved in Prostitution* (2000) and the *National Plan for Safeguarding Children from Sexual Exploitation* (2001) promote an inter agency approach in order to:

- acknowledge and recognise the problem of the sexual exploitation of children
- recognise that the child is a victim of abuse
- safeguard children involved, promote their welfare and provide them with the strategies to recover
- investigate and prosecute those who coerce, exploit and abuse children

**The Sexual Offences Act 2003** introduced new offences to protect all children aged less than 18 years. The Act provides specific offences in respect of child sexual exploitation:

- taking, making, permitting to take, distributing, showing, possessing with intent to distribute and advertising indecent photographs or pseudo photographs of children aged 16 or 17 years of age (Section 45)
- paying for the sexual services of a child aged under 13 years – a child aged under 13 years cannot give consent (Section 47)
- paying for the sexual services of a child aged between 14 and 16 years (Section 47)

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- paying for the sexual services of a child aged between 16 and 18 years (Section 47)
- causing or inciting child 'prostitution' or 'pornography' (Section 48)
- controlling a child 'prostitute' or child involved in 'pornography' (Section 49)
- arranging or facilitating child 'prostitution' or 'pornography' (Section 50)
- arranging or facilitating the arrival in the UK for the purpose of committing a relevant offence (Section 57)
- trafficking within the UK (Section 58)
- trafficking out of the UK (Section 59)

**Other relevant guidance includes:**

- Hidden Harm: Enquiry of the Advisory Council on Misuse of Drugs (2003)
- Cross Government Action Plan on Sexual Violence and Abuse (HM Government, April 2007)
- Draft guidance: Safeguarding Children who may have been Trafficked (Welsh Assembly Government, April 2008)

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## APPENDIX 3 Police Powers

### Child Abduction Act 1984

Police use of the Child Abduction Act 1984 is relevant in situations where a young person is visiting the home of an adult and there are concerns that they are being groomed for sexual exploitation or having sexual intercourse with that adult.

Section 2 of the Child Abduction Act 1984, says that any person other than a parent, lawful carer etc, commits an offence if without lawful authority, they take or detain a child under the age of 16 years so as to:

- remove them from control of the persons having lawful control of the child
- keep the child out of the lawful control of the person who has lawful control of the child

Police can take a statement from a parent or guardian to the effect that they have forbidden their child, under any circumstances, to visit an address. As a result of this the Police can inform the occupant that if they allow the child into the house they will be arrested and charged with child abduction and put before the court.

This is a practical option in relation to:

- stopping the grooming of a child in an adult's house
- sending a clear message to the adult that the Police are involved
- reassuring the parents / carers of the proactive involvement of the Police

### Search of premises under Police and Criminal Evidence Act 1984 (PACE) Code B

Police search of premises is relevant in situations where a young person is visiting the home of an adult and there are concerns that they are being groomed for sexual exploitation or having sexual intercourse with that adult.

The Police may search premises with the consent of the occupier, as well as where they have legal powers to do so. Before seeking consent the officer in charge should state the purpose of the proposed search, inform the occupier that they are not obliged to consent and that anything seized may be used in evidence.

Police repeated use of search of premises can have the effect of making the child or young person an unwelcome guest in an adult's property.

This is a practical option in relation to:

- stopping the grooming to a child in an adult's house
- Sending a clear message to the adult that the Police are involved
- Reassuring the parents / carers of the proactive involvement of the Police

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## REFERENCES

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- <sup>i</sup> Harper, Z and Scott, S (2005) *Meeting the needs of sexually exploited young people in London*, Barking: Barnardo's
- <sup>ii</sup> Clutton, S and Coles, J (2007) *SERAF Sexual Exploitation Risk Assessment Framework: A pilot study*, Cardiff: Barnardo's Cymru
- <sup>iii</sup> South East Wales Executive Group for the Protection of Vulnerable Adults (2003) *South East Wales Policy and Procedures for the Protection of Vulnerable Adults*
- <sup>iv</sup> Lord Chancellor's Department (1997) *Who Decides? Making decisions on behalf of mentally incapacitated adults*, London: HMSO cited in National Assembly for Wales (2000) *In Safe Hands: Implementing Adult Protection Procedures In Wales*
- <sup>v</sup> See iii above

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