

argyll & bute



## **Multi Agency Practice Guidance Child Sexual Exploitation**

Working together to achieve the best outcome for children, young people and families

# 1. Introduction

## 1.1 The Framework

The CSE Framework and screening tool have been developed to enable the identification of children and young people at risk of sexual exploitation and inform appropriate responses in relation to children and young people's safeguarding needs. This document should be read in conjunction with the national guidance document available to download from the CPC website:

<https://www.argyll-bute.gov.uk/publications-practice-and-guidance>

Children and young people who are the victims of sexual exploitation often do not recognise that they are being exploited. This makes it very hard to identify victims and it is therefore essential that those working with children and young people are able to recognise the signs and intervene appropriately. Practitioners should exercise professional curiosity. If it is believed that there is any indication, however slight, that a child could be at risk, action should be taken and information should be shared among relevant agencies.

***Everyone must take responsibility for protecting children from this abuse and that means not only knowing your role, but also the roles of other agencies and individuals.***

Identifying, disrupting and prosecuting perpetrators must be a key part of work to protect children and young people from child sexual exploitation. Whilst there should always be a proactive investigation aiming for successful prosecution, a disruption plan targeting suspected perpetrators can be extremely beneficial.

## 1.2 Defining CSE

Child sexual exploitation is a form of child sexual abuse in which a person(s), of any age takes advantage of a power imbalance to force or entice a child into engaging in sexual activity in return for something received by the child and/or those perpetrating or facilitating the abuse. As with other forms of child sexual abuse, the presence of perceived consent does not undermine the abusive nature of the act. (National Definition, Scottish Government, 2016)

## 1.3 Information Sharing

The key to good multi-agency working is information sharing. This is central to any multi-agency meeting. Successful exchange of information supports both the identification of victims and the development of appropriate responses.

The 'Getting it right for every child' (GIRFEC) approach focuses on early intervention. If a practitioner believes a child or young person's wellbeing is at risk or they are at risk of harm, this information needs to be shared.

"A Practitioner's Guide to Information Sharing, Confidentiality and Consent to Support Children and Young People's Wellbeing" was produced by Argyll & Bute Community Planning Partnership in 2014 to assist staff in promoting, supporting and safeguarding the wellbeing of all children, young people and their families.

Guidance from the Information Commissioner's office on this matter states that:

*"Where a practitioner believes, in their personal opinion, that there is risk to a child or young person that may lead to harm, proportionate sharing of information is unlikely to constitute a breach of the (Data Protection) Act in such circumstances".*

## 2. Categories of Risk (Refer to Appendix A)

The Argyll & Bute CSE Screening Tool enables the identification of children and young people at risk of sexual exploitation. It is an additional tool, specific to child sexual exploitation, to be used alongside the National Risk Assessment Toolkit. The tool is intended to inform appropriate responses in relation to protecting children and young people. Providing an appropriate response requires a protective network for children and young people. Effectiveness depends heavily on a multi-agency response. Different responses are required in relation to each level of risk. Each of the four categories of risk has an associated action.

Category of Risk	Indicators of risk	Description	Associated actions
Category 1 Not at risk	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.
Category 2 Mild risk	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.
Category 3 Moderate risk	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 local procedures 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.
Category 4 Significant risk	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 local procedures 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.

Category of Risk	Indicators of risk	Description	Associated actions
Moderate or Significant risk	As above	Young person aged <b>16 years</b> or above.	Where a young person is aged 16 years or over and not subject to statutory measures, 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 liaison between Social Work and Police Public Protection Unit to address the young person's protection.

Within the four categories of the Sexual Exploitation Risk Assessment Framework, a different response is required in relation to each level of risk. Each of the four categories of risk has associated safeguarding actions.

### 3. Responding to allegations of CSE - Initial Referral Discussion

#### 3.1 Initial Referral Discussion

Where any practitioner has reason to believe that a young person may be subject to CSE this must be recorded and discussed with a supervisor, child protection adviser or equivalent at the earliest opportunity. The CSE screening tool should be completed by the agency identifying concern and this will assist the IRD and decision making.

The supervisor or child protection adviser will contact the police and share the concerns. The Police will convene an Initial Referral Tripartite Discussion (IRTD) which will determine what the level of concern and whether action is necessary under child protection procedures and the risk management framework. The IRTD will be chaired by an appropriately trained officer of supervisory rank, involve a Practice Lead (and Locality Manager where child is LAC) and nominated representatives from Education and Health.

**POLICE DETAILS**  
Police Public Protection Unit 0141 532 3400

Police, health and social work should share and discuss all information gathered with other agencies as appropriate, and decide on the next steps within 24 hours, or immediately if there is imminent risk to the child. The person making the referral should be informed of the outcome of the strategy discussion.

The IRTD will consider how the concerns about CSE need to be investigated and will also seek to identify any other children potentially at risk and how these concerns should be responded to. See IRTD guidance for further information available on the HUB or the website at <http://www.argyll-bute.gov.uk/social-care-and-health/protocols-and-guidance>.

The IRD may decide that

1. No Further action is necessary
2. **Child's Planning** meeting should be convened where the child is considered to be a **MILD** risk of CSE
3. A **Risk Management Meeting** under child protection should be convened where the child is considered to be a **MODERATE** or **SIGNIFICANT** risk of CSE

### **3.2 Vulnerable Young Persons Protocol Multi-Agency Risk Strategy Meetings**

Multi-agency risk strategy meetings for children at risk of sexual exploitation **MUST** always be considered at the IRTD. A risk strategy meeting should always be convened for children at moderate or significant risk of sexual exploitation.

An Initial Risk Strategy Meeting will be arranged and chaired by CAROS within 10 working days of the IRTD. Appendix C gives a list of potential attendees.

A record of the meeting will be taken and circulated to all relevant parties.

#### **Purpose of Risk Strategy Meeting**

- Identify those who are at risk by sharing information and assessing risks
- Work collaboratively to ensure the safety and welfare of children and young people who are at risk of being exploited sexually
- Develop a shared picture of intelligence
- Grade responses to the risks identified
- Provide early intervention to reduce the harm posed to children and young people
- Investigate, prosecute and disrupt perpetrators
- Agree what further interventions are required

#### **Outcome of Risk Strategy Meeting**

- No further action - Named Person informed and information added to the child or young person's Chronology
- Child protection investigation - A&B child protection procedures should be initiated

### **3.3 Managing Risk**

Following a multi-agency strategy meeting, Category 3 and 4 cases will require allocation to a social work team to progress the child in need or child protection plan. Where a child is already allocated, the child's plan must be amended accordingly to reflect the specific nature of child sexual exploitation.

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 work is best able to provide a direct service. Nevertheless, the case should remain allocated to a social worker as Lead Professional, whilst child sexual exploitation concerns remain, as a point of contact for the child, family and professionals, and to co-ordinate the plans. Plans should address each identified risk.

The priority for Police Scotland is the investigation and prosecution of offenders who have been involved in abusing the child through sexual exploitation.

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 exploited.

Evidence shows that a relationship with a protective, nurturing adult who challenges the perceptions of the young person over time can lead to an increase in the awareness of the child in relation to risks and experiences. Information may be gathered most effectively over time by practitioners who have gained the trust of the young person in a manner that does not alienate them, but 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 purpose of child sexual exploitation. All intelligence should be recorded and collated. The police will consider using the range of powers at their disposal.

The Multi Agency Public Protection Arrangements (MAPPA) provide a national framework for the assessment and management of risk posed by sexual offenders. This includes individuals who are considered to pose a risk or potential risk of harm to children. Offenders are referred to the MAPPA process following conviction for a relevant offence.

### **3.4 The Child's View**

Children at risk of sexual exploitation will often be in high risk situations and isolated from protective, nurturing adults. They will need to be supported 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 exploiters. Children may therefore reject offers of help and support. Interventions need to be designed to address this

### **3.5 Young People Aged 18 years and Over**

In cases where a young person is entitled to receive services under the Children and Young People (Scotland) Act, 2014 is assessed as at medium or high risk of abuse through sexual exploitation, the 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, e.g. homelessness, poverty, lack of educational and employment opportunities and lack of supportive social contacts.

Information and awareness raising actions, and where necessary, work to reduce the risk of sexual exploitation should be included in the pathway planning process. Risk should be assessed and

addressed on an ongoing basis. For children and young people under the age of 18, liaison between social services and the Police Public Protection Unit is also required.

A young person who has been subject to negative life experiences, including sophisticated grooming, which have brought them to a point where they are at risk of, or are abused through, sexual exploitation will continue to need support and protection when they reach the age of 18 years. They remain vulnerable, with ongoing needs. A person's vulnerability will depend on their circumstances and environment, and each case must be judged on its merits. Consideration should always be given to referral through Argyll & Bute Adult Support and Protection arrangements or the Vulnerable Young Person's Protocol.

The Young Person's Risk Framework should always be considered in situations with young people (up to the age of 21 or 26 depending on their Aftercare status) where there is no existing framework for support.

### **3.6 Children & Young People with Disability**

Individuals with a learning disability, cognitive impairment and/or mental health problems are particularly vulnerable to sexual exploitation and abuse. Reasons for this include:

- society's attitudes and assumptions, which often devalue individuals with disabilities
- prejudice and misconceptions regarding people with learning disabilities (e.g. belief that they are insensitive to pain)
- communication difficulties may make it difficult for individuals to be heard or understood
- failure by professionals to recognise the signs of exploitation and the misidentification of behaviour as symptoms of illness or impairment (e.g. self harm)
- the individual may be isolated and prone to grooming via the internet and social media sites
- an impaired capacity to avoid or resist abuse
- a tendency to show affection easily to strangers and acquaintances;
- the individual may have learned to be compliant, by having to fit in around others whose approval is essential for well-being or survival
- lack of sexual knowledge and understanding about sexuality;
- the individual may have no other frame of reference and may not recognise that they are being exploited
- communication difficulties may make it difficult for individuals to be heard or understood

### Categories of Risk

#### **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. However, children and young people in contact with support agencies, such as social work are likely to have some vulnerability.

Children and young people assessed as being in this category need access to basic information, which 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 risky situations and to protect themselves. Social workers 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 information, to explore ideas around 'healthy' sexual relationships and to provide children and young people with a sense of 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 ongoing health needs (including sexual health and emotional needs). As a universal service, health is well placed to offer support, counselling and information to enable young people to understand the risks and develop strategies for staying safe.

#### **Category 2 – Mild Risk**

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

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 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 concerns shared within a multi-agency support network as early as possible.

Consideration should be given to convening a multi-agency meeting to ensure all information is shared and to agree a child's 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 must be reassessed regularly as part of the planned work undertaken with a child or young person. Any significant change in circumstances that 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.

### **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 missing information can have the greatest effect on the accuracy of assessment and information sharing. A multi-agency strategy meeting for children at risk of abuse 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 the risk or raised concerns in relation to the child or young person and representatives from social work, police, health, education, placements and any specialist child sexual exploitation services. Multi-agency risk 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 risk strategy meeting should agree a protection 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 that are causing concern. In particular, where staying out late and/or going missing from school, home or care are 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 that 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, may support the reduction of risks in a relatively short time. Conversely, a placement change could escalate risk. At least one review meeting by the multi-agency strategy group should be conducted to ensure that actions have been taken, and to assess progress, consider the impact of interventions, share further information and reassess the level of risk. Risks should be monitored carefully and reviewed over time in relation to children and young people for whom there have been concerns.

Risk should be reassessed regularly as part of the planned work undertaken with a child or young person. Any significant change in circumstances that 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 or who have been abused set out below can also be applied to children and young people in category 3.

#### **Category 4 – Significant Risk**

This category is where a child is assessed as being at significant risk of sexual exploitation or where they are already being abused. This is likely to include cases where abuse is habitual, denied, and where coercion and control are strong factors.

A multi-agency risk strategy meeting for children at risk should always be convened in relation to a child or young person assessed as at significant risk. As with Category 3, multi-agency risk strategy meetings should ensure the effective exchange of information between representatives of key agencies. The meetings should include the individual who has identified the risk or raised concerns in relation to the child or young person, and representatives of social work, police, health, education, placements and any specialist child sexual exploitation services. Participants in the meeting should agree a protection 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 monitored closely and reassessed regularly, as part of the risk management plan.

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, which 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 number of children and young people who are exposed to significant risk of sexual exploitation.

### Legislative Framework

Below are the legislative tools available to Police Scotland and the Crown Office and Procurator Fiscal Service (COPFS) to prosecute those who exploit children and young people sexually.

#### **Sexual Offences (Scotland) Act 2009**

The Sexual Offences (Scotland) Act 2009 introduced a range of new offences. The Act includes clauses relating to offences against children under 13, rape, sexual coercion, communicating indecently, as well as providing a concrete definition for 'consent' to mean free agreement. In addition, part 5 of the Act provides for offences concerning abuse of positions of trust.

The Act provides that:

"It shall be an offence for a person in a position of trust over a child under the age of 18 or a person with a mental disorder to engage in sexual activity with that child or person."

Details on when a person will be considered to be in a position of trust can be found at: [www.legislation.gov.uk/asp/2009/9/section/43](http://www.legislation.gov.uk/asp/2009/9/section/43).

#### **The Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005**

The Prevention of Sexual Offences (Scotland) Act 2005 was introduced to address crimes relating to child sexual exploitation. It creates an offence of 'grooming', which makes it an offence for a person to meet or travel to meet children for the purposes of committing a sexual offence, following earlier communications, and for specific offences concerning the sexual exploitation of children under the age of 18 through prostitution or pornography.

#### **Risk of Sexual Harm Order (RoSHO)**

This is a civil order aimed at protecting children under the age of 16 from those who display inappropriate sexual behaviour towards them (designed to tackle grooming behaviour online). The person does not need to have committed a criminal offence or have any prior convictions.

#### **Sexual Offence Prevention Order (SOPO)**

This is a civil order imposed by the court at the point of sentence, allowing restrictions to be applied to those convicted of sexual offences.

#### **The Children (Scotland) Act 1995 (also S171(2) Children's Hearing Scotland Act, 2012)** This Act

contains a clause related to 'harbouring', which can prosecute anyone who:

(a) knowingly assists or induces a child to abscond in circumstances which render the child liable to arrest under subsection (1) or (3) of section 82 of this Act

(b) knowingly and persistently attempts to induce a child so to abscond

(g) knowingly harbours or conceals a child who has so absconded; or

(h) knowingly prevents a child from returning

**Civic Government (Scotland) Act 1982**

The sale, publication and possession of indecent images of children under the age of 18 are prohibited by Section 52 and Section 52A of this Act (as amended by the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005).

**Criminal Justice (Scotland) Act 2003**

Section 22 of this Act prohibits trafficking for the purpose of prostitution or making or producing obscene material, including any child under the age of 18.

**Criminal Justice and Licensing (Scotland) Act 2010**

Section 99 of this Act allows for the closing of premises associated with human exploitation