



## **Safeguarding Children and Young People from Sexual Exploitation**

### REGULATIONS AND STANDARDS

The Protection of Children Standard

### SCOPE OF THIS CHAPTER

The guidance in this chapter is taken from Government guidance documents as listed below. It should be read in conjunction with the Local Safeguarding Children Board (LSCB) procedures regarding the sexual exploitation of children and young people.

### RELATED INFORMATION AND GUIDANCE

*Department for Education*

- What to do if You're Worried a Child is being Abused: Advice for Practitioners, DfE;
- Tackling Child Sexual Exploitation Action Plan, Department for Education, 2011;
- Sex and Relationship Education Guidance, DfE 0116/200 (statutory guidance for schools);
- Child Sexual exploitation: definition and guide for practitioners - [GOV.UK](https://www.gov.uk).

*Child Exploitation and Online Protection Centre (CEOP)*

- The Foundations of Abuse: A Thematic Assessment of the Risk of Child Sexual Abuse by Adults in Institutions, CEOP, 2013;
- Child Exploitation and Online Protection Centre (CEOP).

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### 1. Introduction

Child sexual exploitation is a crime with devastating and long-lasting consequences for its victims and their families. Childhoods and family life can be ruined, and this is compounded when victims, or those at risk of abuse, do not receive appropriate,

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immediate and on-going support. The first response to children, and support for them to access help, must be the best it can be from social workers, residential care workers, police, health practitioners and others who work with children and their families.

Child sexual exploitation is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet).

The definition of child sexual exploitation is as follows:

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology. Working Together to Safeguard Children.

Like all forms of child sexual abuse, child sexual exploitation:

- Can affect any child or young person (male or female) under the age of 18 years, including 16- and 17-year olds who can legally consent to have sex;
- Can still be abuse even if the sexual activity appears consensual;
- Can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity;
- Can take place in person or via technology, or a combination of both;
- Can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence;
- May occur without the child or young person's immediate knowledge (through others copying videos or images they have created and posting on social media, for example);
- Can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse; and
- Is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

Child sexual exploitation is a complex form of abuse which can be difficult for those working with children to identify and assess. The indicators for child sexual exploitation can sometimes be mistaken for 'normal adolescent behaviours'. It requires knowledge, skills, professional curiosity and an assessment which analyses the risk factors and personal circumstances of individual children to ensure that the signs and symptoms are interpreted correctly, and appropriate support is given. Even where a young person is old enough to legally consent to sexual activity, the law states that consent is only valid where they make a choice and have the freedom and capacity to make that choice. If a child feels they have no other meaningful choice, are under the influence of harmful substances or fearful of what might happen if they don't comply (all of which are common features in cases of child sexual exploitation) consent cannot legally be given whatever the age of the child.

Child sexual exploitation is never the victim's fault, even if there is some form of exchange: all children and young people under the age of 18 have a right to be safe and should be protected from harm.

For more information please see Child Sexual Exploitation: Definition and Guide for Practitioners (DfE 2017). This advice is non-statutory and has been produced to help practitioners to identify child sexual exploitation and take appropriate action in response. This advice includes the management, disruption and prosecution of perpetrators. Many children and young people are groomed into sexually exploitative relationships, but other forms of entry exist. Some young people are engaged in informal economies that incorporate the exchange of sex for rewards such as drugs, alcohol, money or gifts. Others exchange sex for accommodation or money as a result of homelessness and experiences of poverty. Some young people have been bullied and threatened into sexual activities by peers or gangs which is then used against them as a form of extortion and to keep them compliant.

Children and young people may have already been sexually exploited before they are placed in the home; others may become targets of perpetrators during their placement. They can often be the focus of perpetrators of sexual abuse due to their vulnerability. The manager and staff in the home should therefore create an environment which educates children and young people about child sexual exploitation, involving relevant outside agencies where appropriate. They should encourage children to discuss any concerns with their key worker or other member of staff, and also be encouraged to report any concerns about their peers to staff.

## 2. Indicators of Possible Sexual Exploitation

Staff in the home should be aware of the key indicators of child sexual exploitation. They include:

### Health

- Physical symptoms (bruising suggestive of either physical or sexual assault);
- Chronic fatigue;
- Recurring or multiple sexually transmitted infections;
- Pregnancy and/or seeking an abortion;
- Evidence of drug, alcohol or other substance misuse;
- Risky sexual behaviour.

### Education

- Truancy/disengagement with education or noticeable change in performance at school.

### Emotional and Behavioural Issues

- Volatile behaviour exhibiting extreme array of mood swings or use of abusive language;
- Involvement in petty crime such as shoplifting, stealing;
- Secretive behaviour;
- Entering or leaving in vehicles driven by people who are not known to the staff;
- Reports of being seen in places known to be used for sexual exploitation, including takeaway restraints, and shopping centres.

## Identity

- Low self-image, low self-esteem, self-harming behaviour, e.g. cutting, overdosing, or eating disorder.

## Relationships

- Hostility in relationships with staff, family members as appropriate and significant others;
- Physical aggression;
- Placement breakdown;
- Reports from reliable sources (e.g. family, friends or other professionals) suggesting the likelihood of involvement in sexual exploitation;
- Detachment from age-appropriate activities;
- Associating with other young people who are known to be sexually exploited;
- Sexual relationship with a significantly older person, or younger person who is suspected of being abusive;
- Excessive receipt of phone calls or text messages;
- Adults or older youths loitering outside the home;
- Persistently missing, staying out overnight or returning late with no plausible explanation.

Please note: Whilst the focus has often been on older men as perpetrators, younger men and women may also be involved and staff should always be mindful of this.

## Social Presentation

- Change in appearance;
- Leaving the care setting in clothing unusual for them (inappropriate for age, borrowing clothing from older young people).

## Family and Environmental Factors

- History of physical, sexual, and/or emotional abuse; neglect; domestic violence; parental difficulties.

## Housing

- Pattern of previous street homelessness;
- Having keys to premises other than those known about.

## Income

- Possession of large amounts of money with no plausible explanation;
- Acquisition of expensive clothes, mobile phones or other possessions without plausible explanation;
- Accounts of social activities with no plausible explanation of the source of necessary funding.

This list is not exhaustive.

Staff should be aware that often children and young people who are sexually exploited do not see themselves as victims. In such situations, discussions with them about the concerns which staff have should be handled with great sensitivity. Seeking prior advice

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from specialist agencies may be useful. This should be done without disclosing personal, identifiable information.

In assessing whether a child or young person is being sexually exploited, or at risk of sexual exploitation, careful consideration should be given to the issue of consent. It is important to bear in mind that:

- A child under the age of 13 is not legally capable of consenting to sex (it is statutory rape) or any other type of sexual touching;
- Sexual activity with a child under 16 is also an offence;
- It is an offence for a person to have a sexual relationship with a 16 or 17 year old if they hold a position of trust or authority in relation to them;
- While sexual activity with a 16 or 17 year is not in itself a criminal offence, it may still be exploitative if the young person's consent has not been freely given (e.g. as a result of intoxication or threats of violence);
- Non-consensual sex is rape whatever the age of the victim; and
- Child sexual exploitation is therefore potentially a safeguarding and child protection issue for all children under the age of 18 years and not just those in a specific age group.

Children can be both experiencing child sexual exploitation and perpetrating it at the same time. Examples might include a child who is forced to take part in the exploitation of another child under duress, or a child who is forced to introduce other children to their abuser under threats to their family's safety. These situations require a nuanced approach that recognises and engages with the young person's perpetration within the context of their own victimisation.

As well as responding to an individual child or young person who goes missing (see Section 3, Children and Young People who go Missing), the home should also collate and share data on missing incidents.

### 3. Children and Young People who go Missing

A significant number of children and young people who are being sexually exploited may go missing from care and education, some frequently; the more often they go missing the more vulnerable they are to being sexually exploited. If a child goes missing from care, the Absent/Missing Children Procedure should be followed.

Independent Return Interviews for young runaways can help in establishing why a young person ran away and the subsequent support that may be required, as well as preventing repeat incidents. Information gathered from return interviews can be used to inform the identification, referral and assessment of any child sexual exploitation cases.

### 4. Referring Cases of Concern

Where a member of staff is concerned that a child or young person is involved in, or at risk of, sexual exploitation, they should discuss their concerns with a senior member of staff or the home's Designated Child Protection Manager. If it is decided that action needs to be taken to protect the child, Local Safeguarding Children Board Procedures should be triggered. This will include making a referral to Children's Social Care in which the home is located and the local Police.

See Referring Safeguarding Concerns Procedure, Reporting Concerns, Suspicions or Allegations of Abuse or Harm.

In the case of suspected Child Sexual Exploitation [Ofsted](#), the Placing Authority and Police must be informed (see also Notification of Serious Events Procedure).

## 5. Supporting Children and Young People out of Child Sexual Exploitation

Statutory agencies and voluntary sector organisations together with the child or young person, and their family as appropriate, should agree on the services and support which should be provided to them and how they will be coordinated. The types of intervention offered should be appropriate to the young person's individual needs and should take full account of identified risk factors and their individual circumstances.

Advice should be sought from the nearest specialist service which works with children and young people involved in Child Sexual Exploitation. A referral should be made as appropriate, following consultation with the child or young person.

Issues raised and action planned should be incorporated into the child's Care Plan and Placement Plan, and reviewed as part of the Looked After Child Review.

Because the effects of Child Sexual Exploitation can last well into adulthood, support may be required over a long period of time. In such circumstances, effective links should be made between Children and Adult Services and statutory and voluntary organisations. This should be incorporated into the young person's Pathway Plan.

## 6. Identifying and Prosecuting Perpetrators

The Police and Criminal Justice Agencies lead on the identification and prosecution of perpetrators. All practitioners, however, have a role in gathering, recording and sharing information with the Police and other agencies, as appropriate and in agreement with them.

The home's Manager and senior staff should proactively liaise with local Police regarding Child Sexual Exploitation. This should include the Police giving advice to staff about what action they should take if they are concerned a child in their care is at risk of or is being sexually exploited. This may include gathering information to pass onto the Police, such as vehicle registration numbers, names, physical descriptions etc. It may also include what action staff should take in the case of suspected sexual or physical abuse in order to protect potential evidence, which may be useful in the case of an alleged perpetrator being prosecuted.

Staff in children's homes should bear in mind that sexual exploitation often does not occur in isolation and has links to other crime types, including:

- Child trafficking (into, out of and within the UK);
- Domestic Violence and Abuse;
- Sexual violence in intimate relationships;
- Grooming (both online and offline);
- Abusive images of children and their distribution (organised abuse);
- Organised sexual abuse of children;
- Drugs-related offences (dealing, consuming and cultivating);
- Gang-related activity;
- Immigration-related offences;
- Domestic servitude.

## 7. Supporting Children and Young People through Related Legal Proceedings

Where alleged perpetrators are arrested and charged with offences against children or young people in the home, staff should ensure the young people concerned are supported throughout the prosecution process and beyond. Specialist agencies should be involved in supporting the child or young person, as required. This may include using special measures to protect them when giving evidence in court for example.

Independent Sexual Violence Advisers or specialist voluntary sector services, if available, may also have an important role to play.

## 8. Child Sex Offender Disclosure Scheme

The Child Sex Offender Review (CSOR) Disclosure Scheme is designed to provide members of the public with a formal mechanism to ask for disclosure about people they are concerned about, who have unsupervised access to children and may therefore pose a risk. This scheme builds on existing, well established third-party disclosures that operate under the Multi-Agency Public Protection Arrangements (MAPPA).

Police will reveal details confidentially to the person most able to protect the child (usually parents, carers or guardians) if they think it is in the child's interests.

The scheme is managed by the Police and information can only be accessed through direct application to them.

If a disclosure is made, the information must be kept confidential and only used to keep the child in question safe. Legal action may be taken if confidentiality is breached. A disclosure is delivered in person (as opposed to in writing) with the following warning:

- 'That the information must only be used for the purpose for which it has been shared i.e. in order to safeguard children;
- The person to whom the disclosure is made will be asked to sign an undertaking that they agree that the information is confidential, and they will not disclose this information further;
- A warning should be given that legal proceedings could result if this confidentiality is breached. This should be explained to the person and they must sign the undertaking' (Home Office, 2011, p16).

If the person is unwilling to sign the undertaking, the Police must consider whether the disclosure should still take place.