

6 Skelmersdale Walk to 20-22 Wenlock Road, London N1 7GU

<b>Summary</b>	The policy provides guidance on what CSE is, how staff can recognise signs of CSE and what actions to take to prevent or report such issues.
<b>Scope</b>	This policy applies to all employees, volunteers, independent advisors, contracted associates, and unpaid staff working on behalf of <b>Care Quality Support</b> in any capacity and any setting. <b>Care Quality Support</b> requires that our partners, current or in future, share our commitment to CSE.
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**Care Quality Support** strives to ensure the safety and wellbeing of all children and young people we support. In order to effectively achieve this, staff members must safeguard and protect children and young people against CSE.

This policy outlines organisation's procedures for preventing, managing, and reporting cases of CSE.

The responsibilities of staff members in relation to safeguarding and protecting children and young people are outlined. In order to effectively implement this policy and ensure the necessary control measures are in place, the organisation will work with other stakeholders to identify concerns and potential risks, in order to ensure the health and safety of the children and young people.

Child sexual exploitation (CSE) 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 child or young person and grooming process employed by perpetrators renders them powerless to recognise the exploitative nature of relationships and unable to give informed consent.

**Care Quality Support** will not tolerate any form of child sexual exploitation and will act swiftly and robustly to address and tackle any such situations.

#### **Legal framework**

This policy has been created with due regard to all relevant legislation including, but not limited to, the following:

- Children Act 1989
- Children Act 2004

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- Education Act 2011
- Education (Health Standards) (England) Regulations 2003
- Safeguarding Vulnerable Groups Act 2006

This policy has consideration for, and is compliant with, the following guidance:

- DfE (2018) 'Working together to safeguard children'
- DfE (2019) 'Keeping children safe in education'
- DfE (2017) 'Child sexual exploitation'
- This policy will be implemented in conjunction with the following college policies.
- Health and Safety Policy
- Child Protection and Safeguarding Policy
- Relationships and Sex Education Policy
- E-Safety Policy
- Anti-Bullying Policy
- Equal Opportunities Policy

#### **Definitions of Sexual Exploitation**

For the purposes of this policy, Child sexual exploitation is defined as:

Child sexual exploitation is a form of child abuse.

'Working together to safeguard children 2013' provides the following definition of sexual abuse.

'Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, include assault by penetration; rape or oral sex, or non-penetrative acts such as kissing and touching outside of clothing. They may also include non-contact activities such as involving children looking at, or in the production of sexualised images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

The 2009 statutory guidance; 'Safeguarding Children and young people from Sexual exploitation' provides the following definition;

Sexual exploitation of young people under the age of 18 involves exploitative situations, contexts, and relationships where young people (or a third person or persons) receive 'something' (e.g., food,

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accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion, and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability"

Office of the Children's Commissioner's Inquiry into Child sexual exploitation in Gangs and Groups, Nov 2012 has the same definition as the statutory 2009 guidance.

Dr Barnardo's 'puppet on a string 2011; the urgent need to cut children free from sexual exploitation' identified the following;

There are three different models of child sexual exploitation which are not exhaustive but show a spectrum of exploitation.

- **Inappropriate relationships**- Usually involves one perpetrator who has inappropriate power or control over a young person. There may be a significant age gap. The young person may believe that they have a genuine friendship/ loving relationship with the abuser.
- **'Boyfriend or peer exploitation**- The perpetrator grooms the victim by initiating a normal relationship and then goes onto coerce or force them to have sex with friends or associates. The victim may also be required to introduce their friends as new victims.
- **Organised/ networked sexual exploitation or trafficking**- victims are passed through networks possibly over geographical distances, where they may be coerced/forced into sexual activity with multiple men. This often occurs at 'sex parties' and victims may be used to recruit others into the network. This serious organised activity can involve the buying and selling of young people.

Trafficking also includes the movement of children and young people within small geographical areas such as between addresses within an area or a county.

### Adult Sexual Exploitation

Young people aged 18 and above are sexually exploited, however they do not have the same protection under legislation and safeguarding policies as those under 18. The UN defines sexual exploitation as:

"Any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another."

In the UK, sexual exploitation falls under the definition human trafficking and is defined under the Modern Slavery Act 2015 as:



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“Sexual exploitation

(3) Something is done to or in respect of the person –

(a) Which involves the commission of an offence under –

(i) Section 1(1)(a) of the Protection of Children Act 1978 (indecent photographs of children), or

(ii) Part 1 of the Sexual Offences Act 2003 (sexual offences), as it has effect in England and Wales, or

(b) Which would involve the commission of such an offence if it were done in England and Wales.”

**Any employee who is found to have abused a child or young person in such a manner will face disciplinary action which may include dismissal and subsequent referral to the Police and/or the Disclosure and Barring Service.**

**The Manager of the Home is the designated person responsible for managing allegations of abuse within the Home and for liaising with the Local Authority Designated Officer (LADO).**

#### **Procedure**

Care Quality Support is committed to preventing the abuse of children and young people. It will strive to achieve this by following the principles of the procedure outlined below.

#### **Early Intervention**

To help children and young people achieve good outcomes it is important to identify issues and problems early and to take prompt preventative action. Early intervention is likely to be far more effective than intervention at a later stage when the impact on the child's or young person's health or development is likely to have escalated.

#### **A Child Centred Approach**

Children and young people at risk of CSE will often be in high-risk situations and isolated from protective, nurturing adults. They will need to be encouraged to express their wishes and feelings to make sense of their circumstances and contribute to decisions that affect them. Of relevance is the impact of those who may have groomed and conditioned children and young people, to coerce and abuse them. Children and young people may also be under very strong pressure, intimidated, afraid and/or dependent on those that have exploited them where substance misuse is a factor. Children and young people may therefore reject offers of help and support and appropriate interventions need to be designed to address this.

#### **Prevention of Abuse**

We must also recognise the well evidenced links with children who go missing and sexual exploitation. It is essential that we do all we can to reduce incidents of missing young people and that when a child or young person does run away that robust efforts are made to locate them. It is equally important that systems are in place to attempt to establish why the missing incident occurred and what could be done to prevent another occurring.

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Due to the nature of the grooming methods used by their abusers, it is very common for children and young people who are sexually exploited not to recognise that they are being abused. We should be aware that particularly young people aged 16 and 17 may believe themselves to be acting voluntarily and will need us to work with them so they can recognise that they are being sexually exploited. What marks out exploitation is an imbalance of power within the relationship and it is important to recognise this when considering cases of potential child sexual exploitation. The perpetrator always holds some kind of power over the victim, increasing the dependence of the victim as the exploitative relationship develops.

The Home will strive to prevent any such abuse to safeguard Children and young people before they face such situations of abuse. The Home will do this through a number of methods:

- Liaison and co-operation with any local authority which is, or may be, making child protection enquiries in relation to any child accommodated in the Home.
- ensuring that thorough, professional, and systematic recruitment practices are followed which ensure that adequate references are taken up for all care workers, and use is made of all checking procedures, particularly the Disclosure and Barring Service (DBS) disclosure process.
- encouraging the role of the advocate for children and young people. Children and young people who have no relatives or friends to act as advocates should be encouraged to have an independent advocate who will act as spokesperson and participate in care reviews, as necessary.
- recognising the fundamental rights of children and young people to privacy, dignity, maintenance of self-esteem and fulfilment, choice, recognition of diversity, individuality, and independence, together with the maintenance of their rights as citizens.
- making relatives and advocates aware of the Home's complaints procedure and encouraging them to comment upon the care received by children and young people and to participate in reviews of care.
- committing to quality assurance and regular quality reviews.
- ensuring that training is provided on the forms and prevention of abuse, together with skills to care for children who have been abused and that such training is available to all employees.
- acting whenever there is suspicion that abuse has occurred in any of the forms described below.
- utilising management systems which support and supervise employees in their work and facilitate good communications.
- encouraging an atmosphere of openness and trust where employees and children feel able to discuss and therefore prevent the development of potentially abusive situations.

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- ensuring that induction procedures for employees include the prevention of abuse of children and young people.
- giving children and young people a copy of the Home's complaints procedure on admission and ensuring that they understand how to use the procedure.

### **Recognising Risk Factors**

The key to safeguarding vulnerable children and young people is the ability to recognise 'at risk' children and young people from an early stage, and to identify the correct agencies to work effectively with in order to assist that child or young person.

Identifying these levels of risk can be done so by considering the number of indicators with varying ranges of risk present in each child's, or young person's, life.

#### **These vulnerabilities include:**

- Family history of abuse or neglect.
- Family history of domestic abuse.
- Family history of substance misuse.
- Family history of mental health difficulties.
- Breakdown of family relationships.
- Low self-esteem.
- History of local authority care.

#### **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 or 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) or sexual exploitation.
- Drugs or alcohol misuse.
- Use of the internet that causes concern.

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- Current or previous unsuitable or inappropriate accommodation (including street homelessness, rooflessness, and living in a place where needs are not met);
- Isolated from peers and social networks.
- Lack of positive relationship with a protective, nurturing adult.
- Exclusion from school, unexplained absences from school or not engaged in education or training.

**Significant risk indicators include:**

- Periods of going missing overnight or longer;
- Older 'boyfriend/girlfriend' or relationship with a controlling adult;
- Physical or emotional abuse by that 'boyfriend/girlfriend' or controlling adult;
- Entering and/or leaving vehicles driven by unknown adults;
- Unexplained amounts of money, expensive clothing or other items;
- Physical injury without plausible explanation;
- Frequenting areas known for sex work.

Child sexual exploitation is becoming more prevalent in today's society, and exposes children and young people to abuse, assault and emotional vulnerability. It can threaten their well-being and lead to a loss of self-esteem.

Simply because a child or young person is looked after by a residential home does not make them any less vulnerable to those who choose to abuse children and young people through exploitation or pornography and staff must be well aware of the potential risks open to the children and young people in our care.

Vulnerable children and young people will be identified and targeted by abusers/coercers and we must ensure that both we and local agencies act quickly and sensitively in the best interests of the child or young person concerned. It is vital that good strong support and re-integration strategies are put into place to ensure a positive outcome.

The Home will work alongside local agencies and adhere to local protocols developed within the framework of Working Together to address this form of abuse.

It is our primary aim to safeguard and promote the welfare of our children and young people and to encourage the investigation and prosecution of criminal activity by those who coerce children and young people and abuse them through exploitation:

- It is our policy to discuss concerns regarding child involvement in exploitation such as exploitation or pornography etc. on a multi-agency level. Staff must collaborate together to recognise the problem, treat the child or young person as a victim, safeguard and promote

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their welfare, investigate, and aid prosecutions and to develop strategies for children and young people to exit exploitation for good.

- Where a child or young person involved in exploitation may have been victim to physical and sexual abuse, the responsibilities of reporting and supporting the investigation of abuse are set out in our Safeguarding procedures.
- Staff should be particularly alert to relationships of children and young people with older persons, presence of gifts, money etc., and frequent absences from the Home or encouraged visits to the person's Home.
- Children or Young people developing regular contact with older persons may see these persons picking them up in cars, loitering around premises and if concerns exist should always be reported to senior staff and the police.
- Staff must be alert to disrupting such patterns of contacts and to the potential alienation the child or young person may feel from their peers, key workers etc. Any concerns raised should trigger company procedures and local procedures and multi-agency protocols.
- Staff should be in contact with the local safeguarding team and Police and should keep aware of the extent of the local problem concerning exploitation of children and young people in the area.
- Key agency contacts will be LSCB, Police, Social Services, LADO, NSPCC, Health Authority, Education and Youth Services, YOT and local voluntary agencies.
- OFSTED must be notified of any child or young person involved or suspected of involvement in sexual exploitation.
- Staff must always give consideration to the needs of the child or young person and arrangements for their immediate safety, continuing protection and safeguarding the child or young persons' diversion from exploitation.

**Handling the incident:****Role of the Manager:**

- The Manager of the Home or person in charge must undertake an investigation and if necessary, take immediate action to protect the child or young person. Confidentiality must be maintained.
- The child or young person should be interviewed, and where necessary the child's or young person's General Practitioner informed, and a medical examination requested.
- If the child or young person is confused or unable to complain formally, an advocate may take up the complaint on behalf of the child or young person.
- Statements should be taken from witnesses. Accurate written records of the ongoing situation should be kept, (dated and signed) in the child's or young person's records.



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The Manager of the Home has a duty to refer, promptly, to the local authority (Local Authority Designated Officer, LADO) in whose area the Home is situated, any allegation of abuse or neglect affecting any child accommodated in the Home.

In addition, this duty extends to notifying the child's placing authority and Ofsted of the instigation and outcome of any child protection enquiries involving a child accommodated in the Home.

If there are identified injuries or if fraud is suspected, the police will have to be informed.

**Finally,**

- Any communications with outside agencies should be logged, with the date and time, and noted in the child or young person's records.
- If the alleged abuser is a member of staff, they will be dealt with according to the Home's disciplinary procedure.
- The abused child or young person should be offered counselling and support.
- Consideration and support should be offered to other children and young people who may have witnessed the abuse.

**Review**

These procedures have been submitted for consideration and comment to the Local Safeguarding Children's Board (LSCB) and to the Local Authority Designated Officer (LADO) for Child Protection (or other senior officers responsible for child protection matters in that department) and are consistent with the local policies and procedures agreed by the LSCB relevant to the geographical area of the Home. These procedures will be reviewed regularly.

**General Duty on everyone employed at the Home**

Everyone employed at the Home (including junior staff, ancillary, volunteer, and agency, paid, unpaid) has a duty to report any concerns about the welfare or safety of any child accommodated in the Home to one of the following persons:

- The registered person.
- A police officer;
- An official of Ofsted.
- An officer of the local authority in whose area the Home is situated (LADO).
- An officer of the National Society for the Prevention of Cruelty to Children.

Contact details (Name of contact, if appropriate, job title, telephone number and postal address) for both Ofsted and the LADO are posted on to the notice board in the main hall.

Where allegations or suspicions of abuse concern the Manager of the Home then staff should contact someone from (ii) to (v) above. In addition, any member of staff should report to the police any

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evidence of children becoming involved in prostitution, or of unauthorised persons picking children up, contacting children in the Home, or observed trying to contact children outside the Home.

**Referral to the Disclosure and Barring Service (DBS)**

There may be occasions when an employee may have to be referred, in exceptional circumstances to the DBS. There are two conditions which must be met to trigger a referral.

**A referral must be made to the DBS when the Home:**

1. Withdraws permission for an individual to engage in a regulated or controlled activity, or would have done so had that individual not resigned, retired, been made redundant or been transferred to a position which is not a regulated or controlled activity because
2. They think that the individual has engaged in relevant conduct; satisfied the harm test; or received a caution or conviction for a relevant offence.

The referral should be made to the DBS when the Home has gathered sufficient evidence as part of their investigations to support their reasons for withdrawing permission to engage in regulated or controlled activity and in following good practice, consulted with their Local Authority Designated Officer (LADO). Such referrals will normally only follow after comprehensive thorough investigation and full and proper implementation of the Home's disciplinary procedures which include the right of appeal.

**Responsibilities in escalation and managing safeguarding risk**

- Safeguarding is a multi-agency activity. Children, young people, and adults at risk can only be kept safe when agencies working together effectively and efficiently
- **Care Quality Support's** employees at all levels must be clear on their responsibilities in the management of safeguarding risk for children young people and adults at risk.
- **Employees must play an active role in managing safeguarding risk by:**
- identifying safeguarding concerns (new or changed) quickly
- discussing these with managers as soon as possible
- sharing concerns quickly with local authority and police as relevant
- quickly escalating concerns where the response is insufficient or slow
- participating in multi-agency planning activity
- supporting children, young people, and adults at risk to consider how they can take action to help protect themselves
- recording their conversations, decisions, and actions

**Service managers must play an active role in managing safeguarding risk by:**

- prioritising conversations with employees who have safeguarding concerns

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- supporting employees to think through concerns and decide a suitable course of action with statutory partners
- quickly escalating concerns within the local authority as required
- discussing safety planning strategies for the young person or adult at risk with the employee
- escalating concerns to the area manager when circumstances require it
- ensuring discussions and decisions are recorded.

**Area managers are expected to play an active role in managing safeguarding risk by:**

- prioritising conversations with service managers who have safeguarding concerns requiring escalation
- taking swift action to escalate concerns with the local authority as circumstances require
- ensure safety planning
- ensuring employees and service managers feel adequately supported
- reporting escalated safeguarding concerns regularly to **Care Quality Support's** senior leaders
- informing and working with family, friends and/or other support networks as appropriate.

**Safety planning when escalating concerns**

- A safety plan is an action plan specifically addressing the known safeguarding concerns and risks for an individual child, young person, or adult at risk.
- When escalating concerns, there may be a delay between informing the local authority of new or changed concerns and receiving a suitable response.

Employees may therefore have information about a young person or adult at risk that the local authority has not yet heard and acted upon.

- After escalating a concern in a local authority and waiting for an appropriate response, employees and managers will likely share a sense of needing to manage or "hold" risk in the intervening period until the local authority responds suitably.
- This risk management is best done through safety planning with the young person, family or adult at risk in order to help them remove, mitigate and better manage risks present.
- Safety planning is best done in partnership with the young person, family or adult involved, and should feature:
  - identifying the risks present to the individual
  - considering potential changes to current circumstances that can be made to reduce the risks present

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- generating practical, realistic responses to risks
- considering the physical and emotional needs of the person at risk when exploring potential actions and changes
- 
- encouraging the person to make positive decisions in the interest of their own self-protection
- developing an emergency safety plan with suitable phone numbers.

**Contributing to a learning review**

- Employees asked to contribute to a learning review (for example a child safeguarding practice review, or a serious incident investigation) must ensure that the Home Manager is told immediately. Managing Director and the safeguarding team must then be informed within one working day.
- If the team is required to use **Care Quality Support's** incident logging, any request to contribute to a learning review must be logged as an incident within five working **days via SharePoint**.
- The safeguarding team will provide guidance to the Managing Director and liaise with the practice systems team on the process for securing relevant hard copy notes and digital data. Manager is responsible for ensuring the documents are secured on the same day of becoming aware of the review. The safeguarding team will then oversee the appropriate retention of this data for the duration of the review process.
- The Home Manager and area manager must ensure that employees who are, or who have been, directly involved with the child, young person or adult at risk are appropriately supported.
- Following a request from a local area Safeguarding Children Board/Partnership for a Rapid Review, the Home Manager should inform a suitable member of the service to complete the relevant paperwork and provide this to **Care Quality Support's** safeguarding lead for approval within 5 days. The safeguarding lead will forward the completed report to the local area Safeguarding Children Board/Partnership and liaise with them over next steps.
- All other local area learning requests (such as child safeguarding practice reviews and safeguarding adult reviews) must be sent via the safeguarding lead to the Managing Director for approval prior to being sent by the safeguarding team to the local area. The safeguarding team will be responsible for liaising with the local area over next steps and monitoring of internal action plans.

**Intelligence sharing**

- Soft intelligence is very important when working contextually to safeguard children and young people and must be treated as a safeguarding concern. Sharing intelligence (information

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employees have gathered that may be relevant to crimes being committed) can help establish patterns and themes and improve clarity on the risks present.

- If employees are given information that relates to a child, young person, or adult at risk about immediate harm, they must call 999 immediately and make a referral to social care in accordance with this policy.
- If an employee receives information about criminal activity either through direct practice with young people and adults or via members of the public – this must be reported by calling the police 101 line.

Employees should firstly consult with their manager before sharing the information with the police to consider risks present for the child or young person. Conversations with the police must be recorded. For more details about information sharing refer to guidance on the Safeguarding and Quality Practice.

- Employees must ensure they receive a crime reference number for the information shared, and must check with police that they have all the key risk information and intelligence available.
- If employees know the investigating officer on a specific case, they must inform them of all known information, to ensure it is managed effectively.
- Where employees have concerns about a child, young person, or adult at risk that is connected to travel on public transport, they can also contact the British Transport Police – who will also participate in multi-agency strategy meetings where relevant.
- Employees may be aware of local “hot spot” areas of concern. Sharing information on these can help police target resources effectively and build a more detailed picture of the safeguarding risks within neighbourhoods or communities.
- Employees may also present information at multi agency child exploitation (MACE) meetings or the local area equivalent. These are exploitation-centred meetings facilitated by local authorities. Intelligence will be recorded in the meeting minutes and information shared effectively with statutory bodies.

Employees must discuss any information with their line manager ahead of sharing it in the MACE forum and record the discussion in case notes and in a safeguarding workflow.

**Training for staff, children, and young people**

· We use the B Wise to Sexual exploitation pack by Dr Barnardo's as an educational tool and also CEOP training, to help young people understand risk factors and how to recognise grooming. Staff will be given training in identifying the signs of child exploitation

· We have an established and positive working relationship with the local police. The local beat manager and PCSO's will also visit for a cup of tea and a chat when invited, or when young people may wish to talk with them. This helps young people



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who previously have had a negative experience of police involvement (when something negative has occurred or when they may have been in trouble) form a different view.

#### **Action in the event of concern**

- If we feel that a young person is being sexually exploited and this occurred during a missing period, we will follow the local Children Missing From Home and Care (CMFHC) procedure and the procedure in our missing policy.
- The young person's social worker is expected to carry out a Return Home Interview within 72 hours of the young person returning and will in every case consider indicators of sexual exploitation and where necessary will utilise the approved risk indicator tool.
- In addition, we would inform the police, to ensure that any information that we hold regarding the whereabouts of the young person when they are missing can be used to further intelligence gathering by the police. The young person's parents, LADO and LSCB would be informed if appropriate.

We would also ask the young person's social worker to make a referral to the Local network that has been set up to support young people aged 10 to 18 who have been affected by crime or subjected to bullying, threats or harassment. You can talk to them in confidence and all of the services are free of charge. Call them on [0000] which would allow a specialised worker to conduct sessions with the young person or the equivalent in the local area.

#### **On-going support**

- We will always welcome a young person home after we suspect that sexual exploitation has taken place. It is crucial that we remember that young people in this situation are victims of abuse and the perpetrators of sexual exploitation of their abusers.
- It is important that whilst protecting young people, careful consideration is given to enabling a young person to feel that they are making progress, developing trust and beginning to work towards becoming more independent. We know that once young people begin to have positive aspirations for themselves which we can support to fruition, this enables them to begin to see and expect a more positive future.

#### **Further Reading**

##### **Government Legislation & Guidance:**

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- Dfe: Child-sexual-exploitation-support-in-children's-homes. Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation Feb 2017
- DfE: CSE Guidance Annexes. Annexes to 'Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation' February 2017.

#### Getting Help

If you require any help with any matters relating to this policy and procedure, please speak to your This Service Care line manager or Senior manager.

**It is the responsibility of every member of staff to ensure that they are working within this policy and keep up to date with changes in policy that may affect their practice at work.**

#### Glossary of terms

##### Adult at risk

A person aged 18 or over who is unable to look after their own well-being, property, rights, or other interests, and are at risk of harm (either from another person's behaviour or their own behaviour) due to disability, illness, physical or mental infirmity

##### Age assessments and age disputes

Where the Home Office or local authorities dispute the age stated by an unaccompanied child or young person arriving in the UK.

Young people prematurely judged to be adults miss out on the vital support and protection they are entitled to as children under UK law. They are housed with adults and they do not have the access to the care and education they would receive as children. They may be detained and subject to legal processes as adults. This may put them at high risk of further harm and potential further trauma.

Home Office policy states that a decision should only be made to treat the claimant as an adult if either:

- a local authority Merton-compliant age assessment has been completed by a local authority, finding the claimant to be 18 or over, which the Home Office has agreed with after giving significant weight to the assessment and taking all reliable evidence into account
- two Home Office members of staff – one at least of chief immigration officer or higher executive officer grade – have independently assessed that the claimant is an adult because their physical appearance and demeanour very strongly suggests that they are 25 years of age or over
- there is credible and clear documentary evidence that they are 18 years of age or over – unless the claimant's physical appearance/demeanour 'very strongly suggests that they are significantly over 18 years of age', they should be treated as a child until a holistic assessment can be made by a local authority.

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A local authority's assessment must be as full and comprehensive as possible, and conducted in a clear, transparent and fair manner applying best practice guidance. The process includes both interviews and research and should be undertaken by two social workers who have been trained in age assessments. Children and young people should also have the opportunity to have an Appropriate Adult present in their age assessment interview.

### **Appropriate Adult**

The role of the Appropriate Adult is to safeguard the interests, rights, entitlements, and welfare of children and vulnerable people who are suspected of a criminal offence, by ensuring they are treated in a fair and just manner and are able to participate effectively in police processes. A child cannot be interviewed by the police without an Appropriate Adult. Where there is no parent or family member, often local Youth Offending Services or Local Authority Social Workers who have undertaken Appropriate Adult training will fulfil this role. A **Care Quality Support** employee trained as an Appropriate Adult can also fulfil the role. Children also have the right to an Appropriate Adult during an age assessment process.

### **Asylum seeker**

Someone who has arrived in the UK and asked the government for asylum. Until they receive a decision as to whether or not they will be granted refugee status, they are known as an asylum seeker. In the UK, this means they do not have the same rights as a refugee or those a British citizen would. Anyone seeking protection is legally entitled to stay in the UK while awaiting a decision on their asylum claim. The right to claim asylum is embedded in international law. Young people seeking asylum are very vulnerable. They need a good immigration solicitor, safe accommodation suitable to their age, and a supportive social worker. Without these, young people seeking asylum are often isolated, at risk of abuse or exploitation, without access to appropriate services and education, unsuitably housed, destitute, and lack any real support from children's social care. These factors are all likely to impact on their mental health and well-being. Further information on the challenges for these young people, and information on how to support them, is available in **Care Quality Support's** safeguarding guidance document.

### **Care Act 2014**

The Care Act 2014 provides a clear legal framework for how agencies work in partnership with other services to protect adults at risk. This places adult safeguarding on the same statutory footing as child safeguarding. The Care Act defines an individual as an adult at risk, and states that specific adult safeguarding duties apply, to any adult who:

- has care and support needs
- is experiencing, or is at risk of, abuse or neglect
- is unable to protect themselves because of their care and support needs.

In its definition of adults who should receive a safeguarding response, the Care Act also includes people who are victims of certain types of crime. For example, those who are experiencing sexual exploitation, domestic abuse, or modern slavery. However, an individual would only be defined as an



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adult at risk where there are care and support needs that mean they are unable to protect themselves.

**Care order**

Refer to 'Looked-after children: Local authority terms.

**Child criminal exploitation**

When an individual or group takes advantage of an imbalance of power to coerce, control, manipulate, or deceive a child or young person under the age of 18 into any criminal activity. This may be:

- in exchange for something the victim needs or wants
- for the financial or other advantage of the perpetrator or facilitator
- through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology (refer to, 'Criminal gangs and networks' above for more information).

**Child in need (Section 17 (10) of the Children Act 1989)**

A child or young person is considered a "child in need" if:

- they are unlikely to achieve, maintain (or have the opportunity of achieving or maintaining) a reasonable standard of health or development without the provision for him/her of services by a local authority
- their health or development is likely to be significantly impaired, or further impaired, without the provision of such services

they have a disability.

Where employees are referring a child in need as defined by the Children Act 1989 to local authority children's social care, they should wherever possible seek parental consent.

**Child Protection Conference (CPC)**

A meeting where safeguarding partners decide whether a child needs a child protection plan.

The local authority will call a child protection conference when they have investigated concerns about child abuse and they believe the child is suffering, or likely to suffer, significant harm.

A lead social worker and members of the core group (refer to 'core group' definition in this glossary of terms) will be agreed at this meeting. The first conference is called the Initial Child Protection Conference (ICPC).

**Child protection plan (CPP)**

The ICPC may decide that a child needs a child protection plan. The plan is developed to ensure the child is safe from harm and to prevent further suffering. The plan will also focus on promoting the

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child's health and development, and will also include actions to support the wider family so that they can better safeguard and promote the welfare of their child (provided this is in the best interests of the child)

**Children's services**

The department within a local council responsible for early help, children in need, children in need of protection, looked-after children, and care leavers. Refer to the 'Looked-after children: local authority terms' definition for further details.

**Child sexual exploitation (CSE)**

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. This may be:

- in exchange for something the victim needs or wants
- 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

**Complex and organised abuse**

Abuse involving one or more abusers and a number of abused children. It may take place in any setting. The adults involved may be acting in concert, acting in isolation, or may be using an institutional framework or position of authority (such as a teacher, coach, faith group leader, or in a celebrity position) to access and recruit children for abuse.

Such abuse can occur both as part of a network of abuse across a family or community and within institutions such as residential settings, boarding schools, day care, or in other provisions such as youth services, sports clubs, faith groups and voluntary groups. Organised abuse may also occur online or via phones, games consoles and computers. Although in most cases of complex and organised abuse, the abuser(s) is an adult, it is also possible for children and young people to be the perpetrators of such harm, with or without adult abusers.

**Contextual safeguarding**

An approach to understanding, and responding to, young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, through their networks, at school and online can feature violence and abuse. These safeguarding threats can take a variety of forms and children can be vulnerable to multiple threats including exploitation by criminal gangs and organised crime groups such as those operating across county lines, trafficking, online abuse, sexual exploitation, and the influences of extremism leading to radicalisation.

**Core group**

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A small group of key professionals and family members who meet within 10 days of an initial child protection conference, and then regularly while the child has a child protection plan to ensure it is effective.

### **Criminal gang or network**

Some children or young people working with **Care Quality Support** may be involved in a criminal gang or a wider criminal network. A gang is usually considered to be a group of people that see themselves (and are seen by others) as a noticeable group and engage in a range of criminal activity and violence. They may also have any or all of the following features:

- identifying with, or laying a claim over, territory
- are in conflict with other, similar gangs.

If the majority of offending is on a lower, non-violent level, this would be considered a peer group rather than a gang.

A criminal network is a group of individuals involved in persistent criminality for some form of personal gain. This includes crime for profit and/or to gain or demonstrate status, which is causing significant harm to the community

### **Local safeguarding (children)**

Local safeguarding arrangements are led by three safeguarding partners: local authorities, chief officers of police, and Clinical Commissioning Groups. Prior to October 2019, this was known as a Local Safeguarding Children Board (LSCB)

Local safeguarding partners make arrangements to work together to safeguard and promote the welfare of local children, including identifying and responding to their needs. A threshold document that sets out the local criteria for action should be published in a way that is transparent, accessible, and easily understood. This should include:

- the process for early help assessment and the type and level of early help services to be provided § the criteria, including the level of need for when a child should be referred to the local authority children's social care for assessment and for statutory services as a: o child in need (Section 17 Children Act 1989) o child in need of protection (Section 47 Children Act 1989) where there is a reasonable cause to suspect a child is suffering or likely to suffer significant harm.

### **Local safeguarding (adults)**

Local authority Safeguarding Adults Boards (SABs) lead adult safeguarding arrangements across each locality, overseeing and coordinating the effectiveness of the safeguarding work of its member and partner agencies. SAB core duties are to ensure:

- local safeguarding arrangements are in place, as defined by the Care Act 2014 and statutory guidance
- safeguarding practice is person-centred and outcome-focused

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- collaborative working to prevent abuse and neglect where possible
- agencies and individuals give timely and proportionate responses when abuse or neglect have occurred
- safeguarding practice is continuously improving and enhancing the quality of life of adults in its area.

#### Looked-after children: Local authority terms

The following terms are used by local authorities in reference to looked-after children:

- **Accommodated (Section 20):** when a child is looked after by foster carers or in residential care, and their parents/holder of parental responsibility has agreed to this voluntarily, or they are over 16 years and have agreed. The child's parents maintain full parental responsibility when their child is accommodated under section 20.
- **Adoption:** transfers all legal parental rights and responsibilities for a child to the adoptive parents. The birth parents of the child lose all legal access to their child once an adoption order is approved by the court. Adopted children may keep in contact with some of their birth relatives if agreed during the adoption process, as long as this is in the child's best interests (the child's safety and well-being is the first priority).

**Care leaver:** a young person who has previously been in the care of the local authority and is living independently. There are many regulations around the status of a care leaver depending on at what age and for how long they were in local authority care.

- **Eligible child:** a child aged 16 and 17 who has been looked after for at least 13 weeks since the age of 14 and who is still being looked after. Eligible children must be provided with a personal advisor, who will undertake a needs assessment and, based on identified needs, will draw up a pathway plan to outline the agreed action.
- **Extension to 25 years old:** where an individual who is under 25 years old, and who was previously open to the leaving care team under the Children and Social Work Act 2017, returns for support. This is done by contacting the leaving care team.
- **Relevant child:** a child aged 16 and 17 who has been looked after for at least 13 weeks since the age of 14 and who has left care. This also includes young people who were detained (eg in a youth offending institution or hospital) when they turned 16, but who were looked after immediately before being detained.
- **Former relevant child:** a young person over 18 who was previously "eligible" or "relevant" but whose case was closed, for any reason. Local authorities support this group until aged 21.
- **Former relevant child pursuing education:** a former relevant child who is planning to continue education or training they can ask the council for support. If eligible, the local authority can support this group until the young person's 25th birthday.
- **Qualifying child:** any young person under the age of 21 (or 24 if in education or training) who stops being looked after, accommodated in a variety of settings, or privately fostered, after the

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age of 16. This also includes young people who are under a special guardianship order. Qualifying children are entitled to the following from children's services:

- 'keeping in touch' advice and support or payment for accommodation during college or university holidays (if young person is studying full-time away from home, up to the age of 25)
- additional financial support for expenses related to their education, work or training up to the age of 25 (in some circumstances only).

**Care Order (CO):** where a child is subject to a court order under Section 38 (interim) or a Section 31 (full) care order and is looked after by the local authority. This may be in foster care or residential care, or they could be placed at home with parents. The local authority shares parental responsibility with the parents or whomever has parental responsibility (this may be a family member or friend who has sought parental responsibility through the court).

**Child Arrangements Order (CAO):** introduced under the Children Act 2014, and decides where a child lives, when a child spends time with each parent, and any other contact that takes place. The child's mother, father, or anyone else with parental responsibility can apply for this order. The CAO replaces residence orders and contact orders (although some older children may be subject to these orders).

**Parental Responsibility (PR):** the legal rights, duties, powers, responsibilities, and authority a parent has for their child. A person who has PR has the right to make decisions about the child's care and upbringing.

**Private fostering:** an arrangement whereby a child under the age of 16 (or 18 if the child has a disability) is placed for 28 days or more in the care of someone who is not the child's parent(s) or a connected person.

### Missing person

Anyone whose whereabouts is unknown, whatever the circumstances or length of their disappearance. The person may, for example, have missed an agreed appointment, or they may have not been seen or heard from in the service for a few days

### Modern slavery

The recruitment, movement, harbouring or receiving of children, women, or men through the use of force, coercion, abuse of vulnerability, deception, or other means for the purpose of exploitation.

### Multi Agency Safeguarding Hub (MASH)

The single point of contact for all safeguarding and early intervention concerns, and requests for support regarding children and young people. It is also the single point of contact for triaging and assessing all safeguarding concerns. MASH brings together safeguarding professionals from services that have contact with children, young people, adults, and families, making the best possible use of their combined knowledge and information to keep people safe from harm. Many local areas now operate a MASH for both children and adults' safeguarding; however, it should be noted that different local areas will refer to the MASH with different terminology.

### National Referral Mechanism (NRM)



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A framework for identifying and referring potential victims of modern slavery and/or human trafficking. Only staff at designated First Responders Organisations, such as police and local authorities, can make a referral into the NRM.

Referral forms are sent to a Single Competent Authority (SCA) within the Home Office, who aim to make a reasonable grounds decision within five working days.

Individuals who are recognised as a potential victim of modern slavery through the NRM have access to specialist tailored support, which may include access to advice, accommodation, protection, and independent emotional and practical help.

### Online abuse and digital safeguarding

Online abuse is abuse via technology and can occur to children and adults at risk across any digital platform or within any online space.

Digital safeguarding means:

- recognising the internet as a protective factor, enabling connection, learning, networks of support, and information
- promoting safe online behaviour to children, young people, adults at risk, and their families
- listening to children and adults at risk when they talk about their experiences in the digital world § taking children, young people, adults at risk, and their families' online activity and networks into account when assessing, planning, and providing support
- ensuring that any digital platforms promoted or used with children and adults at risk are safe
- ensuring that online behaviour with children and adults at risk is safe.

### Prevent Duty

A strategy to reduce the threat of terrorism in the UK by working actively to stop individuals from supporting terrorism or becoming terrorists. Prevent Duty is a legal requirement of all staff working in a school or registered Early Years environment in the United Kingdom. **Care Quality Support** believes it should be the responsibility of everybody, regardless of their role, to pay attention to individuals who they believe may be at a greater risk of being radicalised, and to report any concerns they have to the police or local authority. Prevent Duty is a form of safeguarding and an extension of the policies that should have already been in place prior to the Prevent Duty strategy's introduction.

### Refugee

In the UK, a person becomes a refugee when the government agrees that an individual who has applied for asylum meets the definition in the Refugee Convention. The person is recognised as a refugee and is issued with refugee status documentation. Usually, refugees in the UK are given five years' leave to remain. They must then apply for further leave, although their status as a refugee is not limited to five years.

The UN Refugee Convention defines a refugee as follows:



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'Owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country' (Article 1, 1951 Convention Relating to the Status of Refugees)

Once a young person or adult at risk is granted refugee status, their legal status is more certain, however their support-needs can be very similar to those of asylum seekers. Refugee young people and adults at risk often struggle with mental health problems, insecure accommodation, destitution, and safety concerns associated with unsuitable accommodation.

**Risk assessment**

An analysis of what could cause harm in a piece of work with a child, young person, or adult at risk (either an individual or a group). In a risk assessment, risks are described alongside the steps needed in order to prevent these harms. This process includes:

- the identification of hazards (anything that might cause harm)
- considering who might be harmed and how
- evaluating the risk (the chance, high or low that someone could be harmed by the hazards, together with an indication of how serious the harm could be)
- deciding what precautions, or risk mitigations, are necessary. Risk assessments are recorded, reviewed, and updated on a regular basis.

**Section 47 enquiry**

An enquiry established by a local authority after a child is suffering or is likely to suffer significant harm. Child protection enquiries S47 (1) of the Children Act 1989 states, 'Where a local authority has reasonable cause to think that a child who lives or is found in the area and is suffering, or is likely to suffer, significant harm, the authority shall make such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare.'

**Serious Incident Management**

Serious incidents are relevant for **Care Quality Support** services working in partnership with the NHS. The NHS Serious Incident Framework defines serious incidents as, 'adverse events, where the consequences to patients, families and carers, staff or organisations are so significant or the potential for learning is so great, that a heightened level of response is justified.'

- Serious incidents include:
- unexpected or avoidable injury to one or more people, which results in serious harm
- unexpected or avoidable injury to one or more people, which requires further health care treatment in order to prevent death or serious harm
- actual or alleged abuse or neglect

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- an incident (or series of incidents) that prevents, or threatens to prevent, an organisation's ability to continue to deliver an acceptable quality of healthcare services, including but not limited to:
- failures in the security, integrity, accuracy, or availability of information/or information governance issues
- property damage
- security breach or concern
- systematic failure to provide an acceptable standard of safe care

**Trafficking**

The recruiting, harbouring, receiving, or transporting people into a situation of exploitation through the use of violence, deception, coercion and/or force. Trafficking of children or adults is abuse. People are trafficked for many purposes, including sexual exploitation, domestic servitude, labour, benefit fraud and involvement in criminal activity such as drug distribution and cultivation, credit card fraud and theft.

Trafficking may involve movement across national borders (international human trafficking) or within the UK – whether across county lines or within a local area (internal trafficking).

Trafficking is closely associated with the term “modern slavery” as set out in the Modern Slavery Act 2015, which includes the offences of slavery, servitude and forced or compulsory labour and human trafficking.

Trafficking often involves individuals being exploited for multiple purposes, so it is important to take a wide perspective of the potential risks. Refer to the Modern Slavery Act 2015 for more information on human trafficking.

**Working Together to Safeguard Children 2018**

Statutory guidance published by the Government for inter-agency working to safeguard and promote the welfare of children. Key information from Working Together to Safeguard Children 2018 is included in this policy document.

APPENDIX: Models of Sexual Exploitation.

**Models of sexual exploitation**

Sexual exploitation can take different forms. While our understanding in the UK of different models of sexual exploitation mainly relate to CSE, these situations can also apply to individuals aged



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over 18:

- **The older boyfriend/girlfriend model.**

The perpetrator grooms a young person into a 'relationship' and then coerces/forces them to have sex with friends or associates.

- **Peer on peer exploitation.** Young people are coerced into sexual activity by peers or associates of a similar age. This may be within gang activity, but not always. Peer on peer sexual exploitation can happen in public. It can be perpetrated by more than one person and can be filmed and distributed. In all cases of peer-on-peer exploitation, a power imbalance will still inform the relationship, but this might not necessarily be through an age gap between the abuser and the abused.

- **Gang-related sexual exploitation.** This can include sexual exploitation through gang initiation rituals, gang pressure or as punishment for crossing areas/boundaries. Child sexual exploitation is not necessarily the common purpose of the gang. This may also intersect with criminal exploitation, for example when young people

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are forced or coerced in to running county lines. Sex may be used more explicitly in exchange for safety, protection, drugs and belonging.

- **Organised/networked sexual exploitation or trafficking.** This form of exploitation is often the most readily reported in news stories. Young people are passed through organised networks where they are forced/coerced into sexual activity with multiple men. This differs from gang exploitation, as the networks are set up for the purpose of sexual exploitation. Organised exploitation varies from spontaneous networking between groups of offenders, to more serious organised crime where young people are effectively 'sold'.

- **Opportunistic.** This may occur quickly and without any form of grooming. Typically, older males identify vulnerable young people who may already have been groomed or sexually abused. The perpetrator will offer a young person a 'reward' or payment in exchange for sexual acts. The perpetrator is often linked with a network of abusive adults.

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- **Familial.** Children can be exploited by their parents and/or other family members. Parents or family members may also arrange the abuse of the child and/or control and facilitate exploitation.

- **Online.** Exploitation can happen in person or online. When sexual exploitation happens online, young people may be persuaded or forced to have sexual conversations by text or online, send or post sexually explicit images of themselves. Abusers may threaten to send images, video or copies of conversations to the young person's friends and family unless they take part in further sexual activity. Images or videos may continue to be shared long after the sexual abuse has stopped

APPENDIX-  
Spotting  
signs and  
symptoms of  
sexual  
exploitation

**Spotting the  
signs and**



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symptoms

**Are they  
suffering  
severe  
mood  
swings?**

Mood swings  
in  
themselves  
are nothing  
unusual but  
does gut  
instinct tell  
you the ones  
your child is  
experiencing  
are  
something  
different  
entirely?  
Many  
parents of  
sexually  
exploited  
children  
report that  
their child  
appears to  
have  
developed a  
completely  
different  
personality.

· **Have  
they  
become  
unusually  
secretive?**

· Has  
your child  
stopped  
talking about  
their day at

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school or  
where  
they've been  
and who  
with?

· **Is  
your child  
late home or  
skipping  
school?**

· Has  
your child  
started  
coming home  
later than  
they were  
supposed to  
or even  
staying out  
overnight  
with no  
notice? Have  
they been  
skipping  
classes or  
missing  
school  
altogether?

· **Are  
they acting  
differently  
when they  
access the  
internet?**

· Has  
your child  
started  
becoming  
overly  
protective of  
their phone,  
tablet, or  
computer, as

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if they don't  
want you to  
see who's  
contacting or  
messaging  
them?  
Alternatively,  
are they  
avoiding their  
phone or  
laptop  
altogether as  
if they are  
scared to  
hear from  
someone?

· **Is  
your child in  
possession  
of  
expensive,  
new things?**

· Things  
like mobile  
phones,  
iPods or  
jewellery that  
you did not  
buy them  
and that you  
know they do  
not have the  
money to buy  
themselves?

· **Have  
their tastes  
changed  
suddenly?**

· Is your  
child  
dressing  
differently –  
in a more



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revealing  
way  
perhaps?  
Have they  
started  
listening to a  
new style of  
music? Or  
swapped one  
friend or  
group of  
friends for  
another?

· **Do  
they have  
unexplained  
marks and  
scars?**

· Have  
you noticed  
your child  
trying to  
conceal  
unexplained  
marks and  
scars by  
covering  
themselves  
up or  
wearing  
loose  
clothing?  
When you  
ask about  
them, do  
they avoid  
giving you a  
clear  
answer?

· **Are  
they being  
picked up or  
dropped off  
by people**

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**you do not  
know?**

.  
Abusers may  
groom young  
people by  
offering to  
give them  
lifts.

. **Are  
they  
drinking or  
taking drugs  
on a regular  
basis?**

.  
Offenders  
may  
introduce  
young  
people to  
drugs and  
alcohol as a  
way of  
controlling  
them and  
creating  
dependency.