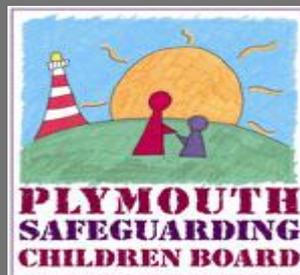


2014

# South West Peninsula Child Sexual Exploitation Protocol



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## **1. Introduction**

This document sets out the procedures for safeguarding and protecting the welfare of children who go missing and are at risk, or are victims of, Child Sexual Exploitation. It sets out how through our partnerships we assess, challenge and provide an enhanced, effective service to reduce the harm and threats posed to children and young people.

***These standard operating procedures will not supplant, replace or override the current South West Child Protection Procedures. If a safeguarding concern is identified in line with a Local Authorities Threshold Tool a referral to social care must be made.***

This protocol seeks to meet the minimum requirements CSE procedures should specify as per Para 4.10 safeguarding Children and Young People from Sexual Exploitation 2009.

## **Aims and Purpose**

The aims and purpose of this protocol is to:

Safeguard children and young people from sexual exploitation in accordance with the policies, procedures and guidance of the four Local Safeguarding Children Boards (LSCBs) across Devon and Cornwall.

Support the Peninsula CSE strategy to prevent victims of CSE, safeguard children

Provide consistent and robust standards across the Peninsula, promoting local and young people, bring offenders to justice and raise public confidence.

Provide clear governance and accountability.  
delivery and accountability within the local authorities.

## **Definition of Child Sexual exploitation:**

- Sexual exploitation of children and young people **under 18** involves exploitative situations, contexts and relationships where the young person (or third person/s) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/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 images on the internet/mobile phones without immediate payment or gain.

*Association of Chief Police Officers, February 2014.*

## **Missing**

Occurrences of young people missing from home or care is a significant indicator that they may be at risk of exploitation. Young people missing from home or care are also more likely to be at risk through exposure to criminality and other forms of abuse.

It is essential that local authorities have arrangements in place to ensure agencies scrutinise, report and share information to identify those at risk, reduce risk inherent with those persons going missing and have effective intervention services to prevent and reduce the occurrences of young people running away.

Devon and Cornwall Police currently work to a missing definition that nationally has been superseded; this protocol will be amended when D&C police adopt the March 2013 missing/absent categories.

### **ACPO Definition of a Missing Person.**

***'Anyone whose whereabouts is unknown, whatever the circumstances of disappearance. They will be considered missing until located and their wellbeing or otherwise established'.***

## **Standard objectives**

The Peninsula Steering Group objective is to ensure there is a consistent and collaborative service across the four areas in respect of young runaways by the delivery of the following standards:

- Each Local Authority has arrangements in place to receive notification of all young people (under the age of 18 yrs) who are reported as missing to the Police
- Each Local Authority area has procedures and processes in place to ensure that reports of young missing people are scrutinised to identify those young people who repeatedly go missing and invoke multi-agency partnership activity to stabilise and reduce the risk inherent with running away using a problem solving approach.
- Each Local Authority area will routinely scrutinise data and information relating to missing young people to identify themes and trends to inform service delivery and multi-agency activity to address identified issues.
- Local Authority areas will have in place services to deliver 'return home interviews' with young runaways, following their recovery and the Police Safe and Well check, to identify 'push and pull' factors causing the individual to run away.
- Local Authorities will have arrangements in place to ensure that relevant information from return interviews is assessed against safeguarding criteria and thresholds, to gather information to inform future risk assessment. To develop and improve the intelligence picture and problem profile to inform and direct agency intervention options and tactical delivery of services.

- Return home interview services will in every case consider indicators of sexual exploitation and where necessary utilise the approved risk indicator tool.
- Each Local Authority area will have a Runaway and Missing From Home and Care (RMFHC) protocol in line with the statutory guidance on children who run away or go missing from home or care January 2014. The RMFHC should have demonstrable links with the South West Peninsula Child Sexual Exploitation Protocol.

## **2. Responsibilities**

Each partner agency will be expected to adhere to this protocol and the terms of References (Appendix G) for each identified group and support the development of our response to CSE within the defined governance structure. (Appendix B). They will also be required to agree to an Information Sharing Protocol for the partnership (Appendix C).

A referral process and an approved Risk Indicator Tool must be used within each local authority and these must be widely promoted with front line professionals. (Appendix F).

The chairs of the strategic groups in each local authority will be accountable for the development, delivery and performance of their operational forums using the framework and terms of reference provided within this protocol. The LSCB will be responsible for quality assurance and ensuring the CSE provision in their area is adequate reviewing the LA missing and CSE strategy/action plan.

A data collection tool, combined with the views of children and young people must be used within each Local Authority to monitor, assesses and develop the performance of local practice. A basic data collection tool has been agreed by the Peninsula steering group, (appendix D) and these are the minimum data sets that must be used. Each Strategic group should capture the views of young people to ensure young people are able to influence and shape the provision of service designed to support them.

The data and voice of the child collected will be used to provide feedback at each Peninsula Steering Group and the relevant Local Safeguarding Children Board.

### **3. Training and awareness.**

Strategic Chairs should work closely with the LSCB workforce development advisor (or equivalent) to establish a training and awareness strategy as part of the LA Missing and CSE strategy or action plan.

The LCSB in each LA is responsible for the quality assurance of the training and awareness provisions.

The Peninsula steering group will provide an arena for sharing 'what works' and experiences with training providers and resources seeking to ensure the best quality training and awareness is available.

### **4. Identification of those at risk of or suffering from sexual exploitation.**

All professionals who work with children and young people should be alert to signs of possible abuse or neglect including through sexual exploitation (Appendix A - Warning signs and vulnerabilities checklist).

Anyone who has regular contact with children and young people is in a good position to notice changes in behaviour and physical signs which may indicate involvement in sexual exploitation, Parents, carers, teachers, social workers, doctors, school nurses, specialist children in care nurses, sexual health practitioners and youth workers are particularly well placed. They should also be able to recognise where children are vulnerable to being sexually exploited and may need targeted measures to prevent this abuse.

Practitioners and their managers should be aware of the potential signs that a person is being groomed for sexual exploitation and be able to identify these.

### **5. Referral.**

#### **Discussion of concerns, information sharing and decision to refer.**

Para 6.15 Safeguarding Children and Young People from Sexual Exploitation 2009 states; Concerns about the possibility of a child or young person being sexually exploited should be discussed with a manager, or a named or designated health professional or a designated member of staff, depending on the setting. Concerns can also be discussed – without necessarily identifying the child in question at this point – with senior colleagues in another agency in order to develop an understanding of the child's needs and circumstances. If, after discussion, these concerns remain, and it seems that the child would benefit from other services, a decision should be made about where a referral should be made.

The peninsula operates a network of MACSE Missing and Child Sexual Exploitation forums. These Forums are designed to **facilitate the identification of cases before sufficient information is known to necessitate a LA referral** and as such this

protocol advocates discussions as described above within those forums but identifying the child to facilitate meaningful dialogue around relevant risk factors.

Particular groups<sup>1</sup> are acknowledged as being at increased risk and as part of the strategy of targeted prevention it is appropriate for discussions to take place in these forums to develop understanding and instigate appropriate action.

Organisations represented at those Forums can raise names and locations for discussion via their representative (or CSE lead) or the Chair and should do so utilising the CSE MACSE referral form (Appendix E). Advice can also be obtained from the voluntary sector via the NSPCC, Barnardos and the Childrens Society.

***When a parent, professional or any other person has concerns that a child is being sexually exploited Childrens Social Care for the Local Authority must be informed by way of a safeguarding referral.***

Cornwall and Isle of Scilly  
[MultiAgencyReferralUnit@cornwall.gcsx.gov.uk](mailto:MultiAgencyReferralUnit@cornwall.gcsx.gov.uk)  
0300 123 1116  
Out of hours: 01208 251 300

Devon  
[mashsecure@devon.gcsx.gov.uk](mailto:mashsecure@devon.gcsx.gov.uk)  
03451551071  
Out of hours: 0845 6000388

Plymouth  
01752 308600  
Out of hours 01752 346784

Torbay  
[torbay.safeguardinghub@torbay.gcsx.gov.uk](mailto:torbay.safeguardinghub@torbay.gcsx.gov.uk)  
01803 208100

## **6. Review**

This protocol will be subject to annual review.

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<sup>1</sup> Safeguarding Children and Young People from Sexual Exploitation 2009 Para 5.14. Children who are **regularly absent from education**, or who are **not receiving a suitable education** are another vulnerable group, as are **children in pupil referral units**. Children who **go missing from home** or who are **homeless**, even where they are not already at specific risk of sexual exploitation or being exploited, are nevertheless at an increased risk of abuse compared to children whose lives are more stable.

5.15 Children who have **mental health issues** or who **abuse drugs or alcohol** are more vulnerable to exploitation. Services should again develop preventative work with these children and young people.

Appendix A

Warning signs and vulnerabilities checklist

The following are typical **vulnerabilities in children prior to abuse**.

- Living in a chaotic or dysfunctional household (including parental substance use, domestic violence, parental mental health issues, parental criminality)
- History of abuse (including familial child sexual abuse, risk of forced marriage, risk of honour-based violence, physical and emotional abuse and neglect)
- Recent bereavement or loss.
- Gang-association either through relatives, peers or intimate relationships (in cases of gang associated CSE only).
- Attending school with others who are already sexually exploited.
- Learning disabilities.
- Unsure about their sexual orientation/ unable to disclose orientation to families.
- Friends with young people who are sexually exploited.
- Homeless.
- Lacking friends from the same age group.
- Living in a gang neighbourhood.
- Living in residential care.
- Living in hostel, bed and breakfast accommodation or a foyer.
- Low self-esteem or self-confidence.
- Young carer.

The following signs and behaviour are generally seen in children who are **already being sexually exploited**.

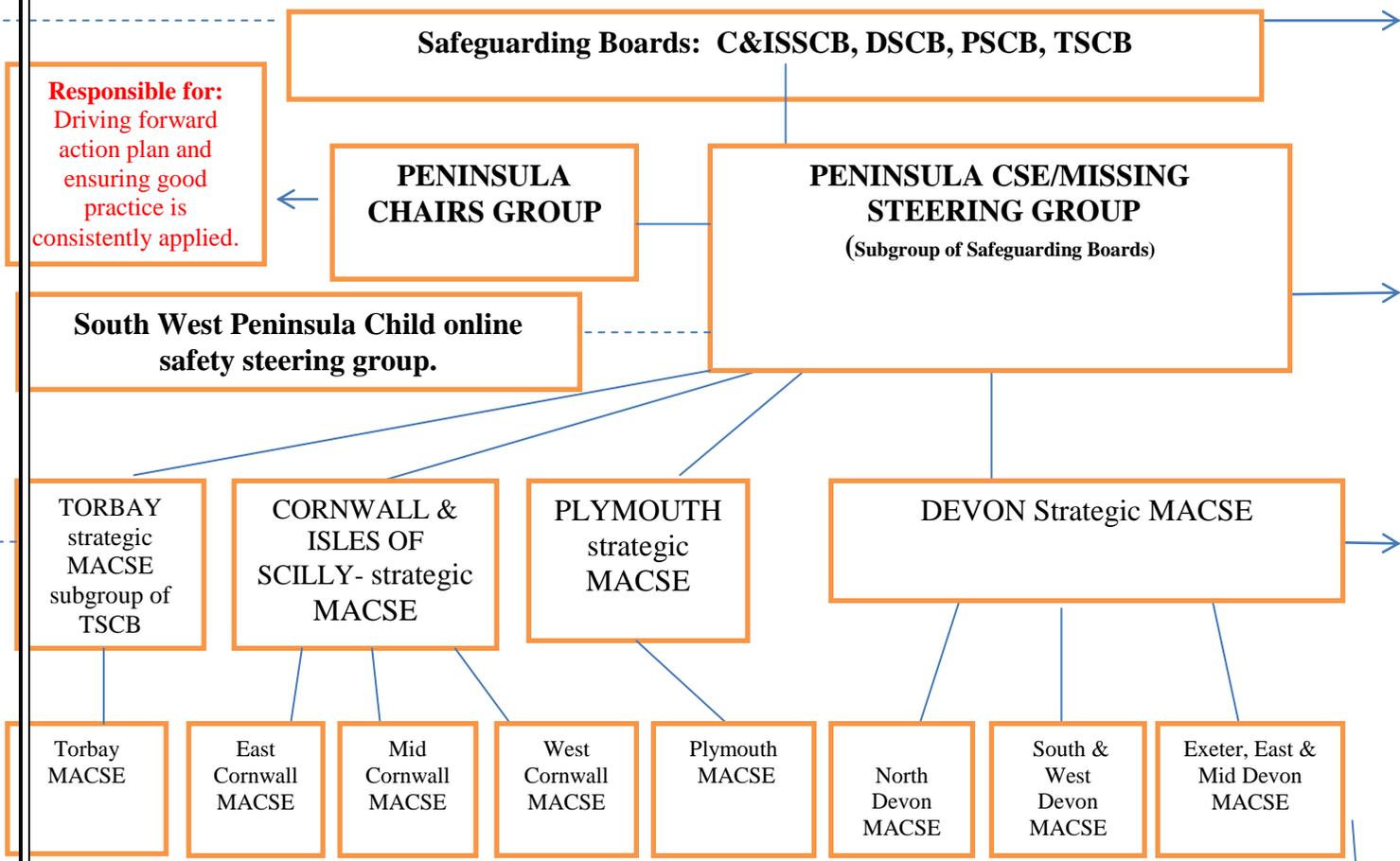
- Missing from home or care.
- Physical injuries.
- Drug or alcohol misuse.
- Involvement in offending.
- Repeat sexually-transmitted infections, pregnancy and terminations.
- Absent from school.
- Change in physical appearance.
- Evidence of sexual bullying and/or vulnerability through the internet and/or social networking sites.
- Estranged from their family.
- Receipt of gifts from unknown sources.
- Recruiting others into exploitative situations.
- Poor mental health.
- Self-harm.
- Thoughts of or attempts at suicide.

Evidence highlighted in the interim report showed that any child displaying several vulnerabilities from the above lists should be considered to be at high risk of sexual exploitation. Professionals should immediately start an investigation to determine the risk, along with preventative and protective action as required.

However, it is important to note that children and young people without pre-existing vulnerabilities can still be sexually exploited. Therefore, any child or young person showing risk indicators in the second list, but none of the vulnerabilities in the first, should also be considered as a potential victim, with appropriate assessment and action put in place as required.

**Checklist identified during phase 1 of Childrens commissioner Inquiry into CSE in Gangs & Groups.**

**Governance Map for Reducing Child Sexual Exploitation and Missing Children**



**Responsible for:**  
Driving forward action plan and ensuring good practice is consistently applied.

**Responsible for:**  
Setting overarching priorities for safeguarding children.  
Monitoring progress of action plans.  
Commissioning of training.  
Responding to trend analysis/problem profile from peninsula steering group.  
Sharing good practice.

**Responsible for:**  
Agreeing peninsula action plan for CSE/Missing.  
Setting minimum standards for peninsula CSE/Missing practice. Trend analysis of peninsula data. Sharing good practice.

**Responsible for:**  
Translating and implementing peninsula driven actions into local area contexts.  
Developing, adopting and monitoring appropriate work systems.  
Analysis of local data; driving improvements in data collation.  
Devolving a Training and Awareness strategy  
Sharing good practice.

**Responsible for:**  
Gathering local intelligence re potential risks, and recording in appropriate data sets.  
Including monitoring missing children data.  
Sharing information re children at risk or potential/known perpetrators and agreeing interventions and ensuring appropriate referrals when Safeguarding concerns are identified. Sharing good practice.

## **Appendix C**

### Information Sharing Protocol

- Key Messages
- Purpose of the Protocol
- What is an Information Sharing Protocol?
- Who does the Information Sharing Protocol affect?
- The benefits of this Information Sharing Protocol
- Principles of Information Sharing
- Review
- Agreement to abide by agreement.

### **Key Messages**

- The welfare of a child or young person is paramount and must be the first consideration in all decision making about information sharing.
- Professionals can only work together to safeguard and promote the welfare of children and young people if they share relevant information.
- Only share as much information as is needed but share enough to achieve the purpose for which information is being shared.
- Recognise that where a child, young person or family needs the support of a number of different agencies, information sharing will be an ongoing process.
- It is standard practice to obtain consent to share information although there are exceptions to this in child protection cases, for example, situations where a child would be considered to be at risk of significant harm or a Police investigation into a serious offence would be prejudiced.

### **Purpose of the Protocol**

Information sharing is vital to safeguarding and promoting the welfare of children and young people. A key factor in many serious case reviews has been a failure to record information, to share it, to understand its significance and then take appropriate action.

The purpose of this information sharing protocol is to provide a framework for the appropriate sharing of information between partners. The protocol informs all partners about the circumstances when information is shared and how the sharing of information will be managed.

### **What is an Information Sharing Protocol?**

The protocol governs the sharing of information and in doing so it:

- Clarifies the legal background in respect of information sharing
- Sets out the current codes of practice, best practice and guidance
- Outlines the principles of the process of information sharing
- Provides practical guidance on how to share information

### **Who does the Information Sharing Protocol affect?**

The protocol affects all staff engaged with work that requires information to be shared with or is given to them by other organisations.

### **The benefits of this Information Sharing Protocol**

- Help remove barriers to effective information sharing
- Provide guidance to assist in complying with legislation
- Help to ensure that consent to share personal information is obtained whenever it is required
- Help to ensure that information is shared when there is a requirement to do so
- Help to ensure that all agencies comply with relevant legislation
- Raise awareness amongst all agencies of the key issues relating to information sharing and give confidence in the process of sharing information with others

### **Principles of Information Sharing**

#### **1. First Principle<sup>2</sup>**

**The first data protection principle states that data must be processed lawfully and fairly.**

**A public authority must have some legal power entitling it to share the information.**

Some concerns regarding children where information will need to be shared under this agreement will often fall below a statutory threshold of Section 47 or even Section 17 Children Act 1989. If they do however fall within these sections of the 1989 Act then these sections will be the main legal gateway.

Sections 10 and 11 of the Children Act 2004 place new obligations upon Local authorities, police, clinical commission groups and the NHS Commissioning Board to co-operate with other relevant partners in **promoting the welfare** of children and also ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children.

Section 10 and 11 of the Children Act 2004 create a '**permissive gateway**' for information to be shared in a lawful manner. Such information sharing must take place in accordance with statutory requirements pertaining to the disclosure of information namely the Data Protection Act 1998, the Human Rights Act 1998 and the Common Law duty of confidentiality.

Section 29 of the Data Protection Act 1998 does not give a direct power to disclose information, it does however state 'that if not disclosing information would prejudice the prevention/detection of crime and/or the apprehension/ prosecution of offenders, personal data can be disclosed'.

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<sup>2</sup> In accordance with the Data Protection Act 1998

Under this agreement, if not disclosing information would prejudice the situations listed above, organisations are then exempt from the usual non-disclosure provisions and may provide the information requested / they wish to share proactively.

All decisions to share or not share information **must** be decided on a case-by-case basis and recorded.

### **Duty of Confidence**

A duty of confidence may be owed to both the holder of the data and to the data subject.

Much of the agencies information to be shared will not have been obtained under a duty of confidence as it is legitimately assumed that data subjects will understand that agencies like the police will act appropriately with regards to the information for the purposes of preventing harm to or promoting the welfare of children. However, as a safeguard information should be reviewed to identify if it was given in confidence.

Whilst always applying the tests of proportionality and necessity to the decision to share information, the protection of children or other vulnerable persons would clearly fulfil a public interest test when passing the information to a partner agency whose work with the police would facilitate this aim. All information shared with a partner agency must be relevant to the case in point.

Information held by other agencies that will be shared in the MASH may have been gathered where a duty of confidence is owed. Duty of confidence is not an absolute bar to disclosure, as information can be shared where consent has been provided or where there is a strong enough public interest to do so.

### **Consent**

The starting point in relation to sharing information is that practitioners will be open and honest with families and individuals from the outset about why, what, how and with whom information will or could be shared.

It may be necessary and desirable to deviate from the normal approach of seeking consent from a family in cases where practitioners have reasonable grounds for believing that asking for consent would be unsafe or inappropriate. For example if there is an emergency situation or if seeking consent could create or increase a risk of harm.

There must be a proportionate reason for not seeking consent and the person making this decision must try to weigh up the important legal duty to seek consent and the damage that might be caused by the proposed information sharing on the one hand and balance that against whether any, and if so what type and amount of harm might be caused (or not prevented) by seeking consent.

There is no absolute requirement for agencies to obtain consent before sharing information nor is there a blanket policy of never doing so. There is an obligation to consider on all occasions and on a case by case basis whether information will be shared with or without consent. This determination by a practitioner should always

be reasonable, necessary and proportionate. It should always be recorded together with the rationale for the decision.

**Section 47 Thresholds do not determinate whether or not consent should be sought.**

It is inherent in the idea of seeking consent that it will be refused. If professionals consider it justifiable to override the refusal in the interests of the welfare of the child then they can and must do so. This decision must be proportionate to the harm that may be caused by proceeding without consent.

Where it is believed the aims of this protocol might be prejudiced if agencies were to seek consent the disclosing agency must consider the grounds to override the consent issue.

The disclosure of personal information without consent is legally justifiable if it falls within one of the defined category of public interest:

The Public Interest Criteria include:

- i) The administration of justice;
- ii) Maintaining public safety;
- iii) The apprehension of offenders;
- iv) The prevention of crime and disorder;
- v) The detection of crime;
- vi) The protection of vulnerable members of the community.

When judging the public interest, it is necessary to consider the following:

- i) Is the intended disclosure proportionate<sup>3</sup> to the intended aim?
- ii) What is the vulnerability of those who are at risk?
- iii) What is the impact of disclosure likely to be on the individual?
- iv) Is there another equally effective means of achieving the same aim?
- v) Is the disclosure necessary to prevent or detect crime and uphold the rights and freedoms of the public;
- vi) Is it necessary to disclose the information, to protect other vulnerable people?

As previously stated a proportionality test must be applied to ensure that a fair balance is achieved between the public interest and the rights of the data subject.

Information is shared initially within the MACSE with or without consent in order to assess risk and harm which in turn identifies the proportionate level of response required.

Once a decision is made based on this shared information picture the membership may need to use that information to base a referral to the local authority. When overriding the duty of confidentiality the MACSE must seek the views of the organisation that holds the duty of confidentiality and take into account their views in relation to breaching confidentiality. The organisation may wish to seek legal advice if time permits.

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<sup>3</sup> "Proportionate" is the critical issue.

The MACSE comprises a relatively closed and controlled environment, this being a factor a practitioner can weigh in the balance to some extent in an appropriate case as one factor that can add to the conclusion that it is proportionate not to seek or to dispose with consent. It is not however a single overriding reason in the determination concerning consent.

All disclosures must be relevant and proportionate<sup>4</sup> to the intended aim of the disclosure.

### **Unified Privacy<sup>5</sup>**

It is a requirement of the Data Protection Act 1998 that all organisations that process personal data should have what is now known as 'Unified Privacy Notice' which will inform individuals about how their personal data will be used by that organisation.

This notice will cover:

- (a) The identity of the data controller
- (b) If the data controller has nominated a representative for the purposes of the Act, the identity of that representative
- (c) The purpose or purposes for which the data are intended to be processed.
- (d) Any further information which is necessary, taking into account the specific circumstances in which the data are or are to be processed, to enable processing in respect of the data subject to be fair.

Section 29 of the Data Protection Act 1998 allows agencies to share information if complying with the fair processing conditions i.e. telling individuals how their data will be processed/shared; would be likely to prejudice the purposes of the prevention or detection of crime and/or the apprehension and prosecution of offenders.

If staff from the signatory agencies receives information and they believe that by NOT disclosing this information the police will be unable to prevent or detect a crime, or the police will be unable to apprehend or prosecute an offender, then they may fairly share that information with the police. This decision will be taken on a case-by-case basis and recorded.

### **Legitimate Expectation**

The sharing of the information by police fulfils a policing purpose, in that it will be done in order to protect life in some circumstances and in others it will fulfil a duty upon the police provided by statute law (Children Act 2004) i.e. co-operation to safeguard or promote the well being of children.

It can reasonably be assumed that the persons from whom information is obtained will legitimately expect that police will share it appropriately with any person or agency that will assist in fulfilling the policing purposes mentioned above.

As previously identified consent will have been considered before the individual's case is brought to the MACSE. In cases, where consent has been granted

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<sup>4</sup> The implication here is that full records should not be routinely disclosed, as there will usually be information that is not relevant

<sup>5</sup> Previously known as; 'fair processing'.

individuals will have a legitimate expectation of how their data is going to be used and with whom it may be shared and why.

### **Human Rights Act 1998 - Article 8: The Right to Respect for Private and Family Life, Home and Correspondence**

**There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.**

Consent is relevant to the rights of those to whom confidential information relates, and thus to legal obligations such as the Human Rights Act 1998.

The sharing of information with children's services may engage Article 8 however there will be no contravention provided that an exception within Article 8(2) applies.

The benefits of effective sharing of information for the purposes set out in this agreement are to the direct benefit<sup>6</sup> of the citizen and so in the public interest. This agreement is:

#### In pursuit of a legitimate aim –

The promotion of the welfare and wellbeing of children and ensuring they achieve all five outcomes is, by virtue of S.11 of Children Act 2004, a legitimate aim and major responsibility of the signatories to this agreement. The sharing of information under this agreement is also in line with Articles 2 and 3 of the Human Rights Act 1988, namely the right to life and the right to prohibition of torture or inhuman or degrading treatment.

#### Proportionate –

The amount and type of information shared will only be that necessary to achieve the aim of this agreement. Information is always to be considered in terms of its proportionality in each set of circumstances, but it must always be remembered that the right to life is paramount.

#### An activity appropriate and necessary in a democratic society –

The police are obliged to do all that is reasonable to ensure the welfare of the most vulnerable of citizens and this is something that is necessary and appropriate in a democratic society. Other signatories to this agreement such as Clinical Commissioning Groups and Children's Services also have similar obligations, which are necessary and appropriate in a democratic society.

### **Schedule 2, Data Protection Act 1998**

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<sup>6</sup> Benefit does not always equate to real public interest, and when it does, it still has to be 'proportionate'

**In addition to the legal criteria set out above, the information sharing arrangement must satisfy at least one condition in Schedule 2 of the Data Protection Act in relation to personal data.**

Schedule 2 is satisfied in the case of this agreement by condition 5(b) (the exercise of functions conferred under statute) as there is an implied gateway available for the sharing of information in these circumstances under S.11 Children Act 2004, which obliges the relevant agencies to ensure that its “functions are discharged having regard to the need to safeguard and promote the welfare of children”.

Where the consent of the individual is received, Condition 1 (data subject has given consent to the processing of their data) will apply.

### **Schedule 3, Data Protection Act 1998**

**If the information is “sensitive” (that is, where it relates to race, ethnic origin, political opinions, religion or belief system, membership of a trades union, physical/mental health or sexual life, the commission or alleged commission of any offence, proceedings relating to the offence) you must satisfy at least one condition in Schedule 3.**

Schedule 3 is satisfied in the case of this agreement by condition 7, ‘the processing is necessary for the exercise of any functions conferred on any person by or under an enactment’ i.e. as mentioned above, Children Act 2004.

Where the consent of the individual is received, Condition 1 (data subject has given explicit consent to the processing of their data) will apply.

## **2. Second Principle**

**Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.**

Agencies will have collected information as part of their lawful purpose, information will be used within the MASCE for the purposes of safeguarding the vulnerable and reducing harm, which is not incompatible with the reason it was originally collected.

## **3. Third Principle**

**Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.**

Due to the complexity of CSE, providing a prescriptive list of data fields to be shared is difficult.

Any information that is shared will be decided on a case-by-case basis and must be relevant to the aims of this protocol.

Examples of data that may be shared include;

- *Name of subject (child) and other family members, their carers and other persons whose presence and/or relationship with the subject child or children, is relevant to identifying and assessing the risks to that child.*
- *Age/date of birth of subject and other family members, carers, other persons detailed.*
- *Ethnic origin of family members.*
- *Relevant Police information and intelligence*
- *School and educational information (to include family members where appropriate and relevant)*
- *GP and health records (to include family members where appropriate and relevant)*
- *Relevant ASB data*
- *Relevant data from Probation*
- *Relevant information from Domestic Abuse services*
- *Relevant information from mental health and substance use services*
- *Housing and other partnership data relevant to the child and family who may affect the welfare of that child.*

Not all of the above information will be shared in every case; only relevant information will be shared on a case-by-case basis where an organisation has a 'need-to-know' about the information.

#### **4. Fourth Principle**

**Personal data shall be accurate and, where necessary, kept up to date.**

All the information supplied will be obtained from signatories' computer systems or paper records and subject to their own organisations reviews, procedures and validation. Any perceived inaccuracies should be reported to the contact at that agency for verification and any necessary action.

Whilst there will be regular sharing of information, the data itself will be 'historical' in nature. Specifically this means that the data fields exclusively relate to individual actions or events that will have already occurred at the time of sharing. These are not categories of information that will substantially alter or require updating in the future.

#### **5. Fifth Principle**

**Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.**

The data will be kept in accordance with signatories' file destruction policy. It is acknowledged that there is a need to retain data for varying lengths of time depending on the purpose and also in recognition of the importance of historical information for risk assessment purposes. However, once information is no longer needed, it should be destroyed.

## **6. Sixth Principle**

**Personal data shall be processed in accordance with the rights of data subjects under this Act.**

Partners to this arrangement will respond to any notices from the Information Commissioner that imposes requirements to cease or change the way in which data is processed.

Partners will comply with subject access requests in compliance with the relevant legislation.

## **7. Seventh Principle**

**Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.**

Information shared should only be transferred via secure e-mail and any data stored should only be saved to business devices with appropriate encryption. Hard copy information should be kept to a minimum and subjected to appropriate protective marking systems and stored in accordance with that agencies protocol.

## **8. Eighth Principle**

**Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of protection of the rights and freedoms of data subjects in relation to the processing of personal data**

Under the terms of this agreement no information will be passed outside of the European Economic Area unless specific requirement exists and the originating organisation makes that decision for a particular reason in relation to the safeguarding of a child, young person or adult with a safeguarding need. Legal advice may be necessary in these cases.

### **Review**

The arrangements held within this document will be reviewed annually.

### **Agreement to abide by this arrangement**

The agencies signing this agreement accept that the procedures laid down in this document provide a secure framework for the sharing of information between their agencies in a manner compliant with their statutory and professional responsibilities.

As such they undertake to:







Appendix E

South West Peninsula

MACSE

CSE Referral Form

CSE 1

PART 1 REFERRER'S DETAILS	
Name:	
Agency:	
Address:	
Telephone:	
Date Completed:	

PART 2 SUBJECT'S DETAILS	
Family name:	
First name:	
Middle name:	
Alternative name(s):	
Date of birth:	
Address:	

Parent/Guardian	
Ethnicity See <i>Appendix 1</i>	
Schools/Education establishments/ Year	
Health Worker	
Are Parent (s)/ Guardian aware of the report?	

**Looked after status**

Lives with family, no experience of care	Young person is looked after: foster family	
Lives with family members, previous experience of care	Young person is looked after: residential unit	
Care Leaver	Young person is in Secure Accommodation	
Unknown	Section 20 -Voluntary Section 38 -Interim Care Order Section 31 -Care Order	

**Basis of concerns regarding missing / sexual exploitation (reason for referral)  
(For guidance see Appendix 2)**

Disclosure of exploitation	Going missing	
Incident or suspected incident of sexual exploitation	Breakdown in communication with carers	
Concerns about relationship with older male/female	Unexplained money or items	
Alcohol/drug use	Changed behaviour	
Learning disability	Concerns about mental health	
Peers victims of exploitation	Preventative work	
Other (please state below)		

**Experience of violence in past**

Domestic Abuse	Physical violence from family	
Sexual Abuse	Violent towards others	
Physical violence from boyfriend/girlfriend	Peers are violent	
Unknown		

## Appendix F

### Risk Indicator tools.

Purpose:

- To enable practitioners to assess a child or young person's level of risk of child sexual exploitation in a quick and consistent manner.
- To quantify the level, nature and extent of concerns.
- To facilitate effective information sharing.
- To promote a shared understanding between and within professional disciplines
- To assist prioritisation of cases, allocation of resources and inform problem profiling.
- To help identify actions and outcomes for children and review the effectiveness of interventions to reduce risk and harm.

Risk indicators should be informed by the available evidence base and include recognised indicators of child sexual exploitation, contributing factors and levels of risk. Risk indicator tools act as a guide and do not replace, but should assist the exercise of professional judgement.

Guidance should outline referral pathways and the roles and responsible of respective agencies for completion of a CSE risk assessment.

Risk identification should be completed in discussion with referrer, and other professional involved and take account of any background information already held by Children's Services and the Police.

Parents and carers should be involved in risk identification and encouraged to be active partners in subsequent support plans unless to do so would place the child at significant risk.

Risk indicators and subsequent support plans must take account of the views and wishes of the children and young people concerned and facilitate their active participation in the process.

*"Children and young people told us repeatedly that 'being done to' by the agencies charged with their care compounded their sense of powerlessness and hopelessness. They want to be partners in their protection and recovery plans and those that had this experience valued it immensely and felt stronger for being involved." Childrens Commissioner 2013 p56*

**The following Risk indicator tools are recognised by the South West Peninsula CSE steering group as fit for purpose any tool adopted must be used in conjunction with the threshold Tool used within that Local Authority in respect of safeguarding children.**

- **Derby tool kit (link to be added)**
- **National working group risk assessment**
- **South West Peninsula risk indicator tool (below)**

### Child Sexual Exploitation Indicators (CSE2)

This form is designed to help the identification of Child Sexual Exploitation by highlighting the indicators relevant to the young person. **Young people experiencing these situations or displaying these behaviour indicators are suffering harm.** The form may also assist professionals in targeting their interventions. A high score does not mean a young person is automatically suffering more harm than someone with a low score. The scoring is designed to be utilised to measure progress with a young person receiving support.

Part 1/ Assessor's details	
Name:	
Agency:	
Address:	
Telephone:	
Date Completed:	
Part 2 Subject's Details	
Family Name	
First Names	
Alternative names	
Date of Birth	
Address	
Parent/Guardian/Carer	
Physical or Learning Disabilities/Communication disorders/SEN	
Ethnicity	

**Using the descriptions offered overleaf, choose the score between 0-5 depending on the level which most closely reflects the situation of the young person. Additional information / analysis can be included to support the risk assessment.** If information is not known the analysis/reflections box can also be used to record a gap in knowledge that needs to be developed.

<b>1.Missing</b>		<b>Score</b>	<b>Assessor analysis/reflections</b>
1 - No missing episodes.			
2 - Stays out late, no missing			
3 - Occasionally goes missing for prolonged or short episodes			
4 - Frequent and short missing episodes, including being absent from school/truanting/ or out of character/ sudden occurrence of missing episodes			
5- Frequent and prolonged missing episodes.			
<b>2.Education</b>		<b>Score</b>	<b>Assessor analysis/reflections</b>
1 - Engaged in full time education, training or employment			
2 - In full time education but with irregular attendance or poor engagement. Or attending PRU/receiving private tuition (full time equivalent). Or attending college or a training scheme or in work with poor/irregular attendance.			
3 - Excluded from school with no other education provision Poor attendance at part time education/training Attending PRU/private tuition (not full time).			
4 - Not engaged in full time education, training or employment BUT shows an interest in accessing opportunities.			
5 - Not engaged in education, training or employment. Shows no interest in accessing education or training.			
<b>3. Relationship carers &amp; parents</b>		<b>Score</b>	<b>Assessor analysis/reflections</b>
1 - Significant understanding and good communication.			
2 - Some mutual understanding and positive communication.			
3 - Some mutual understanding. Poor communication.			
4 - Poor communication, low warmth, attachment or trust.			
5- Any domestic Abuse or Child in Care			
<b>4.Accommodation (current)</b>		<b>Score</b>	<b>Assessor analysis/reflections</b>
1 - Young person is satisfied with accommodation and it meets their needs.			
2 - Young person is generally satisfied with accommodation. Accommodation meets most of their needs Some concerns about longer term stability.			
3 - Unstable or unsuitable accommodation. Young person is not satisfied with where they are living.			
4 - In temporary accommodation including hostels.			
5- Homeless.			

<b>5. Drug/Alcohol use</b>		<b>Score</b>	<b>Assessor analysis/reflections</b>
1 - No concerns			
2 - Some concerns about drug/alcohol use			
3 - Problematic or sudden onset drug/alcohol use by child or parent/carer			
4 - Drug/alcohol dependency suspected			
5 - Drug/alcohol use known or appears dependant			
<b>6. Engagement with services/support networks</b>		<b>Score</b>	<b>Assessor analysis/reflections</b>
1 - Good engagement			
2 - Reasonable engagement, regular contact			
3 - Some engagement with services/support networks, occasional contact			
4 - Brief engagement with services/support networks: early stages or sporadic contact			
5 - Not engaged with services/support networks, no contact			
<b>7. Risk to others (including siblings)</b>		<b>Score</b>	<b>Assessor analysis/reflections</b>
1 - No Concerns			
2 - Reduced concerns about influence on other young people			
3 - Some concerns raised about influence on other young people			
4 - Concerns raised that young person may be exposing others to risk including encouraging missing/truant episodes.			
5 - Places other at risk.			
<b>8. Online- safety/mobile use.</b>		<b>Score</b>	<b>Assessor analysis/reflections</b>
1 - Good understanding of safe mobile and internet use.			
2 - Some understanding about mobile and internet use. - Secretive use			
3- Poor understanding or acceptance of internet and mobile phone risk.			
4 -Evidence of inappropriate on line relationship/grooming or receipt of multiple mobile phones			
5 - Evidence of meeting on line contacts. - Sharing indecent images.			
<b>9. Sexual Health</b>		<b>Score</b>	<b>Assessor analysis/reflections</b>
1 - Good understanding of sexual health			
2 - Willing to access appropriate contraception and sexual health services			
3 - Experience of sexually acquired infections or engaging in unsafe sexual practices.			
4 - Multiple partners and or inappropriate relationship.			
5 - Repeat sexually acquired infections, pregnancy and terminations or injuries.			

<b>10 Ability to identify abusive/exploitive behaviour</b>		<b>Assessor analysis/reflections</b>
Score		
1- Good understanding of exploitative/abusive behaviour		
2- Reasonable understanding of abusive/exploitative behaviour		
3- Some understanding of exploitative / abusive behaviour		
4- Limited recognition of abusive / exploitative behaviour		
5- No recognition of abusive / exploitative		
<b>11. Association with risky peers / adults / locations</b>		<b>Assessor analysis/reflections</b>
Score		
1- Young person is at risk through contact with risky adults and peers.		
2- Young person's contact with risky adults/ peers/ locations is occasional and s(he) is developing new and more positive networks.		
3- Young person recognises adults/peers/locations that pose risk but maintains occasional contact with them.		
4- Young person has some understanding of risks/exploitation but continues to have significant contact.		
5- Young person is known to be frequently associating with risky or inappropriate adults and/or peers and or locations and does not acknowledge risks.		
<b>12. Current known level of sexual abuse/exploitation</b>		<b>Assessor analysis/reflections</b>
Score		
1- Exited, no longer at risk Or No/minimal risk		
2- Low risk / preventative work; or Reduction in risk.		
3- Medium risk		
4- High risk (previous history) Or High risk (no previous history)		
5- Experiencing current exploitation; known or suspected.		

Final Score:

/ 60

Action

Score of 0-30 - Ask further questions

Score of 31 and above - Consider whether child protection measures are necessary

As there may be many other relevant factors to consider when assessing whether or not a child is at risk of sexual exploitation, the following list provides assessor prompts which take into account the particular circumstances of the child.

Other risk factors: Tick relevant factors	Assessor analysis/reflection / professional judgement (including protective factors/positives):
1 - Poverty or deprivation	

Plan	
2 -Migrant/refugee/asylum seeker/trafficked status	
3 -Family history of exploitation or prostitution	
4 -Family bereavement or loss.	
5 -Change in physical appearance or significant/sudden behaviour changes	
6 -Receipt of gifts from unknown sources e.g. mobile phones, phone credit & tobacco	
7 -Changes to self esteem and confidence levels or significant/sudden behaviour changes	
8 -Previous sexual abuse/ physical abuse	
9 -Previous experience of neglect/ Previous emotional abuse	
10 -Involved in criminal activity e.g. shoplifting	
11 -Poor mental health	
12 - Self harming	
13 -Thoughts of or attempts at suicide	
14 -Physical injuries/hospital attendance	
15 -Difficulties with peer relationships	
16 -Experience of being bullied or of bullying	
17 -Young carer.	
18 -Association with gangs / fear of intimidation by gangs.	
19 -Reports of being taken to hotels, nightclubs, takeaways, parties or out of area by unknown adults.	
20 -Underage sexual activity (?statutory rape)	
View of the young person (if available).	

Need/strength	Desired outcome (what is to be achieved?)	Action	By whom?	By when?

Practitioners may wish to consider discussing the child’s case at the local CSE and Missing Children group / forum, for example where there appear to be gaps in the information which could be filled by multi-agency input, or where there is information relating to potentially risky people or places which could add to local intelligence, and enable intervention and or crime disruption.

## Appendix G

Strategic MACSE Forum Terms of reference:

- The Strategic MACSE Forums will align to the 4 LSCB areas and be accountable to the Peninsula Steering Group and, through this to the Local Safeguarding Children Board
- Each Forum should establish its own Terms Of Reference (TOR) to accommodate the peninsula protocol alongside the other safeguarding provisions in the Local Authority.
- Membership should be drawn from statutory agencies, other agencies, the voluntary sector and others working in each area to ensure proportionate representation

The following points are provided as a framework to build those TOR's on

- The Strategic MACSE will:
- Translate and implement peninsula driven actions into local area contexts. Developing, adopting and monitoring appropriate work systems and provide analysis of local data to drive improvements and share good practice.
- Provide oversight and governance to the locality MACSE forums, including establishing their terms of reference.
- Provide regular reports to the Steering Group including information on; any exceptions to effective inter-agency working and the co-operation of partners; good and poor practice for dissemination across the peninsula enabling the amendment of organisational policy and practice through evidence based learning; Data set return as prescribed by this protocol; Evaluation of progress against peninsula strategy & protocol and Key issues that require Steering Group comment or action.
- Ensure that the voice of the child/young person is passed to the steering group by way of case examples and direct quotes. This will allow the steering group to incorporate their views in working practice development.
- Develop a Missing and CSE action plan for the local authority incorporating the peninsula strategy and ***including an awareness and training strategy*** that complies to the minimum standards stipulated by the steering group to raise understanding of CSE in professionals, families, community groups and the general public.
- Endorse and Advocate resources utilised by professionals tackling CSE including a CSE risk indicator/assessment tool that is approved by the steering group for use in its Local Authority.
- To have oversight of the missing and return home interview agenda.
- Frequency and Quorum of meetings.