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Review of the Statutory Guidance on Safeguarding Children and Young People from Sexual Exploitation

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Background

Aim: To understand how the guidance (including the embedded definition and SERAF) is working in practice, and to identify ways in which it could be improved to ensure that it is fit for purpose across all sectors.

The research was designed as a qualitative inquiry incorporating the following:

- I. 21 Focus groups and 6 interviews with professional stakeholders working in the area of CSE, from across the key fields of health, policing, education, the third sector and social care, including those operating at senior and frontline levels from across Wales.
- I. Two focus groups incorporating the use of creative methods with care-experienced young adults. Their involvement was not to comment on awareness of the guidance but to explore broader aspects such as risk and vulnerabilities, assessment and responses.
- I. A desk-based review brought together information from the relevant academic and policy and practice literatures to inform the analyses and conclusions.

Findings



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Definition (literature)

- The term 'Child Sexual Exploitation' has been relatively recently introduced into official discourse (2009). Before this time we referred to 'child prostitution'
- There are differences and inconsistencies in the way that the term is used and understood in policy throughout the UK. For example, there is a different definition used in each of the 4 nations
- Common misconceptions and misunderstandings about CSE exist in policy, practice and amongst the general public. These include: confusion or conflation of CSE and CSA; grooming necessary for CSE; victims lack agency; CSE only occurs in gangs and/or outside of the family home; perpetrator = male, victim = female; misconceptions about ethnicity of victims and perpetrators.
- To understand and define CSE, it is crucial that it is understood in relation to consent/agency, exchange, and power

Definition (qualitative research)

- At least a basic knowledge and awareness of CSE guidance and protocol was expressed by all participants. However, it is being used in different ways:

“I think everybody knows it exists, whether they’re aware of all of the elements of it that’s the question. I think there’s a general understanding of kind of the overall process and what it aims to achieve but not necessarily some of the kind of finer detail.” (Interview: CSE lead coordinator)

- Some had concerns about the lack of awareness of the guidance amongst their colleagues:

“I’m not convinced through having done the child practice reviews that all of the people that were involved with the reviews were aware of the guidance.” (Focus group 3)

- There is a lack of clarity for practitioners about CSE. The analysis suggests that practitioners are still uncertain about what constitutes CSE:

Participant 2: It like kind of says that you’re a willing participant, where they’re not.” (Focus group 16)

- Some participants raised concerns about connected other non-sexual forms of exploitation and its place in the definition and protocol:

“One last thing that I forgot to mention is whether consideration could be given to removing ‘sexual’ to leave child exploitation. There is a danger to labelling people as it causes professionals to focus on specific areas and not look at vulnerability and risk holistically...Children being involved in drug supply is a form of exploitation in itself and in my experience this is never recognised as a child protection concern. Whether the exploitation is sexual, drug supply or forced labour, the support should be the same” (Interview: Detective Inspector, Force lead for Child Sexual Exploitation)

Identification and assessment

- There is some confusion about the purpose and/or function of the SERAF tool
- There was a strong view expressed by the majority of participants that too much emphasis is being given to the CSE risk score: *“scores have become everything”* and at the same time *“scores have become meaningless”*. Concern that professional judgement is being overshadowed as a result of the instrumental use of the SERAF:

and “if you’re a non-statutory organisation, filling this in gives you the opportunity to have your voice heard a little bit and to involve you in a process that sometimes you wouldn’t be...we’ve had a young person that myself and my police colleague have raised and you know we have raised it through the police and Children’s Services channels with a [strategy] discussion but the view then was no no there’s not enough concern so we completed a SERAF, just about scraped it over 16 and we have to have a meeting and once that meeting takes place and there are 12 people in the room, very quickly the score went up to 25.” (Focus group 19)

- The risks and vulnerabilities were described as needing to be updated and/or needing to reflect current knowledge on CSE. For example in relation to online activity’ and making links to trafficking
- Practitioners wanted something more positive as basis for work with young people

Identification and assessment

- Participants across sectors raised the issue of too much weight being given to historical or more 'static' factors which will never change in any assessment:

“you can have a score and not necessarily need to remain open and have that ongoing intervention... for a start, there are some risks that would drop off necessarily, so kind of some of the historic risk factors, but also yes some of the resilience factors [need to be amended/ added]. And you know, if you’ve been working with a young person for a year and put in place some of those [considerations] and you know that young person is able to demonstrate that they have an understanding of [risks] and whatever, and there are some, some protective factors in terms of appropriate adults and that kind of stuff. It is very difficult to get those off the SERAF...but actually as a professional group you might be able to say yes you know we’ve put in place all of this, we feel confident that there is enough monitoring... that actually there is no need to continue to have [CSE] strategy meetings.” (Focus group 10)

- Young people felt that race/ethnicity was a vulnerability and care-experience could 'work both ways'

Prevention, intervention, prosecution

- It was evident from across the data that there have been developments in practice in terms of responding to CSE, across all sectors, since the guidance and protocol were introduced in 2009
- There is evidence of pockets of excellent multi-agency working and social care learning and practice taking place in Wales (e.g. Gwent Missing Team), as well as evidence of practice being developed from knowledge exchange activities with professionals in England:

“I can’t speak highly enough of our PPU. So they, what I love is that I don’t need to ask them to go and do any disruptive work, they’re already out doing it. You know they call it intelligence led interviews, they’ve got all kinds of stuff, they’re brilliant. So I think we need to capture that and get it in the guidance because I know that not all forces and not all PPUs within the forces are the same.” (Focus group 14)

- The importance of multi-agency and multi-sector working was a significant cross-cutting theme arising from the data, relating to almost every point made in terms of responding to CSE. This was particularly emphasised for education and youth services. This was also mentioned for health, and the role health practitioners can play in strategy meetings and outreach work. The role of policing in terms of prevention and intervention (as well as prosecution) needs to be included in the guidance.

Prevention, intervention and prosecution

- The literature raises the need for direct work, and the need for supportive, consistent and durable relationships for children and young people at risk or involved in CSE. Overall however, there is limited evidence around interventions for CSE.
- Participants raised the importance of the need to consider both therapeutic input and trauma-informed approaches to intervention, and that focussing on working with young people to educate them on positive relationships, whilst important, wasn't enough on its own. Direction on this needs to be present in the guidance
- There needs to be more focus on making positive change, not just identification
- The ambiguities of legal recourse are one factor behind the low numbers of successful prosecutions in CSE cases.
- Young people value: a sense of safety and control; time to develop trusting relationships; flexibility around the terminology used; not having to repeat disclosure over and over; not being made to feel 'abnormal' (or even more 'abnormal')

Broader considerations

- The guidance needs to include information on mechanisms for accountability and for ensuring the protocol is being followed across Wales. This point was set alongside discussion about the need for transparency, and to provide a mechanism for sharing best practice across Wales:

Participant 3: And I guess that's the other thing, so the safeguarding boards are meant to have CSE plans aren't they within them? I don't know the quality of those plans, how they're checked, how we look for good practice between them, and I don't think the national children's safeguarding board has that as a piece of work to do either." (Focus group 16)

- It is only one aspect of responding to CSE, but securing the safety of children and young people placed 'out of county' was raised in every focus group, across almost all sectors.
- Involvement of children, young people and their families within the assessment process and in strategy meetings was raised, although no consensus emerged.
- Overwhelmingly, the responses from participants related to the desire to see changes in practice in order to inform better responses to, and outcomes for, children and young people in Wales.

Overarching conclusion

- The overarching conclusion from this review is that the sexual exploitation Guidance, embedded definition and SERAF protocol are no longer fit for purpose.
- A related conclusion is the importance of these two documents for informing frontline and strategic practice and the need to keep a consistent All Wales approach.
- There is a strong desire to build on the excellent practice that exists in Wales, and for that to be embedded within guidance that becomes a 'live' document – one that is accessible to frontline and strategic professionals working across all agencies, informing good and consistent practice across the country in order to work towards better safeguarding and better outcomes for children and young people in Wales.

Recommendations



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Overarching recommendation:

1. The Wales guidance, embedded definition, and SERAF protocol, should be updated to reflect knowledge that has emerged since they were produced, along with developments in practice and multi-agency working. This should also contribute to the spread of good practice across Wales.

Definition

2. We recommend removing a worded definition of CSE, and replacing this with a bullet-point approach outlining the agreed factors that make CSE particular as a form of abuse.
3. Online CSE is a distinct area of CSE, and this needs to be made explicit within the guidance. Relatedly, informing an understanding of how young people engage with social media (and other forms of internet based communication) and how this forms part of CSE would be helpful for practitioners.
4. Any refreshed definition should be accompanied with a sub-section in the guidance outlining the common misconceptions of sexual exploitation and a section on conditions of consent that should make reference to issues of power, consent, children's agency and grooming.

Definition

5. Welsh Government should consider reviewing and amending the guidance to incorporate a response to sexual exploitation, drugs exploitation and ‘facilitator’ abuse, which are themselves interconnected abuses, presenting similar challenges in terms of responding to children and young people and for disruption and prosecution. This would provide a means of responding to children and young people at risk of and experiencing these abuses where formal provision or guidance is lacking. Welsh Government should also consider reframing the guidance to address these three interconnected forms of abuse, focussing on the issue of the problematic exchange that takes place within such abuses.

Assessment

6. Any launch of new guidance and protocols should stress the ‘screening’ nature of CSE assessments, emphasising the important role professional judgement plays alongside any score in assessing risk and identifying concerns.

7. The SERAF tool should be amended and reworked into a two-layered approach to assessment: a short ‘screening’ tool, with an emphasis on professional judgement alongside identified key risk factors, to be completed by any practitioner or professional in contact with a child or young person with concerns. This would be followed by a fuller CSE screening assessment to be completed by a social services practitioner. The assessment process should draw on relevant research and be subjected to further evaluation.

Assessment

- 8.** Creating an All Wales 'all sectors' tool may not be suitable for health professionals, and the Health SERAF has been developed to ensure that the opportunity to capture concerns arising through their work are maximised. The All Wales protocol should embed the existing Health SERAF into the protocol through making clear reference to this assessment tool and how it will work alongside the amended SERAF tool.
- 9.** The CSE specific response within the protocol should focus on moderate risk and significant risk cases. There needs to be a response to low risk and concerns, but this should be embedded in, and addressed through, existing broader processes within the social services and education sectors.
- 10.** Any new assessment tool should include strengths and/or protective factors. The original SERAF tool featured these factors. Learning will have moved on, but access to a copy of these early versions of the SERAF by the original authors Clutton and Coles should be sought by those reworking the CSE guidance.

Responding to CSE – roles and responsibilities

- 11.** Revised guidance should emphasise that responding to CSE is the responsibility of all sectors and all professionals working in a multi-agency context with children, accommodating new practice contexts and approaches.
- 12.** The role of prevention needs to be more prominent in revised guidance, including the wider context of prevention work and the role that education and youth services can play in this regard – in particular that of facilitating positive relationships with adult professionals and providing opportunities for discussion around relationships, power and consent.

Responding to CSE

13. More information is needed on how to respond to children and young people at risk to CSE and on how to intervene. The guidance needs to take into account the learning outlined within the research literature and the practice learning on CSE being implemented in Wales, and elsewhere, in order to provide the tools and knowledge to enable professionals to produce good and effective safety plans. Examples of good practice and case studies should be provided to help guide professionals.

14. The guidance and protocol should be updated to reflect new learning from initiatives to enhance and inform more effective practice in all areas of responding to CSE including disruption and prosecution; taking account of local processes and services across all agencies. The guidance and protocol should require agreed local level protocols/plans, such as disruption plans, which will complement the national guidance and protocol but incorporate local practice.

15. The guidance should be updated to reflect the legislative and practice changes in health and social care and policing.

Strategic considerations

- 16.** MACE meetings, or their equivalent, should be rolled out across Wales. As part of the development of a revised protocol, terms of reference should be produced to promote consistency and best practice. The terms of reference should include who should chair and vice-chair these meetings, a role currently performed by representatives from the police or children's social care.
- 17.** Revised guidance should include the role of corporate safeguarding in terms of prevention, such as work with taxi drivers, procurement of services and the night time economy.
- 18.** Highlighting accountability and transparency (with a focus on sharing best practice) is required to help ensure the protocol is followed and for promoting shared practice across Wales. We recommend a structure that has a National CSE group, which is led by Welsh Government and has ministerial responsibility attached to it. This would provide a means of monitoring trends, reporting on progress, and sharing learning and good practice, with timeframes for accountability. See Annex F as an example structure for managing CSE in Wales. Such a national group could replace the current Children's Commissioner's roundtable (or evolve from this group).

Strategic considerations

19. Consideration should be given to the management and associated reporting requirements for out of county placements, and information on this should be added to revised guidance. Where these occur within Wales, good management of this should be a requirement for all residential units (including the private sector) and the placing authorities. Welsh Government should consider how this process can be replicated to ensure those young people being placed outside of Wales and coming in from England can be managed in the same way. Consideration should be given to the potential role for CSSIW in collecting management data on this.

20. CSE should be incorporated into safeguarding training across Wales. Current CSE training should be amended to incorporate the learning provided within any revisions to the guidance and protocol.

Involving children, young people, and families

- 21.** Revised guidance should consider the involvement of children, young people and their families in terms of responding to CSE in individual cases – the message should be clear that they should be involved wherever possible and examples of good practice should be provided.
- 22.** Revised guidance should state that one worker be assigned to stay with the young person throughout the care planning process and to work with them in a co-productive way. This person will take the lead on what information is safe to share with a young person (and their family where appropriate).
- 23.** Where appropriate, children, young people and their families should be invited to be part of their CSE strategy meeting(s). This may not be appropriate where there are safeguarding concerns arising from the sharing of information or where it runs counter to frank discussion about risks and safety plans. However, consideration should be given to their attendance at part of the meeting, and/or for them to have a nominated person (as set out above) to attend on their behalf. The requirement to provide young people with information about each meeting, the opportunity to feed into and attend these (where appropriate), as well as updates and the opportunity for discussion about agreed actions should be written in to revised guidance as best practice in the care planning process. This information should also be provided to families where appropriate.

Producing and launching the new guidance and protocol

24. It is recommended that any reworking of the guidance and protocol should be informed by an advisory group including key representatives from all sectors across Wales with the knowledge and experience of best practice in the field.

25. Consideration should be given to how revised guidance and the associated protocol are produced, to make them interactive and easily accessible to all practitioners.

26. Any relaunch should include awareness raising activities among practitioners and professionals in order to promote the revised protocol and to continue to address inconsistent or misinformed practice.

Hallett, S., et, al., (2017) Review of the Statutory Guidance on Safeguarding Children and Young People from Sexual Exploitation. Cardiff: Welsh Government.

<http://gov.wales/statistics-and-research/review-wales-safeguarding-children-young-people-sexual-exploitation/?lang=en>

Questions?



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