

PROCEDURES AND GUIDANCE

Child Abuse and Exploitation

Transition to Adulthood 16 to 25 years



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Introduction

The ERSCP and ERSAB are working together across the East Riding to address and continuously improve the way we respond to abuse, exploitation and modern day slavery including trafficking.

The journey around the development of this protocol has included consultation with the National Working Group (NWG), who have provided partners with guidance and encouragement to reflect on the complexities and challenge that extra familial risk and transition to adulthood presents including adolescence and safeguarding.

This reflection has grown stronger partnerships across the East Riding and improved practice, with a change in culture to support young people, their families including parents as safeguarding partners and the wider community. The partners are committed to implement and provide a six-monthly review to the ERSCP Contextual Safeguarding Strategic Group, to demonstrate the impact of change and successful transition.

Our protocol is intended to set out the agreed transition pathway in East Riding between all partners involved in the safeguarding of children and young adults, where there are concerns about abuse, exploitation and modern day slavery including trafficking.

Transitional Safeguarding is not a model, nor a prescribed approach – but rather a term that has been used by Research in Practice to highlight the need to improve the safeguarding response to older teenagers and young adults in a way that recognises their developmental needs.

The “transition years” when young people move into adulthood, is recognised as being difficult and stressful for many young people. Children and young people experience a range of transitions between peer groups, schools, services and systems of care and support. There are moral and economic drivers for a reimagined safeguarding system which is contextual, transitional, and relational.

(RIP, 2018)

It is essential therefore that there is a young person and carer focus to all transitions work, that this is part of the core business of child and adult services and is an integral part of every young person’s education health and care plan. In the East Riding we see this as a shared priority between children’s and adult services.

Transitional Approach

There are several reasons why a more fluid and transitional safeguarding approach is needed for young people entering adulthood. These are summarised as:

- Adolescents may experience a range of distinct risks and harms, and so may require a distinctive safeguarding response (as highlighted in both Complex Safeguarding and Contextual Safeguarding).
- Harm, and its effects, do not stop at the age of 18.
- Many of the environmental and structural factors that increase a child's vulnerability persist into adulthood, resulting in unmet needs and costly later interventions.
- The children's and adults' safeguarding systems are conceptually and procedurally different, and governed by different statutory frameworks, which can make the transition to adulthood harder for young people facing ongoing risk and arguably harder for the professionals who are trying to navigate an effective approach to helping them.
- Young people entering adulthood can experience a 'cliff-edge' in terms of support, exacerbated by the notable differences between the eligibility criteria of children's and adults' safeguarding.

Transition to adult services should include a person centred and relational approach, to ensure that access to the right services are available at the right time, using the following principles (**NICE 2020**):

- Recognise that this situation is unique to the young person.
- Don't pre-judge what a young person is going through.
- Let the young person and their family members know what you can and can't do within your role including boundaries and protocols.
- Explain truthfully to the young person what information you may have to share with others and why.
- Let the young person know that whatever their situation is, it won't be rushed, but will be dealt with as soon as possible.
- Confirm with the young person that you have understood what they have told you.
- Show that you have taken in what the young person is saying and tell them what you will do about their concern.
- Identify the evidence of any risks to the young person's well-being, brought about by this life event or transition and let them know your concerns where appropriate.
- If there is someone else who can also help the young person, tell them and make effective links within your own organisations or elsewhere to support the young person.
- Ensure that the young person knows what support is available and encourage them to accept it.

Where a young person is still at risk of or being abused and or exploited and is aged 16, transition planning should start as soon as possible. This is particularly important for young people who may have limited eligibility for adult services or may face other challenges such as moving from one Local Authority area to another.

A relational model must be used to safeguard young people, responds to the specific emotional and relational dynamics of the 'grooming' of a victim by an external perpetrator and the impact on a family unit. It Increases focus on early intervention and prevention of Child Exploitation whilst bringing disruption of abuse and prosecutions of perpetrators. This creates a positive and safe environment to improve parent and family engagement with statutory agencies and empower parents to provide long term support for the victim. By working alongside parents and listening to them, multi-agency teams' capacity to safeguard the young person is increased. (PACE, 2019).

This relational model facilitates a mutual understanding of safeguarding and must support the development of a clear exit strategy and promotes independence as an adult. This will be dependent on the individual circumstance of the young person including the impact of trauma.

Consideration should be given as to how information should be shared effectively with other relevant professionals to ensure the young person experiences a seamless transition that supports them to reduce their risk of exploitation and abuse that ensures professionals have sufficient background information to provide effective support.

The risks which young people and vulnerable adults now face are multi-faceted and constantly changing. This means that in order to effectively support adults at risk or children at risk of harm a single agency response is not going to be effective in managing a range of risks.

Many people of all ages may be vulnerable to abuse and exploitation: many types of abuse arise from a context of exploitation. The Care Act Guidance (14.17) states that Local Authorities should not limit their view on what constitutes neglect or abuse where the S42 legal requirement is met.

Exploitation could be from a number of sources including Gang Activity, County Lines, Cuckooing, Sexual Exploitation, Missing and Trafficked individuals and Modern Slavery. As with all areas of abuse, consideration must be given by the Local Authority in relation to its legal responsibility where such concerns are identified.

All exploitation concerns and safeguarding responses must be considered alongside the S42 duty of the Care Act (2014), which is:

- Has care and support needs (whether or not those needs are being met)
- Experiencing (or being at risk of) abuse or neglect.
- Being unable to protect themselves because of those care and support needs.

The Care Act 2014

The Care Act Statutory Guidance also outlines the steps to take for young people who are 'likely to have needs' at transition and for young people who are not in receipt of Children's services. The guidance states that 'the adult needs arise from or are related to a physical or mental impairment or illness. Local Authorities must consider at this stage if the adult has a condition as a result of either physical, mental, sensory, learning or cognitive disabilities or illnesses, substance misuse, brain injury...a formal diagnosis of the condition should not be required' (Care Act Guidance, 6.104). It is also clear that where there are safeguarding concerns raised and the person is aged over 18 but still receiving Children's services, the safeguarding should be responded to by Adult Services and involve engagement from Children's Services and other partners, where appropriate (16.75).

Abuse

Abuse is when a person is intentionally harmed by another. In the case of young person this may be by another adult or another child – it can be over a period of time but can also be a one-off action. The abuse can be physical, sexual, or emotional and it can happen in person or online. Neglect is also abuse; the lack of emotional warmth, guidance, care, and attention has significant and long term impact on the wellbeing of a young person/adult. Abusers may be

- Family members
- Friends
- People working or volunteering in organisational or community settings
- People they know
- Strangers - the opportunities for stranger abuse increases in adolescent as the young person develops more extra-familial experiences.

There are 12 types of abuse which must be considered as follows:

- Physical abuse
- Domestic violence or abuse
- Sexual abuse
- On-line abuse
- Psychological or emotional abuse
- Financial or material abuse
- Economic exploitation
- Modern slavery
- Discriminatory abuse
- Organisational or institutional abuse
- Neglect or acts of omission

- Self-neglect

The abuse usually happens over a period time, rather than being a single, isolated incident. Young people suffering abuse often experience more than 1 type of abuse.

Evidence from research has indicated that the most prevalent types of abuse which may affect vulnerable people between the ages 18-25 are as follows (NICE 2019):

Physical Abuse

Physical abuse happens when a young person is deliberately hurt, causing injuries such as cuts, bruises, burns and broken bones. It can involve hitting, kicking, shaking, throwing, poisoning, burning or suffocating. It's also physical abuse if a parent or carer makes up or causes the symptoms of illness in children. For example, they may give them medicine they don't need, making them unwell.

Sexual Abuse (including on-line sexual abuse)

Sexual abuse is forcing or enticing a young person to take part in sexual activities. It doesn't necessarily involve violence and the child may not be aware that what is happening is abuse. Sexual abuse can involve contact abuse and/or non-contact abuse. Contact abuse happens when the abuser makes physical contact with the child.

Online sexual abuse includes persuading or forcing a child to send or post sexually explicit images of themselves, this is sometimes referred to as sexting or persuading or forcing a child to take part in sexual activities or sexual conversations via a webcam or smartphone involving a child in sexual conversations by text or online is sexual abuse. Abusers may threaten to send sexually explicit images, video or copies of sexual conversations to the young person's friends and family unless they take part in other sexual activity. Images or videos may continue to be shared long after the abuse has stopped. Meeting a young person following online sexual grooming with the intent of abusing them is **grooming** (see Exploitation below).

Emotional /psychological Abuse

Emotional or psychological abuse is persistent, and, over time, it severely damages a young person's emotional health and development. Young people do not receive the emotional warmth and support they need to develop and thrive. Parents/carers unavailable during interactions, rarely say anything kind, positive or encouraging and failing to praise a young person's achievements and successes Emotional abuse can involve humiliating, putting down or constantly criticising a young person.

Controlling or limiting socialisation or manipulating a child or exposing a young person to distressing events or interactions such as drug taking, heavy drinking or domestic abuse is also emotional abuse.

Neglect

Neglect is persistently failing to meet a child's basic physical and/or psychological needs usually resulting in serious damage to their health and development. As young people transition from adolescence into early adulthood, they still need emotional and physical support to meet their basic needs and guidance to keep themselves safe and succeed.

Exploitation

People of all ages may be vulnerable to exploitation. Victims of exploitation can be children, young people or adults, male or female. It is the vulnerability (whether that be age, disability, illness, poor life experiences, previous victims of abuse, isolation) of the alleged victim that is important, not just their age.

There is currently no specific definition of exploitation; however, for the purpose of this protocol the following definition is being used:

Exploitation is the deliberate maltreatment, manipulation or abuse of power and control over another person; to take advantage of another person or situation usually, but not always, for personal gain from using them as a commodity. It may manifest itself in many forms including slavery, servitude, forced or compulsory labour, domestic violence and abuse, sexual violence and abuse, or human trafficking. This list of types of harmful conduct is not exhaustive or listed here in any order of priority. There are other indicators that should not be ignored. It is also possible that if a person is being harmed in one way, he/ she may very well be experiencing harm in other ways.

Types of Exploitation:

- **(Child) Sexual Exploitation**

There is no statutory definition for the sexual exploitation of adults; however, the following could be applied to both children and adults:

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology (Working Together 2018).

- **Criminal Exploitation**

Criminal Exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child, young person, or an adult into any criminal activity:

**In exchange for something the victim needs or wants, and/or
For the financial or other advantage of the perpetrator or
facilitator (such as to support serious
organised crime and/or terrorism), and/or
Through violence or the threat of violence to ensure compliance.
The victim may have been criminally exploited even if the activity
appears consensual.**

Serious Violence Strategy (2018)

Criminal Exploitation does not always involve physical contact; it can also occur using technology and/or social media. Because they are more likely to be easily detected, individuals who are exploited are more likely to be arrested and criminalised for criminal behaviour, than those individuals or groups who are exploiting them. Individuals who are being criminally exploited can be involved, linked to or considered to be (by themselves or others) as part of a “gang”. It is important when children or adults identify or are identified as being affected or involved with gang-related activity that involves the use of actual or threatened violence and/or drug dealing that professionals also consider that they may be victims of criminal exploitation. Criminal exploitation is broader than but often part of organised crime and county lines.

- **Organised Crime & County lines**

Organised Crime is “serious crime planned, coordinated and conducted by people working together on a continuing basis. Their motivation is often, but not always, financial gain.” Organised crime groups are “organised criminals working together for a particular criminal activity or activities.”

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”.

They are likely to exploit children and adults to move, [locally supply] and store the drugs and money. They will often use coercion, intimidation, violence (including sexual violence) and weapons. (Home Office, 2017)

- **Modern Slavery**

“Modern slavery is a complex crime that takes a number of different forms. It encompasses slavery, servitude, forced, compulsory labour, and human

trafficking. Traffickers and slave drivers coerce, deceive and force individuals against their will into a life of abuse, servitude, and inhumane treatment. Victims may be sexually exploited, forced to work for little or no pay or forced to commit criminal activities against their will. Victims are often pressured into debt bondage and are likely to be fearful of those who exploit them, who will often threaten and abuse victims and their families. All these factors make it very difficult for victims to escape. (Modern Slavery Act 2015)

- **Radicalisation**

The Prevent guidance (2018) defines radicalisation as "the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups"

Radicalisation can be prevalent with children who are more vulnerable to being influenced or exposed to extremism ideologies and views which can end up being normalised. Vulnerability indicators are around struggling with a sense of identity and low self-esteem, lacking sense of belonging, feeling confused re: culture, gender, religion etc., struggling to interact socially.

Committed Responsible Partner Agencies Deliver Effective Transitions

It is critical that in the transition to adulthood for these young people, they do not fail to understand who they can turn to when they become 18. Transition plans for young people need to include the alternative routes to meet needs which arise as a result of the risks they face.

It is important that as safeguarding partners we consider this as a transition to adulthood, rather than a transition to adult services. As not all of these young people will meet the criteria for on-going support. As stated by the National working group (NWG) (2018):

“It has been noted that to consider a change in language to preparation for adulthood could support in promoting a sense of shared responsibility for the issue and remove the sense of the cliff edge that accompanies talk of transition” (NWG)

“There will be some cases that are absolutely and resolutely the responsibility of adult services but where Care Act legislation does not...fit, there needs to be consideration of alternative pathways” (NWG, 2018).

Health professionals will often work with young people affected by harm outside the home and are an important partner for recognising harm and connecting young people and incidents. Health includes a range of important partners, for example sexual health, CAMHs, A&E, public health, school nurses, the designated safeguarding nurse, Pharmacies, Dentists and, GPs.

Effective Transition

Effective Transitions for young people at risk / experiencing exploitation involve:

- A planned and careful journey, adult services are notified about these referrals in advance of their 17th birthday to enable planning for possible transition.
- All of the relevant current documentation is received from Children's Services to Adult Services. Therefore, that everyone has a clear and holistic picture of the situation.
- Evidence that steps have been taken to ask the young person whether they consent to having a referral made to adult services. Or evidence is clear where it has been required to complete a referral in the best interests of the young person, or in order to manage the presenting risks.
- That young people are prepared and aware of the difference between children and adult services i.e. financial contributions etc. if eligible.

To improve transition, the following factors are important:

- Good communication.
- Identification of young people's needs.
- Working alongside other organisations and/or local establishments.

The forecasted rising demand for emotional and psychological support among CYP is potentially increased during transition. HM Government's (2018) Working Together to Safeguard Children highlights the need for advance planning to prepare for transition. Advance planning relies on young people being confident enough to ask questions about their own healthcare and its delivery.

Transition should follow the same principle as safeguarding – supporting young people is everyone's responsibility. This requires a team, not an individual, approach. The team should be multi-agency and ensure CYP's voices are heard by involving them in decisions about their care and needed to ensure all areas are covered, including:

- Medical.
- Social.
- Psychological.
- Educational.
- Vocational.

While all professionals share responsibility for supporting CYP, policy guidance advises the appointment of a key worker or named worker (NHS England, 2019). This is clearly beneficial to the patient but can be problematic if the named worker on whom the young person has come to depend changes their job. NICE's (2016b) guidance considers this issue and the need to ensure there is a replacement.

Responsible Partner Agencies

Responsible Partner agencies who are responsible for enabling effective transitions for young people at risk or experiencing abuse and exploitation:

- Children's Social Care
- The Police
- Adult Social Care
- Voluntary agencies such as Mind, Blue Door, The Right Space
- Clinical Commissioning Groups
- Primary Care services commissioned by NHSE/CCGs, NHS, and Local Authority Funded Providers, e.g., Acute Hospitals, Community Services, Drug and Alcohol Services, Sexual Health Services, 0-19/25 Services (Public Health Nursing)
- Mental Health services
- Education services
- Housing
- Benefits services including citizen's advice.
- Other relevant agencies that are part of a young person's holistic assessment.

The Extrafamilial Risk Transition Process within the East Riding

Any child or young person where it has been identified that they are at risk of any contextual safeguarding harm or likely harm, will be offered the opportunity to bring together the family and professional network via a Family Group Conference to formulate a plan to address any safeguarding harm or likely harm through the provision of a range of agreed interventions. This Family Group Conference will be facilitated by a specific contextual safeguarding Children's Independent Safeguarding and Reviewing Officer (CIRO) who will also ensure that the agreed plan is implemented to meet the identified needs. The ERYC Safeguarding Manager - Independent Chairing Service is Ruth Kingdom who can be contacted via email: ruth.kingdom@eastriding.gov.uk

Those young people identified as at risk of any contextual safeguarding harm or likely harm that require transition to adult services will be invited to participate within the Family Group Conference process and subsequent reviews, either directly or indirectly. For those young people and/or families that require a transition to adult service who choose not to participate within the Family Group Conference offer where contextual safeguarding has been identified children's services will ensure that relevant information is shared with adult services via the proposed revised MACE panel (to be re-named). The Making a Change Team will assist this process and can be contacted via the Making a Change in-box: makingachangeteam@eastriding.gov.uk

Adult Services can be contacted via email: safeguardingadultsteam@eastriding.gov.uk

Monitoring and Assurance

The ERSCP Extrafamilial Risk Group has oversight of the quality and provision of the multi-agency response to extrafamilial risk via quarterly reports, reflective space activity and the ERSCP Performance Dashboard ensuring that vulnerable children, young people, and their families experiencing extrafamilial risk receive appropriate support and improved outcomes.

References

Research in Practice (RIP) 2018 - Mind the Gap

National Institute for Health and Care Excellence (NICE) Guidance (2020) Transition from children's to adults' services overview

PACE (2019) Best practice in working with families affected by child exploitation

The Care Act Guidance (2014) Safeguarding Adult Duties

Working Together to Safeguarding Children (2018) Definition of Child Sexual Exploitation

The Serious Violence Strategy (2018)

Criminal Exploitation of children and vulnerable adults (2017) County lines guidance. Home office.

Modern Day Slavery Act (2015)

Prevent Guidance (2019) Prevent and Duty Guidance

National Working Group (2018) Sexual exploitation the journey into adulthood: IT DOES NOT STOP BECAUSE YOU TURN 18.

CQC Report (2014) Care & Support (Statutory Guidance)

National Institute for Health and Care Excellence (2016a) Transition from Children's to Adults' Services for Young People using Health or Social Care Services

National Institute for Health and Care Excellence (2016b) Transition from Children's to Adult's Services.

NHS England (2019) The NHS Long Term Plan