



The
Maltby Learning Trust

MLT Child Sexual Exploitation Policy

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INTRODUCTION

This policy provides information about specific areas of vulnerability which may give rise to children being sexually exploited. Child sexual exploitation is a form of sexual abuse which can affect any child under the age of 18 years including 16 and 17 year olds who can legally consent to sex. Child sexual exploitation may include all the indicators of sexual abuse including penetrative, non-penetrative and non-contact sexual activity, but a key factor is that some form of exchange is made between victim (namely sexual activity) in return for tangible rewards (eg money, drugs, alcohol) and/or intangible rewards (eg status, protection, perceived love and affection) from the perpetrator. The perpetrator in return likely receives monetary gain, discharge of a debt and/or enhanced power and status. Sexual gratification without gain would be seen as child sexual abuse, but not necessarily exploitation.

The DfE (February 2017) define Child Sexual Exploitation as:

'Child sexual exploitation is a form of child 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.'

It is important to recognise that child sexual exploitation is never the victim's fault despite the perceived exchange of goods and services. All children and young people under the age of 18 have a right to be safe and protected from harm.

Because of increasing risks from digital technology, this policy considers the following specific areas of vulnerability:

- Child Sexual Exploitation
- Exposure to Digital Media
- Youth Produced Sexual Imagery (sexting)

POLICY CONTEXT

Children who are sexually exploited are likely to experience both short-term and long-term consequences in terms of their physical and mental health, their current relationships and those in the future (including attachment to their own children), their education and consequently future employment and career prospects. Child sexual exploitation is a complex issue and it can sometimes be difficult to separate the indicators from 'normal' adolescent behaviour. It is therefore imperative that professionals and volunteers working within Maltby Learning Trust are alert to risk factors, including online behaviours, and take actions to report concerns.

POLICY STATEMENT

Child protection is everyone's responsibility. It is therefore paramount that all efforts are made to predict and prevent sexual exploitation from occurring, to follow agreed reporting processes and support multi-agency mechanisms. The following principles are key:

- All professionals and volunteers have a duty to report safeguarding concerns;
- Child sexual exploitation is a form of sexual abuse and must be recognised as constituting an immediate risk;
- Child sexual exploitation takes different forms, including online and offline, and can affect any child or young person;
- All individuals under 18 years of age are entitled to be recognised as children and to be afforded protection and support;
- Safeguarding responsibilities do not depend on a child's desire to be safeguarded. A duty of care overrides confidentiality;
- Child sexual exploitation, as with other forms of abuse, causes trauma which may impact on behaviour and presentation;
- 'Professional curiosity' should be employed to look beyond presenting behaviours and presentation;
- There can be an overlap between victims and perpetrators, and all victim-blaming should therefore be challenged;
- All children deserve an equitable duty of care for their safety and welfare including vulnerable groups eg SEND, LGBT and BME children.

CHILD SEXUAL EXPLOITATION

Child sexual exploitation can occur in all communities, among all social groups and affect all genders. It can happen to any child. Many children who are sexually exploited have been victim to other forms of abuse. Additionally, the grooming process can often mean that children who are sexually exploited do not always recognise that they are being abused. This is particularly pertinent to 16 and 17 year olds who may believe that they are entering into a consensual sexual activity because they are legally able to give consent. While all children without adequate systemic support may be vulnerable, this age group may be particularly so in terms of lack of financial support.

Children are sexually exploited both offline and online; this means that young children of primary age can also be at risk. Those most at risk tend to be 12-15 years of age. Consideration should also be given to the fact that boys are less likely than girls to disclose abuse and the apparent propensity for victims to be female should not preclude concerns for boys being reported. It is also important to be aware that a child may be both a victim and a perpetrator; children are often forced to take part in the exploitation of another child under duress or forced to introduce other children to their abuse under threats to their family's safety.

Child sexual exploitation is complex and is often linked to other types of crime, including:

- Child trafficking
- Domestic abuse
- Sexual violence in intimate relationships
- Grooming (offline and online)
- Abusive images of children and their distribution
- Drugs related offences
- Gang related activity
- Immigration related offences
- Domestic servitude

There are a number of vulnerability factors which may make a child more susceptible to becoming a victim of child sexual exploitation including:

- Prior experience of abuse (neglect, physical, emotional , sexual)
- Lack of a safe and/or stable home environment, including historic (eg 'toxic trio' domestic abuse, parental mental health issues, parental substance misuse)
- Bereavement or loss
- Social isolation or social difficulties
- Economic Vulnerability including homelessness or insecure accommodation status
- Connections with other children who are being sexually exploited
- Connections with individuals engaged in adult sex work
- Physical or learning disability
- Being in care
- Sexual identity
- Absence of a safe environment to explore sexuality

It is important to note that while most child abuse occurs within the home, child sexual exploitation usually takes place externally or in the community. It may be the case that the exploitation takes place without the child being fully aware or understanding that certain events constitute abuse. Sexual exploitation is particularly insidious when it occurs online as it can allow perpetrators to initiate contact with multiple users, offers a perception of anonymity for both victims and perpetrators and often results in victims participating in activities online which they wouldn't participate in offline. As the transfer of images online allows for rapid sharing with others the potential for further abuse is exponentially increased.

Child sexual exploitation can occur without any obvious sign of risk. However, potential indicators of risk include:

- Acquisition of goods including money, clothes and mobile phones without plausible explanation
- Association with gangs and/or isolation from peers and social networks
- Exclusion and/or unexplained absence from school
- Persistently missing from home, going missing or returning home late
- Excessive receipt of phone calls/texts/ online messages, including multiple callers from unknown adults or peers
- Returning home under the influence of drugs and/or alcohol
- Age-inappropriate sexualised behaviour, including sexualised language
- Sexually transmitted infection, pregnancy and/or seeking an abortion
- Evidence of or suspicion of physical or sexual assault
- Relationships with controlling or significantly older individuals or groups. This may include entering or leaving vehicles driven by unknown adults

- Frequenting areas known for sex work
- Associating with others known to be sexually exploited
- Concerning use of social media/internet, including the sharing of images
- Increasing secretiveness around behaviours
- Self-harm or significant changes in mental health and emotional wellbeing

http://rotherhamscb.proceduresonline.com/chapters/p_ca_sex_exp.html

EXPOSURE TO DIGITAL AND INTERACTIVE TECHNOLOGY

Digital and Interactive Technology covers a range of electronic mediums where messages can be conveyed without actual face-to-face contact. As the internet has become more widely accessible via phones, tablets, games consoles etc, the exchange of texts, photos and videos has become more widespread. Social networking sites can pose a risk to children as they are often used by perpetrators to engage children in abuse. This includes child sexual abuse and child sexual exploitation but also extends to radicalisation.

'Internet abuse' relates to four main areas of abuse to children:

- Abusive images of children (these are not necessarily confined to the internet). Any indecent or obscene image involving a child has involved a person(s) who in creating that image, and/or sharing that image, has been party to abusing that child
- A child or young person being groomed for the purpose of sexual abuse and/or exploitation
- Exposure to exploitative images and other offensive material via the Internet
- The use of the internet, particularly social media sites and apps, to engage children in extremist ideologies

Internet abuse may also include cyber-bullying or online bullying.

Indicators that a child is subject to internet abuse may be difficult to identify but it is important to be alert to the following:

- Noticeable change in attitude towards the use of computer or phone
- Changes in behaviour and mood
- Changes to a child's circle of friends
- Not wanting to be alone with a particular person

Children should be supported to understand that when they use digital technology, they should not give out any personal information including name, address, phone numbers and school, and should refer to a parent or trusted adult if they are asked for this type of information. They should also be warned about the risks of taking sexually explicit photographs and that by sharing them, not only are they beyond the child's control, the child is also engaging in a criminal act, and leaving themselves vulnerable to exploitation.

The predominant issues associated with online safety are:

- Content – exposure to illegal, harmful or inappropriate material
- Contact – harmful online interaction with others
- Conduct – online behaviour that increases the likelihood, or causes, harm

For further information refer to:

YOUTH PRODUCED SEXUAL IMAGERY (SEXTING)

Sharing photos and videos online is part of daily life for many people, enabling them to share their experiences, connect with friends and record their lives. Photos and videos can be shared as text messages, email, posted on social media or increasingly via mobile messaging apps, such as Snapchat, WhatsApp or Facebook Messenger.

The increase in the speed and ease of sharing imagery has brought concerns about young people producing and sharing sexual imagery of themselves and also sending or receiving sexually explicit text messages. This can expose them to risks, particularly if the imagery/text is shared further, including embarrassment, bullying and increased vulnerability to sexual exploitation.

The term 'youth produced sexual imagery' is the preferred term, rather than 'sexting' as it clarifies the following:

- 'Youth produced' includes children sharing images that they, or another child, has created of themselves
- 'Sexual' is clearer than 'indecent.' Deciding whether something is 'decent' implied a value judgement and may be depending on context
- 'Imagery' covers both still photos and moving videos

The production and sharing of sexual images of under 18's is also illegal. However, it is recognised that children frequently have natural curiosity about sex and their exploration of relationships and the law criminalising indecent images of children was created prior to the widespread access and mass adoption of the internet. The law was not intended to criminalise children unnecessarily and it therefore important to provide education, support and/or safeguarding in the first instance. The types of incidents covered by the phrase youth produced sexual imagery include:

- A person under the age of 18 who creates and shares sexual imagery of themselves with a friend under the age of 18 years
- A person under the age of 18 who shares sexual imagery created by another person under the age of 18 with a person under the age of 18 or an adult
- A person under the age of 18 who is in possession of sexual imagery created by another person under the age of 18

It does not cover:

- The sharing of sexual imagery of people under 18 by adults – this constitutes child sexual abuse and would require reporting to the police
- Children under the age of 18 sharing adult pornography or exchanging sexual texts which don't contain imagery

When an incident occurs in school which involves the sharing of youth produced sexual imagery, this should be referred to safeguarding for risk assessment and interview with the child. Parents will be informed of the incident and it may well be that a police officer affiliated with the school is engaged to discuss the risks and legal implications with a child.

If any risk of harm is deduced from speaking to the child then a referral to MASH will be made. It may also be necessary to seize the device in question, turn it off and keep it locked until the police retrieve it.

The following assessments should be made with a view to identifying without looking what the image contains and whether anyone else have been involved, who has seen or shared the image, and how further distribution can be prevented:

- Why was the imagery shared? Was the young person coerced or put under pressure to produce the imagery?
- Who has shared the imagery? Where has the imagery been shared? Was it shared and received with the knowledge of the pupil in the imagery?
- Are there any adults involved in the sharing of imagery? If so, this would constitute child sexual abuse (and possibly child sexual exploitation).
- What is the impact on the children involved?
- Do the children involved have additional vulnerabilities?
- Does the child understand consent?
- Has the child taken part in this kind of activity before?

Adults should not view youth produced sexual imagery unless there is a good reason to do so. Any decision to view imagery by the Designated Safeguarding Lead should be satisfied that:

- It is the only way to make a decision about whether to involve other agencies (ie not possible to establish the facts from the children involved)
- It is necessary to report the image to a website, app or suitable reporting agency to have it taken down, or to support the child or parent in making a report
- It is unavoidable because a child has presented an image directly to a staff member or the imagery has been found on a school device and/or network.

If the image is viewed, it is important that it is not copied, printed or shared; that the Designated Lead or member of staff have delegated authority from the Principal, that the viewing takes place with another member of staff present, ideally from the senior leadership team; that it takes place on school premises, that images are viewed by a staff member of the same sex as the young person in the imagery wherever possible and that a comprehensive record of these decisions are made.

If no other agencies need to be involved, then the image should be deleted. In most cases young people should be asked to delete imagery and confirm they have done so. Children should be reminded that the possession of youth produced sexual imagery is illegal and that if they refuse to delete the material, or it is later discovered that they did not delete the image, they are committing a criminal offence and the police may then be involved with a view to bringing a criminal charge.

When speaking to a child and discussing the sharing of youth produced sexual imagery then it is important to:

- Recognise that children can be under pressure to take part in the sharing of imagery
- Remain solution focussed – avoid questions such as 'why have you done this'
- Reassure the child that the school will do everything they can to help and support them

- Help the child to understand what has happened by discussing wider pressures they may face and the motivations of the person who sent the imagery,
- Discuss issues of consent within healthy relationships

For further information refer to:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf

SEARCHING, SCREENING AND CONFISCATION

Staff in school are able to search a student for any item as long as the student agrees (subject to the child's ability to give informed consent). Formal written consent is not required – authorised staff should simply ask the student to turn out his or her pockets or ask if they can look in the student's bag or locker. A student refusing to co-operate can be treated as in other circumstances where non-compliance may be an issue and apply an appropriate sanction in line with the school's behaviour policy.

When a student does not consent, Principals and authorised staff are able to search students or their possessions where there is reasonable grounds to suspect that a student has a prohibited item in their possessions. The DfE categorises prohibited items as:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or
- To cause personal injury to, or damage to the property of, any person (including the pupil).

Principals and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for. Staff can then seize any prohibited item found as a result of a search and any item which they consider harmful or detrimental to school discipline. Schools can refuse to have a student on the premises if they refuse to be screened.

The member of staff undertaking the search must be the same sex as the student being searched and there must be a witness (also a staff member) present. If possible, the witness should also be the same sex as the student being searched. The only exceptions to this are where there are reasonable grounds to believe there is a serious risk of harm to an individual(s) if the search is not conducted immediately and it is not reasonably practical to summon another member of staff.

The person undertaking the search may not require the student to remove any clothing other than outer clothing (clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear). Outer clothing would include hats, shoes, boots, gloves, scarves.

Possession means any goods over which the student appears to have control eg desks, bags, lockers

Authorised staff can use their discretion to confiscate, retain and/or destroy any items found as a result of a 'with consent' search so long as it is reasonable in the circumstances. The law protects members of staff from liability in any proceedings brought against them for any loss of, damage to, any item they have confiscated, provide they acted lawfully. The following points are pertinent:

- Where any article is thought to be a weapon, or constitutes evidence of an offence, it must be passed to the police.
- Stolen items of value and controlled drugs must be delivered to the police as soon as possible unless there is a good reason to dispose of them. This would include legal highs.
- Schools are allowed to dispose of alcohol, fireworks, tobacco and cigarette papers as they think appropriate although this does not include returning it to the student.
- An electronic device may be examined if there is good reason to do so. Images found on a mobile phone or other electronic device can be deleted **unless** it is necessary to pass them to the police. If a member of staff finds a pornographic image they may dispose of the image unless its possession constitutes a specified offence (ie it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable.
- Schools are not required to inform parents before a search takes place or to seek their consent to search.
- There is no legal requirement to make or keep record of a search.
- Schools should inform the individual student's parents/carers where alcohol, illegal drugs or potentially harmful substances are found, although there is no legal requirement to do so.
- Complaints about searching or screening should be dealt with through the normal schools complaints procedures.

For full guidance refer to:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/554415/searching_screening_confiscation_advice_Sept_2016.pdf

RESPONSE BY ACADEMY STAFF

Any suspicions regarding potential child sexual exploitation including youth produced sexual imagery and harmful exposure to digital technology must be reported immediately as there is the potential of serious risk of harm, safeguarding procedures as defined in the Academy Child Protection and Safeguarding Policy must be followed. This would usually be to the Designated Safeguarding Officers or Academy Principal in the first instance but via the Local Authority's Multi-Agency Safeguarding Hub (MASH) if necessary on 01709 336080.

USEFUL CONTACTS

<http://rotherhamscb.proceduresonline.com/index.htm>