

**Terms of Reference and
Information Sharing Agreement for the
Redcar & Cleveland Vulnerable,
Exploited, Missing and Trafficked
(VEMT) Practitioners Group (VPG)**

Version 6 - September 2019

Document Control
Change Record

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1. Introduction

We operate VEMT procedures under the umbrella of the Teeswide Strategic VEMT Group and Strategy. In addition to the above, each Local Authority determines its own sub group arrangements. The primary aims are to deliver a robust multi-agency response to tackling child sexual exploitation, child criminal exploitation (including county lines), children who go missing and children who are trafficked.

The VPG provides an opportunity to share information and intelligence in detail relating to individual cases of exploitation on a monthly basis. This includes all children who are deemed to be at risk under the VEMT categories:

- **Vulnerable:** There is intelligence that gives cause for concern for a child i.e. child may be a risk of being exploited or trafficked.
- **Exploited:** There has been a reported incident of exploitation. This could also be online or via text.
- **Missing:** Child's risk is high however there is no evidence of exploited or trafficked.
- **Trafficked:** Where a child has been moved or taken out of the Local Authority boundary for the purpose of exploitation or Modern Day Slavery.

When a child is deemed to be at risk of exploitation, a risk category is applied which helps to determine the level of intervention required. These categories have been agreed within the Tees and are applied consistently.

- **Very High Risk:** Imminent risk of harm is identified; the child or young person will commit the behaviour / action as soon as the opportunity arises and the impact would be serious.
- **High Risk:** The potential event could happen at any time and the impact could be serious.
- **Medium Risk:** Some risk is identified but this is unlikely to cause serious harm unless circumstances change.
- **Low Risk:** No specific behaviours, events or people currently indicating risk

Where one or more of these exploitation and risk factors are identified, a primary category of concern and risk category will be agreed and the child will become subject to VEMT. A lead professional for the child will be agreed and case mapping is undertaken to identify, peers, places and perpetrators.

2. Statement of Intent

- 1.1 When a child goes missing, there may be an underlying exploitation issue which can affect both the parents and the child. This can cause stress and pressure on all family members and can be indicative of harm. The purpose of the VPG is to ensure appropriate intervention and support is offered.
- 1.2 Some children who run away do so because they are unhappy or afraid; this could also mean that they are vulnerable and can put themselves in danger. Going missing is known to be a key indicator that a child may be being exploited.
- 1.3 Exploitation is child abuse and is completely unacceptable. Teeswide it is recognised that exploitation can have a serious long term impact on every aspect of a child's life.
- 1.4 The exploitation of children is everyone's business. The exploitation of children happens in a number of ways. **Please see definitions on pages 5 to 7.**
- 1.5 Where a child has been identified as being trafficked for the intent of exploitation we will submit an NRM form. Under government guidance the local authority acts as a first responder and would therefore ensure to submit an NRM in these circumstances.
- 1.6 The only effective way to tackle the exploitation of children is via effective multi-agency and partnership working. Agencies have a collective responsibility to identify those children at risk of exploitation and it is our duty to protect and safeguard them from further risk of harm.
- 1.7 To improve the lives of children living in Redcar and Cleveland, we will ensure they understand the risks of exploitation, enabling them to cease contact with the perpetrators of this abuse. This will result in better outcomes for children through raised self-esteem, engagement in other activities, and through attending school or college to achieve their full potential.
- 1.8 To deliver multi-agency training, by way of a rolling program and ongoing publicity campaign to raise the public's awareness through social media and posters displayed within schools and public service buildings.

3. Aims and Objectives of VPG

The VPG provides an opportunity to share information and intelligence in a multi-agency forum, with the purpose of:

- Providing a multi-agency response to operational issues
- To raise awareness and educate children and their parents or carers regarding the risks of child exploitation.
- To ensure early intervention is offered to reduce the harm posed to children and young people.
- To work collaboratively to ensure the safeguarding and welfare of children who have been identified as being at risk of: modern slavery and trafficking; sexual exploitation; and criminal exploitation (including county lines activity)
- Review progress on individual cases
- To identify peers, perpetrators and places through effective case mapping for each child
- To ensure that appropriate risk assessments are carried out according to Redcar and Cleveland's policies and procedures, which identify the category and level of risk.
- Review children missing from home or care
- To work collaboratively with Adult Services, including mental health, to ensure an effective transition for children still at risk of exploitation post-18 years.
- To identify and submit an NRM referral for those children trafficked for the purposes of exploitation. The local authority has a duty to notify the Home Office about all potential victims of trafficking and slavery.
- Ensure coordinated approaches with other Boroughs where required, including where Children in Our Care are placed out of authority and are at risk of exploitation or are running from or missing from home or care.
- To take effective action against perpetrators and oversee local prevention activity
- Ensure the disruption and prosecution strategy is implemented and effective
- Review the profile of exploitation locally including trends or "hotspots" where exploitation appears to be a particular issue

4. Definitions

4.1 Child Sexual Exploitation

'Child sexual exploitation is a form of sexual abuse where children are sexually exploited for money, power or status. It can involve violent, humiliating and degrading sexual assaults. In some cases, young people are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them. Child sexual exploitation doesn't always involve physical contact and can happen online. A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point.'

'Child sexual exploitation is a form of child abuse. It occurs where anyone under the age of 18 is persuaded, coerced or forced into sexual activity in exchange for, amongst other things, money, drugs/alcohol, gifts, affection or status. Consent is irrelevant, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them. Child sexual exploitation does not always involve physical contact and may occur online.'

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

4.2 Child Criminal Exploitation (CCE)

Child criminal exploitation is increasingly used to describe this type of exploitation where children are involved, and is defined as:

"Child Criminal Exploitation is common in county lines and occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology."

County Lines

County lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons; and the response to tackle it involves the police, the National Crime Agency, a wide range of Government departments, local government agencies and VCS (voluntary and community sector) organisations.

4.3 Running Missing from Home or Care

The term refers to children, who have run away from their home or care placement, have been forced to leave, or whose whereabouts is unknown. Every child aged under 18 years of age reported missing from home should be classified as a young runaway.

No apparent risk

Defined as where there is no apparent risk of harm to either the subject or the public.

4.4 Trafficked

- a. "Trafficking of persons" means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- b. The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- c. The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in sub-paragraph (a) of this article;
- d. "Child" shall mean any person under eighteen years of age.

4.5 Modern Slavery

This document uses the description of harbouring contained in Section 2 Child Abduction Act 1984. 'Taking or detaining a child under the age of 16 so as to remove the child from the lawful control of any person having lawful control of the child.' Modern Slavery is the term used within the UK and is defined within the Modern Slavery Act 2015. The Act categorises offences of Slavery, Servitude and Forced or Compulsory Labour and Human Trafficking. These crimes include holding a person in a position of slavery, servitude, forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after.

Although human trafficking often involves an international cross-border element, it is also possible to be a victim of modern slavery within your own country. It is possible to be a victim even if consent has been given to be moved. Children cannot give consent to being exploited therefore the element of coercion or deception does not need to be present to prove an offence.

The National Referral Mechanism (NRM)

The National Referral Mechanism (NRM) is a framework for identifying victims of human trafficking and ensuring they receive the appropriate protection and support. The NRM is also the mechanism through which the Modern Slavery and Human Trafficking Unit (MSHTU) collects data about victims. This information aims to help build a clearer picture about the scope of human trafficking in the UK.

Referrals should be made on all instances of modern slavery including: 1) Human trafficking; 2) Slavery, servitude and forced or compulsory labour.

5. Governance

5.1 The Redcar and Cleveland VPG reports to the R&C VEMT Sub Group, as well as to the Tees Strategic VEMT Group as well as to. It has the responsibility for the delivery of the aims and objectives set out in section 3 of this report.

5.2 The Redcar and Cleveland VPG will be victim focused. This group will not replace the statutory safeguarding procedures in place in relation to individual children.

6. Structure

6.1. The Redcar and Cleveland VPG will be a partner led problem solving group focusing on identified victims and potential victims.

6.2 The chair of the operational group will be determined by the R&C VEMT Sub Group. The membership will include practitioners from the following:

- Cleveland Police
- Children's Social Care – social worker / team manager representative as required
- Adult Social Care – representative as required
- Leaving Care Team – representative as required
- Early Help Services
- Barnardo's – SECOS
- Education Services
- Young Addaction
- School Nursing and Health Visiting
- Sexual Health
- LAC Nurse – South Tees Health Foundation Trust
- Child and Adolescent Mental Health Services (CAMHS)
- South Tees Youth Offending Service
- Housing Advice and Information
- Community Safety Partnership

6.3 The VPG Group will meet monthly to:

- Cascade information from the VEMT strategic meetings
- Share information on children, with a focus on those children most at risk
- Determine an outcome and actions for all children; for those children who meet the threshold criteria a VEMT category, risk level and lead professional is identified
- To identify those children still considered to be at risk of exploitation beyond their eighteenth birthday and ensure discussion with Adult Services, including mental health and/or the Leaving Care Team, to determine future support
- Share information about perpetrators and places of interest
- Record and circulate the VPG minutes

7.0 Family and Victim Participation:

- The Redcar and Cleveland VPG is a professionals meeting. Victims and their carers will not be invited to attend, but will be notified of their addition or removal to the VEMT list.
- The meetings entail sharing sensitive and confidential information. Any sharing of information with victims or their families may only take place with the agreement of all members of the group and to ensure the protection of a child from further harm.
- Professionals should endeavour where possible to complete VEMT screening tool with the child and their parent / carer. Professionals should always complete the “How Safe Do I Feel” form with the child.
- Where positive progress has been identified, the VPG will recognise this by sending a letter to the young person acknowledging their achievement.

8.0 Multi-agency responsibilities

- 8.1** Each of the organisations engaged to cooperate in the partnership will be expected to agree to implement and adhere to the principles set out in this document.
- 8.2** Each organisation will maintain individual statutory responsibilities for safeguarding children.
- 8.3** Promote and facilitate active contribution from partners to intervene and safeguard the child
- 8.4** Each organisation will maintain responsibility for all staff training and awareness raising within their organisation.
- 8.5** Information may only be shared by members with other professionals within their own organisations. The local authority will take responsibility for notifying the child's GP Practice when a child is made subject to VEMT.
- 8.6** Before attending the meeting, representatives must have prepared up to date information to share during the meeting
- 8.7** Agency representatives will undertake to:
- Attend VPG meetings or provide a deputy
 - Be prepared to share up to date information
 - Contribute to decision making
 - Identify those cases requiring an NRM
 - Take responsibility for dissemination and implementation of agreed actions within their organisation, and ensure these actions are progressed within the agreed timescales.
 - Contribute to case mapping to identify peers, places and perpetrators

- Use the Partnership Information Sharing report within their organisation for potential perpetrators and localities.

9.0 Framework for Confidentiality and Information Sharing

9.1 Four key documents provide the main national framework for information sharing:

- ❖ **Data Protection Act 2018** – This act provides the main legislative framework for confidentiality and information sharing issues. The Act stipulates six principles (see **appendix 1**) that must be followed when personal information is processed by organisations. (“**Processing**” means any operation or set of operations which is performed on personal data or on sets of personal data whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. The act stipulates the conditions under which information may be shared i.e. the legal justifications.
- ❖ **General Data Protection Regulation (GDPR) 2018** – This regulation lays down rules relating to the protection of natural persons with regard to the processing of personal data and rules relating to the free movement of personal data (see **appendix 2**). This Regulation protects fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data. The free movement of personal data within the European Union shall be neither restricted nor prohibited for reasons connected with the protection of natural persons with regard to the processing of personal data.
- ❖ **Human Rights Act 1998** – The act incorporates Article 8 of the European Convention of Human Rights which states that everyone has the right to respect for their private and family life, home and correspondence.
- ❖ **Caldicott Guidance** – The Caldicott Committee produced their report on the “Review of Patient Identifiable Information” in December 1997; this has since been revised in 2013. Caldicott guidance applies to all NHS organisations and local authority Social Service departments. Guidance is based on seven key principles (see **appendix 3**). Organisations are required to appoint Caldicott Guardians to oversee the confidentiality / information sharing processes.

9.2 Data Protection Act:

Partners to this Agreement will ensure that their staff operate in accordance with the key principles of the 2018 Data Protection Act, the GDPR 2018 and other national guidance on confidentiality, and will facilitate the sharing of information wherever possible.

9.3 Purpose of Information Sharing

Information may be shared under the Agreement for the following purpose:

- i. Referring the case to the Redcar and Cleveland Practitioners Group Chair for discussion at the next meeting;
- ii. Discussion at group meetings to inform multi-agency actions to prevent abuse occurring, disrupt perpetrator activity and secure evidence to support prosecutions;
- iii. Provide the VPG with up to date information on cases outside of the meeting where appropriate;
- iv. Notify partner agencies that may be providing a service to a victim, the family or perpetrator of actions arising from the group;
- v. Establish the potential involvement of partner agencies with identified victims/perpetrators;
- vi. Sharing information with the chairs of Operational groups in the other local authority areas when appropriate if there is a link to potential abusers.
- vii. Sharing intelligence within partnership agencies to safe-guard children
- viii. Where there are children residing out of area with exploitation concerns identified we will notify their VPG equivalent lead in the host authority

9.4 Arrangements for sharing information

- i. When a potential case of a missing, exploited or trafficked victim is identified a Safer Referral form and Tees wide Risk Assessment should be completed and sent by secure email to the South Tees MACH.

9.4.1 VPG Partners

- i. Agencies will receive the agenda and associated documentation one week prior to the meeting. It is the responsibility of the agencies to use this information to prepare for the meeting.
- ii. Agencies are responsible for ensuring that arrangements are made for a suitable deputy to attend, prepare and participate in the meeting if the Designated Officer is unavailable.
- iii. It is agreed that the Vice Chair arrangements are the responsibility of all partner agencies.

9.4.2 Meetings

Detailed information is available in the “VPG Process” document.

- i. Attendees are expected to share relevant and appropriate information in relation to cases on the agenda;
- ii. Information discussed within the meeting is strictly confidential and must not be disclosed to third parties, without agreement of the partners of the meeting and when the child or young person meets the threshold for safeguarding procedures.
- iii. Information shared and any recommendations or decisions made will be recorded on the VPG meeting minutes and on the VEMT case profiles.

9.4.3 Following the Meeting

Detailed information is available in the “VPG Process” document.

- i. Where a child/young person has been made active or removed from VEMT, a letter will be hand delivered to the young person and their parents/carers by the lead practitioner identified at VPG;
- ii. Where a child/young person has been made active or removed from VEMT, a letter will be sent to family GP for their information;
- iii. Following the meeting, minutes will be circulated to partner agencies;
- iv. Designated officers should process this information in line with their own agency’s policies and procedures, bearing in mind that some information may be of a particular sensitive nature;
- v. Where it is recommended that cases are brought back to future meetings for review, information shared and future recommendations will also be recorded.

9.4.4 Consent

The R&C VPG is a professional’s operational meeting. It is good practice to obtain consent for the sharing of information, but where consent is not sought from individuals for the purposes of the referral, information will still be shared at the meeting. The following provisions allow the sharing of such information without the knowledge or consent of individuals concerned:

- i. Section 115 of the Crime and Disorder Act 1998 enables disclosure of information for the purposes of any provision of the Act to a relevant authority, or to a person acting on behalf of such an authority. Section 115 does not impose a requirement to exchange information and responsibility for the disclosure remains with the agency that holds the data and decisions must be made on a case by case basis and record made of the decision and reasons for it.
- ii. Personal information may be provided to the police under Section 29 of the Data Protection Act 2018 for the prevention or detection of crime or the apprehension or prosecution of offenders. Section 29 states personal data can be processed for the following purposes: a) The prevention or detection of crime, b) The apprehension or prosecution of offenders.
- iii. Where sharing is necessary because there is evidence that significant harm may be caused to a child or an adult. In these circumstances the public interest to safeguard the welfare of the child or adult may override the need to keep the information confidential.
- iv. Where sharing of information is necessary in the vital interest of the victim or another person. This normally refers to life or death circumstances.
- v. Where sharing is necessary for medical purposes and is undertaken by a health professional.
- vi. Where a court has ordered that information be shared to inform proceedings and decisions by the court.
- vii. Specialist advice should be sought if there is any uncertainty regarding the appropriateness of using any of the above justifications for sharing information.

Advice should be sought from the Caldicott Guardian or the Information Governance Officer of the organisation holding the relevant information (the “data controller”).

9.4.5 Secure storage and transfer of personal information

- i. Steps should be taken by all partners to ensure that personal information is held and transmitted securely. Data should only be sent by secure email systems.
- ii. Each partner organisation should ensure that staff have copies of their Confidentiality and Information Security policies.
- iii. Further information on the safe transfer of confidential information should be sought from partner agencies Information Governance Lead.

10.0 Administration

The Chair of the VPG will work with the VEMT Coordinator and VEMT Administrator to maintain and circulate a record of actions.

Data Protection Act 2018

The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR). Everyone responsible for using personal data has to follow strict rules called 'data protection principles'. These specify that personal data must be:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

General Data Protection Regulation 2018

The six GDPR Key Principles are:

1. Processing should be lawful, fair and transparent
2. Personal data shall be collected for specified, explicit and legitimate purposes
3. Personal data must be adequate, relevant and limited to what is necessary
4. Personal data shall be accurate and kept up to date
5. Personal data shall be kept for no longer than is necessary
6. There must be appropriate security in place in respect of the personal data

Caldicott Guidance

Principle 1 - Justify the purpose(s) for using confidential information

Every proposed use or transfer of personal confidential data within or from an organisation should be clearly defined, scrutinised and documented, with continuing uses regularly reviewed, by an appropriate guardian.

Principle 2 - Don't use personal confidential data unless it is absolutely necessary

Personal confidential data items should not be included unless it is essential for the specified purpose(s) of that flow. The need for patients to be identified should be considered at each stage of satisfying the purpose(s).

Principle 3 - Use the minimum necessary personal confidential data

Where use of personal confidential data is considered to be essential, the inclusion of each individual item of data should be considered and justified so that the minimum amount of personal confidential data is transferred or accessible as is necessary for a given function to be carried out.

Principle 4 - Access to personal confidential data should be on a strict need-to-know basis

Only those individuals who need access to personal confidential data should have access to it, and they should only have access to the data items that they need to see. This may mean introducing access controls or splitting data flows where one data flow is used for several purposes.

Principle 5 - Everyone with access to personal confidential data should be aware of their responsibilities

Action should be taken to ensure that those handling personal confidential data - both clinical and non-clinical staff - are made fully aware of their responsibilities and obligations to respect patient confidentiality.

Principle 6 - Comply with the law

Every use of personal confidential data must be lawful. Someone in each organisation handling personal confidential data should be responsible for ensuring that the organisation complies with legal requirements.

Principle 7 - The duty to share information can be as important as the duty to protect patient confidentiality

Health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by these principles. They should be supported by the policies of their employers, regulators and professional bodies