

**M**issing, **S**lavery, **E**xploitation and **T**rafficking **(MSET)**

Exploitation Framework for children, transitions and adults.

Guidance Document

(Accompanying Screening Tools)

**1. Exploitation Process**

1.1 **Stage 1 Screening** – The screening (see appendix 1) *must* be completed by any professional who has concerns about exploitation. The factors of concern should be identified using appendix 5 as a guide. The screening should include discussion and record of the individual’s views, and parents/carers views unless there are consent issues and/or it increases risk to the individual to do so. The overall summary of exploitation should be informed by the vulnerability indicators and imminence of exploitation risk. Where Early Help thresholds are met the screening should be used to support a referral via One Call. If safeguarding thresholds are not met but there are medium level of concerns consent must be obtained to make a referral into Social Care with a request to progress the Exploitation Framework. If consent is refused, and concerns remain, advice and support should be sought from Social Care.

1.2 In line with GDPR guidelines for processing information and to fulfil our legal responsibilities for safeguarding and crime prevention and detection the Police chair and Social Care Senior Manager must be sent all Stage 1 screenings.

1.3 If the screening reveals imminent risk to the individual and/or a crime has been committed information *must*also immediately be shared with Northumbria Police (999). Information shared for intelligence purposes should be sent forceintelligence@northumbria.pnn.police.uk.

1.4 If the screening reveals concerns regarding risk of radicalisation as a form of exploitation professionals should refer to the prevent agenda.

**Prevent Strategy**

<https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Health-and-social-care/Care%20support%20for%20adults/Professional%20documents%20and%20printable%20forms/FINAL-Prevent-Strategy-and-Action-Plan-2015-18-Version-2-April-2016.doc>

**Prevent Duty Guidance** (which comes into force from July 1st as part of Counter Terrorism and Security Bill 2015) [https://www.gov.uk/government/publications/**prevent-duty-guidance**](https://www.gov.uk/government/publications/prevent-duty-guidance)

**1.5 Stage 2 Assessment** – Social Care *must* ensure consent has been obtained, unless safeguarding thresholds are met to commence Stage 2 (see Appendix 2). Consent may be temporarily dispensed with for children if notifying parents/carers is likely to hinder any investigation. The Stage 2 Assessment must be completed in a multi-agency forum led by a Social Care Practitioner, which should include the child, family, parents and carers. The assessment involves completion of the Scoring Matrix (identifying what we are worried about, complicating factors and what is working well); inclusion of the individual’s and parents/carers views where applicable; identification of diversity issues and how they impact upon safeguarding; and overall analysis of vulnerability to inform professional judgement. To complete the assessment it is recommended a minimum of one interview with the individual alone and an interview with the individual and parent/carer present (unless this increases risk to the individual). Where there are other agencies involved with the individual these agencies mustbe consulted. See appendix 5 for guidance on factors to consider to when identifying indicators of exploitation.

1.6 The Scoring Matrix consists of several different areas of strength and vulnerability i.e. 0= Strength/Protective factor, 1 = Some Concern (a general welfare concern which may increase risk of exploitation), 2 = Significant Concern (a general welfare concern and some indicators of a link to exploitation) and 3 = Significant Concern and direct evidence/substantiated information of exploitation (direct evidence/substantiated information may include disclosure from a individual which is under investigation, police evidence, medical evidence etc).

1.7 Where there are gaps in scoring, the relevant strength/vulnerability section should be left blank and action required recorded in the *Gaps in Assessment section*.

1.8 **Children under 13 cannot be assessed as low risk.** Children under 16 who have not demonstrated Gillick Competence (Capacity to consent to medical treatment) cannotbe assessed as low risk. Individuals who have been assessed as lackingmental capacity (MCA 2005) associated with exploitation cannot be assessed as low risk.

 The Mental Capacity Act 2005 applies to everyone involved in the care, treatment and support of people aged 16 and over living in England and Wales who are unable to make all or some decisions for themselves. If there are concerns regarding an individual’s capacity to make decisions associated with exploitation, a Mental Capacity Assessment must be undertaken.

 Transition - If a young person is over 17.5, and subject to the MSET process and/or Safeguarding Childrens procedures, Safeguarding Adults procedures should be considered. The Care Act(2014) states that where someone is 18 years and over and a safeguarding issue is raised, the matter must be dealt with under Safeguarding Adults procedures. Research and evidence indicates the need for transitional approach to safeguarding.

1.9 The assessment should be integrated into other relevant statutory safeguarding procedures – it is not intended to replace these.

1.10 **Stage 3** **Safeguarding and** **Disruption Activity** – The Social Care Practitioner and Care Team / Care Group *must* coordinate and complete the Stage 3 Safeguarding and Disruption Activity document (See Appendix 3). This document should ensure a focus upon identifying the exploitation (see appendix 5), safeguarding the individual (including recognising the individual as a victim); strengthening and building upon protective factors; targeting vulnerability indicators (See Appendix 6 for factors to consider); and targeted disruption activity (See appendix 7 for civil remedies, tools and police powers to assist disruption). Best practice would be to draft up a plan based upon the Stage 2 Assessment and formalise this at a multi-agency meeting, ensuring the individual and parent/carers (where applicable) are involved. Minutes from the meeting should be recorded, along with views of those who have contributed on ICS. The suitability of an MSET referral and any transitional arrangements should also be considered before obtaining signatories to the agreed activity.

1.11 Consideration must be given to issues of disclosure during the development of the safeguarding and disruption activity e.g details of potential perpetrators, licensed premises etc. Should issues of disclosure arise discussions should be held with Northumbria Police. The Safeguarding and Disruption Activity should highlight those sections which have been shared with the individual and parent/s carers by ticking the appropriate section.

1.12 Upon completion of the Stage 2 Assessment and Stage 3 Disruption Activity the Social Care practitioner must send copies to the Police MSET Chair and Social Care Senior Manager. The Social Care practitioner (in discussions with the professionals) must also have highlighted if the individual is being referred for MSET discussion. Any individual identified as high concern must be referred into MSET. Any individual assessed as medium concern must be considered in discussion the multi agency care team and the line manager.

1.13 If the individual is identified as appropriate for discussion at MSET, The Police MSET Chair and Social Care Senior Manager will notify the Social Care practitioner and MSET Panel Members. The Social Care Practitioner and MSET Panel Members will be expected to attend MSET with relevant information to ensure exploitation concerns are shared and understood, risk levels are agreed and safeguarding and disruption activity is robust in response to the concerns. A decision will be made to either maintain monitoring of the risk and disruption activity within MSET or exit from MSET with a safety plan and review date. In the event that no Social Care Practitioner attend MSET, the case will be deferred until the next meeting where attendance will be required.

1.14 **Stage 4** **Review** **Assessment** – Completion of the Review Assessment (see appendix 4) must be completed by the Social Care Practitioner and the multi agency care team, or alternative identified Lead Professional if concerns have been stepped down/exited. The first review should be completed within 3 weeks and subsequent reviews no less than every three month, or sooner if a significant event occurs which indicates changes to the level of concern. The assessment *must* be informed by analysing the impact of safeguarding and disruption activity, individual and parent/carers views and partner agency information.

1.15 The Safeguarding and Disruption Activity must be reviewed after every Review Assessment to monitor progress against actions and determine if any changes are required.

1.16 All Review Assessments and Safeguarding and Disruption Activity documents must be sent to The Police Chair and Social Care Senior Manager.

1.17 During the Stage 4 Review process if concerns escalate to high, Safeguarding Procedures should be implemented. If concerns decrease to low, consideration should be given to exiting the individual from the Exploitation Framework with MSET with a rationale recorded in the minutes and on ICS. If consent is withdrawn at any stage and thresholds are not met to progress without consent, there should be a clear recorded entry to explain why the framework has come to an end prior to concerns being reduced to low.

**Models of Exploitation**

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| --- | --- |
| *Nature/Model of Exploitation*  | *Description* |
| *Peer on Peer* | Individuals are sexually exploited by peers who are known to them at school, in the neighbourhood or through mutual friends. |
| *Exploitation through befriending and grooming* | Individuals are befriended directly by the perpetrator (in person or online) or through other individuals and young people. This process may begin with a girl (or boy) being targeted and befriended by a young boy or girl usually known to her as an equal, ie a classmate, a friend of a sibling, or a neighbour.This introductory young person later introduces the individual to either one or more older men, whom s/he may describe as an older sibling or cousin. The older men offer the individual attention in the form of gifts, flashy cars, cigarettes, alcohol and drugs.To the individual, it is new and exciting. The older men treat the individual as an adult and deliberately portray her/his parents as unreasonable and overly-strict, should they seek to intervene. |
| *The ‘boyfriend’ model* | Perpetrators target individuals posing as ‘boyfriends’, showering the individual with [attention and gifts](http://www.paceuk.info/the-problem/spotting-the-signs/) to cause infatuation. They initiate a sexual relationship with the individual, which the individual is expected to return as ‘proof’ of her/his love or as a way of returning the initial attention and gifts. The individual is effectively told that they owe the perpetrators money for cigarettes, alcohol, drugs, car rides etc and that sexual activities are one way of paying it back |
| *The ‘party’ model* | Parties are organised directly or indirectly by groups of men to lure young people. Young people are offered drinks, drugs and car rides often for free. They are introduced to an exciting environment and a culture where sexual promiscuity and violence is normalised. Parties are held at various locations and individuals are persuaded (sometimes financially) to bring their peers along.Individuals are also encouraged to associate with others via Facebook etc. The parties may be held some distance from the individual’s home, enabling the perpetrators to force the individual to have sex in return for a lift home. Drugs and alcohol are used to suppress the individual’s resistance. Images may be taken of them without their clothes for purpose of future bribery. |
| *Human Trafficking* | A person commits an offence if the person arranges or facilitates the travel of another person (V) with the view to V being exploited. It is irrelevant whether V consents to the travel ( whether v is an adult or a child). A person may in particular arrange or facilitate V’s travel by recruiting V, transporting or transferring V, harbouring or receiving V or transferring or exchanging control over v.A person arranges or facilitates V’s travel with a view to V being exploited only if the person knows or ought to know that another person is likely to exploit v ( in any part of the world) during or after travel the travel. |
| *Modern Day Slavery (Slavery, servitude and forced or compulsory labour)* | A person commits an offence if the person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude, orThe person required another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour |
| *Criminal Exploitation* | 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 vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.County lines activity and the associated violence, drug dealing and exploitation has a devastating impact on young people, vulnerable adults and local communities. |

**Factors to consider when applying the Scoring Matrix**

This list is not exhaustive or exclusive to exploitation and is for guide purposes only:-

|  |  |
| --- | --- |
| *Indicator* | *Factors To Consider (those \* are a criminal offence and require reporting to the police)* |
| *Missing from Home/Care* | * Abducted or forced imprisonment\*
* Regularly coming home late or going missing (whether reported or not).
* Going missing overnight.
* Returning home after long periods appearing well cared for.
* Is evasive about who they were with when missing and where they have been/activities engaged in.
 |
| *Individual’s Presentation* | * Changes to physical appearance i.e. new clothes, more/less makeup
* Overt sexualised dress
* Deterioration in presentation or self neglect i.e appearing unkempt/unclean to deter sexual attention.
* More secretive/withdrawn or isolated from peers or not mixing with usual friends
* Increasingly disruptive, hostile or physically aggressive at home or school including sexualised language
* Suspicion of physical assault/unexplained injuries
* Lack of engagement/communication with authority or concerning patterns to engagement.
 |
| *Gang Association/Organised Crime* | * Association with gangs
* Fear of victimisation from other gangs
* Constrained by gang rules
* Fear of gang leaders
* Familial links to organised crime
* Associate links to OCG
 |
| *Associates* | * Displaying signs of harassment/unwanted attention
* Unusual associations with others, particularly groups of adults.
* Entering/leaving vehicles with unknown youth/adults
* Introducing peers to perpetrators of exploitation.
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| *Social Media* | * Concealed/concerning use of the internet including web cam and online gaming.
* Use of social media
* Social media accounts
* Evidence of sexual harassment through social media/networking sites \*
 |
| *Lifestyle* | * Association at known exploitation hotspots
* Involved in criminal activity/seeming willing participant in criminal activity.
* Unexplained amounts of money, mobiles, credit, clothing, jewellery or other items/gifts
* Having multiple phones or sim cards or use of a phone that suggests concern e.g. multiple callers or texts, increase in messages, conceals phone and usage.
* Possession of hotel keys/cards of keys to unknown premises
* Being taken to/visiting brothels/massage parlours
* Frequenting areas known for on/off street sex work
* Begging
* Tapping (in sex work: may ask for a light for a cigarette or strike up a conversation in order to determine if a potential client is amenable.)
* Carrying of Weapons
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| Family/Personal Relationships | * Reports of being taken to hotels, nightclubs, takeaway or out of areas by unknown adults
* Associating/relationships with significantly older men or women who encourage emotional dependence, loyalty and isolation from safe relationships
* Physical or emotional abuse by boyfriend/girlfriend or controlling individual including manipulation, violence and/or threats
* Associating with other sexually exploited people
* Evasive/concealing new relationships
* Parents fail to understand or actively manage risks.
* Lack of positive relationships with protective/nurturing adult
* Recent experience of loss/bereavement
* Isolation/distancing themselves from social or support networks including family and friends
* Unsure of their sexual orientation or unable to disclose to their family/friends
* Historic or current concerns about neglect, witnessing domestic violence, physical or sexual abuse.
* Forced marriage/honour based violence/familial sexual abuse\*
* Family history of exploitation or prostitution impacting upon family belief systems/behaviours which fail to protect.
* Bullies others or and/or is a victim of bullying
* Observed lack of relationship with parent/carer
* Differing account of individual’s circumstances provided between individual and significant adult.
* Dependent upon another for care and support and needs, and these needs are not being met.
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| Physical/Sexual/Mental Health | * Increased health/sexual health related problems, including of complaining of illness without physical cause
* Marks or scars of physical injuries on the body which they try to conceal
* Expressions of despair e.g. depression, mental ill health, suicide thoughts, attempts, overdose, eating disorder
* Increase in self harming behaviour
* Branding type marks on body i.e. gang logos
* Repeat or unplanned pregnancy or pregnancies/terminations.
* Under 13 engaging in penetrative or non-penetrative sexual activity\*
* Under 16 engaging in penetrative or non-penetrative sexual activity with a person over 18\*
* Under 18 engaging in unwanted sexual activity\*
* Sexually Transmitted Infections
* Sexualised risk taking (including on internet or mobile such as texting, sending explicit messages or photos)\*
* Young gay/bisexual exploring sexuality in an unsupported way
* Disclosure of sexual/physical assault followed by withdrawal of allegation
* Reports of being taken to hotels, nightclubs and engaging in sexual activity
* Sexual exploitation has been identified previously as a concern
* Unexplained injuries
* History of abuse
* Unresolved trauma relating to bereavement/loss.
* Mental Capacity concerns
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| *Drug/Alcohol* | * Drug or alcohol use is a primary means of recreation
* Current substance/alcohol misuse in family
* Drug/alcohol use within peer groups
* Limited financial means to support drug or alcohol use
* Effects of drug or alcohol use are clearly recognised
* Active drug or alcohol seeking behaviour
* Use that is associated with episodes of intoxication
* Impairment in functioning in areas of life e.g.school, home or distress within families or close relationships due to substance use
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| *Education/Training/Employment attendance, punctuality and attainment* | * Exclusion from school
* Unexplained absences
* Not engaging in ETE
* Behaviour changes in school
* Missing from education
* Learning disability/needs
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| *Accommodation stability and suitability* | * Living in a chaotic or dysfunctional household
* Poor home conditions
* Homelessness
* Sofa surfing
* Unable to access home for significant periods during the day or night.
* Living in overcrowded multiple occupancy dwellings
* History of local authority care/placement moves.
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| *Trafficking* | The child at the point of entry:* Entered illegally without passport or ID papers;
* Has false papers, goods and money not accounted for;
* Has no adult with them or to meet them;
* Is with an adult who refuses to leave them alone;
* Has no money but a working mobile phone;
* Is reluctant to give personal details.

Once in the UK the child:* Receives unexplained calls;
* Has money from an unknown source;
* Shows signs of sexual or physical abuse;
* Has not been enrolled in a school or with a GP;
* Seems to do work in various locations.

The child's sponsor:* Has previously made multiple visa applications for other children or acted as guarantor; or
* Is known to have acted as guarantor for others who have not returned to their countries of origin at the expiry of the visas.
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| *Concerns regarding financial independence and/security* | * Limited access to funds
* Money not accounted for
* Lack of control over funds
* No source of income
* Family struggling financially
* debt
 |
| *Sex Work* | * Failure to understand risks
* Failure to have regard for risk in keeping safe
* Lone working
* Lack of engagement with outreach workers
* Failure to give consideration to sexual health
* Control/Coercion by another person
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**Civil Remedies , Tools and Powers to Tackle Nuisance**

Securing prosecution and conviction must be the absolute priority against adults committing serious sexual offences upon children. However where there is grooming, low level harassment or other behaviour which suggests a risk of CSE, civil remedies are available to the police and local authorities.

These include remedies which specifically relate to sexual offences or grooming and other wider nuisance and anti-social behaviour injunctive and closure powers. These powers are important not only as methods of disruption or prevention. They also function as a trail of concern to be used in subsequent prosecutions, providing third party evidence.

**CIVIL REMEDIES**

**A Individual Abduction Warning Notice (**1) authorised by a individual’s parent and issued by the police (or the local authority in the case of a looked after individual aged 16-18) warns a suspected perpetrator to stop associating with a named individual. As such, the adult is made aware that a concern has been raised about the relationship and that authorities are watching.

Abduction Notices can be used as evidence in criminal proceedings that the adult knew the age of the individual, which is clearly stated on the warning notice. Moreover, breach of an Abduction Notice can become grounds for the issuing of the new Sexual Risk Order. There are new powers introduced by the Anti-Social Behaviour and Crime and Policing Act 2014(2):

**The new Sexual Risk Order (3)** (SRO) can be issued against an individual who has ‘done an act of a sexual nature which suggests that they pose a risk of harm to the public in the UK or children and vulnerable adults abroad’.

An ‘act of a sexual nature’ has not been defined in the legislation and the guidance states this ‘will depend to a significant degree on the individual circumstances of the behaviour and its context’, which means this order may be used by police and the NCA to disrupt grooming activity. An SRO lasts a minimum of two years and has no maximum duration. Breach of an SRO is a criminal offence, which can attract a term of imprisonment of up to five years.

**The new Sexual Harm Prevention Order (4)** (SHPO) can be made against a person who has been convicted or cautioned in relation to a sexual offence to protect any members of the public in the UK, or vulnerable adults and children abroad, from sexual harm, including protecting children from grooming activity.

The SHPO must be made for a minimum of 5 years and can be made for an indefinite period if necessary. The order can contain any prohibitions aimed at protecting children and others. Breach of a SHPO is a criminal offence, which can attract a term of imprisonment of up to five years.

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**Closure notice**: The police can issue a closure notice in respect of premises which they have reasonable grounds for believing have been, or are likely to be, used for activities related to specified individual sex offences. The changes mean that closure powers will now capture a wider range of offences relating to individual sexual exploitation and the police will be able to take proactive action if they believe the premise is going to be used for individual sex offences.

**Individual sexual exploitation at a hotel – requirement to disclose information or comply with notice served by police:** A police officer can serve a notice on a hotel requiring them to disclose the names and addresses of guests where there is reason to believethere is individual sexual exploitation. Failure to comply is a criminal offence.

**TOOLS AND POWERS TO TACKLE NUISANCE**

The following gives an overview of some of the tools currently available to councils and police in relation to nuisance and anti-social behaviour:

* **Civil injunctions** under the Anti-Social Behaviour, Crime and Policing Act 2014 (previously Anti-Social Behaviour Orders, ASBOs). These are civil orders which replace the powers previously available to councils through ASBOS and Housing Act injunctions.
* **Closure Orders** associated with Nuisance and Disorder. Closure orders are civil orders available in the Magistrates Court which stop anyone entering or residing at a named property. There are three types of closure order - drug closure orders, brothel closure and anti-social behaviour closure orders.
* **Section 222 Local Government Act 1972.** A local authority can bring criminal or civil proceedings in its own name, including applying for injunctions, where it considers it expedient for the promotion or protection of the interests of the inhabitants of their area. Local authorities may use this provision to enforce their children Act duties – as such wide-ranging injunctions could be obtained against known perpetrators.
* **Injunction under the High Court's inherent Jurisdiction.** The recent case of Birmingham City Council v Riaz demonstrates that the High Court is willing to exercise its inherent jurisdiction to grant Injunction Orders against perpetrators of CSE. It is important to note that the High Court does not have jurisdiction to attach powers of arrest to any term of the injunctions, which makes the policing of these orders very difficult.

1 Section 2 Individual Abduction Act 1984; Section 49 children Act 1989.

2 The Anti-social Behaviour and Crime Policing Act 2014 came into effect on 8 March 2015.

3 Sexual Risk Orders replace Risk of Sexual Harm Orders.

4 Anti-social Behaviour and Crime Policing Act 2014.