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**Ymateb i Ymgynghoriad / Consultation Response**

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<b>Dyddiad / Date:</b>	7 October 2019
<b>Pwnc / Subject:</b>	Safeguarding children from child sexual exploitation

**Background information about Estyn**

Estyn is the Office of Her Majesty's Inspectorate for Education and Training in Wales. As a Crown body, Estyn is independent of the Welsh Government.

Estyn's principal aim is to raise the standards and quality education and training in Wales. This is primarily set out in the Learning and Skills Act 2000 and the Education Act 2005. In exercising its functions, Estyn must give regard to the:

- Quality of education and training in Wales;
- Extent to which education and training meets the needs of learners;
- Educational standards achieved by education and training providers in Wales;
- Quality of leadership and management of those education and training providers;
- Spiritual, moral, social and cultural development of learners; and,
- Contribution made to the well-being of learners.

Estyn's remit includes (but is not exclusive to) nurseries and non-maintained settings, primary schools, secondary schools, independent schools, pupil referrals units, further education, adult community learning, local government education services, work-based learning, and teacher education and training.

Estyn may give advice to the Assembly on any matter connected to education and training in Wales. To achieve excellence for learners, Estyn has set three strategic objectives:

- Provide accountability to service users on the quality and standards of education and training in Wales;
- Inform the development of national policy by the Welsh Government;
- Build capacity for improvement of the education and training system in Wales.

This response is not confidential.

## Introduction

Estyn welcomes the proposal to introduce statutory guidance in relation to Part 7 of the Social Services and Well-being (Wales) Act 2014, safeguarding children from child sexual exploitation (CSE).

This guidance sets out clearly the nature of CSE and its impact upon children in Wales, and provides appropriate guidance for all professionals, including those involved in education provision, about their duties under the Social Services and Well-being (Wales) Act 2014 and how to act in order to protect any child at risk.

The detail within the guidance will help teaching staff, pastoral and support staff in schools, youth workers, and education staff in youth offending services fulfil their key role in protecting children at risk.

The extent of this detail demonstrates the need to ensure all education staff have access to regular, appropriate and up-to-date training. This is essential to support them to understand all the key issues arising from this guidance which impact directly on their professional duties.

Estyn welcomes the development of the All Wales Practice Guides in relation to children in specific safeguarding circumstances which include an All Wales Practice Guide on safeguarding children at risk of CSE, which will help education professionals alongside other services in the discharge of their duties.

This guidance will help Wales meet its international obligations to ensure every learner enjoys their rights to be:

- treated with fairness, respect and dignity
- able to access justice
- free from all forms of violence, harm and degrading treatment.

This guidance will make a particular contribution to Article 19 of the United Nations Convention on the Rights of the Child (UNCRC). This sets out government responsibilities to protect children from all forms of violence and without compromise:

*“States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.*

*Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement”<sup>1</sup>.*

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<sup>1</sup> UN Committee on the Rights of the Child (1989)

This guidance will strengthen the contribution of education professionals to securing a holistic national approach that protects children and all other learners from the threat of violence, harm, exploitation and abuse<sup>2</sup>.

The guidance could be further strengthened by identifying the need for services to be available in the first language of victims of CSE, be this Welsh, English or other languages.

## Consultation Questions

<b>Safeguarding children from Child Sexual Exploitation (CSE)</b>		
<b>1. Does Chapter 1 set out the ways in which CSE can be understood and identified as a form of child sexual abuse in a clear and useful way?</b>		
<b>Yes</b> <input checked="" type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
<p>Please comment:</p> <p>This chapter sets out well the key issues relating to child sexual exploitation (CSE), its identification, the contexts in which it might take place, and the key terms, concepts and issues within CSE. The text is clear and in sufficient detail to provide guidance for all those who work with children and young people.</p> <p>The detail within Chapter 1 will help teaching staff, pastoral and support staff in schools, youth workers, and staff in youth offending services fulfil their key role in protecting children at risk.</p> <p>In particular, the sections which expand upon the contexts within which CSE may take place, including within the family and within the local community, as well as the possibilities of peer on peer abuse are helpful. These sections identify the importance of vigilance within schools and within community-based education services such as the youth service.</p> <p>It is likely, however, that the clarity of this detail will identify a need to revise safeguarding training for education staff, so that they are supported to understand all the key issues arising from this chapter that directly impact on their professional duties. It will be essential to ensure that staff in independent schools also access appropriate and up-to-date training as well.</p>		
<b>2. Does Chapter 2 set out evidence on approaches to preventing CSE in a clear and useful way?</b>		
<b>Yes</b> <input checked="" type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>

<sup>2</sup> UN Committee on the Rights of the Child (2011) *General Comment No. 13: The right of the child to freedom from all forms of violence*. [.pdf] Available online at: [https://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13\\_en.pdf](https://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13_en.pdf) Accessed on: 23/09/2019

Please comment:

This chapter sets out clearly the key issues relating to the prevention of CSE, and the role of service providers, and education services in particular.

The role of education services, including schools and youth support services, in the prevention of CSE are clearly set out. These settings provide important points of contact for children and young people. They are in many ways both a first port of call for children and a setting through which an initial response may be made.

The chapter identifies well that prevention is not just about early intervention, but also about ongoing work to support children who have been abused through CSE to prevent re-abuse in the future.

The role and impact of Adverse Childhood Experiences (ACEs), in raising the risk for individuals of victimisation through CSE, are clearly stated. The chapter identifies 'Resilience' as a key protective factor against the impact of ACEs, and protection against the risk of being drawn into CSE. The building of resilience among young people is a key role for schools and youth work, and should be an outcome from the school curriculum and from youth work interactions. The chapter would be strengthened therefore if it included an exploration of, in particular, the school's direct contribution to pupil wellbeing, through the overt inclusion of building resilience within the curriculum. Estyn will be publishing a report in November 2019 on 'Support for pupils with adverse childhood experiences' exploring early effective practice in schools.

This importance of the contribution from all education staff is clearly made. This emphasis means education staff need to have access to an appropriate and up to date training regime, which will help them understand at the key issues arising from this chapter that directly affects their professional duties.

**3. Does Chapter 3 set out safeguarding procedures for children at risk of CSE in a clear and useful way?**

Yes

No

Unsure

Please comment:

This chapter sets out the generic issues regarding implementing effective and appropriate procedures for children at risk of CSE. In particular the role of multi-agency working to provide appropriate and targeted responses to children at risk. The role of education services, are not singled out in this chapter, however, they are key services in this aspect.

The focus on child-centred practice is crucial to the effective provision of support. Estyn welcomes the development of the All Wales Practice Guides in relation to children in specific safeguarding circumstances which include an All Wales Practice Guide on safeguarding children at risk of CSE. These guides will support education professionals well.

<b>4. Does Chapter 4 set out evidence on approaches to meeting the care and support needs of children at risk of or abused through CSE in a clear and useful way?</b>		
<b>Yes</b> X <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
Please comment:  This chapter focusses on service provision outside education. Whilst schools have no specific roles in the areas explored in this particular chapter the role of the youth service could be included here where services need to focus on the risks taken by some young people, and the support available to them.		
<b>5. Does Chapter 5 set out arrangements for disrupting and prosecuting perpetrators of CSE and for supporting child victims in a clear and useful way?</b>		
<b>Yes</b> X <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Unsure</b> <input type="checkbox"/>
Please comment:  This chapter focusses on service provision and activity outside the responsibilities of education providers.		

<p><b>6. We would like to know your views on the effects that the guidance would have on the Welsh language, specifically on</b></p> <p>i) opportunities for people to use Welsh; and</p> <p>ii) on treating the Welsh language no less favourably than English.</p> <p><b>What effects do you think there would be? How positive effects could be increased, or negative effects be mitigated?</b></p>
<p>Please specify:</p> <p>Estyn does not foresee the proposals having any adverse or negative impact on the Welsh language.</p> <p>However, the guidance makes no explicit reference to Welsh-speaking professionals in the system, in order to support child victims in their first language or language of choice.</p> <p>Language, whether it be Welsh, English or another tongue, is particularly important when working with, and supporting vulnerable children and young people at risk of CSE. Providing effective support by professionals in the language of their choice, Welsh or otherwise, is central to keeping victims safe and to meeting their requirements, with both respect and dignity. Children at risk of, or abused through CSE must be able to express themselves properly in order to secure the care and support required. Communication difficulties can lead to misunderstandings and</p>

delays in implementing support. It is essential therefore that they communicate in the language they feel most comfortable speaking.

**7. The Welsh Government is interested in understanding whether the proposals in this consultation document regarding this guidance will have an impact on groups with protected characteristics. Protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation. Do you think that the proposals in this consultation will have any positive impacts on groups with protected characteristics? If so, which and why/why not?**

**Yes**

**No**

Please specify:

This guidance should improve provision for young people with disabilities who are at more risk than their general peers, to CSE. Research<sup>3</sup> has found that children with a disability are three times more likely to be abused in some way than children without a disability.

**8. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:**

Please enter here:

No further comments.

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<sup>3</sup> A.Franklin, P.Raws and E.Smeaton (2015) Unprotected, overprotected: meeting the needs of young people with learning disabilities who experience, or are at risk of, sexual exploitation. The report was commissioned by Comic Relief, and undertaken by Barnardo's, The Children's Society, British Institute of Learning Disabilities (BILD), Paradigm Research and Coventry University.