

**Darlington
Safeguarding
Partnership**

Protecting Children and Adults

**Young People Who Display
Sexually Harmful Behaviour
Practice Guidance**

July 2019

Version Control

Title	Children and Young People Who Display Sexually Harmful Behaviour Practice Guidance
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DSP1	Business Unit	July 2019	Rebranded under new Safeguarding arrangements to reflect Statutory Guidance.
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1. Introduction

- 1.1 These new procedures are intended to provide workers with a guide to the steps to be taken in dealing with children and young people who sexually harm. They incorporate recent changes in the law and in national and local guidance concerning this group of young people.

“Work with children and young people who abuse others, including those who sexually abuse / offend, should recognise that such children are likely to have considerable needs themselves, and that they may pose a significant risk of harm to other children. Evidence suggests that children who abuse others may have suffered considerable disruption in their lives, been exposed to violence within the family, may have witnessed or been subject to physical or sexual abuse, have problems in their educational development and may have committed other offences. Such children and young people are likely to be children in need, and some will, in addition, be suffering, or at risk of suffering significant harm, and may themselves be in need of protection.”

Working Together to Safeguard Children 2015

- 1.2 Working Together to Safeguard Children identifies three key principles that are essential when working with children and young people who engage in sexually harmful behaviour:
- There should be a co-ordinated multi-agency approach including youth justice, children’s social care, education (including educational psychology), health agencies (including child and adolescent mental health) and police;
 - The needs of children and young people who sexually harm should be considered separately from the needs of their victims; and
 - A multi-agency assessment should be carried out in each case, appreciating that these children and young people may have considerable unmet developmental needs, as well as specific needs arising from their behaviour. Information sharing between agencies can be key, often, it is only when information from a number of sources has been shared and it is then put together that it becomes clear that a child is at risk of suffering significant harm.
- 1.3 The purpose of these procedures is to provide a clear operational framework within which the process of assessment, decision making, planning and intervention can take place. This requires a collaborative approach between safeguarding and criminal justice services.

2. Sexually harmful behaviour by children and young people

- 2.1 Some sexual behaviour displayed by children and young people is appropriate and part of normal sexual development. Sexual behaviour becomes harmful and abusive where there is no consent and consent cannot be genuinely given under the age of legal consent or where there is:

- A power imbalance
- Exploitation
- Aggression

2.2 Sexual behaviour should therefore be seen as being on a continuum from age appropriate experimentation and exploration to very serious crimes.

2.3 Sexually harmful behaviours include:

- Contact behaviours – touching, rubbing, disrobing, frottage, oral, penetration (vaginal or anal), sexual behaviours with animals; or
- Non-contact – exhibitionism, peeping, voyeurism, fetishism, obscene communication, verbal or written sexual harassment

3. Principles and Objectives

3.1 Darlington Borough Council prioritises welfare and safeguarding of all children and young people, this includes those who engage in sexually harmful behaviour and those who have been the victims of such behaviour.

3.2 Research underpinning the Assessment, Intervention and Moving On (AIM 2) project has indicated that a holistic approach is essential in addressing sexually harmful behaviour, this includes involving the family/guardians/carers in the whole process.

“Understanding young people’s family context and experience is often integral to understanding and diverting them from sexually harmful or abusive patterns of behaviour. Stressing that changing the family context may be necessary to enable a young person to accept responsibility for their behaviour”

Hackett, 2001.

3.3 Darlington Borough Council is committed to ensuring that those children and young people who display sexually harmful behaviour are provided with a well co-ordinated multi-agency response that is able to meet the needs of the individual child or young person.

3.4 The local authority recognises the principle that no single agency can appropriately manage children and young people who display sexually harmful behaviour. Information sharing between agencies is essential in order to provide robust, evidence-based assessment, planning, intervention and review.

3.5 When working with children and young people who display sexually harmful behaviour, the local authority acknowledge that it is important to keep victims and potential victims safe as well as the child or young person who is displaying the behaviour. The needs of the young person displaying the behaviour should be considered separately from the needs of the victims. These procedures are not intended to replace any

requirements of either public protection or child protection procedures. Rather, these procedures are seen as complimentary.

- 3.6 This policy and procedure document provides for a consistent approach to the AIM 2 Initial Assessment of children and young people who have engaged in sexually harmful behaviour. It must be noted that the AIM 2 assessment does not provide the definitive risk level. It is a tool and must be considered within the context of other information and assessments to help inform professional judgement.
- 3.7 The AIM 2 Model has been designed to help professionals identify the appropriate level and nature of management and intervention.

4. Routes to AIM 2 Assessment/ AIM Information Exchange Meeting

- 4.1 The need to develop multi-agency risk management plans and care plans is not just restricted to those who have committed criminal offences. Rather, there is often a need to intervene before the young person's behaviour requires the intervention of the criminal justice system or when the criminal justice system is not seen as the most appropriate method of dealing with sexually harmful behaviour. Many young people with histories of sexually harmful behaviour are placed, by other Local Authorities, within Darlington and it is equally important that these young people receive the same level of multi-agency response as any other young person and that risk management plans are as equally robust.
- 4.2 There are number of routes which lead to the convening of an AIM 2 Assessment/AIM Information Exchange Meeting (AIME), these are 'Criminal Justice Route', 'Concern Route' and 'Young Person Moving into Darlington Route'.

Criminal Justice Route

Youth Offending Service to be the lead agency

- 4.3 This route applies to young people of and over the age of criminal responsibility (10 years) who have allegedly committed a sexual offence and who enter the criminal justice system.
- 4.4 There are two pathways within the criminal justice route; a) the young person will be reported to YOS for consideration of an Out of Court Disposal (OoCD) and b) the offence will be so serious that the case is referred straight to court.

a) Out of Court Disposal

- 4.5 Young person admits the offence (to varying degrees) during Police interview and police refer to YOS for consideration of OoCD.
- 4.6 The Youth Offending Service will be notified either by the Police or Childrens Initial Advice Team (CIAT) when a child or young person over the age of 10 has engaged in sexually harmful behaviour and they are being considered for an OoCD.

- 4.7 Depending on circumstances an immediate Strategy meeting may be required and YOS representative must attend this meeting.
- 4.8 Management decision from YOS to identify assessor should an AIM 2 assessment go ahead.
- 4.9 Management decision from Children's Service to identify assessor. The allocated assessor is ideally the current Social Worker and not the Social Worker of the victim. If the child perpetrator is not known the case will be allocated via First Response Team.
- 4.10 AIM Information Exchange Meeting (AIMIE) to be conveyed chaired by Team Manager/Service Manager (depending on Continuum of need risk level), involving YOS Officer, Social Worker, child psychologist and all other agencies involved. The purpose of this meeting will be for all agencies to share relevant information and decide whether an AIM 2 assessment is considered appropriate.
- 4.11 If an AIM 2 assessment is agreed assessors to discuss case, organise initial meeting with the young person and parent/guardian/carer. Assessors must immediately consider welfare and any potential risk and notify relevant agencies of the risk e.g. education, health etc.
- 4.12 Assessors gather information about the young person/child and their family from a variety of sources. Information gathering should take place before for the assessment interviews, but the assessment may lead to further enquiry.
- 4.13 Initial interview to take place – assessors should meet with child/young person parent/guardian/carer to explain the process and reassure. At this point no in-depth work to be covered.
- 4.14 Follow up interviews to be completed by assessors. Please note this may involve several interviews to obtain all relevant information. Maximum period for an assessment is 6 to 8 weeks however attention must be given to review date determined by police.
- 4.15 AIM 2 report is completed with management oversight from lead agency.
- 4.16 Police and Youth Offending Service to consider recommendation made in AIM 2 report and a decision is made regarding the most appropriate disposal.
- 4.17 Following decision on disposal a further AIMIE Meeting is held. The purpose of the second meeting will be to develop and agree a risk management/safety plan. The plan should consider and address the following issues:
 - Welfare / safeguarding concerns in respect of the young person
 - Potential victims including siblings
 - Risk management in the home, at school and in the community – to include levels of supervision required
 - Placement needs

- Support needs for the young person / carers
- Developmental needs of the young person
- Appropriate intervention and the aims of this intervention
- Any need for further assessment
- Roles, tasks and expectations of all involved
- Whether there should be referral into the public protection system
- Future review meetings

b) Via Court

- 4.18 This route applies to young people who have been charged, whose offence is so serious that it must go straight to Court, or to young people who deny the alleged offence.
- 4.19 Young person is charged with sexual offence. Police to notify YOS, YOS will liaise with CIAT/First Response Team. N.B Children's Social Care may already be aware of referral particularly if they are an open case. As such, Children's Services also have a responsibility to notify the YOS.
- 4.20 Depending on circumstances an immediate strategy meeting may be required looking at needs of young person and/or victims or potential victims. YOS representative must be invited to attend this meeting.
- 4.21 AIMIE to be conveyed chaired by Team Manager/Service Manager (depending on Continuum of need risk level), involving YOS Officer, Social Worker, Officer in Charge, Child Psychologist and all other agencies involved. The purpose of this meeting will be for all agencies to share relevant information, ensure other children are safeguarded whilst waiting for the court proceedings outcome and decide whether an AIM 2 assessment is considered appropriate.
- 4.22 Young person appears before the Court.
- 4.23 Not Guilty Plea submitted at Court, the legal process continues and AIM 2 process is adjourned until after the court proceedings.
- 4.24 If a guilty plea is submitted or the young person is found guilty a Pre-Sentence Report must be requested with an extended period to allow the AIM 2 Assessment to be completed.
- 4.25 It is essential that both assessors are involved in determining appropriate recommendations and this should involve consultation with management from both services.
- 4.26 The AIM 2 report findings and Pre-Sentence Report are to be shared with the young person parent/guardian/carer prior to appearing at Court.

- 4.27 AIM 2 Report is presented to the Court with recommendations. The Pre-Sentence Report should detail potential interventions that would be included as part of the sentence and clarify roles and responsibilities.
- 4.28 A further AIMIE Meeting to be held. The purpose of the second meeting will be to agree a risk management/safety plan. The plan should consider and address the following issues:
- Welfare / safeguarding concerns in respect of the young person
 - Potential victims including siblings
 - Risk management in the home, at school and in the community – to include levels of supervision required
 - Placement needs
 - Support needs for the young person / carers
 - Developmental needs of the young person
 - Appropriate intervention and the aims of this intervention
 - Any need for further assessment
 - Roles, tasks and expectations of all involved
 - Whether there should be referral into the public protection system
 - Future review meetings
- 4.29 YOS procedures to be followed according to sentence in line with National Standards.

Concern Route

Children's Social Care to be lead agency

- 4.30 These procedures apply to children or young people who have displayed sexually harmful behaviour and are not entering the criminal justice system.
- 4.31 If any agency/person considers that the behaviour of any child or young person is cause for concern in terms of sexually harmful behaviour then they must make a referral to Childrens Initial Advice Team (CIAT) via the appropriate referral process.
- 4.32 Depending on the circumstances either a strategy meeting or professionals meeting will be held, and the AIM 2 process will run in conjunction with the safeguarding pathway agreed.
- 4.33 Management decision from Children's Social Care to identify the assessor from Children's Services. The allocated assessor is ideally the current social worker but should never be the Social worker of the victim. YOS Management decision in identifying, if criteria is met, a YOS co-worker. YOS will not be involved in all cases.
- 4.34 AIMIE to be conveyed chaired by Team Manager/Service manager (depending on Continuum of need risk level) involving Social Worker, YOS Officer where there is a co-allocation, child psychologist and all other agencies involved. The purpose of this meeting will be for all agencies to share relevant information and decide whether an AIM 2 assessment is considered appropriate.

- 4.35 If an AIM 2 assessment is agreed assessors to discuss case, organise initial meeting with the young person and parent/guardian/carer. The AIM 2 assessment is not to be viewed as additional to a Child and Families assessment.
- 4.36 Assessors gather information about the young person/child and their family from a variety of sources. Information gathering should take place before for the assessment interview, but the assessment may lead to further enquiry.
- 4.37 Initial interview to take place – assessor(s) should meet with child/young person parent/guardian/carer to explain the process and reassure. At this point no in-depth work to be covered.
- 4.38 Follow up interviews to be completed by both assessor(s). Please note this may involve several interviews to obtain all relevant information. Maximum period for an assessment is 6 - 8 weeks.
- 4.39 Assessor(s) to organise initial meeting with the young person and parent/guardian/carer. Assessors must immediately consider welfare and any potential risk and notify relevant agencies e.g. education, health etc.
- 4.40 AIM 2 report is completed with management oversight from lead agency.
- 4.41 A further AIMIE Meeting is held. The purpose of the second meeting will be to develop and agree a risk management/safety plan. The plan should consider and address the following issues:
- Welfare / safeguarding concerns in respect of the young person
 - Potential victims including siblings
 - Risk management in the home, at school and in the community – to include levels of supervision required
 - Placement needs
 - Support needs for the young person / carers
 - Developmental needs of the young person
 - Appropriate intervention and the aims of this intervention
 - Any need for further assessment
 - Roles, tasks and expectations of all involved
 - Whether there should be referral into the public protection system
 - Future review meetings

5. AIM 2 Assessment

- 5.1 The child or young person and their parents / carers must consent and be willing to engage in the full AIM 2 assessment. There must also be an admission of guilt.
- 5.2 Where there is no consent or a failure to engage then a paper-based AIM 2 Stage 1 assessment can be completed although the AIM 2 assessment guidance stresses that

such an assessment is likely to provide a limited outcome. Management guidance on the value of a Stage 1 assessment should be sought in this instance.

- 5.3 An AIM 2 Stage 1 assessment can also be completed where the young person is denying the offence / no admission of guilt although the AIM 2 assessment guidance states: "If a child or young person is likely to be prosecuted, but denies the offence and may plead not guilty then he should not be interviewed as part of the assessment process without the explicit agreement of his legal representative. Similar consideration should be given to interviews with members of the young person's family". Management guidance on the value of a Stage 1 assessment should be sought in this instance.
- 5.4 If the child or young person is found guilty at a later date, the full assessment can be carried out.
- 5.5 The completed assessment report should sit alongside and inform social care assessments or ASSET Plus (YOS).

6. Recording management decisions, sign off and supervision.

- 6.1 The assessment process will be supervised and supported by the lead agency (YOS or Children's Social Care) manager and the agency's quality assurance procedures will be followed prior to sign off.
- 6.2 It is essential that the allocated workers record all management decisions on their own agency's case management system in order to show where management decisions have been made or directions given.
- 6.3 In the event of disagreement about conclusions / recommendations, there needs to be discussion between the respective managers where appropriate. Where there is still no agreement, this will be escalated to senior managers.
- 6.4 Allocated workers must ensure that records are accurate, up to date, available and understandable to those people who need them. Assessments and intervention records must be stored appropriately, managed and disposed of in line with legal and business requirements.
- 6.5 The information gathered from the assessment process will be collated and presented in the AIM Assessment Report (Section 5 of AIM 2 Practice Guidance manual). This report will require management oversight and sign off by a manager who is AIM trained.
- 6.6 The role and contribution of supervision is essential and a model of supervisory practice with those undertaking an AIM 2 assessment is available in the AIM 2 Practice Guidance Manual stored with YOS).