



**Haringey Council**

<b>Report for:</b>	<b>Overview and Scrutiny Committee – 27 July 2015</b>	<b>Item Number:</b>	<b>12</b>
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<b>Title:</b>	<b>Learning from the Lessons of Rotherham - Implications for Scrutiny and Safeguarding</b>
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<b>Lead Officer:</b>	<b>Zina Etheridge, Deputy Chief Executive</b>
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<b>Ward(s) affected:</b>  <b>N/A</b>	<b>Report for Information</b>
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## **1. Describe the issue under consideration**

- 1.1 In September Louise Casey, CB, was asked by the Secretary of State to conduct a review, broadly speaking, of the effectiveness of Rotherham Council in the light of previous serious failures to tackle Child Sexual Exploitation (CSE). More precisely, the appointment was under section 10 of the Local Government Act 1999 to carry out an inspection of the compliance of Rotherham Metropolitan Borough Council with the requirements of Part 1 of that Act, in relation to the Council's exercise of its functions on governance, children and young people, and taxi and private hire licensing.
- 1.2 The report identifies an organisation that systematically failed to safeguard many young people. The Casey report looked in detail at the Council, its working practices and culture to reveal why the Council had so fundamentally failed to deal with widespread CSE, even after it knew what was happening. The report demonstrates that this problem was not just within Children's Services and that failures across the Council were to blame. The report also raises issues specifically in relation to the Council's scrutiny function. The full report can be found be reached by following this link:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/401125/46966\\_Report\\_of\\_Inspection\\_of\\_Rotherham\\_WEB.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/401125/46966_Report_of_Inspection_of_Rotherham_WEB.pdf)



All Council's have a duty to safeguard their vulnerable residents and this cannot be delegated solely to Children's and Adults Services. This report is therefore intended to support the Overview and Scrutiny Committee (OSC) in Haringey to be aware of the lessons from Rotherham in considering its work programme for the year.

## **2. Recommendations**

1. That the report be noted.
2. That the Committee consider how the issues set out in the report can be addressed as part of its work programme for 2015/16.
3. That the Committee consider how it might review its effectiveness in challenging the Council and its partners on safeguarding and addressing Child Sexual Exploitation at the end of 2015/16.

## **3. Background information**

3.1 On 26 August 2014 Professor Alexis Jay published an Independent Inquiry into the Child Sexual Exploitation that had happened in Rotherham. The report, commissioned by the Council as a review of its own practices, concluded that over 1400 children had been sexually exploited in Rotherham between 1997 and 2013.

3.2 A number of other areas of the country have identified, belatedly, that their young people have been sexually exploited on a significant scale. The findings on Rotherham follow reports on Rochdale and were followed by others in the North West and a Serious Case Review (SCR) in Oxfordshire amongst others.

3.3 However, although the reason for the Casey report addressed the serious failings in relation to CSE, the lessons spread considerably beyond that issue and could apply to a number of other areas of difficult to tackle safeguarding issues, such as Female Genital Mutilation (FGM) or domestic violence.

### **3.4 Relevance to scrutiny**

3.5 The attached briefing (Appendix A) from the Centre for Public Scrutiny draws out some of the lessons for scrutiny functions from not just the Casey report, but also the Alexis Jay report, also on Rotherham, and the Francis report on the Mid Staffordshire hospital failures – all looking at instances where vulnerable people were failed by public authorities.

3.6 Appendix B is a document from the Local Government Association and Centre for Public Scrutiny that gives advice on the role of scrutiny in relation to Children's Safeguarding more generally.



### 3.7 Issues from the Casey report of particular note

There are four areas of findings in the Casey report that are of particular relevance to OSC:

1) Child sexual exploitation

The Casey report found that there was a widespread issue, and that parts of the Council knew this but it failed corporately to respond effectively at the scale required, and in many periods appeared to ignore the issue altogether.

2) Leadership and cultural issues

There was a culture of bullying in the Council, which meant that staff felt that they could not speak up to raise concerns. This culture of bullying extended to members. The Council was not confident in its approach to equality and diversity, which meant that staff felt that identifying a problem where perpetrators were from a particular section of the community (in that case, the Pakistani heritage community) was not something that they could do.

There was not a culture in which safeguarding was treated as everybody's business. Instead it was viewed as a function undertaken by Children's Services. Failings in Children's Services in relation to safeguarding were similarly not viewed as being of corporate concern.

3) Partnership

Partnership working was weak, so even where the Council tried to act on its concerns about vulnerable young women, other partners, including the Police, did not play their part and the Council felt unable to tackle this. Partnerships more generally did not support effective local leadership.

4) Scrutiny

The Casey report found that Rotherham's scrutiny function was weak and ineffective. It also found that monitoring arrangements were inadequate.

### 3.8 Questions for OSC

OSC may find it useful in discussing the lessons from Rotherham to consider the following questions:

1) Child sexual exploitation

The Council, working with the Local Safeguarding Children Board (LSCB), has undertaken a significant amount of work. Following a task and finish group of the LSCB chaired by the Deputy Chief Executive, there is now a CSE strategy which takes account of pan London best practice and local multi agency partnership arrangements (the MASE) now operate on the basis of pan London best practice protocols. A new subgroup of the LSCB is ensuring that an effective action plan to implement the CSE strategy is in place.



*Given the range of activity in this area, scrutiny is not likely to add substantial value at this point, but may wish to take a report on progress in tackling CSE by later in the municipal year.*

2) Safeguarding

On safeguarding scrutiny may wish to consider how well we hear the voices of the vulnerable. Victims, particularly those of CSE, can be hard to help. The Oxfordshire serious case review of five cases of CSE includes an illustration of this:

*“A senior Police officer in Operation Bullfinch said that “The girls were ‘the most difficult victims [that officer] had ever had to deal with... as a direct result of their grooming/conditioning. They were isolated so much by their abusers they trusted no one except them – so ‘helping’ agencies or any adult were not to be trusted or cooperated with.” An illustration was given which illustrated the hold over the victims by the perpetrators. The officer described how one girl was punished by being taken to a wood and humiliated and raped in different ways by seven men. Left alone, hurt, crying, naked and covered with semen, the person she called for help was not the parents, social worker, police or ambulance but one of the abusers who had just raped her.*

*“Scrutiny is well placed to ask, across the Council and partners’ services, how well do we hear the voice of the victim, even when it’s hard?”*

Some children are particularly susceptible to CSE, and those who are looked after fall into this category. The Council has a particular role in relation to these young people, acting as their corporate parents.

*Scrutiny may wish to consider how well members across the Council (not just on the Corporate Parenting committee) understand their role as corporate parents, and understand the vulnerabilities of our looked after children to being exploited.*

3) Culture and leadership

On culture and leadership, the Council has now run two campaigns focussed to ensure that all staff ensure that ‘Safeguarding is everybody’s business’. The most recent focussed on CSE and required all Council staff to complete a piece of e-training on recognising the signs of this type of abuse. Partners were also offered access to the training. The Chief Executive chairs a monthly *Statutory Officers Group* to ensure that safeguarding risks, amongst other issues, are understood at senior, corporate levels.

*Scrutiny may wish to consider itself how well it believes the cultural and leadership in relation to Rotherham Council are relevant in Haringey and consider in particular whether members understand their role in safeguarding.*



4) Partnership working

The LSCB is a much strengthened body and officers have been working to revise and strengthen partnership working focussed on the priorities set out in the Council's corporate plan.

*Scrutiny may wish to consider a piece of work once new arrangements have bedded in on the effectiveness of partnership working within these, and statutory partnerships.*

5) Scrutiny

With regard to Scrutiny itself, given recent significant changes in membership, at the end of the year Scrutiny may wish to consider how effective it has been. OSC is asked to consider how it might review its role and effectiveness to ensure Scrutiny provides robust, evidence-based challenge to service delivery and performance that draws on the views and experiences of residents and service-users and provides assurance that risks are being appropriately managed. Such a review should involve some independent external assessment, for example, using a peer challenge approach or drawing on the CfPS's "Accountability Works for You" methodology for assessing scrutiny's effectiveness, and could be overseen or commissioned by the council's audit committee to provide further independence.

#### **4. Comments of the Chief Finance Officer and financial implications**

4.1 The Chief Financial Officer has been consulted on the preparation of this report and confirms that there are no direct financial implications arising from it.

#### **5. Assistant Director of Corporate Governance Comments and legal implications**

5.1 Under the Children Act 1989 and Children Act 2004, the Council have overarching responsibility for safeguarding and promoting the welfare of all children and young people in its area. There are specific duties in relation to children in need; children suffering or likely to suffer, significant harm; and children that are looked after and for whom the Council and councillors have corporate parent responsibility. The Director of Children Services has professional including operational responsibility for the exercise of these duties and Lead Member for Children Services has political responsibility. Overview and Scrutiny Committee should hold the executive and officers to account for the exercise of these duties and provide the critical and constructive challenge required to improve performance and services for children.

5.2 The Working Together to Safeguard Children March 2015 Statutory Guidance defines safeguarding and promoting the welfare of children as: protecting children



from maltreatment; preventing impairment of children's health and development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes. The Guidance provides that safeguarding is everyone's responsibility and not limited to children services. This report and accompanying appendices is a reminder of the vital role that Overview and Scrutiny Committee can play in providing some measure of assurance of the effectiveness of local safeguarding arrangement. It requires the Committee to identify specific scrutiny task and action as part of its work programme to secure this assurance.

## **6. Equalities and Community Cohesion Comments**

6.1 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:

- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- Advance equality of opportunity between people who share those protected characteristics and people who do not;
- Foster good relations between people who share those characteristics and people who do not.

6.2 The Rotherham case highlights serious failures over how that local authority approached equalities, which the Council needs to learn lessons from:

6.3 The review found that Rotherham Council's staff and members were reluctant to challenge the local Pakistani community over known concerns of child grooming. There was a worry that openly focusing on the Pakistani ethnic group over others would be seen as discriminatory and damage the Council's relations.

6.4 In taking this approach, Rotherham Council neglected its duty to ensure that vulnerable groups of young girls are safeguarded. In these circumstances, Rotherham Council would clearly have been justified to focus in on known issues within ethnic groups, and has failed in its equalities duty to young girls in not doing so.

6.5 Wider lessons could be drawn for how local authorities approach equalities including ensuring this there is appropriate leadership and accountability arrangements in place and that there is clarity about the role the LSCB, Community Safety Partnership, Members and Scrutiny Committees have in terms of oversight of those arrangements.



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## **7. Head of Procurement Comments**

7.1 Not applicable.

## **8. Policy Implication**

8.1 Earlier this year, the Council launched a campaign and staff education programme for CSE, and improving the whole organisation's responsibility for preventing and identifying child abuse and neglect is a priority area.

8.2 The prevention of child abuse and neglect is high on the national political agenda. Following this year's general election, the Home Office has for the first time appointed a dedicated Minister for Preventing Abuse and Exploitation, Karen Bradley.

8.3 In light of the Rotherham and other cases, the Government has announced intentions to introduce new sanctions for professionals who fail to take action on child abuse where they have a professional responsibility to do so.

8.4 Three options are likely to be put forward for consultation (i) amending current duties, (ii) introducing a new criminal offence of 'wilful neglect' or (iii) introducing a mandatory reporting scheme. It is anticipated that measures will be taken forward in the Policing and Criminal Justice Bill to be put forward in the later half of this Parliament.

## **9 Use of Appendices**

Appendix A: 'What Rotherham and Mid-Staffordshire tell us about Scrutiny' - Centre for Public Scrutiny

Appendix B: 'Safeguarding Children' – Local Government Association and Centre for Public Scrutiny

## **10 Local Government (Access to Information) Act 1985**

Not applicable.