

To: Councillor D Edwards (Chair);
Councillors Ballsdon, Eden, Ennis, Gavin,
Jones, McElligott, O'Connell, Orton,
Pearce, Singh, Stanford-Beale, Vickers,
White and R Williams.

29 October 2014

Your contact is: Richard Woodford - Committee Services

NOTICE OF MEETING - ADULT SOCIAL CARE, CHILDREN'S SERVICES AND EDUCATION COMMITTEE - 6 NOVEMBER 2014

A meeting of the Adult Social Care, Children's Services and Education Committee will be held on Thursday 6 November 2014 at 6.30pm in the Council Chamber, Civic Offices, Reading.

AGENDA

	WARDS AFFECTED	PAGE NO
1. DECLARATIONS OF INTEREST Councillors to declare any disclosable pecuniary interests they may have in relation to the items for consideration.		
2. MINUTES OF THE MEETING OF THE ADULT SOCIAL CARE, CHILDREN'S SERVICES AND EDUCATION COMMITTEE HELD ON 7 JULY 2014		A1
3. MINUTES OF OTHER BODIES - Children's Trust Partnership Board - 23 July 2014		B1
4. PETITIONS Petitions submitted pursuant to Standing Order 36 in relation to matters falling within the Committee's Powers & Duties which have been received by Head of Legal & Democratic Services no later than four clear working days before the meeting.		-

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5. QUESTIONS FROM MEMBERS OF THE PUBLIC AND COUNCILLORS -

Questions submitted pursuant to Standing Order 36 in relation to matters falling within the Committee's Powers & Duties which have been submitted in writing and received by the Head of Legal & Democratic Services no later than four clear working days before the meeting.

6. DECISION BOOK REFERENCES -

To consider any requests received by the Monitoring Officer pursuant to Standing Order 42, for consideration of matters falling within the Committee's Powers & Duties which have been the subject of Decision Book reports.

Scrutiny Item:

7. PRIMARY CARE COMMISSIONING - UPDATE BOROUGHWIDE -

A presentation by Helen Clanchy, Director of Commissioning, NHS England Thames Valley Area Team, providing the Committee with background information on overall primary care commissioning, how the local Clinical Commissioning Group (CCG) is becoming more involved in local commissioning for primary care services and the key issues locally from a primary care commissioning perspective.

8. SAFEGUARDING ACTIVITY REPORT BOROUGHWIDE C1

A report providing the Committee with an update of the key activity areas for 2013/14 within Children's Social Care as reported through the National Returns that all local authorities have to submit to the Department of Education in July and August each year about the previous reporting year and providing an update on auditing activity and highlighting priority areas for the service and scrutiny.

9. READING LOCAL SAFEGUARDING CHILDREN BOARD ANNUAL REPORT BOROUGHWIDE D1

A report presenting the Committee with the Reading Local Safeguarding Children Board Annual Report.

10.	READING BOROUGH COUNCIL'S RESPONSE TO CHILD SEXUAL EXPLOITATION	BOROUGHWIDE	E1
	A report detailing the current position of Reading Borough Council Children's Services in respect of Child Sexual Exploitation (CSE)		
11.	ANNUAL COMPLAINTS REPORT 2013 - 2014 FOR CHILDREN'S SOCIAL CARE	BOROUGHWIDE	F1
	A report providing the Committee with an overview of complaints activity and performance for Children's Social Care for the period from 1 April 2013 to 31 March 2014.		
12.	UPDATE ON CHANGES TO SEN PROVISION 2014-16	BOROUGHWIDE	G1
	A report setting out the progress made by the Council, schools and parents in the development of a proposed SEN Strategy Action Plan and in meeting the required statutory duties.		
13.	SCHOOL PERFORMANCE 2013-14	BOROUGHWIDE	H1
	A report looking at the provisional performance of schools in Reading for the academic year 2013-14 at the five Key Stages.		
14.	READING'S MARKET POSITION STATEMENT	BOROUGHWIDE	J1
	A report describing the new requirement in the Care Act 2014 for local authorities to work closely with local providers across the statutory, private and voluntary sectors and other stakeholders to ensure the quality and diversity of the local care and support market and presenting the draft version of Reading's Market Position Statement which is a central document in Reading's approach to meeting this requirement.		
15.	CARE ACT CONSULTATION REPORT	BOROUGHWIDE	K1
	A report setting out the changes brought about by the Care Act 2014 that will affect the Council in 2015/16 and the issues on which the Council will need to consult with residents.		

**ADULT SOCIAL CARE, CHILDREN'S SERVICES AND EDUCATION COMMITTEE
7 JULY 2014**

Present: Councillor D Edwards (Chair)
Councillors Eden, Ennis, Gavin, Jones, McElligott, O'Connell,
Orton, Pearce, Singh, Vickers, White and R Williams.

Apologies: Councillors Ballsdon, Stanford-Beale.

1. MINUTES

The Minutes of the meetings of 5 March and 24 April 2014 were confirmed as a correct record and signed by the Chair.

2. MINUTES OF OTHER BODIES

The Minutes of the following meetings were submitted:

- Children's Safeguarding Panel, 27 February 2014;
- Children's Trust Partnership Board, 8 April 2014.

Resolved: - That the Minutes be noted.

3. QUESTIONS FROM MEMBERS OF THE PUBLIC AND COUNCILLORS

A Question on the following matter was submitted, and answered by the Chair:

Questioner	Subject
Lesley Horton on behalf of John Popplewell	School Places in North West Caversham

(The full text of the question and reply was made available on the Reading Borough Council website).

4. PRESENTATION - URGENT CARE AND A&E

Dr Cathy Winfield, Chief Officer, Berkshire West Clinical Commissioning Group (CCG) Federation, gave a presentation on Urgent Care and the Berkshire West System.

Dr Winfield explained that the Keogh Report had included five elements in respect of national urgent care policy, the main one being that all urgent and emergency care services were connected together so that the overall system became more than the sum of its parts. She also provided the Committee with details of performance against the national four hour standard for A&E attendances and for ambulance handover delays. Dr Winfield explained how the acute front door worked at the Royal Berkshire Foundation Trust (RBFT) and how the system front door should work. The system was subject to scrutiny and work had been carried out to identify why breaches occurred and what had been achieved.

Dr Winfield stated that A&E four hour performance had improved slowly and although real dips in performance were still being experienced the Trust recovered

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more quickly than it had done in the past. The Medically Fit list at the Trust had reduced consistently in the last quarter of 2013/14 but numbers had been higher in quarter one of 2014/15 and the need to increase discharge numbers at weekends had remained.

Dr Winfield informed the Committee that process improvements were as important as funding and that the Better Care Fund (BCF) would be applied to develop services that would support the urgent care system and improve access to primary care. Hospitals would also have to transform and change the way they provided care and care pathways would have to be redesigned.

The Committee discussed the presentation and expressed concern over 'top slicing' of the BCF and requested that an update report be submitted to a future meeting.

Resolved -

- (1) That Dr Winfield be thanked for her presentation;
- (2) That an update report be submitted to a future meeting.

5. UPDATE ON CHANGES TO SEN PROVISION 2014 - 16

Further to the meeting on 24 April 2014, Chris Stevens, SEN Service Manager, submitted a report providing the Committee with an update on changes to Special Education Needs (SEN) Provision 2014-16. A draft copy of the Special Education Needs and Disability (SEND) Action Plan was attached to the report at Appendix I and a copy of a leaflet that had been sent to all parents who had a child with a Statement of SEN was attached to the report at Appendix II.

The report stated that the action plan had been drafted by representatives from Parents Forum and officers and was currently being reviewed by officers, parents and schools prior to completion. The action plan included what needed to be done to meet the statutory requirements of the Children and Families Bill and also described the objectives that needed to be completed in order to meet the agreed four SEND strategy priority areas. The action plan would be populated with owners and dates once the tasks listed under each priority area had been finalised. The action plan would then be circulated to stakeholders for information, a SEND action planning operations group would be formed and progress would be reported to the SEND Strategy Group and future meetings of the Adult Social Care, Children's Services and Education Committee.

The report explained that a short life working group had been set up to report by the end of July 2014 on a transparent system for the allocation of SEN funding beyond that provided in base budgets. The group had agreed to produce a draft procedure for consultation by 1 September 2014 that would initially introduce a process for the distribution of 'top-up' SEN funding for children and young people who had a current SEN Statement. Over time it was envisaged that there would be a reduction in children with statements or plans, with the procedure offering additional resources for schools facing exceptional demands. The budget reserved for the High Needs Block would not alter but it was expected that the working

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group would suggest a model of allocation that had greater Head Teacher accountability and ownership.

The Local Offer was on track for being in place by 1 September 2014 and all the Borough's schools, colleges and nurseries were in the process of completing, by 7 July 2014, an online questionnaire that would become their Local Offer as published within the Reading Local Offer website.

The report stated that the Education, Health and Care Plan had been completed, the format of which had developed after extensive discussions with families and with representatives from local authorities who had been appointed as Pathfinders to develop the Plan, the Local Officer and the process for the allocation of Personal budgets. The Plan had been signed off by Health colleagues and a trial was underway with two families and the SEN team to complete the Plan.

The Committee discussed the report and requested that an update report be submitted to the next meeting.

Resolved -

- (1) That the progress made to date with regard to previously agreed actions be noted;
- (2) That an update report be submitted to the next meeting.

6. SAFEGUARDING ACTIVITY REPORT - QUARTER FOUR (JAN - MAR 2014)

Vicki Lawson, Interim Head of Children's Services, presented a report by Karen Reeve, former Head of Children's Services, providing the Committee with an update of the key activity areas within Children's Social Care and related services between January and the end of March 2014. Quality and Performance reports were attached to the report at Appendices A to E.

The report stated that there continued to be a strong focus on ensuring consistent quality across Children's Social Care. The quarterly Quality and Performance meeting was a demanding forum for managers who were being challenged actively to be good the majority of the time in every case. Given the nature of their work this was a tough challenge and should not be underestimated. The focus on quantitative and qualitative information enabled the senior management team to scrutinise performance and to call managers to account. Action required from individual audits, overarching lessons and themes was shared with practitioners and managers to enable them to make the improvements necessary to ensure consistent, good practice with children, young people and families.

Vicki Lawson informed the Committee that performance against the 'good' benchmark had been rated as amber and confirmed that the auditing system in place in the service was strong with the child's lived experience at the centre.

The Committee discussed the report and expressed their thanks to the social workers and staff in Children's Social Care and requested that an update report be submitted to the next meeting.

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Resolved -

- (1) That the report be noted;
- (2) That the social workers and staff in Children's Social Care be thanked for their work and the progress being made to a 'good' rating;
- (3) That an update report be submitted to the next meeting.

7. INTRODUCTION OF UNIVERSAL INFANT FREE SCHOOL MEALS

Myles Milner, School Services Manager, submitted a report outlining the steps and costs involved in ensuring that infant age children would receive a hot free school meal from September 2014.

The report stated that in December 2013 the government had announced that every child of infant age in England should be entitled to a hot free school meal from September 2014. Existing arrangements for free school meals for disadvantaged pupils in nursery and Key Stages 2 to 4 would continue.

In a joint letter to all schools the Government had confirmed that revenue funding would be allocated at £2.20 per meal, with local funding per school based upon school census numbers. Capital funding to ensure school kitchens were equipped with sufficient equipment with associated building costs, had been provided in addition to the revenue funding and the Council was working with both community and voluntary aided schools to ensure that kitchens were ready for the increased demand in meal production.

A capital programme had been established to ensure that all schools within the scope of the programme had the kitchen capacity and suitable equipment to deliver the increased number of meals required to meet demand. The basis of this calculation was that 80% of the school population in Reception and years 1 and 2 would require a hot meal. This had been based on the results from pilot schemes. The estimated cost of the works was £591k, with Universal Infant Free School Meals (UIFSM) capital grant supporting £384k and the remaining £177k being made up from elsewhere within the Education Capital Programme.

The report explained that Pupil Premium allocation would continue to be calculated using data collected during the January 2014 census of schools and pupils and the amount a school would receive in the financial year 2014/2015 would depend on how many eligible pupils were registered for free school meals on the day of the school census. Schools had to continue to encourage parents of eligible children to register their child for free school meals to ensure each school received the maximum pupil premium allocation for that year. As part of discussions with schools, officers were collating examples of ways schools were planning to encourage parents of infant aged pupils to still complete the Free School Meal application. If an eligible parent did not register the pupil would still be able to have a free infant school meal but the school would not receive the pupil premium element of £1,300 the school could use to improve educational support.

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In preparation a contract variation had been raised to ensure that the contractor, Chartwells, would be permitted to make a change to the standard menu on census days in January, May and October to allow flexibility when promotions were planned for September 2014 - July 2015.

The report detailed the risks involved with meeting the September 2014 deadline that included equipment not being delivered on time from suppliers, building work not being completed in time and inadequate electricity supplies to meet the revised kitchen power demand.

Finally, the report stated that the UIFSM programme represented a significant increase in the number of children expected to participate in taking a hot meal, currently daily uptake stood at 3,277 rising to an expected 7,222 in September 2014.

The Committee discussed the report and requested that an update report be submitted to the next meeting providing details of the uptake of free school meals to November 2014.

Resolved -

- (1) That the proposals to prepare schools to meet the demand for increased numbers of school meals, as outlined in paragraph 3.6 of the report, be approved;**
- (2) That the need for parents to continue to register their entitlement for low income support so that schools could access additional Pupil Premium funding in addition to the now free, to all infant children, school meal be noted;**
- (3) That the scale of work going on across the Borough and the inherent risks, as set out in section 9 of the report, be noted;**
- (4) That a report be submitted to the next meeting providing an update on free school meals to November 2014.**

8. NEW EARLY EDUCATION/CHILDCARE PLACES FOR TWO YEAR OLDS IN READING

Theresa Shortland, Head of Early Years and Extended Schools Services, submitted a report providing the Committee with an update on progress to date of new early education/childcare places for two year olds in the Borough and seeking approval on the principles of funding on quality measures and the proposals to develop further work with schools in the Borough.

The report stated that the allocation of funding for places for two year olds to local authorities from the Department for Education (DfE) was based on estimates of the number of the least advantaged children living in the Borough. This was sourced from the Department of Work and Pensions (DWP) and the data gave details of the parents that might be eligible for their child to take up a place. The initial estimates had established that there were 440 children in the Borough from

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September 2013 when the eligibility criteria was the 20% least advantaged children. When the eligibility criteria extended to the 40% least advantaged children in September 2014 it was estimated that 857 children would be eligible in the Borough.

From April 2015 the funding for two year old places would move to being participation based, which was the same as the early years single funding formula for three and four year olds. Until this time two year olds were being funded on a place led basis which depended upon estimates of children eligible to take up the places.

The report included a table that set out the funding available from 1 April 2014 and explained that a bidding process had been implemented in autumn 2013 which invited early years providers in the Borough to bid for funding to create new places for two year olds. The bids were assessed against a set criteria and it was agreed that nine bids would receive funding. This had created 187 new places for eligible two year olds at a cost of £273,636.

The report stated that the statutory guidance to local authorities for early education funding had changed in 2013 and would change again in September 2014. Local authorities were no longer able to apply any local quality requirements on the funding of early education places and the Office for Standards in Education (Ofsted) judgements were considered the only measure of quality. This was the measure that was used to fund all early education places and the funding for two year old places should only be given to early years settings that were deemed 'good' or 'outstanding' by Ofsted.

The Committee discussed the report and requested that an update report be submitted to the next meeting.

Resolved -

- (1) That the progress of the early education places for two year olds in the Borough be noted;
- (2) That the proposed work with schools to create new places for two year olds on school sites be approved;
- (3) That the principles of funding for new places for two year olds within the context of the Ofsted Inspection framework be approved;
- (4) That an update report be submitted to the next meeting.

9. ANNUAL ADOPTION REPORT 2013-2014

Dawn Gardner, Adoption Team Manager, submitted a report outlining the work carried out by the Adoption Service from 1 April 2013 to 31 March 2014.

The report stated that there had been a number of significant changes to the service during the previous year and provided an outline of the staffing changes

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that had taken place in the Adoption Team. The report also explained that a separate report on the Adoption Panel was compiled by the Adoption Panel Advisor as part of her role within the Berkshire Adoption Advisory Service and Consortium and provided an overview of adoption activity across the whole of Berkshire.

The report stated that the percentage of looked after children placed for adoption or with a Special Guardianship Order stood at 16.85%, with 26 children adopted and Special Guardianship Orders for 11 children; this was well above the target for the year of 12%. Of the 26 children who had been adopted in 2013/14 56% had been placed within 12 months of the decision that the 'child should be placed for adoption'. This was a slight improvement in performance from 50% for 2012/13.

With regard to recruitment, the ongoing challenge was to ascertain what the most effective recruitment method for future campaigns was. The service also routinely obtained feedback from service users at various stages of the adoption process and incorporated this within service development.

Resolved -

- (1) That the report be noted;
- (2) That all those who worked in the Adoption Service be thanked for their hard work.

10. ACCESS TO SCHOOLS FOR SEPTEMBER 2014

Kevin McDaniel, Head of Education, submitted a report outlining the allocation of places to pupils starting school in September 2014 in either, primary, reception year, or secondary, year 7, on the national offer day which gave rise to the published statistics.

The report stated that the 2,210 applications that had been received on time for primary school places had been the largest number ever received and all of the applications had received an offer on national offer day, 16 April 2014. The initial offers had included 50 places at The Heights primary school following the Department of Education's decision to enter a funding agreement on 8 April 2014 for an opening date of September 2014.

The overall demand had been in line with the Council forecast, but there were variations across the five planning areas used to ensure the Council met its statutory duty to provide sufficient spaces. There had been lower than expected demand in the east and south of the Borough but the demand in the north had been higher than expected. This shift had resulted in the provision of an additional class at The Hill Primary School in Caversham to ensure that all initial offers were made in line with planning areas or parental preferences.

Since the initial offer day there had continued to be many parents seeking alternative offers and the independent appeal process was in progress. There had also been a large number of late applications and by 13 June 2014 the Council had provided 71 offers for these late applications. The reception year was very full, with only five places remaining.

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The 1,496 applications that had been received on time for secondary school places this had also been an increase on the 2013 cohort and reflected the general rise in the population. All of the applicants had received an offer on the national offer day. There had continued to be a number of late applications and although some schools were full there were plenty of unallocated year 7 places across all the schools which served the area.

Finally, the report stated that pupils starting school in September 2015 would have even more choice as the Department for Education was planning to open two new secondary Academy schools in the Borough. One would be in the central west area, sponsored by the West Reading Education Network (WREN) group and the other would be in the east, sponsored by Maiden Erlegh Academy. They were expected to provide another 360 places between them each year.

Resolved - That the continuing high level of primary school demand which had been met for the third successive year by Reading's schools be noted.

11. ROYAL BERKSHIRE NHS FOUNDATION TRUST - CARE QUALITY COMMISSION (CQC) INSPECTION REPORT - SCRUTINY OF REPORT AND ACTION PLAN

Councillor Hoskin, Lead Councillor for Health, stated that the role the Committee took as a result of the CQC Inspection Report on the Royal Berkshire Hospital needed to be considered. The report had been published on 24 June 2014 and overall the hospital had been rated as 'requires improvement'.

The Committee agreed that potential scrutiny of the CQC report and action plan be added to the Committee's forward plan for consideration later in the Municipal Year.

Resolved - That potential scrutiny of the CQC report on the Royal Berkshire Hospital and resulting Action Plan be added to the Committee's forward plan for consideration later in the Municipal Year.

(The meeting commenced at 6.30 pm and closed at 8.50 pm).

CHILDREN'S TRUST PARTNERSHIP BOARD - 23 JULY 2014



Present:

Councillor Jan Gavin (Chair)	Lead Councillor for Children's Services and Families, Reading Borough Council (RBC)
Esther Blake	Partnership Manager, RBC
Ben Cross	Development Worker, RCVYS
Ellie Emberson	Reading Member of Youth Parliament
Jonathan Hill-Brown	Children's Commissioning Lead, RBC
Andy Kimber	Public Health Programme Manager, RBC
Jill Lake	RCVYS
Vicki Lawson	Interim Head of Children's Services, RBC
Kevin McDaniel	Head of Education Services, RBC
Sally Murray	Head of Children's Commissioning Support, CSCSU
Mark Spencer	Crime Manager, Reading Police
David Seward	RCVYS
Chris Stevens	SEN Service Manager, RBC
Avril Wilson	Director of Education, Adult & Children's Services, RBC

Also in attendance:

Sally Poole	Committee Services, RBC
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Apologies:

Penny Cooper	Head of Children and Families, BHFT
Gerry Crawford	Berkshire Healthcare NHS
Sarah Holland	Senior Probation Officer, Thames Valley Probation
Cheryl Pennington	Assistant Principal, Reading College
Robin Rickard	Reading Area Commander, Thames Valley Police
Suzanne Westhead	Head of Adult Care, RBC

1. MINUTES AND MATTERS ARISING

The Minutes of the meeting held on 8 April 2014 were confirmed as a correct record.

Further to Minute 3, it was reported that the Protocol Agreement had been commended by the Health and Wellbeing Board as an example of good practice.

AGREED: That appreciation for the work carried out by Esther Blake on the Protocol Agreement be recorded.

2. YOUTH CABINET UPDATE

Ellie Emberson, Member of Youth Parliament for Reading, reported on the progress with Reading Youth Cabinet's campaigns for 2014/15, as follows:

- Mental Health -The Youth Cabinet had been working with CAMHS (Child and Adolescent Mental Health Services) and No. 5 (Youth Counselling & Information), had set up a focus group and had got three schools to sign up to the Treaty for Health, which they were now launching in Wokingham schools;

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- Child Abuse - a survey was to be carried out;
- Your Future, Your Way - this was linked with the national UK Youth Parliament (UKYP) campaign, Curriculum for Life.

The UKYP Votes at 16 campaign was continuing to gain momentum. It had received support by Councillors through a motion passed at the Council meeting on 25 March 2014 and Ellie had been on Radio Berkshire and in a televised Youth Select Committee debate at the Houses of Parliament. There had been some opposition to the Votes at 16 campaign and so a questionnaire had been developed to try to understand why young people did not want to vote. This would be linked with attempting to engage schools in providing more political education.

Councillor Gavin added that she was recruiting Councillors from all parties to go into schools and youth clubs to raise the profile of local government and to talk about the process of politics, as they were concerned that many young people would never engage with the habit of regular voting.

AGREED: That the work of Ellie Emberson and the Youth Cabinet be commended.

3. CHILDREN AND FAMILIES BILL

Kevin McDaniel, Head of Education Services, RBC and Chris Stevens, SEN Service Manager, RBC, presented an update on changes to SEN Provision from 2014 to 2016 that were required under the Children and Families Act 2014.

The report submitted by the Director of Education, Adult and Children's Services to the Adult Social Care, Children's Services and Education Committee (ACE) on 24 April 2014 outlined the strategic approach to providing education support for children with additional needs.

The report stated that the Children and Families Act required national changes which were due to start from September 2014 and would take up to three years to implement. The Department for Education had provided a grant allocation of £250,000 to support the process of transition.

The main changes to be implemented between 1 September 2014 and September 2017 were as follows:

- a) Education, health and care (EHC) plans would replace the current Statements of Special Educational Need (SEN) and offer a single integrated plan from birth to 25;
- b) Families of children and young people with an approved EHC plan would have the legal right to request their personal budget with which they could directly buy the support identified in the plan;
- c) Joint commissioning between Local Authorities and Clinical Commissioning Groups (CCGs) would be required for services for disabled children and young people and those with SEN;
- d) The 'Local Offer' had to be published and to be accessible from 1 September 2014 so that parents knew exactly what was available including

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details of early years, schools and college provision, social care services, health services, how to access specialist support and the special and specialist school provision available;

- e) Joint assessment procedures had to be established across professional groups. This was a development issue with the expectation that professionals agreed a format for carrying out outcome focused assessments that were based on the aspirations of a family and their child.

The report submitted to ACE Committee on 7 July 2014 outlined the progress to date against each of changes detailed above and had the draft Special Educational Needs and Disability (SEND) Action Plan attached at Appendix 1.

Attached to the report at Appendix 2 was the leaflet that had been sent to all parents who had a child with a Statement of Special Educational Needs and to all schools and preschool settings. The priority areas outlined in the report submitted to ACE on 24 April 2014 formed the basis of the SEND Action Plan and had been updated following consultation:

- Priority 1: Every child, including those with SEND in Reading should have their needs met, in Reading if possible, but the priority was to ensure that each child's needs were met.
- Priority 2: Develop provision within Reading or in partnership with our neighbouring Local Authorities which reduced reliance on the most expensive and remote options;
- Priority 3: Work with families to enable them to champion better outcomes for their children;
- Priority 4: Work with schools and other services to provide resources (this included financial) in order that all children, including those with SEND, were given the opportunity to reach their full potential. This included the development of their academic, social, emotional and communication skills.

AGREED: That the position be noted.

4. REVIEW OF THE CHILDREN AND YOUNG PEOPLE'S PLAN

Esther Blake, Partnership Manager, Reading Borough Council submitted an updated quarterly performance report for the 2011/14 Children and Young People's Plan (CYPP). The report showed that of the 39 specific targets within the CYPP, 36% could not be rated or updated as the data was either not available or not quantifiable. Of the remaining 64%, 20% had been RAG rated Red, 8% as Amber and 36% Green. Esther Blake explained the difficulty in obtaining timely data and felt that this should be considered when determining measurable priorities for the new CYPP.

One area of concern was the relatively high number of permanent and fixed term exclusions. Kevin McDaniel explained that the local authority did monitor this and had suggested that some schools revised their behaviour policies to reduce the use of exclusion as a sanction. As all the secondary schools in the Borough were academies, and a free school, the local authority had limited jurisdiction

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over them, but would report concerns to the Department for Education if schools were not responsive.

The primary schools had now signed up to a Fair Access Protocol which had been running successfully with the secondary schools. This meant that the schools collaborated with managed moves for students at risk of exclusion with minimal intervention from the local authority.

Gill Dunlop had been appointed to a new post of Virtual School Headteacher for the Edge of Education and her role would be to challenge schools and to champion students who had been excluded or who were on reduced timetables.

Esther Blake reported that there had been an increase in the uptake of apprenticeships, but concern was expressed about the disparity between the subjects taken and the job opportunities available and that despite the high number of finance and technical companies in the area, there were very few companies that took apprentices.

AGREED:

- (1) That Esther Blake be thanked for the collation of data for the CYPP;
- (2) That a representative from City Deal be invited to a future meeting to talk about apprenticeships in Reading and a potential link with the Children's Trust Board.

5. PRIORITIES FOR THE NEW CHILDREN AND YOUNG PEOPLE'S PLAN

Vicki Lawson, Interim Head of Children's Services, proposed a new model for the formulation of the CYPP data that would be based on exception reporting and so focussing on areas that were not performing in line with expected targets. She explained that the Protocol Agreement between the Children's Trust Board, the Heath & Wellbeing Board and the Local Safeguarding Children Board should enable a more effective way of working that eliminated duplication and had clarity of meeting purpose.

It was suggested that the Children's Trust Board should focus on less priorities and to select those where they could make a difference, be able to measure impact and to strategically hold other partnership bodies or the Council to account if it was felt necessary.

It was agreed that the most effective way of working up the CYPP priorities and the impact measures would be to hold a workshop on each of the three priority areas agreed at the previous meeting ('Keeping children safe', 'Having the best start in life and throughout' and 'Learning & Enjoyment') and ascertaining which were already being managed well by others, how and when results were measured and reported and what impact they had. There could then be a subsequent workshop next year for children and young people to reflect on the selected priorities and determine if the impact was tangible and felt. This would ensure that priorities would always be intuitive and forward looking and allow the

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Children's Trust Board to be a strong influencer by working collectively and collaboratively with other partners.

Concern was expressed with regard to the responsibility of members of the Children's Trust Board for the first priority, 'Keeping children safe', but it was stressed that this was an aspirational statement rather than a reflection of the obligations of the Board, which was not a legal entity. Following feedback from the voluntary sector, some changes to the wording of other priorities was also proposed to encourage children and young people to make a contribution to society and also to include the role of families in developing resilient children.

AGREED:

- (1) That a list of relevant bodies with role description be circulated;
- (2) That V Lawson submit a report outlining the proposals for the development of the CYPP.

6. ITEMS FOR FUTURE MEETINGS

The Board noted agenda items for future meetings as follows:

- Development of the CYPP
- Changes to the Probation Service
- Offender Strategy
- Turnaround Families
- CAMHS review action plan
- Reading MASH
- City Deal / Apprenticeships

Date of Future meetings (4 - 6pm)

- Wednesday 22 October 2014
- Wednesday 21 January 2015
- Wednesday 1 April 2015
- Wednesday 8 July 2015

(The meeting started at 4.00pm and finished at 5.56pm).

**READING BOROUGH COUNCIL
REPORT BY
DIRECTOR OF EDUCATION, ADULT SOCIAL CARE AND CHILDREN'S SERVICES**

TO:	ADULT, CHILDREN'S & EDUCATION COMMITTEE		
DATE:	6 NOVEMBER 2014	AGENDA ITEM:	8
TITLE:	SAFEGUARDING ACTIVITY REPORT		
LEAD COUNCILLOR:	COUNCILLOR GAVIN	PORTFOLIO:	CHILDREN'S SERVICES
SERVICE:	CHILDREN'S SERVICES	WARDS:	ALL
LEAD OFFICER:	VICKI LAWSON	TEL:	0118 9374163
JOB TITLE:	INTERIM HEAD OF CHILDREN'S SERVICES	E-MAIL:	Vicki.lawson@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides an update of the key activity areas for 2013/14 within Children's Social Care as reported through the National Returns that all local authorities have to submit to the Department of Education in July and August each year about the previous reporting year. It updates on the performance for Quarter 2 as at 30 September 2014
- 1.2 The report also updates on auditing activity and highlights priority areas for the service and scrutiny.
- 1.3 Graphical Trend Data is attached at Appendix A.

2. RECOMMENDED ACTION:

- 2.1 That the report is scrutinised.

3. OVERVIEW

- 3.1 The Children in Need Census is an annual collection of data on children who have been referred to local authority social care services because their health or development is at risk of being significantly impaired without additional support. All local authorities return this data to the Department of Education (DfE).

- 3.2 Additionally local authorities collect and submit data to the DfE for the annual children looked after return (also known as SSDA903).
- 3.3 The returns covers the financial year (1st April to 31st March), is returned in July/August each year following validation submitted by all local authorities during April, May and June each year.
- 3.4 This report summarises Reading's performance using three year trend data where applicable and highlights area for priority and scrutiny.
- 3.5 The report also updates on performance as at September 2014
- 3.6 The report also comments on auditing activity which considers the quality of work undertaken.

4. HEADLINES CIN CENSUS RETURN 2013/14 and SEPTEMBER 2014 PROGRESS

- Number of referrals to Childrens Social Care shows a rising trend which gives an indication of volume which has increased since the initiation of the MASH in August 2012.
- *As at September 2014 the number of referrals monthly has fluctuated more than previous years (from 83 to 159) and this is being monitored alongside the work in MASH to embed an Early Help Co-ordinator.*
- % of referrals going onto Initial Assessments shows a decrease which is associated with further information gathering at referral stage to determine whether a referral is appropriate for Social Care Intervention. It has been agreed to co-locate an Early Help co-ordinator in MASH from September 2014 to ensure that if a service is required at a lower level through Early Help there is a strong transition process to step down.
- % of Initial Assessments completed in 10 days and % of Core Assessments completed in 35 days cannot be benchmarked due to a change nationally to a 45 day timescale for completing assessments. *The September 2014 rolling figure for Single Assessment is 77.2 %.*
- Of the 1197 assessments completed the three highest presenting factors were Domestic Violence at 275, Neglect 192 and Physical Abuse at 133.
- *As at September 2014 Domestic Violence and Neglect remained high and sexual abuse was showing an increase which may be due to a growing awareness of this in the public domain.*
- Number of S47 Enquiries (Duty to conduct Section 47 (S47) Enquiries where there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm, the local authority is required under S47 of the Children Act 1989 to make enquiries, to enable it to decide whether it should take any action to safeguard and promote the welfare of the child and decisions are taken in conjunction with the police) decreased.

- *As at September 2014 the number of Section 47 Enquiries fluctuated which is reflective of the fluctuating referral numbers (monthly between 22 and 66)*
- The number of Initial Child Protection conferences increased therefore it is likely that the initiation of the MASH and greater information sharing resulted in less but more appropriate S47 enquiries that lead to ICPC. 84% of ICPC were held within the 15 day national target.
- *As at September 2014 numbers of Children on a Child Protection Plan was showing a continued increase over the reporting year from 153 to 184. It is noticeable that 22 of these were children (and their families) moving into Reading already subject to a plan*
- Child Protection Plans lasting two years or more is decreasing. There is a thorough audit cycle embedded of which Child Protection plans that are 15 months plus are audited.
- *As at September 2014 this number had decreased from 11 children to 7 and alternative plans are being considered*
- % of Child Protection Plans that were reviewed on time showed a marginal decrease which equated to 2 reviews out of time by one day.
- *As at September 2014 99% of plans were reviewed on time. There was one out of time as agreed by the manager to enable the parent to attend.*
- Child Protection Visiting: Pan Berkshire procedures set the visiting pattern at no more than 10 working days for children to be seen who are on a Child Protection Plan. The DfE indicator is calculated that if one visit in the year is out of timescale (i.e. Day 11 or beyond) the child's visits by the social worker are then classed as out of time for the rest of the reporting year. (One strike and you are out). The indicator is perverse in that if the visiting pattern is set with a longer timescale the likelihood of having a higher percentage return is greater. Some authorities are classing the visiting pattern as 6 weeks. Many local authorities have raised concerns with this indicator as the return figure has been low. Reading has submitted a figure of 23.9%.
- *As at September 2014 the % of visits on time is 76% as per a local indicator that looks at actual visiting patterns and frequency of visiting is monitored closely.*
- Priorities for 2014/15 are the development of the MASH (Multi Agency Safeguarding Hub) with full integration alongside Thames Valley Police (TVP), Health, Adult Safeguarding and other partners.
- *As at September 2014 a project board is established and chaired by the Director of Children's Services.*

- Facilitating Step up/Step down work between Early Help Services and the MASH by the location of an Early Help co-ordinator in the MASH.
- *As at September 2014 this job was established and out to advert*

5. HEADLINES SSDA903 RETURN and SEPTEMBER 2014 PROGRESS

- **Adoption 1 - The percentage of children who ceased to be looked after who were adopted** - There was an increase in the number of adoptions by 8 children from 18 to 26
- *As at September 2014 12 children had been adopted*
- **Adoption 2 - The percentage of children who ceased to be looked after because of a special guardianship order** - There were 17 children ceased to be looked after by an SGO which continues the upward trend by one child
- *As at September 2014 5 children had been made subject to a Special Guardianship Order*
- **A1 - Average time between a child entering care and moving in with its adoptive family, for children who have been adopted (days)** - This shows that the average time between entering care and moving in with an adoptive family was longer however there was an increase in the number of children which will have impacted adversely on the indicator. Statistics for the last 3 yrs show that RBC has improved both the numbers and percent of looked after children adopted. **The success in placing children who are older, part of a sibling group, have disabilities, behavioural issues or parents with mental health issues in adoptive placements has increased the average timescales to achieve the milestones along the adoption process.**
- 12 of the 26 children adopted between 2013/14 were aged between 4-10yrs including at the time of the order 8 were 5-10 yrs.
- Of the 10 children who it took longer than 12 months to place, 9 had at least one of the factors identified above in their profiles making placements more difficult to find.
- **A2 - Average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family (days)** - This shows the average time between a court agreeing a child should be adopted to finding a matched family took **longer however this correlates** with the information about the harder to place children detailed above.
- *As at September 2014 there are still challenges with meeting the DFE indicators however the average days for a child entering care to moving in with their adoptive family has decreased by 165 days from August 2014 to September 2014*

- **Placement 1** -The percentage of children looked after with three or more placements during the year ending 31 March 2014 - This shows an increase in children moving placements and seven more children moved more than three times than the previous year. A piece of work will take place to identify these children and consider what features they present with and what type and provider of placement they had to understand what has contributed to their instability.
- *As at September 2014 the percentage of children has decreased from 9 % to 8.5% equating to 2 less children (17 in total)*
- **Placement 3** - The percentage of looked after children at 31 March placed outside LA boundary and more than 20 miles from where they used to live - This shows an increase of 5 children who have had to be placed more than 20 miles away and a piece of work will be undertaken to look at the features of these young people and why the provision for them was not available locally. This work will be fed to the commissioning team and into the Sufficiency Document which is a document that the Local Authority has to produce to consider what placements will be needed for children who are Looked After and plan accordingly.
- *As at September 2014 68 children out of 196 were placed more than 20 miles from their home address 34.7% increasing from 31.7%*
- **L1** - The proportion of children leaving care over the age of 16 who remained looked after until their 18th birthday - This shows a static figure in the context of a declining number of children in care and is an indicator which is indicative of children remaining in their placements until they are ready for independence. This figure will be monitored throughout the coming year.
- **L2** - The proportion of young people aged 19 who were looked after aged 16 who were not in employment, education or training - This cannot be benchmarked against previous years as it is a new definition to cover the position at 20th and 21st birthdays as well as 19th.
- **L3** - The proportion of young people aged 19 who were looked after aged 16 who were in suitable accommodation - This cannot be benchmarked against previous years as it is a new definition.
- **L4** - The percentage of young people aged 19 who were looked after aged 16 who were in higher education - This cannot be benchmarked against previous years as it is a new definition.
- The features of the care leavers not in suitable accommodation is known as each of these young people has unique and complex stories including offending. It is acknowledged that accommodation for 16 plus remains a priority issue in Reading and work is underway with housing and commissioning to improve the offer in Reading including remand provision.

- Other analysis of performance in respect of Looked After Children is below which is predicated on numbers and not percentages as there will have been a different number of children looked after each year. Identified priority areas for further work are:
 - a. Rising number of Looked After Children with criminal offences.
 - b. Timeliness of Health Assessments which has already been identified for specific partnership work and the Interim Head of Service has met with Sally Murray, Head of Children's Commissioning Support Berkshire NHS Central Southern Commissioning Support Unit and agreed a way forward

Reduction in completed SDQ (Strengths and Difficulties Questionnaire) which has been identified as an area for development and a recent bid for Public Health Funding has been successful to drive this forward.

Updating the Sufficiency Statement (The **Children Act 1989** (s.22G) places a requirement on local authorities to, "take steps that secure, as far as reasonably practicable, **sufficient accommodation** within the authority's area which meets the needs of children that the local authority is looking after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the local authority's area ('the sufficiency duty').

6. AUDIT ACTIVITY

- 6.1 Following on from the Quarter 4 report presented to ACE in respect of auditing activity the audit plan remains in place, is regularly reviewed and updated in light of performance updates. Results from audits are discussed at quarterly performance meetings and action plans are put into places which are shared with teams in managers' meetings and in individual team meetings.
- 6.2 Audit moderation groups are in place for managers to discuss the audit process monthly and to ensure that there is a shared understanding of the overarching standards so that there is a shared appreciation of 'what good looks like'. Managers are appreciative of the opportunity to discuss findings and to audit together as a group, ensuring better consistency and transparency in the process.

Internal Audits

- 6.3 In Quarter 1 2014, 63 cases were audited by managers in social care against a benchmark of good. 1 case (1.6%) needed immediate improvement, with the remaining being rated as requiring improvement (old adequate rating) or better. 66.7% were rated as good or better. Immediate feedback has been given to each social worker involved and corrective action plans are in place where needed. No child was found to be unsafe/at risk during the audit process. The quality of recording of personal information (i.e. front sheets/relationships etc) is improving across the board. Children's views are routinely recorded in assessment and planning however improvements would be made if social workers scanned on the tools they used with children.
- 6.4 A number of themes have arisen which have been shared with team managers for actions within the service as below:

Chronologies are more evident on file, but practitioners need to demonstrate that they are using the information in their assessments

Recording is not completed immediately following visits

Work continues to be required (particularly at the start of processes) to ensure that Fathers are involved in assessment, decision making and planning for their children.

- 6.5 With respect to Child in Need cases, work is underway between the statutory long term teams and the Children's Action Teams to ensure that cases are appropriately located to ensure that plans are reviewed and services offered in a consistent way.
- 6.6 There were pockets of outstanding practice in assessment and planning for children with child protection plans - 89% of cases were found to be good or better in this area.
- 6.7 Children's plans were generally reviewed well and evidenced in Looked After Children reviews, however, children's care plans need to be updated regularly to evidence the changes made.

External (Independent Audit)

- 6.9 Children's Social Care continues to have a programme of external audit. Six cases are examined in depth by an external auditor each quarter. This is a qualitative audit of the case file, supplemented by discussion with the social worker and manager. Of these cases one child protection case was rated as good and the second needed improvement to bring the case up to the standard needed. One child in need case was rated as good, with the other needing improvement. Both looked after children cases needed some work to raise them to a good standard.
- 6.9 The auditor found that the new assessment format (Child and Family single assessment) is useful and whilst it covers the domains of the assessment framework it also highlights the "child's story and lived experience". This appears to be being used well. Issues that affect parenting including historical factors and parental issues remain a central part to the assessment.
- 6.10 The auditor found that the Signs of Safety supervision forms support supervisors to be more analytical rather than task focused and that there is now evidence that social workers are updating child protection plans between conferences which make the plan more relevant to the presenting concerns. However, although more chronologies are in place, they still require regular updating and this is noted in a number of the cases audited.
- 6.11 Following the audit corrective action plans have been agreed with workers who are aware of the actions they need to take and these actions will be checked for compliance in due course.

7. CONTRIBUTION TO STRATEGIC AIMS

7.1 The work of children's social care is aligned with the strategic priorities of Reading Borough Council and the Reading Health and Wellbeing Strategy 2013-16.

8. COMMUNITY ENGAGEMENT AND INFORMATION

8.1 A wide range of partners and parents, carers, young people and families accessing social services were actively involved in the planning around their own case but are also engaged in the development of the work as a whole, and it is our ambition to further improve this through the work of the service user evaluation programme.

9. EQUALITY IMPACT ASSESSMENT

9.1 An Equality Impact Assessment is not required for this report.

10. LEGAL IMPLICATIONS

10.1 There are no legal implications to this report, although the Children's Social Care work enables the Council to meet the statutory duties set out in the Children Act 1989, the Children Act 2004 and the Childcare Act 2006.

11. FINANCIAL IMPLICATIONS

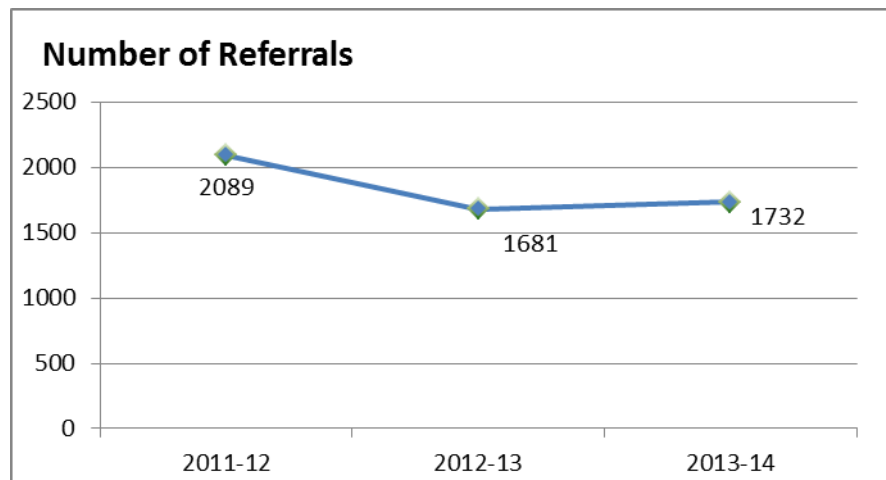
There are no new financial implications outlined in this report.

12. BACKGROUND PAPERS

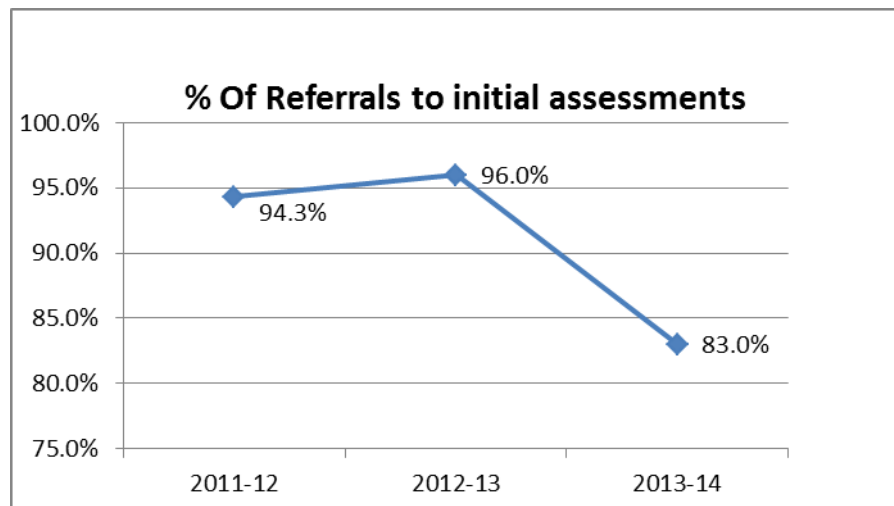
ACE Appendix 1

2011/12-2013/14 CIN CENSUS DATA COMPARISON - CHILD IN NEED

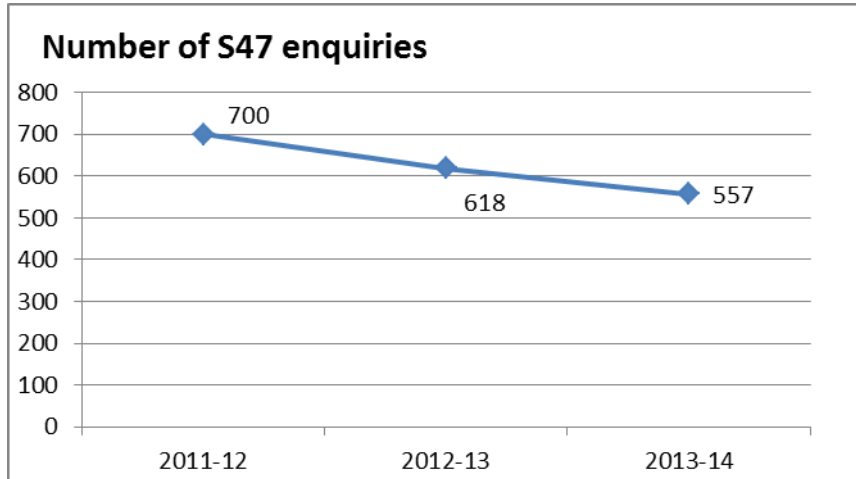
NUMBER OF REFERRALS TO CSC	
YEAR	No of Referrals
2011-12	2089
2012-13	1681
2013-14	1732



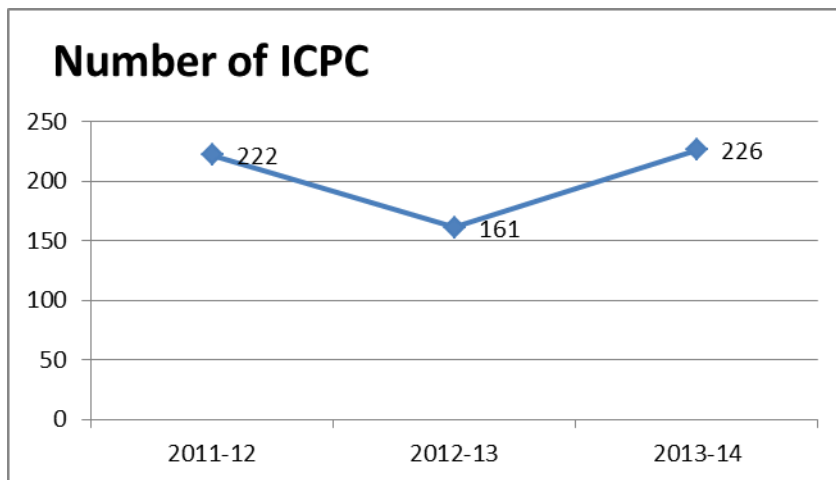
ASSESSMENTS - NI68	
% OF REFERRALS GOING ON TO INITIAL ASSESSMENTS	
YEAR	ASSESSMENT %
2011-12	94.3%
2012-13	96.0%
2013-14	83.0%



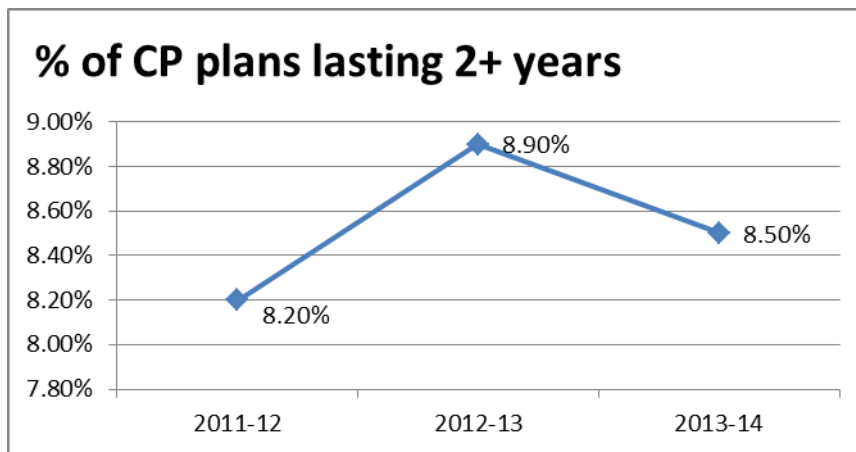
SECTION 47	
YEAR	Number of S47 initiated
2011-12	700
2012-13	618
2013-14	557



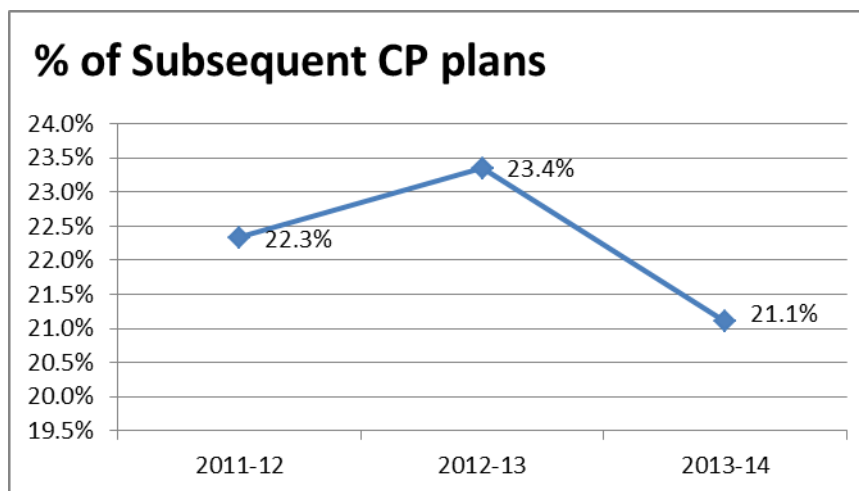
Initial Child Protection Conferences	
YEAR	Number of ICPC
2011-12	222
2012-13	161
2013-14	226



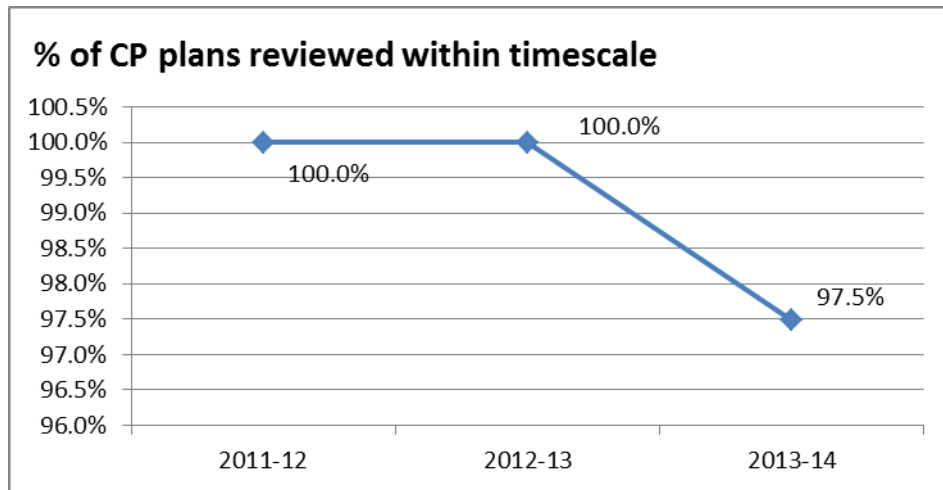
NI64		
CHILD PROTECTION PLAN LASTING 2 YEARS OR MORE		
YEAR	Number	%
2011-12	16	8.20%
2012-13	18	8.90%
2013-14	17	8.50%



NI65		
Child Protection Plan FOR 2nd OR SUBSEQUENT TIME		
YEAR	Number	%
2011-12	46	22.3%
2012-13	39	23.4%
2013-14	42	21.1%

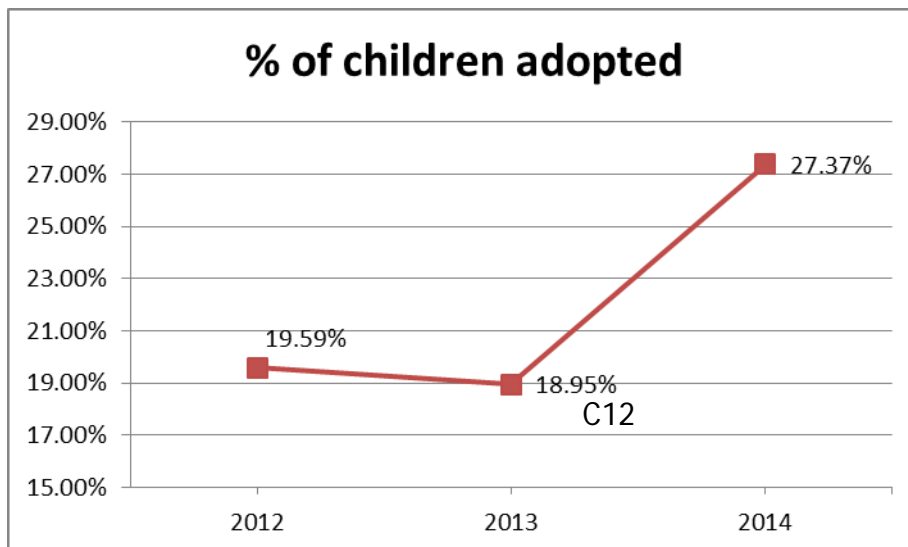


NI67		
Child Protection REVIEWS WITHIN TIMESCALE		
YEAR	CP ELIGIBLE	%
2011-12	134	100.0%
2012-13	125	100.0%
2013-14	116	97.5%



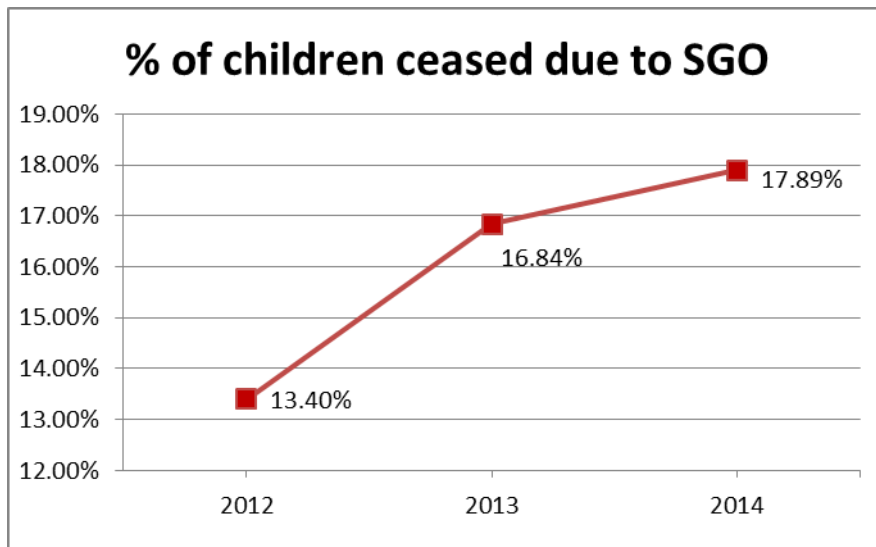
SSDA903 Returns 2011/12 to 2013/14

Adoption 1 - The percentage of children who ceased to be looked after who were adopted			
Year	%	No. adopted	Total ceased
2012	19.59%	19	97
2013	18.95%	18	95
2014	27.37%	26	95



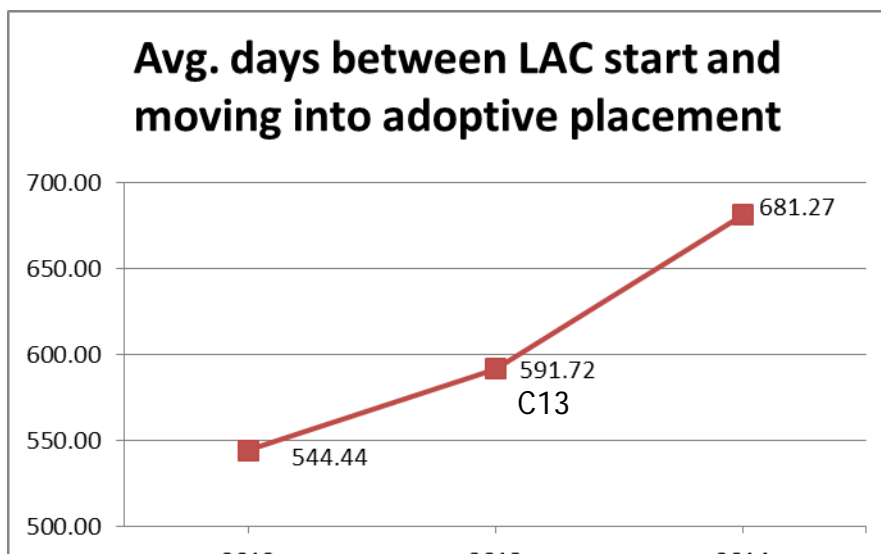
Adoption 2 - The percentage of children who ceased to be looked after because of a special guardianship order

Year	%	No. ceased to SGO	Total ceased
2012	13.40%	13	97
2013	16.84%	16	95
2014	17.89%	17	95

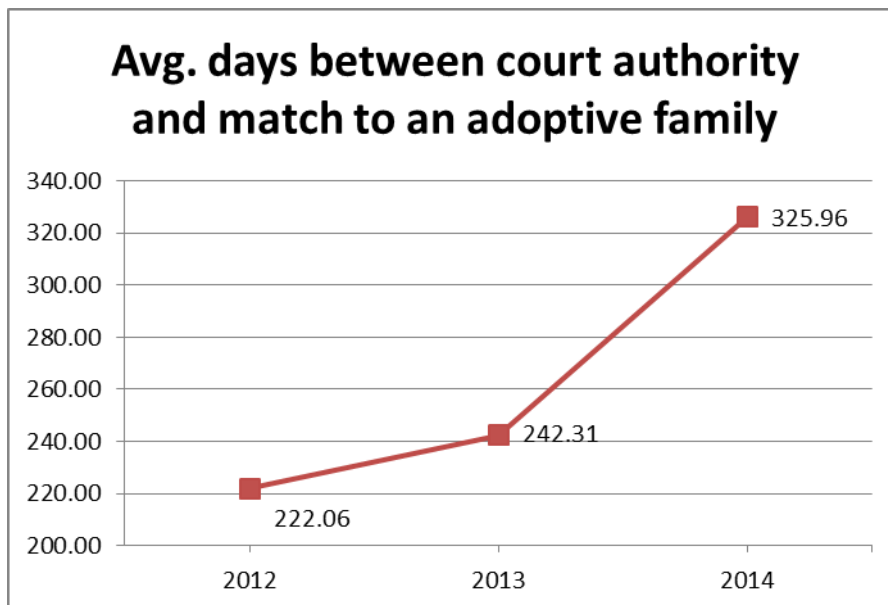


A1 - Average time between a child entering care and moving in with its adoptive family, for children who have been adopted (days)

Year	Avg. days	No. of days	No. of children
2012	544.44	9880	18
2013	591.72	10651	18
2014	681.27	17713	26



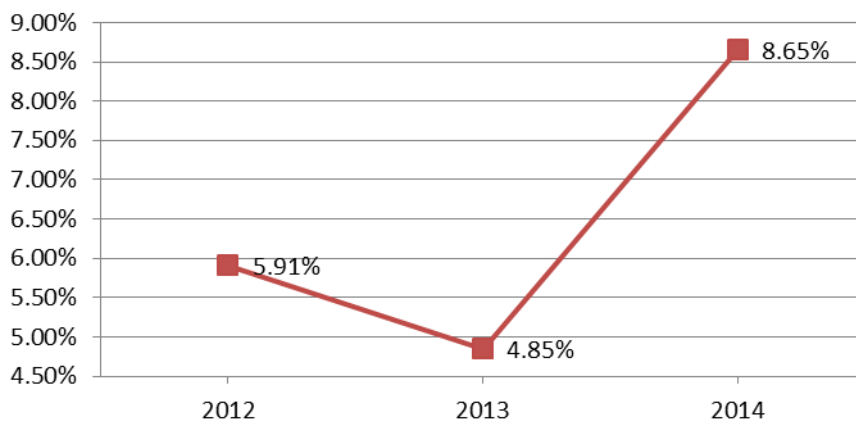
A2 - Average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family (days)			
Year	Avg. days	No. of days	No. of children
2012	222.06	3553	16
2013	242.31	3877	16
2014	325.96	8475	26



Placement 1 -The percentage of children looked after with three or more placements during the year ending 31 March

Year	%	No.of children	Total children
2012	5.91%	14	237
2013	4.85%	11	227
2014	8.65%	18	208

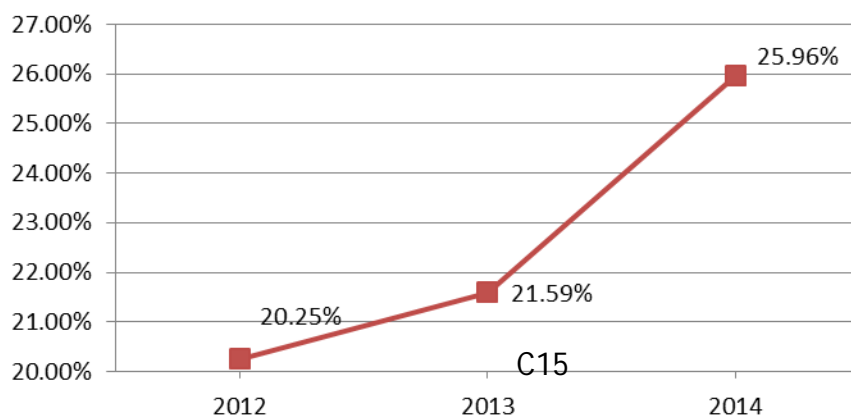
% of children looked after with 3 or more placements during the year



Placement 3 -The percentage of looked after children at 31 March placed outside LA boundary and more than 20 miles from where they used to live

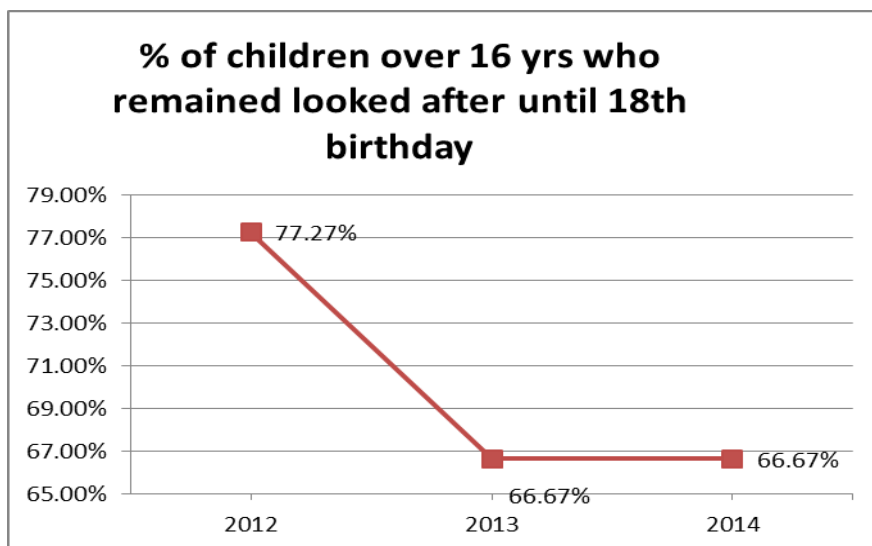
Year	%	No.of children	Total children
2012	20.25%	48	237
2013	21.59%	49	227
2014	25.96%	54	208

% of children placed more than 20 miles at 31 March



L1 - The proportion of children leaving care over the age of 16 who remained looked after until their 18th birthday

Year	%	No.of children	Total children
2012	77.27%	17	22
2013	66.67%	16	24
2014	66.67%	14	21



READING BOROUGH COUNCIL

REPORT BY DIRECTOR EDUCATION, ADULT AND CHILDREN'S SERVICES

TO:	ADULT SOCIAL CARE, CHILDREN'S SERVICES AND EDUCATION COMMITTEE		
DATE:	6 NOVEMBER 2014	AGENDA ITEM:	9
TITLE:	READING LOCAL SAFEGUARDING CHILDREN BOARD ANNUAL REPORT		
LEAD COUNCILLOR:	CLLR JAN GAVIN	PORTFOLIO:	CHILDREN'S SERVICES
SERVICE:	CHILDREN'S SERVICES	WARDS:	BOROUGHWIDE
LEAD OFFICER:	ESTHER BLAKE	TEL:	X73269
JOB TITLE:	BUSINESS MANAGER FOR READING LSCB AND CHILDREN'S TRUST PARTNERSHIP	E-MAIL:	esther.blake@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The Reading Local Safeguarding Children Board is the key statutory mechanism for agreeing how the relevant organisations will co-operate to safeguard and promote the welfare of children in Reading and for ensuring the effectiveness of what they do (Working Together To Safeguard Children 2013).
- 1.2 This Annual Report is being presented to the Adult Social Care, Children's Services and Education Committee to ensure members are informed about the achievements of the LSCB for the 2013/2014 financial year. The Annual Report has a wide distribution and is sent to key stakeholders and partners so that they can be informed about the work and use the information in planning within their own organisations to keep children and young people safe.

2. RECOMMENDED ACTION

- 2.1 That the Adult Social Care, Children's Services and Education Committee note the attached annual report.

3. POLICY CONTEXT

- 3.1 As required by Working Together 2013, the LSCB Chair is required to publish an annual report on the effectiveness of child safeguarding and promoting welfare of children in Reading.
- 3.2 In line with this statutory guidance the report is presented to the Adult Social Care, Children's Services and Education Committee for information. It has also been presented to the Children's Trust Board and the Health and Wellbeing Board.

4. THE PROPOSAL

4.1 Partnership working is a vital ingredient for an effective LSCB and this report contains information on some of the activities and achievements which have taken place that demonstrate this. Board members both champion and lead the safeguarding agenda within their agency and bring to the LSCB issues regarding safeguarding that relate primarily to their own agency, but which have implications for the co-operation between agencies and the monitoring role of the Board.

4.2 Within the report the LSCB achievements and challenges are listed. For reference these are:

LSCB Achievements

- Hosting arrangements have been put in place for all sub-groups to improve communication links with LSCBs;
- Workshop on Serious Case Review models held March 2014 to consider the range of models available;
- Business planning session was carried out in December 2013 to identify priorities for the 2014-2017 LSCB Business Plan;
- LSCB member development session held with members in October 2013 on leadership and challenge, with a further session for Executive members in June 2014;
- Berkshire West LSCBs and Safeguarding Adults Partnership Board held their annual joint safeguarding conference in September 2013; the theme for the conference was Sexual Abuse;
- Raising awareness of child sexual exploitation amongst young people, parents and the wider community, through a LSCB and Thames Valley Police jointly funded project with performances of 'Chelsea's Choice' in Reading secondary schools.
- Reading safeguarding information updates emailed weekly;
- Child Sexual Exploitation (CSE) operational multi-agency sub-group established to address CSE locally;
- New CSE e-learning course launched for all LSCB partner organisations;
- Developed effective links with CCGs in their first year of operation; including reps for the LSCB and LSCB executive;
- Published threshold criteria and assessment protocol for Children's Services;
- Recruited successfully new lay members
- Berkshire wide lay members meetings held to increase awareness of the role and to network with others across Berkshire;
- Commissioned a presentation on the Serious Case Review of Daniel Pelka which was delivered to the LSCB and made available as PowerPoint for dissemination to all LSCB partners;
- Agreed a protocol between the Thames Valley LSCBs and the Sexual Assault Referral Centre; to improve communication and reporting;
- Task-group set up to take forward the intercollegiate recommendations Tackling FGM in the UK;
- Berkshire Child Protection Procedures have been updated in relation to recent guidance on CSE, missing children and safe staffing;
- A signs of safety model approach has been introduced to the front sheets submitted with each report to the LSCB to ensure achievements and challenges are easily identified, plus impact on children and young people;

- The Youth Cabinet presented issues surrounding mental health at a Board meeting which has led to actions being taken forward across agency, and the LSCB support of their Mental Health charter and campaign.

LSCB Challenges

- Developing an agreed dataset; agencies providing context and commentary to the data;
- Monitor police and GP attendance and reporting to Child Protection Conferences to ensure contribution is effective;
- Voice of the child - this issue is discussed at every Board meeting and impact is requested as part of the front sheet but more work is needed to really hear the child's voice in the work of the LSCB;
- Ensure a section 11 return is completed by the local authority and any other organisations allocated to Reading LSCB by the pan-Berkshire Section 11 panel;
- Improve links with NHS England Local Area Teams and ensure they are fulfilling their Section 11 duties; including providing regular reports on the SARC

4.3 Evidencing the impact of safeguarding work is key to understanding what works and how we can improve. Within this report there are blue boxes which highlight where there is clear positive impact for children and young people in Reading.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 This report contributes to the following Council strategic aims:

- To establish Reading as a learning City and a stimulating and rewarding place to live and visit
- To promote equality, social inclusion and a safe and healthy environment for all

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 This report has been written with contributions from all LSCB partners and circulated to the Board. It will be disseminated to all partners, the Health and Wellbeing Board and Children's Trust Board.

7. EQUALITY IMPACT ASSESSMENT

7.1 An Equality Impact Assessment (EIA) has not been carried out for this report however, equality and diversity continues to be a key theme for the LSCB.

8. LEGAL IMPLICATIONS

8.1 There are no legal implications with this report. Working Together to Safeguard Children 2013 requires that the LSCB to produce an annual report and that it be submitted to the Chair of the Health and Wellbeing Board.

9. FINANCIAL IMPLICATIONS

9.1 None

10. BACKGROUND PAPERS

- None



Reading Local Safeguarding
Children Board

Annual Report
April 2013 - March 2014

Essential information

Independent Chair: Stephen Barber LSCBChair@reading.gov.uk
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Berkshire Local Safeguarding Children Boards
Child Protection Procedures available on line:
<http://berks.proceduresonline.com/index.htm>

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Foreword by Independent Chair

Everyone has a responsibility for safeguarding children and young people. It is vital that all agencies work together to ensure children and young people are safe and achieve good outcomes.

The LSCB has a statutory duty to co-ordinate how agencies work together to safeguard and promote the well-being of children and young people in Reading and to ensure the effectiveness of local safeguarding arrangements.

This year has seen a focus on implementing the revised government guidance Working Together to Safeguard Children 2013. This has led to the development of threshold criteria for Children's Services, along with a single assessment form. The Threshold document aims to help practitioners identify a child's level of need and to be familiar with the best way to access the support needed.

Changes in the health service structure came into effect in 2013, with the establishment of Clinical Commissioning Groups and NHS England Local Area Teams. Reading LSCB worked with the new groups to ensure good links were made and safeguarding remained a priority.

A major restructure is currently underway in Thames Valley Probation Trust. The LSCB will work with the Trust to ensure partnership working remains effective and children are safeguarded.

Working Together 2013 requires the Chair of the LSCB to publish an annual report on the effectiveness of safeguarding arrangements and setting out how well agencies promote the welfare of children in the local area.

This Report aims to provide an overview of the performance and effectiveness of local services. It identifies areas of weakness, the causes of weaknesses and the action being taken to address them as well as other proposals for action. Each agency has been asked to provide its own assessment of performance; these are summarised in the Report, along with contributions from sub-groups which undertake a significant amount of the work of the Board.

The report is presented to the Chief Executive of Reading Borough Council, the Lead Member, Chair of the Health and Well-Being Board and the Police and Crime Commissioner. It is also formally reported to the Boards of the local Health Trusts. It is intended for a wide audience including the professional workforce and local communities.



Stephen Barber, Independent Chair

Executive summary and key messages

The Annual Report provides an insight into the work carried out locally to safeguard children, outlining progress made during 2013/14 and summarising the key priorities and challenges ahead.

Reading LSCB (RSCB) is an effective, strong partnership which continues to work together to ensure the effectiveness of what is done by each person or body represented on the Board and to assess whether they are fulfilling their statutory responsibilities to help, protect and care for children and young people.

We do this by:

- Being an influential, strategic Board that influences and improves sustainable effective performance
- Identifying and prioritising local issues and demands;
- Monitoring and evaluating quality of practice and services including early help, and the experience of children, parents and front line staff are included as an essential source of information;
- Developing further the preventive, proactive and responsive work of the LSCBs in the West of Berkshire as set out in Chapter 3 of Working Together to Safeguard Children 2013;
- Having close working arrangements across pan Berkshire and particularly the three LSCBs (Reading, Wokingham and West Berkshire) with joint sub-groups;
- Offering a constructive challenge to partner agencies and holding each other to account
- Ensuring national and regional developments are incorporated into the work of the LSCB and promote these locally;
- Promoting the safer recruitment and appropriate training of the children's workforce in agencies working with children;
- Commissioning Serious Case Reviews and other reviews and disseminating the learning;
- Having an effective communication strategy to raise awareness of safeguarding and promote the welfare of children.

Key Messages:

The LSCB has identified the following key messages to support effective safeguarding within the Reading borough area.

Messages for Chief Executives and Directors

- Senior officers must ensure that their workforce is able to participate in LSCB safeguarding training, to attend training courses and learning events.
- Every agency's contribution to the work of the LSCB must be categorised as the highest priority in the allocation of time and resources.
- The LSCB needs to understand the impact of any organisational restructures on the capacity to safeguard children and young people in Reading.
- Performance information needs to be produced and contextualised to demonstrate the effectiveness of safeguarding within services.
- Information on ethnicity, disability, gender and other equality and diversity issues needs to be used in a strategic context to commission relevant services.

Messages for the children's workforce

- All members of the children's workforce, from all agencies and the voluntary sector, should use safeguarding courses and learning events to keep them up to date with lessons learnt from research and to improve their practice.
- All members of the children's workforce, both paid and voluntary, should be familiar with the role of the LSCB and Berkshire child protection procedures.

Link: <http://berks.proceduresonline.com/index.htm>

Messages for Children's Social Care

- All staff should undertake appropriate training in basic adult safeguarding.
- Ensure recruitment and retention rates improve to reduce the need for agency workers.
- Ensure greater awareness of the LADO role.
- Improve greater awareness regarding private fostering and the identification and referral of this group of children and young people.

Messages for Thames Valley Police

- Ensure adequate attendance at Initial Child Protection Case Conferences.
- Ensure that referrals into children social care take account of the thresholds for statutory intervention.
- Continue to improve identification of risk in domestic abuse cases.
- Ensure that police officers receive safeguarding training appropriate to their level and evidence this.
- Ensure police officers are able to participate in multi-agency training events.
- Continue to improve responses to child sexual exploitation and the identification of risk when children and young people are reported missing.

Messages for Thames Valley Probation

- Ensure any safeguarding risks, arising out of the current restructure, are identified and mitigated against.
- Demonstrate that the Multi-Agency Public Protection Arrangements (MAPPA) and the Multi-agency Risk Assessment Conferences (MARAC) protect children from harm and promote children's wellbeing.
- Continue to support the work with children of prisoners or in contact with offenders.

Messages for Berkshire Healthcare NHS Foundation Trust

- Continue the work to ensure looked after children receive appropriate, high quality and timely health services.
- Promote the Think Family approach within adult mental health services.
- Continue engagement with early help services, ensuring health visitors and school nurses understand thresholds for statutory intervention and where to get help for families whose needs do not need a statutory intervention.

Messages for Royal Berkshire Foundation Trust Hospital

- Ensure that appropriate staff undertake Level 3 child protection training.
- Ensure appropriate care is provided to children and young people who present with significant mental health needs (when a tier 4 CAMHS bed is unavailable) and that the paediatric ward staff caring for these children also have the support they need.
- Implement the actions identified from the scoping project on transition services for children and young people.

Messages for Clinical Commissioning Groups

- Complete Section 11 self audits.
- Ensure all commissioned services are monitored to ensure they meet safeguarding standards and share health safeguarding data with LSCBs.
- Promote the need for GP involvement in all aspects of child protection conferences

Messages for NHS England Local Area Team

- Play a full part in LSCB work.
- Complete Section 11 return.
- Ensure that the SARC achieves a quality service and provides performance information to LSCBs regularly.

Messages for schools in Reading

- Continue to complete the annual Section 11 audits.
- Encourage schools to sign up to the Youth Cabinet's Mental health manifesto.
- Ensure all staff have an awareness of emerging issues such as child sexual exploitation and female genital mutilation.
- Ensure all staff are recruited safely.
- Ensure all staff are appropriately trained in safeguarding.

Messages for Adult Social Care

- All staff should undertake appropriate training in children's safeguarding.
- That learning from any adult service reviews, in relation to safeguarding, is shared with the LSCB to determine if similar situations could arise in any children's services.

Local area profile

The population in Reading, estimated at 154,000 is on the whole - young, diverse and dynamic; both in terms of mobility and cultural presentation. Our young people represent the largest group within the community with 35,300 people being under 20yrs old. There is also a large under 5yrs population (11,300 children), and as over 2700 babies are expected to be born each year - a higher than national average figure. Many families move to the area for work and as such the demand for housing options and school places have never been higher.

The challenging characteristics of this population were further understood through the development of our JSNA - the pressure points noted below.

We have -

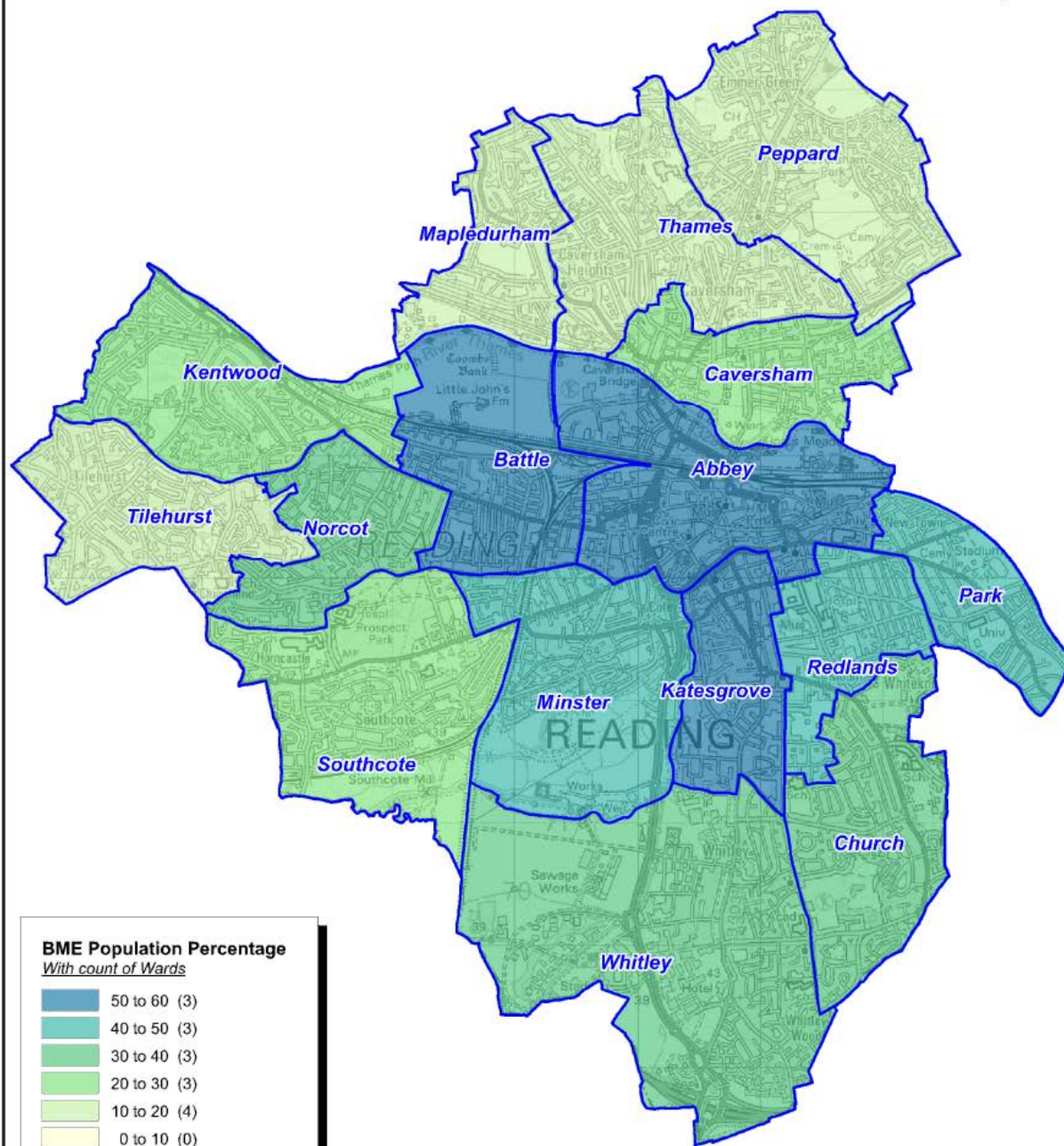
- Overall poorer health than the national average.
- An increase in presenting mental health issues in the adult population.
- Housing demand is projected to increase by 31% over the next 10years.
- 20% of our children living in relative poverty.
- 18% children accessing free school meals which is higher than the national average
- 7% of young people are NEET, which is higher than the national average of 6% and much higher than the regional average of 5.5%.
- 17% of Babies have younger mothers (than average by under 25yrs

Diversity in Reading

Reading's population is the third most diverse in the South East of England. ONS data shows that Black and Minority Ethnic (BME) communities account for some 25% of the total population. The wide-ranging diversity in the local area is illustrated by the fact that over 60 languages in addition to English are spoken by pupils in Reading schools. Reading has a high proportion of children and young people for whom English is an additional language, with the highest proportion living in the East area.

School census data shows a 51% BME population with some schools having 60% of students whose main language is not English. 43% of live births in Reading are to mothers who do not originate from the UK; with continued immigration from Nepal and accession 8 countries, diversity in Reading is likely to increase significantly over time. High levels of diversity in the Reading population do not generally translate into ethnic tension however, with the majority of residents believing that people from different backgrounds get on with each other.

Below is a BME population percentage map of Reading, broken down by Wards, taken from the 2011 census data.



BME Population Percentage
With count of Wards



	50 to 60 (3)
	40 to 50 (3)
	30 to 40 (3)
	20 to 30 (3)
	10 to 20 (4)
	0 to 10 (0)

Boundary
 Ward

Title: **BME Population by Ward**
Census 2011 Data

Drg.No.: Date: 04/03/2013 Scale at A4: 1:46000

Produced by GIS & Mapping Services Ref: 35075\BME Pop by Ward Census 2011 A4P.wor

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Major factors influencing the work of the LSCB

Changes in partner agency structures

Changes in the health service structure came into effect in 2013, with the establishment of Clinical Commissioning Groups and NHS England Local Area Teams. The LSCB continues to work with the new groups to ensure good links are in place and that safeguarding remains a priority.

A major restructure is currently underway in Thames Valley Probation Trust. From 1st June 2014, Thames Valley Probation Service will be replaced by the National Probation Service and Thames Valley Community Rehabilitation Company. The LSCB will work with the National Probation Service and the Community Rehabilitation Company to ensure partnership working remains effective and children are safeguarded.

Funding

All public sector organisations face resource restrictions with new challenges locally in relation to a rising child population. The LSCB provides regular opportunities for agencies to highlight pressures on safeguarding at meetings.

Child Sexual Exploitation (CSE)

2013 saw an increase in national awareness in relation to sexual abuse, including historical abuse and links to child sexual exploitation. An operational CSE group has been set up locally to take this work forward, with strong multi-agency support led by Reading Borough Council and Thames Valley Police.

Missing Children

New statutory guidance in relation to missing children (January 2014) provides detail on how Local Authorities and their partners should take to prevent children from going missing and to protect them when they do. A new expectation that a return interview will be completed by an independent person after every missing episode is being responded to locally but will have major resource implications in future. Safe and well checks continue to be completed by Thames Valley Police, and the LSCB carried out a sample to check these were being done appropriately.

Female Genital Mutilation (FGM)

The publication of a report by The Royal College of Midwives entitled Tackling FGM in the UK - Intercollegiate recommendations for identifying, recording and reporting (November 2013) identified key principles and recommendations to safeguard girls at risk of FGM. In response to the recommendations, a local multi-agency task group has been formed and an action plan developed.

Governance and accountability arrangements

Statutory objectives and regulations

Section 13 of the Children Act 2004 requires each local authority to establish a LSCB for their area and specifies the organisations and individuals that should be represented on LSCBs.

The core objectives of the LSCB are as set out in section 14(1) of the Children Act 2004 as follows:

- a) to co-ordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in West Berkshire, and
- b) to ensure the effectiveness of what is done by each such person or body for that purpose.

The role and function of the LSCB is defined by Working Together to Safeguard Children 2013 and related safeguarding national, regional and local guidance.

Members are reminded of their roles and responsibilities at meetings and during their induction.

LSCB Chair, accountability and resourcing

Working Together 2013 states that, in order to provide effective scrutiny, the LSCB should be independent. The Reading Chair, Stephen Barber, is independent of partner agencies to allow the LSCB to exercise its local challenge function effectively. The chair has a crucial role in making certain that the LSCB operates effectively and secures an independent voice for the LSCB. Stephen also chairs the West Berkshire and Wokingham LSCBs to support joint working and consistency across agencies. To ensure effective communication between the LSCB and other partnerships the chair also attends the Health & Wellbeing Board annually and works closely with the chair of the West of Berkshire Safeguarding Adult Partnership Board.

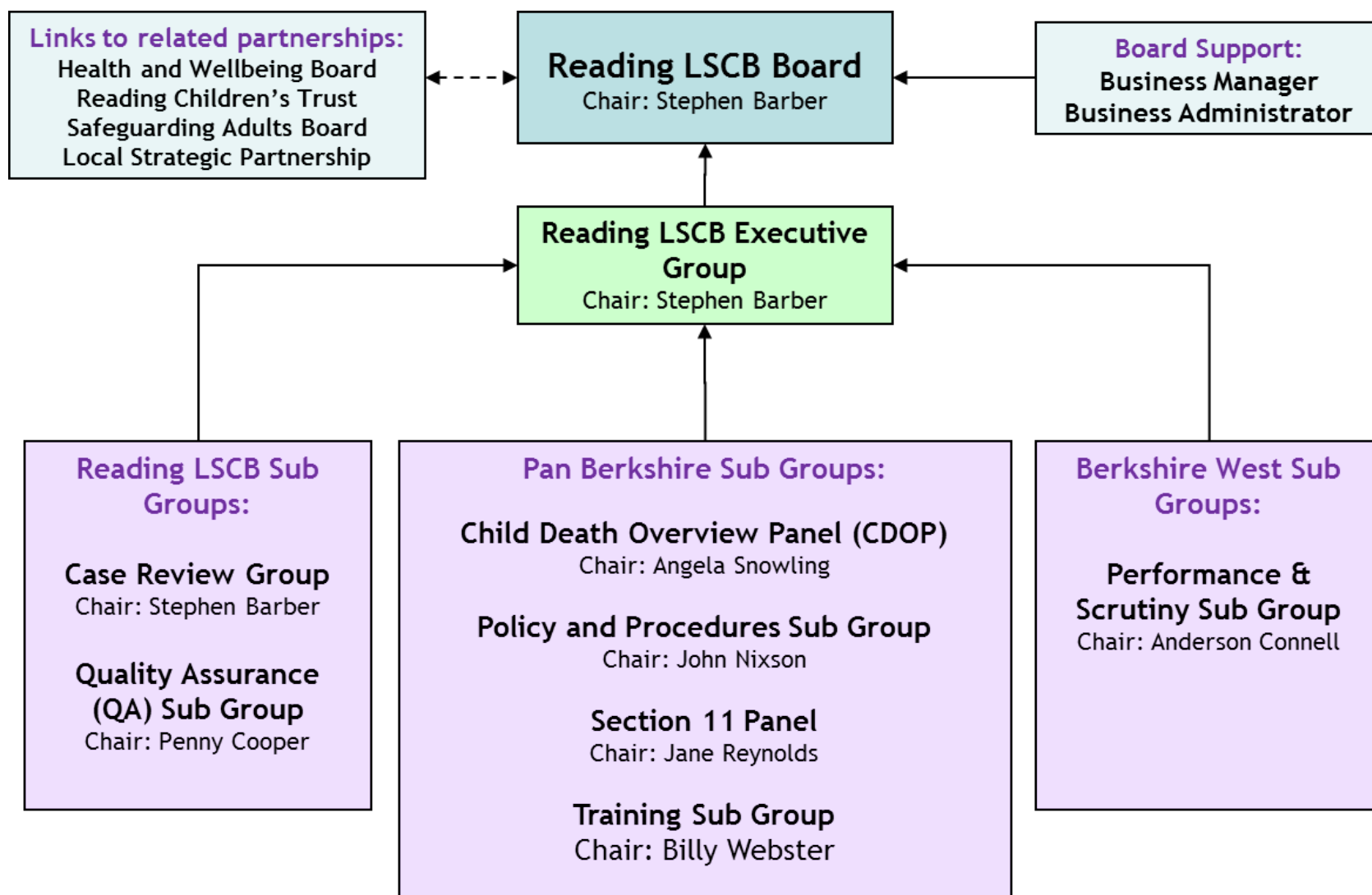
In order to meet its objectives, the LSCB has several sub-groups, each of which is accountable to the LSCB. An overview of the work of the sub-groups can be found on page 31.

Links to Reading Children's Trust (RCT) and the Health and Wellbeing Board (H&WB)

Reading LSCB works together with the RCT and H&WB to minimise the duplication of reports and actions; ensure that there are no unhelpful strategic or operational gaps in policies, protocols, services or practice; and to provide constructive challenge to each partnership group or partners when appropriate. A protocol has been agreed this year which sets out the expectations of the relationship and working arrangements between these partnerships, which can be viewed in the key documents section of the LSCB website.

Key senior members of each Board are members, or invited participants, of each other Board which ensures key issues are discussed in the appropriate meeting. Key documents, such as the LSCB Annual Report, are presented to each Board either as part of a consultation or for review, plus any particular issues or concerns raised by one Board for consideration by either or both of the other Boards are scheduled onto the appropriate agenda via the LSCB & RCT Business Manager or Principal Committee Administrator.

Reading Local Safeguarding Children Board Structure

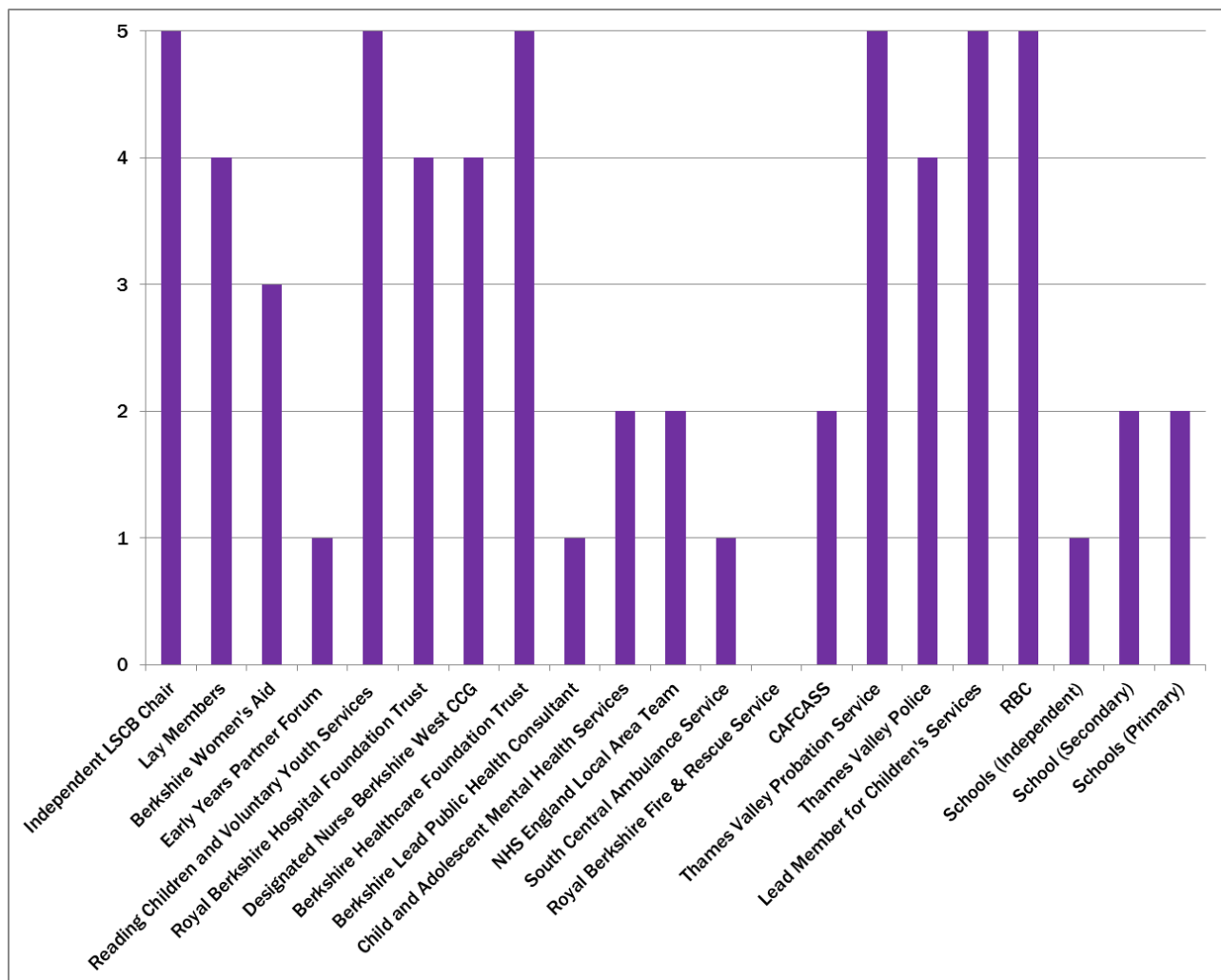


Membership/Attendance

LSCB members have a responsibility to attend all meetings and disseminate relevant information within their agency. Attendance at meetings is monitored to ensure attendance is regular and at an appropriate level. These records are presented to members on an annual basis as part of the LSCB's quality assurance process.

Attendance in Reading is generally good and, if a member is unable to attend, they are asked to send a deputy to ensure all messages are disseminated to each agency. Any lack of agency attendance is addressed directly by the Business Manager or escalated to the Chair.

Attendance figures by agency, based on five meetings held from April 2013-March 2014, are shown below.



In addition, the Designated Doctor and a representative from Adviza attend meetings once a year by arrangement.

Engagement with children and young people

Ensuring that the views of children and young people are heard is an important part of the scrutiny process for Reading LSCB. Below are some of the initiatives that have taken or are continuing to take place.

Children-in-Care Council

The Children-in-Care Council have worked with the Independent Reviewing Officer (IRO) team to develop several pieces of work:

- They have developed a review sheet for the IROs to give to young people after their reviews to feedback about the review process - what was good, what was bad, and what not so good. These will be collected on a regular basis, and an overview will be posted online with feedback about what is going to be done as a result on the www.readingyouth.com website.
- They have supported an IRO consultation about the service. 18 young people in-care within Reading participated in the consultation, which included questions about whether they understood the role of the IRO and what they could do better. This has been taken back to the IROs to inform their practice.
- Finally, they are also undertaking work currently with the IRO team to develop a preparation sheet for young people to be used ahead of the review. This will help the young people to think about what they want to talk about in the review and to ensure that any ideas or concerns they have are discussed within the review.

Independent Reviewing Officer (IRO) Service

The IRO's are responsible for chairing Looked After Children reviews and a key element of their work is to ensure the voice of that particular child or young person is heard as part of that process. The Annual IRO Report explains that in the past year, 89% of children over the age of four years participated in some way to their meeting, either through attendance at the meeting (60%), by talking to adults who can convey their wishes and feelings to those attending the review or they can write something. There have also been a number of cases where the IRO has supported the young person in chairing their own review or setting their own agendas. This provides them with a real sense of being heard, being in control and develops transferable skills. Some of those that have chaired their review said of the experience:

'It was good I loved it they spoke to me they made sure I understand them and yeah perfect'

'Yes I have and it was a lot quicker and I chose what to say in depth regarding my life'

'I have done it and I thought it was fun being in charge of everyone and making sure they are doing what needs to be doing'

'I did this in my last review, it was good to be included in the discussion, because I hate it when people talk about me behind my back'

Not all responses were so positive however, and maybe represent a need for more support for some young people to chair their review:

I did it but I did not like it as I was shy

I am not ready for this

Too embarrassing

Impact:

Young people have more control over their own reviews and can ensure that their views and wishes are taken into account.

Youth Cabinet

The Youth Cabinet ran an event in October 2013, to which young people from a range of schools attended. This focussed on the topics of careers guidance, and mental health. The mental health section had a section dedicated to self-harm - the various types of self-harm were discussed, along with where and how to get support. The report from this event has been presented to the Children's Trust and members of the Youth Cabinet attended the LSCB Board meeting in January 2014 to inform a discussion on this topic. This had led to the planned addition of a question on acceptance of the Youth Cabinet manifest to the next round of its Section 11 returns from schools.

The youth-cabinet also discussed and fed back on a leaflet designed for young people to explain the signs of safety approach. As a result, changes were made to the leaflet.

Further information about the Youth Cabinet achievements can be found in the Youth Voice 2013 yearbook via this link: www.readingyouth.com/voice/

Impact:

Three Reading secondary schools have so far signed up to the Young Cabinet Mental Health Treaty. Pupils at these schools will now receive education and support around mental health and emotional wellbeing.

Royal Berkshire NHS Foundation Trust (RBFT)

RBFT have an ongoing participation programme to ensure that services for children and young people reflect their views and needs, plus those of their parents. This includes:

- Parent and child surveys are routinely given out and results are fed back to teams at ward meetings. This has led to improved communication regarding waiting times and a current piece of work on nursing and medical staff giving teenagers the chance to discuss their concerns without their parents present. Changes have also been made in the neonatal intensive care unit including refurbishment of parent spaces, new breast pumps and cots that allow parents more contact with their baby.
- A Youth Forum Task Group has been established to give young people a direct say in their services. This group is working closely with Reading Youth Cabinet.
- The first Patient Lead Assessment of the Clinical Environment (PLACE) has been completed using parents and children. Results are currently embargoed but an action plan will be completed. However one of the initial actions will be to look at age appropriate seating in a number of the areas assessed.

Impact:

Children and parents are able to influence the services they receive and the surroundings in which they receive them.

LSCB Business Plan

The current three year Business Plan 2014-2017 was agreed by members in March 2014. The Plan has multi-agency actions and represents work from most LSCB partners. The priorities addressed in the plan are:

Domestic Abuse - Children are safer because the children's and wider workforce can recognise the signs of domestic abuse

Child's Journey - Effective auditing and reviews make sure that the right child is in receipt of the right service at the right time in order to ensure effective early intervention

Health services will continue to deliver improvements in quality and performance in safeguarding children - Children continue to receive health services in a seamless and timely way

Core Governance and Monitoring - Children are safer in Reading because the LSCB is functioning well, is able to motivate member agencies to full engagement and is able to use all its reporting mechanisms to improve best practice in safeguarding children and young people.

The full Business Plan can be viewed on the LSCB website: www.reading.gov.uk/lscb

Effectiveness of safeguarding arrangements over the past year

LSCB

LSCB Achievements

- Hosting arrangements have been put in place for all sub-groups to improve communication links with LSCBs;
- Workshop on Serious Case Review models held March 2014 to consider the range of models available;
- Business planning session was carried out in December 2013 to identify priorities for the 2014-2017 LSCB Business Plan;
- LSCB member development session held with members in October 2013 on leadership and challenge, with a further session for Executive members in June 2014;
- Berkshire West LSCBs and Safeguarding Adults Partnership Board held their annual joint safeguarding conference in September 2013; the theme for the conference was Sexual Abuse;
- Raising awareness of child sexual exploitation amongst young people, parents and the wider community, through a LSCB and Thames Valley Police jointly funded project with performances of 'Chelsea's Choice' in Reading secondary schools.
- Reading safeguarding information updates emailed weekly;
- Child Sexual Exploitation (CSE) operational multi-agency sub-group established to address CSE locally;
- New CSE e-learning course launched for all LSCB partner organisations;
- Developed effective links with CCGs in their first year of operation; including reps for the LSCB and LSCB executive;
- Published threshold criteria and assessment protocol for Children's Services;
- Recruited successfully new lay members
- Berkshire wide lay members meetings held to increase awareness of the role and to network with others across Berkshire;
- Commissioned a presentation on the Serious Case Review of Daniel Pelka which was delivered to the LSCB and made available as PowerPoint for dissemination to all LSCB partners;
- Agreed a protocol between the Thames Valley LSCBs and the Sexual Assault Referral Centre; to improve communication and reporting;
- Task-group set up to take forward the intercollegiate recommendations Tackling FGM in the UK;
- Berkshire Child Protection Procedures have been updated in relation to recent guidance on CSE, missing children and safe staffing;
- A signs of safety model approach has been introduced to the front sheets submitted with each report to the LSCB to ensure achievements and challenges are easily identified, plus impact on children and young people;
- The Youth Cabinet presented issues surrounding mental health at a Board meeting which has led to actions being taken forward across agency, and the LSCB support of their Mental Health charter and campaign.

LSCB Challenges

- Developing an agreed dataset; agencies providing context and commentary to the data;
- Monitor police and GP attendance and reporting to Child Protection Conferences to ensure contribution is effective;
- Voice of the child - this issue is discussed at every Board meeting and impact is

requested as part of the front sheet but more work is needed to really hear the child's voice in the work of the LSCB;

- Ensure a section 11 return is completed by the local authority and any other organisations allocated to Reading LSCB by the pan-Berkshire Section 11 panel;
- Improve links with NHS England Local Area Teams and ensure they are fulfilling their Section 11 duties; including providing regular reports on the SARC.

Learning from Partnership Review - Child D

In September 2013, Reading LSCB commissioned a Partnership Review regarding Child D, a 15 year old child, who had been referred to Children Services aged 14 years following an allegation of sexual abuse. The Partnership Review focused on the serious concerns of sexual abuse that had remained hidden for several years in a child with emotional and behavioural vulnerabilities and learning difficulties and the complexities of working with uncertainty. The review explored whether sufficient support was offered Child D during her health care, schooling and general parenting which could have avoided the need for the most substantial level of state intervention having to be provided this close to her adulthood.

Summary of learning points

- The key finding has been the need to recognise that children sometimes attempt to alert adults they trust to the fact they are being, or have been abused, by their behaviour rather than verbally. Such behavioural clues are likely to be difficult to interpret, as the possibility of other causation must also be considered. To this end a clear planning process, using the different expertise of investigative and therapeutic agencies, needs to be in place.
- Addressing the variable pattern of cooperation with non-engaging families and young people needs to be explicitly thought through utilising the multi-agency safeguarding planning processes.

Strengths identified:

- Good understanding and use of CAF by Child D's primary school to secure a primary mental health worker and Children's Action Team (CAT) involvement to address Child D's anxieties about transition to secondary school
- Appropriate school support at both primary and secondary school to address Child D's learning difficulties
- Thorough diagnosis and liaison with medical specialists and CAMHS when Child D was admitted to hospital, and positive response from CAMHS to Child D while she was in hospital and written liaison with GP, education and CSC
- A very child centred and generally analytical CSC core assessment that also evidenced managerial oversight and supervision.
- Overall evidence of agencies communicating with each other.

Areas for improvement:

- Differences between the primary and secondary school perceptions of Child D's learning difficulties.
- Poor planning relating to ensuring multiagency expertise to interpret complex behaviours being included in the Core Assessment - this was particularly between CSC and CAMHS.
- Poorly thought out strategies to secure parental engagement, for example insufficient challenge to parents during the Core Assessment and failure to check directly with the neighbours (original referrers) the robustness of their concerns.

- No formal outcome meeting following the lengthy and complex assessment to establish a coherent and meaningful plan.
- Professional differences between CSC, CAMHS and hospital health professionals about how to respond to Child D when her behaviour became extreme following her disclosure of sexual abuse.
- The psychological assessment was conducted at a time when Child D was recovering from her breakdown and which gave a far more pessimistic view of her capabilities than was later to be assessed to be the case.

An action plan based on these recommendations has been created and is being monitored by the Reading Case Review sub-group.

Impact:

- A bespoke training course for children's social workers on inter-familial child sexual abuse has been delivered and will be re-run later in the year. This course also highlights the importance and ways of working with non-disclosing young people where child sexual abuse is thought to be a factor.
- Children's Social Care will ensure that when it is clear that a detailed single assessment is required, a strategy or professionals meeting will be held with the involvement of partners, to plan the assessment. This should ensure the assessment includes multiagency expertise, to the benefit of the child or young person concerned.

Partner agencies' safeguarding effectiveness

Reading Borough Council (RBC)

RBC has responsibility for a range of statutory duties relating to the safeguarding and protection of children and young people of Reading. RBC is a key partner in delivering services alongside other agencies to promote positive and safe outcomes for children and young people and their families and to promote resilience.

The number of Looked After Children reduced from 225 as at 31/03/2013 to 208 as at 31/03/2014 however nationally Cafcass report a 2 % increase in Care Proceedings as at June 2014 from the previous year. The number of children on a Child Protection Plan also reduced marginally from 157 as at 31/03/2013 to 153 as at 31/03/2013. This is a reflection of both the impact of the Family Justice Review and working more efficiently and not an indication of a reduced level of work in the system. The Edge of Care Service has been effective in reducing the length of time children are remaining on Child Protection Plans. The number of referrals to the Assessment and Action Team has remained similar to last year and sharper focus will be given to cases stepping up and down the system to target resources most effectively. Single Assessment is well embedded in the Action and Assessment Team and the Signs of Safety Methodology is used across all teams.

Recent agreement for a dedicated Thames Valley Police (TVP) Resource for a Reading only MASH (Multi-Agency Safeguarding Hub) is welcomed and plans can now be progressed for this and determine whether Adult Safeguarding will be included in the MASH. There remains a continued and critical focus on Children in Need and ensuring services are

aligned to ensure this group of children receive an appropriately targeted service within a shrinking budget. The child's journey as they move between services will be a key feature in any developments for RBC and we will proactively engage with partners including the Third Sector to ensure best value in terms in cost and outcomes for families.

Significant multi-agency development alongside RBC is ongoing in respect of Child Sexual Exploitation and Children who go Missing and a jointly chaired panel with TVP is now in operation which considers both these cohorts with a recognition of the possible overlap for some children and young people. Learning will also be incorporated from Oxford and TVP's work on Operation Bullfinch which was set up to tackle CSE.

Work on allegations management by the LADO (Local Authority Designated Officer) has identified the need for awareness raising and training on safeguarding for some Madrassahs in Reading. The LADO and Detective Inspector, CAIU, have set up a working group to produce training leaflets and plan a series of learning events for Autumn 2014.

Teenage Pregnancy continues on a downward trajectory and consideration of using the LARC nurse is firmly embedded in practice especially at the Legal Planning stage of PLO.

Of the 13 Children's Centres under the new Ofsted Inspection 5 are rated as Good, 1 as satisfactory, 3 as Inadequate and 4 have not been inspected yet. Additional capacity through the ADCS sector led improvement programme has been used to review the Children's Centres delivery to inform future work and improvements. RBC has two registered Children's Homes for Children with Disabilities and these are both currently rated as *Good*.

The Adoption and Fostering Service has seen more activity this year and the challenge in finding suitable Foster carers and Adopters reflects the national position and RBC have entered into a South Eastern Consortium to collectively address this more strategically. Ensuring children and young in care people remain within or near Reading remains a priority as well as provision of sufficient and appropriate accommodation. There has been an increase of 6 children residing more than 20 miles from their home address and outside the Local Authority boundary. The features of these young people and their needs will inform future commissioning of placements. Private fostering numbers remain low at 5 and consideration by RSCB needs to be given to awareness raising of all agencies identifying and notifying this vulnerable group.

Domestic abuse is an ongoing issue in Reading, reflected by the fact it is now one of the LSCB priorities in the 2014 Business Plan. The Family Choices Programme has been commissioned through Berkshire Women's Aid for families affected by domestic abuse, offering support to the whole family. Support is provided via group work and 1:1 sessions, looking at parallel themes including - different forms of domestic abuse, the impact abusive relationships have on partners and children, and ways to resolve conflict in a non abusive way.

Referrals to the programme are received from a variety of sources, including Children's Social Care, Solicitors, Probation, GPs and self referrals. 51% of the perpetrators engaging had children subject to Child Protection Plans.

Last year in Reading 70 families were referred to the programme, including 65 children aged 5-18. Of these families, 74% of the victims and 47% of the perpetrators agreed to engage with support. Of the perpetrators engaging with the programme there was only a 1% repeat rate of reporting to the police within the year, which was corroborated through

contact with the victims. Going forward the group work with perpetrators will restart in September this year (currently the work is done on a 1:1 basis), and consider how to increase the rate of engagement with families still further.

Impact:

Feedback from those attending the programme suggests that families find it helpful in a number of ways. Perpetrators have commented on how the work undertaken has had a positive impact on their behaviour, highlighting increases in respect for their partners, with understanding of how to control anger and alternative non abusive ways of behaving. Victims have found the support particularly helpful in overcoming isolation through the opportunity to meet others with similar experiences. Learning how to identify signs and traits of Domestic Abuse has led to participants feeling more able to set appropriate boundaries within their relationship with their partner, and a subsequent improvement in relationships with their children.

A recent Young Carers Survey has taken place against a backdrop of an increase in this cohort and this will inform future service developments to increase the number of carers accessing short breaks. 421 children aged from 5 to 19 years have been identified as young carers in Reading. In 2010 this figure was 90 which represents a 467% increase in the identification of young carers over 3 years.

Impact:

By identifying a young carer we are able to alert any services they are already working with to be mindful of their situation, making them aware of the particular challenges faced by that child or young person. They may have support from services such as Family Workers or Youth Workers but crucially ensuring their school is aware can make the a key difference.

90 young carers are currently able to access the young carers clubs and this allows them to meet other young carers, have time away from being a young carer, be involved in activities and informal education such as cooking, arts and crafts, play, plus sessions on healthy eating, healthy relationships and professionals that come in to talk about a variety of subjects such as the illness that their parents or siblings may have.

Troubled Families has met the Government Target of identifying 345 families and next year's emphasis for this initiative will be on NEETS.

Quality assurance has remained a strong focus and has at its centre the *"lived experience of the child"* as well as embedding *"Signs of Safety"* as a consistent methodology. As at March 31st 2014 the service was rated as Amber against a benchmark of *Good* with no case audits highlighting immediate risk to children.

It is intended to link Performance information more closely with auditing activity in the coming year to target more effectively areas for additional scrutiny and influence multi - agency auditing activity.

RBC have not been further inspected by Ofsted. However, a Peer Review on Safeguarding in January 2103 found *"the ingredients to realise ambition and make further improvements"* present and no children were found to be at risk. Children's Services were seen to be a political and corporate priority with a committed Lead Member. Improvements in recording were recommended especially in how the voice of the child is captured within case records and supervision inconsistencies. A supervision survey has

recently been undertaken in response to this and results are pending. The recommendations from this and the previous Ofsted Inspection have been integrated into the current Service Improvement Plan.

There have been no Serious Case Reviews but a culture of reviewing cases as lessons learnt internally is promoted as good practice.

Statutory complaints to Children's Services saw a small increase of 6 from 77 in 2012/13 to 82 in 2013/14 and work is ongoing to ensure lessons from complaints are incorporated in practice and service development.

Children's Social Care has seen a higher turnover of staff and an increase in Agency Workers and a renewed focus on Recruitment and Retention will be a priority within the next six months as a stable workforce is critical to delivering a quality service and sustainable relationships with families.

The focus on young people who are NEET has continued to have a positive impact in reducing the level to its lowest level in several years. At the same time Reading has been able to keep the percentage of the population 'not known' at the lowest level in the South East. The ending of the pan Berkshire 'Raising Participation Partnership', the level of authority budget reductions and the transfer of statutory responsibility for IAG (Information Advice and Guidance) to individual schools will make it hard to maintain the focus on the 'not known' cohort - by definition the most vulnerable as they are not in education, employment or training.

Impact:

By working to ensure we know who these particularly vulnerable young people are and enabling them to access employment, education or training, this improves their life chances and reduces safeguarding risks.

In line with the Children and Families Bill 2013, by 1st September we will have in place the Local Offer and the Education Health and Care (EHC) Plan with its accompanying statutory requirements. We will also have a common assessment format that is objective lead.

Impact:

The Children and Families Bill radically rethinks the relationship between practitioners and families. It requires professionals to work in partnership as true equals during the process of sharing knowledge, identifying aspirations for the children and families, identifying provision to meet those aspirations and generating SMART outcomes. As a result of the consultation on the current SEN arrangements partners are already working closer together and forums for families have been established.

Key priorities for the coming year:

- Recruitment and Retention
- Implementing budget reductions
- Workforce Strategy
- Embedding the Early Help Strategy
- MASH development
- Foster Carer and Adoptive Parent recruitment

- Strengthening Performance management to include Early Help
- Care Planning and sufficiency
- Joint commissioning
- Partnership working
- Professional Practice
- Maintain focus on those vulnerable young people who are not in education, employment or training
- Implementation of the statutory requirements built into the Children and Families Bill
- Complete and circulate the SEN Action Plan and establish an operations group to carry out the actions.

Children and Family Court Advisory and Support Service (CAFCASS)

CAFCASS Achievements

- The proportion of open public law care cases allocated to an appointed Children's Guardian is currently 100% (against a target of 97%) and this target rate has been achieved in each of the last 12 months in Reading;
- The current timescale for allocation to an appointed Children's Guardian for a public law care application is less than a working day (against a target of 0-3 days on average);
- The current public law care application duration is 36 weeks in Berkshire on average and is the lowest for at least 12 months;
- Proportion of open private law workload allocated to a Family Court Adviser is currently 100% for Berkshire (against a target of 97%);
- Percentage of Section 7 reports that meet the agreed filing times is currently 100% for Berkshire (against a target of 97%);
- Time taken for private law reports to be filed in Berkshire is currently 12.8 weeks on average. This compares to a national average of 11.8 weeks;

CAFCASS Challenges

- Impact of Public Law Outline and the Child Arrangement Programme in Private Law have led to significant structural and operational changes across the area as well as nationally. The LSCB looks to see CAFCASS reach at least the national average for filing private law reports.

Thames Valley Police

Police Achievements

- Unprecedented record low of all crime in Reading, 999 fewer victims year on year.
- Multi agency working on CSE locally. As a result of the excellent partnership arrangements, Reading is now in a strong place to safeguard children and to work to reduce the risk of child sexual exploitation, targeting perpetrators and supporting the victims. Planning in place to combine Operational CSE & missing children meetings to maximise opportunity for risk identification and safeguarding.
- Partnership arrangements have been agreed to allow agencies to better identify and help victims who are repeatedly victims of domestic abuse even though the victims often avoid engaging with the police and other agencies. These arrangements will help

prevent children from being witnesses or suffering from domestic abuse.

- Partners have agreed a new MASH proposal for Reading. Project board being set up to deliver this vision ASAP.

Police Challenges

- Increase in workload due to a rise in number of child protection cases and the need for the police to be involved in all initial child protection conferences.
- Introduction of new, combined, IT system (April 2014) presents short term challenges around reporting, but in longer term will improve data collation and sharing.
- Improvements in risk assessment by police of domestic abuse cases are still needed.
- Recent HMIC inspection of how we manage Child Protection and Child Sexual Exploitation - will be reported on with recommendations later in 2014.

Berkshire West Clinical Commissioning Groups (CCG)

CCG Achievements

- The CCGs have been in existence for 12 months and have ensured safe systems have remained in place during this challenging year;
- A Berkshire West CCG federation has been developed by the four CCGs that span the Berkshire West area to share safeguarding activity;
- In January 2014 the CCGs successfully recruited to the post of named nurse primary care. This new role has been developed to support GPs in their safeguarding work and to encourage the contribution of GPs to the child protection conference process;
- Services commissioned by the CCG are required to complete an annual self-assessment of the organisations safeguarding activities, with an action plan agreed if deficiencies are highlighted;
- A pan-Berkshire Safeguarding Committee has been established and meets four times a year to address safeguarding children and adult issues, to review action plans from, serious case reviews, and share information and learning about safeguarding matters at a senior level;
- The CCG continues its duty to ensure that there is senior representation from the CCG at all LSCB meetings and its sub groups.

CCG Challenges

- Completion of Section 11 audit as commissioners of health services.
- Although the named nurse primary care is now in post to support GPs in their safeguarding work, more work is required to encourage the contribution of GPs to the child protection conference process;

Berkshire Healthcare Foundation Trust (BHFT)

BHFT Achievements

- Training compliance remains above target across the organisation
- Provider of interagency training sessions and forums
- The services continue to develop and embed best practice measures through the Service Improvement Groups (SIGs)

- Communication pathways have been agreed and embedded into practice across both the children's and adult agendas
- Development of regular interagency meetings and on-going links with external agencies
- Widely respected representative and active member of LSCB subcommittees across BHFT; ensuring robust advocacy of BHFT
- Contribution to LSCB Reviews
- Leadership of the Quality Assurance LSCB subgroup ensuring good interagency audits are commissioned as agreed with the LSCB
- Wide usage of the patients views to inform the service delivery
- Increased communication across BHFT; intranet site established and two newsletters published
- On-going monitoring of Section 11 Audit
- Visible and active promoters of dissemination of actions from 4 serious case reviews and integration into practice
- Child Protection clinical supervision policy published and practice standardised
- Domestic abuse policy reviewed, and new lead recruited
- Audit of new case conference report template completed
- All appropriate members of staff have received specialist safeguarding training in addition to mandatory/statutory requirements
- Production of quarterly safeguarding data and the development of safeguarding dashboard agreed and completed March 2014
- Partnership working with Local authorities and LSCB have increased across the team
- Promotion of LADO and a central point of contact within the safeguarding children team to record all LADO enquires
- Supported services and clinicians in external and internal investigations
- Completion of the internal Child protection audit and development of an action plan to ensure the services remains safe and compliant
- Completion of quarterly and annual LAC reports evidencing improving quality and timeliness of health assessments
- Evidence of good safeguarding, record keeping, and interagency working to protect children reported in the CQC review undertaken in February 2014
- LAC audits completed both internal and external. Clear evidence of improving practice with partner agencies increasing compliance to the National Standard.
- An active member of the corporate parenting panel and other safeguarding forums, including FGM and Domestic Abuse
- Implementation across BHFT health for data reporting for the LSCB by introduction of the score card.

BHFT challenges

- Embed and continue good practice
- Increase provision of targeted training
- Ensure targeted training is 85% compliant end March 2015
- Ensure single agency training is 95% compliant in 2015
- Implement a new evaluation outcome tool for internal training
- Continue to be a strong and active representative on the LSCB

Royal Berkshire Foundation Trust Hospital (RBFT)

RBFT is a large organisation providing acute and specialist healthcare services. It is one of the largest employers in Berkshire. The RBFT has demonstrated successful partnerships working through compliance with the Care Quality Commission Regulation 11, Outcome 7 'Safeguarding service users from abuse', improved Ofsted ratings in Safeguarding and Looked After Children inspections. It received a "good" for its Children's Services in the Care Quality Commission review published in June 2014.

Achievements

- The Trust was inspected by the Care Quality Commission in March 2014, published June 2014. The paediatric services were assessed as "good" across all 5 domains of safe, effective, caring, responsive and well led.
- Training - for the previous 3 years 95% of staff had received level 1 child protection training and 72% have received level 2 child protection training.
- Children who are on a child protection plan are now flagged on the RBFT electronic staff record system. There is a plan to flag Looked After children in a similar way to alert staff to these vulnerable children when they present to our departments.
- The RBFT actively listens and engages with children and young people and their families. We have surveys for children admitted to the day wards and attending clinics and views of children are sought through the use of stories and poems.
- The RBFT has a Health for Youth team who are actively engaging with young people from the community to explore and comment on the services that we offer.
- The Royal Berkshire Hospital ensures that there is senior representation on all the LSCB forums and sub groups and actively engages with the LSCB.

Challenges/Priorities

- Level 3 child protection training: 36% of staff had received their level 3 child protection training as of June 2014. It is forecast that 85% will have achieved the level 3 by the end of October 2014.
- There is a national shortage of tier 4 CAMHS beds which has led to children with mental health problems being admitted to the general paediatric ward. This is being explored at a commissioning level. In the meantime, children are assessed and a 1:1 mental health nurse is sourced as needed. There is a senior CAMHS nurse starting work at BHFT who will work with the paediatric ward to support staff to care for these children.
- Transition for all children is a challenge. In light of the Children and Families Act a Trust Wide project on transition will scope the services for children and young people and an action plan will be developed.

NHS England Local Area Team

The Thames Valley Area team has an oversight role across the Buckinghamshire, Oxfordshire and Berkshire NHS System. We work with partners to oversee the quality and safety of the NHS and promote patient and public engagement. The Nursing and Quality Directorate in the Thames Valley Area team holds the responsibility for safeguarding (both adult and children).

Achievements

- The Directorate has worked to ensure that safeguarding has become embedded in all aspects of the Area team's work. Safeguarding is a key element when ensuring the

quality of services, patient safety and patient experience.

- We have worked to ensure safeguarding is included in all Clinical Commissioning Groups business plans.
- We have secured funding for Named GP / other professional model in line with recommendations in the NHS safeguarding Vulnerable people Assurance and accountability framework.
- We work closely with CCG Directors of Nursing and Safeguarding Leads to identify safeguarding themes.
- Quality Assurance Group - this group was developed as a mechanism for the Area Team to share quality intelligence across the clinical and commissioning directorates. Any local issues are escalated to the QAG in a co-ordinated way, rather than working in isolation.
- Working to ensure all local areas have a suicide prevention plan in place.

Priorities for 2014/2015

- Primary care undertake a comprehensive audit of safeguarding training across Primary care
- Work with commissioners to via the Strategic Clinical Network to improve the CAMHS pathway across Berkshire
- Work with key partners to implement the finding from the CSE skills and knowledge audit
- Deliver the Learning Disability pathway programme

Schools

School Achievements

- Most Reading Secondary Schools presented the Chelsea's Choice production to pupils, which has proven highly successful in raising awareness amongst young people of the issues surrounding CSE.
- So far, three Secondary Schools have signed up to the Youth Cabinet mental health treaty (see page 14 for more information).
- A fair access protocol is well established for Secondary Schools across Reading which ensures that pupils who have been, or are at risk of exclusion, or are leaving the pupil referral unit, are quickly allocated an appropriate alternative school place. All the schools have engaged and proactively taken on young people who may otherwise have not been as well received into a new placement.
- The Primary Schools, with the Local Authority, are working to reduce fixed term exclusions (FTE). A new post from September within the Local Authority, the Virtual Head for Children on the Edge of Education, will focus on helping schools particularly with this issue.

Impact:

Since the start of calendar year 2013, the Local Authority behaviour services and equality services teams have been following up each incident of FTE for a child of mixed white black (MWB) heritage or a pupil with repeat FTE. This challenge has seen a significant reduction in the number of such incidents in the vast majority of schools. At the end of December 2013 the rate of MWB pupils was below the representative population rate.

School Challenges

- All schools must complete a Section 11 audit.
- Ensure engagement with the LSCB and attendance at Board meetings via appointed representatives.
- All school staff to be aware of emerging issues such as Child Sexual Exploitation and Female Genital Mutilation plus be mindful of particular family situations such as private fostering arrangements and young carers.

Youth Offending Service (YOS)

YOS Achievements

Performance:

- First Time Entrants to the Criminal Justice system continue to reduce, outperforming the average reduction for England and the SE region
- Re-offending rates have reduced by 8.7% against the corresponding period the previous year. This is significantly better than the average for England (0.4%)
- Reading has sustained the low numbers of custodial sentences for the last four years. A focus on engagement ensures that the opportunity for young people to succeed in completing a community penalty is maximised.

Intervention planning, transitions and workforce development have all been key areas of work within the service with positive results. Reading YOS continues to provide its team members with a positive working environment and a culture of support and learning. The team maintains high levels of staff retention and where vacancies arise, the posts attract high levels of applicants - enabling the YOS to select excellent new practitioners.

Improving the way we work with 'difficult to engage' young people to reduce the use of custody for this group has also been a key theme. This has involved internal and external scrutiny of relevant cases and the development of Engagement Panels to enhance engagement with the critical few, as well as implementation of measures relating to the overall work of the YOS.

YOS Priorities

- Continued focus on the three National Indicators (above)
- Continue to embed a whole family approach to planning and intervention
- Ensuring YOS remain up to date with current practice in Probation following the recent huge changes to the service, both to support service users transitioning between the Probation Services, and to learn from Probation Service's experience of this transition.

Thames Valley Probation Service

Probation Achievements

- All new staff attend Child Safeguarding training and all current staff attend refresher training on a regular basis
- A successful Joint Inspection of safeguarding procedures took place in August 2013 with an action plan in place and completed for any areas requiring improvement.

Probation Challenges

- The Government's Transforming Rehabilitation programme is now taking effect with the forming of two new organisations National Probation Service and Thames Valley Community Rehabilitation Company from 1 June 2014. The two organisations will ensure that safeguarding matters continue to be a priority and both will be represented at LSCBs to maintain the sharing of best practice
- To ensure that both organisations work effectively with the wider local partnership so that children and young people affected by the imprisonment/offending of a parent or carer are supported.

Voluntary Sector - represented by Reading Children and Voluntary Youth Services (RCVYS)

2013/14 has been busy year for RCVYS with regards to safeguarding, and has been dominated by the implementation of the new Disclosure and Barring Scheme (DBS) Disclosure process, and ensuring that as much of the voluntary sector as possible get to know about the changes, and can implement them in their organisation.

Summary of activities and achievements over the past year.

- RCVYS has continued to campaign for appropriate access to quality Universal Safeguarding Children Training for VCF sector groups. With resources continuing to be stretched, we have reached the day when a programme of face to face training is unfortunately no longer available in Reading. This means that it is now very difficult for VCF sector groups access any safeguarding training at all.
- Reading Early Years Providers' Forum have continued to highlight and campaign for the importance of appropriate and accessible safeguarding training to the Early Years Workforce.
- Not all VCF sector groups have the necessary skills and experience to be able to deliver the appropriate level of training in-house, and the absence of face to face training is a matter of concern moving forward.
- To try to address this issue, RCVYS has continued to work with the RBC Workforce Development Team to offer a further Universal Safeguarding Children Train the Trainer course, with a further 12 people from 10 different organisations being trained to deliver the Berkshire West half-day Universal Safeguarding Children Training, which takes the total number to 43 trainers.
- RCVYS has continued to respond to demand from the local VCF sector, and delivered 2 Designated Persons Safeguarding Training courses. These have always been updated to include the latest information. This year, 17 more people from 13 different organisations completed the training, providing them with the skills and knowledge to handle any child protection disclosures or allegations, and the current social care thresholds. This helps VCF sector groups to effectively work in partnership with statutory services to help to keep children and young people safe.
- RCVYS has worked in partnership with Reading Voluntary Action and Barnabas Fellowship of Churches to deliver 8 interactive workshops to support Voluntary Sector Groups in Reading to implement the new Disclosure and Barring Service (DBS) process into their organisations. 127 different individuals attended these workshops and now feel confident in their new responsibilities.
- RCVYS has been selected as an Ambassador for Safe Network, the national safeguarding unit for the VCF Sector, which is run by the NSPCC and Children England.
- RCVYS have continued to have a regular presence on the Child Sexual Exploitation

Meetings which are taking a strategic lead in working towards reducing the prevalence and effects of organised crime against children in the Reading area.

Plans for 2013-2014

For 2013/14, RCVYS will:

- Continue to work to ensure that quality Universal Safeguarding Children training is accessible to as many VCF sector groups as possible.
- Endeavour to run a further Universal Safeguarding Children Train the Trainer courses to build the capacity of the local VCF sector to support itself.
- Seek funding to deliver a series of Safeguarding Training courses with other VCF Sector networks to meet the local demand. This is anticipated to include Designated Persons Safeguarding Training, DBS Workshops, and some specialist workshops for specific groups.

Voluntary Sector Challenges

- Ensuring that VCF sector groups can access quality and appropriate Universal Safeguarding Children Training.
- Ensuring that VCF sector groups can understand and use the social care thresholds to ensure that their concerns for children and families are taken seriously, and are addressed in the appropriate places.

Sub Groups and Task Groups

LSCB Sub-Groups undertake significant work to meet the LSCB's responsibilities. Some of these are co-ordinated across Berkshire or Berkshire West.

Child Death Overview Panel - Berkshire

In Berkshire as a whole, there was a 28.8% reduction in reviewed deaths from 80 in 2011/12, to 57 in 2012/13. This reduction in 2012-13 was fully investigated and coincided with a reduction in the numbers of multiple births that year, which are known to carry an increased risk related to low birth weight. It is difficult to attribute causes for the reduction however the panel took consistent action to promote;

- neonatal reviews and thematic risk factor monitoring
- the 'one at a time' message for those undergoing IVF treatment
- a consistent set of recommendations for 'safe sleeping' - which all agencies adopted.

It is pleasing to note a similarly low number of deaths has been sustained in 2013/14 and a total of 59 child deaths have been recorded and 42 reviewed. Of these, 15 deaths occurred in Reading, of which seven deaths have been reviewed in year 2013/2014 and one death reviewed that occurred in 2012/13. An out of area case where death occurred in Reading was also reviewed and lessons learned were shared.

Although child deaths in Reading were statistically higher than the England average in the period 2008/9 - 2011/12, since then there has been a consistent reduction in the number of neonatal deaths - the numbers are however very small. In accordance with the plan a genetic conditions working group has been established to improve awareness of prenatal diagnosis and share the learning from the Bradford community learning project.

There have been five unexpected child deaths requiring rapid response in 2013/14. Three in October; one in December; one in February. An additional rapid response meeting was held unnecessarily in October for an unexpected perinatal death where the child was still under medical supervision, this case is awaiting an inquest later in the year. The October 'cluster' of four rapid responses were analysed at the time and found to be an anomaly, there were no themes. One child had a long term condition, one was the perinatal death described above, two were deaths that occurred in previously well children, and both were considered by the Reading SCR subgroup due to current or previous children's social care involvement but did not reach SCR or partnership review thresholds.

Priorities/challenges for 2014/2015:

- Work on genetic conditions that began in 2013-14 will continue in 2014-15 and an evaluation will inform wider county approaches.
- Reducing rates of neonatal deaths remains a priority. Infections are more common in neonatal deaths where the child is born with a low birth weight and risk factors in the household such as smoking may be contributing factors.
- Accidental deaths and in particular drowning accidents are preventable and the panel recommend use of the Health and Safety Executive swimming pool accident guidance available at <http://www.hse.gov.uk/pubns/books/hsg179.htm>
- Clarity concerning precedence of Rapid Response and other statutory processes e.g. Sec 47 child protection enquiries and criminal enquiries for all agencies and in particular for frontline practitioners will be addressed with a Berkshire wide review of Rapid Response Guidance that will include new flow charts and check lists to promote consistency.

Performance Group - Reading, West Berkshire and Wokingham

The performance sub group is a multi- agency group with members from Reading, West Berkshire and Wokingham LSCB agencies. The terms of reference are to provide a multi-agency challenge to an agreed set of performance indicators across a range of subject areas. The past year has seen an extensive review take place on defining a new set of performance indicators. This was initially in relation to the Munro review and a new Ofsted performance framework and more recently in relation to the QA framework developed by the south east regional LSCBs and adopted locally.

Towards the end of 2013 Wokingham LSCB requested to join this sub group making it Berkshire West and enabling a greater peer challenge to take place.

Challenges

- Multiple datasets and inadequate data submitted to sub-group for scrutiny. New draft dataset agreed, which will feed into a pan Berkshire dataset.
- Data provided is often without targets or benchmarks and often without commentary; sub-group members are at a loss to know what to make of some data items. It is intended that a new agreed pan Berkshire dataset and guidelines for submission should overcome this challenge.
- Membership of the sub group and attendance of all members to quarterly meetings to enable a wider and effective scrutiny and of data is still a challenge. Approving reviewed TOR and membership should address this challenge.

Policies and Procedures Group - Berkshire

The Berkshire-wide child protection policies and procedures are published online. The Policy and Procedures Group ensures they are regularly updated by reviewing research and central government guidance on the protection of children, along with issues arising from serious case reviews and acting on feedback from workers on the translation of policies, procedures and protocols into practice.

Changes over the past year have included a revised chapter on Safe Recruitment, Selection and Supervision of Staff, a new chapter on Allegations against Staff, Carers and Volunteers and a new chapter Safeguarding Foreign National Children who go Missing. The chapter Missing Child, Adult or Family is currently under review to reflect the new statutory guidance: Children who run away or go missing from home or care January 2014.

The group continue to work closely with TriX who provide the procedures on our behalf. The contract with Tri X for delivery of the on-line procedures was extended for 12 months.

Challenges:

- It did not prove possible during the year to secure representation on the sub-group from Education. This represents a significant vulnerability in the development and take-up of the procedures
- Cross-authority variations - The sub-group acknowledged variations between Threshold and Eligibility criteria for the six authorities, presenting challenges for partners who work across the county.

- Child Sexual Exploitation - The development of a single CSE Indicator Tool across the six authorities has proved to be challenging, with a number of variations proposed. Slough and TVP have worked closely together to develop a suggested draft for further consideration and decision.
- Monitoring use of the on-line procedures - The group identified that previously available data reporting about system uptake had not been sustained. It is very important to be able to identify which professionals are accessing the system as well as any agencies that are not consistently using the resource.

Quality Assurance Sub Group - Reading

The role of the Reading Quality Assurance Group is to support LSCB partners, and the wider Reading Children's Workforce, to continue to improve outcomes for vulnerable children through a selected multi - agency safeguarding audit and reporting programme. The Quality Assurance Group meets every quarter to agree the audit programme and review outcomes from partner and single agency audits.

The audit programme covers key areas of safeguarding; audits carried out include case audits and sample studies. Partner agencies are also asked to contribute and bring to the group audits they have completed in their own agency. Membership of the QA group has seen a drop in attendance by some partners. The chairs of the three quality groups in West Berks, Reading and Wokingham have met twice to develop a core programme of audits, this will not only provide consistency across the three areas but also build capacity by sharing audits across the area, this is particularly relevant for those agencies that sit on all three groups. Recent audits include the health of Looked After Children and pre-birth assessment.

Maintaining membership by all partner agencies and ensuring there is capacity to carry out multi-agency audits are on-going challenges.

Impact:

The health of Looked After Children audit 2013 identified that many of the findings of the previous audit in 2012 had been addressed. This included streamlining the process for notifying and organising a health assessment and ensuring that Health Care Plans are reviewed at LAC Reviews. Both ensure that Looked After Children receive a better and more prompt service and that their health needs are noted in their reviews.

Section 11 Panel - Berkshire

The Section 11 Panel meets regularly to oversee the Section 11 process for all Berkshire statutory and voluntary organisations and to support improvement.

The panel now has an ongoing role in improving the self-assessment process for organisations. The panel has a new remit to:

- Receive and evaluate the three year S 11 self-assessment audits
- Monitor progress against the action plans at a mid-year (18 month) point
- Review and improve the process of submission and reporting, so it is more inclusive and enables discussion and learning

- Ensure the self-assessment template is adapted and improved according to policy and local developments, such as the LDD sub group

The panel achieved the following:

- Membership renewed for Thames Valley Police
- Lay member joined panel
- New terms of reference adopted
- New mid term review process agreed and implemented
- New relationships and membership developed for the NHS Local Area Team and the CCGs
- S 11 full self-assessment received on 10 organisations
- Strengthened safer working practices established, for volunteers in a number of organisations
- Supporting organisations' capacity to capture measurable evidence of compliance, which supports CQC and Ofsted readiness
- Introduced a culture of supportive challenge and ongoing development, rather than a one off , 'task done' approach

Challenges

- New commissioning arrangements in health, leading to lack of clarity for best process for tertiary services (eg SARC), primary care, and health providers
- Next step - CCG West have established a full S 11 assessment process for health providers, and are keen to bring evidence of assurance to the panel. Potential for pan Berkshire health sub-group and for consistency across Berkshire.
- LAT to bring own SARC assurance to panel June 2014.
- Ensuring equity and consistency in Section 11 reports from local authorities.

Case Review Group - Reading

The Case Review Group considers any serious incidents and makes recommendations to the LSCB Chair about whether the criteria for a Serious Case Review (SCR) are met. When a SCR is carried out, the Group agrees the review model to be used and manages the SCR process. No SCRs have been conducted in Reading over the past year, however a partnership review was undertaken and the lessons learnt have been widely disseminated to staff and an action plan is in place (see page 18 for more information).

The Case Review Group also meets regularly to review local and national SCRs. A Learning and Improvement Framework sets out how all agencies working with children should reflect on the quality of their services and learn from their own practice and that of others, creating a culture of continuous improvement.

Over the past year, the Case Review Group has considered a number of SCRs carried out in other areas, including several high profile reviews. A presentation on the Daniel Pelka SCR was commissioned by Reading, Wokingham and West Berkshire LSCBs to outline learning from the case, including issues around professional communication and practice issues for all agencies involved. The group continues to identify learning and notifies specific groups of relevant SCRs; for instance the East Sussex SCR (Child G, published December 2013) was sent to all schools to ensure they were aware of lessons learnt and good practice.

Impact:

The Daniel Pelka presentation was delivered to the Reading LSCB at the Board meeting in January 2014. The Board felt that it was moving but also useful and interesting in terms of the lessons to be learnt. Each agency has taken this presentation (with notes) and disseminated it to staff.

Training Group - Berkshire (West and East)

The Training Group is accountable to the six LSCBs across Berkshire and ensures access to appropriate multi-agency training. Universal safeguarding training remains the responsibility of each agency represented on the LSCB.

The LSCB Training Group produces a multi-agency programme designed to cover key safeguarding subjects. Over 50 LSCB multi-agency courses have been provided across Berkshire in 2013-2014 covering a wide variety of subjects, including children with disabilities, safer care for children with parents with mental health, domestic abuse, disguised compliance, e-safety, child sexual exploitation and substance misuse. All of the courses have been in accordance with, and based on, the six LSCB business plans and agreed priorities. The overall evaluation of courses and attendance has been positive. The representation for multi-agency has been maintained; however, the group has raised concerns about some partner agencies' representation on courses.

To ensure training meets the desired objectives and is effective, the courses are quality assured, usually by a member of the Training Sub-Group. To measure the impact, competency questions are asked on the evaluation forms and, on a sample of courses, a follow up telephone call is made to find out what difference the training has made.

The introduction of the Learning and Improvement Framework agreed across Berkshire, and included in the Berkshire Child Protection Procedures, has improved dissemination of learning from reviews; this is now a standing item on each Strategic Training Group agenda, where key messages from reviews in each of the LSCBs can be shared

Achievements to date:

- Observation guidance developed to monitor the quality assurance of training.
- Work undertaken with the Section 11 Panel to identify gaps in agency training or refresher training. Section 11 panels agreed an amendment to the S11 self-assessment tool to request that agencies provide evidence of their training strategies and comments on training compliance in relation to issues of diversity.
- E-learning packages continue to be reviewed but use of these lies with the relevant organisation.
- Kwango e-learning safeguarding training has been updated in line with Working Together 2013.
- Safeguarding Training pathway has been produced, for adults and children's services staff.
- Joint meetings held with Berkshire East and Berkshire West Training Officers to produce the East and West LSCB Training Programmes.
- Managing Allegations identified as a need amongst practitioners and training courses arranged in the East and the West.
- Evaluation of training for LSCB courses and outcome audit completed.
- Review of LSCB Training Sub-Group work plan.
- Launch of CSE e-learning training was agreed by 5 of the 6 Berkshire LSCBs. This has been disseminated and used widely. The remaining LSCB has made suitable alternative arrangements.

Challenges:

- CSE Training Pathway - there has been a challenge in ensuring all relevant agencies are attending the meetings arranged in order to progress this.
- Concerns in relation to partnership participation on the Training Sub-Group have been raised annually and there is still a significant gap in the contribution of some LSCB partners to the group. Work has been carried out to try and improve this but to no avail. The Training Group continues to have no representation from Police, Housing or Probation. Historically and currently, information is received from Probation and TVP and the group have linked with the Section 11 Panel to obtain more information. We understand and acknowledge the resource pressures for services; however, absence of physical representation at the group from these sectors has been a long standing issue. The RiP Ensuring Effective Training a briefing for LSCBs publication identifies the need for LSCBs to evidence within inspection that "*opportunities for learning are effective and properly engage all partners*". This is currently not being achieved by the absence of significant LSCB partner agencies.
- There remains an issue with TVP accessing multi-agency LSCB courses across Berkshire. This has been escalated to the Berkshire LSCB Chairs. Police attendance at multi-agency courses also varies nationally. It is worth noting that the police do provide in-house training, including specialist areas, which they could benefit from opening up to other agencies to improve multi-agency practice.
- Receiving data in a co-ordinated way from the operational team to the strategic group in a timely manner has proved to be a difficulty for the group at times.
- Monitoring of single-agency training is a requirement of the LSCB's and additional resources will need to be identified to ensure this function is carried out sufficiently by the Training Sub-Group.
- Many of the tasks required of the Training Sub-Group are resource intensive, including the Training Needs Analysis and outcome evaluations. Adequate resources need to be identified.
- Some agencies are providing their own specialist single-agency safeguarding training e.g. Local Authorities for their social work teams, Probation and the Police, but these courses are not currently being offered to a multi-agency audience. There could be an opportunity for more co-ordination of these courses if the agencies bring them to the attention of the Training Sub-Group. Otherwise, there is a missed opportunity for all practitioners to learn in a multi-agency context.
- Keeping Safe - new DfE guidance for schools, does not mention the three year refresher period; as the sub-group has agreed this as a standard, members will have to work with schools to ensure this stand is met.

Task and Finish Group - Children with disabilities - Berkshire

The role of this time limited group was to review current guidance for safeguarding disabled children in line with local context for Berkshire and make recommendations to the Berkshire LSCBs to ensure that thresholds for protecting disabled children are rigorously applied. This subgroup has now completed its work, made its final report to the LSCBs and an action plan is in place.

Conclusions

The LSCB has been effective in challenging partner agencies over their roles and responsibilities as members of the LSCB. This has been demonstrated through development sessions held on leadership for all LSCB members and two sessions for executive members, one on challenge and one on SCR models.

Whilst board attendance is good, better consistency in attendance is needed, in particular through the engagement of the NHS Local Area Team.

Agencies are under significant pressure, with rising numbers of vulnerable children needing services, and the LSCB has a key role ensuring partners continue to work together effectively.

Locally and nationally there has been a significant increase in the workload of Children's Services driven by changes in demography, increased expectations in relation to the quality of services, responses to specific issues (e.g. Child Sexual Exploitation) and a series of high profile child death tragedies. In the local context this has led to a significant increase in workload.

A positive development has been the inclusion of young people attending LSCB meetings. This provides an opportunity for members to hear first-hand the views of young people, for the young people to talk about how services have worked for them, and for LSCB members to consider how to respond to the concerns they raise.

Lay members provide an objective view and bring insight to board meetings. Six-monthly network meetings are held across the Thames Valley area providing an opportunity for them to meet and discuss their role. As part of this, statutory partners attend to give talks on their agency. To date these have included Thames Valley Police, a representative from the CCG and a planned presentation from Probation. As their role has become embedded, lay members are now sitting on and chairing some LSCB sub groups.

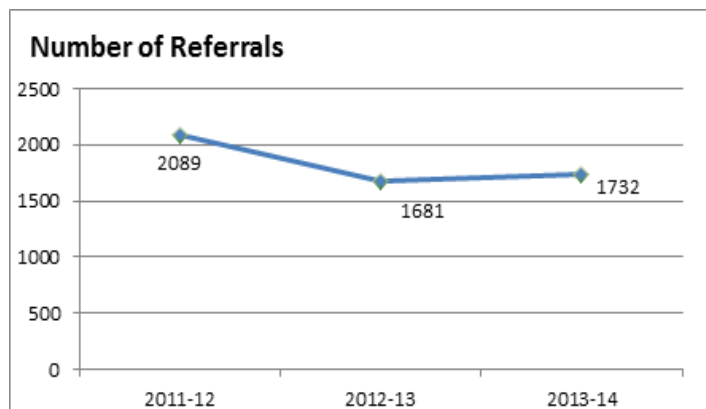
Looking ahead, the challenges that face the LSCB are:

- An increasing number of children with child protection plans and rising numbers of looked after make it crucial that LSCB partners and their agencies work together effectively to address the needs of these vulnerable groups;
- Views of children and young people are taken into account when planning services;
- Continued involvement of young people at LSCB meetings;

Appendix A - Data relating to the child's journey through children's services and three year analysis

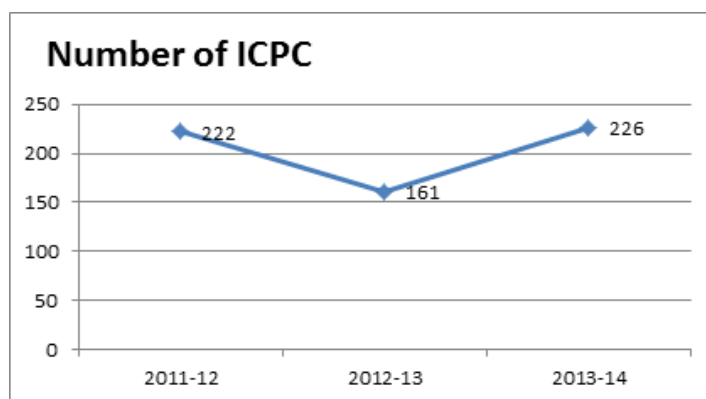
Number of referrals rose in 13/14:

Number of Referrals to CSC	
YEAR	No of Referrals
2011-12	2089
2012-13	1681
2013-14	1732



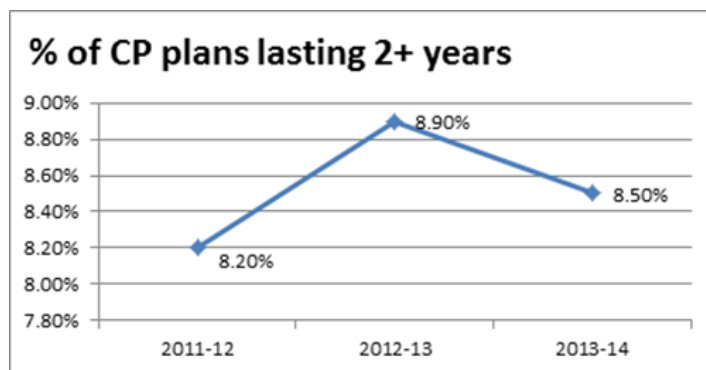
The number of ICPC increased in 2103/14:

ICPC	
YEAR	Number of ICPC
2011-12	222
2012-13	161
2013-14	226



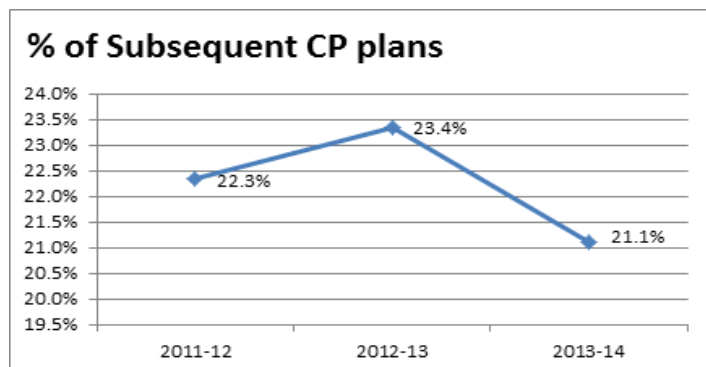
The percentage of CP plans lasting 2 years plus dropped in 2013/14:

CP plans lasting 2 years plus	
YEAR	Percentage
2011-12	8.2
2012-13	8.9
2013-14	8.5



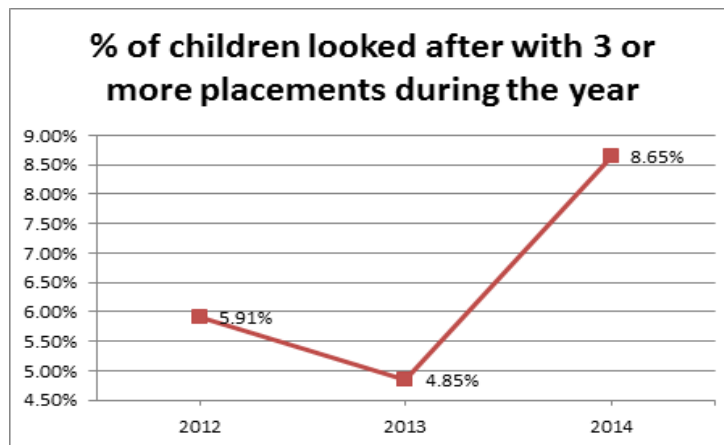
The % of subsequent CP plans decreased in 2013/14:

NI65		
CP Plan for 2 nd or Subsequent Time		
YEAR	Number	%
2011-12	46	22.3%
2012-13	39	23.4%
2013-14	42	21.1%



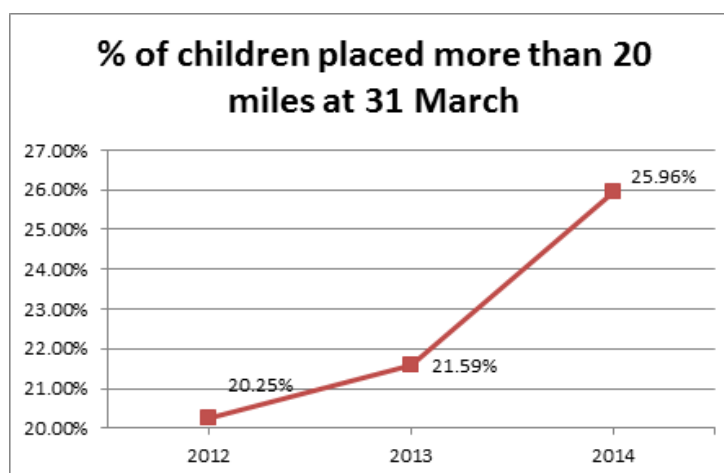
The percentage of three or more Placement moves increased in 2014:

Placement 1 -The percentage of children looked after with three or more placements during the year ending 31 March			
Year	%	No. of children	Total children
2011/12	5.91%	14	237
2012/13	4.85%	11	227
2013/14	8.65%	18	208



The % of children placed more than 20 miles than home address increased in 2013/14:

Placement 3 -The percentage of looked after children at 31 March placed outside LA boundary and more than 20 miles from where they used to live			
Year	%	No. of children	Total children
2012	20.25%	48	237
2013	21.59%	49	227
2014	25.96%	54	208



Appendix B - Training

Safeguarding training is essential to ensure staff and volunteers are kept up to date with legislation and information.

All agencies have a responsibility to provide their staff and volunteers with suitable training that is appropriate to their role.

All training is evaluated, attendees are asked to score their knowledge before and after the event, to measure the change and impact as part of the evaluation process.

Safeguarding Children Training delivered in Reading 2013-2014		
	Number of courses	Total number of delegates
Universal		
Delivered in Council venues	16	277
For Councillors and Lead members	2	30
Targeted Safeguarding		
(as part of the LSCB training programme)	9	181
Designated person training		
New and refresher	2	30
Total	29	518

Train the Trainer

In addition to the above training we run a Safeguarding Train the Trainer course for Schools, Early Years settings and Voluntary Sector Organisations. The purpose of the Train the Trainer course is to skill Managers and Designated Officers to be able to deliver Universal Safeguarding Children training to staff in their settings.

There is an expectation that anyone attending the Train the Trainer course commit to delivering a minimum of 2 training sessions per year. We then provide ongoing support and annual update meetings for these trainers.

Safeguarding Train the Trainer courses delivered in Reading 2013-2014		
	Number of courses	Total number of delegates
	3	52

All staff across Reading also have unlimited access to free online training:

- Universal Safeguarding Children
- Introduction to Child Sexual Exploitation - launched Jan 2014

Below is the list of LSCB commissioned training courses provided, followed by the course summary.

LSCB Commissioned Courses provided in 2013/14:

Date	Course	Working Together Staff Group	Host Authority
21 st May 2013	Safeguarding Disabled Children	Targeted	Wokingham Council
23 rd May 2013	Safeguarding Children - A Shared Responsibility	Targeted	West Berkshire Council
11 th June 2013	Domestic Violence and Safeguarding Children	Targeted	Reading Borough Council
20 th June 2013	Child Development	Targeted	Wokingham Council
9 th July 2013	Sexual Exploitation Awareness	Targeted	Reading Borough Council
22 nd July 2013	Safeguarding children of substance misusing parents	Targeted	West Berkshire Council
13 th September 2013	Physical Abuse	Targeted	West Berkshire Council
19 th September 2013	Safeguarding Children - A Shared Responsibility	Targeted	Wokingham Council
10 th October 2013	Working with Families Experiencing Domestic Abuse - Advanced	Specialist	Reading Borough Council
11 th October 2013	Disguised Compliance	Targeted & Specialist	West Berkshire Council
12 th November 2013	Neglect and Emotional Abuse	Targeted	Wokingham Council
21 st November 2013	Sexual Exploitation Awareness	Targeted	Reading Borough Council
3 rd December 2013	Child Development	Targeted	Reading Borough Council
11 th December 2013	Safeguarding Children - A Shared Responsibility	Targeted	West Berkshire Council
14 th January 2014	Working with Families Experiencing Domestic Abuse - Advanced	Specialist	Wokingham Council
21 st January 2014	Sexual Exploitation Awareness	Targeted	Reading Borough Council
30 th January	Sexual Abuse	Targeted	Reading Borough Council
10 th February 2014	Safer Care for Children of Parents with Mental Health Issues	Targeted	Reading Borough Council
28 th February 2014	Children who display Sexually Harmful Behaviour	Targeted	West Berkshire Council
6 th March 2014	Safeguarding Children - A Shared Responsibility	Targeted	Reading Borough Council
11 th March 2014	Safer Care for children of parents with Learning Disabilities	Targeted	Wokingham Council

Course Outline:

Course	Aims/Objectives	Trainer/Session Leader
Safeguarding Children - A Shared Responsibility *Group 2 & 3 Staff	To provide 'Targeted' level training where multi-agency working is emphasised so that workers know their and other professionals' roles and responsibilities in relation to legislation and responsibilities in the child protection process. This course will not cover signs and indicators of abuse, this should be covered by your organisation in Universal Safeguarding Training	Reconstruct
Safeguarding Disabled Children *Group 2 & 3 Staff	To provide participants with the knowledge, skills and support to recognise and know how to act upon indicators that a disabled child's welfare or safety may be at risk	Elizabeth Hay - Reconstruct
Domestic Violence and Safeguarding Children *Group 2 & 3 Staff	This course explores the definition of 'domestic violence', myths and stereotypes. It also looks at the impact of domestic abuse on children and looks at the implications for their safety and wellbeing and the benefits of close inter-agency collaboration. Delegates will also be provided with an overview of strategies for working with families where violence against women, in all its forms, is an issue.	Reconstruct
Working with Families Experiencing Domestic Abuse - Advanced *Group 3, 4 & 5 Staff	This is an advance level training for staff who work directly with families where there are issues of Domestic Abuse and safeguarding children concerns.	Tender
Child Development *Group 2 & 3 Staff	This course provides an overview of the full range of physical, emotional and cognitive development, including good enough parenting, attachment and identity. Participants will have the opportunity to consider what is 'normal' development and to recognise and understand how children's experiences can be reflected in their behaviour. The training will also explore the role of child development in the assessment process and how information relating to children's development can inform decision-making in relation to risk and parenting capacity. It also considers cultural differences in relation to child rearing practices and child development	Reconstruct
Sexual Exploitation Awareness *Group 2 & 3 Staff	<ul style="list-style-type: none"> • Child Sexual Exploitation in context with normal child development • Typical indicators of CSE • Commonly used grooming tactics, the child's perspective and behaviour • Factors that increase vulnerability to CSE • Building trust and promoting engagement with children, young people and families • How to respond to concerns 	Paula Lane and Becky Tyler
Sexual Exploitation Advanced Training *Group 3 & 4 Staff	<i>This training is currently for identified staff only.</i> The aim of this training is to provide those professionals who work directly with victims of Sexual Exploitation to understand good practice, the complexities when working with victims, the issues regarding the identification and disruption of perpetrators and guidance on keeping themselves safe.	Helena Jones - Barnardos
Physical Abuse *Group 2 & 3 Staff	<ul style="list-style-type: none"> • To offer the opportunity for participants to explore what is meant by physical harm and strategies for identifying and preventing risk to children, including tensions when identifying reasonable physical chastisement and issues relating to perpetrators - who they are and how they are managed 	Reconstruct

Course	Aims/Objectives	Trainer/Session Leader
Safeguarding children of substance misusing parents *Group 2 & 3 Staff	The aim of the course will be to focus on specific skills and processes required to equip practitioners to work more effectively with substance misusing parents and understand the impact of this on their children. <ul style="list-style-type: none"> • Explore the social, psychological and physical effects of parental drug and alcohol misuse on children both pre birth and post birth • Identify the skills required to engage and work effectively with families where substance misuse is an issue • Information about treatment resources available in your local area 	Liz Allison
Neglect and Emotional Abuse *Group 2 & 3 Staff	This course explores what is meant by the terms 'neglect' and 'emotional abuse' <ul style="list-style-type: none"> • Recognising the signs and symptoms and understanding the impact on children • The issues involved in working together with parents and across professional boundaries • The impact on individuals of working with neglect and emotional abuse issues 	Reconstruct
Sexual Abuse *Group 2 & 3 Staff	To offer the opportunity for participants to identify and develop skills for working with issues of child sexual abuse <ul style="list-style-type: none"> • The tensions in defining child sexual abuse • Who are the victims - Identifying factors • The impact of child sexual abuse • The issues relating to perpetrators - who they are and how they are managed 	Reconstruct
Safer Care for Children of Parents with Mental Health Issues *Group 2 & 3 Staff	<ul style="list-style-type: none"> • Integration of equal treatment for people with mental health problems • Creative inter-service working to aid families and children • Methods of improving inter-service inter-agency working • Participants own beliefs and attitudes as well as societal views • Models of assessment that remain child focused and aid recognition and practical intervention • Participants skills in working with families, extended family and social networks to improve support and care 	Reconstruct
Children who Display Sexually Harmful Behaviour *Group 2 & 3 Staff	To offer the opportunity for participants to identify and develop skills for working with children who display sexually inappropriate or harmful behaviours <ul style="list-style-type: none"> • defining and understanding appropriate sexual development • The effects of child sexual abuse on a child' sexual development and behaviour • Identifying factors leading to concerns for victims and perpetrators of sexually harmful behaviour • The issues relating to perpetrators - who they are and how they are managed 	Reconstruct
Disguised Compliance *Group 2, 3 & 4 Staff	<ul style="list-style-type: none"> • To gain awareness of the behaviour of avoidant and resistant families specifically disguised compliance and how such behaviour can render the child invisible • To increase understanding regarding the reasons parents may engage in resistant behaviour • To recognise how such circumstances may have a paralysing effect on practitioners, hampering their ability to make judgments, act clearly and follow through on assessments & planning • Exploration of ways of engaging with chaotic families in order to remain child-centred 	Via safeguarding solutions

Course	Aims/Objectives	Trainer/Session Leader
<p>Safer Care for children of parents with Learning Disabilities</p> <p>*Group 2 & 3 Staff</p>	<p>Ensuring that parents with a learning disability are effective parents is a key part of safeguarding children. This course looks at how to carry out good quality assessments of the capacity of learning disabled parents to meet the needs of their children and provides a framework for effective decision-making. It also covers ways of providing effective help and support for this group of parents as well as assessing and building resilience in children</p>	<p>Reconstruct</p>

Appendix C - Turnaround Families Case Study (October 2013)

A partnership led, whole family approach can have dramatic results. This case study is one example where the right support can mitigate against a number of safeguarding concerns within one family.

“There’s light at the end of the tunnel” - One family’s ongoing journey on the Turnaround Families programme (Names have been changed)

The Turnbull family have been struggling for many years. Dad, Terry, has a long history of alcohol and substance misuse and Mum, Rachel, had very low moods and self harmed. They have three children living at home; Anna (18 years) who has severe additional needs, Toni (17 years) who is not in education, employment or training and Jack (14 years) who had low school attendance, very low self-esteem and is a young carer.

Over the years they have received support from a long list of services including Education Welfare, Adult and Children’s Social Care, Behaviour Support and the Family Worker, Kim, who became their key worker for the Turnaround Families Programme. When they started on the programme they were particularly worried about their 14 year old and the household was in chaos with no fixed routines. The house needed significant repairs and the parents were weighed down with mounting debt. Terry says **“we were in a hole and couldn’t get out.”**

Kim started by engaging Mum and Dad in 1:1 parenting techniques which is helping them to use consequences with their children. They have established routines and now have a dining table so they can eat meals as a family. Kim has helped Dad to access Drugs Advice Interventions and Skills (DAIS) and he is successfully decreasing his alcohol and substance use. Mum has recently accessed Talking Therapies allowing her to become more confident and has regained a sense of self-esteem. Crucially, she is no longer self harming.

Kim and the youth worker have worked closely together to ensure a coordinated approach for the children and their good relationship with the whole family has been hugely beneficial. Anna is now receiving help from Adult Social Care and is beginning to have a daily routine, improving her quality of life. The respite care has relieved the pressure on the whole family and the household is calmer as a result. Toni is engaging in youth work activities and Adviza to explore education and/or employment options. The youth worker has a very positive relationship with Jack in particular and this has helped to increase school attendance, and therefore the ability to maintain friendships and improve self esteem.

To improve their living standards Kim contacted the housing association and they have agreed to a package of repairs including the roof and new windows and doors. After redecoration, the family will have a home which they can feel comfortable living in. Significant stress has been removed following the parents engagement with Christians Against Poverty. This has given them a way to plan and deal with their debt issues. Terry stated that they are **“not as worried”** and it has **“taken the pressure off. We’re not as depressed and not lying awake at night”**. The family have already lost some of their benefits through Welfare Reform with more cuts to come, and this has caused stress and a relapse for both parents. Kim has worked hard to help them to prepare for these cuts and improve their budgeting skills, plus she has arranged for multiple food parcels to be sent to the family to ensure they have been able to eat properly.

The role of the key worker has been instrumental in organising and chasing agencies, making them work better for the family by taking a coordinated approach. On a personal level Kim has encouraged the family to work together and has developed a good relationship with them based on trust. Dad feels Kim has been brilliant by **“advising us not pressuring us”**. Just as important has been the parents’ decision to take more responsibility for their situation and working to improve it. They realised that **“you’re not going to achieve anything by sitting on your xxx!”**. Terry has recently put together his first CV as he wants to work and earn a wage and Rachel, with Kim’s help, is looking forward to starting literacy and numeracy courses at New Directions.

The family know they are still on a journey and further problems will undoubtedly arise but they are better placed to deal with them. Terry says the TF programme has helped **“a hell of a lot”**, and Rachel feels that this has allowed them to be much closer as a family, there are fewer arguments, they feel more calm, and are **“smiling all the time”**.

Terry and Rachel’s advice for others in a similar situation is not to hold back and take the help you need. **“Be straight and honest as you won’t get the help unless the key worker knows what your problems are”**. **“We were in a hole and couldn’t get out, now we’re three quarters of the way out. There’s light at the end of the tunnel”**.

Appendix D - LSCB Membership at May 2014

Name	Role
Stephen Barber	Independent LSCB Chair -Reading, West Berkshire, and Wokingham
Avril Wilson	Director of Education, Adult and Children's Services - Reading Borough Council
Cllr Janet Gavin	Lead Member for Children's Services
Karen Reeve	Head of Children's Social Care - Reading Borough Council
Bernadette Adams	Service Development Manager - Berkshire Women's Aid
Anderson Connell	Lay Member
Anne Farley	Reading LSCB Lay Member
Anthony Heselton	South Central Ambulance Service
Helen Taylor	RCVYS
Jenny Selim	Designated Nurse, Berkshire West CCG
Kevin McDaniel	Head of Education, RBC
Penny Cooper	Head of Children's Universal Services - Reading, Berkshire. Healthcare Foundation Trust (BFHT)
Ruth Perry	Head Teacher, Caversham Primary School
Chris Lawrence	Early Years Partner Forum Representative
Deborah Glassbrook	Interim Head of Safeguarding and Quality Assurance - Reading Borough Council
Hannah Powell	Senior Probation Officer, Thames Valley Probation
Lise Llewellyn	Berkshire Lead Public Health Consultant
Mel Jarvis	Business and Performance Manager, CAMHS
Kevin Gibbs	Head of Service, CAF/CASS
Maninder Hayre	Adviza
Stuart Greenfield	Superintendent, Thames Valley Police
Patricia Pease	Urgent Care Group Director of Nursing, Royal Berkshire Hospital Foundation Trust (RBHT)
Elizabeth Rhodes	Fire and Rescue Service
Sarah Gee	Head of Housing, Neighbourhoods and Communities - Reading Borough Council
Julie Kerry	Associate Director for Patient Experience, Thames Valley Area Team, NHS South of England

Appendix E - Financial information

The budget is monitored by the Business Manager with the majority of the budget spent on staffing to support the work of the Board.

The LSCB budget 2013-2014 is made up of contributions from the Local Authority, the CCG, Police, Probation, CAFCASS and Berkshire Healthcare NHS Foundation Trust.

Supplies and services include expenditure for the cost of an independent Chair, updates of the child protection procedures and the costs associated with administering the LSCB training programme and the annual conference. This also covers any printing costs for publicity materials and leaflets.

In addition a small amount is spent under premises to cover the hire of meeting rooms, refreshments and venues for LSCB activities and meetings.

Income and Expenditure 2013-2014

INCOME	£
Local Authority	73,000.00
CCG	20,000.00
Police	2,000.00
Probation	895.00
CAFCASS	550.00
Berkshire Healthcare Foundation Trust	1,000.00
TOTAL INCOME	97,455.00

EXPENDITURE	£
Employees	48,665.00
Supplies and Services	14,190.00
TOTAL EXPENDITURE	62,855.00

Appendix F - Child Health Profile for Reading



Public Health
England

Child Health Profile

March 2014

Reading

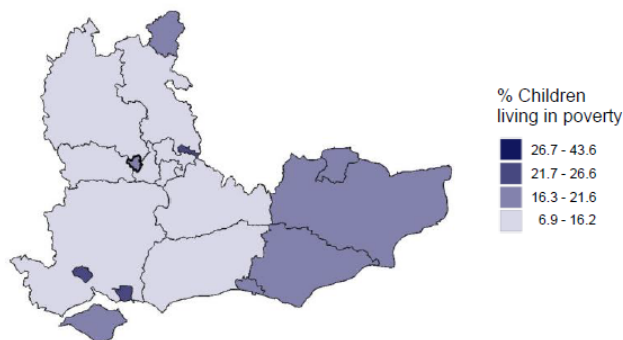
This profile provides a snapshot of child health in this area. It is designed to help the local authority and health services improve the health and wellbeing of children and tackle health inequalities.

The child population in this area

	Local	South East	England
Live births in 2012	2,748	107,858	694,241
Children (age 0 to 4 years), 2012	12,300 (7.8%)	545,700 (6.3%)	3,393,400 (6.3%)
Children (age 0 to 19 years), 2012	38,600 (24.6%)	2,091,900 (24.0%)	12,771,100 (23.9%)
Children (age 0 to 19 years) in 2020 (projected)	41,300 (25.6%)	2,233,100 (23.8%)	13,575,900 (23.7%)
School children from minority ethnic groups, 2013	7,271 (47.1%)	199,300 (19.3%)	1,740,820 (26.7%)
Children living in poverty (age under 16 years), 2011	21.2%	15.1%	20.6%
Life expectancy at birth, 2010-2012			
Boys	78.4	80.3	79.2
Girls	82.7	83.8	83.0

Children living in poverty

Map of the South East, with Reading outlined, showing the relative levels of children living in poverty.



Contains Ordnance Survey data

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Data sources: Live births, Office for National Statistics (ONS); population estimates, ONS mid-year estimates; population projections, ONS interim 2011-based subnational population projections; black/ethnic minority maintained school population, Department for Education; children living in poverty, HM Revenue & Customs (HMRC); life expectancy, ONS.

Key findings

Children and young people under the age of 20 years make up 24.6% of the population of Reading. 47.1% of school children are from a minority ethnic group.

The health and wellbeing of children in Reading is mixed compared with the England average. Infant and child mortality rates are similar to the England average.

The level of child poverty is worse than the England average with 21.2% of children aged under 16 years living in poverty. The rate of family homelessness is worse than the England average.

Children in Reading have average levels of obesity: 9.8% of children aged 4-5 years and 18.8% of children aged 10-11 years are classified as obese.

In 2012, 71 children entered the youth justice system for the first time. This is a similar rate when compared to the England average for young people receiving their first reprimand, warning or conviction. The percentage of young people aged 16 to 18 not in education, employment or training is worse than the England average.

In 2011/12, there were 4,503 A&E attendances by children aged 4 years and under. This gives a rate which is lower than the England average. The hospital admission rate for injury in children is lower than the England average, and the admission rate for injury in young people is lower than the England average.

Any enquiries regarding this publication should be sent to info@chimat.org.uk.

Appendix G - List of acronyms

BHFT	Berkshire Healthcare NHS Foundation Trust
BME	Black and Minority Ethnic
CAF	Common Assessment Framework
CAFCASS	Children and Family Court Advisory and Support Service
CAMHS	Child and Adolescent Mental Health Services
CAT	Children's Action Team
CCG	Clinical Commissioning Group
CDOP	Child Death Overview Panel
CIC	Children in Care
CSC	Children's Social Care
CQC	Care Quality Commission
CSE	Child sexual exploitation
DBS	Disclosure and Barring Service
DfE	Department for Education
EHC	Education, Health and care Plan
FGC	Family Group Conference
FGM	Female Genital Mutilation
IRO	Independent Reviewing Officer
JSNA	Joint Strategic Needs Assessment
LAC	Looked After Child
LADO	Local Authority Designated Officer
LDD	Learning Difficulties and Disabilities
LSCB	Local Safeguarding Children Board
MAPPA	Multi-Agency Public Protection Arrangements
MARAC	Multi-Agency Risk Assessment Conference
MASH	Multi-Agency Safeguarding Hub
NEET	Not in Employment, Education or Training
ONS	Office of National Statistics
RBC	Reading Borough Council
RBFT	Royal Berkshire NHS Foundation Trust
RCVYS	Reading Children and Voluntary Youth Services
RSCB	Reading Safeguarding Children Board
SAPB	Safeguarding Adults Partnership Board
SARC	Sexual Assault Referral Centre
SCR	Serious Case Review
SEN	Special Educational Needs
TVP	Thames Valley Police
VCF	Voluntary, Community and Faith
YOT	Youth Offending Team

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF EDUCATION, ADULT AND CHILDREN'S SERVICES

TO:	ADULT SOCIAL CARE, CHILDREN'S SERVICES AND EDUCATION COMMITTEE		
DATE:	6 NOVEMBER 2014	AGENDA ITEM:	10
TITLE:	READING BOROUGH COUNCIL'S RESPONSE TO CHILD SEXUAL EXPLOITATION		
LEAD COUNCILLOR:	COUNCILLOR GAVIN	PORTFOLIO:	CHILDREN'S SERVICES AND FAMILIES
SERVICE:	CHILDREN'S SERVICES	WARDS:	BOROUGHWIDE
LEAD OFFICER:	VICKI LAWSON	TEL:	0118 9372072
JOB TITLE:	INTERIM HEAD OF CHILDREN'S SERVICES	E-MAIL:	Vicki.lawson@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 For ACE Committee to note the current position of Reading Borough Council Children's Services in respect of Child Sexual Exploitation (CSE). CSE is a high profile topic particularly in light of the recent report following an Independent Inquiry commissioned by Rotherham Metropolitan Borough Council in October 2013 and published in August 2014. Reading Borough Council have always responded proactively to Child Sexual Exploitation (CSE) in conjunction with key partners especially Thames Valley Police. National awareness and understanding of CSE has grown in the last few years prompting government responses and new legislation to this very serious issue.

2. RECOMMENDED ACTION

- 2.1 That the current position of Reading Borough Council's Children's Services in respect of Child Sexual Exploitation be noted.

3. POLICY CONTEXT

- 3.1 The Rotherham Report has been read by senior officers and discussed at the Reading Safeguarding Board Serious Cases Panel in September 2014. It was agreed that in light of the very serious issues raised in Rotherham the Serious Cases Panel (which is multi agency) would use their next meeting to reflect on the report and any implications for Reading.
- 3.2 Reading Borough Council's response to CSE has reflected the national picture in terms of changes and development in practice and response over time. It is essential that as awareness of CSE grows nationally Reading Children's Services (and partners)

reflect and consider any further developments both operationally and strategically to improve response to CSE.

- 3.3 The Rotherham report offers a further opportunity to do this and build on the work that was already current in terms of developments in working with children and young people who are sexually exploited, at risk of sexual exploitation and those that go missing who may be more vulnerable.

THE POSITION IN AUGUST 2013 WAS AS FOLLOWS:

- A multi-agency CSE Operational group reporting to the Reading Safeguarding Children's Board.
- An overarching strategy and action for tackling CSE in Reading was drawn up by this group.
- Training on CSE was commissioned at universal safeguarding, targeted and specialist levels.
- Consideration to developing a 'virtual team' of workers who were to undertake the specialist training and undertake direct work with young people.
- There was a 'complex investigation' into CSE in Reading, which resulted in some successful disruption activity with the alleged perpetrators.
- All workers were briefed on how to make referrals if concerned about CSE to social care or the police.
- The theme of the Reading Safeguarding Children's Board conference on 27th September 2013 was 'sexual abuse'.

4. CURRENT POSITION

- 4.1 The Rotherham report publication in August 2014 coincided with an ongoing review of CSE requested by the Director of Children's Services and being undertaken by the Interim Head of Service.
- 4.2 Key developments since August 2013 are the introduction and roll out of the CSE screening tool for all referrers to use prompting them to consider whether CSE could be an issue by way of a checklist.
- 4.3 The Signs of Safety approach fundamental to all work in children's services has been rolled out, embedded and is audited rigorously.
- 4.4 A robust auditing cycle is in place quality assuring that the voice of the child (referred to as the lived experience of the child) is clearly recorded and demonstrates the workers have "heard" the child or young person.
- 4.5 The Children Who Go Missing and CSE Panel was combined in July 2014 to recognise the overlap that can occur between these groups of children. This is a panel that is co-chaired by Thames Valley Police and Reading Borough Council.
- 4.6 The already ongoing review has separated the operational group into a defined strategic and operational group.
- 4.7 The current CSE strategy is to be updated by the strategic group and taken to the Reading Safeguarding Board for agreement in December 2014.
- 4.8 The operational group is to produce a manual to offer the wider workforce information on what to do if they are concerned about CSE as well as driving forward the already ongoing work raising awareness, understanding the local picture, supporting victims, facilitating policy, prosecuting offenders, joining up missing

children / trafficking / safety / corporate parenting / community safety / West of Berkshire / Berkshire wide approach.

- 4.9 In relation to Children who go Missing the Department for Education checklist for Local Authorities has been used as a tool to check compliance and CSE has also been considered where appropriate.
- 4.10 As a result of this RBC are currently commissioning from the third sector an organisation to conduct interviews with young people after they have gone missing which is seen as good practice and offers insight and intelligence as well as support to this group of vulnerable children and young people.
- 4.11 Thames Valley Police and Reading Borough Council have arranged training on intelligence sharing taking place in November 2014.
- 4.12 The Serious Cases Panel of the LSCB is to consider the multi-agency issues in respect of response to CSE at the next meeting in light of the Rotherham recommendations.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The work of Children's Social Care is aligned with the strategic priorities of Reading Borough Council and the Reading Health and Wellbeing Strategy 2013-16.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 This is a multi-agency issue and community awareness of the issue will be promoted in the strategy.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 An Equality Impact Assessment is not required for this report.

8. LEGAL IMPLICATIONS

- 8.1 There are no legal implications to this report, although the Children's Social Care work enables the Council to meet the statutory duties set out in the Children Act 1989, the Children Act 2004 and the Childcare Act 2006.

9. FINANCIAL IMPLICATIONS

- 9.1 There is a cost associated with commissioning a new service to undertake missing interviews.

10. BACKGROUND PAPERS

- Rotherham report

Independent Inquiry into Child Sexual Exploitation in Rotherham

1997 - 2013

Alexis Jay OBE

Preface

This Independent Inquiry was commissioned by Rotherham Metropolitan Borough Council in October 2013. Its remit, covering the periods of 1997- 2009 and 2009 - 2013, is appended.

The Inquiry applied the definition of child sexual exploitation which is used in Government guidance and is set out in Appendix 4, paragraph 48 of this report. The methodology included reading a wide range of minutes, reports and case files. We also interviewed over a hundred people, either individually or in groups. I agreed with the Chief Executive that the cut-off point for file reading would be the end of September 2013, and that any evidence available to me up till June 2014 would be included in the report. A confidential email and Freepost address was set up. A list of those interviewed is also appended.

At the beginning of the Inquiry, I agreed with the Chief Executive that I would refer to him without delay any instances of individual children where I considered that their circumstances needed urgent attention, or where there was immediate risk. I also agreed to advise him of anything I encountered of a potentially criminal nature, which I would also refer to the Police.

I was assisted in the Inquiry by Kathy Somers, independent consultant and Associate of the Care Inspectorate in Scotland. Specialist expertise was provided by Sheila Taylor and her team at the National Working Group Network on Child Sexual Exploitation, who also carried out cross reading of a small number of files.

Alexis Jay OBE

21 August 2014

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Executive Summary

No one knows the true scale of child sexual exploitation (CSE) in Rotherham over the years. Our conservative estimate is that approximately 1400 children were sexually exploited over the full Inquiry period, from 1997 to 2013.

In just over a third of cases, children affected by sexual exploitation were previously known to services because of child protection and neglect. It is hard to describe the appalling nature of the abuse that child victims suffered. They were raped by multiple perpetrators, trafficked to other towns and cities in the north of England, abducted, beaten, and intimidated. There were examples of children who had been doused in petrol and threatened with being set alight, threatened with guns, made to witness brutally violent rapes and threatened they would be next if they told anyone. Girls as young as 11 were raped by large numbers of male perpetrators.

This abuse is not confined to the past but continues to this day. In May 2014, the caseload of the specialist child sexual exploitation team was 51. More CSE cases were held by other children's social care teams. There were 16 looked after children who were identified by children's social care as being at serious risk of sexual exploitation or having been sexually exploited. In 2013, the Police received 157 reports concerning child sexual exploitation in the Borough.

Over the first twelve years covered by this Inquiry, the collective failures of political and officer leadership were blatant. From the beginning, there was growing evidence that child sexual exploitation was a serious problem in Rotherham. This came from those working in residential care and from youth workers who knew the young people well.

Within social care, the scale and seriousness of the problem was underplayed by senior managers. At an operational level, the Police gave no priority to CSE, regarding many child victims with contempt and failing to act on their abuse as a crime. Further stark evidence came in 2002, 2003 and 2006 with three reports known to the Police and the Council, which could not have been clearer in their description of the situation in Rotherham. The first of these reports was effectively suppressed because some senior officers disbelieved the data it contained. This had led to suggestions of cover-up. The other two reports set out the links between child sexual exploitation and drugs, guns and criminality in the Borough. These reports were ignored and no action was taken to deal with the issues that were identified in them.

In the early 2000s, a small group of professionals from key agencies met and monitored large numbers of children known to be involved in CSE or at risk but their managers gave little help or support to their efforts. Some at a senior level in the Police and children's social care continued to think the extent of the problem, as described by youth workers, was exaggerated, and seemed intent on reducing the official numbers of children categorised as CSE. At an operational level, staff appeared to be overwhelmed by the numbers involved. There were improvements in the response

of management from about 2007 onwards. By 2009, the children's social care service was acutely understaffed and over stretched, struggling to cope with demand.

Seminars for elected members and senior officers in 2004-05 presented the abuse in the most explicit terms. After these events, nobody could say 'we didn't know'. In 2005, the present Council Leader chaired a group to take forward the issues, but there is no record of its meetings or conclusions, apart from one minute.

By far the majority of perpetrators were described as 'Asian' by victims, yet throughout the entire period, councillors did not engage directly with the Pakistani-heritage community to discuss how best they could jointly address the issue. Some councillors seemed to think it was a one-off problem, which they hoped would go away. Several staff described their nervousness about identifying the ethnic origins of perpetrators for fear of being thought racist; others remembered clear direction from their managers not to do so.

In December 2009, the Minister of State for Children and Families put the Council's children's safeguarding services into intervention, following an extremely critical Ofsted report. The Council was removed from intervention thirteen months later.

The Rotherham Safeguarding Children Board and its predecessor oversaw the development of good inter-agency policies and procedures applicable to CSE. The weakness in their approach was that members of the Safeguarding Board rarely checked whether these were being implemented or whether they were working. The challenge and scrutiny function of the Safeguarding Board and of the Council itself was lacking over several years at a time when it was most required.

In 2013, the Council Leader, who has held office since 2003, apologised for the quality of the Council's safeguarding services being less than it should have been before 2009. This apology should have been made years earlier, and the issue given the political leadership it needed.

There have been many improvements in the last four years by both the Council and the Police. The Police are now well resourced for CSE and well trained, though prosecutions remain low in number. There is a central team in children's social care which works jointly with the Police and deals with child sexual exploitation. This works well but the team struggles to keep pace with the demands of its workload. The Council is facing particular challenges in dealing with increased financial pressures, which inevitably impact on frontline services. The Safeguarding Board has improved its response to child sexual exploitation and holds agencies to account with better systems for file audits and performance reporting. There are still matters for children's social care to address such as good risk assessment, which is absent from too many cases, and there is not enough long-term support for the child victims.

1. Background

- 1.1 The Metropolitan Borough of Rotherham is situated in South Yorkshire, about eight miles from Sheffield. The Borough includes Rotherham itself and the outlying towns of Maltby, Rawmarsh, Swinton and Wath on Dearne. More than half of its area is rural. Its population is 258,400. Around 8% of residents are from black and minority ethnic groups. 23% of properties are council rented. Most of the traditional industries from the 19th and 20th centuries have vanished. After a period of decline in the 1980s and '90s, the local economy has grown steadily and the Borough has benefited from inward investment in the fields of technology and light engineering. Nevertheless, there is a wide range of deprivation in the Borough and stark inequalities between some of the areas within it. Unemployment is well above the UK average. The take-up of all welfare benefits is higher than the English average, as are the levels of free school meals and limiting long-term illness.
- 1.2 The Council comprises 63 elected members, of whom there are 49 Labour, 2 Conservatives, 10 UKIP and 2 Independents. Prior to the local elections in May 2014, there were 57 Labour, 4 Conservatives, 1 UKIP and 1 Independent.
- 1.3 The earliest reference to sexual exploitation of children reported to the Inquiry was about children in a children's residential unit in the early nineties.
- 1.4 Until 2004, responsibility for overseeing and coordinating a multi-agency response to child sexual abuse and exploitation lay with the Area Child Protection Committee. In early 2005, this responsibility passed to the Local Safeguarding Children Board (the Safeguarding Board), which was established by the Children Act 2004. Its task is to co-ordinate the actions of agencies represented on the Board and to ensure their effectiveness in safeguarding and promoting the welfare of children in its area.
- 1.5 In Rotherham, the first Council service to develop a special concern for child sexual exploitation (CSE) was the Risky Business youth project. Founded in 1997, it worked with young people between 11 and 25 years, providing sexual health advice, and help in relation to alcohol and drugs, self-harm, eating disorders, parenting and budgeting. By the late '90s, it was beginning to identify vulnerable girls on the streets of the town. Its relationship with any young person was voluntary on both sides. It was part of the Council's Youth Services, though it derived its funding from various sources in its early years. One of its main functions was the provision of training to voluntary and statutory agencies working in the field, to magistrates, the Police, schools and foster carers.
- 1.6 Within children's social care¹, the sexual exploitation of young people was first recognised as a Executive Director in 2001, though there were many known cases of CSE in the years before then. Risky Business would refer to children's social care

¹ The term 'children's social care' is used throughout the report to refer to the social services provided to children and young people. These had various departmental titles over the years, and are now named Children and Young People's Services.

any young person who gave rise to serious concerns and might require statutory intervention. Between 2001 and 2002, Risky Business participated in a Home Office research pilot whose aim was to find out the most effective approaches to street prostitution. Local agencies challenged the content of the draft report produced in 2002 and questioned its evidence base. While it commended Rotherham's training and fostering programmes, the draft research report contained significant criticisms of the Police and the local authority.

- 1.7 Social work with the victims of sexual abuse and exploitation had been undertaken largely through the Child Protection Unit and Senior Practitioners. Specialisation became more developed in the early 2000s with the establishment of the Safeguarding Children Unit and the Key Players group. Cases of sexual abuse were managed by qualified social workers under the supervision of their team leaders or locality managers. Strategy meetings were independently chaired by the Safeguarding Children Unit.
- 1.8 The organisational structure of the Council changed in 2005, with the separation of adult social services from children and families' social services. The new Department of Children and Young People's Services was created.
- 1.9 In 2003, the Area Child Protection Committee received reports about runaway children and the work of Risky Business. A presentation on sexual exploitation was made to a special seminar for councillors in November 2004. This presentation was explicit about known perpetrators, their ethnic origins, and where they operated. Similar presentations were made to other groups, including the Safeguarding Board, over the following weeks. As a result, the Leader of the Council set up a 'Task and Finish Group' to consider safe travel, safe houses, witness protection, training and publicity to raise public awareness of the issue. Senior councillors attended a conference on child sexual exploitation held in Rotherham in April 2006. A training session for councillors was arranged in June 2007 and a further conference in 2011.
- 1.10 Around late 2003, the Sexual Exploitation Forum was set up. It was multi-agency and met monthly to consider individual cases of children who were being sexually exploited or at risk of exploitation.
- 1.11 Between 2007 – 2013, the Police undertook a series of operations, jointly coordinated and designed to investigate cases of suspected child sexual exploitation, although only one resulted in prosecution and convictions. Operation Central in 2008 investigated groups of men believed to be involved in child sexual exploitation. It ended in 2010 with five convictions. In the same year, Child S was murdered. Operation Czar, begun in 2009, led to the issuing of abduction notices, but no convictions. Operation Chard in 2011 led to abduction notices and 11 arrests but no convictions. In the summer of 2012, Operations K-Alphabet and Kappa began, again joint investigations with children's services. Later that year, Operation Carrington investigated the risks to young people in central Rotherham. In 2013, a police

operation into historic CSE in Rotherham was announced.

- 1.12 In October 2012, the Chief Constable gave evidence on child sexual exploitation to the Home Affairs Select Committee. In January 2013, the Chief Executive and Executive Director for Young People's Services gave evidence. The Select Committee's report was published in June, and was critical of the Council and the Police in Rotherham, particularly for the lack of prosecutions over a number of years.
- 1.13 In August 2013, the Police and Crime Commissioner announced three reviews of child sexual abuse in the South Yorkshire Police area. In September, the Council announced it would commission this Independent Inquiry.
- 1.14 A series of audits, reviews, assessments and inspections of the Council's safeguarding and child protection services were conducted over this period. The Social Services Inspectorate (SSI) and later Ofsted conducted regular inspections, planned or unannounced, notably a full inspection in 2003, a follow-up in 2004, a full inspection in 2008, a 'monitoring visit' in 2009, an unannounced inspection in August 2009, a full inspection in 2010, an unannounced inspection in 2011, and an unannounced review of child protection services in August 2012. Following the inspection in 2009, the Minister of State for Young People and Families issued to the Council a Notice of Requirement to Improve its children's services. The Notice was removed in January 2011.
- 1.15 Apart from Ofsted, children's safeguarding services were regularly subject to scrutiny in the form of Joint Area Reviews (JAR), Annual Performance Assessments, periodic thematic audits, and studies by the Council's Scrutiny and Services Improvement Panels. Serious Case Reviews were undertaken as required. The Serious Case Review on Child S, whilst judged 'excellent' by Ofsted, was criticised by Michael Gove, former Secretary of State for Education, and by The Times newspaper for the number of redactions the public version contained.
- 1.16 In 2013 the Leader of the Council formally apologised to the victims of CSE for the response of the Council's safeguarding services for children and young people, up until 2009.
- 1.17 In addition to the unpublished 2002 Home Office research report, other significant reports relating to the exploitation and abuse of children in Rotherham included two reports by Dr Angie Heal in 2003 and 2006, an external assessment of children's services by Children First (2009), Barnardo's 'Practice Review' (2013), and a 'diagnostic' review by the Chair of the Safeguarding Board (2013).
- 1.18 From 2003 to the present, articles have appeared in the Times Newspaper critical of the response to child sexual exploitation on the part of South Yorkshire Police and the Rotherham Metropolitan Borough Council.

2. Chronology of key events

A summary of important events in the history of child sexual exploitation in Rotherham.

1997

Risky Business project launched.

1998

December 1998

Draft guidance from the Home Office covering 'Children involved in prostitution'.

1999

January 1999

Communication from South Yorkshire Police giving the policy and procedures for 'the protection of children who are being sexually abused through prostitution'.

February and March 1999

The Social Services (Children and Families) Committee received a report on the Home Office draft guidance. The sub-committee of the Area Child Protection Committee (ACPC) received the draft guidance and the police guidance to officers re 'child sexual exploitation'.

2001

The Council funded Risky Business. Funding was maintained and then increased in 2006.

2002

June 2002

Meetings took place between the Police, the Chief Executive of Rotherham Borough Council and senior staff of Education and Social Services on the subject of the Home Office research report.

December 2002

The ACPC's sub-committee considered a report on 'runaway children' and the protection of children experiencing, or at risk of sexual exploitation.

2003

August 2003

Dr Heal, Strategic Drugs Analyst, produced her first report 'Sexual Exploitation, Drug Use and Drug Dealing: the current situation in South Yorkshire'. The report was circulated to all agencies in the Rotherham Drugs Partnership.

September 2003

The ACPC approved revised procedures and protocols relating to the sexual exploitation of children.

The Sexual Exploitation Forum began its work towards the end of 2003.

2004

November 2004 and early 2005

Presentations on the sexual exploitation of children were made to the Council's Children's Executive Group, the Children and Young People's Board and the Safeguarding Board. It was decided that a Task and Finish Group be set up on this subject, chaired by the Leader of the Council. An Action Plan was called for.

2005

The Task and Finish Group decided to arrange a seminar for all Council members, a Partners Away Day, and major publicity to raise the awareness of the risks of sexual exploitation amongst parents, young people and the community. A group would consider child safety, witness protection, safe travel and issues around licensing and taxis.

April 2005

A seminar for all Council members was organised on the subject of child sexual exploitation. 30 elected members attended. CSE would be a principal theme in the 3-year Community Safety Strategy.

The new department of Children and Young People's Services was created, incorporating previous education functions and children and families' social services. Councillor Shaun Wright was appointed Cabinet Member for Children and Young People's Services.

May 2005

An audit of 87 CSE cases was carried out by the Police on behalf of the Sexual Exploitation Forum.

June 2005

The Forum was dealing with over 90 CSE cases and the decision was taken to reduce the number of cases being discussed.

November 2005

The Chair of the Children and Young People's Voluntary Sector wrote to the Chief Executive, asking how the Task and Finish Group had progressed and offering to contribute to its work. The reply has not been traced.

2006

A conference on the sexual exploitation of children was held in Rotherham in March 2006.

Dr Heal, Strategic Drugs Analyst, produced her second report 'Violence and Gun Crime: Exploitation, Prostitution and Drug Markets in South Yorkshire'. The report was circulated to all agencies in the Rotherham Drugs Partnership.

The funding for Risky Business was increased. The Safeguarding Board approved revised procedures and an 'Action Plan for responding to the sexual exploitation of children and young people in Rotherham'.

August 2006

The Children and Young People's Scrutiny Panel called for an updated report on safeguarding around sexual exploitation.

Three month secondment from National Children's Homes. The secondee began to review referral, assessment, planning etc. relating to the Action Plan. She worked with Risky Business and senior managers of Children and Young People's Services.

2007

January 2007

The Council appointed an Assistant Safeguarding Manager with responsibility for CSE services.

The Director, Targeted Services, took on the management of Risky Business.

April 2007

A Strategic Management Team was established to co-ordinate police and social care input to an investigation of grooming and sexual abuse of young boys. Over 70 alleged victims were identified and an adult male was convicted of offences against

10 children. The judge commended the joint work that resulted in the prosecution and conviction of the offender.

June 2007

Shaun Wright, Cabinet Member for Children and Young People's Services, received a report on the 'Protection of Young People from Sexual Assault in Rotherham'. The report was referred to the Children and Young People's Scrutiny Panel and to the Safeguarding Board. It was decided that a training seminar would be held in July for Council members.

December 2007

The Sexual Exploitation Forum heard that Risky Business was inundated with referrals, all of them under 18 years. Some were looked after children. The project was under pressure from those who had referred the children.

2008

Operation Central was set up to investigate men believed to be involved in sexual exploitation. Inter-agency activity was coordinated through the Sexual Exploitation Forum, with input from the Police, Children and Young People's Services and Risky Business. Four young people were witnesses at the subsequent trial, with appropriate support. Five men were subsequently convicted.

Funding for Risky Business was increased.

June 2008

The Safeguarding Board received the annual report on the protection of young people in Rotherham from sexual exploitation. Membership of the Steering Group was expanded to include health and voluntary sector representatives. The 'main service' in this field continued to be Risky Business. It would now promote multi-disciplinary working, group work, a drop-in centre and weekend work.

Work had started involving taxi drivers and licensed premises on the preventive agenda.

July 2008

A new Executive Director of Children and Young People's Services was appointed. Shaun Wright, Cabinet member, received the annual report on the protection of young people in Rotherham from sexual exploitation. He called for a further report on the budget of Risky Business and the likely future pressures on the project. He

received a further report on the protection of young people from sexual exploitation in November 2008.

2009

Statutory guidance on safeguarding children and young people from sexual exploitation was received.

January 2009

Shaun Wright, Cabinet member, received a report by the Director of Targeted Services on the progress of arrangements to protect young people from sexual exploitation.

May 2009

An external assessment of Children and Young People's Services, commissioned from Children First, was published.

Autumn 2009

Ofsted rated Rotherham children's services 'inadequate' on the grounds that the safety of children could not be assured. Three areas for priority action were noted.

September 2009

The Local Safeguarding Children Board received a report on the resource implications of the growing demands on the service in relation to sexual exploitation.

October 2009

A new Chief Executive was appointed.

December 2009

The Minister of State served an Improvement Notice on Rotherham Council.

2010

January 2010

Operation Czar began – a joint Police and Children and Young People's Services investigation involving multiple perpetrators and victims. Abduction notices were made, taxi licences were revoked, but no convictions followed.

February 2010

A Lessons Learned review of Operation Central was commissioned.

April 2010

The Safeguarding Board set up the formal Child Sexual Exploitation sub-group.

May 2010

Councillor Paul Lakin became the Lead Member for Children and Young People's Services.

September 2010

The post of specialist CSE Safeguarding Co-coordinator was created and located within the Children's Safeguarding Unit.

November 2010

Operation Central trial ended with five convictions. Child S was murdered, and a Serious Case Review was commissioned by the Safeguarding Board.

December 2010

The support of the Safeguarding Board was sought to the principle of establishing a multi-agency team to address issues of sexual exploitation. The Director of Community Services in Children and Young People's Services emphasised to the Board that the Risky Business service should be further enhanced.

2011

January 2011

Operation Chard began, a joint investigation into multiple perpetrators and victims. Arrests and abduction notices were made, and taxi licences were revoked. One case was referred to the Crown Prosecution Service, but the decision was taken not to proceed.

Rotherham Children's Services were removed from Government intervention.

April 2011

A large regional conference reviewed the lessons learned from Operation Central. The Risky Business project was transferred from Youth Services to Children's Safeguarding Services.

December 2011

A man was convicted and sentenced to 17.5 years for the murder of Child S.

The Safeguarding Board was assured by Council officers that Rotherham was ahead of other areas in its work on the sexual exploitation of young people.

2012

May 2012

The Serious Case Review on Child S was published. The Times newspaper alleged a cover-up on account of the redactions.

July and August 2012

Operation 'K-Alphabet', a joint CSE investigation with Sheffield Police began, focusing on a perpetrator who lived in Rotherham. A second investigation, operation 'Kappa' began. Several other police operations were underway to investigate and prosecute suspected perpetrators.

August 2012

Ofsted rated Rotherham's child protection services as 'adequate' commending 'significant improvements'.

September 2012

The Times reported an alleged cover-up from 1997 to 2010.

The new specialist CSE service was co-located with the Rotherham Police Public Protection Unit with two qualified social workers.

October 2012

The Chief Constable, South Yorkshire Police, attended the Home Affairs Select Committee.

The Overview and Scrutiny Management Board reviewed lessons learned from the Child S Serious Case Review.

November 2012

Operation Carrington began – a joint investigation focusing on Eastern European children who were being sexually exploited/at risk.

2013

January 2013

The Chief Executive and the Executive Director of Children and Young People's Services gave evidence to the Home Affairs Select Committee.

June 2013

The Executive Director of Children and Young People's services advised the Cabinet on the publication of the Home Affairs Select Committee report 'Child Sexual Exploitation and the response to Localised Grooming'. The Cabinet was told that

between 2003 and 2009 'we fully acknowledge that our services should have been stronger'.

September 2013

Barnardo's completed a Practice Review, which had been commissioned by Rotherham Borough Council as an initial high-level review of its CSE services.

Councillor Roger Stone, Leader of Rotherham Metropolitan Borough Council, announced that an Independent Inquiry into CSE in Rotherham would be held. He apologised 'unreservedly' to young people who had been let down by the safeguarding services which prior to 2009 'simply weren't good enough'.

Shaun Wright, the Police and Crime Commissioner, announced three reviews of CSE, including an HMIC inspection, an additional team of detectives and other specialists to investigate allegations of historic child abuse in South Yorkshire, and the Chief Crown Prosecutor to review all historic CSE cases across South Yorkshire in which the Crown Prosecution Service was involved. Criminal charges were to be considered.

The incoming Chair of the Local Safeguarding Children Board initiated a 'CSE Diagnostic'.

November 2013

HMIC report on South Yorkshire Police's handling of CSE was published.

December 2013

The Safeguarding Board Chair's 'Diagnostic Report' was published.

3. Inspections and External reviews 1998-2013

Inspections frequently commend the Council for its commitment to safeguarding young people, and its efforts to develop multi-agency responses to child sexual exploitation. However, reports contain serious criticisms, some of which are repeated over the 15-year period. Those that occur most frequently relate to the quality of referrals and assessments, the late provision of reports, the standard of records and reports, and weaknesses in performance management. These included lack of monitoring, inadequate supervision and the absence of sound information systems. The Council was served with an Improvement Notice by the Minister of State for Young People and Families in December 2009, which was lifted in January 2011. In subsequent inspections and reviews, its multi-agency approach to CSE and the specialist team were praised.

3.1 In the first part of this chapter, we summarise the findings of inspections by Ofsted, the Social Services Inspectorate and the Commission for Social Care Inspection. For ease of reference, the findings of reports are described (where possible) under standard headings. We then look at other external reviews which were undertaken between 2009 and 2013.

1998

3.2 The Social Services Inspectorate's report (2003) refers back to the **joint review of social services** in Rotherham held in 1998. The review commended the Council on its realistic strategic plans, its partnership with health, its good relations with users and carers, and its culture of continuous improvement. It called for action in the following areas:

a) Quality of response:

- The standard of assessment and decision-making must be improved
- Information about the supply and demand for services should be carefully analysed
- Agreement should be reached on specific thresholds to achieve the best outcomes for children; and

b) Recording - Standards of recording should be made more consistent.

2003

3.3 **The Social Services Inspectorate (SSI)** conducted an inspection of children's services in February 2003. It found 'a situation of extremes'. It welcomed examples of innovation, moves towards integrated services and new preventive strategies. The Area Child Protection Committee's procedures were up to date. However, core services were under pressure and this was not fully appreciated by the Council. There were serious lapses in initial response, child protection and looked after children systems. Some services were in short supply, compounded by staff vacancy levels.

3.4 Other findings included the following:

a) Quality of Response:

- Referral and assessment teams were responding too slowly and inappropriately to some child protection referrals
- Initial and core assessments were not completed on time. They should draw on information from other agencies and family history
- Child protection conferences were often delayed
- Many reports failed to assess the risks to children and their families
- Urgent action by management was needed to ensure the safety and security of children
- Child protection plans and reviews were variable in quality and lacked a focus on outcomes for the children;

b) Policy and Resources - The Council did not fully appreciate the severe pressures under which core services were operating;

c) Management

- Performance management, information systems and quality assurance arrangements did not identify the lapses which were occurring
- Individual casework and decision-making must be more carefully monitored
- Management information was not routinely used to assess performance as part of a performance management culture
- Monitoring gave too little information about operational performance and the achievement of key targets
- Supervision was not tackling drift in planning and lack of procedural compliance
- The role of senior practitioners was not clear;

d) Training

- Some frontline staff and interviewing officers were not sufficiently skilled to cope with the complexity of referrals
- More staff should attend training in equal opportunities, racial awareness, complaints and customer care;

e) Recording

- The structure of case files should be reviewed to promote effective work with children
- The inspection criticised many aspects of case-recording
- The planning and management of investigations were not recorded as a considered process; and

f) Openness, Equality

- While there were examples of good inter-agency work, the Council was not intervening early enough with other agencies to support families
- There were examples of good work, but more should be done to seek the families' views of services
- Parents were often given insufficient notice of case conferences. Reports were not shared with them
- A racial equality scheme had been published and an Ethnic Minorities Development worker appointed. However, the quality of data on gender and ethnicity was uneven
- Services did not respond consistently to the cultural needs of minority ethnic communities.

3.5 The inspectors had been informed that the Police were often reluctant to engage jointly with the Council in investigations. In one instance, when Police had investigated, the decision that the Crown Prosecution Service would not proceed with criminal charges had taken nine months.

2004

3.6 **The Commission for Social Care Inspection (CSCI)** conducted a follow-up inspection of children's services in June 2004. The report declared that Rotherham was 'heading in the right direction'. Good progress had been made. The positive findings were as follows:

a) Quality of response:

- Responses to referrals were more effective and timely
- Internal audits had improved systems, fewer cases were unallocated and fewer children were on the register
- Assessments and reviews were much improved
- Policies and procedures had been updated
- The front-desk service and the team's new structure were commended; and

b) Management

- Strong senior leadership and an improvement team had been a catalyst for change
- There were plans for more co-located, multi-agency services
- Progress on an integrated agenda would lead to improved services.

3.7 Findings that were more negative included:

a) Policy and Resources

- Office accommodation for frontline staff should be improved

- Children's services needed a higher profile and additional funding to address the agenda of change and development;

b) Management

- Monitoring systems were not 'embedded', so that progress was not maintained
- While more managers were working to a high standard, some middle managers were insufficiently aware of what was happening at the frontline. They had a weak grip on the quality of practice
- The creation of a multi-agency co-located service should be accelerated, together with some restructuring;

c) Training

- Some staff did not understand the new action plan and could not make the changes to practice which were required
- Some staff did not see the need for change and lacked capacity for it. Staff needed training and support to make necessary changes
- Staff needed training in the new computer systems;

d) Recording - The standard of recording should be improved; and

e) Openness, Equality - Along with other agencies, service-users should be better consulted and involved in the development of services.

3.8 There was no mention of the sexual exploitation of children in the follow-up inspection of June 2004, nor in any of the previous inspection reports of which the Inquiry team has a copy.

2005

3.9 **The Annual Performance Assessment** in December 2005 recommended that core assessments be improved and that further efforts be made to agree threshold criteria for children at risk.

2006

3.10 **A Joint Area Review** took place in 2006. The report included a recommendation that the timescales for core assessments be improved. It commended the 'effective systems for sharing information about, and responding to children at risk of domestic violence, sexual exploitation and substance abuse.... through the Risky Business project'. The JAR included the comment that children and young people appeared to be safe from abuse and exploitation. As far as we know, this is the first mention of CSE in an inspection report.

3.11 An inspection report on Rotherham's Youth Services of the same date included a similar finding.

2007/2008

- 3.12 **The Commission for Social Care Inspection's Annual Performance Reviews** in 2007 and 2008 reported that the Council's record in 'Delivering Outcomes' was 'Good'; its 'Capacity for Improvement' was 'Promising'.
- 3.13 The reports required that the timescales for the completion of core assessments be improved. They found that management oversight of looked-after children had not ensured that they had been safeguarded.

2009

- 3.14 **Ofsted** conducted an unannounced inspection of 'contact, referral and assessment arrangements' in August 2009. It found three areas for priority action:
- a) Quality of response - The completion of social care assessments was deemed 'particularly weak';
 - b) Policy and Resources - The wide range of work undertaken by locality social workers undermined their capacity to safeguard vulnerable children; and
 - c) Management:
 - Performance management systems and auditing policies did not ensure that managers could exercise their decision-making and supervisory responsibilities
 - Information systems did not provide current and accurate information on contacts, referrals, investigations, assessments and plans.
- 3.15 These three areas were of sufficient concern that the safety of children could not be assured. In consequence, Rotherham's children's services were rated 'poor'.
- 3.16 On 16 December 2009, Dawn Primarolo MP, Minister of State for Young People and Families, wrote to the Leader of the Council, serving an **Improvement Notice** on the Council. Improvements were required in the timing, recording and quality of initial and core assessments; in performance management, auditing, scrutiny and quality assurance; in training and staff supervision; in the management of vacancy rates and staff workloads.

2010.

- 3.17 **Ofsted** conducted an inspection of safeguarding and looked after children in July 2010.
- 3.18 Safeguarding services were deemed to be 'adequate' in their overall effectiveness and capacity for improvement. The partnership between children's social care, the Police and the voluntary sector was carrying out effective and creative work to prevent sexual exploitation, with cross-agency training.

3.19 The report commended the following initiatives:

a) Policy and Resources:

- The Maltby Linx Young Women's project which worked with those who might be at risk of sexual exploitation
- The Integrated Youth Support service where the lesbian, gay and bisexual group could meet in a safe place and receive support
- The Junction, commissioned by Barnardo's, which was directed towards those who might pose a sexual risk to other young people
- The nursing service which was undertaking joint assessments in children's homes and promoting better understanding of sexual health and relationships; and

b) Management - There was effective, creative multi-agency work to prevent sexual exploitation, coordinated by officers from the Police and social care. Although deemed to be no more than 'adequate', the partnership between children's social care, the Police and voluntary sector monitored children missing from care, from home and school, and was alert to sexual exploitation, bullying and forced marriages.

3.20 **Ofsted** published its Annual Assessment of Rotherham's Children's Services in December 2010. The report acknowledged the work that had been done to bring about the improvements which had been required by previous inspections:

- a) Quality of Response - While more initial and full assessments were being carried out on time, the quality of planning and reviews was inadequate, and there was inconsistency in the practice of fieldwork teams;
- b) Recording - The quality of recording was inadequate; and
- c) Openness, Equality - The inspection of safeguarding had found good examples of involving children in the design of services, but the views of the children were not yet routinely heard at child protection conferences.

2011

3.21 Rotherham's children's services were removed from Government intervention in January 2011.

3.22 **Ofsted** conducted an unannounced inspection of contact, referral and assessment in May 2011.

- a) Policy and Resources - The report noted the high level of referrals of domestic violence that were made by the Police to children's social care. This pressure led to delays in screening them;
- b) Management
- Quality audits, case monitoring and performance assessment had improved

- The multi-agency partnerships, co-located with social workers, had led to more comprehensive assessments of need and risk
 - The regularity and quality of supervision were variable, sometimes poor;
- c) Training - Newly qualified social workers did not have access to professional development programmes; and
- d) Openness, Equality - The views of young people were more often sought in planning services for them.
- 3.23 **Ofsted's** Annual Children's Services Assessment took place in November 2011. The Council was commended for having invited a peer challenge team to review its safeguarding services. (The peer challenge review is described later in this chapter). These services were showing improvements. Other comments and recommendations related solely to education services.

2012

- 3.24 **Ofsted** conducted an inspection of Rotherham's arrangements for the protection of children in July 2012. The findings were:
- a) Quality of Response:
- The overall effectiveness of the arrangements to protect children was considered to be 'adequate'
 - Information about missing children and children at risk of sexual exploitation was being shared at an early stage and the work was well coordinated
 - There was good collaborative work between the local authority and the Police resulting in a targeted approach to tackling sexual exploitation
 - The success of this approach was being strengthened by the commitment to create a team of qualified social workers based within the Public Protection Unit
 - The inspection called for child-focused risk assessments in cases of domestic abuse and greater challenge of the safeguarding system;
- b) Management - With specific reference to the sexual exploitation of children, the report commended the specialist multi-agency team to support children at risk; and
- c) Openness, Equality - There should be careful evaluation of the feedback received from children and parents subject to child protection.
- 3.25 The inspection found that the Local Safeguarding Children Board had become more effective, having established multi-agency sub-groups protecting children at risk of sexual exploitation. A recent serious case review had been considered to be 'excellent' by Ofsted. In order to provide a stronger challenge in key areas of child protection, the Board planned to sharpen its priorities and commission multi-agency case audits.

Other external reviews

3.26 In the rest of this chapter, we summarise the findings of external reviews, together with the review conducted by the Independent Chair of the Safeguarding Board in 2013.

Children First's 'Rotherham Review of Children's Services', 2009

- 3.27 The Borough Council and NHS Rotherham commissioned Children First to undertake a review of Children and Young People's Services following the negative judgements made in the 2008 Annual Performance Assessment letter. The Assessment had shown deterioration in its overall rating of the services. The sexual exploitation of children was not mentioned either in the Assessment letter or in the Children First Review. In the latter, it was covered by the remit: 'To assess the effectiveness of safeguarding arrangements to ensure that sound and safe practices were in place to protect vulnerable children and young people'.
- 3.28 The Review commended senior councillors and managers for their commitment to achieving the best outcomes for children and young people, and it endorsed many of the initiatives that the Council and partner agencies had taken in recent years. It recalled the efforts which had been made to achieve truly integrated working with partner agencies around the Change for Children agenda, and concluded that this 'highly ambitious' project had led to a loss of focus on the overall strategic aim and the clarity of its message. It recommended that there be a review of the 'vision, purpose, function and delivery' of services to 'reflect local experience and national expectations'.
- 3.29 In commending the current Action Plan, the Review drew attention to the 'excessive number of teams and panels', which could lead to confusion and increased risk. There was confusion about line management and accountability for outcomes; self-evaluation and quality assurance lacked rigour and effective challenge; information was not adequately monitored or used for performance improvement.
- 3.30 While supporting the move towards an integrated model of services, the Review thought that the Borough could do more. Staff should be fully trained to understand the model's implications; procedures should be directed towards its effective application; the relationship between central services and locality teams was confused and should be clarified.
- 3.31 The Review expressed concern that children's social care in Rotherham was inadequately funded, not least its high-risk services. The very high rate of referrals reflected the social conditions in many parts of the Borough, the chronic neglect, the poor standards of child care, the level of domestic violence and drug abuse, all of which had a direct impact on the welfare and safety of children.

'Lessons learned review' - Operation Central, 2010

- 3.32 The report was commissioned by the Local Safeguarding Children Board in April 2010 and submitted at the end of July 2010. It was carried out by Malcolm Stevens, Justice Care Solutions. Its aim was to examine how individuals and agencies worked together on CSE, and to make recommendations with a view to improving liaison and identifying lessons to be learned.
- 3.33 Operation 'Central' investigated alleged CSE offences committed against many girls by males aged 20-29. Charges were brought in respect of four girls aged 12-16. At the time of the review, a criminal trial was underway at the Crown Court, hence there were some limitations on the evidence that could be used in the report. The defendants were eight local men of Asian origin. Five were convicted.
- 3.34 The evidence suggested that CSE in Rotherham was extremely serious. The report praised the Safeguarding Board for seeking to 'identify, adapt, adopt and improve'. The report relied on transcripts of interviews by the Police with victims, scrutiny of inspections, reports and other records.
- 3.35 The Police were said in the review to have shown patience, care and empathy in helping the girls relate their stories. The report described the grooming techniques used towards the girls. It was clear that the offences under Operation Central represented a small proportion of current CSE offences in the Borough. Any connection between the offences and illicit substance abuse was said to be peripheral and tenuous. There appeared to be no link with prostitution. Apart from the gift of a mobile phone, victims received no reward or inducement. The report deplored the BNP's campaign based on the Asian origin of the perpetrators.
- 3.36 Emma Jackson, a survivor, said that few practitioners understood what went on. Risky Business was helpful and trustworthy.
- "They didn't listen to me...they must be trained to understand CSE better and intervene earlier. There should be more people like Risky Business".*
- 3.37 The review looked at one case ('Child 3') in detail. Findings included:
- a) Information from the school, social care, police and the youth service was not submitted to the Strategy meetings;
 - b) key indicators were missed;
 - c) Strategy meetings' recommendations were not acted upon;
 - d) the Youth Offending Team was always absent from Strategy meetings;
 - e) social care was inadequately represented; failings in consistency and seniority of attendance;
 - f) follow-up meetings were cancelled or postponed; too little priority was given to the CSE concerns of Risky Business and the police PPU;

- g) agencies did not know which others, if any, were involved in a case;
 - h) Child 3 was treated as a criminal; and
 - i) there was 'over reliance on Strategy meetings rather than effective case management at locality level'.
- 3.38 Risky Business was well thought of by young people. It was helpful to the Police. It attended all Strategy meetings and had good working relations with the PPU and Safer Neighbourhood Teams. Its location was unsuitable and its specialist computer systems were not operational. The police PPU was well integrated within the CSE networks and worked well with Risky Business and social care teams.
- 3.39 The report sought a greater role for Risky Business in 'ensuring that whatever actions were necessary were actioned in a way acceptable to victims'. A multi-agency team should be built around Risky Business to specialise in tackling CSE (prevention, protection, disruption, training, support, supervision). Still in the context of Risky Business and the CSE team, the report talked of better co-ordination, management, monitoring and intelligence, but this was 'not a recommendation for more resources'. It even suggested that Risky Business should 'pursue, support and co-ordinate children's entitlement to compensation'.
- 3.40 In addition to the above, the report sought better support for, and protection of witnesses at the Crown Court. Other recommendations related to:
- a) Victims' wishes to be obtained throughout the trial and afterwards;
 - b) Likewise, parents' views should be obtained;
 - c) The function and conduct of Strategy meetings to be reviewed;
 - d) The Youth Offending Team should be more involved in CSE proceedings; and
 - e) Staff working directly with CSE cases to be offered counselling.

The Safeguarding Peer Challenge, 2011

- 3.41 This was organised by the Local Government Association in November 2011. Its findings were:
- a) Quality of Response - On safeguarding services, it called for a stronger focus on outcomes for children, on the effectiveness of the services in making a difference to children's lives;
 - b) Management:
 - The report commended strong political and managerial leadership
 - Roles and responsibilities of the several Boards and Partnerships should be clarified and their plans and expectations made more widely known;
 - c) Openness and Equality – The report commended:
 - the level of partnership and joint working with the voluntary sector

- a commitment to user engagement and the safeguarding of children.

Barnardo's 'Rotherham Practice Review report', October 2013

- 3.42 In August 2013, Rotherham Metropolitan Borough Council commissioned Barnardo's to undertake an 'initial high-level review' of CSE services. The review covered the effectiveness of inter-agency working; the current model of service delivery; the training strategy; the sharing of information and the multi-agency risk assessment model. The report commended agencies and Council members for their commitment to addressing CSE and their plans to widen the inter-agency partnership to include businesses, social landlords and local communities. It suggested further extension of the partnership to include hotels and B&Bs, taxis and public transport, food outlets, shopping centres, pubs and clubs.
- 3.43 The report drew attention to the severe pressures under which the CSE specialist team was working. The team was still in the development phase. A named, designated manager should be made responsible for the day-to-day work of the team. Senior managers were making heavy demands relating to performance management and data-collection, some of which did not relate to CSE. Management of the team was made more difficult by the differing priorities of its constituent members. At all levels, staff were feeling over-managed. There was additional anxiety arising from recent media interest, the Home Affairs Select Committee and the threat of inspection.
- 3.44 Further progress was recommended in the integration and training of professionals in the identification and prevention of CSE, within the overall embrace of the Safeguarding Board. Multi-agency working called for the removal of barriers that were based on stereotypical viewpoints of police, health and social care. Engagement with young people and their families required a different approach from traditional policing and social work methods, and different operational processes.
- 3.45 The report noted that an inter-agency communications strategy was being devised. It called for further improvements in the analysis of information relating to the victim, the offender and the location; and for staff training to ensure that the system worked effectively. The outreach work should be expanded to become more clearly targeted, more assertive, and more directed towards early intervention. The report listed the services in health and education that should contribute to this process. Through a 'train the trainer' approach, training should be extended to all faith groups and communities including the business community.

Rotherham Local Safeguarding Children Board 'Review of the response to child sexual exploitation in Rotherham' December 2013

- 3.46 This report was compiled at the initiative of Steve Ashley who took up his appointment as Independent Chair of the Board in September of that year. He was

assisted in the study by a small group of independent persons with wide experience in this field. The terms of reference were to review the way in which members of the Safeguarding Board co-operate together and contribute to the Board's work; the effectiveness of their current plans; and the benchmarking of Rotherham's services against national standards. The terms included the provision of proposals for the governance of the Safeguarding Board in relation to child sexual exploitation (CSE) and a review of progress made against the recommendations of earlier inspections and reports.

- 3.47 The review gave an overview of the current arrangements. It was sensitive to the great pressures to which the Borough Council had been subject in recent months and the effect which these pressures had upon staff at all levels. It recognised the efforts that had been made since 2010 to improve the response that the Council and its partner agencies had made towards child sexual exploitation. It recorded the determination that staff were showing towards the attainment of excellence in this difficult work.
- 3.48 The report understood the reasons for the creation of a specialist multi-agency team dealing with CSE, and it suggested that the team should, in time, become integrated within the mainstream of children's services.
- 3.49 The review put forward cogent arguments for the improved management of the multi-agency CSE team. As the paper suggested, the CSE team had been set up in a hurry at a time of considerable turmoil. A new management structure would strengthen accountability and remove the ambiguities that existed in the present arrangements.
- 3.50 The review team considered the governance structures to be difficult to understand. This lack of comprehension extended to staff at all levels. The team also found confusion about the roles and responsibilities of the several bodies functioning within the system. There was a risk of overlap between the various groups and sub-groups, leading to blurred accountability. The membership of some could be reduced with profit.
- 3.51 The current action plan was deemed to be too complicated and lacking a clear focus on outcomes for children. It should be a more workable document setting priorities that were truly achievable. Again many staff did not appear to understand the plan or its significance. Although the review did not state this explicitly, it implied that preparation of the plan had been absorbing a disproportionate amount of management time, more of which should have been devoted to ensuring high quality work with children and families at the one-to-one level.
- 3.52 The review supported the absorption of Risky Business into the multi-disciplinary safeguarding structure. It talked of Risky Business as having 'failed' because of the weight of expectations placed upon it. It recommended that the CSE team should

forge closer links with the Integrated Youth and Support Service (IYSS) to ensure that the 'Prevent' approach to the work be maintained and developed.

HMIC independent Assessment of South Yorkshire Police's Response to Child Sexual Exploitation, 2013

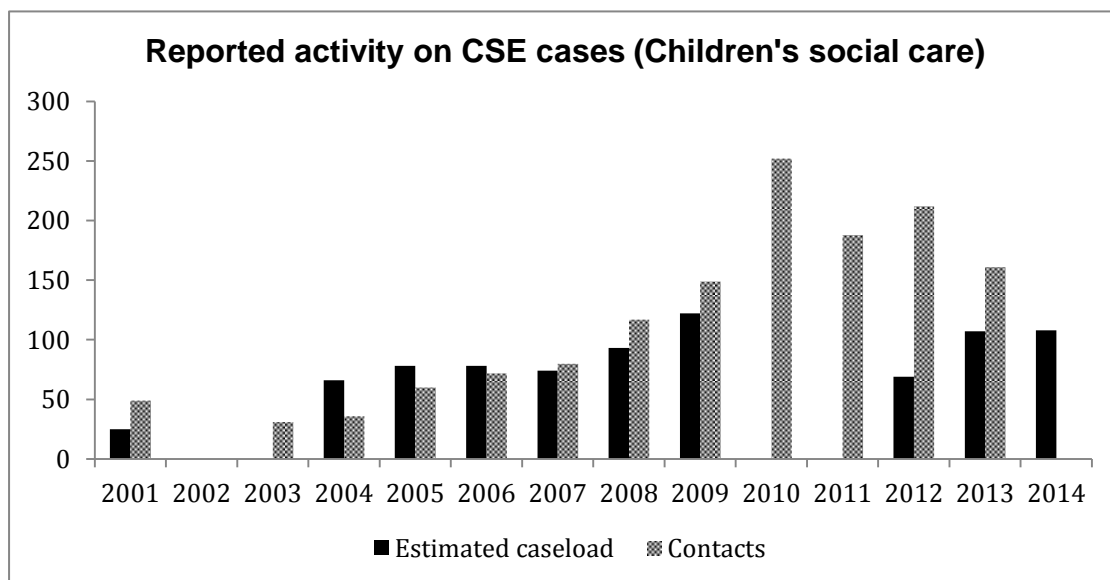
- 3.53 In August 2013, the Police and Crime Commissioner (PCC) for South Yorkshire Police asked Her Majesty's Inspectorate of Constabulary to provide an independent assessment of the arrangements made by South Yorkshire Police to protect children from sexual exploitation, and to make recommendations. The report dealt with issues of leadership, strategies, structures, processes, training, intelligence and innovation. It identified strengths and weaknesses under each heading, and listed actions to be undertaken in the short, medium and longer terms.
- 3.54 The report found all staff to be 'conscientious, enthusiastic and focused on providing good outcomes for the children with whom they work'. More staff had been dedicated to CSE. The force had improved its engagement with other agencies working in this field and had co-operated with them in developing strategies for preventing children becoming victims of CSE; for protecting those at risk; and for supporting children in all situations. It had done good work in schools, particularly in relation to internet safety. All 1700 frontline staff had received training in CSE work. The report commended South Yorkshire Police's comprehensive action on the sexual exploitation of children.
- 3.55 The PCC and the Chief Constable had stated that the protection of children from sexual exploitation was a top priority for the force. The report found, however, that this had not been translated into operational activity on the ground at local level. Local resources were not fully supporting investigations of CSE. Many staff felt that senior and middle managers were more focused on dealing with offences such as burglary and vehicle crime. Since there were no operational targets for dealing with CSE, it lost out to crimes that were governed by them. Many officers and staff were confused about the messages that they received from senior leaders about CSE, to the extent that they did not know who had overall responsibility for this aspect of their work. Staff in the Public Protection and CSE units were working in crowded offices; they were ill equipped and were struggling to manage their caseloads. In Rotherham, these caseloads were deemed to be especially hard to manage.
- 3.56 The report called on South Yorkshire Police to improve the auditing and recording of its response to CSE; to evaluate the effect of the changes which it was making, especially in relation to its protective work; and to apply research and analysis to support police work on CSE, together with improved monitoring of the internet for evidence of it.

4. The scale of child sexual exploitation in Rotherham

No one knows the true scale of sexual exploitation in Rotherham over the years. Our conservative estimate is that there were more than 1400 victims in the period covered by the Inquiry, and an unknown number who were at risk of being exploited. Child victims of sexual exploitation make up a tiny proportion of contacts and referrals to children's social care, but they constitute a very significant proportion of the children at risk of serious injury and harm. Even in 2014, young people told us they would be reluctant to come forward for help because they would feel ashamed or afraid. Many more females than males have been identified as having been sexually exploited, and there must be concern about under-reporting of exploitation of young males. Some children are exposed to exploitation when they become looked after. And some exploited children are used by perpetrators to gain access to looked after children. It is a matter of particular concern when children are placed out of their home area. This is a cross boundary issue that requires clear agreements between Councils in the interest of safeguarding all looked after children.

The Scale of the Problem in Rotherham

4.1 Children's social care introduced CSE as a category for referral in 2001. However, many exploited children were wrongly categorised as being 'out of control'. Prior to January 2013, the Police did not have a separate category for CSE. Neither agency had compiled reliable data that the Inquiry could use to estimate the scale of the problem over time. There was good information about cases open to the CSE team or co-worked by them, but information about other children being supported by children's social care was not easily obtained.



4.2 In the chart above we summarise what we were able to find out about caseloads and contacts received by children's social care. The data must be treated with caution. The figures were not collected or presented in a systematic way from year to year. Nevertheless, the chart gives a broad indication of the scale of the problem as reflected in children's social care records.

- 4.3 The Inquiry was given a list of 988 children known to children's social care, or the Police. 51 were current cases and 937 historic. We read 66 case files in total.
- 4.4 We took a randomised sample of 19 current and 19 historic cases. In 95% of the files sampled, there was clear evidence that the child had been a victim of sexual exploitation. Only two children (5%) were at risk of being exploited rather than victims. From the random samples, we concluded that it was very probable that a high proportion of the 988 children were victims.
- 4.5 A further 28 case files were read. 22 were historic cases sampled from lists of suspected victims in police operations, including Central, Czar and Chard. Three were current cases brought to our attention during the course of the Inquiry, and three were historic cases of children who had been highlighted by national media. All 28 children were victims of sexual exploitation.
- 4.6 To help reach an overall estimate of the problem, we used reports to the Local Safeguarding Children Board (formerly the ACPC) and Council committees. We examined minutes of the Sexual Exploitation Forum and minutes of independently chaired Strategy meetings where individual children were discussed. These included inter-agency discussions about hundreds of children who had suffered, or were at serious risk of sexual exploitation. We also had access to lists, and sometimes summary descriptions, of many hundreds of children who were supported by Risky Business, individually or in group sessions.
- 4.7 Taking all these sources together, the Inquiry concluded that at least 1400 children were sexually exploited between 1997 and 2013. This is likely to be a conservative estimate of the true scale of the problem. We are unable to assess the numbers of other children who may have been at risk of exploitation, or those who were exploited but not known to any agency. This includes some who were forced to witness other children being assaulted and abused.
- 4.8 During the Inquiry, senior managers in children's social care commented to us that CSE comprises a very small proportion of the total contacts/referrals to children's social care – just over 2%. One manager was reported in a recent minute of the Child Sexual Exploitation sub-group as saying that 'agencies need to retain a sense of proportionality with regard to child sexual exploitation, as it only actually accounts for 2.3% of the Council's safeguarding work in Rotherham. Although it is a very important issue, child neglect is a much more significant problem'. This is not an appropriate message for senior managers to give. We fully support the view expressed by police officers responsible for CSE in Rotherham – 'It may be 2% of referrals but these children are a high proportion of the children most at risk of serious injury and harm'.
- 4.9 In 2013, South Yorkshire Police received 157 reports concerning child sexual

exploitation in Rotherham. Police activity² since 2012 was as follows:

	Prosecutions	Cautions	No further action (CPS) ³	No further action (D.I) ⁴	Abduction Notices
2012	8	0	0	2	7
2013	9	2	0	7	17
2014 ⁵	1	0	0	0	6

- 4.10 Child sexual exploitation became the focus of attention in Rotherham in the late 1990s, when the Risky Business project was established. Several experienced workers told us that they had come across examples of child sexual exploitation from the early – mid 1990s onward, and there was awareness at that time that looked after children in local residential units were at risk of being targeted.
- 4.11 At the time of the Inquiry there was no standardised reporting of child sexual exploitation that would allow reliable judgements about whether child sexual exploitation was more or less prevalent in Rotherham than in other parts of the country and the very nature of the problem means that accurate reporting will continue to be a challenge. It seems likely that the existence of the Risky Business project, its ability to attract referrals directly from children and parents affected by sexual exploitation, and the attention given to child sexual exploitation at a multi-agency level over the years meant that the problem would have been more visible in Rotherham than in some other parts of the country.
- 4.12 Many of the young people we met knew victims of CSE, either family members or young people they knew from school. They gave examples of children being bullied and ostracised at school because they were involved in sexual exploitation, and also knew children who became looked after and were placed far away from Rotherham. They told us that children would be reluctant to seek help because they would be ashamed and also afraid that they would be placed out of the area far away from their families and friends. One young person told us that ‘gang rape’ was a usual part of growing up in the area of Rotherham in which she lived.

Risk Factors

- 4.13 Risk factors for CSE are increasingly well understood. The majority of children whose files we read had multiple reported missing episodes. Addiction and mental health emerged as common themes in the files. Almost 50% of children who were sexually exploited or at risk had misused alcohol or other substances (this was typically part of

² The figures do not include offences against Rotherham children who were trafficked to other areas; these are recorded in the area where the offence took place

³ Decision taken by Crown Prosecution Service

⁴ Decision taken by Detective Inspector, South Yorkshire Police

⁵ 2014 figures are for Quarter 1 only.

the grooming process), a third had mental health problems (again, often as a result of abuse) and two thirds had emotional health difficulties. There were issues of parental addiction in 20% of cases and parental mental health issues in over a third of cases. Barriers to accessing specialist counselling and/or mental health services for children and young people were a recurrent theme. This was a feature in current as well as historic cases.

4.14 In just over a third of cases, children affected by sexual exploitation were previously known to services because of child protection and child neglect. There was a history of domestic violence in 46% of cases. Truancy and school refusal were recorded in 63% of cases and 63% of children had been reported missing more than once.

4.15 We cover looked after children in Chapter 6.

Gender

4.16 Generally, there has been relatively low reporting of sexual exploitation of young males, with the exception of the police operation and a criminal conviction in 2007 of an offender who abused over 80 boys and young men. Over the years, this was identified at inter-agency meetings and in CSE plans as an issue that required attention in Rotherham. That continues to be the case today.

4.17 Six of the CSE team's caseload at May 2014 were male, and 45 female.

4.18 We read the files of ten boys who were groomed and abused by the lone male prosecuted and sentenced in 2007, and a further seven files of boys/young men who were his alleged victims. Following the trial, children's social care considered only two of the ten victims to meet the threshold for social care, although many had been raped and at least one was suspected of being involved in abusing other child victims. So far as we could ascertain from the files, none of these children was referred to Risky Business, and only one was referred for specialist counselling, where there was a long waiting list. One of the children who failed to meet the threshold for social care went on to become a serious sex offender, convicted of the abduction and rape of young girls.

4.19 The Inquiry team did a detailed analysis of four cases involving young boys. We reviewed one young teenager with the specialist team from the National Working Group Network. Several issues emerged from the latter case, including:

- a) the importance of making sure that judgments about child sexual exploitation are consistent and gender neutral, for example by asking if the same level of risk would be acceptable if the child was the opposite gender;
- b) supporting children to explore their sexuality in safe ways, including building links and referral pathways to local LGBT projects that could provide appropriate information and advice; and

- c) understanding the extreme danger children could put themselves in when they made contact with predatory adults because they did not know where else to find out about their sexuality. This needed to be better reflected in risk assessments.

5. The children who were victims of sexual exploitation.

The impact of sexual exploitation on the lives of young victims has been absolutely devastating, not just when they were being abused, but for many years afterwards. Here we describe how the lives of these children were affected by the trauma they suffered.

- 5.1 The primary source of evidence for this chapter derives from 66 case files read by the Inquiry team. This was checked against minuted case discussions, letters from and interviews with parents, and a small number of interviews with young people who had been sexually exploited.
- 5.2 Meetings of the Sexual Exploitation Forum discussed individual children, as did independently chaired case conferences and Strategy meetings. Their minutes were often detailed, and covered many hundreds of children, and a significant number of suspected perpetrators. These were inter-agency meetings where information and assessments were validated or contested by professionals from the different organisations. The Inquiry team has also checked its evidence against the findings in other reports, notably those in the 'Home Office report' summarised in chapter 10. No contrary evidence was found in any of these sources.
- 5.3 The Inquiry team concluded that the case files and the other sources described above contained accurate information about the experiences of the child victims.
- 5.4 The cases described in this chapter are very typical of many of the files we read and were chosen to give a fair reflection of what many victims experienced. They include some, but by no means all, of the most serious cases we read. All of the children described in this section were under the age of 16 when they were first abused. Every effort has been made to protect the identity of the victims and minor details have been omitted or altered where necessary. Quotes throughout this chapter are taken directly from what children and their parents said or wrote.
- 5.5 In this part of the report, we have not specified the ethnicity of the victims or the perpetrators. In a large number of the historic cases in particular, most of the victims in the cases we sampled were white British children, and the majority of the perpetrators were from minority ethnic communities. They were described generically in the files as 'Asian males' without precise reference being made to their ethnicity.

Experiences of Exploited Children

- 5.6 It is difficult to describe the appalling nature of the abuse that the victims of sexual exploitation in Rotherham have endured over the years. Victims were raped by multiple perpetrators, trafficked to other towns and cities in the North of England,
- 5.7 abducted, beaten and intimidated. Some of their experiences were described in

national media reports. We read three case files that had been covered by the media, and considered the reporting to be accurate.

- 5.8 We read cases where a child was doused in petrol and threatened with being set alight, children who were threatened with guns, children who witnessed brutally violent rapes and were threatened that they would be the next victim if they told anyone. Girls as young as 11 were raped by large numbers of male perpetrators, one after the other.

“What’s the point... I might as well be dead.”

- 5.9 In two of the cases we read, fathers tracked down their daughters and tried to remove them from houses where they were being abused, only to be arrested themselves when police were called to the scene. In a small number of cases (which have already received media attention) the victims were arrested for offences such as breach of the peace or being drunk and disorderly, with no action taken against the perpetrators of rape and sexual assault against children.

- 5.10 There are numerous historic examples (up to the mid-2000s) of children being stalked by their abusers, and some extreme cases of violent threats or actual assaults on the victims and their families.

- 5.11 One parent, who agreed to her child being placed in a residential unit in order to protect her, wrote to children’s social care expressing her fears for her daughter’s safety. She described her despair that instead of being protected, her child was being exposed to even worse abuse than when she was at home:

“My child (age 13) may appear to be a mature child, yet some of her actions and the risks to which she constantly puts herself are those of a very immature and naïve person. She constantly stays out all night getting drunk, mixing with older mature adults, and refuses to be bound by any rules.”

- 5.12 One child who was being prepared to give evidence received a text saying the perpetrator had her younger sister and the choice of what happened next was up to her. She withdrew her statements. At least two other families were terrorised by groups of perpetrators, sitting in cars outside the family home, smashing windows, making abusive and threatening phone calls. On some occasions child victims went back to perpetrators in the belief that this was the only way their parents and other children in the family would be safe. In the most extreme cases, no one in the family believed that the authorities could protect them.

- 5.13 Many of the victims were unable to recognise that they had been groomed and exploited, and some blamed themselves not just for their own abuse, but for what happened to other victims.

- 5.14 There have been a small number of successful prosecutions for offences against individual children. The courage required of children to give evidence against their attackers has been rightly commended, but the challenges cannot be

underestimated. Many other children refused to give evidence and/or withdrew statements as a direct result of threats, intimidation and assaults against them or their families. Overall, the small number of prosecutions and convictions has been disproportionate to the numbers of children abused and the seriousness of the offences committed against them.

Grooming

- 5.15 The process of grooming has been well documented in national reports and research. Many of the cases we examined showed classic evidence of grooming. Many of the children were already vulnerable when grooming began. The perpetrators targeted children's residential units and residential services for care leavers. It was not unusual for children in residential services and schools to introduce other children to the perpetrators.

"I know he really loves me ... (about a perpetrator convicted of very serious offences against other children)"

- 5.16 Many of the case files we read described children who had troubled family backgrounds, with a history of domestic violence, parental addiction, and in some cases serious mental health problems. A significant number of the victims had a history of child neglect and/or sexual abuse when they were younger. Some had a desperate need for attention and affection.

"He may have other girlfriends but I am special..."

- 5.17 Schools raised the alert over the years about children as young as 11, 12 and 13 being picked up outside schools by cars and taxis, given presents and mobile phones and taken to meet large numbers of unknown males in Rotherham, other local towns and cities, and further afield. Typically, children were courted by a young man whom they believed to be their boyfriend. Over a period of time, the child would be introduced to older men who cultivated them and supplied them with gifts, free alcohol and sometimes drugs. Children were initially flattered by the attention paid to them, and impressed by the apparent wealth and sophistication of those grooming them.

"Boys gave me drink and drugs for free... I was driven around in fast cars".

- 5.18 Many were utterly convinced that they were special in the affections of a perpetrator, despite all the evidence that many other children were being groomed and abused by the same person. Some of the victims were never able to accept that they had been groomed and abused by one or more sexual predators. A key objective of the perpetrators was to isolate victims from family and friends as part of the grooming process.

- 5.19 Over time, methods of grooming have changed as mobile technology has advanced.

Mobile phones, social networking sites and mobile apps have become common ways of identifying and targeting vulnerable children and young people and we heard concerns from local agencies in Rotherham that much younger children were being targeted in this way. A number of the recent case files we read demonstrated that by unguarded use of text and video messaging and social networking sites, children had unwittingly placed themselves in a position where they could be targeted, sometimes in a matter of days or hours, by sexual predators from all over the world. In a small number of cases, this led to direct physical contact, rape and sexual abuse with one or more perpetrators. The comment was made that grooming could move from online to personal contact very quickly indeed. One of the most worrying features is the ease with which young children aged from about 8-10 years can be targeted and exploited in this way without their families being aware of the dangers associated with internet use.

- 5.20 Several social work practitioners told us that they were aware of the problem of the sexual exploitation of children in Rotherham from the early to mid-1990s, although it was not well recognised or understood and was often described as ‘child prostitution’. By the late 1990s, Rotherham was one of a relatively small number of places where the problem was being addressed. In 2000, Risky Business delivered training on the sexual exploitation of children to many local agencies, and there was a growing awareness of the seriousness of the problem locally and the numbers of children and young people affected.
- 5.21 **Child A (2000)**⁶ was 12 when the risk of sexual exploitation became known. She was associating with a group of older Asian men and possibly taking drugs. She disclosed having had intercourse with 5 adults. Two of the adults received police cautions after admitting to the Police that they had intercourse with Child A. Child A continued to go missing and was at high risk of sexual exploitation. A child protection case conference was held. It was agreed by all at the conference that Child A should be registered. However, the CID representative argued against the category of sexual abuse being used because he thought that Child A had been ‘100% consensual in every incident’. This was overruled, with all others at the case conference demonstrating a clear understanding that this was a crime and a young child was not capable of consenting to the abuse she had suffered. She was supported appropriately once she was placed on the child protection register.
- 5.22 **Child B (2001)** was referred to Risky Business by her school when she was 15 years old. By that time, she had been groomed by an older man involved in the exploitation of other children. Child B loved this man and believed he loved her. He trafficked her to Leeds, Bradford and Sheffield and offered to provide her with a flat in one of those cities. A child protection referral was made but the social care case file recorded no response to this. The case was discussed at regular Key Players

⁶ The year in brackets is the year is when sexual exploitation is first known to have occurred, or when the risk of exploitation was identified.

meetings (no records of these meetings have survived). Within just a few months, Child B and her family were living in fear of their lives. The windows in their house were put in. She and her family received threats that she would be forced into prostitution. Child B was assaulted by other victims at the instigation of the perpetrator. An attack on her older sibling by associates of the perpetrator resulted in him being hospitalised with serious injuries. Child B also required hospital treatment for injuries she sustained. A younger child in the family was threatened and had to go into hiding so that the perpetrators could not carry out threats against her. Child B and her mother refused to have anything more to do with the Police, because they believed the Police could do nothing to protect them. Child B had been stalked and had petrol poured over her and was threatened with being set alight. She took overdoses. She and her family were too terrified to make statements to the Police. By the time Child B was 18, her family situation had broken down and she was homeless. She referred herself to children's social care, and was given advice about benefits. No further action was taken. This child and her family were completely failed by all services with the exception of Risky Business.

5.23 **Child C (2002)** was 14 when sexual exploitation was identified. She was referred several times to children's social care between 2002 and 2004 because of family breakdown. She was described as being out of control. Her mother voiced her concerns about Child C being sexually active, going missing and repeated incidents of severe intoxication when she had been plied with drink by older males. Several initial assessments were carried out and some family support was offered. The case was then closed. The social worker's assessment was that Child C's mother was not able to accept her growing up. In fact, she was displaying what are now known to be classic indicators of child sexual exploitation from the age of 11. By the age of 13, she was at risk from violent perpetrators, associating with other victims of sexual exploitation, misusing drugs, and at high risk. She was referred to Risky Business whose staff identified these risk factors and addressed them through a planned programme of preventive work.

5.24 **Child D (2003)** was 13 when she was groomed by a violent sexual predator who raped and trafficked her. Her parents, Risky Business and Child D herself all understood the seriousness of the abuse, violence and intimidation she suffered. Police and children's social care were ineffective and seemed to blame the child. A core assessment was done but could not be traced on the file. An initial assessment accurately described the risks to Child D but appeared to blame her for 'placing herself at risk of sexual exploitation and danger'. Other than Risky Business, agencies showed no comprehension that she had been groomed at 13, that she was terrified of the perpetrators, and that her attempts to placate them were themselves a symptom of the serious emotional harm that CSE had caused her. Risky Business worked very hard with Child D and her parents. None of the other agencies intervened effectively to protect her, and she and her parents understandably had no confidence in them.

- 5.25 **Child E (2004)** became a looked after child when she was aged 12. She had an abusive family background and her parents had mental health problems. She became a victim of child sexual exploitation while she was looked after in a local children's unit. Her looked after file could not be traced, although minutes from looked after reviews were accessed on the Risky Business file. Child E was described as very naïve, and desperate for affection. She was very vulnerable to coercion and was sexually exploited when a looked after child by adult males she thought were her boyfriends. Notes from the children's unit files at the time suggest there was a level of chaos surrounding the care of Child E and other children in the unit, with staff powerless as older children in the residential units introduced younger and more vulnerable children like Child E to predatory adult males who were targeting children's homes.
- 5.26 Whilst looked after, she was prematurely moved into semi-independent accommodation, where she became even more at risk of harm. She was then admitted to a residential adolescent mental health unit after she suffered a psychotic episode. There is evidence on the file that at that point every effort was made by social care staff to support her and find a suitable care placement. She was found a specialist foster placement at the age of 16, and benefited from a supportive and caring environment. Whilst there was some evidence of positive outcomes when she was 16, the longer term outcomes for this child are not known.
- 5.27 **Child F (2006)** was a victim of serious sexual abuse when she was a young child. She was groomed for sexual exploitation by a 27-year-old male when she was 13. She was subjected to repeated rapes and sexual assaults by different perpetrators, none of whom were brought to justice. She repeatedly threatened to kill herself and numerous instances of serious self-harm were recorded in the case file, including serious overdoses and trying to throw herself in front of cars. Social workers worked to protect Child F after she was referred by the Police. There was good cooperation between children's social care services, the Police, Risky Business and acute hospital services, where doctors were seriously concerned about her because of the number and seriousness of hospital admissions over such a short time, many associated with serious drug misuse and self-harm. There was evidence in the file of social workers, frontline managers and Risky Business workers doing everything possible to help Child F. She was eventually placed in secure care, where she stayed for several months. During this time she was kept safe and a process of therapeutic intervention began.
- 5.28 Child F was supported to return home, but because her family moved out of the area, we do not know what the outcomes were for her.
- 5.29 **Child G (2007)** went missing twice in quick succession when she was 14. Referrals were made by the Police to children's social care but these were not followed up. She was then groomed and raped by a predatory male who was later convicted and sentenced. There was serious concern that she was at risk of suicide around the

time of her rape and the subsequent court case. The case was kept open during criminal proceedings, but closed thereafter with no record of the outcomes for Child G, who was then 16 years old.

- 5.30 **Child H (2008)** was 11 years old when she came to the attention of the Police. She disclosed that she and another child had been sexually assaulted by adult males. When she was 12, she was found drunk in the back of a car with a suspected CSE perpetrator, who had indecent photos of her on his phone. Risky Business became involved and the Locality Team did an initial assessment and closed the case. Her father provided Risky Business with all the information he had been able to obtain about the details of how and where his daughter had been exploited and abused, and who the perpetrators were. This information was passed on to the authorities. Around this time, there were further concerns about her being a victim of sexual exploitation. She was identified as one of a group of nine children associating with a suspected CSE perpetrator. Her case had not been allocated by children's social care. The Chair of the Strategy meeting expressed concern about her and considered she needed a child protection case conference. This does not appear to have been held. Three months later, the social care manager recorded on the file that Child H had been assessed as at no risk of sexual exploitation, and the case was closed. Less than a month later, she was found in a derelict house with another child, and a number of adult males. She was arrested for being drunk and disorderly (her conviction was later set aside) and none of the males were arrested. Child H was at this point identified as being at high risk of CSE. Risky Business, social care workers and the Police worked to support Child H and her father and she was looked after for a period. She suffered a miscarriage while with foster carers. Her family moved out of the area and Child H returned home. Some of the perpetrators were subsequently convicted.
- 5.31 **Child I (2009)** was 11 years old when she was raped and sexually assaulted. Her attacker was convicted. Her older sister was a victim of CSE. Child I regularly went missing and was subjected to rape and sexual assaults by older males. She became a looked after child because of concerns for her safety. She was further abused and exploited while she was looked after. She was placed out-of-area and repeatedly went missing, trying to get back to Rotherham. This made her even more vulnerable and she was repeatedly abused. She suffered post-traumatic stress disorder, self-harmed and at times became suicidal. Child I continues to be supported but despite the best efforts of children's social care services, the trauma she has suffered has resulted in lasting emotional and psychological damage.
- 5.32 **Child J (2009)** had a long history of neglect and child protection. She was 11 years old when she was identified as being at risk of sexual exploitation as well as sexual abuse within her family. Her older sister was a victim of sexual exploitation and the perpetrators were successfully prosecuted. Key information about Child J is missing from the electronic social care file. When she was 14 years old it was suspected she was visiting the homes of adult male strangers and possibly coercing other children

to accompany her. A Strategy meeting chairperson clearly identified action that needed to be taken to protect Child J. There is no evidence on the file that appropriate action was taken. There was virtually nothing recorded on the file about the risks she faced, despite information being held elsewhere in children's social care that she was accompanying her older sister to high-risk situations where she was exposed to exploitation by adult males.

- 5.33 **Child K (2011)** was groomed by a known sex offender via Facebook when she was 13. Around that time, she required treatment at Accident and Emergency when she was taken there in an extremely intoxicated state. Since then, there has been a pattern of high-risk behaviour, with Child K having older boyfriends who are vulnerable. She frequents known hotspots with other young people at risk. She has been missing with other children although her parents do not report this and do not know where she is. Child K is very resistant to accepting help from the CSE team who tried hard to engage with her and her family and to offer support to prevent further sexual exploitation.
- 5.34 **Children L and M (2012)** were two young people from a minority ethnic community. They were part of a group of children who were at risk of sexual exploitation, investigated by the Police as part of Operation Carrington. A number of children at the same school were reported to be getting into cars with strangers, and getting paid in return for performing sex acts. Child L and Child M had frequent missing episodes and their families struggled to report them missing. This was partly because of language difficulties, but also because of cultural factors. The two children were at high risk of exploitation. The CSE team worked hard to engage with these young people and their families, to communicate the risks of sexual exploitation and provide them with education through group work and on a one to one basis. These two cases highlight the extreme difficulty of supporting children and their families when there are major language and cultural barriers, as a result of which neither the child nor parent is willing to disclose what is happening. The Police and social care workers in the CSE team were acutely aware of these difficulties and worked hard to overcome them.
- 5.35 **Child N (2013)** was 12 when extremely indecent images of her were discovered on the phones of fellow students. There were suspicions that older men and one woman had groomed her via Facebook. Her family were very shocked by photos and video images that had been taken of her, and have co-operated fully with the Police and the support offered by the CSE team. Child N was very angry at the agencies trying to help her. She showed no understanding of the risks of online contact with strangers and was not willing to disclose anything about those who have groomed and exploited her.
- 5.36 **Child O (2013)** was 13 when concerns about sexual exploitation emerged. She was wandering around Rotherham late at night, often in the company of an older girl who was a known victim of sexual exploitation. She was found in Sheffield on one

occasion. She was often angry and violent towards family members, and they did not seem able to protect her. She was very active on social media sites and had acquired many adult associates whom she perceived to be her friends. She posted information online about a video she had seen of another child being sexually assaulted. The suspected perpetrator made contact with her and threatened if she said anything she would be the next victim. She was beaten up but neither she nor her parents were willing to disclose this to the Police. The risks to Child O were understood and documented by the CSE team, and a programme of preventive work was put in place. Nevertheless, Child O remained secretive about where she was when missing and whom she associated with. She continued to be at risk of exploitation.

Outcomes

- 5.37 It is important to emphasise that even when agencies intervened appropriately to protect and support children and young people, the impact sexual exploitation had on them was absolutely devastating. Time and again we read in the files and other documents of children being violently raped, beaten, forced to perform sex acts in taxis and cars when they were being trafficked between towns, and serially abused by large numbers of men. Many children repeatedly self-harmed and some became suicidal. They suffered family breakdown and some became homeless. Several years after they had been abused, a disproportionate number were victims of domestic violence, had developed long-standing drug and alcohol addiction, and had parenting difficulties with their own children, resulting in child protection/children in need interventions. Some suffered post-traumatic stress and other emotional and psychological problems, often undiagnosed and untreated. Some experienced mental health problems.
- 5.38 With a very small number of exceptions, there was little or no specialist counselling or appropriate mental health intervention offered to child victims, despite their acute distress. In those cases where psychological or psychiatric assessments were carried out, children were diagnosed as suffering severe post-traumatic stress. Specialist assessments also identified that where a child had on-going contact with a perpetrator, this was likely to be a direct result of the psychological damage that had been inflicted, rather than something the victim could control.
- 5.39 In a number of the cases we read, children and young people had pregnancies, miscarriages and terminations. Some had children removed under care orders and suffered further trauma when contact with their child was terminated and alternative family placements found. This affected not just the victims themselves, but other siblings who had developed attachments to the baby. However, there were other cases where vulnerable and sometimes very young mothers were able, with appropriate long-term support, to recover and successfully care for their children.
- 5.40 For the victims of sexual exploitation the judgment of outcomes therefore has to be

qualified by recognition of what they have endured and the lasting harm this is likely to have caused to most of them.

- 5.41 For the reasons given above, there are very few good outcomes to be found in the files for the victims of sexual exploitation, even when the quality of intervention was good. This was true in some of the current open cases.

6. Children and Young People's Services

There was evidence of a good level of engagement with individual children, both by the Risky Business project and more recently by members of the CSE team. Children and their parents were consulted and kept informed. There was very good access to the services provided by Risky Business over many years through the outreach nature of their work. With the integration of the project into the CSE team, the capacity to provide open access was diminished. Several people expressed regret about this to the Inquiry.

Thresholds for social care had in the past been unacceptably high. While this had improved through the efforts of the co-located CSE team, there are currently insufficient resources in the team to meet all the demands made on it, and the team is unable to provide enough preventive input to sustain children after they have been exploited.

Risky Business made referrals to children's social care but in the early years, the response in terms of assessments, risk assessments and safeguarding was rarely good enough. At that time, there was a lack of clarity in inter-agency meetings that discussed individual children alongside more strategic issues, with no clear direction provided by senior managers.

In the historic cases, assessment and care planning by children's social care tended to be more systematic and of a higher standard for looked after children than for other children.

The quality of response by children's social care is better now than it was in the past in relation to assessment and care planning. However, there are weaknesses in risk assessment and risk management, which need to be addressed with some urgency.

Many of the current sexual exploitation cases are complex and time consuming, with the risk of staff resources becoming overstretched. Preventive work with children after incidents of exploitation is being squeezed. There has been a rise in online grooming and exploitation and this is placing new and challenging demands on services.

In the past, local residential units were targeted by perpetrators of sexual exploitation and were overwhelmed by the problem. Some children placed out-of-area for their own protection were failed by services. High priority should be given to adopting a more strategic approach to out of authority placements, and improving the quality of response to this group.

There are some excellent services in Rotherham including the Bridges project for care leavers, the Rowan Centre for school age mothers and a range of youth work services, although the latter had been reduced as a result of financial cutbacks.

Even today, there is little, if any, post-abuse counselling and support for victims. This is a major gap, given the long-term damage caused by sexual exploitation.

Engagement with Children and Young People⁷

- 6.1 There was evidence of agencies engaging positively with children and young people, both historically through the Risky Business project and currently through the CSE team. In 81% of the cases we scrutinised, children were seen on their own at key stages of assessment, care planning and delivery and they (or their parents) were consulted and kept informed. There was evidence of services actively seeking to take the child's view into account in 79% of cases.
- 6.2 Children's social care used a child friendly workbook entitled 'Relationships and Staying Safe' to help children and their workers to discuss some of the complex issues around relationships and child sexual exploitation. This was originally developed by the Risky Business project, and completed workbooks were in some of the files we read. This was an excellent and practical example of engagement with children to help them understand risks and keep themselves safe.

Access to Services

- 6.3 Access to Risky Business services over the years appeared in the main to have been good. The project received referrals from the Police, children's social care, schools and health workers. Parents and their children also self-referred to the project. For example, over the 18 month period January 2004–June 2005, 35% of Risky Business referrals were from children's social care, 20% were self-referrals or referrals by parents, 9% were from the Police and 7% were from schools. This fluctuated from year to year. Sometimes the Police were the main source of referrals, and at other times, schools.
- 6.4 Historically, access to children's social care was much more problematic. In part, this was because Risky Business was viewed as the main service for children who were being sexually exploited, with the result that children and young people were often signposted to Risky Business at the stage of initial contact, rather than being routed through Strategy meetings and S47⁸ enquiries.
- 6.5 Inspection reports described how over many years, children's social care services were typically understaffed and overstretched, and struggling to cope with demand.
- 6.6 There was evidence in many files that prior to 2007, child victims from around the age of eleven upwards were not seen to be the priority for children's social care, even when they were being sexually abused and exploited. The emphasis on protection of very young children to the exclusion of CSE victims has been identified in other reports⁹ as a national trend rather than a Rotherham specific issue.

⁷ Percentages given throughout this chapter are for all files read. Figures for current files are given in brackets where these are noticeably different.

⁸ Section 47 of the Children Act 1989 places a duty on LAs to investigate and make inquiries into the circumstances of children considered to be at risk of 'significant harm' and, where these inquiries indicate the need, to decide what action, if any, it may need to take to safeguard and promote the child's welfare.

⁹ E.g. Rochdale serious case reviews

Nevertheless, this lack of priority resulted in many Rotherham children failing to get the help and protection they needed.

- 6.7 The outreach nature of the Risky Business project meant that sexual exploitation was visible as a problem in Rotherham from the late 1990s. The CSE team has some capacity to provide outreach, and this is of a high standard. Members of the team confirmed that at the present time there is no pro-active service that is accessible and has the capacity to reach out to children who are being exploited but are not yet in contact with services.
- 6.8 We were told by the Executive Director of Strategic Services that the Integrated Youth Support Service provided outreach support to vulnerable young people who have been exploited or are at risk of CSE. However, youth workers told us that preventive work they had previously carried out with vulnerable groups of female and male teenagers, including those from minority ethnic communities, was no longer offered because of cutbacks. Work was in progress for IYSS to have a greater involvement with the CSE team in order to improve access to sexual health services.
- 6.9 The Inquiry concluded that an important dimension of the services offered in the past by Risky Business had been reduced or possibly lost. Accessibility is one of the key elements in reaching out to children who are sexually exploited or being groomed, and this needs to be done in ways that young people will engage with and trust. Every effort should be made to increase this capacity, building on the work currently done by youth workers and the GROW¹⁰ worker in the CSE team. This is important because sexual exploitation by its very nature tends to be a hidden problem.

Assessment and Care Planning

- 6.10 Over the years, assessment and care planning attracted negative comment in many of the inspections of Rotherham children's social care.
- 6.11 The figures given in this chapter cover historic social care files, Risky Business files and cases currently open to children's social care. We comment on the current position where it differs significantly from the overall.
- 6.12 Many of the Risky Business files we read demonstrated a good level of care planning, with written goals and progress towards them recorded in a systematic way. The figures and ratings given in this chapter cover Risky Business and social care historic files, taken together. Without the Risky Business files, the ratings given below would have been poorer.
- 6.13 Historically and at the present time, assessment and care planning was systematic if

¹⁰ GROW (Women Making Informed Choices) is a local voluntary organisation. Its INVOLVE project is focused on CSE. It employs a worker who is based in the joint CSE team. The GROW worker provides one-to-one emotional and practical support, helps to enable and support disclosures of CSE, and offers further support during investigations and prosecutions.

a child was looked after. In historic cases, the quality of assessment and care planning for looked after children was markedly better than for other children, where assessments were often weak, unsatisfactory or missing from the files. It was commonplace to find no care plan if children were not looked after or subject to child protection procedures. Chronologies were evident only as part of the preparation for court proceedings.

- 6.14 There was evidence of improved practice in assessment and care planning in the open cases in our sample.
- 6.15 There was a chronology in fewer than half the cases (43%) where it would have been appropriate to have one – and most chronologies were out of date, with significant gaps. It is likely that the absence of structured chronologies contributed to key information being missed when decisions were made.
- 6.16 There was an assessment on file in 73% of cases (n=44)¹¹. The timing of the most recent assessment was in keeping with the needs of the child in over 71% (n=34) of cases. There was an assessment on file in all of the 23 currently open cases that we read.
- 6.17 The overall quality of assessments was good or very good in 63% of all cases, adequate in 23% and weak or unsatisfactory in 14%. The quality of assessments in open cases was good or very good in 76% of cases and adequate in the remaining 24%.
- 6.18 There was a care plan on file in 63% of cases (n=40), 80% for open cases. There was evidence that the services and care received by the young person followed the content of the care plan in over 90% of cases. Where there was a care plan, it mostly set out the desired outcomes for the child or young person (74% care plans), and there were SMART¹² objectives in 75% of care plans.
- 6.19 In some of the current and recently closed cases that we read, there seemed to be a presumption that short-term intervention was an appropriate response. For example some children were offered attendance at one or two group sessions designed to raise awareness of CSE. However, once there is evidence that a child has been sexually exploited, the presumption should be that the child and his/her family are likely to need sustained support and safeguarding over a considerable period of time, to make sure the child is protected.
- 6.20 We noted that in the final quarter of 2013, a third of the CSE team's cases had been closed. This was a high turnover of cases in a short period, and required further management investigation. We read seven of these cases, and judged that several of them had been closed prematurely, without all risks being adequately addressed.

¹¹ n= the number of cases where it was possible to give a rating

¹² SMART = objectives that are specific, measurable, achievable, realistic and time related.

In these instances the children could have benefited from longer term intervention by the CSE team.

- 6.21 We met children's social care staff and police officers in the joint CSE team. They were child-focused, enthusiastic and clearly committed to the safeguarding of exploited and at risk children. They described the pressures and stresses of dealing with child sexual exploitation. They told us that they did not feel under pressure to close individual cases. Nevertheless they acknowledged that the level of on-going preventive work they were able to offer children once the immediate risk of sexual exploitation had been addressed was far less than they would wish.
- 6.22 Managers need to give further attention to making sure there is an appropriate level of resources available to support continuing preventive work with children who have been exploited, especially in cases where the child or his/her parents would be unlikely to disclose behaviours that would put the child at risk of harm.
- 6.23 The volume of new work being handled by the CSE team was significant, and the team manager felt under pressure to ensure that there was throughput of work, so that new cases could be allocated. The team also co-worked cases with staff in other parts of children's social care, when their input was required, and they did a considerable amount of preventive work with schools and with a range of community groups.
- 6.24 Many of the individual cases were complex and time consuming, with the risk of staff resources becoming overstretched, and preventive work with children after incidents of exploitation was being squeezed. There was a rise in online grooming and exploitation that was placing new and challenging demands on services, and these cases too were complex and high risk.
- 6.25 Several managers commented to us that the present situation was not sustainable in terms of the wide range of expectations and pressures on the CSE team. This was not a view shared by the Executive Director of Children's Services. Nevertheless, this issue featured in the findings and recommendations of two recent independent reviews¹³. The Inquiry considers it imperative that issues around the remit, management and workload of the CSE team are properly addressed. For this reason we have included a further recommendation on this subject in this report.

Risk Assessment and Management

- 6.26 Historically, Risky Business used a standard reporting format to record judgements about risk. These were not available in all cases, but the risk forms we saw on the project's files were of an acceptable quality.
- 6.27 In the historic children's social care files, it was clear that the risks associated with

¹³ Barnardo's Rotherham Practice Review (October 2013) and the Safeguarding Board's 'Review of the response to child sexual exploitation in Rotherham' (December 2013) – both described in Chapter 3

child sexual exploitation were in the main not well understood or responded to. This improved from around 2007, and a further marked improvement was evident from 2010. Prior to 2007, it was exceptional to find a risk assessment in the case files, and minutes of Strategy meetings suggested that children's social care and the Police adopted an approach of minimal intervention.

- 6.28 Prior to 2012, minutes of Strategy meetings about child sexual exploitation were held centrally and were not recorded on the child's social care file. This was a seriously flawed system and children's social care managers should be credited with changing it in 2012.
- 6.29 The Sexual Exploitation Forum started meeting around late 2003 and discussed individual children up until around 2007. Again, there was no record of these discussions and decisions on the child's file. Front line workers and managers responsible for the case would not have been present at such meetings. This led to confusion between the strategic responses to sexual exploitation and risk assessment and management in individual cases.
- 6.30 There was a risk assessment on file in 73% of cases. As with assessments and care plans, Risky Business and the current open cases pulled up the overall results. Overall, we judged the quality of risk assessments to be good or very good in 34% of cases, adequate in 17% of cases and weak or unsatisfactory in 47% of cases
- 6.31 When we examined current cases, there was a risk assessment on file in 59% of our sample. The proportion of missing assessments (41%) was unacceptably high. The proportion judged to be good quality was 18%, 27% were judged to be adequate and 54% were weak or unsatisfactory.
- 6.32 When we looked at the extent to which risk had been identified, responded to and reduced in currently open cases, the results were more encouraging. 75% were judged to be adequate or better. This suggests to us that there was a better standard of professional judgements and response to risk than was apparent from the quality of the risk assessments on the files.
- 6.33 Work was already in progress to improve the quality and consistency of risk assessments. An operational protocol had been agreed by Children and Young People's Services and the Police and was approved by the CSE sub-group in June 2014. This built on learning from audits of CSE cases (described in Chapter 7) and set clear responsibilities and timescales for risk assessments to be completed in open and new cases. It formalised the arrangement that risk assessments would always be carried out jointly by children's social care and the Police, as is current practice in the joint CSE team. The protocol also introduced regular sampling of risk assessments by managers.
- 6.34 We raised concerns with senior managers about two open and two historic cases where we considered the quality of risk management and decision making to have

been extremely poor. In one of the historic cases, a disclosure made by the child five years ago was in the file but appeared not to have been actioned or reported to the Police. This required further investigation by the Council and we understand this is already taking place.

6.35 We also reviewed two historic and three open cases with a specialist team from the National Working Group Network. In the three open cases, there was a clear consensus between the Inquiry file reader and the National Working Group Network that the risk was considerably higher than that suggested by the numeric scoring tool and recorded on file.

6.36 We read several open cases where children were looked after out-of-area, one of which was reviewed in detail with a team from the National Working Group Network. We recommended to senior managers that there should be an externally facilitated review of one of these cases so that there could be learning by all agencies from this case.

6.37 We concluded that there were significant weaknesses in risk assessment and risk management. These should be addressed if children are to be properly safeguarded. In particular, high priority should be given to making sure that there is a risk assessment on the file of every child at risk of sexual exploitation. Management action was needed to improve the quality of risk assessments. This should build on some very good audit work that has already been undertaken.

Risk Assessment Tool

6.38 Joint assessments were carried out by social workers and police officers in the joint CSE team. The risk assessment tool is based on a widely used numeric scoring system. It was based on the Barnardo's best practice model and adopted across South Yorkshire in October 2013.

6.39 Staff in the CSE team were child-focused, enthusiastic and clearly committed to the safeguarding of exploited and at risk children. They reported difficulty in reconciling the outcome of the numeric scoring system with their professional judgements of risk and singled out the sexual health section as being particularly problematic.

6.40 The manager of the CSE team and social workers in the team said that they struggled to use the risk assessment tool, because it recorded risks only where there was hard evidence. This meant that sometimes children they considered to be at risk had scores that were too low.

6.41 The numeric scoring tool should be kept under very close review. A particular area of concern is that workers and the CSE team manager reported to us that they find it difficult to capture risks using the numeric tool. We read a significant number of cases in which the numeric risk assessment tool understated the risks to the child.

- 6.42 Gathering information in CSE cases is difficult for a number of reasons, including the possibility that children may not see themselves as victims and may be reluctant to disclose, or there is denial on the part of parents. Lack of hard evidence should not equate to an assumption of no risk or low risk, especially if a child has a history of being exploited and is unable to disclose what he/she is experiencing.
- 6.43 We discussed the risk assessment tool with representatives of the Police and children's social care, as well as with operational managers and staff working in the CSE team. Managers were clear that the numeric scoring system was an aid to, but did not replace, professional judgements about risk. This is clearly stated in the recently approved operational procedure. We were told that work had been undertaken on the risk assessment tool to address the tensions between numeric scoring and professional judgement. This involved amending some categories and allowing for the assessor to override the score where necessary.
- 6.44 Operational managers were confident that management decisions and professional judgements would be used to adjust the level of risk where necessary. We were told that risk was not measured solely by the numeric scoring tool. At the time of the Inquiry, there was not as yet a system for making sure that this was clearly recorded in the risk assessment stored on the child's electronic case file. It is essential that the child's file clearly records the most up-to-date professional judgement of risk, especially when this may be higher than the score recorded on the numeric tool. We were told that changes have now been made to introduce a dialogue box and that risk assessments are collated by the police analyst using a software analytical tool.
- 6.45 Some very good work was in progress to improve the management of high-risk cases. The joint CSE team had established a Group Assessment and Progression (GAP). This group met regularly to oversee and review risk assessment and risk management of all high-risk cases. The police analyst was supporting the work of this group. We examined the minutes of one GAP meeting, and considered that there had been very thorough discussions about the children's needs and the risks they faced.
- 6.46 The recently approved operational protocol ensured that social workers responsible for the child were invited to attend the GAP meeting. It is imperative that in all cases a note of this GAP discussion is entered in the risk assessment section of the child's case file. The responsibility for this needs to be clearly defined, so that the most recent information about risk is always available to those accessing the child's file.
- 6.47 We refer to quality assurance and continuous improvement in the next chapter and how some excellent audit work is helping to improve performance on risk. The implementation of the new operational procedures will require close monitoring. Sampling of CSE cases should be carried out until such time as there is evidence of improved consistency and quality in the assessment and management of risk.

Services for Looked After Children

- 6.48 From the mid-1990s there were concerns about children's homes being targeted for the purposes of child sexual exploitation. From the residential case files we read, it is clear that for a long period thereafter some local residential units were overwhelmed by the problem of child sexual exploitation. Children who were exploited before they became looked after continued to be exploited, and were often at even greater risk of harm. Other children became exposed to sexual exploitation for the first time whilst they were looked after in children's homes. There were examples of an exploited child acting as the conduit for perpetrators to gain access to other looked after children. This happened in local residential units as well as in out-of-area placements, and it appears to have occurred in one of the current cases we read. There was no appropriate management response to the problem of children being exposed to exploitation whilst in the care of the Council. Nor did we find that elected members as corporate parents were advised of the scale and gravity of the problem.
- 6.49 Historically, information about looked after children affected by CSE is patchy. There was not yet a well-developed system for tracking the impact of CSE on them. One reason for this may be that operational managers believed that CSE should be managed through 'looked after children processes'. For example, in July 2005, 90 children were being discussed by the Sexual Exploitation Forum. A management decision was taken to remove from the list all children who were looked after or on the child protection register. A standard letter was to be sent to their social workers reminding them to consider sexual exploitation in future work with the child. With hindsight, this was a serious error of judgement. Services for looked after children were stretched at the time and practice was uneven. It was unlikely that frontline staff had the knowledge or skills to deal with organised sexual exploitation. It also made it impossible to gauge the nature and scale of the problem, particularly in residential units.
- 6.50 One response, then and now, was to place children in residential units outside the Rotherham area, in the hope that this would reduce the risk of harm from sexual exploitation. We read some cases where this had been successful for particular children. There were examples of children being placed in secure care as the last and only option to protect them from perpetrators, and in several cases such a placement proved to be beneficial in protecting the children and in creating the opportunity to work therapeutically with them. There were also examples of out-of-area foster placements being very positive for the children. However, there were many examples of out-of-area residential placements actually increasing the risks to exploited children, with an escalation of missing episodes as they tried to return to their home and sometimes to their abusers.
- 6.51 In July 2014, there were 16 children who were looked after on account of sexual exploitation. Six were in out-of-area placements (one in secure care and another waiting for a secure placement). Three were in out-of-area foster placements; and

three in 'in-house' (local) foster placements. One of the 16 children was at home; another in an in-house residential placement; and two in semi-independent living arrangements.

- 6.52 A strategic approach to protecting looked after children who are sexually exploited, or at risk, should now be addressed as a matter of urgency by the Child Sexual Exploitation sub-group. The strategy should aim to ensure that out-of-area placements do much more than simply move the problem elsewhere. It should identify the current range of services available for children who are exploited or at serious risk; and identify the contribution of foster-carers, substitute families, secure care and local residential units. It should include risk-assessing potential placements for the individual child and for other vulnerable children. The strategy should also be bound into the Council's role as corporate parents.
- 6.53 This is not an issue that Rotherham can deal with on its own. Cross-boundary solutions must be found. Children who are exploited are routinely being placed in out-of-area placements across the country. Unless Councils can develop sound strategic agreements with other authorities, these children will continue to be exploited and abused, and may become the conduit for perpetrators to gain access to other children in the same placement.

Leaving Care Services

- 6.54 Services provided by the Bridges project¹⁴ were of a high quality over many years, and workers had a great deal of experience of supporting children who had been sexually exploited. After-care workers told us that from their perspective, the quality of support for exploited children had improved greatly in recently years. The project received very good support from the managers of the CSE team, both children's social care and the Police. After-care workers also commented that children who had been looked after out of the authority faced major difficulties at the point of leaving care. They found it difficult to get support in the area where they had been living, and had great difficulty re-settling in Rotherham, which was often their only option if they required assistance with housing and other supports. Again, this should form part of a strategic approach to meeting the needs of looked after children who are affected by child sexual exploitation.

Youth Services

- 6.55 Historically, Rotherham had a good network of local youth services that was part of the range of preventive services accessed by children who were exploited or at risk. Youth Services played an important role in identifying and supporting children and young people involved in or at risk of CSE. The wider youth service was also active in this area, with projects such as the Youth Start counselling service. This was a valuable resource for many children affected by sexual exploitation.

¹⁴ The Bridges project was provided by NCH until April 2014, when it transferred to the Council.

- 6.56 The Cabinet considered a review of Youth Services in February 2011. Under 'Risks and Uncertainties', the report stated:

'Without this integrated working, we risk retreating again into silos of provision to tackle some of our most stubborn challenges - youth crime, teenage pregnancies, NEETs¹⁵, sexual exploitation, adolescent drinking and associated disorder. Past experience and current evidence tell us that this is much less effective, and in many cases pointless'.

- 6.57 We met several experienced and skilled youth workers who voiced serious concerns about the severity of the cutbacks in the youth services and specifically how it was impacting on their work with vulnerable young people.

Services for Young Mothers

- 6.58 The Rowan Centre provides education, support and childcare to pregnant schoolgirls and young mothers from the Rotherham area. Babies are cared for on-site during the day whilst mothers receive their education.
- 6.59 We read the case files of several CSE victims who received education and support from the Rowan Centre. It was clear that the Centre provided a highly personalised, child-focused approach and was able to engage with, and support, girls who had become pregnant while they were being sexually exploited. The Centre had been a positive experience for these girls, several of whom were able with support to successfully parent their children. There was also evidence of good collaboration between the Risky Business project and the Centre, with both services providing support to victims for as long as this was required.
- 6.60 There were historic and current issues regarding liaison between the Rowan Centre and children's social care. It was evident from several historic files that there was tension around the thresholds that children's social care applied. As a result children who were considered highly vulnerable by the Centre did not get help. Staff at the Centre told us that high thresholds for social care mean that some pregnant girls and young mothers do not currently receive the support they need.
- 6.61 To address these issues, children's social care should introduce a mechanism for reviewing cases with the Rowan Centre where there is a difference of opinion about priority.

Post Abuse Support

- 6.62 There appeared to be very little by way of specialist support services, in the form of mental health, counselling and psychological services for children and young people

¹⁵ Not in Education, Employment or Training

who had been sexually exploited. Many suffered post-traumatic stress and endured lasting psychological and emotional damage that diminished their capacity to lead normal lives. One survivor told us:

“Sexual exploitation is like a circle that you can never escape from.”

- 6.63 We came across a number of cases where children and young people needed and wanted specialist counselling and support. They were unable to access services because of long waiting lists and gaps in services. We learned that at the time of the Inquiry, the Children and Adolescent Mental Health Service (CAMHS) deleted children’s names from the waiting list if they missed the first appointment. This approach is entirely unsuited to the needs of CSE victims and it should be changed. We were told by the parent of a survivor who needed help when she was over 16 that he had to pay privately for this service, as there was at least a six month waiting list for an appointment. This was too long in the life of a young woman who had experienced such trauma.

7. Safeguarding

Over the years, there were good inter-agency structures in place to deal with sexual exploitation. As early as 1998, police procedures, also adopted by children's social care, identified the victims as children and the prosecution of perpetrators as a priority. Under the auspices of the Safeguarding Board and its predecessor, the Area Child Protection Committee, there was a good range of strategies, policies and procedures applicable to child protection and specifically to CSE. These were of generally good quality and had been developed on an inter-agency basis. The weakness was that the Safeguarding Board rarely seemed to check whether they were being implemented and whether they were working. The challenge function of the Safeguarding Board did not appear to have been fully exercised.

Over many years an impressive amount of training on CSE was carried out, encompassing a wide spectrum of interests in the community.

From 2008 onwards, annual CSE plans were produced and presented to the Safeguarding Board and to the Lead Member for Children and Young People.

The Child S Serious Case Review commissioned by the Safeguarding Board sparked a debate about redactions in such reports and whether absolute transparency should take precedence over protecting the confidential details of children. Whilst we agreed that some of the redactions in the Child S review were unnecessary or could have been differently presented, we did not believe that a charge of 'cover up' by the Safeguarding Board was justified.

Strategies, Policies and Procedures

- 7.1 The Children Act 2004 established Local Safeguarding Children Boards. They bring organisations together to safeguard and promote the welfare of children through mutual co-operation. They are required to co-ordinate and ensure the effectiveness of their members' services, to develop policies and procedures for the safeguarding of children, to undertake reviews of serious cases and to produce an annual report. The range of their responsibilities extends to training, recruitment, publicity and the setting of thresholds for intervention. While Safeguarding Boards do not have the power to direct other organisations, they do have a role in making clear where improvement is needed.
- 7.2 Prior to the establishment of Safeguarding Boards in 2004, the principal responsibilities were undertaken by Area Child Protection Committees (ACPCs). The Inquiry had access to minutes of the Safeguarding Board, We saw very few of the Area Child Protection Committee minutes. Approximately 40 sets of minutes from both were read.
- 7.3 There were good inter-agency structures to deal with CSE over the period covered by the Inquiry. These linked in to the Safeguarding Board or its predecessor. Officer groups included the Key Players (late '90s to around 2003), the Sexual Exploitation Forum, the Sexual Exploitation Steering Group and the current Safeguarding Board CSE sub-group, which is supported by an operational 'Silver' group.

- 7.4 We also read minutes of the Sexual Exploitation Forum and the current CSE sub-group. Neither the Council nor the Police were able to trace minutes of the Key Players meeting. This is particularly troubling because the minutes included records of decision making in individual cases. These minutes, or relevant extracts from them, were not placed in individual children's social care files. This means that children who want information about their past, in terms of what happened to them and why, would be denied this information.
- 7.5 One of the major flaws in inter-agency meetings in the early years was confusion of responsibilities for strategic responses and decision making on individual children. This persisted until around 2007, when a dedicated manager for CSE was appointed.
- 7.6 The Safeguarding Board and the Area Child Protection Committee did a considerable amount of work in developing inter-agency strategies, policies and protocols on safeguarding and CSE from as early as 2001. They also oversaw the provision of extensive training.
- 7.7 Strategies, policies and procedures were developed within the framework of Government guidance in 'Working Together to Safeguard Children' and extensive work was done on issues such as:
- a) children's safety – an inter-agency steering group was established in 2005 following a report on bullying and racism in schools and took forward a number of initiatives to improve children's safety; and
 - b) domestic violence – a strategy was developed in 2006 and took forward work on 'Hidden Harm' (protecting children from drug misusing parents and carers)
- 7.8 As early as 1998, South Yorkshire Police issued a paper 'Protecting children who are being sexually exploited through prostitution'. Its procedures governed the practice of the Police and were adopted by children's social care. The paper clearly set out the risks to the physical, emotional and psychological health of children who engaged in prostitution or were victims of sexual exploitation. It recognised the links between prostitution and crime, drug abuse, violence and murder, and urged that a high priority be given to the problem. Children under the age of 18 were to be regarded as 'children in need', protected under law. The priority for the Police was to identify and prosecute offenders. There is evidence from this Inquiry that suggests that these precepts were not always followed.
- 7.9 By April 2001, the Area Child Protection Committee procedures included a chapter 'Protecting children who are being sexually abused through prostitution'. The procedures largely reiterated those of 1998. They were revised in 2003.
- 7.10 A report to the Safeguarding Board in 2005 repeated the statement in the child abuse procedures that 'prostitution is a form of sexual exploitation involving payment or

reward'. The implied equivalence of child sexual exploitation with child prostitution was common in the 1990s and should not have persisted until 2005. It suggested that payment or reward was always involved and it made no mention of the criminal nature of the activity. It might even imply that the child's consent mitigated its gravity.

- 7.11 The Safeguarding Board frequently sought an agreed, practical definition of child sexual exploitation in order to ensure consistency of approach by its members. Even as late as October 2013, the CSE sub-group was discussing concerns about the distinction between sexual abuse and sexual exploitation, fearing that the terms were used interchangeably. At the very least, disparities would affect the accuracy of performance figures, but they might have had more profound implications for practice.

Missing Children

- 7.12 The protocol on Missing Children, launched in 2005, aimed to focus agencies' minds on the risks to which such children were exposed. They undertook responsibility for managing its implementation and reviewing it in the light of experience. The protocol was 'decentralised' into local strategies with a view to engaging General Practitioners, Accident and Emergency Departments and community groups. Local campaigns were envisaged, overseen by those working in each area. Rotherham was the only policing district in the Force to respond formally to the problem, through its Community Safety Unit, by visiting young 'runaways' when they returned.
- 7.13 The Action Plan on Missing Children was frequently reviewed in subsequent years. The Police submitted regular statistical evidence. In 2008, the Children and Young People's Scrutiny Panel discussed the topic. The following year, Rotherham scored 14 out of a possible 15, based on a self-assessment against national indicators.
- 7.14 Agencies worked together on possible links between missing children and sexual exploitation. An official visited schools to talk to year-6 pupils about running away. An inter-agency Action Group met frequently to maintain a watching brief. The Borough commissioned the charity Safe@Last to interview children who had been missing. Many missing children were identified through fraudulent benefit claims. The subject featured large in the work plan, which the Exploitation sub-group submitted in 2010. The plan engaged voluntary and other agencies in addressing the problem that had become more severe in Rotherham over recent years. The Borough's proportion of missing looked-after children was higher than the national average, and there had been a sharp increase in the numbers of missing children in their mid-teens.

Plans to Tackle Sexual Exploitation

- 7.15 At the end of 2005, the Safeguarding Board approved a comprehensive action plan which covered inter-agency planning and procedures; work in schools; preventive methodologies; the provision of advice to young people; services to young men and boys at risk of sexual exploitation; systems of recording and analysis; the gathering of evidence and the support of child witnesses. Sexual exploitation was regarded as a priority in the Stay Safe section of the Children and Young People's single plan.
- 7.16 'Responding to Sexual Exploitation in Rotherham', compiled by the Police and children's social care in 2005, imposed the common assessment form on referrals, set up Strategy meetings on cases of significant harm, and stressed the importance of identifying all adults involved in any referral. The paper retained the clause giving advice to the young person on two occasions before proceeding to caution or prosecution; also the clause making a case conference dependent on the parent's having encouraged the young person's behaviour. It reiterated the need to 'investigate and prosecute those who coerce, exploit or abuse children'.
- 7.17 In October 2006, the multi-agency sexual exploitation procedures had been completed and circulated. Almost all of the specific objectives of the comprehensive action plan had been achieved. Membership of the group overseeing the action plan had been enlarged to include the voluntary sector and health services.
- 7.18 In 2008, the Safeguarding Board began to formulate policies and procedures relating to the exploitation of boys and young men. Concern about this issue had been expressed as far back as 2002. A staff member was now deployed to research the nature, context and extent of the exploitation, the degree to which boys were affected, and the range of services that should be provided.
- 7.19 Over the following months, procedures were compiled or revised on missing children, children who were trafficked, children who harm others, and safeguarding girls and young women at risk of abuse through genital mutilation. 'Safeguarding Children Guidance' was a new policy designed for Madrassahs, Mosques and supplementary schools. In 2009, it was proposed that the procedures relating to CSE should be revised to conform to new national guidance on the safeguarding of children. Sheffield had taken an initiative in this direction with a view to agreeing procedures common to both authorities. Later that year, Rotherham was described as having 'taken the most proactive approach to dealing with the issue of child sexual exploitation', compared with other areas. This assessment was endorsed by the findings of the Offender Management Inspection a couple of years later.

- 7.20 The Children and Young Person's Plan 2010-2013 brought together a number of inter-connected strategies under four broad headings: prevention, early intervention, tackling inequality and education. Strategies on organised or multiple abuse and sexual exploitation were tabled at this time.
- 7.21 In 2010, the Safeguarding Board approved further policies on the forced marriage of young people; honour-based violence; organised, multiple abuse; the management of people who pose a risk to young people; and safeguarding children from sexual exploitation. It was planned to update all policies and procedures twice a year. A company called TriX was commissioned to maintain the Safeguarding Board's library of policies and procedures.
- 7.22 Policies and procedures were revised again in 2011. It was intended that staff would refer to the procedures on-line rather than using paper versions. The website gave a single version of the procedures, regularly updated and accessible to all. In the same year, the Practice Resolution Protocol was developed in response to the need for a systematic process for challenging professional practice.
- 7.23 In December 2012, there were calls for a shared clear definition of referral processes and threshold criteria to be agreed by all agencies. This suggests that debates on these topics in 2005 and subsequent years remained unresolved. It was also proposed that a 'suitable shared multi-agency recording system' for CSE be devised, to include information about adults who may be linked to children at risk of abuse or exploitation.

Representation and Accountability

- 7.24 The current CSE sub-group has served to reduce a problem which has beset the Safeguarding Board from its early days - that of sheer size. In the interests of inclusiveness, Board membership has progressively increased. Fewer than 20 people attended its first meetings. As meetings become larger the more difficult it is for the Chair to give due weight to the varying interests represented, to encourage full and open debate and reach definitive conclusions which attract the agreement of all present. In addition, the Chair has the responsibility to ensure that decisions are acted upon, timeously and to a high standard. Not only does this make the task difficult for a part-time Chair, but it also raises questions about the concept of accountability as applied to such a large, disparate group of people. It is not the place of the Inquiry to explore those questions further. It is sufficient to be reminded that accountability for successful outcomes is a central feature of good child protection work. The concept of 'shared accountability' which some apply to the work of Safeguarding Boards is dubious and potentially dangerous.
- 7.25 The issue of thresholds typifies a problem which the Safeguarding Board and its predecessor faced from the early years - that of ensuring compliance with

agreements on the part of all of its members. The child protection procedures and protocols produced during the late 1990s and early 2000s were of generally good quality, but adherence to them within the membership was variable. Similar problems attended the training programmes. Inter-agency training on CSE was instituted in the early 2000s, particularly on awareness raising. This was commended by the Leader of the Council who called for its extension, but the level of take-up was often low. Poor take-up was not universal, but its frequency called into question the authority that the Safeguarding Board exercised over its members. Likewise considerable time and energy was expended on devising good policies and procedures in the mid to late 2000s, but there was rarely any reporting back or checking by the Safeguarding Board on whether they were being implemented or were working.

Training

- 7.26 Under the Children Act 2004 and subsequent regulations, Local Safeguarding Children Boards have a responsibility towards the training of persons who work with children or in services affecting the safety and welfare of children. All agencies providing such services have a like responsibility to ensure their effectiveness through the provision of training. It is clear that the Safeguarding Board in Rotherham took this responsibility very seriously.
- 7.27 From the late 1990s onwards, Risky Business delivered training programmes on CSE for youth workers and others on an inter-agency basis. The training was coordinated through the Key Players group. Priority was given to a multi-agency model that would promote networking and help agencies to understand others' roles and responsibilities. The training sessions were well received, in particular training delivered by young survivors - this was described as having had a huge impact. The training was open to voluntary agencies and was well publicised.
- 7.28 Over the years, the Safeguarding Board faced a number of recurrent problems related to training. Agencies gave varying priority to the training; attendance was sometimes poor; the costs of the programme often exceeded its budget; it was difficult to recruit an adequate pool of trainers. In 2005, it was proposed that a charging system be introduced whereby agencies were billed for non-attendance.
- 7.29 The demand for training in CSE was ever increasing, as was its scope. The Leader's Task and Finish Group called for more awareness training, especially in CSE; the Safeguarding Board's training sub-committee undertook training around the conduct of serious case reviews; training in child protection was launched for mosque and community representatives; and housing, licensing and other staff were included in the programme. Risky Business even trained dog walkers and park rangers.
- 7.30 By the end of 2006 it was clear that the overall training programme could not be expanded unless capacity was increased, and the new budget meant the

cancellation of 106 'trainer days' that had been delivered the previous year. In response, the Safeguarding Board made further efforts to impose a more structured method of identifying and meeting the needs for training within its membership.

- 7.31 The development of e-learning was encouraged. Members of the Safeguarding Board had all registered and viewed the course. The feedback was excellent. E-learning was considered to be valuable in meeting the needs for induction within isolated agencies that had limited access to training; it would also help residential staff who worked shifts. All agencies were asked to nominate staff who would benefit from e-learning, as part of their induction or refresher training.
- 7.32 In 2007, the Police asked Risky Business to contribute to the training of all newly recruited police officers. 3-day training courses were also delivered for senior police officers. The sexual exploitation of children featured in these programmes.
- 7.33 By 2008, the scope of the training programme had further increased to include safeguarding children with disabilities; the care of children with sexually harmful behaviour; the assessment of parental mental health; attachment theory; forced marriages and public law. Between 2007 and 2008, Risky Business delivered training on CSE to five comprehensive schools, to Police Community Safety Officers, to youth workers, to foster carers and to magistrates. In future, this training would form part of the standard package for all new magistrates. Many courses were now modular in form and more flexible than in the past. A training package was designed specifically for school staff to deliver, so spreading the material more widely and more economically.
- 7.34 By 2012, it seemed that child sexual exploitation had become a standard feature in the planning of training programmes. A training package in CSE was designed for Muslim community leaders; and the Safeguarding Board provided a training course in the identification of indicators relating to CSE. In March 2013, it was reported that all schools, including faith schools, had signed up for training related to CSE. Members of the Safeguarding Board devoted time to the discussion of the National Working Group Network's e-learning package on CSE.

Scrutiny and Challenge

- 7.35 Not unreasonably, the minutes of the Safeguarding Board meetings focus on decisions rather than the details of debate. Nevertheless, over the years there appears to have been a failure to challenge policies, priorities and performance, especially those of statutory agencies. This judgement featured in the Ofsted report of 2012 and was cited by the Home Affairs Select Committee. One task of the Board is to 'ensure effectiveness', to question, to scrutinise, to demand and assess evidence. In the past this function does not seem to have been fully exercised. The establishment of the CSE sub-group has gone some way to correcting this. Quality

assurance has been strengthened, processes of performance monitoring and recording have improved, and clearer leadership demonstrated. In 2013, the incoming Board Chair commissioned his own 'diagnostic' of how CSE was being addressed, further confirming the intention to make the Board a more dynamic and mutually accountable body.

- 7.36 The parent of a CSE survivor was approached by a senior officer of the Council to become a lay member of the Safeguarding Board in 2010. He told the Inquiry that he found action on some important issues too slow, suggesting that the Board did not take the issue of CSE seriously enough. He reported that they had many good debates, but disagreement was never reflected in the minutes. He resigned from the Board in 2012.
- 7.37 While this report carries criticisms of the work of the Safeguarding Board over the last 10 years, the Inquiry considers that the several Chairs and members should be recognised for the work they have done, in the face of increased demand, frequent resourcing issues, and exposure to the attentions of the press and other media.

Compliance with Best Known Practice

- 7.38 We have seen that over the period covered in the Inquiry, there has been a fundamental shift at national as well as local level in the way child sexual exploitation is defined and understood. What was viewed in the late 1990s as the problem of child prostitution is now correctly defined as an issue of inter-agency responsibility for safeguarding children.
- 7.39 The Inquiry was asked to comment not just on best practice as understood today, but to reflect on whether past practice would have met the test of best known practice at that time.
- 7.40 There is little doubt that the Risky Business project and the Home Office research project that was underway in 2001/02 had a central focus on the safeguarding of children who were victims or at risk of sexual exploitation. The Risky Business project was ahead of its time. Some people we spoke to would argue that such a service could only be fully effective if it was located in the voluntary rather than the local authority sector.
- 7.41 Prior to 2007 the operational response of children's social care, together with that of the Police, would have fallen short of any accepted definition of best practice as understood at the time. One exception was the work of the Key Players group. Government guidance was clear at that time that CSE was to be dealt with as an issue of safeguarding children. However, many child victims in Rotherham were not dealt with through safeguarding procedures. From other reports¹⁶ on the problem of

¹⁶http://www.nspcc.org.uk/Inform/resourcesforprofessionals/sexualabuse/sexual_exploitation_research_wda85130.html

child sexual exploitation, it would appear that this failure was not unique to Rotherham.

- 7.42 From about 2007, with the appointment of a dedicated manager for CSE, there was an improved focus on safeguarding children who were being exploited. This was evidenced in child sexual exploitation strategies and action plans and in a clear pathway for referral to children's social care. Nevertheless, safeguarding of individual children who were being exploited or at risk remained extremely variable. This was in line with wider weaknesses in the delivery of children's social care in Rotherham, evidenced in inspections over the years.

Supervision

- 7.43 Professional supervision of children's social care staff plays an important role in ensuring a high quality of social work practice and good case management. A comprehensive supervision policy should provide the employer and employee with a framework within which each will understand their obligations regarding accountability for work, professional development and personal support.
- 7.44 There is little information about the quality of supervision available to children's social care staff in the early years of the Inquiry period.
- 7.45 In 2008, Children and Young People's Services produced a report on casework supervision, outlining its role and function and why it was important. There was also a report to the Safeguarding Board in that year informing members that there had been an increase in the ratio of service managers to practitioners in order to improve quality through supervision and support.
- 7.46 By 2010, an Action Plan was in place to address the provision, frequency and quality of staff supervision.
- 7.47 In 2011, the Child S Serious Case Review made recommendations about the supervision of children's social care staff and youth services staff. The former required that all staff knew who was responsible for their case supervision and that there was clear accountability for their work. The latter referred to Risky Business staff, who should be the subject of greater management oversight and supervision. The Risky Business staff were incorporated in the central CSE team, following the publication of the Child S report.
- 7.48 Inspection reports on children's social care over the Inquiry period included several references to the quality and frequency of supervision. It was criticised in 2003 and 2009 and again in 2011, when Ofsted described it as 'variable' and sometimes 'poor'.
- 7.49 The workforce strategy developed by children's social care from 2010 seemed to be the first effective initiative taken to address the quality of supervision, particularly for newly qualified workers. The current supervision policy for social workers is clear,

comprehensive and specific about frequency and content.

- 7.50 The evidence from file reading shows that in answer to the question 'Was the impact of worker supervision evident in the case file?', the impact of supervision was seen in 54% of all the cases we read, and in 88% of open cases. This demonstrates a good improvement over time in the quality of supervision provided to social work staff. However, it also shows the considerable shortfalls that existed in historic cases, where in some instances social workers must have lacked the necessary support to work effectively with very complex cases of sexual exploitation.

Quality Assurance and Continuous Improvement

- 7.51 Many of the cases we read were about a very serious level of sexual exploitation. It was striking that apart from a 'Lessons Learned' review, there appeared to have been no systems in place for agencies to learn lessons from serious CSE cases in which children had been failed. The apparent absence of active learning by any of the agencies in the most serious cases may have contributed to repetition of poor practice.
- 7.52 The 'Lessons Learned' review was produced during the Operation Central criminal trial. It was therefore not a full 'lessons learned' review. The intention was to follow it up after the criminal proceedings had finished. This does not appear to have happened. We also considered that the original review was weak in that it examined one case only, although charges were brought in respect of four children. There was also a much wider group of children identified in Operation Central who had been sexually exploited but whose cases did not get to court. It would have been appropriate to identify lessons to be learned from what happened with this group as well.
- 7.53 One of the potential areas for improvement should have been retrospective learning from the police operations Czar and Chard that failed to result in any prosecutions. We could find no evidence of agencies jointly reviewing what had happened in these cases, and learning lessons for the future.
- 7.54 At the time of the Inquiry, there was one post dedicated to quality assurance of safeguarding. Half this member of staff's time was spent working for the Safeguarding Board and the other half for children's social care. A case file audit tool had been developed. It was based on best practice elsewhere. The audit form had been revised and streamlined. It was comprehensive and well designed.
- 7.55 Different approaches to case file audits had been tested to find out what worked best. Children's social care carried out an audit of 14 child sexual exploitation cases in May 2014.

- 7.56 We examined two cases that had been recently audited and considered the audit process to be relevant, comprehensive and an example of good practice.
- 7.57 Learning is already underway as a result of the themed audit of CSE cases, particularly around the areas of:
- a) risk assessments missing in some cases;
 - b) delay in updating risk assessments;
 - c) quality of risk assessments; and
 - d) examples of good practice.
- 7.58 The emphasis that Rotherham is now giving to quality assurance and continuous improvement in relation to child sexual exploitation is an extremely positive development. The achievements to date are considerable and we recommend that those in authority ensure that quality assurance work in respect of CSE will continue to be appropriately resourced and supported, as a key factor in practice improvement.

Serious Case Review

- 7.59 The Safeguarding Board commissioned only one Serious Case review involving CSE. That was the report on Child S, who was murdered in 2010 at the age of 17. There has been some dispute over the motivation for her murder, and whether CSE played any part in it. There is no doubt she was at risk of CSE when she was young and that she had been in contact with some of the worst perpetrators.
- 7.60 The author, Professor Pat Cantrill, was asked by the Safeguarding Board to examine the victim's circumstances and the services' response from 2008. The Safeguarding Board requested that the report be redacted to protect the children involved, prior to publication, and Professor Cantrill carried out the redactions herself.
- 7.61 The question of redactions in this report became very contentious and directly involved the former Secretary of State for Education, Michael Gove. He wrote to the Safeguarding Board to say that some of the redactions were unnecessary. There followed an unedifying set of exchanges between the Department for Education (DfE) and the Chair of the Safeguarding Board. At one point, the DfE lost a copy of the Serious Case Review. This contained revised redactions completed by the Safeguarding Board.
- 7.62 Any review of services provided to protect children from physical and sexual abuse and exploitation is undoubtedly and properly a matter of public interest. However, the public interest must be balanced against considerations of the future well-being of any children and young people mentioned in the review. The Overview report on Child S had two principal purposes; first to describe and assess the conduct of the professionals and others who had a responsibility towards her and her family, and

second to indicate clearly the lessons to be learned so that such tragic events would be prevented in future. For both purposes, the paramount concern must be for the welfare of children.

- 7.63 The young people in the family concerned had their lives ahead of them. We should help them to put aspects of their past behind them and develop into responsible citizens. The Overview report talked of many aspects of their lives in some detail. It is our strong view that it would not be beneficial that this should be put into the public domain and remain there for evermore. For most of the children's 'misdemeanours' no formal charges were laid. The unredacted report therefore discloses information that would otherwise be protected.
- 7.64 This is a difficult issue, which merits serious debate. The Home Affairs Select Committee has recommended that 'the victim, or their family, or an independent person' should have the right of redaction of serious case reviews. We recommend that the Department of Education should not demand the removal of redactions without giving thought to the implications for all of the children concerned. Whatever policy is determined on redactions, nothing must be allowed to inhibit the author of the report or detract from the honesty and integrity of the review and its findings.
- 7.65 The selection of redactions is a matter of judgement. In alleging a 'cover-up', the Times newspaper cited a small number of redactions where reference to officials was made. In each case we found that either the redaction was unnecessary, or the event in question had limited significance to the thrust of the report, or the reference to officials could have been retained with dexterous editing of the paragraph in question. We do not believe, however, that a charge of cover-up by the author or the Safeguarding Board can be justified.
- 7.66 The principle that the child's welfare must be the paramount consideration is explicitly stated in Government guidance¹⁷ and this should inform all future debate and policy on redactions.

¹⁷ 'Working Together to Safeguard Children (March 2012)

8. The response of other services and agencies

This chapter concentrates on the response to CSE from agencies including the Police, schools, taxis and licensing, Health and the Crown Prosecution Service. Historic policing issues are dealt with throughout the report. We acknowledge the priority given by the Police at the present time to protecting child victims and taking action against the perpetrators. It was not within the scope of the Inquiry to conduct in depth investigations into these service areas, but we are able to make some observations based on the evidence obtained. In some instances, the content is mainly descriptive, due to the limited amount of historic information available, and the absence of reference to CSE, as opposed to child protection, in records and files.

South Yorkshire Police

- 8.1 We deal with the response of South Yorkshire Police at some length throughout this report. While there was close liaison between the Police, Risky Business and children's social care from the early days of the Risky Business project, there were very many historic cases where the operational response of the Police fell far short of what could be expected. The reasons for this are not entirely clear. The Police had excellent procedures from 1998, but in practice these appear to have been widely disregarded. Certainly there is evidence that police officers on the ground in the 1990s and well beyond displayed attitudes that conveyed a lack of understanding of the problem of CSE and the nature of grooming. We have already seen that children as young as 11 were deemed to be having consensual sexual intercourse when in fact they were being raped and abused by adults.
- 8.2 We were contacted by someone who worked at the Rotherham interchange in the early 2000s. He described how the Police refused to intervene when young girls who were thought to be victims of CSE were being beaten up and abused by perpetrators. According to him, the attitude of the Police at that time seemed to be that they were all 'undesirables' and the young women were not worthy of police protection.
- 8.3 By 2007, there was evidence that the Police were more pro-active in tackling CSE. Senior police officers had established good liaison arrangements with Risky Business and progress was being made in protecting the children and investigating the perpetrators.
- 8.4 The Police were commended by the trial judge, along with children's social care, for their handling of a successful prosecution in 2007. Shortly thereafter, work began on what would eventually lead to the successful prosecution of five offenders in 2009 as part of Operation Central, brought about by excellent joint working between the Police, Risky Business and children's social care.
- 8.5 We interviewed many serving police officers at different levels of seniority during the fieldwork for the Inquiry. It was clear that tackling child sexual exploitation was now a priority for South Yorkshire Police and we describe elsewhere their contribution to the

inter-agency response.

- 8.6 There were a number of recent and on-going police operations to investigate and prosecute perpetrators of CSE. Some of these were run jointly with children's social care. They included investigations into historic abuse cases, one a Rotherham investigation and a second a Yorkshire-wide operation. There have been recent operations to target suspect hotels and limousine companies and an operation was underway looking at high-risk missing children. Joint training of hotel managers had resulted in one perpetrator being caught with two under-age girls.
- 8.7 A police analyst is now based in Rotherham, and produces a well presented monthly report on CSE. This provides detailed information about progress under the strategic objectives for CSE – Prevent, Protect and Pursue. This has greatly improved the quality of the information the CSE sub-group receives for monitoring purposes.
- 8.8 We considered that the Police were now appropriately resourced to deal with child sexual exploitation and had a clear focus on prevention, protection, investigating and prosecuting the perpetrators. We also found that police officers on the ground had a good child-centred focus and demonstrated a commitment to continuous improvement. Senior police officers were keen to develop the joint CSE team and were supportive of a single management arrangement similar to what is in place in Sheffield. They considered that this would strengthen the operation of the team.

Schools

- 8.9 Schools were a key element in the frontline of protecting children from sexual exploitation. Perpetrators targeted schools and there was evidence in the files (historically and up to the time of the Inquiry) that schools were proactive in alerting Risky Business, children's social care and the Police to signs and evidence of exploitation.
- 8.10 From its inception, Risky Business provided training programmes to schools with a view to raising young people's awareness of CSE and its dangers and giving them a chance to voice concerns about their own situation. Workshops in schools covered grooming and the internet. These programmes were maintained throughout the 2000s. By 2009 it was said that the demand for training on the part of schools was increasing markedly, although funding was a constraint for some. In 2012, the CSE team was working with 14 secondary schools. In the following year, the Safeguarding Board was told that exemplary work had been done with schools regarding CSE and that all schools, including faith schools, were signed up to the training.
- 8.11 Throughout this period, there were close working relationships between Risky Business and the Education Welfare Service. For example, in 2005 the Service was working with six girls who had been referred by Risky Business, and it had identified 18 girls for referral to Risky Business on account of concerns about sexual exploitation. The work of the Education Welfare Service in identifying young people

at risk was commended by the Safeguarding Board in December 2012.

- 8.12 In December 2009, the Safeguarding Board received a policy paper 'Safeguarding Children Guidance for Madrassahs, Mosques and Supplementary Schools', which extended the scope of training and awareness-raising still further. There was also regular discussion of Children Missing from Education, in which the Education and Health services were working closely to locate missing children and to reduce the risks to which they might be exposed. In 2011, the effects of EU migration on school admissions and referrals to children's social care were reported to the Safeguarding Board. The number of Roma people in Rotherham was steadily increasing, as were concerns about child protection and child sexual exploitation within this group.
- 8.13 The young people we met in the course of the Inquiry were scathing about the sex education they received at school. They complained that it only focused on contraception. Some who had experienced Risky Business awareness-raising about CSE thought it was very good, particularly when a survivor spoke to them about her experience. They thought the sex education was out of touch and needed to be updated.
- 8.14 It is only recently that schools have been directly represented as members of the Safeguarding Board. In earlier years their interests were represented by senior officers of the Council, but they participated in sub-groups. Some found it difficult to attend, and this became an issue along with failure of some schools to complete Section 11 audits.
- 8.15 The report of the unannounced inspection by Ofsted in 2013 praised the advice given by schools and children's centres in relation to child protection. Many schools had a Child Exploitation and Online Protection Co-ordinator working with staff, parents and carers, and the largest proportion of referrals to the sexual exploitation team came from schools.

Taxis and Licensing

- 8.16 One of the common threads running through child sexual exploitation across England has been the prominent role of taxi drivers in being directly linked to children who were abused. This was the case in Rotherham from a very early stage, when residential care home heads met in the nineties to share intelligence about taxis and other cars which picked up girls from outside their units. In the early 2000s some secondary school heads were reporting girls being picked up at lunchtime at the school gates and being taken away to provide oral sex to men in the lunch break.
- 8.17 A diagram and backing papers supplied to the Police in 2001 by Risky Business linked alleged perpetrators with victims, taxi companies and individual drivers.
- 8.18 In the Borough at present there are 1200-1300 licensed taxi drivers, though they may not all be active. There are also well over 100 licensed taxi operators. The licensing

of the vehicles and drivers is the responsibility of the local authority. There are statutory tests that must be complied with before a driver licence may be granted. The primary concern is for the 'fit and proper' test of the individual, although there is no legal definition of what this means. In Rotherham, applicants are obliged to obtain an enhanced disclosure from the Disclosure and Barring Service (DBS). The DBS check uses the same Police National Computer (PNC) information as the standard check but also includes a check of police intelligence records held locally. Any information held locally can at the discretion of the Chief Officer of Police be disclosed on the certificate.

- 8.19 The occupation of 'taxi driver' is a notifiable occupation. If a taxi driver is arrested or charged or convicted or is the subject of an investigation then the Licensing Authority is informed. The Licensing Authority may immediately suspend or revoke the licence if it is in the interests of public safety to do so. In 2010, the Council decided to locate all matters of temporary suspension with the relevant director, rather than with a less senior member of staff.
- 8.20 The Responsible Authorities' meetings in Rotherham were introduced in 2006 to share and discuss matters in relation to licensed premises such as late night takeaways, but they were later extended to include other matters related to licensing such as taxi and private hire licensing and safeguarding issues. Taxis are a standing item on the meeting's agenda. They are now held once every eight weeks with members including the Police, Fire, Child Safeguarding, Public Health and others. In March 2005, the Council's Task and Finish Group on CSE asked that discussions take place about safe travel, though there is no record of what specific actions followed. In June 2008 the Safeguarding Board learned that work had started involving taxi drivers and licensed premises as part of the preventive agenda by encouraging recognition and referral of young people thought to be at risk of sexual exploitation.
- 8.21 The Safeguarding Unit convened Strategy meetings from time to time on allegations involving taxi drivers. We read some of the most serious, from 2010, and were struck by the sense of exasperation, even hopelessness, recorded as the professionals in attendance tried to find ways of disrupting the suspected activity. Strategy meetings about one specific taxi firm had been held on four occasions in a seven week period. The minutes of one meeting record a total of ten girls and young women, three of whom were involved in three separate incidents of alleged attempted abduction by taxi drivers. The seven other girls had alleged that they were being sexually exploited in exchange for free taxi rides and goods. Two of the girls involved were looked after children. The Licensing Enforcement Officer took the step of formally writing to the Police following the incidents of alleged attempted abductions by drivers, complaining about the Police failure to act. In one incident, a driver accosted a 13-year-old girl. She refused to do what he asked and reported this to her parents who followed the taxi through the town, where they managed to identify the driver and dialled 999 for assistance. According to the Licensing Enforcement Officer, the Police did not attend

until later and took no action. In his email to the Police he stated that 'a simple check would have revealed that the driver had been arrested a week previously in Bradford for a successful kidnapping of a lone female.' He concluded by acknowledging that police priorities were not the same as Licensing, but he 'should not be holding this together on his own'.

- 8.22 A further issue of safeguarding concerned those taxi firms which had a contract with the Council to transport some of the most vulnerable children to various resources within the authority. Some of the Council's difficulty was that they did not always have the drivers' names when allegations were made. Nor did they have a list of the drivers who transported children as part of the Council contract.
- 8.23 Following a review undertaken in 2012, the Council's Housing and Neighbourhood Services developed a formal procedure for the referral and communication of concerns about the safeguarding of children and vulnerable adults. This replaced a more informal arrangement. A plan for child safeguarding training for taxi drivers has also been put together with Sheffield City Council. Once finalised, it is intended that the training package will be delivered to all new applicants in Rotherham. This will be mandatory as part of the application process, and the existing drivers will be targeted in a phased way. The Council has also produced a 'Taxi Driver's Handbook', which includes CSE and safeguarding issues.
- 8.24 We were advised that four CSE related cases of taxi drivers had resulted in revocation of licence since 2009. They worked for four different companies. In one instance, the driver was arrested for sexual offences and supplying a controlled drug to a 15 year old girl. The CPS decided not to charge him, due to the perceived unreliability of one of the prosecution witnesses and the driver requested that the immediate suspension of his licence be lifted. However, the Licensing Board fully revoked the suspended driver licence. Council licensing staff described their relations with the taxi trade as being 'very difficult' on occasions, but they had always taken the right course of action on safeguarding issues. They worked closely with the Police, mostly on 'soft' intelligence, since written information tended to be much blander.
- 8.25 In a number of different meetings, the Inquiry talked to 24 young people, aged 14-25, who lived in the Council area. One of the main items for discussion with them was safe transport. When asked about taxis, there was an immediate and consistent response from the young women and men on every occasion. All avoided the use of taxis if at all possible. Their parents and partners strongly discouraged, even forbade, them from being on their own at night in a taxi, unless it was a company they personally knew. The girls described how on occasions they would be taken on the longest, darkest route home. One said the driver's first question would be 'How old are you, love?'. All talked about the content of their conversation quickly turning flirtatious or suggestive, including references to sex.

- 8.26 All the young people we met preferred to use the bus, despite their nervousness and dislike of the Rotherham Interchange, which they described as attracting drug dealers, addicts and people involved in a range of criminal activity. Many of these people congregated outside the Bus Station. The young people described their sense of intimidation and 'running the gauntlet' to get to their buses.
- 8.27 The use of limousines for purposes of sexual exploitation was raised by a number of people as a historic and current issue. It was also discussed at the Safeguarding Board in 2011. Such vehicles with more than 8 seats are nationally regulated by the Driver and Vehicle Standards Agency. In Rotherham, they have recently been seen waiting for young girls outside school gates. The Police have targeted limousine companies as part of organised operations to prevent sexual exploitation.

Crown Prosecution Service

- 8.28 It has not proved possible to follow up any individual cases where there were references to the Crown Prosecution Service in files and minutes dating back to 1997. We were told that those in the CPS before 2010 who would have dealt with CSE had all retired. For much of the period under review, the Police would cite the requirements of the CPS and their unwillingness to charge alleged perpetrators as the main reason so few prosecutions were pursued. In 2003, an SSI inspection noted that when Police had investigated and referred a case to the CPS, it had taken them nine months to decide not to proceed with the case.
- 8.29 The Crown Prosecution Service has recently undergone some internal reorganisation, which means that the CPS in Sheffield no longer deals with serious sexual offences, including CSE. A unit in Leeds and one in Hull now cover the South Yorkshire Police area.
- 8.30 Within the Safeguarding Board minutes, there was rarely reference to the CPS. It was noted in September 2011 that in relation to Operation Chard, it would be useful to know how the CPS had reached its conclusion on the case. The Board subsequently invited a representative from the CPS to discuss Operation Chard.
- 8.31 In June 2013, it was noted by the Safeguarding Board that they had sought representation from the CPS to serve on the CSE sub-group. By the end of 2013, no representative had been secured.
- 8.32 Senior police officers reported that the CPS had been much more helpful in CSE cases in their recent experience.
- 8.33 There are many issues that have been raised in other reports about the protection and support of child witnesses. These will be addressed in the new national policy and guidance for Police and the Crown Prosecution Service that will be drawn up by the College of Policing. It will include a checklist of support services that a victim of CSE ought to be offered following the decision to prosecute the case. It has been

proposed elsewhere that this checklist should include, at the very least, pre-trial therapy, a pre-court familiarisation visit and a chance to meet the prosecuting barrister. In addition, all victims of CSE should be offered the services of an Independent Sexual Violence Adviser who is trained in court processes and, wherever possible, the same person should support the victim throughout the trial.

- 8.34 One survivor told us that victims who were witnesses needed much more support to help them through the whole process from the beginning. For some, it could be the fourth or fifth time they had been involved as witnesses. Very little was offered by way of support after a trial.
- 8.35 The Home Affairs Select Committee proposed that the CPS should review all prosecutions in CSE to identify barriers to taking cases forward, and outline best practice in supporting victims. It also recommended that the CPS should review recent cases to identify the key factors that led to successful prosecution.
- 8.36 In October 2013, the Director of Public Prosecutions at that time, Keir Starmer, revised the CPS guidance on child sexual exploitation to set out a clear, agreed approach which prosecutors would take to tackle cases of child sexual abuse. A list of stereotypical behaviours previously thought to undermine the credibility of young victims was included to dispel the associated myths when bringing a prosecution. These included:
- The victim invited sex by the way they dressed or acted
 - The victim used alcohol or drugs and was therefore sexually available
 - The victim didn't scream, fight or protest so they must have been consenting
 - The victim didn't complain immediately, so it can't have been a sexual assault
 - The victim is in a relationship with the alleged offender and is therefore a willing partner
 - A victim should remember events consistently
 - Children can consent to their own sexual exploitation
 - CSE is only a problem in certain ethnic/cultural communities
 - Only girls and young women are victims of child sexual abuse
 - Children from BME backgrounds are not abused
 - There will be physical evidence of abuse.
- 8.37 All of the above elements have been referred to at some point in historic files we read, usually as reasons given by the Police or the CPS for not pursuing suspected perpetrators. This guidance was welcomed by many of the main organisations, both statutory and voluntary, dealing with CSE.

Health

- 8.38 Effective partnership working with health was a key priority for the Local Safeguarding Board, as it was for its predecessor, the Area Child Protection Committee. Over the past ten years, the health service had been well represented at meetings of the Safeguarding Board by the hospital services, the Primary Care Trust, the Director of Nursing, the Director of Public Health and the Nurse Consultant on Safeguarding Children, amongst others. Strategic planning on CSE from a health perspective has been difficult to glean from historical records in the early part of the Inquiry period, although evident from individual files.
- 8.39 In the early 2000s, the Rotherham Health Professionals Child Protection Forum was established. In late 2005 an audit was conducted into the referrals made by health services to the children's social care Front Desk. It was found that the quality of referrals made by health visitors and other professionals was poor, but the response of children's social care was little better.
- 8.40 The Children First review of Children's Services in 2009 found that partnership working with NHS Rotherham had been well developed and represented 'highly advanced and ambitious practice'. It paid tribute to the leadership provided by the then chief executives of the two organisations, and to the ambition to create an integrated locality structure. However, implementation had proved difficult and the vision needed to be 'refreshed'. Aspects of the integrated locality model were later reversed. This is referred to in more detail in Chapter 13.
- 8.41 In November 2013, the Children, Young People and Families Partnership was advised of progress made in creating care pathways and safeguarding reporting mechanisms for young people accessing sexual health services in Rotherham. Protocols in relation to under-16 children attending the Genito-Urinary Medicine (GUM) and Contraceptive and Sexual Health (CaSH) clinics already included screening for sexual exploitation. These would be developed to raise the profile of CSE and to capture concerns about possible sexual exploitation, as well as 'algorithms' for referral to the newly appointed sexual exploitation nurse.
- 8.42 The Service Manager responsible for the CSE team told us that the appointment of the nurse to the team is one of the most positive initiatives in recent years, and gave examples of how this has speeded up children's access to appropriate health care.
- 8.43 The Inquiry interviewed the Director of Public Health, who had lengthy experience of both the Safeguarding Board and the Area Child Protection Committee. In his view, earlier meetings showed that there was general awareness of sexual abuse rather than sexual exploitation, and that sexual abuse was associated with individual perpetrators rather than with groups. In his opinion, physical abuse seemed to take higher priority. Awareness of sexual exploitation, especially in relation to the older age group of girls, came later towards the end of the decade. It had taken some time for the girls involved to be recognised as victims, and the justice system had some

way to go in ensuring support and protection for victims and witnesses. He thought there had been a marked improvement over the past two or three years, with earlier intervention, better conducted risk assessments and agencies working more closely together, as epitomised by the interdisciplinary CSE team.

- 8.44 A number of those interviewed, including health professionals, commented on the complexity of the current health structure and its implications for accountability. There are several 'health organisations' within the NHS, who are represented at the Safeguarding Board and in other multi agency forums. These included Clinical Commissioning Groups, NHS (England), the Rotherham Hospital Trust, the RDASH Mental Health Trust, as well as the Director of Public Health located within the Council, and Public Health (England). This made it difficult to establish a single point of contact or a single representative, who could report back and consult with other parts of the service. Similarly, commissioning new services was complicated by the fragmentation of the various health bodies.
- 8.45 Both the Director of Public Health and two NHS Rotherham staff thought that local agencies should provide more consistent and longer term counselling and other supports to victims of sexual exploitation.

9. The Risky Business Project

The Risky Business project was the first public service in Rotherham to identify and support young people involved in child sexual exploitation. It operated on an outreach basis, working with large numbers of victims, as well as those at risk. The Council is to be commended for its financial commitment to the project and its work for most of its existence. From 2007, the project worked effectively with the Police on Operation Central. But it was too often seen as something of a nuisance, particularly by children's social care and there were many tensions between the two. There were allegations of exaggeration and unprofessional approaches by the project, none of which have been substantiated by this Inquiry. Management failed to address these problems and to enforce proper joint working and effective co-ordination so that the most was made of their distinctive contributions. The Risky Business project was incorporated within Safeguarding from 2011 and subsequently became part of the co-located joint CSE team in 2012.

- 9.1 Risky Business was a small team of youth workers, set up in 1997, following concerns by local staff about young people being abused through prostitution. After the project was established, a CSE inter-agency network was developed by voluntary and statutory agencies. In 1998, a small survey distributed by this network, identified 70 young women and 11 young men under 18 who were involved in exploitation, or prostitution as it was then termed. Area Child Protection Committee protocols were drafted and two regular meetings were established, which were later merged into a group known as 'Key Players'. ACPC training on sexual exploitation was first delivered following the launch of the procedures in November 2000. Risky Business contributed to all of these initiatives.
- 9.2 The Risky Business project aimed to provide support to young people in Rotherham, aged between 11 and 25 years, with two main purposes:
 - a) To offer advice and information to young people in relation to sexual health, accommodation, drugs and alcohol, parenting and budgeting, eating disorder, self-harm and abuse; and to promote their self-esteem and self-assertiveness.
 - b) To offer training in sexual exploitation, abuse and related matters to schools and to agencies and individuals working with young people.
- 9.3 For some years after its foundation, the funding of Risky Business was uncertain, though eventually the Council acknowledged its important work and increased its core budget.
- 9.4 Risky Business adopted an outreach approach, based on community development principles. That is, it started where the young person was; it concerned itself with the whole person and addressed any issues that the young person brought to the relationship; it did not prescribe or direct. Its methods were complementary to those of the statutory services. Its success depended upon the skills of the individual worker and the level of trust which young people were willing to commit to it. Its operations could be volatile, unpredictable, and even 'risky'. Nevertheless, it was performing a function which services with statutory responsibilities could not fully

replicate. Any semblance of the statutory worker had to be set aside in order to create and retain trust.

- 9.5 In a report in 2008 on the Protection of Young People in Rotherham from Sexual Exploitation, it was stated that Risky Business 'continues to be the main service available to young people. It takes referrals, undertakes assessments of risk and directly intervenes to manage and reduce risk by working with young people and other agencies to devise and deliver exit plans'.
- 9.6 The key role played by Risky Business in the success of Operation Central was acknowledged by many, including the Police. The 'Lessons Learned' independent review (2010) reflected that its work was highly thought of by the young victims, and that it had good working relations with the Police. It even proposed a greater role for the project in ensuring that necessary actions were carried out in a way acceptable to victims. Recognising the value of the soft intelligence held by Risky Business, the District Commander (2006 - 2010) arranged for the project staff to be given training in intelligence gathering.
- 9.7 The Council also placed high value on the training programmes which Risky Business provided to schools, seeking to raise young people's awareness of sexual exploitation and its dangers; and it encouraged the extension of these programmes to a wide range of groups, formal and informal, within the community. The presentations on sexual exploitation that were given to councillors and senior officials in 2004-5 derived mainly from the work of Risky Business.
- 9.8 From an early stage, problems arose in the relationship between Risky Business and children's social care, particularly with regard to individual young people whose needs were thought by Risky Business to fall within the remit of the statutory services. It was essential that the relationship be built on mutual understanding and the preservation of the strengths of each. There would always be the inherent difficulty of transferring a young person from a non-statutory to a statutory service; of achieving the transition to the status of 'client', particularly if the young person regarded social workers with apprehension.
- 9.9 The task of dealing with issues between Risky Business and children's social care lay with management. Given the subsequent histories of some of the young people who were affected, it is tragic that in so many instances management failed to do so. There were too many examples of young people who were properly referred by Risky Business to children's social care and who somehow fell through the net and were not treated with the priority that they deserved. It is almost as if the source of the referral from Risky Business was a pretext for attaching lower importance to it.
- 9.10 Interviews with managers in post at that time (around mid 2000s) confirm this view. 'They were regarded as a group of youth workers who were treading on their territory' said one. Another senior manager 'disbelieved' what Risky Business presented,

describing it as almost 'professional gossip'. Tensions manifested themselves in a number of ways, and particularly in individual cases. All agreed that relationships were not good between the project and children's social care. Managers of children's social care wished to bring the project firmly into a child protection approach, whilst project staff wanted to advocate on behalf of the girls involved and protect their confidentiality.

- 9.11 Children's social care would complain that the referral was not accompanied by the detailed information, which was necessary for its acceptance. Serious criticism of the Risky Business record keeping is referred to elsewhere in this report, in particular in the findings of the Child S Serious Case Review. Having read a sample of the Risky Business records, this inquiry did not find these criticisms justified. Where records were available, they were detailed and well kept. They were judged to be equivalent to the standard of many of the contemporaneous children's social care records on children in need. Child protection and looked after children files were of a higher standard.
- 9.12 Several people interviewed were of the view that the project's success, particularly in Operation Central, was one of the causes of professional jealousy, which led to them being assigned a lesser role in Operation Czar and for children's social care staff to take the lead with the individual girls involved. This proved to be a serious misjudgement, as is referred to in Chapter 13.
- 9.13 It is not the intention of this overview to overstate the achievements of Risky Business. Its staff readily acknowledge that they made mistakes and that their enthusiasm and frustration may sometimes have led them into breaking rules and frequently getting into trouble. There were periods when relationships between Risky Business and the statutory agencies were poor, and a less confrontational approach might have strengthened joint working. A senior person from another local voluntary organisation commented that single-issue projects always faced the risk of focusing on their own issue to the exclusion of others. However, for many years Risky Business was the only service within the Council to consistently recognise the gravity of child sexual exploitation in the Borough and the severe damage that it was causing to young people. By its nature, the project's style made a bad fit with the more structured services involved. The failure of management to understand and resolve this problem has been a running flaw in the development of child protection services relating to sexual exploitation in Rotherham.
- 9.14 The project has now been incorporated within the joint CSE team. It is doubtful whether its original ethos and style of working can survive this absorption into the statutory system, where it is firmly located in a child protection model. The grounds for the move included the belief that Risky Business lacked managerial and risk assessment skills, the rigour of case management supervision, procedures, risk management plans, defined roles and responsibilities, and office systems. All of which fails to recognise the quality of their work with individual children, and their

distinctively different professional role, and entirely misses the point.

10. Three Early Reports

A chapter of a draft report on research into CSE in Rotherham, often referred to as 'The Home Office Report', was written by a researcher in 2002. It contained severe criticisms of the agencies in Rotherham involved with CSE. The most serious concerned alleged indifference towards, and ignorance of, child sexual exploitation on the part of senior managers. The report also stated that responsibility was continuously placed on young people's shoulders, rather than with the suspected abusers. It presented a clear picture of a 'high prevalence of young women being coerced and abused through prostitution.' Senior officers in the Police and the Council were deeply unhappy about the data and evidence that underpinned the report. There was a suggestion that facts had been fabricated or exaggerated. Several sources reported that the researcher was subjected to personalised hostility at the hands of officials. She was unable to complete the last part of the research. The content which senior officers objected to has been shown with hindsight to be largely accurate. Had this report been treated with the seriousness it merited at the time by both the Police and the Council, the children involved then and later would have been better protected and abusers brought to justice. These events have led to suspicions of collusion and cover up.

Dr Heal's reports present a vivid and alarming picture of the links between sexual exploitation, drugs, gangs and violent crime in Rotherham from 2002 to 2006. They were widely distributed to middle and senior managers in all key agencies. There is no record of any formal, specific discussion of these reports in Council papers, in ACPC minutes or in the Rotherham Safeguarding Children Board minutes made available to the Inquiry.

- 10.1 The reports covered in this chapter indicate the extent of knowledge and research about CSE in Rotherham which was available to the agencies involved during the earlier part of the Inquiry period.

The Home Office Research

- 10.2 The Home Office Crime Reduction Programme (CRP) initiated a number of research projects throughout England in 2001, aimed at providing an evidence base on tackling street prostitution. They reviewed services that were working to protect young people at risk or actively involved in prostitution. Three projects in Bristol, Sheffield and Rotherham, made up the 'young people and prostitution' part of the research. Each of the three had its own focus. The Rotherham focus was on perpetrators. This required a significant amount of 'profiling' to be done. It also drew heavily on ten case studies of known victims in the town. The Rotherham research was based on Risky Business, and the researcher was appointed by the Council on behalf of the local partners and was based in Council premises.
- 10.3 The Bristol and Sheffield projects were funded from January 2001 until March 2003, and the Rotherham project from January 2001 until July 2002. The final report on the research from the Home Office included a footnote, stating that Rotherham was not funded for the second year due to 'implementation problems'. The University of Luton's final evaluation report did not include the Rotherham project.

- 10.4 A document headed 'Chapter Four: Key Achievements of the Home Office Pilot ' was made available to the Inquiry by the Council. It referred to the evaluation results of the pilot in Rotherham, though the town is not named. It provided a descriptive background to CSE within the town going back to 1996, drawing on the work of Risky Business, which is referred to in the report as 'the project'. The rest of the report containing the overview of the aims and objectives of the pilot, literature review, methodology and recommendations, is missing.
- 10.5 The report was not dated but we understand that it was written in 2002.
- 10.6 The present Chief Executive and Executive Director of Children's Services saw the report referred to below for the first time in 2012.
- 10.7 The report gave due credit to good practice where it occurred and noted improvements which had taken place over the period of the research. These included:
- a) the raised profile of abuse through prostitution;
 - b) the revision of the Missing Persons procedure;
 - c) the post of Sexual Exploitation Co-ordinator was created (though unclear whether it was ever filled);
 - d) the Keepsafe project was a valuable initiative;
 - e) more inter-agency meetings were held to share concerns about young people affected by exploitation;
 - f) methods of recording CSE were improved;
 - g) CSE became a key objective for the ACPC for 2002-2003; and
 - h) Multi-agency training was provided to a wide range of agencies, but was not taken up by the Police or local magistrates.
- 10.8 The examples of poor practice and negative attitudes were far more prevalent. These included:
- a) Awareness of CSE and interest in it were not widespread. Effective interventions were lacking;
 - b) Some professionals were working as individuals rather than seeking inter-agency solutions;
 - c) Information was not being shared with the Police, and Strategy meetings were not being called by children's social care;
 - d) The 'mapping exercise' devised by Risky Business that cross-referenced a large amount of data on victims and perpetrators was not well received by the Police. No charges were brought against alleged perpetrators, nor was any investigation undertaken.

- e) The Police had responded reluctantly to missing person reports, as a 'waste of time'. Some young women had been threatened with arrest for wasting police time;
- f) The young women concerned were often seen by the Police as being deviant or promiscuous. The adult men with whom they were found were not questioned;
- g) A database was developed to provide consistent recording of CSE-related information across agencies. Owing to a dispute between these agencies, it was not used;
- h) Possibly as a result of their experience, parents were often not reporting a missing child since they saw it as a waste of time;
- i) Professionals were reluctant to be named as a source of information in prosecution, fearing for their safety. Some Police said that if young people were not prepared to help themselves by making complaints against their abusers and giving evidence, they would take no further action on the case;
- j) Despite ACPC procedures, there was no consistent way of addressing the issue of CSE. Many professionals were unaware of it; and
- k) Some professionals were cautious about working together and sharing information. Some feared an increase in workload. Some, especially the Police, made personal judgements about the young women involved.

10.9 According to the researcher, attempts to raise many of the concerns described above with senior personnel were met with defensiveness and hostility.

10.10 The researcher gave the Inquiry an account of her mounting frustration and concern at the lack of action to pursue the perpetrators, despite monthly meetings with the Police at which the project provided intelligence about the men concerned. She also had concerns regarding the lack of action taken to protect young people at risk and was conscious that the end of the pilot was in sight, with no positive progress in these areas. There were continuing incidents of serious abuse being perpetrated against vulnerable children.

10.11 She described a particular case that was 'the final straw'.¹⁸ In 2001, a young girl who had been repeatedly raped had tried to escape her perpetrators but was terrified of reprisals. They had allegedly put all the windows in at the parental home and broken both of her brother's legs 'to send a message'. At that point, the child agreed to make a complaint to the Police. The researcher took her to the police station office where she would be interviewed in advance in order to familiarise her with the place and the officer who would be conducting the interview. Whilst there, the girl received a text from the main perpetrator. He had with him her 11-year old sister. He said repeatedly to her 'your choice...'. The girl did not proceed with the complaint. She disengaged from the pilot and project and is quoted by the researcher as saying 'you can't protect me'. This incident raised questions about how the perpetrator knew

¹⁸ This case is also mentioned in Chapter 5. It was one of the case files read independently by the Inquiry team, and the details given by the researcher were found to be accurate.

where the young woman was and what she was doing.

- 10.12 Following this incident, the researcher described how she discussed what to do next with her manager and others in the project and pilot's Steering Committee. It was agreed that she should put her concerns in writing to the Chief Constable of South Yorkshire Police and the Rotherham District Commander of Police. This letter was approved by her manager and the steering group before being hand-delivered to Rotherham Police Station. The Inquiry had access to this letter. According to the researcher, this resulted in a meeting with the District Commander and senior Council officials at which she was instructed never to do such a thing again. The content of her letter was not discussed.
- 10.13 Prior to completion of the draft report, the researcher had to submit her data to the Home Office. When senior Council and police officers saw it, the Council suspended the researcher on the basis that she had committed 'an act of gross misconduct' by including in the data minutes of confidential inter-agency meetings. A formal meeting took place the following week at which the researcher was reinstated after she was able to show that the minutes had in fact been handed to the Home Office evaluators by her manager. It was agreed that she would receive a positive reference from the Council when her temporary contract terminated. The Council also paid for counselling. She spent the remainder of her time working on policies and procedures, in a room on her own, forbidden access to the girls involved and not allowed to attend meetings or have access to further data.
- 10.14 According to the researcher, a request, made via her manager, from senior council officials and the District Commander was that she edit the data sent to the Home Office evaluator, and remove or rewrite several sections that they judged to be inaccurate or exaggerated. The District Commander had a different recollection, namely that at the time she suggested editing out any identifying information about the children involved before the report was circulated to other agencies. The Inquiry had access to copies of the researcher's case studies. These were all appropriately anonymised to protect the identity of the victims.
- 10.15 The researcher told the Inquiry that she verified the accuracy of her findings and sent the report including the Chapter 4 referred to above, to the Home Office evaluators and senior officials on the last day of her employment, without incorporating any of the changes proposed by the officers concerned. Funding for the second year of the pilot was withheld by the Home Office and Rotherham was excluded from the final research report because of "implementation problems".
- 10.16 The District Commander of Police (2001-2005) remembered the 'Home Office' report, and its criticisms of the Police, but recalled nothing of any 'row' surrounding it, nor anything to do with action taken against the researcher. The Head of Function for Safeguarding at the time and several others, including the Chief Executive (see Chapter 11), recalled the Police and senior Council officers as being very angry

about it.

- 10.17 The researcher's line-manager, who chaired the meeting to discuss the alleged gross misconduct thought the whole incident had been badly handled and the researcher had been very badly treated. She confirmed that there was a great deal of personal hostility and anger towards the researcher and her work on the part of senior people.
- 10.18 Much of what was contained in this report, and in particular the criticisms and concerns of the research officer, has been confirmed by the Inquiry from other sources. The Inquiry case-file reading exercise covered six out of those ten cases that formed her case studies. Apart from a very small number of minor details (e.g. a slight variation in the date of an event), we found the cases studies to be entirely consistent with our own reading of the files, and we considered them to evidence a high standard of professional judgement and accuracy. The secrecy around this report, the discrepancies in the accounts we received from senior people and the treatment of the researcher were all deeply troubling to the Inquiry team. They have inevitably led to suspicion of collusion and intended cover-up. If the senior people concerned had paid more attention to the content of the report, more might have been done to help children who were being violently exploited and abused.

Reports by Dr Angie Heal, Strategic Drugs Analyst

- a) Sexual Exploitation, Drug Use and Drug Dealing: Current Situation in South Yorkshire (2003)**
- b) Violence and Gun Crime: Links with Sexual Exploitation, Prostitution and Drug Markets in South Yorkshire (2006).**

- 10.19 In 2002, South Yorkshire Police and their partners appointed Dr Angie Heal, a strategic drugs analyst, to carry out research on drug use, drug dealing and related problems in the county. She was based with South Yorkshire Police and did this research in the period 2002-2006. She produced several 'stand alone' reports, including the two referred to here, as well as six-monthly updates. The two reports had a similar format of looking at the overall position in South Yorkshire, as well as examining each of the four policing areas separately i.e. Rotherham, Doncaster, Barnsley and Sheffield.
- 10.20 As a minimum, these reports went to each South Yorkshire Police District Commander, Chief Superintendents and Superintendents in Specialist Crime Services (CID) and Community Safety. They also went to Drug Action Coordinators, NHS and voluntary sector drug agencies as well as organisations working with children and adults involved in exploitation and prostitution. They also went to the Central Government office for the North East. Latterly, they were also sent to the Partnership Police Inspectors who were attached to each local authority Community Safety Partnership, as well as the Principal Community Safety Officers in each of the local authorities in the county. It became clear to Dr Heal at an early stage that there were important links between drugs, drug dealing and child sexual exploitation, which

she continued to highlight to her funding partners in her reports and updates throughout her employment as a researcher.

10.21 In November 2004, a presentation on sexual exploitation was made to the Rotherham Executive Group for Children and Young People's Services. According to Council papers, the information pack provided to those attending drew on Dr Heal's 2003 report, as well as two other relevant documents. The Inquiry asked the Council if the 2003 report had been considered by the Council, and the response was that no reference to the report could be found.

10.22 The main findings of the 2003 report were:

- a) most of the men in South Yorkshire who were involved in the sexual exploitation of young people for the purposes of prostitution were also believed to be involved in drug dealing. They might also be involved in rape, violence, gun crime, robbery and other serious criminal offences;
- b) Rotherham was described as not having a 'street scene' but there were a 'significant number of girls and some boys who are being sexually exploited';
- c) Some of the young women who were being sexually exploited were subject to violence, rape, gang rape, kidnap, carrying drugs, dealing drugs, and found in situations where firearms were present;
- d) Four brothers who had been targeting young women for their own and others' gratification were identified as the main focus of concern for Risky Business;
- e) The Police recalled one 12-year old who described being taken to a hotel by some men and being made to watch while her 14-year old sister had sex with them. They spoke of another young girl who was doused in petrol as a threat against reporting sexual offences. Another 14-year old was selling drugs for one of the main perpetrators, who had been very violent towards her and her mother. This man's brother tried to strangle another young girl;
- f) A significant number of the girls involved got pregnant; and
- g) Anger, depression and acts of self-harm by the girls involved were evident in many from a very early stage.

10.23 The main findings of the 2006 report were:

- a) The situation in 2006 in Rotherham was described as continuing 'as it has done for a number of years', with an established sexual exploitation scene which was very organised and involved systematic physical and sexual violence against young women;
- b) It also involved young women being trafficked to other towns and cities predominantly in the north;
- c) The level of intimidation, physical beatings and rape amongst exploited girls was considered by multi-agency staff to be very severe and their situation to be very serious. None of the perpetrators were believed to use substances which would contribute to such levels of violence;

- d) It was reported that a number of workers in the town involved with the issue believed that one of the difficulties which prevented CSE being dealt with effectively was the ethnicity of the perpetrators;
- e) The author emphasised the importance of the attitude taken to these crimes and to the victims, particularly by the Police and children's social care;
- f) The most significant recent development had been a rise in reports of guns being seen rather than used by men involved in CSE in Rotherham and Sheffield; and
- g) There had been a high-profile media campaign about the trafficking from Eastern Europe of young women and girls for the purposes of prostitution. Whilst laudable in itself, the abuse of local girls for the same purpose appeared to be largely ignored.

11. Issues of ethnicity

Issues of ethnicity related to child sexual exploitation have been discussed in other reports, including the Home Affairs Select Committee report, and the report of the Children's Commissioner. Within the Council, we found no evidence of children's social care staff being influenced by concerns about the ethnic origins of suspected perpetrators when dealing with individual child protection cases, including CSE. In the broader organisational context, however, there was a widespread perception that messages conveyed by some senior people in the Council and also the Police, were to 'downplay' the ethnic dimensions of CSE. Unsurprisingly, frontline staff appeared to be confused as to what they were supposed to say and do and what would be interpreted as 'racist'. From a political perspective, the approach of avoiding public discussion of the issues was ill judged.

There was too much reliance by agencies on traditional community leaders such as elected members and imams as being the primary conduit of communication with the Pakistani-heritage community. The Inquiry spoke to several Pakistani-heritage women who felt disenfranchised by this and thought it was a barrier to people coming forward to talk about CSE. Others believed there was wholesale denial of the problem in the Pakistani-heritage community in the same way that other forms of abuse were ignored. Representatives of women's groups were frustrated that interpretations of the Borough's problems with CSE were often based on an assumption that similar abuse did not take place in their own community and therefore concentrated mainly on young white girls.

Both women and men from the community voiced strong concern that other than two meetings in 2011, there had been no direct engagement with them about CSE over the past 15 years, and this needed to be addressed urgently, rather than 'tiptoeing' around the issue.

Ethnic Minorities and Safeguarding Issues

- 11.1 Census information from 2011 showed that Rotherham had nearly 8000 people with Pakistani or Kashmiri ethnicity, or 3.1% of the Borough population, an increase from 2% in the previous census. 77% of this population lived in one of three central wards of Rotherham. There are eight mosques in Rotherham. There were few references in any minutes to ethnic minorities or migrant families until 2006, when concern was raised at the Safeguarding Board about the living conditions of migrant families. Young people were thought to be at risk of physical or sexual abuse for a variety of reasons. Some had been separated from their own families. There were also issues of poverty, forced marriage and child abduction. In the early months of 2005, twelve cases of forced marriage had been dealt with in Rotherham - the highest in the South Yorkshire Police area. Of particular concern was the young age of many of the girls involved.
- 11.2 As has been stated many times before, there is no simple link between race and child sexual exploitation, and across the UK the greatest numbers of perpetrators of CSE are white men. The second largest category, according to the Children's Commissioner's report, are those from a minority ethnic background, particularly

those recorded as 'Asian'. In Rotherham, the majority of known perpetrators were of Pakistani heritage including the five men convicted in 2010. The file reading carried out by the Inquiry also confirmed that the ethnic origin of many perpetrators was 'Asian'. In one major case in the mid-2000s, the convicted perpetrator was Afghan. Latterly, some child victims of CSE and some perpetrators had originated from the Roma Slovak community, with a steady increase in the number of child protection cases involving Roma children, though mainly in the category of neglect. Work with Roma families was one of the six priorities of the Child Sexual Exploitation sub-group of the Safeguarding Board in 2012. The Roma population in Rotherham was proportionately much larger than in bigger areas such as Bradford and Manchester.

- 11.3 By March 2012, the child protection profile was showing that Rotherham had more than double the English average for Roma Slovak families being referred under Section 47 of the Children Act 1989.

The Early Years

- 11.4 Dr Heal, in her 2003 report, stated that 'In Rotherham the local Asian community are reported to rarely speak about them [the perpetrators].' The subject was taboo and local people were probably equally frightened of the violent tendencies of the perpetrators as the young women they were abusing. In her 2006 report she described how the appeal of organised sexual exploitation for Asian gangs had changed. In the past, it had been for their personal gratification, whereas now it offered 'career and financial opportunities to young Asian men who got involved'. She also noted that Iraqi Kurds and Kosovan men were participating in organised activities against young women.
- 11.5 In her 2006 report, she stated that 'it is believed by a number of workers that one of the difficulties that prevent this issue [CSE] being dealt with effectively is the ethnicity of the main perpetrators'.
- 11.6 She also reported in 2006 that young people in Rotherham believed at that time that the Police dared not act against Asian youths for fear of allegations of racism. This perception was echoed at the present time by some young people we met during the Inquiry, but was not supported by specific examples.
- 11.7 Several people interviewed expressed the general view that ethnic considerations had influenced the policy response of the Council and the Police, rather than in individual cases. One example was given by the Risky Business project Manager (1997- 2012) who reported that she was told not to refer to the ethnic origins of perpetrators when carrying out training. Other staff in children's social care said that when writing reports on CSE cases, they were advised by their managers to be cautious about referring to the ethnicity of the perpetrators.

Officer Involvement

- 11.8 All the senior officers we interviewed were asked whether ethnic considerations influenced their decision making. All were unequivocal that this did not happen. However, several of those involved in the operational management of services reported some attempts to pressurise them into changing their approach to some issues. This mainly affected the support given to Pakistani-heritage women fleeing domestic violence, where a small number of councillors had demanded that social workers reveal the whereabouts of these women or effect reconciliation rather than supporting the women to make up their own minds. The Inquiry team was confident that ethnic issues did not influence professional decision-making in individual cases.
- 11.9 Frontline staff did not report personal experience of attempts to influence their practice or decision making because of ethnic issues. Those who had involvement in CSE were acutely aware of these issues and recalled a general nervousness in the earlier years about discussing them, for fear of being thought racist.
- 11.10 Good work was done by officers in developing a protocol on child protection issues in the mosques in 2008. Each mosque appointed a designated person responsible for child protection, and training was provided for imams and others. The current chair of the Rotherham Council of Mosques had made strenuous efforts to widen representation on his Council to include women and demonstrated a strong personal commitment to dealing with child protection and CSE. He was disappointed not to have had any contact from the Safeguarding Board in the past, but was encouraged by recent discussions.

Political Engagement.

- 11.11 The issue of race, regardless of ethnic group, should be tackled as an absolute priority if it is known to be a significant factor in the criminal activity of organised abuse in any local community. There was little evidence of such action being taken in Rotherham in the earlier years. Councillors can play an effective role in this, especially those representing the communities in question, but only if they act as facilitators of communication rather than barriers to it. One senior officer suggested that some influential Pakistani-heritage councillors in Rotherham had acted as barriers.
- 11.12 Several councillors interviewed believed that by opening up these issues they could be 'giving oxygen' to racist perspectives that might in turn attract extremist political groups and threaten community cohesion. To some extent this concern was valid, with the apparent targeting of the town by groups such as the English Defence League. The Deputy Council Leader (2011-2014) from the Pakistani-heritage community was clear that he had not understood the scale of the CSE problem in Rotherham until 2013. He then disagreed with colleague elected members on the way to approach it. He had advocated taking the issue 'head on' but had been overruled. He was one of the elected members who said they thought the criminal

convictions in 2010 were 'a one-off, isolated case', and not an example of a more deep-rooted problem of Pakistani-heritage perpetrators targeting young white girls. This was at best naïve, and at worst ignoring a politically inconvenient truth.

- 11.13 Both the Council and the Police used traditional channels of communication with the Pakistani-heritage community for many years on general issues of child protection. There seemed, from all accounts, to be very few, if any, specific discussions of CSE, though this was difficult to verify. These contacts were almost exclusively with men.

Pakistani-heritage Women and Girls

- 11.14 One of the local Pakistani women's groups described how Pakistani-heritage girls were targeted by taxi drivers and on occasion by older men lying in wait outside school gates at dinner times and after school. They also cited cases in Rotherham where Pakistani landlords had befriended Pakistani women and girls on their own for purposes of sex, then passed on their name to other men who had then contacted them for sex. The women and girls feared reporting such incidents to the Police because it would affect their future marriage prospects.
- 11.15 The UK Muslim Women's Network produced a report on CSE in September 2013 which drew on 35 case studies of women from across the UK who were victims, the majority of whom were Muslim. It highlighted that Asian girls were being sexually exploited where authorities were failing to identify or support them. They were most vulnerable to men from their own communities who manipulated cultural norms to prevent them from reporting their abuse. It described how this abuse was being carried out. 'Offending behaviour mostly involved men operating in groups . . . The victim was being passed around and prostituted amongst many other men. Our research also showed that complex grooming 'hierarchies' were at play. The physical abuse included oral, anal and vaginal rape; role play; insertion of objects into the vagina; severe beatings; burning with cigarettes; tying down; enacting rape that included ripping clothes off and sexual activity over the webcam.' This description mirrors the abuse committed by Pakistani-heritage perpetrators on white girls in Rotherham.
- 11.16 The Deputy Children's Commissioner's report reached a similar conclusion to the Muslim Women's Network research, stating 'one of these myths was that only white girls are victims of sexual exploitation by Asian or Muslim males, as if these men only abuse outside of their own community, driven by hatred and contempt for white females. This belief flies in the face of evidence that shows that those who violate children are most likely to target those who are closest to them and most easily accessible.' The Home Affairs Select Committee quoted witnesses saying that cases of Asian men grooming Asian girls did not come to light because victims 'are often alienated and ostracised by their own families and by the whole community, if they go public with allegations of abuse.'

11.17 With hindsight, it is clear that women and girls in the Pakistani community in Rotherham should have been encouraged and empowered by the authorities to speak out about perpetrators and their own experiences as victims of sexual exploitation, so often hidden from sight. The Safeguarding Board has recently received a presentation from a local Pakistani women's group about abuse within their community. The Board should address as a priority the under-reporting of exploitation and abuse in minority ethnic communities. We recommend that the relevant agencies immediately initiate dialogue about CSE with minority ethnic communities, and in particular with the Pakistani-heritage community. This should be done in consultation with local women's groups, and should develop strategies that support young women and girls from the community to participate without fear or threat.

12. Workforce Strategy and Financial Resources

From 2009, the Council achieved a significant reversal of its long-standing vacancy problems with the development of an effective workforce strategy. The Council was coping with severe cost pressures as a result of cutbacks and other changes to local authority funding. Despite this, it has protected expenditure on children's safeguarding and improved its position from the lowest spend per head to the average, when compared with its benchmarking partners. At the time of the Inquiry it was facing a very difficult budgetary position for the foreseeable future.

Recruitment, Retention and Workforce Development

- 12.1 From the early 2000s, Rotherham started to experience problems in the recruitment of social workers, whilst facing budgetary pressures, high levels of demand, and increasing complexity of work, including CSE. The Social Services Inspectorate commented in a 2003 report on the serious vacancy levels, and there were regular reports to the Lead Member on the impact on services of staff shortages. This became very acute in 2008-09.
- 12.2 The present Executive Director of Children's Services recalled that at the time of her appointment in 2008 the vacancy rate was at its worst at 43%. At the time of the Ofsted inspection in 2009, it was in excess of 37% of the establishment posts and more than one in every two team manager posts was also vacant. Both social worker and manager unfilled posts were covered by agency staff, with the additional expense and other difficulties this created. There is no doubt that these workforce problems lay at the core of the quality of practice issues judged to be 'inadequate' by Ofsted.
- 12.3 In parallel with this there was a shortage of experienced children and families' social workers in the wider marketplace. In Rotherham, in keeping with other councils, there was a stable group of social workers in specialist posts such as Fostering and Adoption, but a deficit in the frontline child protection and children in need posts.
- 12.4 The DfE set targets for Rotherham to reduce its vacancy rate to 15% or less by December 2010. The Council was successful in meeting these targets and for the last three years it has maintained a low vacancy rate. For 2013 this was 4%, against an all England average of 12%.
- 12.5 There were several elements to the development of the Council's successful workforce strategy. One has been the systematic strengthening of links with the local universities which train social workers, with specific targeting of children's social work in the provision of practice placements. This was in recognition of the fact that good local authority placements often lead newly qualifying workers to work for that authority. Social workers we spoke to commented that their lecturers at university recommended Rotherham very highly for placements because of the quality of experience they would receive.

- 12.6 Another important strand in the retention strategy was investment in intensive support of newly qualified social workers. This approach, entitled the Assessed and Supported Year in Employment, involves caseload protection and the use of Social Work Practice Consultants, who enhance the traditional line management supervision process. The feedback from social workers about this support was extremely positive.
- 12.7 A third element in the strategy was the Council's investment in Continuous Professional Development, which offered team managers sponsorship to undertake the University of Sheffield's MA in professional practice, as well as other personalised learning options, including Team Manager Learning Sets.
- 12.8 The Council deserves recognition for its successful 'turnaround' in vacancy rates, which has created a stable workforce and significantly reduced reliance on agency staff. This was due to a carefully planned and implemented workforce strategy. The social workers and team managers we met spoke highly of Rotherham as an employer, and especially about the learning and development opportunities they had. All would recommend it as a place to work.

Financial Resources

- 12.9 For the earlier years of the Inquiry, the department of social services had an integrated budget for children and adults. Few financial records were available, specifically about children's social care. However, other reports provide some relevant data.¹⁹
- 12.10 For the period 2000/01 to 2002/03:
- a) the budget for children's social care, whilst increasing in cash terms, decreased in its proportion of the total budget for social services by 0.7 per cent;
 - b) in the same period the children's social care budget had been overspent by nearly a million pounds in two years. This was largely explained by unpredictable levels of expenditure on placements for children outside the Borough;
 - c) the Council had progressively increased its children's social care budget compared with the Standard Spending Assessment (SSA) but the percentage expenditure was still below the England average, placing Rotherham third lowest in its comparator group; and
 - d) gross expenditure on looked after children was just above the national average but the numbers of LAC were some 26% above the national average.
- 12.11 The SSI report from which the above data was drawn concluded that patterns of expenditure in children's social care did not promote preventive services.
- 12.12 Financial records available thereafter show that from 2005/2008:

¹⁹ Social Services Inspectorate Report Feb 2003, & Rotherham data sources.

- a) the Children and Young People 's Safeguarding budget performed more or less on target;
 - b) from then to 2012/13, there were overspends in every year;
 - c) savings taken from this line year on year were disproportionately lower than the percentage taken from other Council services, and investments in children's services were significantly higher; and
 - d) in the 2014/15 financial year there were no planned investments for any Council services.
- 12.13 The combined effect of changes to local authority funding in England has been a dramatic reduction in resources available to Rotherham and neighbouring Councils. By 2016, Rotherham will have lost 33% of its spending power in real terms compared to 2010/11. The comparison for the whole of England is a reduction of 20%, and for a Council like Buckinghamshire, only 4.5% reduction. These figures highlight the extreme pressure that reductions in public spending are placing on Councils such as Rotherham, which is faced with high demands for vulnerable children and families' services, associated with significant levels of poverty and deprivation.
- 12.14 The report commissioned by the Council and NHS Rotherham from Children First in 2009 considered the issue of Children's Services funding in some depth, drawing on 2008/09 data. Amongst its conclusions were:
- a) the Council had invested considerably in school provision, health and foster care provision;
 - b) with the exception of adoption services, spending on children's social care was low;
 - c) spending on looked after children was especially low, possibly risky;
 - d) at the same time the activity levels for children's social care showed referrals to be very high, but accompanied by lower levels of assessments and reviews;
 - e) in comparison to the benchmarking group of authorities, expenditure on residential, fostering and family support services was in the lower quartile; and
 - f) the additional needs of Slovakian/Roma children and families should be reviewed each year.
- 12.15 The reports available to the Inquiry did not tell us how well senior managers quantified unmet need and its associated costs or whether this information was presented to members in each annual budget. It was therefore hard to determine if council members had a realistic understanding of the cost of meeting the needs of vulnerable children, the impact of rising demand, and the fact that funding in Rotherham was at a very low base.
- 12.16 The Executive Director of Children's Services (2008 to date) thought that in the past too much emphasis had been placed by senior safeguarding staff on financial resources being the solution to all of the service's problems, rather than also looking at what could be done to improve efficiency and practice. The Lead Member for

Children and Young People's Services (2005-2009) indicated he had become increasingly concerned about the underfunding of safeguarding services during his time in office, and was frustrated by the lack of response to this from other members.

12.17 From 2009 the Council demonstrated support for the Children and Young People's Service and particularly children's safeguarding by affording the service protection in extremely difficult budgetary circumstances. Budgeted expenditure on Rotherham children's social care increased in real terms by 31.8% in the four years to 2013. This compared with an average increase of 2.6% for its benchmarking group.²⁰ This increase in expenditure on children's safeguarding is reflected in its relative position in the benchmarking group. In the four years to 2013/4, it went from having the lowest spend (£406 per child) to being at the median of the group (£604 per child).

12.18 Spend on youth services has been severely reduced from £2.4m in 2010/11 to £1.85m in 2012/13.

²⁰ Rotherham's 'statistical neighbours' or benchmarking comparators for children's safeguarding services include Barnsley, Tameside, Wigan, Wakefield, St Helen's, Redcar and Cleveland, Doncaster, Dudley, Telford and Wrekin and Hartlepool.

13. The Role of Elected Members and Senior Officers of the Council

In the early years there seems to have been a prevalent denial of the existence of child sexual exploitation in the Borough, let alone its increasing incidence and dangers. By 2005, it is hard to believe that any senior officers or members from the Leader and the Chief Executive downwards, were not aware of the issue. Most members showed little obvious leadership or interest in CSE for much of the period under review apart from their continued support for Risky Business. The possible reasons for this are not clear but may include denial that this could occur in Rotherham, concern that the ethnic element could damage community cohesion, worry about reputational risk to the Borough if the issue was brought fully into the public domain, and the belief that if that occurred, it might compromise police operations.

For much of the time, senior officers did little to keep members fully informed of the scale and seriousness of the problem, on occasion telling members they believed it was exaggerated. In the early years a small group of frontline professionals from the Council, the Police and Health worked together on CSE, both on individual cases and on issues such as multi-agency procedures. They alerted senior staff to the scale of the abuse but were met with disbelief and left with little management support for the good work they were trying to do. There are reports that senior staff conveyed that sexual exploitation and the ethnicity of perpetrators should be played down. This seemed to be reinforced by the Police. The source of this attitude cannot easily be identified. Concern about the resources CSE could consume; greater priority given to the protection of younger children; professional jealousies, and personal attitudes of some Council staff and the Police towards the girls involved have all been cited as reasons for the failure to address the seriousness and scale of the problem.

The prevailing culture at the most senior level of the Council, until 2009, as described by several people, was bullying and 'macho', and not an appropriate climate in which to discuss the rape and sexual exploitation of young people. From late 2009, the Chief Executive and the Lead Member took a strong personal interest in tackling child sexual exploitation.

13.1 This chapter examines the leadership and management contribution of elected members and senior officers of the Council during the period 1997 - 2013, and how their actions may have impacted on the way in which CSE was handled within the Borough.

The Chief Executives

13.2 From 1997 to date, there were five chief executives of the Council, plus one other who 'acted up' in the role for brief periods. All were interviewed in the course of the Inquiry. Three issues were common to all their statements. These were:

- a) that the overriding priority of the Council for much of that time was economic regeneration and addressing unemployment;
- b) that the Council rarely had enough resources to meet the needs of its population; and

- c) that the service priority for improvement in the earlier years was education, and particularly schools.
- 13.3 The two chief executives in post until 2000 could recall nothing about CSE being an issue during their tenure.
- 13.4 The Chief Executive (2001-2003) described himself as 'genuinely shocked and surprised' at what had emerged in Rotherham. He had no recollection of it being a major issue. His memory of the Risky Business project was also slight, regarding it as being on the margins of the Council's activity. He did recall that the Home Office research and report were treated as 'anecdotal, using partial information and not methodologically sound' and that the Police were very angry about it.
- 13.5 His successor (2004-2009) was aware of Risky Business and the presentations that were made to Council members and others. Taking account of the advice he received, he recognised that there was a problem of CSE in Rotherham but he had no reason to believe that the problem was greater than anywhere else. He had a vague recollection about the 'Task and Finish' group, chaired by the Council Leader. He did not recall hearing of Angie Heal 's reports in 2003 and 2006. He was the first chair of the Rotherham Children's Safeguarding Board, for a period of 18 months, but CSE did not feature much in the Board's work at that time. He described tensions amongst the main agencies, mostly between the NHS and children's social care. There were stark differences in thresholds for intervention, in which CSE was not mentioned as a priority. A main focus of his time in office as Chief Executive was to improve external partnership working, which he believed had been achieved by 2009. External partnership had been 'poor' with the Council perceived as overbearing and too dominant. He believed that relations with the Police, and other agencies, had improved markedly during his five years. He could not recall his Director of Education raising concerns with him in 2004 about the police response to problems in secondary schools, as referred to below.
- 13.6 The present Chief Executive took up post in October 2009. He reported that at the time of his appointment, CSE was not mentioned by members as one of the key challenges he would face. Nor did the previous Chief Executive alert him to the issue. Nor were other major problems such as the Council's budget crisis raised. The Ofsted report that led to the Government putting the Council's children's safeguarding services into 'intervention' in December 2009 did not specifically mention CSE. He knew about it in the context of safeguarding, and Operation Central. He also became aware of the issue at the time of the murder of Child S, when the senior investigating police involved were adamant that it was not linked to CSE, but was an honour killing. That was the message that the Council Leader followed. The next relevant event for him was Operation Chard, in which there were 11 arrests but no prosecutions.
- 13.7 His own early assessment was that the Council was not self aware or willing to face all of the problems it had. The approach generally was 'not to rock the boat'. When

he arrived, he thought that the whole of children's social care seemed to be in denial about its problems. Several people confirmed that the Chief Executive took a direct interest in the change and improvement process required in the Children and Young People's Service from 2010 onwards. Several managers described the Chief Executive, the Lead Member and the Executive Director of Children's Services as having provided excellent support during a difficult period.

Children and Young People's Services

- 13.8 From 1997 to 2005, there was a Department of Social Services in the Council. Following legislation, children's and adult social services were split, and children's social care was combined with education, to form a Department of Children's Services. There was one Director of Social Services in post from the late 1990s until 2005, and two subsequent Directors of Children's Services, the second of whom is in post at the time of writing. All were interviewed for the Inquiry.
- 13.9 From 2004 to 2009, there was one Director of Safeguarding. From 2009 to date, there have been four post holders, with a fifth appointed to take up post from August 2014.
- 13.10 All of the above were interviewed for the Inquiry with the exception of one of the Directors of Safeguarding.
- 13.11 From the late 1990s, there was an increasing knowledge and awareness of CSE amongst a small number of frontline staff. The multi-agency Key Players Group was set up to maintain an overview of the situation and continued until 2003. It was chaired by the ACPC Child Protection Co-ordinator. They discussed individual cases and also tried to map networks of perpetrators from available intelligence. None of the minutes of meetings of this group have survived, as referred to previously in this report.
- 13.12 We spoke to some members of the Key Players Group, and gained the impression of dedicated professional people who understood the severity of the problem and were not listened to. They drafted the first set of inter-agency procedures for CSE, which were adopted by the Area Child Protection Committee. They had high hopes that this recognition was going to lead to senior people in their agencies giving the issue more attention and more resources. It did not. 'From then on, it all seemed to go backwards. You were made to feel you were making a fuss about these girls,' said one member. There was general disbelief in the problem they described. Senior managers 'slimmed down' the membership and revised the remit, and another opportunity was lost for the agencies concerned to confront the true scale of the issue and give it the support it needed.
- 13.13 In 2001-2002, the Director of Education (2001-2005) was one of the first senior officers to raise concerns about CSE with the Police. The heads of three secondary schools had told her of their concerns about young girls being picked up at the school

gates by taxi drivers and their suspicions were that this was for the purpose of abuse. Police watched the schools in unmarked cars for a period of time but the problem persisted. She described raising this three times with the Police at a senior level. On the last occasion she described how she was shown a map of the north of England overlaid with various crime networks including 'Drugs', 'Guns', and 'Murder'. She was told that the Police were only interested in putting resources into catching 'the ring leaders' who perpetrated these crimes. She was told that if they were caught, her local problems would cease. She found this an unacceptable response, which ignored the abuse of children. Her Chair at the time also raised the issue with the Police, according to this officer. The District Commander (2001-2005) could not recall these conversations but was aware of the police action with secondary schools.

- 13.14 From an early stage, children's social care managers seemed reluctant to accept the extent of the problem of CSE within the Borough. There were constant difficulties over the allocation of referrals from Risky Business. In 2004, the Sexual Exploitation Forum minutes indicated concerns raised by Risky Business that some referrals they were making to children's social care were being reclassified e.g. 'Teenager out of control'. A further minuted example was that of a project worker attempting to make a referral and being told that she had to have witnessed the incident herself as third party information would not be accepted. The long-standing tensions between the Risky Business project and children's social care are described in Chapter 9. As already stated, the clear responsibility for resolving these tensions lay with those in charge of children's social care and youth services, who failed to do so over many years.
- 13.15 From 2003 onwards, Directors of Safeguarding were regularly reporting problems with recruitment and retention of social workers in a series of reports to their Lead Member.
- 13.16 They described the negative impact this was having on services. These acute staffing problems persisted in one form or another until 2010. A 2003 Social Services Inspectorate report found that core services were under pressure and this was 'not fully appreciated by the Council'. This was compounded by staff vacancies. Children's social care received one star gradings in 2003 and 2004.
- 13.17 In 2004, a report was taken to the Cabinet Member for Social Services advising that vacancy levels meant that it was not possible to allocate a number of cases, and that the budget would be overspent. It was recommended that monthly rather than quarterly reports be submitted in order to monitor concerns.
- 13.18 In December 2005, a joint paper from Police and Children and Young People's Services was taken to the Safeguarding Board proposing significant changes to the Rotherham service delivery response to CSE. It was recommended that Risky Business become a multi agency resource by September 2006, and that the Sexual Exploitation Forum become more strategic, limiting the discussion of individual

cases. It was also agreed that the Forum would produce an Annual Report each January.

- 13.19 The Police carried out an audit of 87 files in 2005, which resulted in them proposing that large numbers of girls be removed from the Sexual Exploitation Forum monitoring process. Risky Business challenged the factual accuracy and completeness of some of the information in the audit, raising serious concerns about many of the girls involved, where it was recommended they be removed from monitoring. The Police reason for removing several girls from monitoring was they were pregnant or had given birth. All looked after children were removed from the list. Several of the cases removed from monitoring were read by the Inquiry and we found Risky Business concerns to be valid. It is hard to avoid the conclusion that the Police, supported by children's social care, were intent on reducing the number of names on Forum monitoring for CSE.
- 13.20 The minutes of the Sexual Exploitation Forum in 2005 and 2006 showed continuing tensions between Risky Business and children's social care over the removal of girls from Forum monitoring if they became child protection cases or were followed up by children's social care. There were also concerns recorded about Strategy meetings not being convened when Risky Business requested them. A report to the Safeguarding Board in June 2007 stated that there were no children on the Child Protection Register due to issues of sexual exploitation and only two children looked after by the local authority had been identified as at risk of sexual exploitation. Given the large number of referrals for CSE known about within the statutory agencies at that time, and the seriousness of the circumstances of individual children, confirmed by the Inquiry's file reading, these figures suggest that the council was failing to use its statutory powers to protect these children. There is no record in the minutes of any challenge to these figures.
- 13.21 By 2008-09, more committed and focused leadership of CSE was apparent in the CYPS. The appointment in 2007 of a part time lead for CSE contributed to this. The person appointed was seen by all of those involved as a positive influence on the difficulties between Risky Business and the children's social care staff, especially in getting individual cases allocated. She was described by one interviewee as providing 'a straight pathway to social work'.
- 13.22 She told the Inquiry that it was certainly conveyed by senior managers in the CYP service that the extent of CSE was being exaggerated. A divide amongst senior managers was also obvious. CSE was not seen as a priority at that time, especially by some operational locality managers, who also thought Risky Business were exaggerating, and had a high volume of competing priorities to meet. Her unequivocal view was that the project accurately reflected the scale and seriousness of the problem, even if their presentation was sometimes unorthodox.
- 13.23 From 2005 onwards, the post of Director of Safeguarding was the strategic and

operational head of the children and families service, reporting to the Executive Director of Children's Services, who should be assumed to have owned overarching responsibility for the service response to CSE. However, in the structure of children's services at that time, others at the same level had their own interests and responsibilities that overlapped with safeguarding, such as the directors for performance management and youth services. There were seven directors in total. 'A lot of in-fighting' amongst them was reported to the Inquiry. In the present structure, there are two directors reporting to the Executive Director of Children's Services.

- 13.24 The Children Act (2004) required all local authorities to establish integrated children's services by April 2008. The Director of Children's Services (2005 – 2008) continued the development programme initiated by her predecessor. This was a local interpretation of the vision contained in the Government guidance 'Every Child Matters'. The focus was on the delivery of co-located services and management within localities. Seven localities were created, each with two managers who supervised children's social care. It appeared that frontline staff whose jobs were affected were not ready for the culture change that the reorganisation required. This reorganisation was reported to consume a large amount of staff time and energy. It was seen by some, both internally and in outside agencies, as diverting staff from their core function of delivering quality services. It began in 2005 and was not concluded by the time the Director of Children's Services left in 2008. At that point, integration of frontline services was still in progress. Some of the managers appointed were not professionally qualified social workers and some who were lacked child protection experience.
- 13.25 The Annual Performance Assessment letter for Children and Young People's Services in 2005 stated that staff turnover and sickness absence in social services were too high. This was addressed by various recruitment initiatives. By 2007, turnover of social workers had improved and vacancy levels had dropped to 14%, but this was not sustained. In mid-2008, the vacancy rate was reported as over 40% at its worst, and in 2009 was 37%.
- 13.26 The Ofsted Joint Area Review report in 2006 was very positive. However, it contained the astonishing statement that 'it appeared that vulnerable children and young people are kept safe from abuse and exploitation'. This was not qualified in any way. From the evidence described in Chapter 5 of this report, this was not an accurate reflection of the situation, and may have served to give false reassurance to those running the service.
- 13.27 Ofsted's evaluation of children's social care, which had been previously rated as Good, started to decline. In the period April 2007 – March 2008, covered by the 2008 Annual Performance Assessment, it was judged overall as Adequate. Specifically, Management of Children and Young People's Services was judged Adequate. Important weaknesses included that management oversight of looked

after children had not ensured they had been fully safeguarded.

- 13.28 Set against a background of rising demand, high vacancies amongst social workers and their managers, and reliance on agency staff to cover frontline posts, the persistence with the reorganisation at that time might be seen as ill judged. Several managers described the situation around 2007 onwards as 'chaotic'. Other frontline staff expressed the same view; the service appeared to have lacked the capacity to implement a radical and highly complex reorganisation; and there was co-location but no agreed line management arrangements. Waiting for the formal transfer of staff to be agreed created organisational 'inertia', according to some. In the end the process was not completed.
- 13.29 The current Executive Director of Children's Services had supported the integration model of her predecessor but in 2009 determined it was not working and that 'the basics' were not right. The Council and NHS Rotherham commissioned Children First to carry out an external review of children's services. Reporting in May 2009, one of the overall findings of the review was that 'Recent restructures have served to create a complex and excessive number of teams and panels, which can lead to confusion and increase risk. These require urgent rationalisation so that management lines and performance accountabilities are absolutely clear and understood. The number of panels relating to vulnerable children must be reviewed and rationalised to ensure clarity, simplicity and manageable structures for all staff.'
- 13.30 The 2009 report also looked at Rotherham's resourcing of children's services, in comparison to its benchmarking group. It found that the Council had very high levels of expenditure on schools and nursery schools, but in contrast spending on most children's social care services was relatively low, with spend on looked after children especially low. The report questioned whether the resourcing of some high-risk services was sufficient.
- 13.31 The first police operation in Rotherham to address multiple perpetrators of CSE was Operation Central, in 2008. This was commended by many as an excellent example of joint working between the Council and the Police.
- 13.32 Following the success of Operation Central, in 2009 the Police initiated Operation Czar. On this occasion, children's social care would take a leading role and Risky Business was told to close all its cases of young people who were to be included in this Operation as children's social care would allocate them to social workers. Apart from the questionable practice of fracturing the relationships of these girls with Risky Business staff, the evidence from file reading showed that some of those victims were amongst the most serious cases of child sexual exploitation.
- 13.33 Operation Czar was not a success. It is not clear who precisely amongst the senior officers took the decision to involve children's social care as the lead, without proper preparation at the frontline, but it proved unwise in the event. The Executive Director

of Children's Services (2008 to date) described how they 'tried to use the same methodology and approach as Central, but it didn't work'. She was asked to secure funding for two extra social workers for the operation, which she did.

- 13.34 Children's social care staff had no previous experience of this activity. The girls did not trust them. They removed some of these girls from home and then returned them within days, and many became closed cases very quickly after the Operation was over, leaving them with no support. One young social worker involved described the authority as 'a scary place to be in 2009'. She was 21, newly qualified and had never had a practice placement in a local authority. About Operation Czar, she said 'nobody knew what they were supposed to be doing. Just firefighting. We attended loads of meetings. We were always ten paces behind the perpetrators. Everyone involved wanted to do a good job on Czar but it was all badly managed.' Some Abduction Notices were served, but there were no arrests.
- 13.35 By late 2009, when the Minister of State served an Improvement Notice on the Council for its children's safeguarding services, there is no doubt that the systems and operations for protecting Rotherham's children were unsafe. The Director of Safeguarding (2010-11) described what she found on taking up post. There were significant vacancies; a lot of agency staff were being used; there was a lack of management oversight; poor accountability for casework; poor monitoring of unallocated work; poor monitoring of assessment times; looked after children lacked plans in some instances; quality of practice was generally weak and the complexity of cases was very high; the quality of professional supervision was poor, sometimes provided by managers who were not social work qualified. Staff were overwhelmed, and disempowered, and felt senior staff were 'invisible'. Despite this context, she saw no complacency about CSE. The Inquiry concluded that the quality and extent of children's social care support to the young people who were victims or at risk must surely have suffered.
- 13.36 There ensued a great deal of work to reform systems and put in place quality assurance and performance management processes. The structure of the service was revised; professional supervision of social workers was provided only by social work managers who were experienced in child protection. Social workers who were in post in 2009 described the experience now to be 'unrecognisable' because of these improvements.
- 13.37 Following the publication of the Home Affairs Select Committee report in June 2013, a report to the Cabinet by the Executive Director of Children's Services stated that 'Tackling the sexual exploitation of children and young people remains the highest priority for Rotherham Borough Council'. It also recommended that a quarterly report on progress against the local child sexual exploitation Action Plan be brought to Cabinet.

Role, Remit and Location of the CSE team

- 13.38 A Safeguarding Coordinator for CSE was appointed in 2010. She had an unhelpful beginning in her role, with seven changes of manager in her first year in post. She subsequently took over responsibility for the children's social care staff in the newly established CSE team.
- 13.39 We met the staff group and managers in the joint CSE team and were impressed by their motivation and obvious commitment to the children they were working to protect. Several people in children's social care told us that the role and remit of the team needed to be clarified as a matter of urgency, and this was long overdue. There were no protocols setting out how the team should interface with other parts of the children's social care. The Service Manager responsible for the team did not know whether the team had a written remit.
- 13.40 At the time of the Inquiry, the team was short staffed because of staff illness. The Service Manager responsible for the team considered that adequate cover arrangements had been made but this was not a view shared by those directly responsible for managing team members. The team has three qualified social workers but deals with a significant number of complex cases as well as offering preventive services, and co-working cases with other teams. Several experienced managers told us that the current arrangements are not sustainable and action needed to be taken to resolve this.
- 13.41 By contrast, the police officers responsible for CSE in Rotherham considered that the police input to the CSE team was extremely clear and well understood. The police function in the team is well resourced (6 detectives) and has a clear focus. We learned that joint work is sometimes delayed because children's social care is under-resourced compared to the police capacity. From the evidence, we were satisfied that at the time of the Inquiry, CSE was well resourced by the Police and suitably responsive to need.
- 13.42 There was considerable support from the Police for strengthening the social care resources in the team and moving from a co-located to a jointly managed team. The Police also viewed the establishment of the Multi-agency Safeguarding Hub (MASH), scheduled to take place in August 2014, as a major opportunity to improve and strengthen safeguarding work in Rotherham and all agencies should make this a priority.
- 13.43 We received some comments that it was impossible for a small team to deal with all CSE issues, and important that the whole of children's social care had the capacity to safeguard exploited children. This was raised as an issue in the recent diagnostic report completed by the Safeguarding Board Chair. We share the concerns many expressed that in the absence of a central team, the focus on child exploitation would become diluted.

The Role of Elected Members

- 13.44 In 2004-2005, a series of presentations on CSE were first made to councillors and then other relevant groups and agencies, led by the external manager of Risky Business, from Youth Services. The presentations were unambiguous about the nature and extent of the problem. They included the following information:
- a) a description of CSE in Rotherham and its impact on children as young as 12;
 - b) the scale of the problem;
 - c) the exercise of control through drugs, rape and physical force. In Rotherham, 55% of such children had used heroin at least once per week; 40% had been raped; 73% had sexual health problems; 33% had attempted suicide. Most had self harmed; and
 - d) the section on perpetrators mentioned an Asian family involved with taxi firms, and identified 50 people, 45 of whom were Asian, 4 were white, and 1 African-Caribbean.
- 13.45 Attendees were provided with background information listing the known addresses of alleged activity, including hotels and takeaways in Rotherham. It also included taxi companies alleged to be involved, and case studies of three girls. In total, Risky Business supported 319 girls on either a one to one or group work basis over an 18-month period from April 2004 until October 2005. The presentation was made at the end of 2004 to the Rotherham Children and Young People's Board, with six councillors present, including the Leader. The following April, a further presentation was made to 30 councillors. The explicit content meant that by 2005 few members or senior officers could say 'we didn't know'. Similar material had been passed to the Police in 2001 by Risky Business on behalf of the local agencies.
- 13.46 In response to these growing concerns about sexual exploitation in Rotherham, a Task and Finish group was set up in December 2004, chaired by the Leader of the Council. Only one minute of its meetings (March 2005) was available, though other minutes contained references to this group's work. The March minute listed a number of actions including multi agency training, a local publicity campaign and appointing a Co-ordinator on the issue, though this did not seem to happen until 2007. In November 2005, the Chair of the Children and Young People's Voluntary Sector Consortium wrote to the Chief Executive, expressing concern at the problem of child sexual exploitation in Rotherham and recalling that members of the Consortium gave evidence to the Task and Finish Group on March 2. The Consortium had not been represented at any meetings after that. She requested a progress report on the Group's work. The Chief Executive's reply has not been found. In late 2005, the Group agreed that more awareness training around CSE needed to be provided within the child protection training programme. There is no further record of this group's meetings or its outputs or how it ceased to exist.
- 13.47 At several points from the early 2000s onwards, members increased the funding to

Risky Business, in recognition of its valuable work. Members also responded to the funding pressures experienced by children's social care over many years by affording protection to the service when significant savings were required, in particular from 2008 onwards. Nevertheless, it should be noted that Rotherham started at a low base of funding for children's social care, compared to its neighbours, and whatever protection afforded did not fully compensate for the underlying lack of investment and rising demand.

- 13.48 The Lead Member for CYP (2005 - 2010), who later became the South Yorkshire Police and Crime Commissioner, was aware of CSE from the outset of his tenure, and believed that reports on the subject which he regularly received as Lead Member were taken seriously and acted upon by the Council in conjunction with the Police. This was stated in his written evidence to the Home Affairs Select Committee in 2013, where he also stated that race was never presented to him by staff or agencies as an obstacle to investigating offences.
- 13.49 In 2006, a Conservative councillor requested a meeting with the Council Leader at which he expressed his concerns about CSE. This had come to his attention via constituents. He told the Inquiry that the Council Leader advised him the matters were being dealt with by the Police and requested that he did not raise them publicly.
- 13.50 Latterly, in 2012/13 further CSE training sessions for councillors were organised with the attendance being 60 out of 63 councillors.
- 13.51 Interviews with senior members revealed that none could recall the issue ever being discussed in the Labour Group until 2012. Given the seriousness of the subject, the evidence available, and the reputational damage to the Council, it is extraordinary that the Labour Group, which dominated the Council, failed to discuss CSE until then. Some senior members acknowledged that that was a mistake. Asked if they should have done things differently, they thought that as an administration they should have tackled the issues 'head on', including any concerns about ethnic issues.
- 13.52 The terms used by many people we spoke to about how those in authority (members and some officers) dealt with CSE were 'sweeping it under the carpet', 'turning a blind eye' and 'keeping a lid on it'. One person said of the past 'the people above just didn't want to know'.
- 13.53 In September 2013, the Council Leader apologised 'unreservedly' to those young people who had been let down by the safeguarding services, which prior to 2009 'simply weren't good enough'. He reiterated that the safeguarding of young people was the Council's highest priority and announced that an independent inquiry would be held.

The Scrutiny Function

- 13.54 Overview and scrutiny committees may make recommendations to the Council's

Executive. Under other legislation the Council's scrutiny committee may also make recommendations to other local bodies. Many scrutiny functions have a process by which recommendations are monitored to check on their implementation. This is seen as one of the principal ways in which to ascertain the impact that scrutiny has on local services. In 2005, the Children's and Young People's Scrutiny Panel was set up. This included up to 12 elected members. In 2006, the Looked After Children Scrutiny Sub-Panel was set up, with 11 elected members. It was disbanded in 2010 and replaced by the Corporate Parenting Group, with six elected members. There was also an Overview and Scrutiny Management Board, which reviewed what all the separate scrutiny panels were discussing. Since 2012, there are four Select Commissions for scrutiny, replacing the previous panels. Each non-executive councillor is entitled to be a member of at least one of four of the Select Commissions.

- 13.55 The Chair of the Children and Young People's Select Commission has been in that role for the past eleven years. She attended the members' seminar on CSE in 2005 and knew about the Leader's Task and Finish Group. She was confident that she had challenged officials, but over the years she had faced obstacles to her work as Chair. When the majority of members belonged to one party, it was not easy for a Commission to maintain its total independence. In her experience, agenda items were too often presented as *faits accomplis*, already wrapped and sealed. She recalled raising the issue of CSE in 2008 with the Lead Member and the Director of Children's Services, specifically about why certain things had not been done. She described how she was given assurance that all was in hand and that she would be informed on a 'need to know' basis. Again, in 2009, she reported that she asked for information about CSE and received the same message. She was confident, however, that the recent appointment of new senior members would lead to more open and effective scrutiny within the Council.
- 13.56 A meeting of the Overview and Scrutiny Management Board took place in October 2012, and was largely devoted to the Child S Serious Case Review. The minute reflects one example of rigorous challenge of the issues raised by the review.

Accountability

- 13.57 The Inquiry Team has read the minutes and proceedings of the various member groups that have an interest in child sexual exploitation, including meetings of the Council, the Cabinet and the Lead Member for Children and Young People's Services. While acknowledging that reading minutes is not the same as witnessing the meetings themselves, we gained two broad impressions. The first is that the same item seemed to have to go through an inordinate number of council meetings and other bodies before gaining acceptance. Admittedly, there is a 'need to know' in many instances, but more important is the possibility that this arrangement blunts accountability. An issue or responsibility that belongs to everybody effectively belongs to nobody, and in the case of sexual exploitation of children in Rotherham,

accountability was key.

- 13.58 Even more significant is the apparent lack of effective scrutiny exercised by these several groups or bodies, and least of all by the Scrutiny Panels. Scrutiny in its widest sense is an essential component of Cabinet government. Rarely does it appear from the minutes that councillors have held officers to account by checking the evidence for proposals or asking whether their ends could be met in other ways. It may be that the minutes are written in bland, non-specific, language, but that does nothing to reassure the public that genuine accountability is being exercised. It is important that councillors test proposals by reference to their broad experience and their knowledge of the Borough and their own constituents. There should be nothing threatening about this; good officers should welcome challenge as a central part of local democracy.
- 13.59 The Inquiry team found several instances where important issues were not reported to members. As has been described, senior officers of the Council were made aware of the increasing seriousness of CSE from an early stage, and members' seminars were arranged in 2004-05. Yet in July of 2005, the sexual exploitation of young people failed to feature in a report to the Cabinet Member for CYPS entitled 'State of the Nation', intended to summarise the main issues for children's services in the Borough, along with strengths, weaknesses and risks.
- 13.60 Some people we interviewed suspected that a small number of those with political authority in the Council had links to the perpetrators of CSE through taxi firms and other business or family interests. We were told by the Police that there was no evidence to support these suspicions.

Organisational Culture

- 13.61 Organisational culture is a powerful force that guides decisions and actions. It has a potent effect on the organisation's well-being and effectiveness. The Council has a duty to provide effective corporate services. In relation to CSE, the long-term benefit of children will only be served by Council departments working together in a spirit of shared commitment and mutual confidence.
- 13.62 Executive 'leaders' play a large part in defining organisational culture by what they say and what they do. In this respect, leaders such as senior officers and members in a Council should model good behaviour for their staff groups and others in setting the tone for their shared endeavour to deliver the best possible services. This includes values, attitudes and working language.
- 13.63 As far back as 1998, the then Chief Executive was able to say that senior women officers in the Council were not readily accepted either by officers or members. The Chief Executive from 2004 to 2009 had no sense of a particularly 'macho' culture but was aware that a small number of senior councillors could be aggressive and intimidating to officers.

13.64 The Leader of the Council, from 2000 to 2003, agreed that the culture overall was 'macho' and sexist. He referred specifically to three members accessing adult pornography on council computers, which he had to deal with. He also referred to the bullying behaviour of some members towards the then Chief Executive, probably because he and the Chief Executive were attempting to improve and modernise a council which was underperforming, which had a very traditional culture, which was 'slow to change' and which had come to the attention of inspectors and government (albeit mainly for school buildings rather than children's safeguarding). One of the current Cabinet members who had been in the Council since 1999 also agreed with the description of bullying and strong male dominance. The Deputy Leader (2011 – 2014) also agreed. Of the group of people interviewed, many confirmed this perception.

13.65 A succession of senior officers, past and present, male and female, who were interviewed for the Inquiry raised the negative culture as being an issue from 1997 to 2009. Their remarks and some of the less offensive quotations from a small number of senior officers and members are given below:

'The member barometer re sexual matters was skewed'

'It was a very grubby environment in which to work'

'A colleague was told she ought to wear shorter skirts to meetings and she'd get on better'

'A senior member said on four occasions in public places "you women are only fit for cooking, washing and darning" '

'A senior member said I know what I'd like to do to you if I was ten years' younger'

'A senior member asked me if I wore a mask while having sex'

13.66 One of the senior managers in Safeguarding stated that she wrote to a previous Chief Executive more than once about the conduct of members, but the Inquiry was unable to obtain copies of these letters from the Council.

13.67 A senior officer was described by several people as being bullied and badly treated until the arrival of the present Chief Executive who took action on this behaviour.

13.68 In October 2009, the outgoing Director of Safeguarding wrote to the Chief Executive referring to a recent budget meeting chaired by the Lead Member for Children and Young People's Services. The following account is taken from her letter. A senior officer present, not from Safeguarding Services, was quoted as saying that in his professional view Rotherham had too many looked after children and this accounted for a significant part of the overspend. When challenged for his evidence for this assertion he is described as becoming aggressive and antagonistic. He was asked

to stop shouting. He responded by saying that shouting was the only way to get through to these people and he persisted for over an hour, swearing frequently, with no intervention from the Chair, according to the letter. The Director of Safeguarding described the experience as being 'intimidating, humiliating, bullying and entirely professionally unacceptable.' She concluded by saying she only felt able to put this in writing because she was leaving the authority.

- 13.69 The existence of such a culture as described above is likely to have impeded the Council from providing an effective, corporate response to such a highly sensitive social problem as child sexual exploitation.

14. Recommendations

- 14.1 As a consequence of several reviews, reports and inspections over the last two years, the Council, its partners and the Safeguarding Board are already in receipt of many recommendations for improvement in their approach to CSE. The Safeguarding Board has brought these together into a single document. It includes the recommendations from the CSE Diagnostic Report, the Barnardo's CSE Practice Review, the HMIC South Yorkshire Police Response to CSE, and the report of the Office of the Children's Commissioner. The document is reproduced in Appendix 5.
- 14.2 The Inquiry took the view that it was unnecessary to repeat the recommendations listed in these reports. We have identified 15 areas which we consider should be a priority.
- 14.3 It should also be noted that the National Working Group Network on Tackling Child Sexual Exploitation has also recently produced a 'Summary of Recommendations for All Agencies', from a range of reports, inquiries, serious case reviews and research. This provides a helpful checklist, which could be used by the Council and its partners in conjunction with the list compiled by the Safeguarding Board.

Risk assessment

Recommendation 1: Senior managers should ensure that there are up-to-date risk assessments on all children affected by CSE. These should be of consistently high quality and clearly recorded on the child's file.

Recommendation 2: The numeric scoring tool should be kept under review. Professional judgements about risk should be clearly recorded where these are not adequately captured by the numeric tool.

Looked after children

Recommendation 3: Managers should develop a more strategic approach to protecting looked after children who are sexually exploited. This must include the use of out-of-area placements. The Borough should work with other authorities to minimise the risks of sexual exploitation to all children, including those living in placements where they may become exposed to CSE. The strategy should include improved arrangements for supporting children in out-of-area placements when they require leaving care services.

Outreach and accessibility

Recommendation 4: The Council should make every effort to make help reach out to victims of CSE who are not yet in touch with services. In particular, it should make every effort to restore open access and outreach work with children affected by CSE to the level previously provided by Risky Business.

Joint CSE team

Recommendation 5: The remit and responsibilities of the joint CSE team should be urgently decided and communicated to all concerned in a way that leaves no room for doubt.

Recommendation 6: Agencies should commit to introducing a single manager for the multi-agency CSE team. This should be implemented as quickly as possible.

Recommendation 7: The Council, together with the Police, should review the social care resources available to the CSE team, and make sure these are consistent with the need and demand for services.

Collaboration within CYPS

Recommendation 8: Wider children's social care, the CSE team and integrated youth and support services should work better together to ensure that children affected by CSE are well supported and offered an appropriate range of preventive services.

Ongoing work with victims

Recommendation 9: All services should recognise that once a child is affected by CSE, he or she is likely to require support and therapeutic intervention for an extended period of time. Children should not be offered short-term intervention only, and cases should not be closed prematurely.

Post abuse support

Recommendation 10: The Safeguarding Board, through the CSE Sub-group, should work with local agencies, including health, to secure the delivery of post-abuse support services.

Quality Assurance

Recommendation 11: All agencies should continue to resource, and strengthen, the quality assurance work currently underway under the auspices of the Safeguarding Board.

Minority ethnic communities

Recommendation 12: There should be more direct and more frequent engagement by the Council and also the Safeguarding Board with women and men from minority ethnic communities on the issue of CSE and other forms of abuse.

Recommendation 13: The Safeguarding Board should address the under-reporting of sexual exploitation and abuse in minority ethnic communities.

The issue of race

Recommendation 14: The issue of race should be tackled as an absolute priority if it is a significant factor in the criminal activity of organised child sexual abuse in the Borough.

Serious Case Reviews

Recommendation 15: We recommend to the Department of Education that the guiding principle on redactions in Serious Case Reviews must be that the welfare of any children involved is paramount.

Appendix 1: Terms of Reference for the Independent Inquiry into Child Sexual Exploitation 1997 - 2013

Basis

1. That it be conducted by an independent person with appropriate skills, experience and abilities who has not previously been employed by or undertaken work, either directly or indirectly, for Rotherham Metropolitan Borough Council, nor is a relation of any member or officer of the Council past or present. Prior to appointment the independent person will be required to sign a declaration to that effect. The person should be on a list of reputable persons recommended to the Council by the Local Government Association.
2. That the author is able to commission such specialist support that they may need to fulfil the terms of reference specifically relating to social care practice regarding child sexual exploitation and that any such person engaged also be required to meet the terms set out in 1 above and sign a declaration to that effect. Commissioning of such support shall be in consultation with the Chief Executive and within the budgetary limits agreed.
3. That the author be supported by the Council's Monitoring Officer, who will provide relevant legal advice and commission specialist advice if considered necessary, and by the Council's Director of Human Resources in relation to arranging such interviews with members and officers that the independent person requires.
4. That the Inquiry's status is non-statutory. The consequence therefore is that witnesses who no longer work for the Council may only be interviewed with their consent. Current serving officers and members will be required to give evidence to and support the inquiry.
5. That the Inquiry is undertaken in a way that is responsive to the wishes and needs of young people that may have been subject to sexual exploitation in the past.

Scope

6. The inquiry has two distinct elements.

1997 to December 2009

7. Through a process of reviewing an appropriate selection of child sexual exploitation case files from the period the Inquiry will:
 - a) Analyse social care practice, information gathering, data recording, data-sharing (specifically between the Council and South Yorkshire Police) and decision making.

- b) Consider the application of child sexual exploitation policies, procedures and best practice as they existed at the time.
- c) Consider managerial and political oversight, leadership and direction, operational management practice including supervision, support and guidance and the roles and responsibilities of other parties including the Police, Crown Prosecution Service, health services, schools, parents, family and the Local Safeguarding Children Board.
- d) Consider emerging evidence, intelligence or trends, how they were communicated within the Council and with other agencies and the speed and way in which Council service delivery was adjusted to respond.
- e) Identify who in the Council knew what information when and determine whether that information was used effectively and in the best interests of protecting young people.
- f) Examine the extent to which other forms of regulatory control available to the Council and others (for example activities such as licensing and environmental health) were used to inform the safeguarding of children from sexual exploitation.
- g) Ensure that the cases reviewed will include those identified in the national press.

8. The objectives of this element of the review are:

- a) To consider whether the Council when exercising its statutory and non-statutory powers could have done more to protect young people from child sexual exploitation and whether the range of options available was in any way limited by the actions of other agencies.
- b) To consider whether young people were adequately protected from the risks of sexual exploitation and if not to identify the factors that led to the failure to adequately protect them, including the part played by other agencies.
- c) To consider specifically whether there is any evidence of the Council, or any other agency, not taking appropriate action as a consequence of concerns regarding racial or ethnic sensitivities.
- d) Make recommendations that can be used by the Council and others to ensure that any of the mistakes of the past are not repeated

December 2009 to January 2013

9. Through a process of both reviewing an appropriate selection of child sexual exploitation case files and considering evidence placed within the public domain regarding safeguarding services within Rotherham (including Ofsted Inspections and Serious Case Reviews) throughout the period the Inquiry will:
- a) Examine whether there is recent and current evidence that recommendations regarding the lessons learned and which have been identified in the first part of the review have been or are in the process of being implemented by the Council.

- b) Consider whether there is recent and current evidence the Council has or is in the process of implementing Government policy relating to child sexual exploitation that has been issued within the period.
10. The objectives of this element of the review are:-
- a) To consider whether the Council when exercising its statutory and non - statutory powers could have done more to protect young people from child sexual exploitation and whether the range of options available was in any way limited by the actions of other agencies.
 - b) To consider whether there is evidence of necessary improvements to the Council's services and the extent to which the improvements are becoming embedded.
 - c) To consider whether there is evidence that the pace of any such improvement is appropriate to the extremely serious nature of previous historic failings to the Council's safeguarding services in general, and child sexual exploitation practices in particular.
 - d) To consider specifically whether there is any evidence of the Council, or any other agency not taking appropriate actions as a consequence of concerns regarding racial or ethnic sensitivities.
 - e) To make recommendations that can be used by the Council and others.

Performance Management and Governance

- 11. The terms of reference will be discussed with the author, prior to the Inquiry being undertaken. Any suggested additions or amendments will be considered by and made at the discretion of the Chief Executive and subsequently reported to Cabinet.
- 12. A draft report and final report will be available by dates to be agreed in writing at the date the Inquiry is commissioned
- 13. The Inquiry report will be the bona fide opinion of the author and will be endorsed as such.
- 14. The Inquiry report shall be provided in a format that can be made publicly available. The author shall ensure that the Council's requirement to maximise transparency is met. It is acknowledged that sensitive or confidential information may be referred to in the report and the author should use an appropriate referencing system to ensure the anonymity of clients and that all legal requirements regarding confidentiality and data protection are met.
- 15. Throughout the duration of the conduct of the inquiry the author shall report on progress to the Chief Executive at the end of each week, in a manner to be agreed in writing.

16. The identification of cases for review and of officers, members and other contributors for interview shall be entirely at the discretion of the author. However the Council requires that the number and breadth of files reviewed will be sufficiently representative to provide a robust basis for the analysis. Any arrangements for files, record keeping, minutes, interviews to be arranged on request by the Monitoring Officer and/or the Director of Human Resources.
17. The author shall consider, and consult with the Chief Executive upon, the appropriateness of seeking evidence from the victims of child sexual exploitation.
18. The final report will be delivered to the Chief Executive, who will report it to Cabinet together with the Council's response. Both reports will be made public.

Appendix 2: Methodology

Reading the files

1. We read a total of 66 case files as part of the fieldwork for the Inquiry. These were selected as follows:
 - a) A randomised sample of the CSE caseload as at 30 September 2013 (19 out of 51 cases – a 37% sample)
 - b) Three other current cases brought to the attention of the Inquiry team during the course of the fieldwork.
 - c) 22 historic cases of victims sampled from police operations, including Central, Czar and Chard.
 - d) The case files of three children who were the subject of national media attention.
 - e) A randomised sample of 19 other historic cases, taken from a list of 937 names of children associated with CSE. The names were provided to the Inquiry by children's social care, or the Police.
2. In the majority of cases, we read both the Risky Business and the children's social care files. We also had access to residential case files and records kept by foster carers for many of the looked after children. In a small number of cases, the children's social care file could not be traced.
3. Five cases from the total sampled by the Inquiry were reviewed by the National Working Group Network's specialist team. There was a high level of consistency in the judgements made by the Inquiry Team's file reader and the team from the National Working Group Network.
4. The Inquiry had access to the minutes about individual children discussed at the Sexual Exploitation Forum between 2004 and 2006. We also read large numbers of minutes of Strategy meetings about individuals and groups of children, as well as suspected perpetrators, from the early 2000s onwards. The numbers of children discussed in all these minutes ran to many hundreds of children who were being exploited, as well as others who were at serious risk.
5. Minutes of discussions about individuals and groups of children by the Key Players meeting (late 90s to around 2004) could not be traced for the purposes of the Inquiry, and could not be scrutinised.
6. In the course of reading files, we had sight of internal correspondence identifying children who had been sexually exploited, and the concerns their parents had expressed. We read correspondence in the files where parents had detailed their children's experiences and their concerns about inadequate responses by the statutory agencies. We were also contacted by several parents via the confidential email and Freepost addresses.

Document analysis

7. The Inquiry team studied a very large number of Rotherham Council Committee minutes, and papers and minutes of the Safeguarding Board and its predecessor, the Area Child Protection Committee.
8. We also read relevant national and local reports produced by external agencies. Details are given in Chapters 2 and 3, and in Appendices 4 and 5.

Fieldwork interviews

9. We interviewed a large number of people from local agencies. We give a list of these in Appendix 3²¹. In summary, the Inquiry covered:

Meeting /Interview	No
Individual interviews with current staff of Rotherham Borough Council	27
Staff met in a group meeting with the joint CSE team	9
Staff met in group meetings (team managers, independent reviewing officers & conference chairs, social workers, residential managers and personal advisors with the Bridges project)	17
Individual interviews with former staff of the Borough	18
Current elected members	6
Former elected members	5
Serving police officers	7
Former police officers	4
Young people met (Care Leavers' Group, Youth Cabinet representatives and Focus group of young people and others)	24
Specialists from the National Working Group Network (4 meetings)	4
People from other agencies, voluntary organisations and community groups	14

²¹ The Council provided the Inquiry with the dates when people were employed in Rotherham.

Appendix 3: List of interviewees

Rotherham Metropolitan Borough Council

Staff

Martin Kimber	Chief Executive
Joyce Thacker	Executive Director, Children and Young People's Services
Jacqueline Collins	Director of Legal Services
Warren Carratt	Service Manager (Strategy, Standards and Early Help)
Catherine Eshelby	Principal Practitioner
Chris Brodhurst-Brown	Head of Integrated Youth Support Services
Zafar Saleem	Community Engagement Manager
Waheed Akhtar	Community Engagement Officer
Clair Pyper	Interim Director of Safeguarding Children and Families
Claire Edgar	Team Manager, Sexual Exploitation Team
Lynne Grice-Saddington	Manager, Rights-to-Rights Service
Joanne Robertson	Finance Manager
Pete Hudson	Chief Finance Manager
David Richmond	Director of Housing and Neighbourhood Services
Alan Pogorzelec	Business Regulation Manager
Linda Alcock	Safeguarding Unit Manager
Phil Morris	Business Manager, Safeguarding Board
Kevin Stevens	Safeguarding Quality Assurance Officer
Chris Seekings	Quality Assurance Officer
Louise Pashley	Practice Manager, Bridges Project
Kelly White	Service Manager
Kerry Byrne	Partnership and Youth Development Manager
Lorraine Lichfield	Strategic Lead – Education OTAS & Exclusions
Jo Smith	Head of the Rowan Centre
John Radford	Director of Public Health
Joanna Saunders	Head of Health Improvement
Anna Clack	Public Health Specialist

Group Meetings of staff

Independent Reviewing Officers and Conference Chairs
Social Workers
Residential Managers
Team Managers
Child Sexual Exploitation Team
Bridges Project Personal Advisors

Former staff

Erica Leach	Child Protection Co-ordinator (1998-2003) (worked for the Council 1986-2010)
John Gomersall	Director of Social Services (1999-2006) (worked for the Council 1973-2006)
Ged Fitzgerald	Chief Executive (2001-2003)
Mike Cuff	Chief Executive (2004-2009)
John Bell	Chief Executive (1986-1998)
Alan Carruthers	Chief Executive (1999-2000)
Sonia Sharp	Director of Children's Services (2005-2008)

Di Billups	Executive Director of Education (2001-2005)
Lynn Burns	Interim Director of Safeguarding (2009-2010)
Pam Allen	Director of Safeguarding (2004-2009) (worked for the Council 1996-2009)
Jackie Wilson	Head of Function (2002-2007) (worked for the Council 1996-2007)
Gani Martins	Director of Safeguarding (2010-2011)
Simon Perry	Director of Targeted Services (2008-2011) (worked for the Council 2001-2011)
Viv Woodhead	Assistant Safeguarding Manager (2007-2012)

& Former staff of the Risky Business project

Elected Members

Councillor Roger Stone	Leader
Councillor Paul Lakin	Deputy Leader
Councillor Caven Vines	
Councillor Ann Russell	
Councillor John Turner	
Councillor John Doyle	

Former Elected Members

Jahangir Akhtar
 Brian Cutts
 Maurice Kirk
 Mark Edgell
 Shaun Wright

South Yorkshire Police

Jason Harwin	District Commander
Phil Etheridge	Temporary Detective Superintendent
Matt Fenwick	Detective Superintendent
Claire Mayfield	Temporary Detective Inspector
Dave Walker	Detective Sergeant, Sexual Exploitation Team
Mark Monteiro	Detective Inspector
Malcolm Coe	Temporary Detective Sergeant

Former Police Officers

Christine Davies	District Commander (2001-2005)
Matt Jukes	District Commander (2006-2010)
Richard Tweed	District Commander (2010-2012)
Stephen Parry	Chief Superintendent (2001-02)

Young People

Care leavers group
 Youth Cabinet representatives
 Focus group of young people
 Individual survivors

National Working Group Network

Sheila Taylor MBE	CEO
Bina Parmar	Specialist Team Member
Mike Hand	Specialist Team Member
Ray McMorrow	Specialist Team Member

Others

Steve Ashley	Chair Rotherham Safeguarding Children Board
Professor Pat Cantrill	Author of Serious Case Review Overview Report (Child S)
Saghir Alam	Chair, Rotherham Council of Mosques
Neil Penswick	Ofsted
Gary Smith	Former lay member, the Safeguarding Board
Khalida Luqman	Tassibee Project, Rotherham
Parveen Qureshie	Managing Director, United Multicultural Centre, Rotherham
Mr Abassi	Rotherham Diversity Forum
Azizzum Akhtar	Rotherham Ethnic Minority Alliance
Angie Heal	Author and researcher
Zlakha Ahmed	Chief Executive, Apna Haq
Tracey Haycox	Director of Children and Young People's Services, Safe@Last
Catherine Hall	Lead Nurse, Clinical Commissioning Group
Mark Marriott	Crown Prosecution Service

The Inquiry interviewed several other people who did not wish to be identified, as well as those who contacted the Inquiry's confidential email and Freepost addresses.

Appendix 4: Legal and Policy Context

1. A timeline is set out below demonstrating how policy, statute and guidance have developed in relation to the issue of child sexual exploitation (CSE) over the last two decades. The timeline also refers to criminal prosecutions related to CSE which have been reported in the media within that period. Of significance is the terminology used to describe this social problem, moving from a description of 'child prostitution' to one of 'child sexual exploitation'. This chapter has been largely adapted and updated from the work of Jennifer Moss (2012). The National Working Group Network for Sexually Exploited Children intends to publish the full text on its website, and to keep it updated.

1984

2. **The Child Abduction Act 1984 Section 2** states that it is a criminal offence if a person "without lawful authority or reasonable excuse, takes or detains a child under the age of 16 so as to remove him from the lawful control of any person having lawful control of the child or so as to keep him out of the lawful control of any person entitled to lawful control of the child". It carries a penalty of imprisonment. The Act abolished the crime of 'child stealing' and restricted the offence of kidnapping children. Offenders can be arrested and prosecuted for this Section 2 offence without a complaint from the victim.
3. **Child Abduction Warning Notices** are issued under this legislation in relation to children and young persons who persistently go missing and place themselves at significant risk of harm by forming associations and relationships with inappropriate individuals, sometimes much older than themselves. In so doing they can leave themselves vulnerable, particularly to sexual or physical exploitation. A child/young person may go missing repeatedly and nearly always be found to have been in the company of the same adult, deemed inappropriate to be associating with them. In order to disrupt the criminal or undesirable activities of adults associating with young people, police can serve Child Abduction Warning Notices, formerly known as Harbourers Warning Notices. These Notices tend to be used where arrest/prosecution for any substantive offences is not available or is inappropriate at that time. A Child Abduction Warning Notice identifies the child/young person and confirms that the suspect has no permission to associate with or to contact or communicate with the child. If the suspect continues to do so, they may be arrested and prosecuted for an offence under Section 2 of the Child Abduction Act 1984 or Section 49 of the Children and Young Persons Act 1989.

1994

4. In 1994, **Barnardo's** set up the UK's first child sexual exploitation programme in Bradford. There are now 21 centres nationally, dedicated to turning around the lives of thousands of sexually exploited young people. All this began as a pilot project,

developed into Streets and Lanes working with 'child prostitutes', and is now known as Turnaround. Kay Kelly, who has worked for the Bradford project for 12 years, looks back to her first years with Streets and Lanes: 'The reality wasn't recognised. These young people weren't seen as victims. They were very much seen as perpetrators themselves and treated as adult prostitutes. Of course they weren't, because they were all under the legal age for consent'.

1996

5. CROP – the '**Coalition for the Removal of Pimping**' - was founded in 1996. This is a child protection charity based in West Yorkshire. It is driven by the experiences and needs of affected parents, and describes itself as the 'only UK organisation to specialise in working alongside the parents, carers and wider family of child sexual exploitation victims'.

1997

6. One of the first successful CSE criminal prosecutions to be taken was in Leeds in 1997, when two men were convicted, although twenty men were investigated. Since that date there have been over 20 such court cases and a number of men convicted of offences relating to CSE activity.

1998

7. **The Crime and Disorder Act 1998.** Section 17 of this Act places a duty on a local authority to do all it can do to prevent crime and disorder in its area. Section 17 is aimed at putting crime and disorder reduction at the heart of local decision making; it is a key component in the work of the Safer Communities Partnership, Drug Action Team, Youth Offending Team, the Children's Trust and the Local Safeguarding Children Board (LSCB). Section 115 provides any person with a power but not an obligation to disclose information to responsible public bodies such as the local authority and the Police. The ability to share data does not override safeguards for disclosure of personal data in other legislation or in common law such as defamation, data protection and duties of confidentiality.
8. **The Data Protection Act 1998.** The Act allows for disclosure without the consent of the data subject in certain conditions, including for the purposes of the prevention or detection of crime, or the apprehension or prosecution of offenders; and where failure to disclose would be likely to prejudice those objectives in a particular case. 'Data' are defined in section 1 of the Act as, inter alia, "Information in a form in which it can be processed by equipment operating automatically in response to instructions given for that purpose".

1999

9. **‘Working Together to safeguard children: a guide to inter-agency working to safeguard and promote the welfare of children’** was first published in 1999. This guidance has subsequently been revised in 2006 and 2010 and was reissued in 2012. ‘Working Together’ sets out how organisations and individuals should work together to safeguard and promote the welfare of children and young people in accordance with the Children Acts 1989 and 2004.

2000

10. Supplementary guidance to ‘Working Together’ was issued by the Department of Health (which had responsibility for policy on children’s services at that time) in May 2000, entitled **‘Safeguarding Children Involved in Prostitution’**. This was superseded by new guidance issued by the Department for Education and Skills in 2006.
11. **Multi Agency Public Protection Arrangements (MAPPA)** is the name given to arrangements in England and Wales for the “responsible authorities” tasked with the management of registered sex offenders, violent and other types of sexual offenders, and offenders who pose a serious risk of harm to the public. The “responsible authorities” of the MAPPA include the National Probation Service, HM Prison Service and England and Wales police forces. MAPPA is coordinated and supported nationally by the Public Protection Unit within the National Offender Management Service. MAPPA was introduced by the **Criminal Justice and Courts Services Act 2000** and was strengthened under the **Criminal Justice Act 2003**.
12. MAPPA legislation does not provide the lawful authority for exchanging information on non-MAPPA persons. However, many police forces have taken steps to agree local protocols with partner agencies for providing risk assessment and management of these individuals outside of MAPPA. The **MARAC** process – **Multi Agency Risk Assessment Conference** Process - is part of a coordinated community response to domestic abuse, which aims to:
- share information to increase the safety, health and well-being of victims/survivors – adults and their children;
 - determine whether the alleged perpetrator poses a significant risk to any particular individual or to the general community;
 - construct jointly and implement a risk management plan that provides professional support to all those at risk and reduces the risk of harm;
 - reduce repeat victimisation;
 - improve agency accountability; and
 - improve support for staff involved in high-risk domestic abuse cases.
13. The focus of the MARAC is the protection of the high-risk victim of domestic abuse. A meeting is convened to share information and enable an effective risk

management plan to be developed. It does not address the issue of intelligence sharing within the CSE risk environment.

2002

14. **'It's someone taking a part of you': a study of young women and sexual exploitation.** Jenny Pearce, Mary Williams, and Cristina Galvin. National Children's Bureau (NCB), 2002.
15. Based on 55 case studies, conducted in partnership with the NSPCC, the study considers the choices and opportunities available to young women who are at risk of, or are experiencing, sexual exploitation. It presents young women's accounts of their experiences, identifies three categories of risk: at risk of sexual exploitation; swapping sex for accommodation, money, drugs or other favours 'in kind'; and selling sex. It recommends interventions that could take place at each stage to support the young women concerned. A summary of this report is available: **'The choice and opportunity project: young women and sexual exploitation'** (PDF).

2000 – 2004

16. In 2000 the death of 8 year old **Victoria Adjo Climbiè** occurred in the London Borough of Haringey. The subsequent Inquiry into Victoria's death was chaired by Lord Laming. The findings of the Inquiry (encapsulated within the **'Laming Report'**) were damning, not only about individual practice failings, poor or non-existent inter-agency working and the lack of focus on the child, Victoria, but also, for the first time, about the failure of senior managers in various organisations to account for the shortcomings of their departments and their resistance, in most cases, to accept responsibility for them. There then followed the 'Every Child Matters' initiative, the introduction of the **Children Act 2004** and the creation of the Office of the Children's Commissioner.
17. **'Every Child Matters; Change for Children'** followed from the Government Green Paper entitled 'Every Child Matters'. The subsequent Children Act was passed in November 2004. For children and young people there are five stated outcomes embedded within this framework that are seen as key to well-being in childhood and later life. These are: being healthy, staying safe, enjoying and achieving, making a positive contribution and achieving economic well-being. These five outcomes constitute the focus of Government attention for all school pupils.
18. **The Children Act 2004** raised the degree of accountability, especially at local authority level. It brought all local government functions of children's welfare and education under the statutory authority of local **Directors of Children's Services**. The Act also required local authorities to appoint a **Lead Member** for children's services, and it placed a statutory duty on authorities to establish **Local Safeguarding Children Boards**. These Boards were given powers to investigate and review inter-agency failings. They have a responsibility to promote the safety

and care of all children and a proactive role to target particular groups of vulnerable children, and by engaging in responsive work to protect children who are suffering, or are likely to suffer significant harm. They co-ordinate the activities of Board members and ensure their effectiveness.

19. In 2002 there was recognition by Staffordshire Police that there was a CSE issue in the Stoke on Trent Policing division and **Operation Sorcerer** was launched. This identified 47 victims of CSE.
20. Following the murder of Holly Wells and Jessica Chapman, an inquiry was set up in 2003 under Sir Michael Bichard. **The Bichard Report** suggested that when assessing under-18s at risk of sexual exploitation professionals should consider the following points in deciding whether to refer to police or children's services:
 - age or power imbalances;
 - coercion, bribery, overt aggression or the misuse of substances as a disinhibitor;
 - whether the child's own behaviour, because of the misuse of substances, places him/her at risk so that he/she is unable to make an informed choice about any activity;
 - whether any attempts to secure secrecy have been made by the sexual partner, beyond what would normally be considered usual in teenage relationships;
 - whether the sexual partner is known to one of the agencies; and
 - whether the child denies, minimises or accepts concerns.
21. In November 2003, a Blackpool teenager, **Charlene Downes**, disappeared. She was believed to have been subject to sexual exploitation. Charlene has never been seen since this time and is believed to have been killed by her abuser/s. A subsequent investigation revealed 'endemic' sexual abuse in the town and the 'Project Awaken' Team was set up as a response. The team brought together professionals from licensing, social services, education and police. It aimed to root out and arrest the abusers before they did serious harm, and to protect children from exploiters. Officers targeted what they called "honey pots", likely to attract both children and offenders, such as takeaways, amusement arcades and the pier, which Charlene visited the night she vanished. The Guardian journalist Julie Bindel wrote in May 2008 'Early on in the investigation, police became aware that Charlene and a number of other girls had been targeted by abusers active in the town. It emerged that the girls had been swapping sex for food, cigarettes and affection. Police are certain that Charlene was sexually abused by one or more men, over a period of time before she went missing, and that her death was linked to the abuse'.
22. In 2012, the trial of two men accused over Charlene's murder was halted when the jury failed to reach a verdict. The subsequent retrial collapsed owing to concerns over a key prosecution witness. Both men were cleared of the charges. The case is

still open.

23. **The Sexual Offences Act 2003** replaced older sexual offences laws with more specific and explicit wording. It also created several new offences such as non-consensual voyeurism, grooming, abuse of position of trust, assault by penetration and causing a child to watch a sexual act. The Act covered offences committed by UK citizens whilst abroad. It also updated and strengthened the monitoring of sex offenders under the Sex Offenders Act 1997.
 - sections 47 to 50 prohibit child prostitution;
 - sections 52 and 53 prohibit pimping for financial gain; and
 - sections 57 to 59 create offences relating to sex trafficking.
24. Prostitution of children or child prostitution is the commercial sexual exploitation of children in which a child performs the services of prostitution, for financial benefit. The term normally refers to prostitution by a minor, or person under the legal age of majority. Human trafficking is the illegal trade of human beings for the purposes of commercial sexual exploitation or forced labour.
25. **'Children and Families: Safer from Sexual Crime'**. The Sexual Offences Act 2003' was published by the Home Office in May 2004.
26. **'Operation Parsonage'** in Keighley, West Yorkshire during 2003, the Police interviewed 33 girls aged between 13 and 17 years. Up to 50 men were believed to have been involved in the exploitation of young girls in the area. Ten men were charged with offences and two convicted.
27. **Lord Laming's report: 'Keeping Children Safe'**. The Government's response to The Victoria Climbiè Inquiry Report and Joint Chief Inspectors' Report Safeguarding Children.' Published in 2003, the report found that many of the reforms brought in after Victoria Climbiè's death in 2000 had not been implemented.
28. In 2004, Anna Hall made a documentary **'Edge of the City'** for Channel 4. It is a film dealing with, among other matters, CSE in Keighley. The film originally started as a documentary about Bradford Social Services Department but became controversial when it highlighted the area's problem of CSE.
29. **'The Lost Teenage'** was a CROP document examining the impact of child sexual exploitation on children and young people as they move into adulthood.

2005

30. **'Work in Progress, Parents, Children and Pimps: Families Speak Out About Sexual Exploitation'** by Aravinda Kosaraju is the title of a further document published by CROP in 2005. This is described as 'A comprehensive research report,

together with parents' personal accounts, which details CROP's work, the demographic profile for families supported by CROP, the nature and impact of sexual grooming and exploitation, and the interventions required to end sexual exploitation.'

31. **'Who are the Victims?'** is a CROP article published in 2005 which 'questions who the victims of sexual exploitation are and the ways in which different channels and agencies can help victims of sexual exploitation.'
32. **'Sexual Exploitation as a Business'** is another documentary from CROP in 2005, described as 'A document analysing the child sexual exploitation processes and the criminal networks involved.'
33. **Intervention orders**, introduced by section 20 of the Drugs Act 2005, can be attached to ASBOs to tackle anti-social behaviour arising from drug misuse. These and other orders may be used in CSE cases where there is also drug or alcohol misuse and anti-social behaviour associated with wider CSE behaviour.

2006

34. In April 2006 there was a prosecution in **Blackpool** for the multiple rape of a 16 year old girl by four men. Two of the men, illegal immigrants, were jailed as a result of the prosecution. The victim and a friend were given alcohol at an Indian restaurant before being taken to an attic and assaulted. One victim said she was abused by four men.
35. The first revision of **'Working Together to Safeguard Children'** occurred in 2006.
36. **'Trafficking in our Midst – Parallels Between International and National Trafficking'** is a 2006 documentary by CROP 'highlighting the parallels between international and national trafficking covering the role of the UK Human Trafficking Centre, legislation, prosecution, organised crime, scale of the problem and responding to the similarities of victim impact.'

2007

37. An **Oldham** CSE case was prosecuted in June 2007. The case concerned the grooming and abuse of 20 girls in the Oldham area. 20 men were arrested and three were charged with rape. Eventually, two convictions for abduction were secured. It was reported in 2011 that since 2007 over 21 Oldham girls had been sexually exploited in incidents of roadside grooming. An Oldham man was convicted in September 2011 for grooming and in April 2012 a case involving 11 men from Oldham and Rochdale came to trial.
38. In August 2007 Peter Connolly known as **'Baby P'** died at the hands of his carers in Haringey London. Peter's death resulted in criminal convictions, two Serious Case Reviews and a further review of safeguarding procedures nationally.

39. In August 2007, following a **Blackburn** CSE court case, two Pakistani nationals aged 46 and 32 were jailed for 7 years and 8 months on charges including abduction, sexual activity with a child and supplying drugs. Girls in the care of social services in Blackburn were targeted and offered to brothers, uncles and friends for sex.
40. Barnardo's published a Pilot Study '**Sexual Exploitation Risk Assessment Framework**' (SERAF) in October 2007.
41. 'Review of Social Services Responses to Safeguarding Children from Sexual Exploitation', a CROP document, was published.

2008

42. In January 2008 a **Sheffield** CSE criminal case saw the conviction of two men for sexual offences against young girls. The court described the relationships as 'exploitative, coercive and possessive.'
43. In a further **Oldham** CSE court case in April 2008, two men were convicted of offences against a 14 year old 'runaway' girl.
44. In October 2008, the Department for Children, Schools and Families (DCSF) published '**Information sharing. Further guidance on legal issues**'. This gives information on the pieces of legislation which may provide statutory agencies and those acting on their behalf with statutory powers to share information. The guidance is for practitioners who have to make decisions about sharing personal information on a case-by-case basis, whether they are working in the public, private or voluntary sectors or providing services to children, young people, adults and/or families. The guidance is also for managers and advisors who support these practitioners in their decision making and for others with responsibility for information governance. It includes:
 - the Human Rights Act 1998 and the European Convention of Human Rights;
 - common law duty of confidentiality;
 - Data Protection Act 1998; and
 - specific legislation containing express powers to share information.
45. In November 2008 following a **Manchester** CSE court case, two men were convicted of offences against three vulnerable 15 year-old girls. Also in November 2008 in **Blackburn**, two men were convicted of offences against two 14 year-old girls.
46. In December 2008 the publication of the **Ofsted report into the death of Peter Connolly** resulted in public scrutiny regarding safeguarding practice. This saw increasing numbers of referrals to children's social care; more children becoming the subjects of child protection plans; and a rise in the number of children being taken into local authority care. As a result, professional safeguarding priority was to ensure

that the dangers to younger children at risk of neglect and physical harm were assessed and reduced.

47. **Gathering evidence of the sexual exploitation of children and young people: a scoping exercise.** Sue Jago and Jenny Pearce, University of Bedfordshire 2008. This reports a study commissioned by the Government to look at the way in which local partnerships (including Local Safeguarding Children Boards and police forces) tackle the sexual exploitation of children and young people through the disruption and prosecution of offenders. It covers the multi-agency approach, the foundation for effective evidence gathering, developing a disruption plan, preparing a prosecution case, and awareness raising, training and guidance.
48. In 2008, The National Working Group Network developed the following **definition** which is utilised in UK Government guidance and policy.

'The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing, and/or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition, for example by persuading them to post sexual images on the internet/mobile phones with no immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.'

2009

49. In 2009 **Operation Shelter** focused on identifying children missing from care in Stoke on Trent. This investigation identified 20 girls who had been reported missing on 750 occasions and led to **Operation Microphone**. This resulted in the successful conviction of a Stoke on Trent man involved in CSE.
50. In March 2009 '**The Protection of Children in England: A Progress Report**' by Lord Laming was published.
51. April 2009, in **Blackburn**, two men were convicted of offences against a 12 year old girl.
52. The '**Statutory guidance on children who run away and go missing from home or care**' was published in July 2009 by the Department for Children, Schools and Families.

53. In July 2009, a total of 4 men in **Skipton** were found guilty of 28 sexual offences against a child aged 12-15 years. Three other men were cleared of all charges.
54. A 21-year old man was convicted in August 2009 of the rape of a boy in what was described as a 'brutal sex attack'. It is understood that he attacked the boy, aged 12, after approaching him in a takeaway in Whalley Range, **Manchester**.
55. In August 2009 the Government introduced '**Early identification, assessment of needs and intervention – The Common Assessment Framework**' (CAF) for children and young people: **A guide for practitioners**'.
56. 2009 also saw the publication by the Department for Children, Schools and Families of 'Safeguarding Children and Young People from Sexual Exploitation: Supplementary guidance to Working Together to Safeguard Children'. This guidance provided Local Safeguarding Children Boards and their partners with a framework for developing strategic and frontline responses to child sexual exploitation.
57. '**Child Sexual Exploitation: a Compendium of Training,**' by Aravinda Kosarju and Dalia Hawley was published by CROP in 2009. This was 'a compendium of available specialist training on child sexual exploitation in England and Wales compiled by CROP as part of the research and development work funded by the Department for Children, Schools and Families. It is based on a six month survey/audit of CSE training conducted during 2008-09.'
58. In May 2009 the Government published its **Action Plan** to tackle child sexual exploitation.

2010

59. Project Topsail was set up to assess the 'landscape of child exploitation' in **Staffordshire**.
60. In February 2010, a **Rochdale** CSE case came to court. A 16 year-old girl agreed to go to a house where she was given whisky and possibly sleeping medication before being raped several times by three members of a gang, two of whom "used a whisky bottle to further degrade her". A fourth man took pictures of the abuse. The victim was later found wandering the streets, dazed.
61. In June 2010, Tim Loughton MP and Parliamentary Under Secretary of State for Children and Families announced **a review of child protection**, led by Professor Eileen Munro. At the same time he announced that LSCBs would be required to publish Serious Case Review reports unless there were compelling reasons for this not to happen.
62. In June 2010 a **Nelson** CSE court case involved two men being convicted of offences against three girls.

63. A '**National Picture of Child Sexual Exploitation and Specialist Provisions in the UK**' was published by the National Working Group Network for sexually exploited children and young people.
64. The two **Baby P Serious Case Reviews** of November 2008 and March 2009 were published in 2010 with identifying details removed.
65. During August 2010 a **Rochdale** criminal prosecution heard that an independent school pupil, aged 14, from Rochdale, went missing from home for several days on two occasions. She was spotted in the town centre, groomed and fed a diet of alcohol and drugs before being forced to have sex with numerous Asian men in flats and to work on the streets as a 'prostitute'. She was finally found after she approached a couple in the street in Manchester and asked them for help. Nine Rochdale men were convicted of offences against a child.
66. In September 2010 a **Preston** CSE court case followed **Operation Deter's** investigation of child sexual exploitation involving girls and older men in Preston. Two men groomed two girls aged 13 and 15 for several months after initially pulling up in a car and befriending them.
67. **The Munro Review: Part One: 'A Systems Analysis'** was published in October 2010. This paper outlined the actions which were being taken to improve management, co-ordination and practice. It recognised the problems caused by widespread restructuring and financial cuts. It called for local authorities to have the confidence to develop their own approaches to child protection. A degree of uncertainty and risk must be accepted.
68. In November 2010 a **Rotherham** CSE court case came to trial; five "sexual predators" were convicted of grooming three girls, two aged 13 and one 15, all under children's social care supervision, before using them for sex. The victims were offered gifts, car rides, cigarettes, alcohol and cannabis. Sex took place in cars, bushes and the play area of parks. A mortgage adviser who drove a BMW and owned several properties, promised to treat a 13-year old "like a princess". Another man pulled the hair of a 13-year old and called her a "white bitch" when she tried to reject his attempt to strip her. Eight men were charged and three were cleared of all charges. One victim, aged 13, said: "They used to tell me they loved me and at the time I believed them. I was a little girl."
69. November 2010, a **Derby** court case, in which 9 men were convicted of grooming and abuse in three separate trials. 'Operation Retriever', involving more than 100 police officers, identified 27 victims. 22 were white, three black and two Asian.
70. Derby CSE Serious Case Review Executive Summary was published in November 2010.

71. In January 2011 **'Puppet on a String' The urgent need to cut children free from sexual exploitation'** was published by Barnardo's. This report found that despite new national guidance, in most local authorities child sexual exploitation was not recognised as a mainstream child protection issue. This report called on the Secretary of State for Education to take the lead in ensuring a fundamental shift in policy, practice and service delivery in England.
72. In March 2011 **'Youth Gangs, Sexual Violence and Sexual Exploitation, A Scoping Exercise for The Office of the Children's Commissioner for England'** was published by Professor J. J. Pearce & Professor J. M. Pitts from The University of Bedfordshire Institute for Applied Social Research.
73. May 2011 the **Munro Review of Child Protection. Final Report: 'A Child Centred System'** was published. This set out proposals for reform which were intended to enable professionals to make the best judgements about the help to be given to children, young people and families. It did not, however, explicitly address issues of child sexual exploitation.
74. In June 2011 **'Letting Children be Children – Report of an Independent Review of the commercialisation and sexualisation of childhood'** was published by Reg Bailey. This Review 'aims to assess how children in this country are being pressured to grow up too quickly, and sets out some of the things that businesses and their regulators, as well as Government, can do to minimise the commercialisation and sexualisation of childhood.'
75. **'Out of Mind, Out of Sight; breaking down the barriers to understanding child sexual exploitation'** was published by the Child Exploitation and Online Protection Centres (CEOP) in June 2011.
76. In August 2011, a **Bradford** court case concerned the grooming and abuse of 13-year old Asian girl. August 2011 also saw the trial and sentence of Stephanie Knight and the 'East Lancashire Rape Gang' at **Burnley Crown Court**. Knight was convicted of conspiracy to rape.
77. October 2011, **'What's going on to Safeguard Children and Young People from Sexual Exploitation? How local partnerships respond to child sexual exploitation'** by Sue Jago, with Lorena Arocha, Isabelle Brodie, Margaret Melrose, Jenny Pearce and Camille Warrington, University of Bedfordshire. This research project explored the extent and nature of the response of LSCBs to the 2009 Government guidance on safeguarding children and young people from sexual exploitation. This found that where the guidance had been followed, there were examples of innovative practice to protect and support young people and their families and to investigate and prosecute their abusers. However, the researchers

found that the delivery of that dual approach to child sexual exploitation was far from the norm.

78. In October 2011 the **Children's Commissioner** launched a two-year inquiry into Child Sexual Exploitation in Gangs and Groups.
79. Published in October 2011, '**Safeguarding Children who may have been Trafficked. Practice Guidance**' was guidance updated from the original publication of 2007. It was updated 'to reflect developments such as the introduction in April 2009 of the National Referral Mechanism and the duty on the UK Border Agency to safeguard and promote the welfare of children, which came into force in November 2009'. It delivered a key commitment in the Government's Human Trafficking Strategy, published in July 2011. It was intended to help agencies and their staff safeguard and promote the welfare of children who may have been trafficked. It was supplementary to, and should be used in conjunction with the Government's statutory guidance: Working Together to Safeguard Children.
80. In November 2011, '**Strategy for Policing Prostitution and Sexual Exploitation**' was published by the Association of Chief Police Officers. This report confirmed that: 'In the case of children and young people, the emphasis is always on safeguarding the young person and on the proactive disruption and prosecution of their abusers'.
81. In November 2011 in response to the earlier Barnardo's report, the Department for Education produced '**Tackling Child Sexual Exploitation: National Action Plan**'. This brought together, for the first time, actions by the Government and a range of national and local partners to protect children from CSE. The Action Plan considers sexual exploitation from the perspective of the child. It highlights areas where more needs to be done and sets out specific actions which Government, local agencies and voluntary and community sector partners need to take.
82. These 'actions' include:
 - work with the Association of Chief Police Officers, health professional bodies and the Social Work Reform Board to make sure child sexual exploitation is properly covered in training and guidance for frontline professionals;
 - LSCBs to prioritise child sexual exploitation and undertake robust risk assessments and map the extent and nature of the problem locally;
 - support organisations like Rape Crisis and local sexual assault referral centres to improve services for young victims. The Plan also included measures to raise awareness by improving sex and relationships education in schools and helping parents know what tell-tale signs to look out for;
 - the Police, the Crown Prosecution Service, judges and magistrates to support young witnesses and victims, and increase the use of 'special measures' in court to ease the stress and anxiety of criminal proceedings on young people;

- the criminal justice system to come down hard on perpetrators and make sure victims and their families get the right support. The Plan brings together commitments from the Home Office, Ministry of Justice and the Crown Prosecution Service, including:
 - a new sentencing regime, including mandatory life sentences for anyone convicted of a second very serious sexual or violent crime;
 - in group or gang related cases, trial judges should consider how to minimise the trauma for witnesses by considering whether there is need for repeat cross-examination in the witness box.
83. November 2011, the Channel 4 programme '**Britain's Sex Gangs**' focused on CSE in Bradford and London.
84. '**Missing Children and Adults; A Cross Government Strategy**' was published by the Home Office in December 2011. The strategy outlines the three key objectives to provide the right foundations for any effective local strategy to tackle this issue:
- prevention – reducing the number of people who go missing, including prevention strategies, education work and early intervention in cases where children and adults repeatedly go missing;
 - protection – reducing the harm to those who go missing, including a tailored, risk-based response and ensuring agencies work together to find and close cases as quickly as possible at a local and national level; and
 - provision – providing support and advice to missing persons and families by referring them to agencies promptly and ensuring they understand how and where to access help.

2012

85. In the **Brierfield** child sexual grooming case of January 2012 a sixth man was charged with conspiracy to rape.
86. In May 2012, as a result of the **Operation Span** in Rochdale, 9 men were convicted and jailed. Two men were acquitted. The men at the centre of the trial were from Rochdale and Oldham. Offences ranged from rape, trafficking, conspiracy to engage in sexual activity with a child, sexual assault and sexual activity with a child. This case was the first prosecution in Britain of the offence of Trafficking within the UK for a sexual offence. Sentences ranged from 19 years to 4 years.
87. Also in May 2012, a **Carlisle** CSE criminal case saw a Carlisle takeaway manager jailed for 15 years for attempting to recruit four girls aged between 12 and 16 into prostitution.
88. **"Tackling child sexual exploitation. Helping local authorities to develop**

effective responses” was published in 2012 jointly by Barnardo’s and the Local Government Association.

89. The trial of two men in **Rochdale** involved four victims.
90. **An Oldham man** was found guilty of the systematic rape of a three-year-old girl over a period of 14 years until she was 17. He was jailed for 19 years as one of nine men involved in the Rochdale sex-ring convicted of conspiracy to engage in sexual activity with a child and trafficking a child within the UK.
91. Following the verdicts in the Rochdale child sexual exploitation case, the Secretary of State asked the Deputy Children’s Commissioner to report to him urgently on emerging findings from her inquiry into **Child sexual exploitation in gangs and groups**. He asked that the report focus particularly on risks facing children living in children’s homes. The report was published on 3 July together with the Government’s response to its recommendations, which were accepted in full. The action announced by Government also took account of the Joint All Party Parliamentary Groups (**APPG**) **Report into Children who Go Missing from Care** which was issued on 18 June. The APPG report emphasised the need to tackle failings in arrangements to safeguard children in residential care, and made recommendations similar to those of the Deputy Children’s Commissioner.
92. The Government directed the following immediate action in response:
 - making sure there is a clearer picture of how many children go missing from care, and of where they are, by improving the quality and transparency of data;
 - ensuring children’s homes are properly protected and safely located by removing barriers in regulation, so that Ofsted can share information about the location of children’s homes with the Police, and other relevant bodies as appropriate;
 - helping children to be located nearer to their local area by establishing a ‘task and finish group’ to make recommendations by September on strengthening the regulatory framework on out-of-area placements; and
 - establishing a further expert working group to look at the quality of children’s homes. This would review all aspects of the quality of provision in children’s homes, including the management of behaviour and appropriate use of restraint, and the qualifications and skills of the workforce.
93. In July 2012, the Government published a **Progress report on the implementation of the ‘Tackling child sexual exploitation action plan’** and a short step-by-step guide on what frontline practitioners should do if they suspect a child is being sexually exploited.
94. July 2012, as a result of **Bradford’s** criminal investigation into CSE, ten men were

arrested on suspicion of committing serious sexual offences in the area.

95. In August 2012, a CSE criminal case in **Telford** found that four teenage girls had been sexually abused and forced into prostitution by two Shropshire brothers. The jury was told that the youngest girl, 13, was raped, and another was repeatedly sold as a prostitute, sometimes to four men at a time.
96. In September, as a result of Operation Rockferry, **Reading** Crown Court passed sentence on a paedophile ring.
97. In September at **Derby** Crown Court, five men were found guilty of paying for the sexual services of a child; three others admitted the same charge. The men, who acted independently of each other, targeted girls aged between 14-17 in Derby from care homes or difficult backgrounds.
98. On 24th September 2012, **The Times** reported Andrew Norfolk's investigation into CSE in **Rotherham**.
99. In September, a **Rochdale** man was sentenced for the rape of 16-year old girl.
100. In September, as a result of 'Operation Bullfinch' in **Oxford**, nine men were accused of involvement in a child sex-trafficking ring involving six girls over an 8-year period.

2013

101. In March 2013, '**Working Together to Safeguard Children**' was published by the Government. This paper reiterated that the child's needs were paramount and the child's needs and wishes must be put first; that all professionals should share information and discuss any concerns about a child with partner agencies; that initiatives must be based on evidence and available data. The guidance required LSCBs to publish local protocols for assessment and a threshold document specifying the criteria for referral for assessment and the level of early help to be provided. It imposed duties towards safeguarding on a wide range of agencies. LSCBs had to maintain a local learning and improvement framework shared across partner agencies. A national panel of independent experts would advise LSCBs on the initiation and publication of Serious Case Reviews.
102. In June 2013 **The Home Affairs Select Committee report** was published. Its 36 sections endorsed recommendations of earlier papers. Children must be seen as victims, not perpetrators, and the concept of 'consent' must be challenged. There should be widespread training in recognizing signs of grooming and exploitation. Reports and other documents should be in a standard format to facilitate comparisons for scrutiny purposes. The right of redaction should rest with the victim or family or an independent person, not the Safeguarding Children Board.
103. The report recommended improvements to the justice system, the treatment of

victims, the support given to them throughout the judicial process, their cross-examination, the importance of the language used in court, the need for specialist courts with trained judges, prosecutors, ushers.

104. Accident and Emergency Departments should link more closely with Safeguarding Children Boards in relation to children up to 16 years; likewise sexual health services. The mental health implications of CSE must be recognised in practical measures. The voluntary sector in this field must be adequately funded.
105. Agencies should acknowledge the suspected model of localised grooming of young white girls by men of Pakistani heritage, instead of being inhibited by the fear of affecting community relations. People must be able to raise concerns without fear of being labelled racist. Offenders' communities should do more to report and tackle the issue. Outreach work towards them is essential. Multi-agency Safeguarding Hubs should be set up, linked to the Crown Prosecution Service.
106. In October 2013, Ofsted published its **Review of the Local Safeguarding Children Board**. This was a consultation relating to the framework within which future inspections of LSCBs would be conducted by Ofsted.
107. 13 November 2013. The final report from the Office of the Children's Commissioner's Inquiry into **Child Sexual Exploitation in Gangs and Groups** was published. The report criticised services for persistently failing to safeguard children and being in denial about the scale of the issue. It found only 6% of Local Safeguarding Children Boards were complying with key government guidance on tackling CSE. Although it recognised local good practice, the report concluded that there were serious gaps in the knowledge, practice and services required to tackle CSE, despite 'heightened alert'. The report instead proposed a new framework, '**See Me, Hear Me**', for those who commission, plan or provide protective services. The report was accompanied by two other reports from the Inquiry, which highlighted the risk to young people and the complexities around their understanding of sexual consent.

2014

108. In February 2014, the Children's Commissioner published 'Sex without consent. I suppose that is rape – how young people understand consent to sex', and in April 'Rights4me', a young person's guide to working together to safeguard children.
109. In January 2014, the Department of Health published the '**Health Working Group report on child sexual exploitation**'. The report made eleven recommendations covering the identification and treatment of victims; training and e-learning; the co-ordination of services; commitment to multi-agency teams and the role of school nurses.

Appendix 5: Recommendations from earlier reports collated by the Safeguarding Board

Safeguarding Board CSE Diagnostic Report 2013

1. The RLSCB to review the 2013-16 Business plan and annual plan to produce a more dynamic, user-friendly report for 2013-14.
2. The LSCB to review and refresh the multi-agency CSE procedure.
3. To conduct a multi-agency internal review of structures and governance and produce clear charts detailing roles, responsibilities and lines of accountability.
4. The CSE sub group to review the CSE action plan and ensure it is a practical and useful tool for delivery of strategic actions and its 'actions and milestones' follow SMART principles.
5. RLSCB Chair to provide the opportunity for improved governance and stronger challenge of the CSE action plan at RLSCB meetings
6. A review of the role, membership and future direction of the CSE Sub Group and Silver Group needs to be undertaken.
7. To move the multi-agency CSE Team to a more suitable location.
8. The CSE Team should develop a closer working relationship with the Integrated Youth and Support Service and have specific service pathways in place to support these arrangements.
9. That the role of the CSE Team and its remit and responsibilities need to be reviewed, defined and communicated to all stakeholders.
10. Consideration be given to the appointment or secondment of a senior manager to manage the CSE Team in its entirety and to take the lead role in CSE management in the Borough.
11. A formal tasking and coordinating process should be adopted by the CSE Team.
12. Process mapping needs to be undertaken and CSE pathways developed so that there are clear workflows between the various teams within Children's Social Care, the Early Help Assessment Team and other services in a position to respond to lower level CSE referrals.
13. A needs assessment and mapping exercise should be undertaken in relation to the provision of post-sexual abuse support utilising existing commissioning frameworks.
14. The local authority, as corporate parent for looked after children, to provide the

RLSCB with assurance that Looked After Children and Young People placed out-of-area who go missing receive timely return home interviews which contribute to risk assessments and safety plans.

15. A more formal and SMART performance management system needs to be established under the governance of the Local Safeguarding Children Board.
16. Regular use of Victim / Service User profiling should be utilised to further understand the needs across the Borough and the multi-agency service response that is required.
17. An agreed risk assessment tool, which is fit for purpose, should be developed and implemented as soon as possible.
18. A programme of multi-agency auditing should be introduced in order to evaluate the effectiveness of service provision and outcomes for children and young people at risk of CSE.
19. A longer term training and awareness strategy is required in order to keep the workforce skilled and knowledgeable year on year.
20. The Rotherham Children and Young Persons Improvement Panel under the governance of the RLSCB monitor national reports, inspections and reviews to ensure that where appropriate recommendations from those reports form part of RLSCB processes.

Barnardo's CSE Practice Review

21. We recommend that all key managers and Council members revisit the vision and strategy to establish if the original intentions are effective and delivering the expected changes.
22. A clear media and communication strategy be developed that all agencies and key personnel share and work towards.
23. A named designated manager be identified to manage the day-to-day activities and shape service delivery of the CSE specialist co-located team.
24. In line with the action plan, the positioning of a police analyst within the co-located CSE team.
25. The CSE specialist co-located team to undertake monthly team building and clinical supervision in order to assist in the team's development and understanding of various disciplines and to support the relatively new team in bonding together, understanding each other's roles and developing a shared model of work in practice to meet the needs of sexually exploited young people.

26. The implementation of a South Yorkshire wide CSE Risk Assessment tool.
27. Development of a participation strategy for young people and families involved/ at risk of CSE.
28. It is recommended that the training strategy be widened and adopt a “train the trainer” approach to include **all** faith groups and communities, including the local business community.
29. Annual review of service provision as a way of ensuring that the CSE action plan and CSE strategy are implemented and are effective.

HMIC South Yorkshire Police Response to CSE

(Immediately)

30. The force should review the management of cases by staff in the dedicated child sexual exploitation teams, and ensure this always complies with statutory child protection guidance.
31. The force should communicate and explain to the PCC, staff and other interested parties the delay in deploying the ten additional child sexual exploitation officers to the districts.
32. Failure to fill a vacant post in the Rotherham team that manages sex offenders means that the remaining officers face an unmanageable workload. The force should review the team to ensure that it has sufficient staff to manage sex offenders in line with national guidance.
33. The force should review the staffing arrangements within the Hi-Tech Crime Unit, to ensure these are sufficient to manage effectively the demands of a thorough and comprehensive child sexual exploitation strategy.
34. The force should audit its response to child sexual exploitation, to assess whether the changes it is making are having the desired effect (i.e. of improving outcomes for children), and to identify any further work that is required.

(Within 3 months)

35. The force should review its internal communication regarding child sexual exploitation and ensure that clear, consistent messages are passed to all officers and staff. The messages should ensure that everyone knows which chief officer is the lead on tackling child sexual exploitation.
36. The force should review the tool used to assess the risk of child sexual exploitation to ensure it provides the best possible reflection of the level of risk faced by victims. This could involve additional training for those using the tool, or a change to the

scoring mechanism used to calculate the level of risk.

37. The force should translate the PCC's strategic priorities into operational delivery on the ground.
38. The force should review the workloads of all staff within public protection units to ensure they have the capacity to manage effectively the cases they are allocated.

(Within 6 months)

39. The force should review its training plan to ensure all staff develop and sustain a good understanding of child sexual exploitation.
40. The force should review the processes in place to respond to child sexual exploitation in all four districts, with a view to creating greater uniformity, and ensuring all areas attain the high standards achieved in the Sheffield district.
41. The force should review the operation of its local intelligence units to ensure child sexual exploitation is thoroughly supported by an intelligence approach.
42. The force should review how it could make better use of research and analysis to support strategies to tackle child sexual exploitation.
43. The force should review how it monitors the internet for evidence of child sexual exploitation to ensure intelligence opportunities are not being overlooked.
44. The force and its partners should examine how it can more efficiently manage the handling of child sexual exploitation information and intelligence. In particular, the difficulties in sharing information within the multi-agency teams at Doncaster and Rotherham (because of incompatible information and intelligence IT systems) should be resolved.

“If only someone had listened” – Office of Children’s Commissioner

45. The Department for Education should review and where necessary, revise the *Working Together guidance on CSE* (DCSF, 2009). This should include a review of the definition of CSE.
46. Every Local Safeguarding Children Board should take all necessary steps to ensure they are fully compliant with the current *Working Together guidance on CSE* (DCSF, 2009).
47. Every Local Safeguarding Children Board should review their strategic and operational plans and procedures against the seven principles, nine foundations and **See Me, Hear Me** Framework in this report, ensuring they are meeting their obligations to children and young people and the professionals who work with them. Gaps should be identified and plans developed for delivering effective practice in

accordance with the evidence. The effectiveness of plans, procedures and practice should be subject to an ongoing evaluation and review cycle.

48. There need to be nationally and locally agreed information-sharing protocols that specify every agency's and professional's responsibilities and duties for sharing information about children who are or may be in need of protection. At the national level, this should be led and coordinated by the Home Office through the Sexual Violence Against Children and Vulnerable People National Group. At the local level, this must be led by LSCBs. All member agencies at both levels must be signatories and compliance rigorously monitored.
49. Problem profiling of victims, offenders, gangs, gang-associated girls, high-risk businesses and neighbourhoods and other relevant factors must take place at both national and local levels. The Home Office, through the Sexual Violence Against Children and Vulnerable People National Group, should lead and coordinate the development of a national profile. Local Safeguarding Children Boards should do the equivalent at the local level.
50. Every local authority must ensure that its Joint Strategic Needs Assessment includes evidence about the prevalence of CSE, identification and needs of high-risk groups, local gangs, their membership and associated females. This should determine commissioning decisions and priorities.
51. Relationships and sex education must be provided by trained practitioners in every educational setting for all children. This must be part of a holistic/whole-school approach to child protection that includes internet safety and all forms of bullying and harassment and the getting and giving of consent.
52. Through the Sexual Violence against Children and Vulnerable People National Group, the Government should undertake a review of the various initiatives being funded by the Home Office, Department for Education, Department of Health and any others as relevant, in order to ensure services are not duplicated and that programmes are complementary, coordinated and adequately funded. All initiatives should be cross-checked to ensure that they are effectively linked into child protection procedures and local safeguarding arrangements.

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF EDUCATION, ADULT AND CHILDREN'S SERVICES

TO:	ADULT SOCIAL CARE, CHILDREN'S SERVICES & EDUCATION COMMITTEE		
DATE:	6 NOVEMBER 2014	AGENDA ITEM:	11
TITLE:	ANNUAL COMPLAINTS REPORT 2013 - 2014 FOR CHILDREN'S SOCIAL CARE		
LEAD COUNCILLOR:	COUNCILLOR GAVIN	PORTFOLIO:	CHILDREN'S SERVICES
SERVICE:	CHILDREN'S SOCIAL CARE	WARDS:	BOROUGHWIDE
LEAD OFFICER:	NAYANA GEORGE	TEL:	0118 937 3748
JOB TITLE:	CUSTOMER RELATIONS MANAGER	E-MAIL:	Nayana.george@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Children's Social Care recognises that there will be occasions when things go wrong in the view of the customer and complaints are made. Complaints are an important source of information to help the Council understand where and why changes need to be made to improve the service provided.
- 1.2 The purpose of this report is to provide an overview of complaints activity and performance for Children's Social Care for the period from 01/04/13 to 31/03/14.
- 1.3 During this period the service received 81 statutory complaints of which:
 - 28 were resolved through Alternative Dispute Resolution (ADR) with the Social Work Teams
 - 51 were investigated and completed
 - 2 were still on-going at the end of the reporting period
- 1.4 During the same period 6 complaints progressed to a Stage 2 investigation and 1 request for a Stage 3 investigation was received.
- 1.5 The Customer Relations Team have continued to raise awareness of the complaints process and in accord with recommendations from OfSTED have in particular worked with operational teams to encourage children and young people to submit complaints where they are dissatisfied with the service they receive.
- 1.6 The 'Children's Social Care Complaints 2013/14 - Summary Report' attached at Appendix A provides an analysis of the data; it explains how complaints are managed and how the learning is used to improve services. This will also be

made publicly available through the Council's website from the 7th of November 2014.

2. RECOMMENDED ACTION

- 2.1 That the Committee notes the contents of the report and intended actions to further improve the management of representations and complaints in 2014/15 for Children's Social Care.
- 2.2 That the Committee notes the continuing work to raise awareness of the complaints process and encourage its use by children and young people in 2014/15.

3. POLICY CONTEXT

- 3.1 The NHS & Community Care Act 1990, Children Act 1989, The Children's Act 2001 and Department of Health, and Department for Education and Skills Guidance & Regulations require that the Children's Social Care service sets up and maintains a complaints procedure. They also require that Local Authorities operate the procedure within specified time scales and methods of investigation and that a summary of statistical information on complaints and a review of the complaints process are included in the annual report.

4. ACTIVITY

- 4.1 The Council operates a 3-stage procedure in respect of statutory complaints about Children's Social Care made by 'qualifying individuals', as specified in the legislation. Qualifying individuals are defined in national guidance as the child or young person, their parent, carer or foster carer or 'anyone who could be seen to be acting in the best interests of the child'. The timescale for responding to complaints at Stage 1 is 10 working days, which can be extended to 20 working days in certain circumstances. The Customer Relations Manager, who is the designated Complaints Manager for the Council, also has to be aware of all complaints as they are being dealt with.
- 4.2 Reading Borough Council's Corporate Complaints Procedure gives an opportunity for those who are not 'qualifying individuals' under the social services legislation, to still be able to complain about Children's Social Care.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The Complaints Service provided by the Customer Relations Team contributes to the Service's aims to enhance emotional wellbeing and deliver outstanding services for children in need and those needing protection. It does this by providing an impartial and supportive service to children and families who wish to complain or raise a concern and ensuring that there is learning from complaints.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 Information about the complaints process is provided verbally to service users via the Social Care Teams and Independent Reviewing Officers as well as the Customer Relations Team. Leaflets on the procedures are widely distributed and available in a variety of formats and languages on request. Over 880

compliments / complaints leaflets were distributed in 2013/14, compared to 630 in 2012/13.

- 6.2 In all Looked After Children's Care reviews and all Child Protection conferences, the Chair always specifically mentions the complaints process so that our most vulnerable children are regularly reminded of their right to complain and a leaflet is given out. Service users are also able to register a complaint via the web, text, e-mail direct to the Customer Relations Team, in person, by phone and in writing or via an advocate.
- 6.3 The Children in Care website continues to have a direct link to the complaints service and the Customer Relations Team has published the details of the Customer Relations Manager and our advocacy provider with Care Matters, Voice and National Youth Advocacy Service (NYAS). These are organisations who all offer a free help line support to children in care.
- 6.4 Translation services are provided for complainants whose first language is not English and advocacy support is available for young people who wish to make a complaint.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 The Customer Relations Manager will ensure that the statutory complaints process is accessible to all customers regardless of their race; gender; disabilities; sexual orientation; age and religious belief.
- 7.2 The statutory complaints process is designed to ensure that any concern or issue faced by vulnerable children and their carers is addressed in a timely and impartial manner.

8. LEGAL IMPLICATIONS

- 8.1 The Statutory foundation for the Children's Social Care Services Complaints Procedures are The Local Authority Social Services Act (1970), The Children Act (1989), The Children Act (2001), The Human Rights Act (1998), The Adoption and Children's Act (2002) and The Children's Act 1989 Representations Procedure (2006).
- 8.2 It is a requirement of the Department of Health's Standards and Criteria for Complaints Management for Children's Social Care that an annual report on complaints activity is presented to a public meeting.

9. FINANCIAL IMPLICATIONS

- 9.1 There are no Capital or Revenue implications arising from this report.
- 9.2 **Value for Money** - The Council's Customer Relations Team provides value for money in effectively discharging the complaints process for the Council by attempting informal resolution of complaints and also ensuring that most statutory complaints are resolved within the Stage 1 process so that expensive Stage 2 investigations and Stage 3 Panels are minimised.

9.3 **Risk Assessment** - There are no specific financial risks arising from this report.

10. **BACKGROUND PAPERS**

10.1 'Getting the Best from Complaints' Government Publication, August 2006

CHILDREN'S SOCIAL CARE COMPLAINTS 2013/14 SUMMARY REPORT

Introduction

This is a summary report of the data for complaints received by Children's Social Care for the financial year 2013/14. This report will also be made available to the public through the RBC website following agreement of the report at the Committee Meeting on the 6th of November 2014.

In addition to the quality of service provided there are many factors that can affect the number of complaints received such as satisfaction, customer expectations, awareness of the complaints process and the extent of promotional activity. Therefore a high number of complaints should not be interpreted simply as meaning the Council is providing a bad service, whilst at the same time a low number of complaints should not be interpreted as meaning people are satisfied with the service.

When interpreting the meaning of the complaints statistics it is important to take into account not just the number received but the number and proportion that are upheld.

The Council welcomes feedback through the complaints process which as well as providing the opportunity to identify where services have not been provided as they should be also provide customer insight and help identify any deficiency in practice, policies and procedures. It is from these that the Service and those who work in it can continue to learn and improve practice and service delivery.

Summary of Compliments and Complaints Activity, Quality Assurance & Learning

This report details information for the past year and analysis of the data, quality assurance and information on service developments as a result of learning from complaints.

Under the current monitoring system, information about complaints received directly by teams is reported to the Customer Relations Manager upon receipt. This is to ensure that the Customer Relations Manager is aware of all current complaints in order to monitor their progress and highlight cases that can be resolved through Alternate Dispute Resolution (ADR) to Team Managers and senior staff.

Statutory Complaints Procedure

Complaints dealt with through the statutory procedure involve three stages.

At Stage 1, complaints are investigated and responded to by a manager in the relevant service area.

If the complainant feels that the issues they have raised remain unresolved, they have the right to progress their complaint to Stage 2. Consideration of complaints at Stage 2 is normally achieved through an investigation conducted by an Investigating

Officer and an Independent Person. The Independent Person is involved in all aspects of consideration of the complaint including any discussions in the authority about the action to be taken in relation to the child. At the conclusion of their investigation the Independent Person and the Investigating Officer prepare independent reports for adjudication by a senior manager (usually the Head of Children's Services).

Where Stage 2 of the complaints procedure has been concluded and the complainant is still dissatisfied, they are eligible to request a review of the Stage 2 investigation of the complaint by a Review Panel at Stage 3. The Panel must consist of three independent people.

The Statutory Children's Social Care Complaints process encourages the complainant and the Local Authority to consider Alternate Dispute Resolution (ADR) at every stage of the complaints process. This means resolving a complaint or concern informally through a face to face meeting or telephone discussion. Entering into ADR does not restrict the complainant's right to request a formal investigation at any stage. It is the complainant's right to request the presence of the Customer Relations Manager at any face-to-face meeting.

Quality Assurance

The Customer Relations Team carry out checks of all complaint responses to ensure the quality of the response and that the language and terminology used is made easy for the complainant to understand, particularly if the complaint is from a child or young person. Statistics indicate 100% of responses were checked by the Customer Relations Team before being sent out. The findings and recommendations are shared regularly with senior managers. The Customer Relations Manager and her Team are also available to the complainant and the investigator for advice on best practice during the complaint investigation, but remain impartial.

The Customer Relations Manager delivers training on investigating and responding to statutory Stage 1 complaints and also on the Corporate Complaints Procedure. The Customer Relations Manager also attended Team Meetings to provide training and advice to front line staff.

The Customer Relations Team promotes the Social Care complaints service. Promotional activity has included outreach work to external groups, publicity material for staff, children and young people and close links with the National Youth Advocacy Service (NYAS). This is the body who are currently providing advocacy support for children and young people wanting to make a complaint or representation. Parents or carers with learning difficulties or other needs will be signposted to local charitable advocacy providers.

The Customer Relations Team has also improved processes to ensure upcoming responses are discussed and monitored at weekly meetings. The Social Care staff are in more regular contact with the Customer Relations Manager and her team and are aware of their processes which has led to improved joint working for the benefit of the complainant.

Quarterly reports are prepared for the Head of Children's Services and her Senior Management Team on Social Care complaints received.

It is believed that taken together these measures have been successful in improving the resolution of complaints at Stage 1. Whilst the number of complaints responded to within timescale has declined fewer complaints have escalated to Stage 2, which suggests that although the Stage 1 responses are taking longer they are also more thorough; leading to a reduction in the number of Stage 2's.

Support Network

The Customer Relations Manager participates in the Southern Region Complaints Managers' Group, which continues to support Customer Relations and Complaints Managers in sharing good practice, both nationally and locally. Where cases are complex the Customer Relations Manager often seeks advice and guidance from Legal Services and the Local Government Ombudsman's advice line.

Learning from Complaints

Complaints and concerns provide essential and valuable feedback from our clients and customers. Listening to customers and reflecting on examples of where we have not got it right can reveal or highlight opportunities for improvement (for example, a deficiency in practice, communication or service delivery). Even if a complaint is not upheld, lessons can be learnt from that complaint with service developments and improvements as a result. The complaints process and the feedback gained is an integral part of the quality assurance process, which feeds into the development and monitoring of services. Learning from complaints is reviewed by Social Care teams regularly at their team meetings. Below are two key themes around learning and some examples of learning from complaints in the past year.

Communication

- Operational teams to be clearer with parents and young people when there are changes to working practices, particularly when there is to be a change of social worker
- Reminder to social workers and staff about the importance of recognising allegations as opposed to fact, and that the service users have the right to have their response recorded.
- Social workers need to be clearer in feeding back to young people what their recorded wishes and feelings are and need to be clearer what the expectations within a placement are.
- Need to feed back to young people what the outcomes of assessments are in care proceedings. Proposed plans should be recorded in writing to ensure there is clear understanding.

Operational

- Timescales need to be clear and rationalised, evidencing decision making. Young people need to be made fully aware of the decision and their views recorded.
- Review the requirements around Care planning both from a legal perspective and a practice perspective, especially in regards to working with families and significant others. This will be undertaken at a team meeting and followed up with individuals undertaking looked after children cases

- That Children's Centres are clearer in their promotional and marketing materials regarding the age ranges that sessions are open, the responsibility of the parent or carers in ensuring all children are accompanied by a parent or responsible person. Parents and children are made aware of the boundaries of that centre.
- That all staff are made aware of any special behavioural needs of children who attend sessions (where this is known or disclosed by a parent) in order to effectively support all children who attend.
- Ensure that personal details are correct, and update records accordingly. Also check that information used from previous assessments and forms is still accurate and up-to-date.

Complaints Activity Statistics

In the year 2013/14, Children's Social Care received **81** statutory complaints, an increase of **4** (6.5%) compared to the **76** received in 2012/13.

To give this some context, in 2013 - 2014, 1698 individuals in total were referred to Children's Social Care. The number of statutory complaints represents 4.77% of the total number of referrals for the service last year.

Of the **81** complaints received during 2012/13, **28** (34.5%) were resolved as representations informally through Alternative Dispute Resolution (ADR) with the Social Work Teams.

9 of the remaining **53** complaints were withdrawn by the complainant after the investigation had commenced. All of these were withdrawn due to a lack of engagement from the complainants.

42 of the remaining **44** complaints were completed to an outcome, with the remaining **2** complaints still being investigated at the end of the period covered by this report.

Of the **42** complaints investigated to an outcome, **29** (69%) were responded to within timescale and **13** complaints (31%) were responded to over timescale.

Of the **42** complaints, **13** (31%) were responded to in 10 working days or less, and a further **12** (28.5%) responded to within 20 working days. Therefore, of the **42** complaints, **25** (59.5%) were responded to in 20 days or less.

Of the **42** complaints investigated to an outcome, **8** (19%) were recorded as Fully Upheld, **9** (21%) as Partially Upheld, **10** (24%) as Not Upheld, **15** (36%) were complaints with multiple strands where several outcomes were recorded. These **15** complaints involved **72** separate complaint points, of which **16** were found to be Upheld, **17** were Partially Upheld, **35** were Not Upheld, and **4** had No Outcome recordable against them.

Total number of Stage 1 complaints (including those resolved by Alternative Dispute Resolution (ADR) and eventually withdrawn) received in the last 5 years

Year	Number of complaints received	% Increase against previous year
2009/10	66	78
2010/11	63	-4.5
2011/12	55	-13
2012/13	76	38
2013/14	81	6.5

Outcomes for those Investigated to a completion (excluding those resolved via ADR and those eventually withdrawn)

Outcome	Number	% of Total
Upheld	8	19
Partially Upheld	9	21
Not Upheld	10	24
Multiple Outcomes	15	36
Total	42	100

Comparison of Complaint either Upheld or Partially Upheld for Children's Social Care

Complaints with Single Outcomes

	2013-14	2012-13	2011-12	2010-11	2009-10	2008-09
Total Received	81	76	55	63	66	37
Total Investigated to an Outcome	42	44	47	45	43	34
% Investigated to an Outcome	52%	58%	85%	71%	65%	92%
Total Upheld	8	5	6	8	11	7
% of Total Investigated recorded as Upheld	19%	11%	13%	18%	26%	20.5%
Total Partially Upheld	9	3	14	15	15	16
% of Total Investigated recorded as Partially Upheld	21%	7%	30%	33%	35%	47%

Complaints with Multiple Outcomes
(Data not recorded in this way prior to 2010)

	2013-14	2012-13	2011-12	2010-11
Number of Complaints with Multiple Outcomes	15	21	5	2
Number of Complaint points Investigated	72	104	18	7
Number of points Investigated recorded as Upheld	16	29	6	3
% of points Investigated recorded as Upheld	22%	28%	33%	43%
Number of points Investigated recorded as Part Upheld	17	20	1	1
% of points Investigated recorded as Part Upheld	24%	19%	5.5%	14%

Timescales

Total Investigated to an Outcome	In Timescale	% of Total	Over Timescale	% of Total
42	29	69%	13	31%

Main Theme of ALL complaints received during 2013/14

(Complaints received at Stages 2 & 3 are NOT included, as themes are duplicates of Stage 1)

Theme of Complaint	Number	% of Total
Adoption	1	1
Assessment	3	4
Breach of Confidentiality	3	4
Communication	12	15
Financial Issues	1	1
Lack of Support	8	10
Service Provision	36	44
Staff Conduct	17	21
Total	81	100

Who the complaint was received from

Who Made the Complaint	Number	% of Total
Adoptive Parent	4	5
Child / Young Person	8	10
Foster Carer	6	7
Extended Family	7	9
Other	5	6
Parent	51	63
Total	81	100

Methods used to make a complaint

Method	Number	% of Total
Letter	24	30
Telephone	25	31
E-mail	11	13.5
Feedback Form	11	13.5
Webform	9	11
In Person	1	1
Total	81	100

Demographic Information

Ethnicity	Number of complaints received	% of Total
Black African	1	1
Black British	1	1
Black Caribbean	2	2.5
Other Black Background	3	4
Pakistani	1	1
White British	24	30
Other White Background	2	2.5
Unknown	47	58
Total	81	100

For Equality Monitoring purposes in 2013/14 Officers have been encouraged to seek personal demographic information from people who make a complaint to help in assessing if there are groups of people who are proportionally complaining more or less and to explore the possible reasons.

Complaints from Young People Involving Advocates

Between 1st April 2013 and 31st March 2014, 8 complaints were received from Young People and, having been offered advocacy support by the Customer Relations Manager, 5 of them were referred to the advocacy provider. This compares to 9 complaints from Young People and 4 being referred to the advocacy provider in 2012/13. The Customer Relations Manager has regular contact with the National

Youth Advocacy Service (NYAS) and works closely with them to ensure the complaints process and advocacy provision is promoted to ensure that young people are aware of their right to submit a complaint.

NYAS has commended the Customer Relations Team on good complaint management process on behalf of young people.

The Customer Relations Manager also meets teams and managers to reinforce the importance of capturing verbal complaints. Staff are encouraged to record and analyze comments or concerns, as many children's and young people's issues are resolved this way rather than using the complaints process. If the young person is unhappy but does not wish to make a formal complaint the Customer Relations Team also offers to try to resolve matters informally.

Local Government Ombudsman

Between 1st April 2013 and 31st March 2014 the Local Government Ombudsman received 4 representations from dissatisfied service users for issues relating to Children's Services. Of these 4 cases, 2 were rejected by the LGO, and the other 2 were investigated and were returned with an outcome of no evidence of maladministration or major administrative fault.

Compliments

The Customer Relations Team now own the logging of compliments for Children's Services and the directorate as a whole. Staff are reminded and encouraged to pass on all compliments to the Customer Relations Team generic mailbox.

29 compliments were recorded within Children's Services between 1st of April 2013 and the 31st of March 2014. This is a significant improvement over the number received in 2012/13, and has been achieved by closer logging and monitoring by the Customer Relations Team.

Access to Records

The Council employs an Access to Records Social Worker who assists Children's Social Care customers with this process and distributes leaflets on the procedure, which is available in a variety of formats and languages on request.

During 2013/14, twenty-six requests were received by the Access to Records Social Worker, which is twelve less than the year before with thirty-eight requests and three less than in 2012/13 when there were twenty-nine requests. However, during the last six months of 2013/14, additional advice and expertise was provided by the Access to Records Social worker regarding a further eight requests being completed by other Social Care teams.

There were no requests from young people within the past year. There was one request from a young person during 2013/14, and two requests received from a child or young person in 2012/13.

The majority of requests are prepared within timescales. However, with files of some length and complexity, it may not be feasible to prepare them within the 40 day requirement, although every effort is made to do so.

There has been substantial service develop within the past six months, with the Access to Records Social Worker moving to the Customer Relation's Team, so there is now a central point of expertise which all teams may contact for advice and support. There are additional plans for further development within the access to records service during the next six to eighteen months.

Contact Information: How to make a complaint

Some complaints can be sorted out by discussing your problem with your Social Worker or a manager. If you want to make a complaint, you can contact the council by phone, letter, in person or by email. Telephone the Customer Relations Manager (Complaints & Representations) on 0118 937 2905 or e-mail Complaints@reading.gov.uk. If you wish to make your complaint to us in writing, our address is: The Customer Relations, Reading Borough Council, Civic Centre, Reading, RG1 7AE. You can also text us with your complaint, type SPKUP & your message to 81722. Your complaint will be recorded and if we can't sort out the problem immediately it will be passed for further investigation and action. The Customer Relations Team can take your complaint over the telephone and explain the complaints procedure in more detail or send you a leaflet explaining how to complain. The leaflet is also available in Council buildings or via the Council's website. You can also use these contact details to tell us if you have a concern (but do not want to make a complaint) or if you want to make a compliment about a service.

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF EDUCATION, ADULT & CHILDREN'S SERVICES

TO:	ADULT SOCIAL CARE, CHILDREN'S SERVICES AND EDUCATION COMMITTEE		
DATE:	6 NOVEMBER 2014	AGENDA ITEM:	12
TITLE:	UPDATE ON CHANGES TO SEN PROVISION 2014-16		
LEAD COUNCILLOR:	COUNCILLOR ENNIS	PORTFOLIO:	EDUCATION
SERVICE:	SPECIAL EDUCATIONAL NEEDS	WARDS:	ALL
LEAD OFFICER:	CHRIS STEVENS	TEL:	0118 937 2094
JOB TITLE:	INCLUSION SERVICES MANAGER	E-MAIL:	Chris.stevens@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 This report follows from reports made in March and June 2014 which outlined four strands of a strategic approach to providing education support for children with additional needs. These priorities remain:

Priority 1: To ensure that Children and Young People with Statements of Special Educational Needs/Education, Health and Care Plans will have their education, health, social and emotional needs met from provision within the locality of Reading or neighbouring Local Authorities whenever possible.

Priority 2: Develop provision within Reading or in partnership with our neighbouring Local Authorities which reduces reliance on the most expensive and remote options.

Priority 3: Work with families to enable them champion better outcomes for their children.

Priority 4: Work with schools and other providers to make best and transparent use of the finances available to narrow the achievement gap for SEN children.

1.2 It sets out progress by the council, schools and parents in the development of a proposed action plan and in meeting the statutory duties required of us.

1.3 The action plan is attached in appendix A and the draft Charter for parents and schools is in Appendix B.

2. RECOMMENDED ACTION

- 2.1 Note that the Statutory requirements set out in the Children and Families Bill for September 14 have been met, including the publication of the Local Offer.
- 2.2 Note the SEN Strategy action plan has been co-produced with parents and school representatives, setting out the direction of travel for officers, schools and parents to follow, this may require further decisions to be taken at policy level which will be reported to the Adult Services, Children's Services and Education committee in due course.
- 2.3 Note that a communication plan is under development, and as set out in 4.5, committee are asked to confirm their support for the SEN charter.

3. PROGRESS TO DATE

- 3.1 Since March 2014 the council has undertaken activity to meet the statutory requirements which flow from the Children and Families Bill. The following is now in place.
- 3.2 The process for carrying out an Education, Health and Needs (EHC) assessment is in place. A three year time table for converting the current 927 Statements of Special Educational Needs has been published and the team has been extended by two additional 'Assessment Co-ordinators' (fixed term contract for three years) who are already in post. They work closely with all involved in the process and provide additional capacity to complete the three year timetable for conversations.
- 3.3 All the Statutory Assessment paperwork has been rewritten to reflect the new EHCP system. This revised information has been sent to all schools, pre-school settings, Parents Forum, Parent Partnership and the Independent and Voluntary sector. The back office system has been similarly adapted to accommodate the new changes. It is expected that the next iteration of the Council website will provide improved access to this information for all users.
- 3.4 The "Local Offer" has been published. This online resource was active from the 1st September 2014 via the front page of the Reading Borough Council website or via a direct link at:
<http://servicesguide.reading.gov.uk/kb5/reading/directory/family.page?familychannel=3>

An independent charity representing pupils with additional needs reviewed the Local Offer of all local authorities on the first weekend in September and judged that only 30% reached their "green" rating, and that group included the Reading local offer.

- 3.5 The Special Educational Needs Action plan has been completed in conjunction with Parents Forum representatives and with the SEN Strategy group. It is attached in appendix A as at the end of October 2014. The SEN Strategy group will oversee the Action Plan, updating it and escalating issues as required.

4. NEXT STEPS

- 4.1 A review of the SEN formula has been carried out by a sub group of the Schools Forum. The revised proposal includes an increase in the quantum of the "notional SEN budget" and introducing 'prior attainment' as an indicator of need alongside the more traditional 'deprivation' factors. This is being considered by the Schools Forum and a decision is expected at the December meeting.

A review of the local SEN funding approach by an external consultant has indicated that greater clarity is required in order to ensure that parents and schools have a good understanding of how Special Educational Needs funding is allocated and the impact that it has on the child. To achieve this, we will establish systems for reviewing and monitoring both the cost and outcomes for our wide range of existing provision. It is proposed that a booklet will be written for parents and schools to explain how resources are allocated for pupils.

- 4.2 The benefits for co-producing key strategy and working documents with parents has been considerable. It is proposed that parental representation remain on key strategic groups such as the SEN Strategy group. Ways for generating greater participation and engagement with schools are currently underway between schools, Parents Forum and the Local Authority. The intention is to establish regular fora between families and schools whose purpose is to review and discuss SEN issues. The intention will be to have forums established in a group of pilot schools by July 15.

Similarly it has proved highly beneficial to have a representative of the Private, Independent and Voluntary Sector present at the SEN panel. Their input has been important when considering Providers to support children and young people with Special Educational Needs.

- 4.3 The Headteacher / SENCO and parents working group has met to review the procedures for allocating additional resources to support children with SEN in mainstream school settings. A short life working group of officers, schools and parents has made recommendations for a new system for allocating additional support. The working group is recommending that the allocation will be via a system of peer moderation. SENCOs will discuss, at prearranged cluster meetings, why they consider a child or situation in their school warrants the allocation of additional resources. They have to illustrate that a child's needs are exceptional for the school as opposed to predictable.

Heads and SENCOs in the working group were of the view that making a case for these exceptional needs to their peers, will increase accountability for the allocation of additional resources and allow for a greater sharing of special educational needs strategies and knowledge across schools in Reading. The

allocation of additional 'exceptional' resources will cover both individual allocations and additional support to 'inclusive schools' that need to draw more significantly on their delegated budget to meet the first element of funding for exceptional needs pupils.

Currently Headteacher chairs from each of the five new clusters are being appointed. They will then meet to establish cluster moderating groups whose purpose will be to agree or not whether a child's/children's needs are exceptional enough to warrant the allocation of additional resources. The new allocation system will be operational by March 31st 2015.

- 4.4 The external consultant who was asked to review the SEN finances has been asked to complete a review of the effectiveness of Reading Borough Council's Specialist resources and Specialist teams the context of effectiveness of service delivery, value for money and outcomes for children. The Council resolved at Policy committee in September 2014 to setup an overarching group, to include practitioners and councillors to consider the overall scale and type of provision. This group can expect to receive the review in December 2015.
- 4.5 A communication plan is currently been written. As part of this work a conference for parents and Special Educational Needs Co-ordinators (SENCOs) was held in September 14 to explain the new changes. The changes occur within a strengthened SEN Code of Practice that promotes greater partnership working between schools and parents with regard to SEN. The proposed element of the plan include:
- a SEN charter for parents and schools which has been coproduced in draft and is attached in appendix B.
 - Parents, are made aware of the "Statement of Intent" published as part of the Local Offer that describes what should normally be available in all schools in Reading when supporting children with SEN in the classroom, in small groups and individually.
 - A regular forum where a school and the families it serves can meet to discuss Special Educational Needs is established. Reading's Parent Forum is leading on this element already.
- 4.6 Personal budgets will become a legal right for families with an approved EHC plan if they request it so they can directly buy the support identified in the plan. No formal date for implementation has been given by the Department for Education but it is expected that this needs to be in place by September 2017.
- 4.7 The additional project officer who was appointed to establish the Local Offer will now be focusing their attention on writing the communication plan and drawing up a strategy for Personal Budgets to be covered by Education, Health and Social Care.
- 4.8 Joint commissioning between Local Authorities and Clinical Commissioning Groups (CCGs) will be required for services for disabled children and young people and those with SEN. No date for implementation has been given but it is expected that a system for joint commissioning needs to be in place by

September 2017. A cross agency working group has been set up by the Commissioning team for Berkshire Health.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 This report directly contributes to a healthy population and the development of good educational attainment.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 There have been specific consultation events which have informed the proposals in this paper. Meetings have been held with families, mainstream schools, SENCO's and special schools along with colleagues from Health and the Voluntary sector, to seek their views on the organisational and financial aspects of the changes.
- 6.2 The Schools Forum has been engaged in the development of this work and has appointed a sub-group to be part of the development of the funding approach required for improved clarity.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 This report does not require an EIA as it deals with those people who already share a protected characteristic. An EIA will be undertaken as part of the development of the detailed action plan referred to in the main body of the report.

8. LEGAL IMPLICATIONS

- 8.1 There are no specific legal implications arising from this report.

9. FINANCIAL IMPLICATIONS

- 9.1 A grant of £250k has been allocated by central government to support the implementation of these changes and to ensure the effective communication with parents, carers, schools, voluntary organisations and young people themselves.
- 9.2 A number of the financial decisions required will either be: made by, or consulted on with, the Schools Forum as the expenditure is predominantly from the Dedicated Schools Grant. Recent regulatory changes require that more decision making is devolved to this group which reports in public.

Special Educational Needs & Disabilities (SEND) 2014



Draft Special Educational Needs and Disabilities (SEND) Action plan to address:-

The requirements of the Children and Families Act.
The 4 priority areas of the Special Educational Needs strategy post consultation.

The four priority areas are:-

Priority 1.

Every child including those with SEND in Reading should have their needs met, in Reading if possible, but the priority is to ensure that each child's needs are met.

This priority refers to establishing a range of specialist provision for CYP with Statements or EHCPs.

Priority 2. Develop provision within Reading, or in partnership with our neighbouring Local Authorities which reduces reliance on the most expensive and remote options.

This priority refers to establishing a range of provision and resources to intervene to support families and their children at Universal, Targeted and Individual levels (usually within the context of mainstream, college or preschool provision) and preventative / early intervention provision such as training programmes and working with young mothers. Both assume that interventions will include how we develop social capital and community wealth as a way of developing skills and resilience.

Priority 3. Work with families to enable them champion better outcomes for their children.

Priority 4. Work with schools and other services to provide resources (this includes financial) in order that all children, including those with SEND, are given the opportunity to reach their full potential. This includes the development of their academic, social, emotional and communication skills.

This priority makes reference to clarity of resource allocation which includes 'SEN finances'.

Context. This draft action plan needs to incorporate both the changes required by the Children and Families Bill and RBC SEND strategy post the consultation process.

The consultation requests that the SEND Action plan include:-

1. The implementation of the national requirements
2. How we create effective forums with schools and parents to share information and ideas which report on the quality of provision for CYP with additional needs
3. The creation of a leading partnership to shape local policy and provision over time which improves the outcomes for children and young people with additional needs aged from 0 - 25.
4. How we develop an objective approach to the funding of effective provision to drive demonstrably improved value for money, raised standards and inclusion.

The consultation process has identified four recommendations.

1. There needs to be a much more coherent and joint up approach to pulling various initiatives together to avoid duplication and ensure information is fairly and easily accessible to all.
2. Develop neighbourhood SEND initiatives which will include all agencies including Private and Voluntary sector and incorporate the skills of the families within neighbourhoods.
3. To create more collaborative approaches to learning, development and capacity building based on audits of local need and strengths and RBC wide audits of trend.
4. That every child is in receipt of their entitlement to a full time education once they reach statutory school age.

Objective	Actions	lead	Evidence of Success / Outcome	Milestones	Comments
Meet the requirements of the Children and Families Act 2014					
Short and Medium national requirements resulting from Children and Families Act are met	1. Confirm the role of Assessment Co-ordinator.	CS	Current SEN team plus two additional members are renamed Assessment Co-ordinators. They chair AR and EHCP meetings.	1 st September	Achieved with two assessment coordinators in post by 22 nd September 14. JD and roles identified via dressing rehearsing EHCP meeting.
	2. Develop the skills to carry out this role.	PS			
	3. Rewrite all RBC letters associated with the new EHCP procedures.	CS	Letters rewritten, statutory guidance to families and criteria and paperwork related to EHCP all rewritten.	Achieved.	
	4. Convert all Statements into Education Health and Care plans.	CS	By August 2017 all current Statements converted	August 2017	Write the timetable for this year's plan to convert leavers, and yrs. 9,10 and 11 by November 14
	5. Work with Practitioners to agree common assessment format with outcome focused assessments.	CS	By December 14 all Practitioners use the same format	March 2015	Format agreed (August 14) with Eps, Therapy Services and SENCOs. Paeds.

	<p>6. Resource allocation system agreed for allocation of Personal budgets.</p> <p>7. Joint commissioning process and criteria for allocation of personal budgets agreed with Social Care, Health and Education.</p> <p>8. Letters and information about the planned changes to be sent to schools and families who have a child with a Statement of Special educational need</p> <p>9. Schools to make maximum use of their funding allocation to support children with SEN at all levels.</p>	<p>CS and TF</p> <p>CS and TF</p> <p>CS</p> <p>JT and AD</p>	<p>Resource Allocation System agreed and practiced and implemented for social care. For Education and Health to follow by September 15.</p> <p>Criteria for allocation of personal budgets agreed with all agencies.</p> <p>Booklet and accompanying letter written</p> <p>Resource management process in place in all school settings for determining how they make maximum use of their resources to meet needs of children with SEN</p>	<p>March 2015</p> <p>September 2015</p> <p>Sent March 14</p> <p>March 2015</p>	<p>and Psychiatrists left.</p> <p>Letters and booklet all sent out to schools and families and Practitioners. Achieved.</p> <p>JT and AD to scope this activity by October 14.</p>
Local Offer in Place by 1 st September	<p>1. Schools, providers and agencies(including Health) complete the statutory questions and send 'on line' to G.S.</p> <p>2. Project officer to work with parents and G. S to develop pathways on the Open Objects data base based on the most commonly asked questions regarding SEND issues.</p> <p>3. LA sends schools document outlining what should 'normally be made available' at Universal, Targeted and Individual levels.</p> <p>4. Annual reviewing cycle process agreed</p>	<p>CS</p> <p>TF</p> <p>CS</p> <p>JT</p>	<p>Local Offer in place via RBC website.</p> <p>Pathways created within Local Offer</p> <p>Statement of Intent coproduced with parents and LA</p> <p>Review LO in January 15 with updating March/April 15</p>	<p>1st September 2014</p> <p>Statement published in LA and sent to schools September 14</p> <p>July 15</p>	<p>Achieved</p> <p>Achieved</p> <p>Achieved</p>

Priority 1. Every child including those with SEND in Reading should have their needs met, in Reading if possible, but the priority is to ensure that each child's needs are met.

Objectives	Actions	Lead	Evidence of success/outcome	Milestones	Comments
To complete an audit and mapping of current needs and specialist provision against population trends,	To commission PG to complete the audit via a scoping meeting with KM, CS and PG.	CS	Profile of current specialist resources in Reading mapped with each provision's:- success rates as identified by outcomes (progress since being at the specialist provision,	Proposal for auditing written and approved. October 14.	

<p>overall achievement, patterns and trends of attendance and exclusion rates and destination once leaving school. (via NEET information and only for secondary provision.)</p> <p>Based on the report written by PG, establish a short life working group for parents, Members, Officers and representatives of stakeholder groups including schools, to agree action plan on the development of the spectrum of specialist provision that is required for Reading children with SEND</p>	<p>This audit will include a review of the effectiveness of our current outreach specialist teams.</p> <p>This group to be formed in November with a proposal to meet in January 15 with PG who will provide first scoping review of his audit report findings and with an overview from JH-B about the impact of population trends in child population.</p>	<p>KM and JH-B</p>	<p>destination post leaving school, attendance and exclusions). Entry and exit criteria with a judgement about clarity. Demand and success rate as judged by how many reach the exit criteria.</p> <p>Recommendations and action plan written by PG. which will include any requirement to reconfigure based on audit of current need. The audit report will also include and view of the effectiveness of our current outreach teams with recommendations as appropriate.</p> <p>Action plan written describing 3 year plan for developing specialist provision in Reading</p>	<p>Report completed by March 15.</p> <p>Action plan written October 15.</p>	<p>The focus of the recommendations will be to provide advice to Members and Officers for the development of specialist provision in Reading and used by Reading and other Berkshire Las.</p>
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Priority 2. . Develop provision within Reading, or in partnership with our neighbouring Local Authorities which reduces reliance on the most expensive and remote options.

Objectives	Actions	Lead	Evidence of success/outcome	Completion/r eview date	Comments
<p>To establish 'wrap around' preventative services for children and families with a neighbourhood bias (such as via Children Centres) as appropriate and record in the Local Offer when established.</p>	<p>To form a short life working group with parents, social care, CATs team representatives scope this action. This will be informed by Peter G's review of the effectiveness of current specialist provision and outreach teams.</p>	<p>CS</p>	<p>Paper is written with proposals for action.</p>	<p>March 15</p>	
<p>Phase 1.</p> <p>An action plan is drawn up that offers a view about the spectrum of resources and provision needed both within mainstream schools and commissioned by schools, to</p>	<p>Phase 1.</p> <p>This will be informed by Peter G's review of the effectiveness of RBC specialist outreach teams and resource centres. This will include the ASD and BST.</p> <p>To inform the</p>	<p>CS and JT</p>			<p>The focus of Phase 1 is to look at development of provision to support children with SEND within mainstream schools.</p>

<p>promote emotional health and social skills for those children who present with Social, Emotional and Mental Health issues leading to challenging behaviours.</p>	<p>action plan Jenny T will meet with a representative sample of SENCOs and parents to seek their views and provide proposals for spectrum of skills and provision required to meet predictable and exceptional needs within mainstream schools.</p> <p>To establish two more nurture groups.</p> <p>Work has been planned for CAMHs representative to familiarise SENCOs with the role of CAMHs and how to reduce inappropriate referrals to CAMHs.</p> <p>CAMHs representatives along with CS, and linked to the CAMHs review, will set up a pilot preventative project.</p>	<p>JT</p> <p>JT</p> <p>CS and DH</p> <p>DH and CS</p>	<p>Reports/ Action plans from PG and JT completed.</p> <p>Date confirmed for presentation at the October SENCO conference.</p> <p>Pilot project with Children's Centre established to create a Health and Wellbeing drop in clinic for parents who are concerned their children may have ADHD.</p>	<p>July 15</p> <p>April 15.</p> <p>October 14.</p> <p>April 15</p>	
<p>Phase 2.</p> <p>Based on the Action plans written by PG and JT, work with all agencies, including Health and Public Health, will be undertaken to ensure the correct level of skill and expertise is available to schools and families to assist in meeting the holistic needs of children with SEND.</p>	<p>Phase 2.</p> <p>Via discussions with SENCOs at their twilight sessions scope the agencies needed to provide effective expert support</p>	<p>JT</p>	<p>A plan that identifies strengths and gaps in skill levels with a proposed design for two year training programme is drawn up for consultation.</p>	<p>November 15</p>	<p>The focus on Phase 2 is to concentrate on developing the correct skills profiles needed to support those with SEND in mainstream schools.</p>
<p>To strengthen and consolidate the procedures for creating the philosophy and practice to ensure full time education for all children with SEND, with the commitment that no children with a Statement /EHCP</p>	<p>Via the restructure of the management of the admissions and the new service offered by Cranbury college to re-include children who are not receiving education, the capacity is created to achieve</p>	<p>GD</p>	<p>Proposals to achieve this action written.</p>	<p>April 15</p>	

is excluded.	the objective.				
Phase 3 For schools to develop a range of skills and services to promote inclusion via the use of procedures such as Move, TEACCH and PECS. This is to ensure that there are the skills to meet the predictable needs of children including those with ASD, SPLD, SEMH issues and Social Interaction and Communication difficulties.	Phase 3. Special Educational Needs Advisor builds from the information gathered in Phases 1 and 2 to put together an action plan to develop the training programme required to build skill profiles in schools to address those children with predictable and exceptional SEND. The intension for Phase 3 would be to rationalise and bring under one structure the current spectrum of specialist provision offered that would be underpinned by a training programme for schools in order for them to acquire the skills profile.	SEN Advisor	Report written	October 2015.	The focus for Phase 3 is to develop the skills needed to successfully include children with predictable and exceptional needs in schools.

Priority 3. Work with families to enable them to champion better outcomes for their children.

Objectives	Actions	Lead	Evidence of success/outcome	Completion /review date	Comments
Forums for partnership working between Schools, Families and RBC are established	1. Parent / school's charter drafted. 2. Through Reading Families Forum to create parent support groups attached to every school via the work of a School Group Facilitator by May 15 3. LA and Parent's Forum have agreed procedures for co-production and engagement	CS and PG CS and RB CS and RB	Charter in place. Forums in place.	September 2014 May 2015 January 15	
Strategic Partnership responsible for shaping policy and provision for those between 0 - 25 who have additional needs is in place	Members to be identified with renewed terms of reference agreed at first meeting.	CS	Dates of meetings agreed along with membership and chair	March 2015	See Priority 1 that refers to the creation of a short life working group. This will become the Strategic Partnership.
Communication strategy written, including improvements to	Tracy Fenty is currently drawing up communication strategy for Local	TF	Communication strategy written	January 15	

RBC website	Offer and will expand to include this.				
Via the Local Offer and coproduced with families to provide clear consistent information for families of children with SEN.		TF	Local offer published in partnership with Parent Partnership and Family Information Service	1 st September	Achieved
To develop a training strategy for all school staff and Governors that covers the spectrum of needs encountered in mainstream schools.	This goes with training programmes identified in Phases 2 and 3.	Sen advisor	As described in phases 2 and 3	As described in phases 2 and 3.	
Brochure written for families that describes Short Break provision available (including holiday clubs), criteria for entry and carers assessments.	Completed by Project officer.	TF	Brochure written based on current repertoire of services.	April 15	
<p>Priority 4. Work with schools and other services to provide resources (this includes financial) in order that all children, including those with SEND, are given the opportunity to reach their full potential. Potential means the development of their academic, social, emotional and communication skills.</p>					
Objectives	Actions	Lead	Evidence of success/outcome	Completion /review date	Comments
Procedures for communication, allocation and review of resources to meet the needs of CYP with SEN are in place	<p>Short life working group of HT, Parents, LA is set up with timescales and terms of reference agreed at first meeting. Moderating process agreed including new school cluster structure.</p> <p>Head teachers to identify chair of each cluster who will meet to plan the development of this new system to be in operation by March 31st 15 at the latest.</p>	CS	<p>Leaflet written for schools and parents outlining allocation and reviewing process for all SEND funding both within schools and within specialist provision and specialist teams</p> <p>Moderating process agreed</p>	<p>February 2015</p> <p>February 15</p>	Moderating process agreed and cluster arrangements agreed. Email circulated to all schools confirming their agreement to cluster arrangements and providing name for each cluster
Schools to agree a provision mapping and resource allocation process for all those children with SEND	Anita Devi to lead on this via scoping of this activity area to be completed by October 14.	Sen advisor	RAS agreed with schools March 15.	March 15	

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MEETING CHILDREN'S EDUCATIONAL NEEDS:

Effective partnership between families/carers and schools

This document sets out what school staff and families/carers in Reading can reasonably expect of each other. It is a key element of Reading's Local Offer; all Local Authorities are required to produce information on local services as set out in the Children and Families Act 2014. Good working relationships are key to ensuring that every child is able to fulfil their full potential.

There are huge demands on both school staff and families of children with additional needs. This document is an important reference point against which school staff, families/carers and the Local Authority will be able to review and develop practice together.

Valuing and respecting each other

School staff, families and carers will value and respect each others' differences, including racial, cultural and social differences, and share responsibility for making sure children's needs are met. We agree that communication will be open, respectful and constructive.

A Positive, Safe and Welcoming Environment for all

School staff value every child's progress as equally important, including those of children with Special Educational Needs (SEN) and/or disability. Reasonable expectations are made of each child so that they are stretched within their capability.

We will make our schools as accessible as possible for all.

School staff will take all possible steps to meet the range of children's needs in their catchment area.

A Trained and Committed Workforce

Our school seeks to ensure that all staff have the right skills, training and understanding to meet the needs of children with disabilities and/or SEN and their siblings.

We will ensure all staff are supported and have sufficient knowledge of individual children's Special Educational Needs and/or disability to care for them appropriately.

School and Families/Carers working together as a Team

School staff will identify needs as early as possible and welcome families'/carers' involvement in providing for those needs.

School staff will be available when families need to talk and make time to listen. School staff welcome families' views and will help families understand relevant processes for assessing and meeting individual needs.

Our school will provide an identified person for families/carers to go to if they have concerns about their children. School staff will use direct, accessible communication.



School staff will communicate with children concerned in a positive and meaningful way, involving them as far as possible in developing appropriate support for their needs.

School staff will provide clear information for families/carers on their child's strengths and needs and help families to access support from other services.

School staff will endeavour to be creative and flexible in the way we respond to meet individual children's needs and changing circumstances. We will have a "can do" approach.

School staff will provide families of children with Special Educational Needs and/or disability opportunities to support each other, such as through parent groups facilitated by the Reading Families' Forum, where the school has one.

If either school staff or family have concerns about a child's progress, all will ensure that these concerns are taken seriously and a positive plan put in place to address these concerns.

School staff will involve families in the decision to refer, or not, to other services and communicate clearly the outcome of these referrals.

A Differentiated Curriculum (adapted to each child's needs)

Our school has trained staff who develop SMART targets with families and review them three times per year. (SMART means Specific, Measurable, Achievable, Relevant and Timed.) We ensure that targets build on strengths and help children realise their potential. Reviews are constructive and positive.

School staff adapt lessons and homework to the needs of the needs and abilities of the range of learners in the school.

School staff value positive and constructive discipline, where both expectations and sanctions reflect individual children's particular understanding and social ability.

Admissions and Transitions

School staff are proactive in using parents' knowledge to help children settle into the school or prepare for the next step. We will take time within the school day to facilitate a good transition to and from the school, supported by families and carers.

Families and Carers

We expect families/carers to keep school staff informed of relevant information about their child's strengths and needs. This will include health appointments and outcomes of any referrals or assessments which are relevant to the child's learning.

We expect families/carers to make time to discuss their child's progress with school and let the school staff know their views. Families and carers will attend agreed meetings, including annual reviews if their child has a statement or Education, Health and Social Care Plan.



We expect families/carers to support their child's learning at home as far as possible.

Families and school staff will discuss any differences of views. Families and carers are welcome to ask Parent Partnership to support them at any time.

School staff welcome feedback at any time. The school's complaints procedure is outlined in the Local Offer.

This agreement will be reviewed at least annually between the school staff and families. This will take the form of discussion with parent groups, if they exist at the school, in addition to accessible feedback forms addressed to parents and young people 10 and over. A summary of the review should be given to the SEN governor.

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF EDUCATION, ADULT AND CHILDREN'S SERVICES

TO:	ADULT SOCIAL CARE, CHILDREN'S SERVICES AND EDUCATION COMMITTEE		
DATE:	6 NOVEMBER 2014	AGENDA ITEM:	13
TITLE:	SCHOOL PERFORMANCE 2013-14		
LEAD COUNCILLOR:	CLLR ENNIS	PORTFOLIO:	EDUCATION
SERVICE:	EDUCATION	WARDS:	All
LEAD OFFICER:	KEVIN MCDANIEL	TEL:	0118 9374240
JOB TITLE:	HEAD OF EDUCATION	E-MAIL:	Kevin.mcdaniel@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 The academic year 2013-14 saw a second successive year of significant change, particularly in GCSE examinations. This report looks at the provisional performance of schools in Reading for the academic year 2013-14 at five stages:

- Early Years Foundation Stage (Reception year children)
- Key Stage 1 (Years 1 and 2)
- Key Stage 2 (Years 3 to 6, ending with "SAT"s)
- Key Stage 4 (end of compulsory secondary age, typically GCSE qualifications)
- Key Stage 5 (end of sixth form education, typically GCE 'A' levels)

1.2 The overall Reading performance is compared with both the national standards and benchmarks. Where data is published, the performance is also compared with other authorities that are considered to be statistically similar to Reading, our Statistical Neighbours (SN). The statistical neighbours have been changed for 2014-15 so trend information will not be possible next year.

1.3 The Council is committed to working in partnership with schools so that all children in Reading can benefit from an excellent education. The well attended Landscape conference in February 2014 saw the local authority, Headteachers, Chairs of Governors and other education professionals commit to a shared goal to achieve top quartile LA level performance by summer 2017. These results show some progress towards the overall goal with improvements against the national average in all key stages.

1.4 Reading schools have been working with a specific focus to reduce the performance gaps in a number of groups as relevant to the individual school. Across the borough there are three key groups including those on free school meals, with special educational needs and in three underperforming ethnic groups. The gaps have not reduced this year, despite the absolute level of achievement growing and more work is required to accelerate the progress of these groups.

1.5 A new framework for school inspection was introduced in January 2012 which has seen two further revisions in September 2012 and September 2013. This has continued to 'raise the bar' and has further refined some areas of focus. Under this framework Reading has

maintained its improvement with the percentage of schools rated as good or outstanding remaining at about 74% in the twelve months to July 2014.

- 1.6 There was no Ofsted inspection of the local authority's school improvement service in the academic year 2013-14.
- 1.7 Committee will note that the Council is responsible for ensuring that all pupils in the borough can and do access education. For maintained schools, that includes the responsibility and authority to intervene as required. For Academy schools, the local authority has no power of intervention but is expected to challenge any underperformance and, if necessary report unresolved concerns to the Secretary of State for Education.
- 1.8 From September 2013 the expectation for L4+ reading, writing and mathematics individually and combined has risen to 65% for primary schools. The School Improvement Team is already working with nine schools whose performance in 2013-14 gives rise to concerns, including challenge to Academies.

2. RECOMMENDED ACTION

COMMITTEE is asked to:

- 2.1 confirm its commitment to working with all schools in Reading in order to enable all children in Reading to benefit from an excellent education that meets individual needs, develops great learning skills and helps children to grow in confidence and resilience and to deliver on the shared goals set out at the Landscape conference in 2014.
- 2.2 note the levels of performance at each of the five stages as set out in section 4 and to congratulate all of the pupils who have worked hard in the last academic year, along with all of staff in Reading's schools.
- 2.3 note that although there is evidence of progress in all phases in this year, further improvement is required to secure the level of achievement that the borough seeks for all of its pupils.
- 2.5 note the improvements in attainment for those eligible for the pupil premium and support the continued focus on this area through the Landscape conference 2015.
- 2.6 Support the independent review of the educational support for those BME groups who have historically done less well and receive the recommendations in spring 2015.

3. POLICY CONTEXT

- 3.1 All pupils are subject to a number of tests at the end of each phase during their time at school which determine school performance against national benchmarks in terms of levels and grades (achievement) and progress made from various starting points (progress)
- 3.2 The Government has set minimum standards in key stage 2 and key stage 4. At KS2 the Floor Standard for 2013/14 was 65% of pupils achieving Level 4+ in reading, writing, mathematics and 2 levels of progress in reading, writing, and mathematics compared to the national medians in each subject. At KS4 the Floor Standard is 40% of pupils achieving 5 A*-to C grades at GCSE including English and mathematics.

3.2 Reading's results at all stages are compared with both the national benchmarks and averages and those of our statistical neighbours; 10 other local authorities that are considered to be statistically similar to Reading. The current statistical neighbours are: Bath & NE Somerset, Brighton & Hove, Bristol, Bromley, Derby, Bedford, Milton Keynes, Sheffield, Sutton and Trafford. These SN will change from September 2014

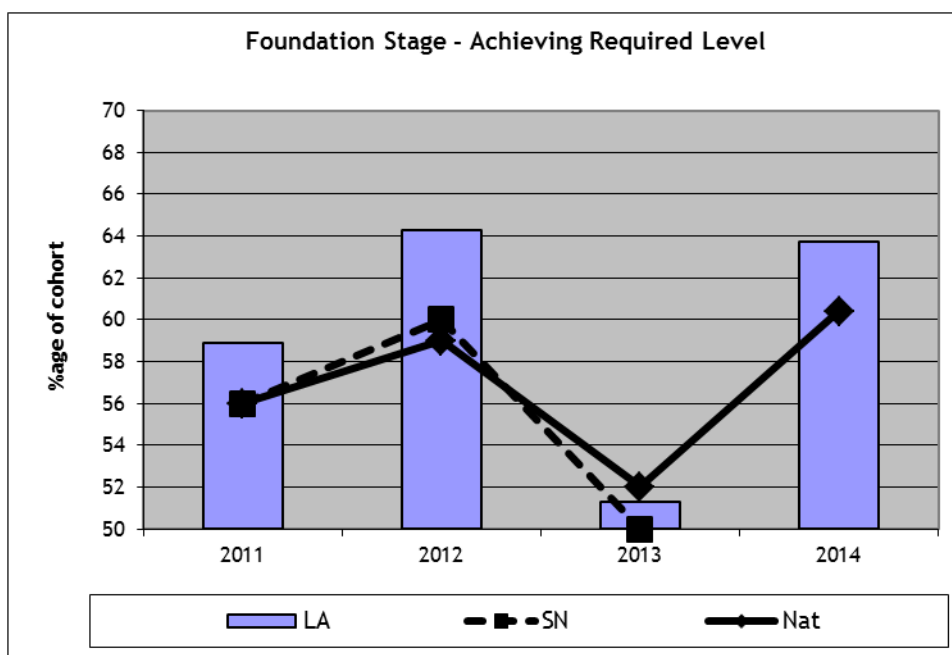
3.4 All schools are the responsible data owners for the pupil level data in their schools. All schools in Reading have entered a data sharing agreement to allow an aggregated analysis to be provided in this report. The report uses a common format for graphs, showing data for the last four academic years for three sets of data: the Local Authority (the columns); the National average (solid line); and the statistical neighbour performance (dotted line).

3.5 The data is not yet validated, a process which has been slowed by the national issues relating to GCSE results this summer.

4. THE PERFORMANCE

Early Years Foundation Stage

4.1 The benchmark for the Early Years Foundation stage changed in 2012-13. Only the last two years can be compared statistically.

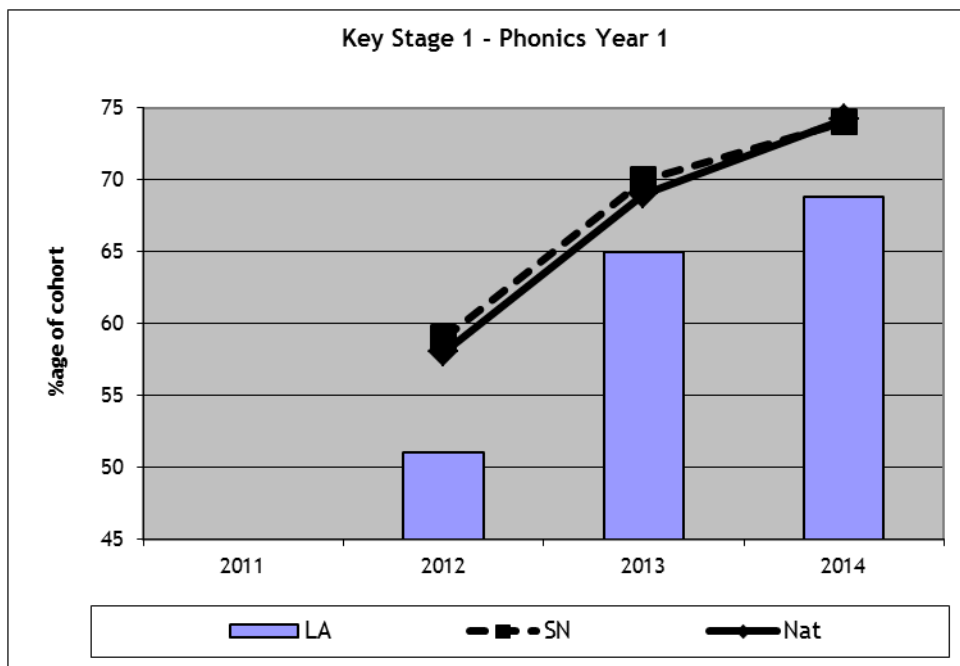


4.2 The standard being measured now includes more areas, with all LA's and settings reporting on the same elements. Reading's early years settings are to be congratulated on this 12% rise and position 3% above the national average. There is still work to do to secure performance in the top quartile however the youngest pupils in our schools are being given a better start than ever before.

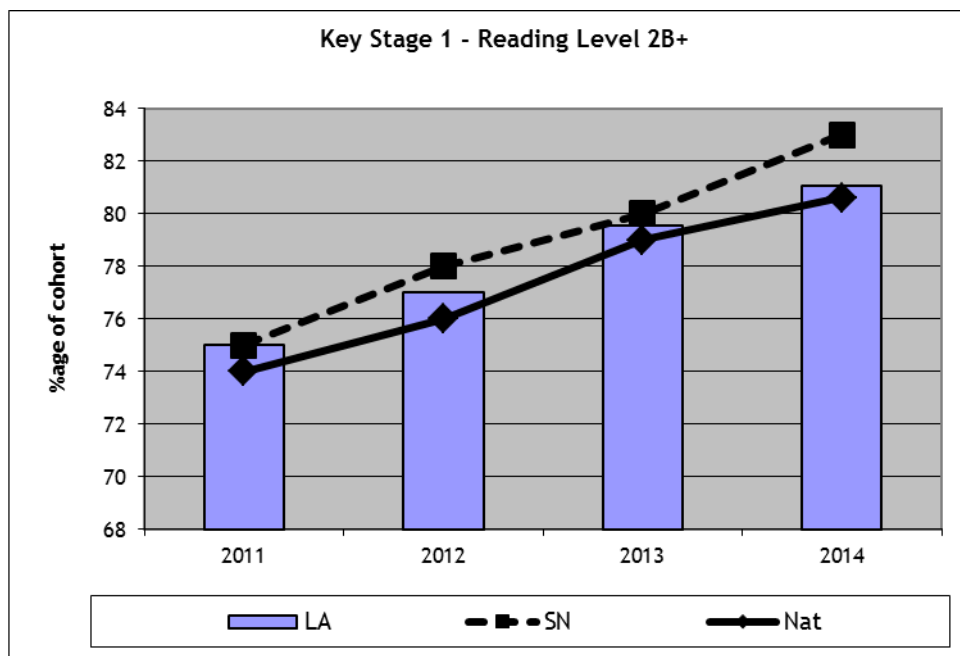
Key Stage 1: Years 1 and 2 of the primary phase

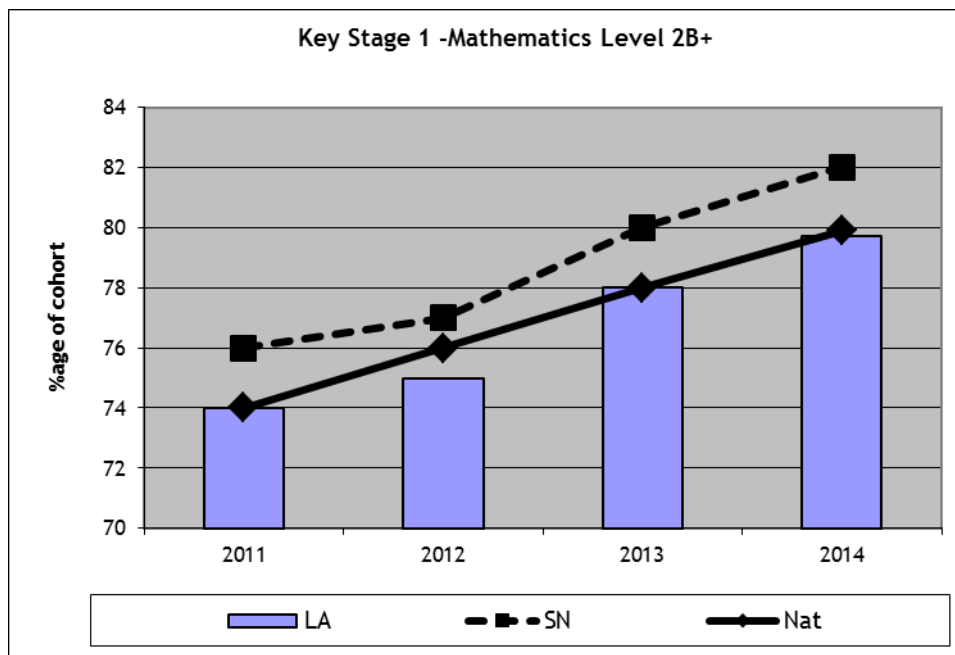
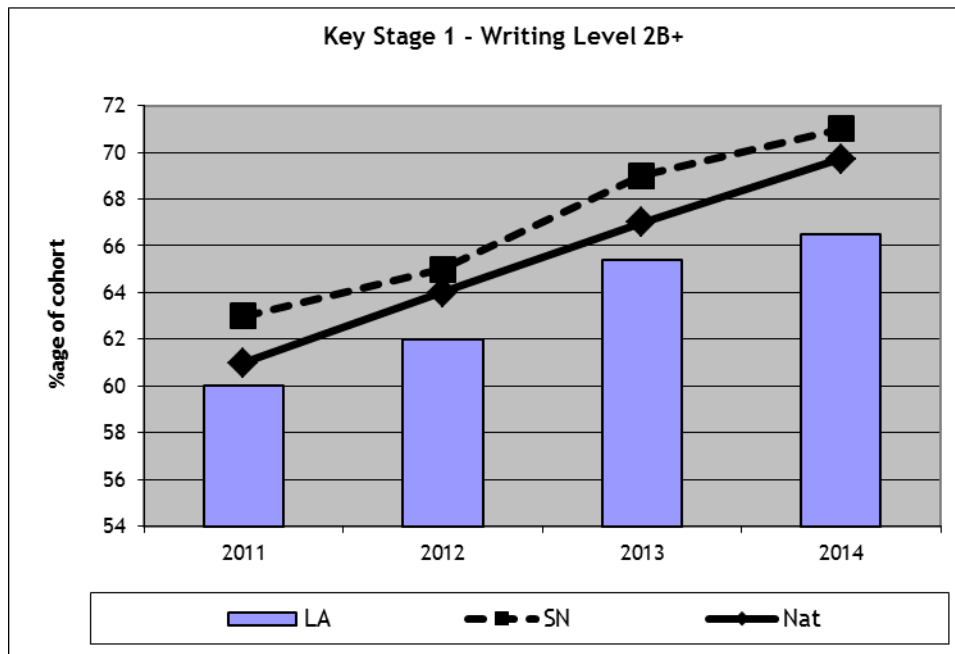
4.3 Achievement in KS 1 continues to improve in Reading schools. National standards are also rising and Reading schools are keeping pace with that trend. At the end of Year 1, the pupils undertake a "Phonics" screening check and the following graph shows an increase in performance of 4%, which has maintain the gap with the national average at 4% points.

Pupils are required to be rechecked in Year 2 if they had not met the required level in Year 1. Of the pupils being rechecked, 86% of pupils met the required level consistent with the national average of 86.5%.



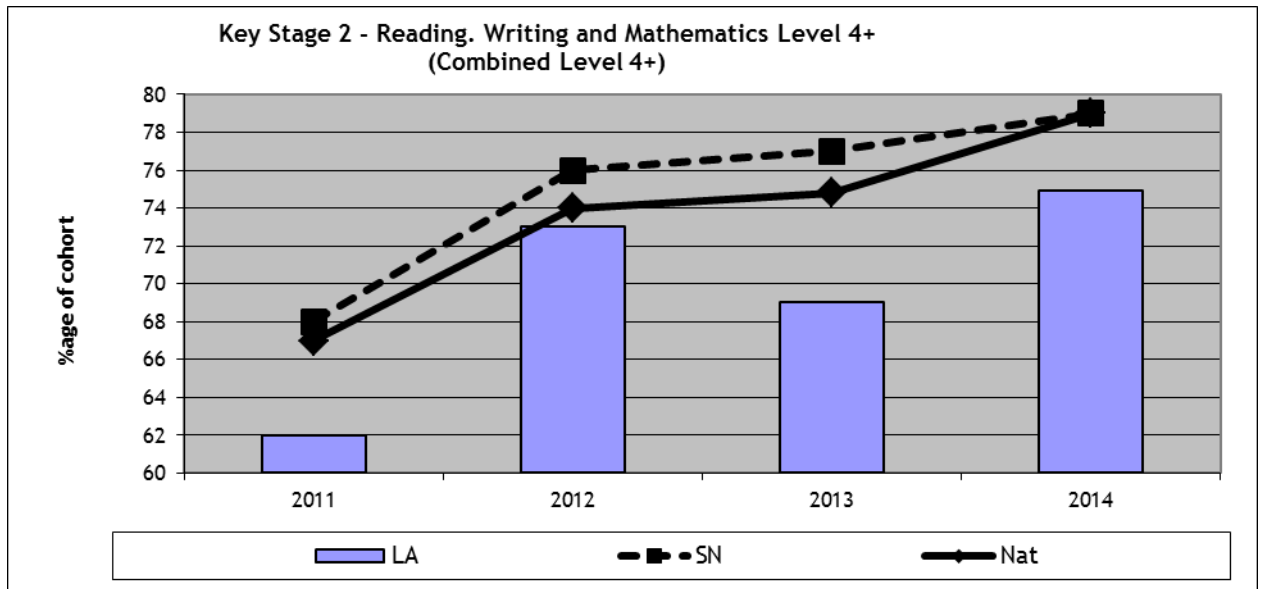
4.4 The following three graphs show the performance in reading, writing and mathematics at the end of Key Stage 1 (Year 2) at level 2b+. They all show continued year on year improvement over the last four years with similar increases nationally. We need to accelerate the improvement in all areas to reach the shared goal by 2017. Focus is required on writing where the gap to the national average has grown to 3% points.



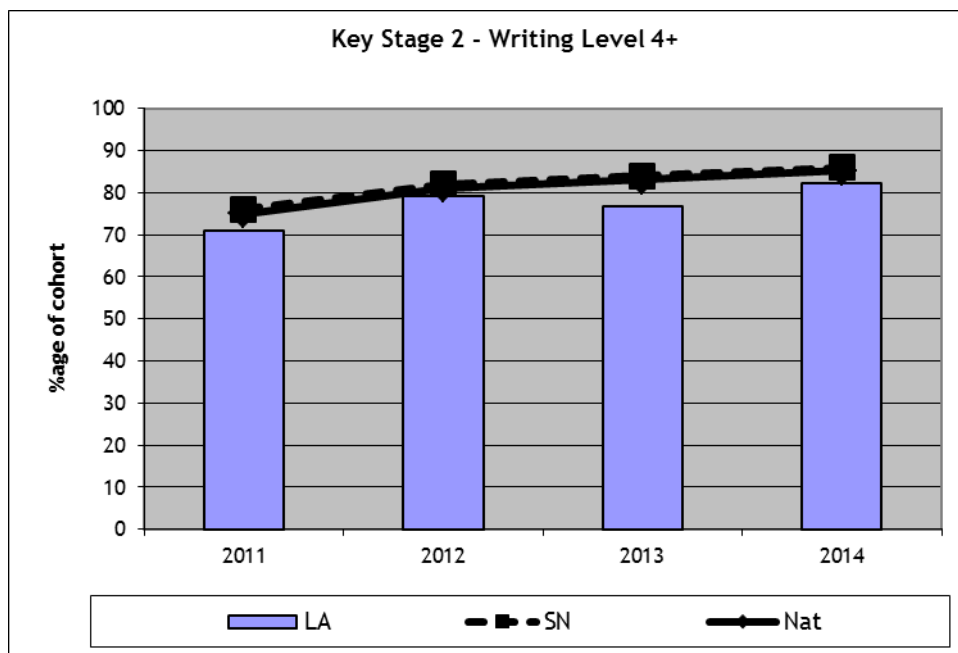


Key Stage 2: Years 3 to 6 in Primary phase

- 4.5 Pupils take tests (SATs) for reading and mathematics and are assessed by teachers in writing and science. Level 4+ is the current benchmark. However OfSTED and national data sets also now report on L4B+. Additionally pupils are expected to make a minimum of 2 levels progress from the end of KS1 and 3 levels of progress will normally be required to secure a Good or Outstanding judgement by OfSTED.
- 4.6 The national benchmark (and one aspect of the Key Stage 2 Floor Target) is the percentage of pupils achieving level 4+ in reading, writing and mathematics. The standard for 2013-14 is 65%. The 2011-14 figures are shown below:

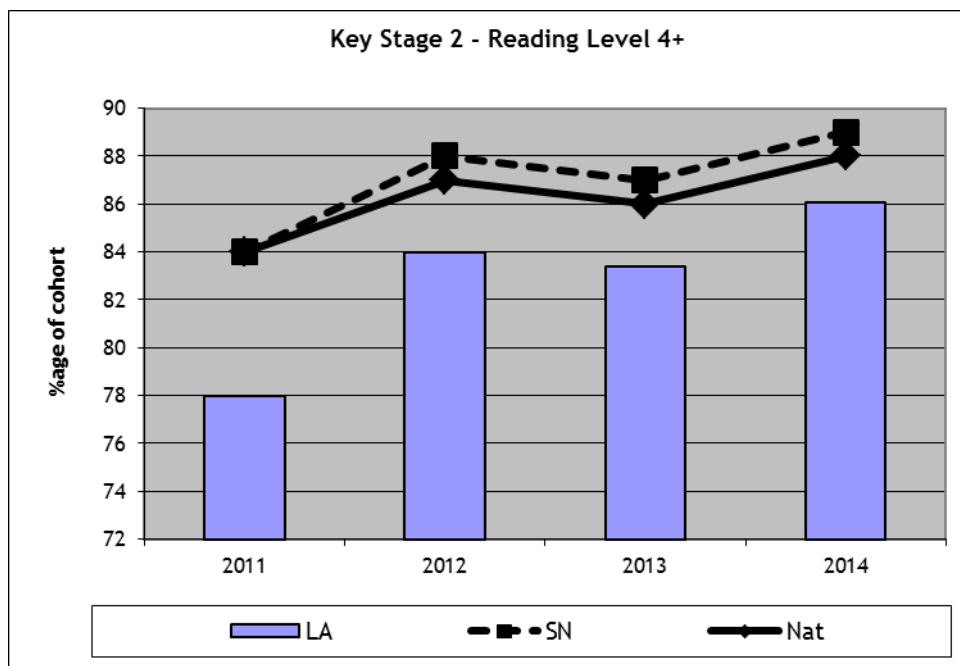


- 4.7 Our absolute performance has increased by 12.5% since 2011 and the gap to the national average has been reduced to 4%. Eight schools (a mix of maintained and Academy schools) failed to meet the attainment aspect of the floor standard of 65% of pupils achieving L4+ in all three subjects. This is the same number of schools that missed the 2012-13 attainment level although it is worth noting that only three of those are the same schools with four of the five moving above the threshold were maintained schools who were engaged by the local authority school improvement service.
- 4.8 For maintained schools, local authority resource in terms of advisory time has been allocated to support the improvement activity and engage school to school and other support as appropriate. The School Improvement Team is continuing to work with the schools identified in 2013 and a further four schools whose performance has fallen year on year.
- 4.9 Teacher assessed writing results: the following graph shows an slowly increasing national trend while have narrowed that gap to 2% points with a four year high of 81%. This is a solid improvement and needs to be consolidated to drive up overall performance.

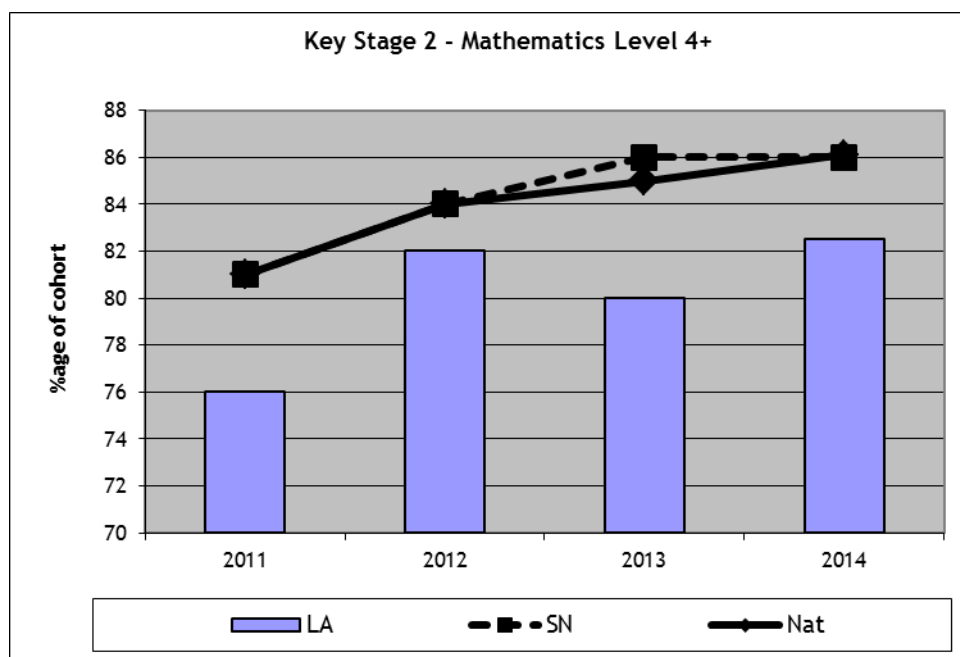


4.10 Twelve schools have been engaged in a multi-year writing programme devised by a national expert, Pie Corbett, which has helped driving up writing standards in some schools. The schools involved are sharing the best practices with each other.

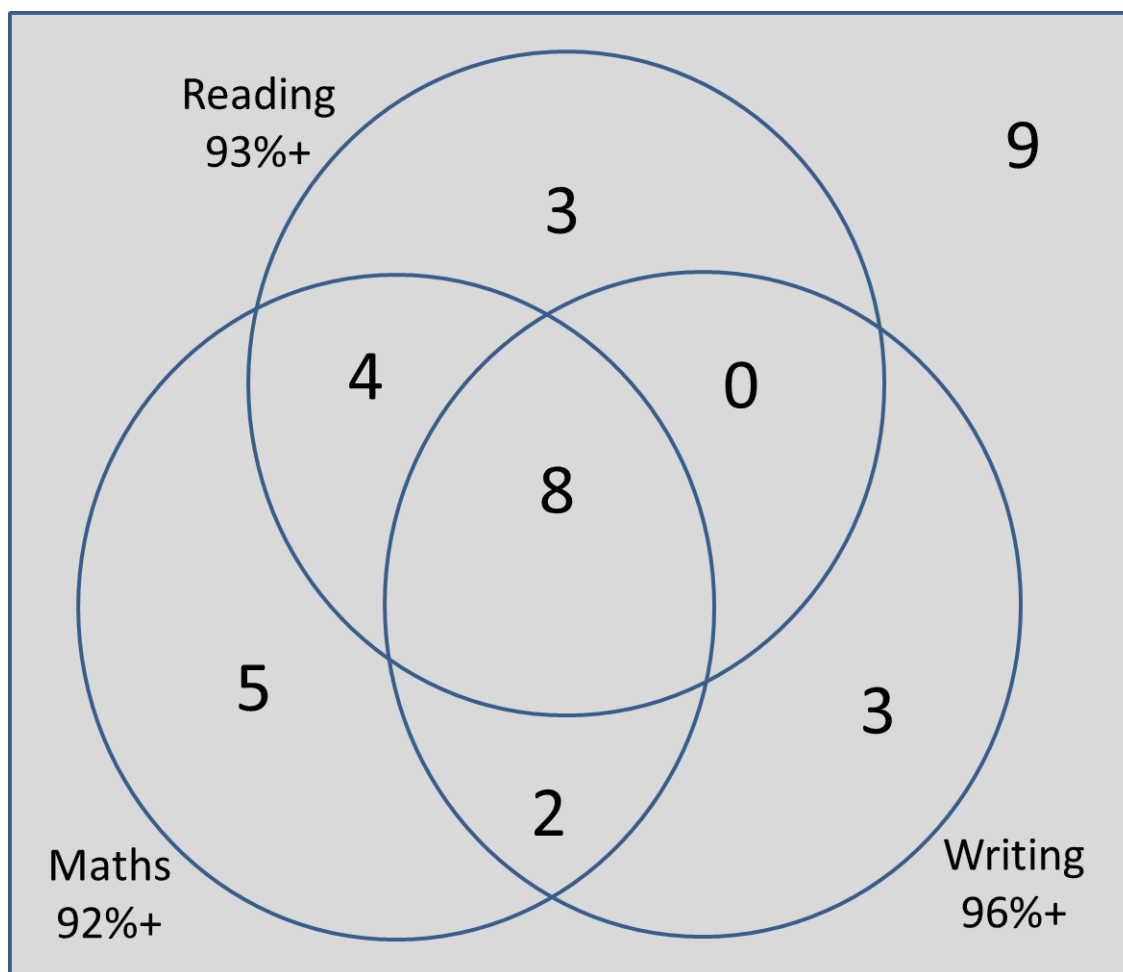
4.11 Overall reading results: the following graph shows Reading's results bouncing back by 3% points, however we are still 2% points behind the national average. Further acceleration is required in this area.



4.12 The following graph shows the mathematics results which once again have bounced back to the highest level reached in Reading, however the national average continues to increase and we are still 3% points below that level.



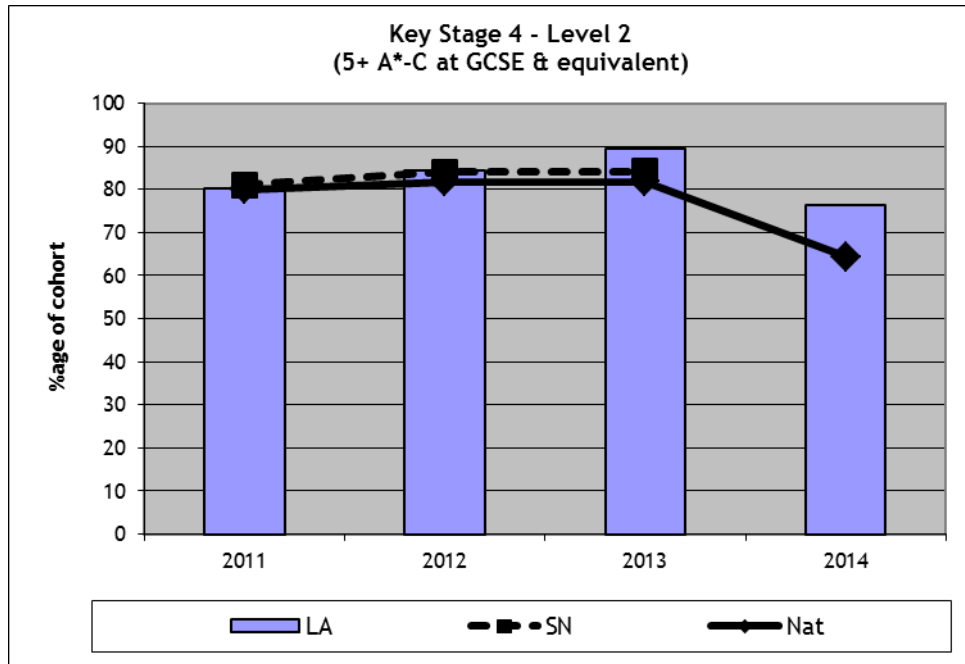
- 4.13 A school is judged to be under the floor standard if it falls below the attainment target as explained in 4.6 and a school fails to achieve the national median percentage of children achieving 2 levels of progress in Key Stage 2. The median is calculated later in the year, however based on provisional data, the following Venn diagram indicates primary school performance in 2013-14.



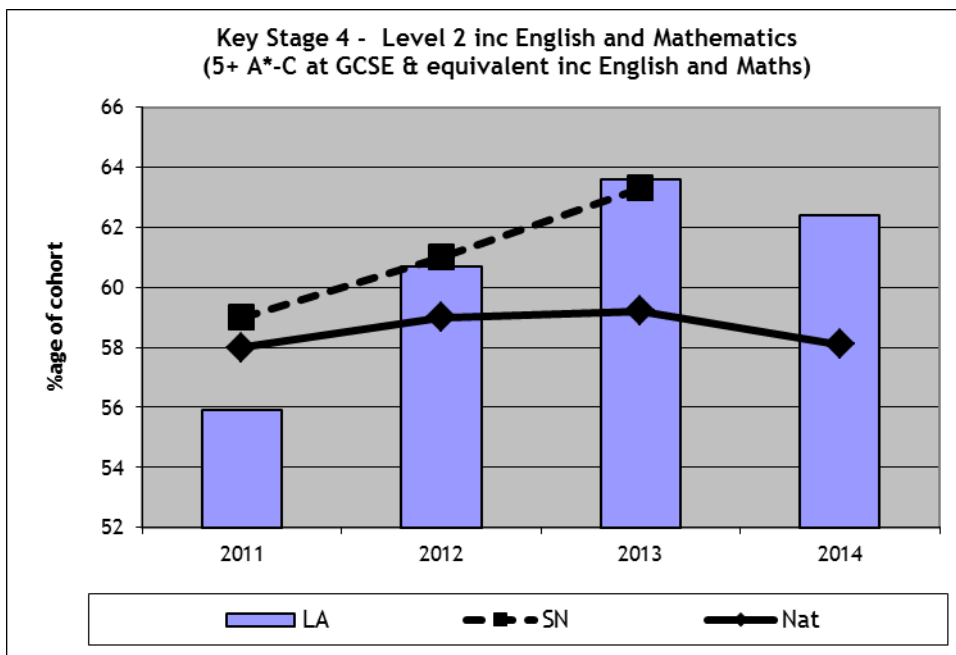
- 4.14 The chart indicates that in eight schools pupils make better than national average progress during key stage 2 from September 2010 to July 2014. This is a doubling from 2013. However in nine schools that is not true in any subject and even schools with high attainment have to ensure that progress matches those high standards. It will be increasingly important for schools and their governing bodies to ensure that all children are making better than, and accelerated levels of progress, in all years for the results to make a sustained rise. The focus of the council's education service work in the primary phase will be to ensure that every school is developing the progress of every child each year.

Key Stage 4: Secondary GCSE and Equivalent Results

- 4.15 2014 was a year of major upheaval in GCSE results due to national changes which include the removal of January exams, the reduction in the range of "equivalent" qualifications and the continued curriculum development. This has led to a wide range of national results and individual school variation. The following graph shows the proportion of pupils achieving five or more GCSEs at grades A* to C. The absolute fall reflects the national picture however Reading remains above the national average. We are still waiting for full data to assess the overall standing of the authority.

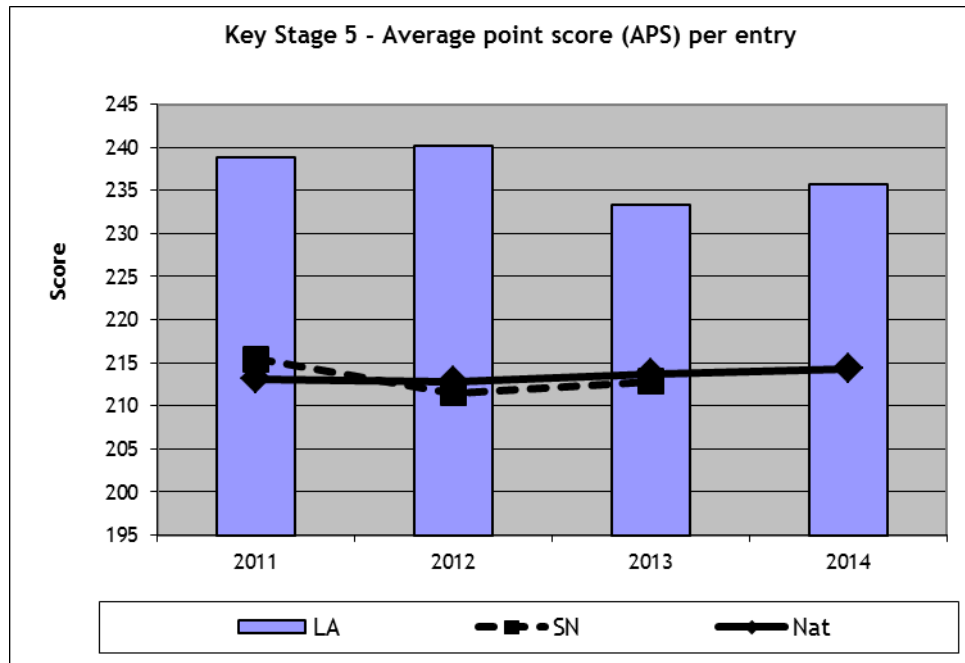


4.16 The national standard measure of 5+ A*-C grades including English and Mathematics, which is the national benchmark with a floor target of 40% has also seen a fall across the country, with Reading holding up well. The graph below shows these results.



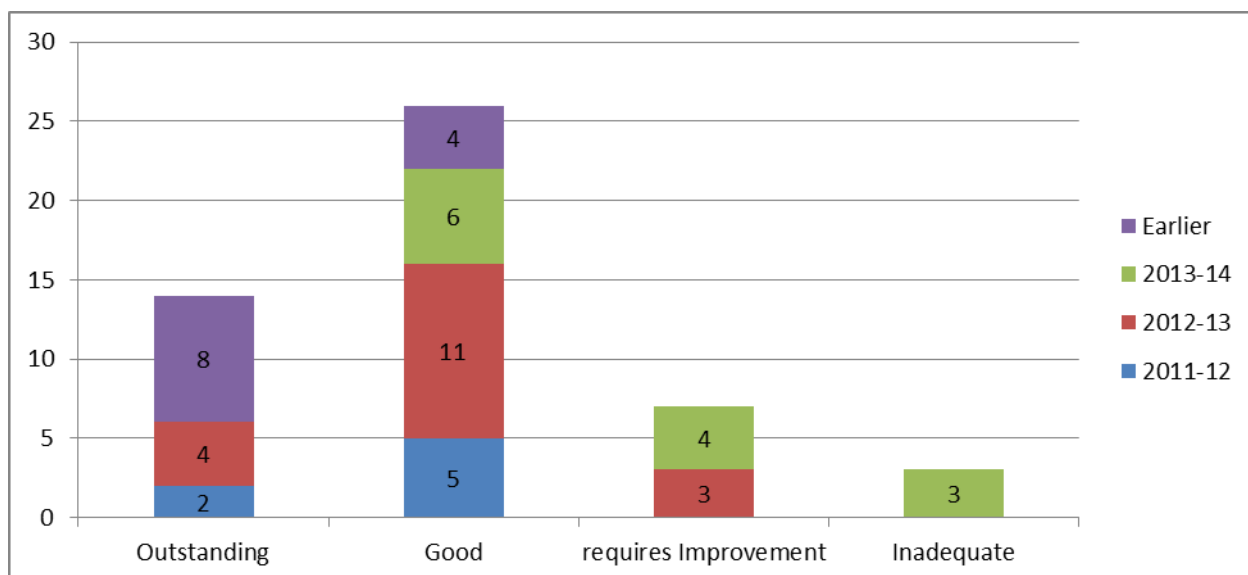
Key Stage 5: Sixth form and college results

4.17 Reading schools continue to lead the way nationally in this area due to the over representation of the two grammar schools in this result. Measured by average point score either per entry or per candidate, Reading continues to be well above the natural average. The graph below indicates a small rise in absolute results against a very high bar.



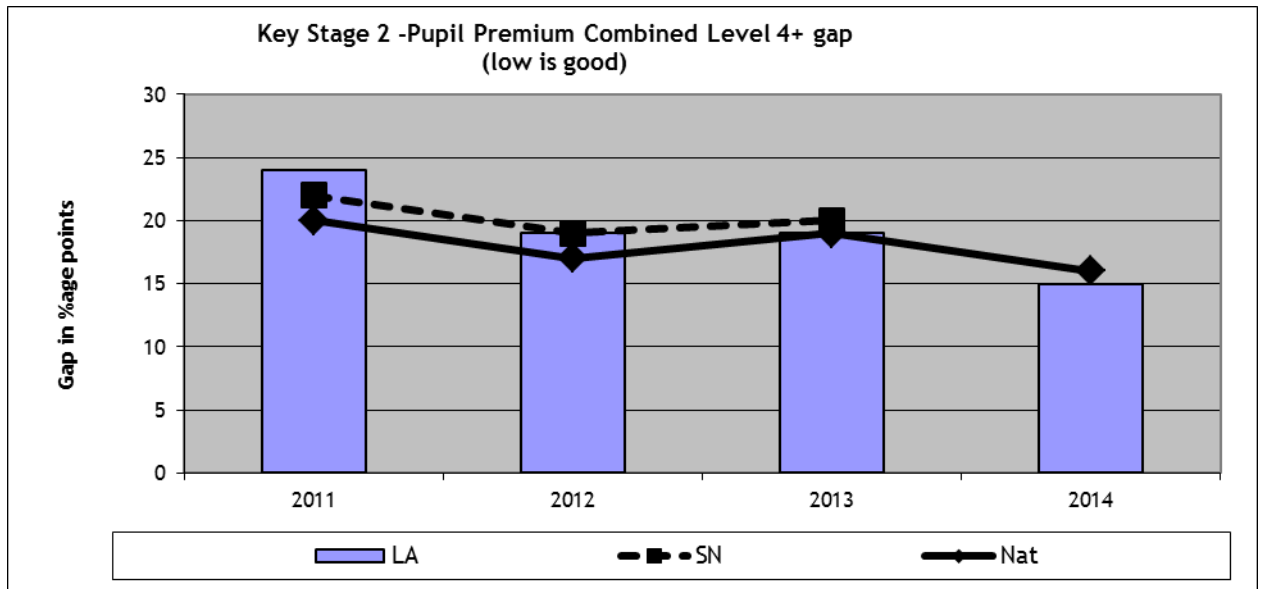
Ofsted Inspection Performance

- 4.18 At the end of academic year 2011-12, Reading had 54% of schools judged as Good or Outstanding by Ofsted. In January 2012, a new inspection framework which 'raised the bar' was launched and has been revised further in September 2012 and September 2013. Each time the focus of inspection has been sharpened particularly around achievement and progress. This inspection framework maintained the four numerical grades, with 1 being "Outstanding" and 4 being Inadequate. The latter is further sub-divided into Special Measures and Notice to Improve. Which of these two labels OfSTED chooses to use is mainly dependent on their view of the capacity of the leadership and management in the school to affect rapid change. The previous judgement of 3 had it's categorisation changed from "Satisfactory" to "Requires Improvement".
- 4.19 The following graph shows the result of inspections during 2012-14 for all Reading schools. There are 74% of all schools rated as "Good" or "Outstanding" at the end of August 2014 - an increase of 20% points over the two years and maintenance of the position during 2013-14.



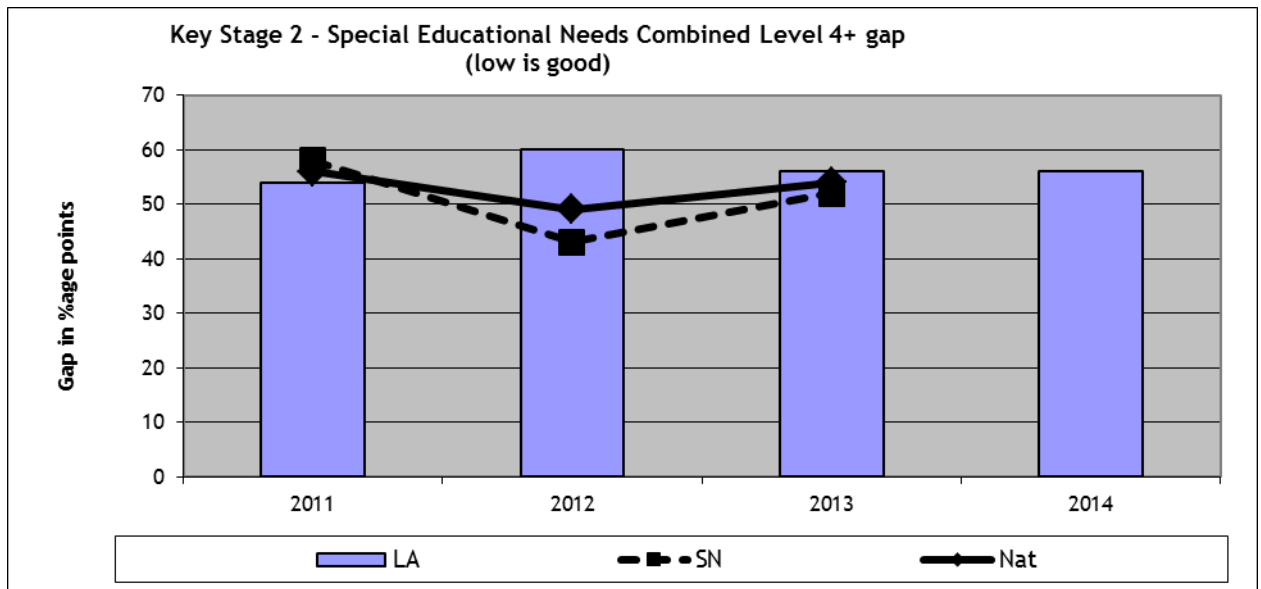
Reading Priority: Narrowing the Gap

- 4.20 A local priority for Reading has been to narrow the outcome gap for three particular groups of pupils: those eligible for Free School Meals; those with Special Educational Needs; and those from ethnic groups that are doing less well than the average in Reading.
- 4.21 The introduction of the Pupil Premium for families eligible for Free School Meals provides schools with direct funding which they are able to use to intervene for this group and make a difference. This has been widened to include families who have been eligible at any point in the six years of primary school, known as "Ever 6" and children of Service families. The local authority constantly monitors these groups.
- 4.22 In Reading we have identified in the past that there are three groups of children from BME communities who do less well than average. These pupils are of Pakistani, Black Caribbean and Mixed White Black Caribbean heritage. We are able to draw comparisons on a national level for these groups at Key Stage 2 however Key Stage 4 data is not currently available.
- 4.23 The following graph shows the Key Stage 2 gap between pupils eligible for Pupil Premium and those not eligible.

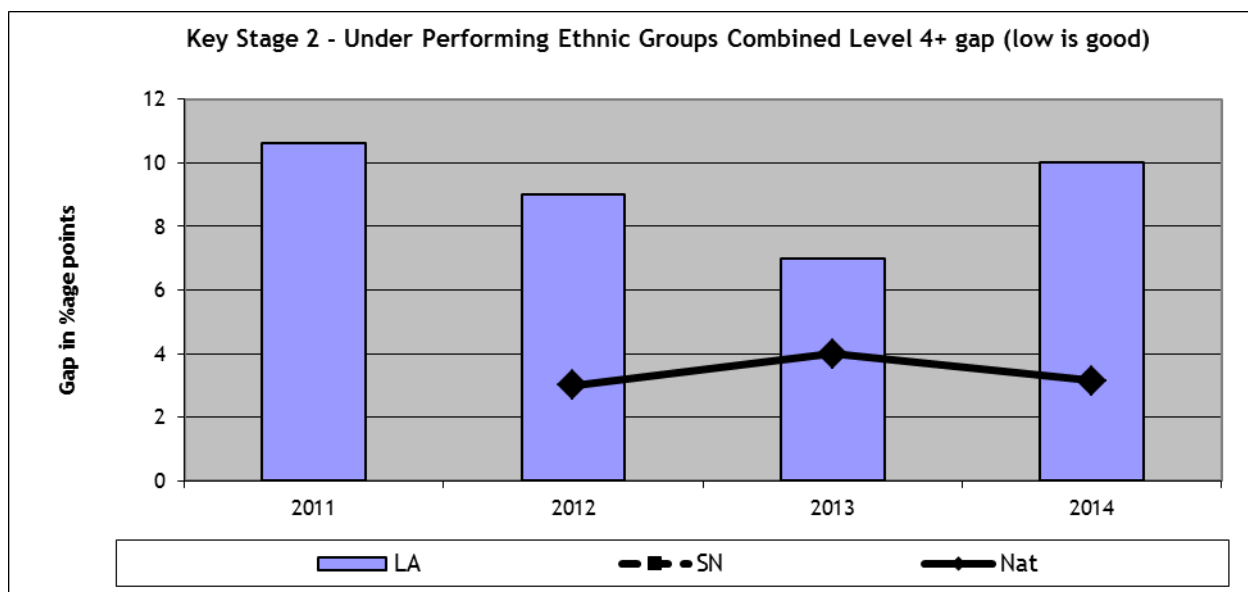


4.24 For the first time, this gap is lower than the national average which reflects that some schools are using the additional per pupil funding in an effective way. There is still a long way to go to secure even better results. The Local Authority team are working with schools to identify what will make a difference and the Landscape leadership conference on the 22nd January 2015 will be keynoted by Sir John Dunsford, the DFE’s Pupil Premium Champion. This focus will help all schools sharpen their focus in this area.

4.25 The following graph show the Key Stage 2 gap between pupils with Special Educational Needs and those without. There is no national comparison at this time, however the level of gap in Reading has not closed in 2013-14.

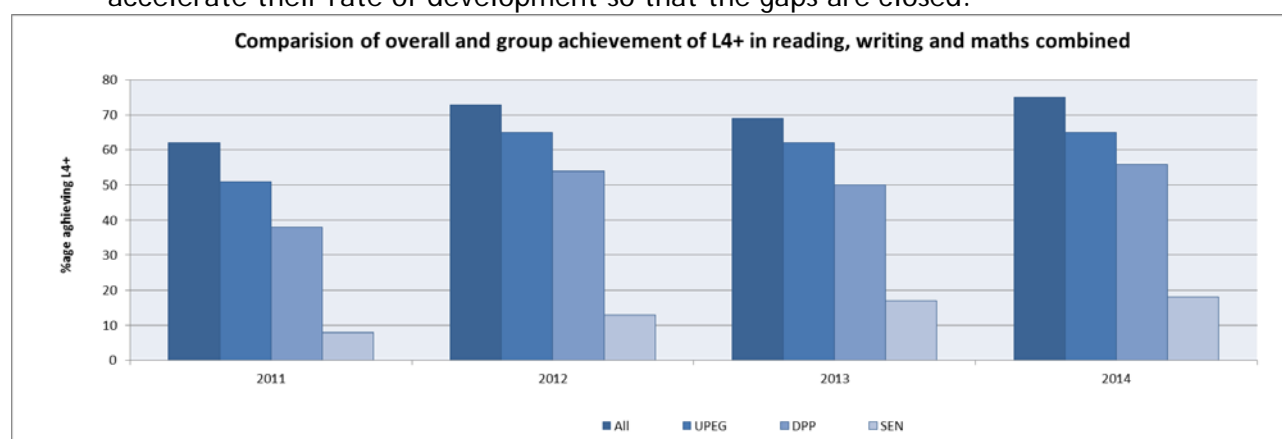


4.26 The following graph shows the Key Stage 2 gap between pupils from underperforming ethnic groups and their peers.



4.27 All schools who buy into the Local Authority data analysis team are provided with a detailed breakdown of this area for their school and are challenged by their School Partnership Advisor to explain how the school is addressing any shortfall and reflecting that in the school improvement plan and objectives. The widening of the gap in 2013-14 is disappointing and is not as well understood as we would expect. The education authority has invited Rosemary Campbell-Stephens to undertake an independent review of the education for pupils of black heritage in Reading, based on her national experience in this field. The review is expected to report its recommendations in spring 2015.

4.28 The following graph plots the absolute level of performance in each of the groups at Key stage 2 against the overall performance. It demonstrates that more young people each year in each group are reaching the national benchmark however we need to further accelerate their rate of development so that the gaps are closed.



5. CONTRIBUTION TO STRATEGIC AIMS

5.1 An effective education system is crucial to the success of Reading. It must be able to provide good quality education for our young people so they are skilled and ready to be economically active. The level of attainment is a nationally comparable measure of that readiness.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 It is a clear expectation of all schools that they assess, track and monitor pupil attainment and progress and Reading provides a comprehensive analysis of each schools performance.
- 6.2 Headteachers and Governors have been given regular briefings and updates relating to the national and local pictures and our performance in relation to our statistical neighbours the most recent of these was in September 2014.
- 6.3 For schools with the lowest performance, we have instigated a regular progress review process which brings the Headteacher, Chair of Governors, Head of Education and School Partnership Advisor together to review progress against a very specific, agreed plan. This process led to some notable improvements in 2013-14 and it will continue for 2014-15.
- 6.4 Members of this committee are undertaking an appreciate enquiry led scrutiny with local schools to explore the barriers and approached used by those that are most effective so that good practice can be celebrated and, where appropriate, a more joined up approach used to support families and pupils.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 Section 4.20 to 4.28 details the focus on key gaps within the results for Reading. There is a fuller analysis which has been undertaken to confirm that these are still the right areas for Reading to focus on.

8. LEGAL IMPLICATIONS

- 8.1 There are no legal implications arising from this report.

9. FINANCIAL IMPLICATIONS

- 9.1 The increased numbers of schools not making the national benchmark in Key stage 2 could increase the pressure on the funds and resources available to make effective interventions. This funding comes from both the Local Authority budget and the Dedicated Schools Grant (DSG). Effective expenditure will be routinely monitored by the Schools Forum.

10. BACKGROUND PAPERS

- 10.1 All statistics were compiled via data collected by all schools, including Academies, which is shared with the local authority under the terms of a data sharing agreement. The schools remain the data controller for their information and as such the local authority has not reported on individual schools in this report.
- 10.2 The allocation of resources and focus of the school improvement team is set out in the School Improvement Strategy which was refreshed in January 2013.

**READING BOROUGH COUNCIL
REPORT BY DIRECTOR OF EDUCATION, ADULT & CHILDREN'S SERVICES**

TO:	ADULT SOCIAL CARE, CHILDREN'S SERVICES AND EDUCATION COMMITTEE		
DATE:	6 NOVEMBER 2014	AGENDA ITEM:	14
TITLE:	READING'S MARKET POSITION STATEMENT		
LEAD COUNCILLOR:	COUNCILLOR EDEN	PORTFOLIO:	ADULT SOCIAL CARE
SERVICE:	ADULT SOCIAL CARE	WARDS:	BOROUGH WIDE
LEAD OFFICER:	BRIGID DAY	TEL:	0118 9373207
JOB TITLE:	HEAD OF COMMISSIONING & IMPROVEMENT	E-MAIL:	Brigid.Day@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report describes the new requirement in the Care Act 2014 for local authorities to work closely with local providers across the statutory, private and voluntary sectors and other stakeholders to ensure the quality and diversity of the local care and support market. It presents the draft version of Reading's Market Position Statement which is a central document in Reading's approach to meeting this requirement.
- 1.2 A draft version of the Market Position Statement is attached to this report at Appendix A.

2. RECOMMENDED ACTION

- 2.1 To endorse the draft version of Reading's Market Position Statement.
- 2.2 To agree to further consultation on the Market Position Statement with local providers to inform the final version, to be presented to ACE Committee in March 2015.

3. BACKGROUND

- 3.1 The Care Act represents fundamental reform of Adult Social Care law, simplifying and clarifying over 60 years of legislation. It sets out significant changes to adult social care across all areas of the customer pathway including assessments, eligibility, care planning, market development, carers, safeguarding and prevention.

- 3.2 The Care Act was signed into law in May 2014, and Reading Borough Council is working to implement locally the changes from the Care Act. The majority of these changes come into effect from April 2015, although funding reforms will take effect from April 2016.
- 3.3 Part of the Care Act places new duties on local authorities to facilitate and shape the local market for adult care and support. This is the market for all people who need care and support in the local area, whether this is funded or arranged by the local authority or by individuals themselves.
- 3.4 The Care Act requires local authorities to facilitate a market that:
- Is focused on outcomes for people who need care and support, with emphasis on enabling people to stay independent for as long as possible
 - Promotes quality, with continuously improving, high-quality, appropriate and innovative services, including fostering the workforce
 - Encourages a variety of different providers, different types of services and different types of service provider organisations so that people have a genuine choice of appropriate services
 - Supports sustainability by ensuring that the overall market remains healthy in terms of adequate provision to meet expected needs
 - Is supported by the Council's approach to commissioning services which should consider best practice and assure quality and value for money through contracting
- 3.5 The Care Act emphasises that local authorities should see market shaping as a shared endeavour, working alongside providers, service users, carers, families and the wider public. Local authorities must collaborate with stakeholders to gather information on local needs and demands and to understand and shape the implications for future service delivery.
- 3.6 The statutory guidance for the Care Act suggests that local authorities should publish a Market Position Statement to best fulfil their new responsibilities for market shaping. A Market Position Statement should include:
- information on the Council's direction of travel and policy intent
 - key information about local needs, demand and trends
 - information about people's needs and wants from consultation, engagement and other research
 - an indication of current and future local authority resourcing
 - a summary of current supply and demand across the market
 - the authority's ambitions for quality improvements, new services or service developments
- 3.7 The purpose of a Market Position Statement is to support the local authority to ensure that the market has sufficient signals, intelligence and understanding to react effectively and meet local demand. It should support wider dialogue in an open and transparent way with providers about the local authority's intentions and enable joint working to develop services that can best meet future needs. The Market Position Statement should be informed by the views

of service users and carers to ensure that it is focused on the outcomes that are most important to people with care and support needs; however, it is a document that is aimed primarily at supporting the work between those who commission and provide services.

4. THE PROPOSAL

4.1 A report on Reading's approach to drafting a Market Position Statement was presented to Policy Committee in April 2014, who agreed to the development of a draft and reporting back on this work to ACE Committee. Since then, work has taken place on a draft Market Position Statement, including work with providers and other stakeholders on their expectations and views on the document.

4.2 The draft Market Position Statement includes information on the Council's strategic and financial context, the Council's priorities for adult social care and ambitions for working with providers, and information on local needs and demand for services across different service user groups. It presents detail on the care and support market for different types of service (residential and nursing care, for example) including the current provision of care and support, trends that informed by data and service user feedback, and the planned future direction of travel. Where the detail is available, this includes any commissioning intentions that the Council (on its own or in partnership with other commissioners) will take forward. The detailed content and structure of the Market Position Statement may develop after further consultation with providers about the draft document.

4.3 The Council's key commissioning priorities across adult social care are identified in the document as:

- Increasing Extra Care Housing
- Reducing residential care use and cost
- Increasing provision for people with dementia
- Increasing nursing care home places
- Continuing to increase supported living options, while reducing the number of providers through the Supported Living Accreditation Select List (SLASL)
- Expanding the Council's 'Shared Lives' scheme
- Improving user & carer engagement
- Re-commissioning home (domiciliary) care by:
 - implementing the Ethical Home Care charter
 - reducing the number of providers
 - working with providers to 'step up' to a partnership approach
 - improving the quality of service delivery
- Refreshing the Council's priorities for prevention to fit with the Care Act, and using this to review adult social care grant funding
- Improving the use and support to use Direct Payments

4.4 The headlines from the draft Market Position Statement were shared with local providers at the Care and Support Conference in September 2014. Members of

the Adult Social Care User Panel were also involved to ensure the discussions stay focused on what matters most to people who use care and support services. Part of the Conference included discussions about what information is important to providers in the Market Position Statement and how this can be best presented to be most useful to providers. A workshop on the future of care and support in Reading allowed attendees to share their views and ideas on some of the future plans for adult social care that are already known.

- 4.5 The feedback from the Care and Support Conference and ongoing engagement with providers and other stakeholders over the next three months will be used to refine and further develop the draft Market Position Statement into a version that is ready for publication. This final version will be presented to ACE Committee in March 2015 for sign-off.
- 4.6 Market shaping is an ongoing exercise, and the Market Position Statement will need to be regularly updated to ensure it reflects changes to local needs, any emerging gaps or areas for development, and the Council's intentions to address these. The Care and Support Conference in September started a more structured approach to the Council's conversations with providers to continue our shared work on shaping and developing the local market. As well as continuing the regular forums for supported living, domiciliary care and residential and nursing care providers, there will be regular conferences and the establishment of a Market Position Statement Reference Group.
- 4.7 The Market Position Statement Reference Group will meet quarterly to support more detailed work on developing the Council's Market Position Statement, acting as a critical friend, and supporting the Council's work to share this with the wider market. The first meeting of the Reference Group in October 2014 allowed for comments on the initial draft of the Market Position Statement.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The draft Market Position Statement sets out the Council's ambition and direction of travel for adult social care. This is aligned with the Council's strategic direction for adult social care (as agreed by Policy Committee in September 2014) and the priorities in the Council's Corporate Plan.

6. COMMUNITY INVOLVEMENT

- 6.1 The draft Market Position Statement is informed by the Council's engagement with service users and carers over recent years through consultations, forums and other feedback routes. There will be opportunities for further engagement with people with care and support needs and the wider public during the consultation that will take place on the Care Act. The Adult Social Care User Panel will be involved in this work to ensure that the final Market Position Statement is driven and underpinned by robust understanding of the wishes and needs of the local population.

7. LEGAL IMPLICATIONS

7.1 The proposals set out in this report to work with providers and other stakeholder to produce and publish a Market Position Statement will enable the Council to meet the new duties introduced by the Care Act that must be in place for April 2015.

8. EQUALITY IMPACTS

8.1 All public sector bodies are under a legal duty to comply with the public sector equality duties set out in the Equality Act 2010. The Care Act guidance notes that local authorities must ensure that their commissioning practices and the services delivered on their behalf comply with the requirements of the Equality Act 2010, and do not discriminate against people with protected characteristics. The guidance also notes the role for local authorities to work to ensure compliance with the Equality Act 2010 across the market, even where services provided in their area are not arranged and/or paid for by them.

8.2 An equality impact analysis will be completed for any of the more detailed plans such as commissioning strategies that are developed from the Market Position Statement.

9. FINANCIAL IMPLICATIONS

9.1 There are no direct financial implications arising from this report. The Market Position Statement includes an overview of the Council's current and anticipated future financial context. The commissioning intentions are informed by this context, and subsequent plans arising from the document will be those which can be delivered within existing resources and/or have been budgeted for within local programmes to deliver better integrated care and to meet the new obligations set out in the Care Act 2014. It will make a contribution to delivering on savings and better value for money across commissioned services. It will also help manage risk as it provides a clearer framework for planning and therefore managing costs across the care system.

10. SUPPORTING DOCUMENTS

10.1 Appendix A: 'The Future of Care and Support in Reading: Reading Borough Council's Market Position Statement for Adult Social Care'

Reading Borough Council's Market Position Statement for Adult Social Care

DRAFT

September 2014



Reading
Borough Council

Working better with you

Introduction

Purpose of the Market Position Statement

Reading Borough Council is committed to stimulating and supporting a diverse, active care market where innovation and high quality care are encouraged and rewarded and where poor practice is actively discouraged. This is an important role for the Council, and a key part of shaping what kind of place Reading is.

The Market Position Statement is for any existing and potential providers of social care and support for adults, from all sectors and whether or not they are currently offering services in Reading or commissioned by the local authority. It aims to:

- give an overview of the local care market - helping providers to better understand local needs and services
- identify any new or emerging opportunities
- signal the strategic priorities and future commissioning intentions of Reading Borough Council
- start a dialogue with local providers about how we can work together to meet developing local needs

Developing the Market Position Statement

Developing the market for care and support is a shared activity that extends beyond the Council. For market shaping to be successful, it needs to be built on engagement with other local commissioners, service providers, service users and residents to shape and realise our vision and priorities for the market in Reading.

The input of local providers is key to the development of Reading's Market Position Statement. We recognise that market shaping is an ongoing task and will regularly work on the Statement with the involvement of providers. This will help us to develop commissioning strategies to shape the vision further and give clear strategic plans. Any updates will be informed by ongoing engagement with service users and their families, and by changes to our knowledge of local needs.



The Care & Support Conference in September 2014

We expect the Market Position Statement will be increasingly influenced and used by NHS commissioners, reflecting our shared intention to progress towards joined up commissioning.

Our Strategic Approach to Adult Social Care

In September 2014, the Council's Policy Committee agreed the strategic direction for Adult Social Care in Reading for the next 3-5 years. Fairness and independence are at the heart of this vision, ensuring we help people to thrive and lead fulfilling lives.

More detail on the Vision is available in the Committee Report ([published here](#)), but the eight drivers below will be the focus of our approach:

Community Based Solutions

We will always aim to help people to continue to live in their neighbourhood and community where this is feasible and affordable.

Focused use of Resources

Our interventions will offer the right level of support according to a person's assessed needs.

Safeguarding & Risk Management

The essence of our work will be to ensure that we are balancing risk to empower and safeguard our service users.

Work with Providers

We will work with our providers and with our in-house teams to build a philosophy of care that focuses on outcomes.

Partnership with Health Services

We need to continue to develop an integrated and outcome-focused approach to our work with all our health partners.

Spending Public Money Wisely

We will focus on finding the most affordable price that can deliver us the quality that our service users require.

Knowledgeable and Informed Workforce

We will develop a workforce which can work with this vision, including staff both within the Council and those who work for organisations who provide services on our behalf.

Valuing Carers

We will ensure that carers are informed of their right to have a carer's assessment which they can have either together with their cared for person or separately.

Strategic Context

There are three significant areas that are driving the Council's activity in Adult Social Care:

Implementing the Care Act

The Care Act will have a significant impact as the Council implements the changes locally by April 2015 (April 2016 for funding reforms). Notable changes include:

- A cap on care costs that limits how much an individual has to pay for their care costs, provided these costs are eligible to count towards the cap. A greater number of people are likely to contact with the Council in the future for care assessments.
- A rise in the means-tested threshold for people in residential care means more people who are currently self-funding will become eligible for state funding as their funds fall below the revised thresholds in the future.
- New duties for local authorities to take action to prevent the need for care and support and to work in a way that is 'integrated' with NHS and other health-related services.
 - New rights for carers to have assessments and services in their own right.

Integration of Health & Social Care

Reading Borough Council already works closely with partners across health services, including the two Clinical Commissioning Groups, Royal Berkshire Hospital and Berkshire Healthcare Foundation Trust, to deliver care and support in an integrated way. The Integration Programme is delivering Reading's plans for further integration, including those set out in the local Better Care Fund submission.

Reading's plans include:

- Hospital at Home - an intensive short-term service offering support and treatment as an alternative to hospital admission
- Residential and Nursing Home Support - improving consistency and quality through training and GP and pharmacy support to reduce hospital admissions
- Time to Decide Beds - enabling patients to be discharged from hospital for community-based support, to give time to assess their needs and for individuals and families to make decisions about long-term support.

Delivering Savings

As set out elsewhere in this document, the Council is working to ensure that it can deliver Adult Social Care to those who need it in the context of increasing demand and reducing budgets.

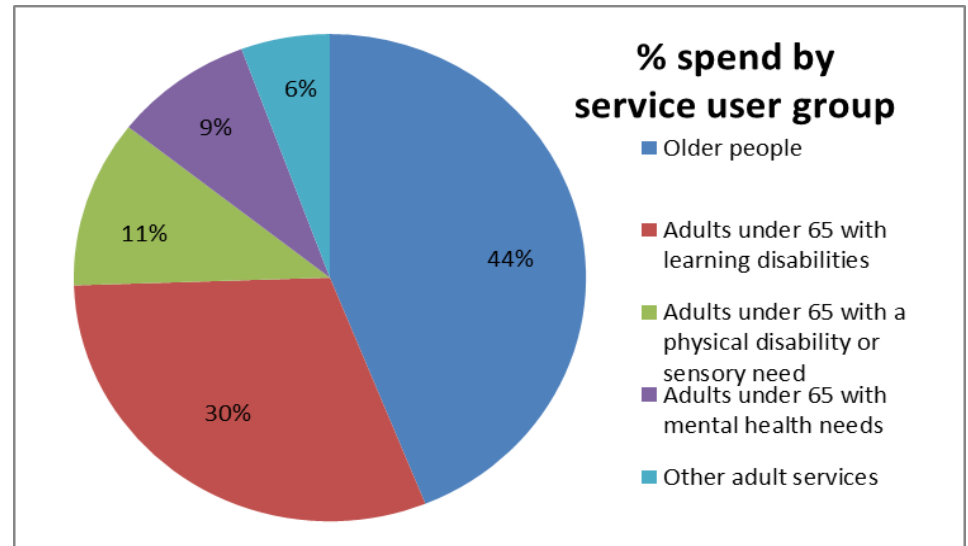
The Council has already made significant savings and will continue to work with partners to do more over the next three years. This will be delivered through a greater emphasis on prevention and independence, supported by our Reablement service and through making the most use of universal and community-based services to help people to build, retain and recover skills.

Financial Context

The combination of cuts in Government funding and increased demands on key Council services from a growing population means that, like many other local authorities, Reading Borough Council is addressing financial challenges. We have saved £45 million from the overall Council budget since 2010 and we plan to make further savings of £10m this year and £5m in future years. Our current forecast of the savings the Council still needs to make in 2015-18 is approximately £25m. In September 2014 the Council's Policy Committee approved proposals that, subject to consultation, would save £8m towards this total.

Reading's Adult Social Care's gross expenditure for the 2013-14 financial year was £54m (PSSEX 2013/14), the largest area of spend within the Council. The growing demand for support and the need to implement the Care Act means that the Council's budget will continue to be under increasing pressure. We need to work closely with our partners to help us make further savings over the next three years by changing the way we work.

When Adult Social Care spend is broken down by service user group, the largest area of spend (44%) is support for older people. Within the budget for supporting older people, residential and home care are the areas with the highest level of spend.



A significant changes introduced by the Care Act is the cap on care costs, so that more people who pay for their own care will become eligible to have their care paid for by the Council. It is thought that Reading has a lower number of “self-funders” compared to neighbouring councils, but this will still introduce increasing demand for Adult Social Care services. An important element in controlling future Council spend will involve supporting people to make informed choices, and working with the market to meet these needs appropriately.

Working with Providers

We recognise that our ambitions mean that we are placing a high expectation on providers, and that the Council has a role in providing support with this. Our offer of support to providers can be understood in four parts:

Supporting Staff Development

We support the professional development of the workforce through the Council's Learning and Workforce Development Team. The team provides a range of support, including a subsidised training programme and fully funded access to Safeguarding Adults Level 1 training. Online training is available and there is access to "train the trainer" programmes to support providers to develop their in-house resources. The team also offers advice and guidance on training, including access to resources, individual support and information, and local and regional initiatives such as 'Skills for Care' regional network meetings. More information can be found on the Council's website: www.reading.gov.uk/pvitraining

Supporting Quality

The Council's Social Care Quality Team leads the work to support providers with continuously improving their services. We work intensively with any providers that fall below the expected standards of the Council or the Care Quality Commission to ensure a consistent quality across all providers. Increasingly we want to work proactively with providers to address issues early, and we will use our quality process and discussions with providers to support this. More detail on this work can be found in the '[Quality](#)' section.

Supporting Diversity

We are keen that we have a range of providers in Reading, and we will adapt our approach to ensure we support providers of different sizes and across different sectors in the best way possible. We regularly review our procurement approaches to ensure that these do not create unnecessary barriers to smaller providers. The Council supports and works with Reading Voluntary Action in their role to strengthen Reading's lively and varied voluntary and community sector.

Information Sharing and Engagement

We invite providers to attend a number of forums and events that offer an opportunity for information sharing, feeding into the Council's plans, networking and supporting others. More detail about these can be found in the '[Engaging with Providers](#)' section.

What's Important to Service Users?

From the range of ways that we engage with and talk to service users, families, carers and the wider population about their views and priorities for care and support (see 'Engaging with Service Users' for more detail), we have gathered a large amount of information about what is most important to the people who use services:

Personalising support

Services users are increasingly using personal budgets to arrange their care, and this has allowed new information about people's preferences for support services to emerge. This tells us that people prioritise support that means they can have as much contact as possible with family, friends and their communities, in place of more institutionalised support.

Support to stay at home

When we interviewed people using homecare services in 2013, most people said how important their service is to them to enable them to manage their daily lives. Family carers also valued the service to give them help with certain tasks or provide a 'back up' service so they are able to take breaks. Although most people described their experiences of home care as positive, there were also a number of issues which were shown to need improving. These include the timeliness of visits, consistency of care workers and training for care workers.

Community & preventative services

Our last consultation on preventative services showed there were a range of views about the most important support, showing that it is important to offer choice and a range of provision. The *Let's Talk Care* consultation in 2013 showed that day care and activities for older people are valued services and older people want support to stay in touch with their communities.

Neighbourhood Focus

Recent cross-Reading feedback from older people has been that they want to be able to access more services from local places like GP surgeries, community centres and libraries. Patient and service user groups support the idea of care services being 'clustered' at a local level.

Support to find employment

People of working age with long-term health conditions including learning disabilities, autism, mental health needs and physical disabilities, have told us that they would like more support to help them find work and stay in work when they get a job.

Living independently

When we consulted on the Supported Living Provider List (SLASL) in 2014, service users of supported living highlighted that they value the freedom that supported living gives them, the flexibility to see their family and friends. Being able to live independently was a key outcome for people, with help to manage money and maintain their flats rated as very important. Family carers also talked about how they valued the way that supported living helped their relatives to develop social networks and maintain skills to live independently.

Local Needs & Demand - Reading

Changes in the population and levels of need will impact of the future of care and support services, both nationally and locally. A summary of what's known about the local need and demand is presented here. Much more detail on local needs is available in Reading's Joint Strategic Needs Assessment (JSNA) - www.reading.gov.uk/jsna

Reading's population is increasing

Reading has a population of 155,700 people living in 62,900 households (2011 Census). This is a 9% increase over the previous decade, and it is predicted that the population will continue to grow to 161,800 in the next 10 years.

From 2001 to 2011, there was a particularly significant increase in the 0-19 age group. The 30-59 age group increased but at a slower rate of change than over the previous decade. The 60-74 age group increased by 8%, and there was a slight decrease in the 75+ age group.

Reading's older population is increasing steadily

POPPI (Projecting Older People Population Information System) estimated that there were 19,400 people aged 65 years or over living in Reading in 2014. There are higher numbers of people aged 65 or over in North (Peppard & Thames wards) and West (Tilehurst & Norcot wards) Reading. POPPI projects that Reading's 65+ population will continue to increase, to 26,700 in 2030:

	Projected figure and % increase on 2014 (POPPI data)				
	2014	2015	2020	2025	2030
All people aged 65 plus	19,400	19,400 (+0%)	21,200 (+9%)	23,800 (+23%)	26,700 (+38%)
People aged 85 plus	2,900	2,900 (+0%)	3,400 (+15%)	4,100 (+30%)	4,800 (+40%)

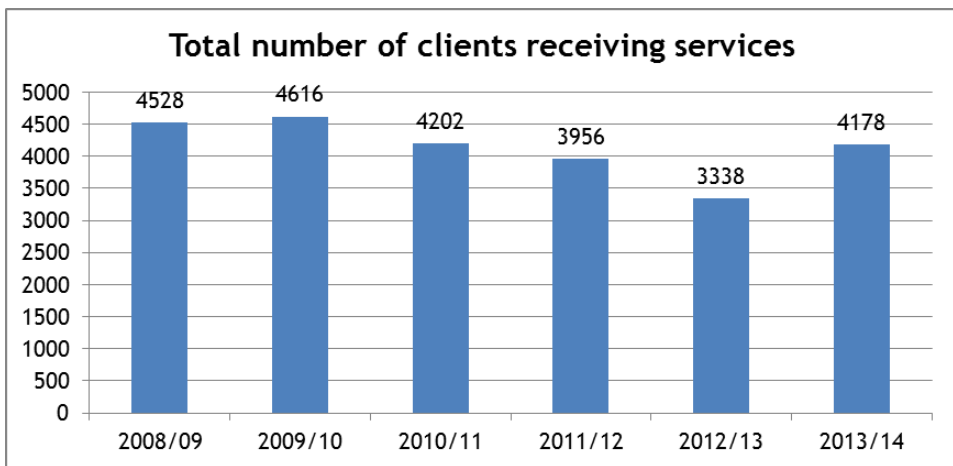
Reading is becoming increasingly diverse

According to the 2011 Census, a greater proportion of the population in Reading (33%) is from minority ethnic backgrounds than nationally (15%) or across Berkshire West (18%). Trend data suggests that the greatest increase in the BME population in Reading over the past nine years has been in the Asian and Asian British population and the Other White Background populations.

13% (RAP 2013/14) of Adult Social Care clients in Reading are from a BME group. This is a higher proportion than the regional and national averages. The majority of these clients are Asian or Asian British, or Black or Black British. For clients with mental health problems, the proportion of clients in Reading who are from BME groups increases to 24%.

Local Needs & Demand - Adult Social Care

In 2013-14, 4178 people received Adult Social Care services in Reading - either provided or commissioned by the Council. This doesn't include the number of adults who receive support from community based 'preventative' services, some of which are commissioned by the Council, and adults may use these services instead of or in addition to formal social care.

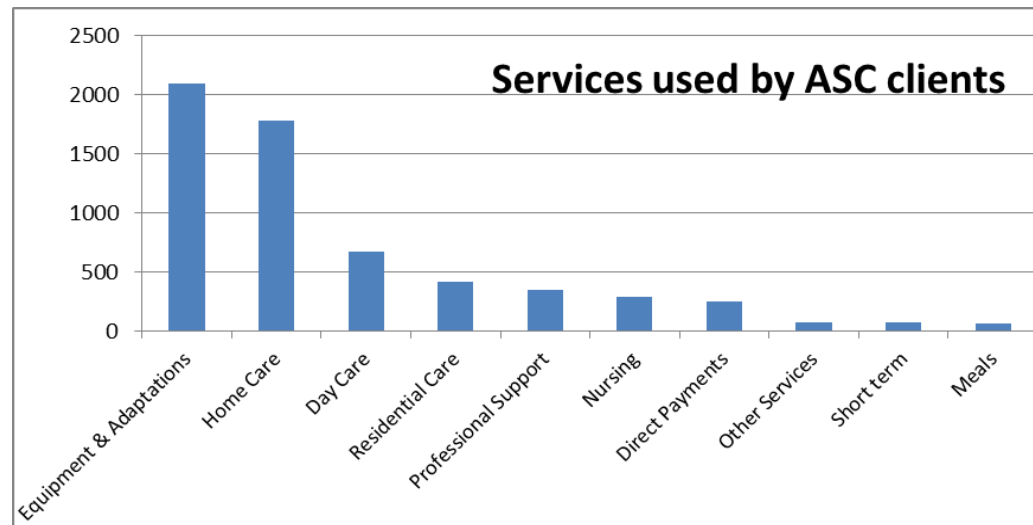


The number of people using Adult Social Care services had fallen from 2009-10 because of a change in the eligibility criteria and the success of the Reablement service. The numbers have increased between 2012-13 and 2013-14, and the population data presented above suggests that the number will continue to rise in future years.

While demand is dropping for traditional care services, people are increasingly looking for support to help them carry on with activities they enjoyed before they became frail or unwell. There is a national trend towards more people choosing support to keep living at home rather than in a home, and more flexible care arrangements.

The majority of people - 62% - using Adult Social Care services are 65 and over (RAP 2013/14). For both people of working age and older people, the most common care need is physical disability, frailty and sensory needs. Mental Health and Learning Disabilities are more common care needs for people aged 18-64.

The main types of care services used by people (RAP 2013/14) breaks down into the following categories:



Further information in Reading's Joint Strategic Needs Assessment 2014: [Borough Profile Overview](#)

Older People

Older people are the largest single group receiving services from Adult Social Care, comprising 62% (RAP 2013/14) of all users of services. Spend on older people is 44% (PSSEX 2013/14) of Adult Social Care's gross budget. Of the older people using Adult Social Care services last year, the majority needed support because they had become frail on account of age.

There is a higher ratio of elderly clients with physical disabilities in Reading than there is nationally. This suggests that, although the population of older people in Reading is smaller than the national average, there may be a higher-than-average level of need within this population.

While Reading's over 65 population is expected to grow steadily, the increase will not be as steep as in the other Berkshire local authorities, with the neighbouring local authorities of West Berkshire and Wokingham both having higher and more rapidly increasing 65+ populations.

The impact of the population growth across Berkshire will be significant for Reading when considering the development of new care businesses or the expansion of existing businesses within the borough, as services will likely be in greater demand from people beyond our borders.

Further information in Reading's Joint Strategic Needs Assessment 2014:

[Independence in Older Age](#)

[Transport Accessibility for Older People](#)

[Falls and Mobility](#)

[Access to Social Care/Personalisation](#)

Physical Disabilities & Sensory Needs

7,194 people in Reading aged between 18 and 64 are estimated to have a moderate physical disability and 1,969 of these are estimated to have a severe disability. PANSI (Projecting Adult Needs and Service Information System) estimates that this will increase by 8% and 12% respectively by 2030.

In 2013-14, a total of 623 people aged 18 to 64 with a physical disability and/or a sensory need accessed social care services (RAP 2013/14). The large majority of these (95%) received community-based services. In 2013 there were 378 people in Reading registered as Deaf (including 16 children); 424 people registered as Blind (20 children) and 50 residents registered with Dual Visual Impairment & Hearing Impairment. More people with visual impairments are assessed than people with hearing loss.

Evidence shows that people living with long term health conditions are at increased risk of hospital admission, and our plans to work with health colleagues on developing local services to reduce emergency admissions and facilitate hospital discharge are very relevant to this section of the population.

Further information in Reading's Joint Strategic Needs Assessment 2014:

[Physical Disability and Sensory Impairment](#)

Learning Disabilities

PANSI estimates that 2576 adults (18-64) in Reading have a learning disability and that this will rise to around 2672 by 2030. In 2013-14, 449 people with a learning disability accessed social care services (RAP 2013/14). 90% of these were aged between 18-64 years.

69% of adults with learning disabilities in Reading are living in settled accommodation, compared to the national average of 75% (ASCOF 2013-14). The number of adults with learning disabilities in Reading in paid employment is above the national average - 7.8%, compared to 6.8%. Reading's strategic intention is to increase these figures, to support more learning disabled adults to live in their own homes rather than in institutional settings and to be supported to find and retain employment.

Further information in Reading's Joint Strategic Needs Assessment 2014: [Adults with Learning Disabilities](#)

Autism

92 adults eligible for social care services are known to have a diagnosis of autism. Of these, 75 also had a learning disability and one was known to mental health services. It is known that this is a very small proportion of the number of people in Reading who have autism; as a spectrum condition, many people with autism are below the threshold for social care support, or may not have a diagnosis. Getting specific data on people with autism is problematic, but the number of children and young people diagnosed with autism suggests that prevalence is increasing.

Further information in Reading's Joint Strategic Needs Assessment 2014: [Adults with Autism](#)

Mental Health Needs

As of March 2014, 545 Adult Social Care service users aged between 18 and 64 needed support primarily because of mental health need - a significant increase from 322 service users in 2012-13 (RAP 2013/14). The vast majority of people (95%) received community-based services, and the number of people with mental health problems supported in residential care in Reading has almost halved since 2010.

Mental health provision does not reach all sections of the population evenly, with those living in deprived areas, older people, and black and minority ethnic groups (BME) tending to face barriers to access. 85% of people with mental health needs being supported live in their own home or with their family and 15% of people with mental health needs are in paid employment, both higher than the England average.

1,535 people who are registered with GP Practices in Reading are recorded as having schizophrenia, bi-polar disorder or other psychoses. This equates to a significantly lower proportion of the population than the national average but a higher proportion than the average in the NHS Berkshire West area.

Further information in Reading's Joint Strategic Needs Assessment 2014: [Mental Health](#)
[Mental Health in Old Age](#)

Drug & Alcohol Dependence

According to Public Health England, the estimated number of heroin and/or crack users in England and Wales has fallen since peaking in 2005-06 at 332,090 to 298,752 in 2010-11. In the same period, the estimated number in Reading has risen slightly from 1,271 to 1,363, with the rate per 1,000 population remaining stable (12.36 in 2005/6 and 12.38 in 2010/11).

Reading has a high and growing demand for drug treatment, with a higher rate of drug users amongst its population compared to other areas. Around 5.5 people in every 1,000 living in Reading were in drug treatment during 2012, a higher rate than the national average, the South East region and the average of local authorities with a level of deprivation similar to Reading's. Over 35% of non-opiate and 8% of opiate drug users leaving drug treatment are successful completers.

Key data supplied through information collected nationally indicate that Reading has significantly higher incidence of binge drinking and alcohol related crime, and a higher rate of Incapacity Benefit or Severe Disability Allowance claimants who cite alcohol use as their main medical problem.

Further information in Reading's Joint Strategic Needs Assessment 2014:

[Drugs Misuse](#)
[Alcohol](#)

Carers

The 2011 Census identified 12,211 carers in Reading. Of these, 21% (2600) were providing unpaid care for more than 50 hours per week. The Census showed there was a small increase in the percentage of Reading's population which is providing unpaid care from 7.7% in 2001 to 7.9% in 2011.

Reading still has a lower proportion of its residents involved in unpaid care than either the South East average (9.8%) or the England & Wales average (10.3%). This is probably because Reading has a younger than average population overall.

Carers are at risk of having poorer health than non carers and of struggling to have a life outside caring. Young carers are at an increased risk of social isolation, poor school attendance and becoming NEET (not in education, employment or training).

Giving carers information about the support available to them helps to reduce these risks. The Council is anticipating contact with a greater number of carers in the future, because of the changes in the Care Act that increase the rights of carers to have needs met in their own right.

Some carers are under represented in the groups using support services currently. Extra effort needs to go into reaching these 'hidden' carers, including those from minority ethnic backgrounds.

Further information in Reading's Joint Strategic Needs Assessment 2014:

[Carers](#)

Reading's Market for Care & Support

This section presents the current market for care and support and the trends and planned commissioning intentions in Reading. Providers told us that they want to be able to easily see the detail about the service they provide - and so this section is organised by the type of care delivered. However, we need to start thinking more about a person's pathway through care and support in line with the Council's 3-5 vision for Adult Social Care, rather than segmenting by different types of service.

The list below identifies the Council's key commissioning priorities, some of which are explored in more detail in the relevant section:

- Increasing Extra Care Housing
 - Reducing residential care use and cost
 - Increasing provision for people with dementia
 - Increasing nursing care home places
 - Re-commissioning home care by:
 - implementing the Ethical Home Care charter
 - reducing the number of providers
 - working with providers to 'step up' to partnership approach
 - Continuing to increase supported living options, while reducing the number of providers through the Supported Living Accreditation Select List (SLASL)
- Expanding the Council's 'Shared Lives' scheme
 - Improving user & carer engagement
 - Improving the quality of service delivery
 - Refreshing the Council's priorities for prevention to fit with the Care Act, and using this to review Adult Social Care grant funding
 - Improving the use and support to use Direct Payments

Community & Preventative Services

Reading has a strong focus on promoting and supporting access to services in the community and preventative support that can reduce or delay someone's need for more formal, intensive care and support. These services, which minimise the demand for Adult Social Care support, include those which strengthen social networks and provide information and advice.

Current Provision

Our Adult Social Care services are there for all adults who need support to stay well or live independently in the community, and we work with Children's Services to support anyone providing unpaid care to someone with an illness or disability.

- Everybody who contacts Adult Social Care can access free information and advice
- We can provide simple services such as equipment to anyone if an initial discussion shows that someone would benefit
- Everyone is able to access intermediate care (such as our multi-disciplinary Reablement service) if an initial assessment shows they would benefit from this - for up to 6 weeks free of charge
- Every carer is entitled to an assessment of their needs in their own right and may be eligible for help to enable them to continue in their caring role



Reading Older People's Day October 2014

Reading's Adult Social Care service offers direct support to organise care for those with higher level needs. In addition, and primarily through our allocation of grant funding to third sector organisations, we consider the needs of the wider population.

Reading has a strong voluntary and community sector that delivers a wide range of support and services. The Council's Adult Social Care service is committed to supporting these services, and spends £1.28m a year on preventative services from the voluntary and community sector. In 2014/15, the Council had funding arrangements across 34 different organisations, to deliver diverse provision for different communities and people. The services provided fall into the broad categories of:

- Information, advice and advocacy
- Support for carers
- Early intervention to prevent or slow a deterioration in health
- Support for people with care needs to live independently
- Strengthening social connections with communities for vulnerable adults

The voluntary and community sector has important links to people and communities and can often offer support to those with care and support needs that might not come into contact with Council services.

Community & Preventative Services

The Council takes the view that there is an ongoing need for specialist day care for older people, although demand has been falling recently. This service has therefore been available from one rather than two centres since September 2013. The Council has created a new team to develop 'Neighbourhood Older People's Services'. Council officers are working with older residents and community groups to develop opportunities for older people in their local area. This approach has been very successful in Caversham and Southcote, and the aim is to adapt and extend it to other parts of the town and to support younger residents with support needs.

'Universal' services in the areas of community safety, health and well-being, housing, training, sports and leisure can all play a key role in helping people to stay safe, well and independent. Investment in our schools and youth support can pay even longer term dividends in respect of adults with disabilities or long term conditions. This is recognised throughout the local authority and there is a strong corporate commitment to providing and promoting services which are appropriate for and accessible to adults with disabilities, long term conditions or caring responsibilities.

Areas for Development

The Care Act gives local authorities new responsibilities to arrange services which prevents or delays the need for care and support. It also strengthens the duties to provide information and advice. These changes create an opportunity for the Council to review its offer of preventative and community-based services to ensure that the support provided meets requirements and offers an effective range of services.

Over the next year we will work with service users, carers and providers in the voluntary and community sector to identify a series of priority outcomes for organisations to bid against for grant support. This will ensure we meet new needs, such as the requirement to offer independent advocacy, and avoid duplication. The Council's prevention framework will be revised to meet our new statutory responsibilities.

Support to help people with disabilities find training and work opportunities will be introduced through a supported employment services to be introduced in late 2014.

Reading Borough Council's Future Plans:

- Developing plans to move to "full intake model" for Intermediate Care
- Increasing opportunities for neighbourhood services across the borough
- Working with service users, carers and voluntary and community sector organisations to identify the priority outcomes for future preventative services
- Introduce a supported employment service for people with disabilities to increase support to find employment

Carers Services & Support

People who provide unpaid care for a partner, family member or friend play a vital role in supporting people with care and support needs. Supporting carers to sustain the role they provide means that people can often stay in their own homes or communities for longer, when they would otherwise need more formal care and support services.

Current Provision

During the assessment process for Adult Social Care services, carers' own needs and input are taken into account. Carers are also offered their own assessment. Depending on the individual circumstances identified, further support may be provided such as adaptations or equipment, emergency back-up, or a payment from the Carers Breaks and Opportunities Fund. The Fund provides support through Direct Payments to be spent on whatever the carer feels will best help to relieve the stress of their caring responsibilities.

The Council works in partnership with health services and voluntary sector organisations to provide support to carers, and to ensure that there are routes for information, advice and support available to them. This includes efforts to increase awareness of carers, supporting carers to take breaks from caring and to facilitate access to training and peer support.

Young carers aged under 19 are supported through the Council's Young Carers project. Young carers can attend age-appropriate groups to get a break from caring and support to manage their caring role.

In Reading, we have seen a 12% increase in the number of carers from 2001 to 2011. It is anticipated that the number of carers known to the Council and requesting a Carer's Assessment will increase in the future when carers gain new rights under the Care Act and the Children and Families Act.

Areas for Development

The Care Act strengthens a carer's right to support from local authorities and to be involved in developing care and support plans. Although the Council already offers support to carers beyond that required under current legislation, work is underway to ensure that the support is robust enough to meet these increased requirements. The Council expects providers to support this by becoming more 'carer aware' and reflecting this across service provision and in signposting carers to other sources of support.

We plan to work with health and social care partners across Berkshire West to build on our current joint commissioning of carers support. Our aim is to ensure a consistent range of services is available, particularly to improve the experiences of carers living in one local authority area who care for someone living within another local authority boundary.

Reading Borough Council's Future Plans:

- Building on our existing support to carers to ensure we meet the strengthened requirements set out in the Care Act
- Working with partners across Berkshire West to deliver a consistent offer of support for carers

Drug & Alcohol Services

Current Provision

From October 2014 there is a single integrated Drug and Alcohol treatment and recovery service across Reading. IRiS Reading (Integrating Recovering in Services) will be provided by Cranstoun.

The primary aim of the new provision will be to modernise and produce a system that is efficient, robust, cost effective and is embedded within a wider partnership across Reading. It will seek to offer a vibrant, varied and positive experience for service users, who are affected by drug and alcohol problems. It will also seek to actively engage with the diverse range of populations and communities that exist within Reading.

Areas for Development

The recovery model requires a more holistic, assets based approach that builds on the capacity available within a person, their family and their community. This approach requires close working between drugs and alcohol specific services, mainstream provision, and community and voluntary services. This includes links to peer support networks that can strengthen and support the recovery process.

While the Council has no plans for further commissioning for drug and alcohol provision, it will support the partnership working required to successfully embed IRiS in Reading.

Direct Payments

Current Provision

The Council supports service users to take greater control of the way their needs are met through Direct Payments. The Personal Budgets Support Team helps people to find out about services, decide the best options for them, and to develop their support plan.

Areas for Development

The number of service users with a direct payment has increased over recent years, and the Council aims to continue this increase. This increase should be across all client groups, so that even those with higher levels of need are supported to take greater control of their support through a Direct Payment where possible.

The Council would like to work with providers to explore how they could provide support to service users to manage their Direct Payment.

Reading Borough Council's Future Plans:

- Increasing the number of service users with Direct Payments by continuing to provide help to enable people to manage their own support
- Work with providers to support a greater number of people with higher levels of need to use Direct Payments

Home Care

Home care (also called domiciliary care) involves care workers visiting people in their own homes to give them help and support. This support can be with getting meals prepared, ensuring medication is taken, or helping people to get washed, dressed and out of or into bed.

Current Provision

85% of home care in Reading is purchased from external providers, with the remainder being provided through the Council's Intermediate Care service. Among external providers, three have over 40% of the market for Council commissioned care, and a further 14 providers share 22.5% of the market. The Council commissions home care through a Domiciliary Care Accreditation Select List (DASL).

Whilst the number of individuals in receipt of a home care package has reduced, the number of providers has doubled. Capacity is stretched, and over the 2013-14 winter period very few providers took on more clients and grew their business to respond to winter pressures. The market is also experiencing quality issues, and providers report difficulty in recruiting - suggesting the market is static in Reading.

The number of home care hours provided and the number of people receiving home care are both on a reducing trend, though the budget remains steady - so the borough is purchasing fewer packages of care, but at higher prices.

Areas for Development

Reading Borough Council is committed to the principles outlined in UNISON's Ethical Care Charter for home care services, working to establish the safety, quality and dignity of care by ensuring a certain standard of employment conditions. The Council signed the Charter in 2014, and wants our providers to do the same.

The Council's current framework for home care service ('DASL' - Domiciliary Care Accreditation Select List) is coming to an end, and work on re-tendering has begun. The list will be significantly shortened from the current 20, and the new framework will require providers to adhere to the Ethical Care Charter, including a requirement to pay staff at least the National Living Wage. Focusing our resources on fewer providers will help us to encourage these providers to develop and grow their businesses to provide good quality, and flexible services in the borough.

We will continue to explore how new technological solutions such as Telecare can give residents better care. We are planning to ensure Electronic Time Recording is used by all providers in 2015 which will give more efficient use of time, improve risk management and address the growing issues of missed calls.

Reading Borough Council's Future Plans:

- Re-tendering for the Domiciliary Care Accreditation Select List (DASL)
- Implementing the UNISON Ethical Care Charter for Home Care Services for Council-run services, and working with providers of home care services to encourage their sign-up
- Introducing Electronic Time Recording by 2015

Extra Care Housing

Extra care homes are an exciting addition to the forms of housing available for older people in Reading that provides access to support, but at a lower cost and in a way that means people retain more of their independence. This market may be of particular interest to home care providers who are looking to diversify.

Current Provision

In 2008, Reading Borough Council made a policy commitment to developing Extra Care schemes across the town, to fully develop the option of Extra Care Housing and realise the benefits of using this as an alternative to residential care. A mix of commissioned and in-house provision means there are 100 Extra Care Housing units currently in Central and West Reading.

The anticipated reduction in use of residential care in the future means that Extra Care Housing is likely to increase as an option that appeals to older people as they become frail and/or develop care and support needs. With the increasing focus on neighbourhood services for older people to complement the more traditional day care offer, the development of Extra Care also needs to be considered for its potential to contribute to meeting the needs of the wider elderly community.

Areas for Development

The Council will continue to expand the number of units of Extra Care Housing available as an alternative to residential care, to meet the 240 units that the Council had planned to deliver 2008 policy commitment. This future development will be focused on sites in South and North Reading to ensure a good provision of Extra Care Housing across the borough. This spread reflects the desire of many older people to remain close to the neighbourhood in which they currently reside in order to maintain social and support networks.

A needs analysis is planned to understand future demand and if additional Extra Care Housing is required on top of the 240 planned units. This needs analysis will be carried out in 2014-15, and the results will inform the Council's future plans and will be updated in this document.

The need for Extra Care Housing that is suitable for people with dementia has already been identified, and the Council is interested in exploring options to provide this in a specialist unit or wing of a unit.

Reading Borough Council's Future Plans:

- Continuing to increase provision of Extra Care Housing through development of further units in North Reading (on the site of the former Arthur Clark Care Home and Albert Road Day Centre) and in South Reading
- Working with providers to ensure Extra Care Housing is available that is suitable for people with dementia
- Completing a needs analysis of future demand for Extra Care Housing to inform the Council's plans for any future developments

Supported Living & Shared Lives

Like Extra Care Housing, Supported Living and Shared Lives provides an alternative to residential care. These options are particularly suitable for younger people who, where it is appropriate, can live more independently in the community with access to support at a suitable level for their needs.

Current Provision

The Council currently uses approximately 25 generic providers and 12 specialist providers, covering a range of need within Supported Living. People with learning disabilities are the largest client group at 44%, closely followed by people with mental health support needs at 37%.

The Reading Shared Lives scheme is run by the Council and offers accommodation and support in a carer's own home, either as a permanent placement or as respite (overnight or day care). In July 2014 there were 56 carers supporting 66 clients. 93% of service users are people with learning disabilities. Of the 47 service users, 23 are permanent residents and 24 used the service for respite.

The market is of good quality and sufficient for the borough's needs. Use of Supported Living and the Shared Lives scheme has increased over time and it is anticipated this will continue as we promote alternatives to residential care that enable people to live more independently in a local community.

Areas for Development

The Council is currently in the process of tendering for a Supported Living Accreditation Select List (SLASL), where a smaller number of providers will make it easier to continue to improve quality. Supported living provision should increasingly focus on maximising people's abilities and skills. The Council has a responsibility to regularly review placements and ensure providers are focused on improving outcomes for their clients.

The Council is committed to achieving continuity of support for people when they move through different stages of their lives. We would particularly like to work with providers who can support young people through to adulthood and who can continue to work with people during changes to their condition.

We will continue to develop our supported living provision for people with challenging behaviour and we want to work with and support housing providers who can help us achieve this in ways that provide cost effective and responsive support.

There is potential to develop Shared Lives to support other client groups, such as older people. This proposal needs further scoping to understand how this would work in practice.

Reading Borough Council's Future Plans:

- Completing the tender process for the Supported Living Accreditation Select List (SLASL)
- Taking a more focussed approach to improving the quality of Supported Living provision
- Developing commissioning intentions for supported living for people with learning disabilities from completing a more detailed analysis of current and future needs

Residential & Nursing Care

Care homes offer accommodation and personal care for people who may find it hard to live independently. There are two types of care home - residential care and nursing care. Nursing care homes are for people with a higher need for some medical support, which is available 24 hours a day from a qualified nurse.

Current Provision

Reading has a total of 41 registered care homes within the borough, providing both nursing and residential care. 17 provide services for older people, 20 are for people with a learning disability, and 4 are for people with mental health needs. The service provision has remained stable over the past few years, with new homes opening to replace those that close or deregister.

Reading is currently more dependent on residential and nursing care and spends a higher proportion of its budget on these service areas than some similar authorities. The Council has been working with providers to introduce services that aim to reduce the number of people needing to move to a care home. There is still a steady demand for nursing home care due to an increasing number of very frail older people who require a higher level of care.

Areas for Development

Dementia - 75% of nursing care beds for clients with dementia are held in one home. Market failure in this area is therefore a significant risk, and we are seeking to develop alternative services as a result. The Council's Quality Team is focusing on supporting quality among residential homes that specialise in dementia.

Nursing care for older people - we are reliant on a small number of providers for nursing care provision, with five nursing homes in the borough. Further needs analysis work is being undertaken around nursing care to inform our future plans, including a tender for developing nursing care at a site in Southcote.

Bariatric Care - whilst Reading does not currently have many people with bariatric needs requiring residential/nursing care, it is known that providers can lack the necessary equipment and the additional staff to adequately cater for bariatric care.

Complex Behaviour - another area of limited capacity is for people with complex behavioural needs. An increase in capacity across the West Berkshire area near Reading to meet future needs for this group would be welcomed. More broadly, a needs analysis to understand future demand for residential care for people with learning disabilities is currently underway.

Reading Borough Council's Future Plans:

- Increasing the range of provision for people with dementia and people with complex behavioural needs
- Tendering for new provision in Southcote to address the current pressure on nursing beds for over 65s and ensure provision is available that can cater for bariatric care
- Working in partnership with Health colleagues to support care homes to prevent avoidable hospital admissions
- Developing any commissioning intentions for residential care for people with learning disabilities for a needs analysis

Quality

Reading Borough Council has significantly developed its approach to quality in the last three years. The Council's Quality Monitoring Procedure sets out our approach to the performance monitoring of providers. Our aim is to work with all providers within the borough on continuous improvement, working particularly intensively with those who have fallen below the expected standards of the Council, or the Care Quality Commission. We want to work proactively with providers to identify and rectify issues before they become significant for service users.

Performance Monitoring

A risk matrix is used to help identify providers who we believe need closer monitoring and support, taking information from a variety of sources, including Safeguarding reports (see right). These are collated to inform quality discussions.

When a provider is flagged as high risk through this monitoring process, Quality Officers decide on an appropriate course of action, which might include a quality monitoring visit, support with training or service user reviews.

Safeguarding

The Council's Safeguarding team works closely with the Quality team to ensure that safeguarding incidents are flagged and are included in a provider's overall quality profile. Approximately one third of referrals are now coming from vulnerable adults themselves or family members, which suggests more vulnerable adults feel safe to disclose abuse. We have seen a reduction in complaints and our safeguarding and quality concerns are now resolved faster and investigated more thoroughly than they have been in previous years.

Using Service User Feedback

We work with providers to collect and monitor feedback from people about the services they use. It is a contractual obligation for our providers to have their own internal quality monitoring activity and that service user satisfaction is measured as part of this. When the Supported Living Accreditation Select List (SLASL) is implemented, service user feedback will be a key measure of quality and used in the annual quality assessment of providers to determine their revised quality score. A similar approach will be introduced when the Domiciliary Care Accreditation Select List (DASL) is re-tendered.

Promoting Dignity

Organisations are encouraged to sign up to Reading's Dignity Charter to demonstrate their commitment to delivering high quality care services that put the people who use their services at the heart of what they do. The Charter has 12 pledges towards dignity in care that were developed with service users, carers and providers. Care providers that sign up to the Charter are expected to maintain certain standards against these pledges and performance against the standards is monitored.

Engaging with Service Users

There are a number of ways that service users, carers and residents are involved in shaping and developing care and support services in Reading. This ranges from feedback such as comments and complaints, surveys and consultation events, and involvement in commissioning and staff interviews.

The Council supports a variety of forums and partnerships that invite the participation of member of the public from different backgrounds, age groups, abilities and disabilities. These include:

- Older People's Working Group
- Carers' Steering Group
- Physical Disability and Sensory Needs Network
- Learning Disability Partnership
- Learning Disability Carers Forum
- Bennet Road Day Services - Learning Disability Service Users Forum
- The Maples Day Services - Carers Forum
- Compass - Mental Health Forum
- Access & Disability Working Group
- Disability Strategy Group

The forums meet regularly and give people an opportunity to share their experiences of using services and to work with commissioners and providers on driving up quality or developing new provision.

In addition to these forums, an Adult Social Care User Panel spans all services and allows interested people to be involved more intensively in service developments - mystery shopping, appraising funding bids or sitting on interview panels, for example.

Providers are encouraged to promote engagement opportunities to their service users, as well as accessing the minutes and reports of the various groups that are often available on the Council's website.

It is recognised that providers will have strong understanding of the views and needs of local people, through their engagement with users while delivering their services, and the Council welcomes providers who share this feedback.

Healthwatch Reading supports people to have a stronger voice about local health and social care services. Healthwatch is an independent organisation which can view existing services, produce reports on the way services are run, and make recommendations to improve or help influence how services are set up. As a consumer champion, Healthwatch Reading have an important role in encouraging people across communities in Reading to have their say and challenge local services.

The views of service users (whether eligible for Adult Social Care funding or self-funded) on care and support is an important part of shaping the future of the local market. The range of engagement opportunities set out above has been used to gather feedback from people on priorities for care support, current experiences and gaps or areas for further development. This has informed the Council's Market Position Statement, and this will continue as the Council's work to shape the market develops.

More information about how to Get involved is available [on the Council's website](#).

Engaging with Providers

The involvement of providers in addressing local issues and gaps and strengthening links between different organisations and sectors is critical to the Council meeting its responsibilities for shaping and driving the local market. This Market Position Statement has been informed by this engagement, and we plan to continue this approach as we develop and deliver our plans for Adult Social Care.

Reading Borough Council has care provider forums, meeting quarterly, that provide an opportunity for updates on developments, discussion of issues arising and an opportunity to share experiences and ideas. There are three forums for different areas of the market - Residential and Nursing, Supported Living and Domiciliary Care.



Care & Support Conference September 2014

The Council will take a more structured approach to engaging with providers, and encouraging providers to take a more active role in supporting the delivering of the Market Position Statement and development of the local market. The newly-established Market Position Statement Reference Group will progress the more detailed work to develop the Market Position Statement and ensure it remains a useful and effective document for providers. The group will also support how we engage with providers more widely across all sectors and areas of the care and support market, such as planning for the quarterly Care and Support conferences

Providers who are interested in finding out more about any of these engagement opportunities should contact the Council's Contracts & Commissioning Team: Contracts.Team@reading.gov.uk

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF EDUCATION, ADULT & CHILDREN'S SERVICES

TO:	ADULT SOCIAL CARE, CHILDREN'S SERVICES AND EDUCATION COMMITTEE		
DATE:	6 NOVEMBER 2014	AGENDA ITEM:	15
TITLE:	CARE ACT - CONSULTATION REPORT		
LEAD COUNCILLOR:	COUNCILLOR EDEN	PORTFOLIO:	ADULT SOCIAL CARE
SERVICE:	ADULT SOCIAL CARE	WARDS:	ALL
LEAD OFFICER:	ROBERT POOLE	TEL:	0118 937 2750
JOB TITLE:	CORPORATE FINANCE BUSINESS PARTNER	E-MAIL:	Robert.poole@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1. The Care Act 2014 ("the Act") is a significant new piece of legislation that replaces many older pieces of legislation governing how Adult Social Care services operate. Over the next two years, the Act brings in some significant changes and this report sets out those changes that will affect Reading Borough Council in 2015/16 and the issues on which the Council will need to consult with residents.

1.2. The key issues that the report will address are:

- Prevention and Information & Advice
- Funding Reform (with specific reference to the following):
 - a) extending the provisions of the Council's current Choice Policy to non-residential (community based) services;
 - b) proposed changes to the Charging for Care Home Accommodation Policy (a national policy for clients placed in residential and nursing homes), including revisions to the Deferred Payments Policy;
 - c) changes proposed for short stay (respite) placements;
 - d) implications for the Council's current Fairer Charging Policy (policy that sets out how an individual may contribute to non-residential (community based) services;

- e) implications of the new power to charge for carers' services, although the Council does not propose to exercise this in 2015-16;
- f) implications of the power to charge self funders for arranging support services; and
- g) implications of discretionary administration payments for Direct Payments/

- Support for Carers

1.3 The proposed consultation issues have been identified from draft regulations ("the regulations") governing the implementation of the Care Act. Consultation proposals may need to be revised once the final Care Act regulations which were published on the 23rd October 2014 are fully reviewed.

2. RECOMMENDED ACTION

2.1 That the Adult Social Care, Children's Services and Education Committee is asked to agree the overall strategic direction set out in this report.

2.2 That the Adult Social Care, Children's Services and Education Committee is asked to approve that the following proposals be put out to public consultation:

2.2.1 That the Council adopts an updated Prevention Framework.

2.2.2 That the Council adopts a new Information & Advice Plan.

2.2.3 That the Council amends the Choice Policy to extend the provisions of the current policy to community based services.

2.2.4 That the Council considers exercising the discretionary power under Section 14 of the Care Act to charge adults for care home accommodation, in accordance with Section 17 of the Care Act and the associated regulations (Section 4.2.8). (This as a continuation of existing practice but consultation is necessary to give the Council a proper mandate to continue charging under a revised legislative framework).

2.2.5 That the Council adopts the draft policy subject to minor changes following the publication of the recent regulations, as set out at Appendix 3 on the Universal Deferred Payments Scheme and associated matters see section 4.2.9.

2.2.6 That the Council amends its policy on how charges are calculated for respite care as set out in section 4.2.10.

2.2.7 That the Council should exercise its discretion under section 14 of the Care Act to charge for community-based services and makes minor amendments to its current Fairer Charging Policy to meet the requirements of the Regulations issued under the Care Act. (This is a continuation of existing practice but consultation is necessary to give

- the Council a proper mandate to continue under a revised legislative framework) as set out in section 4.2.11.
- 2.2.8 That the Council should not exercise its power to charge carers for services provided directly to them, but that respite services are treated for charging purposes as being provided to the cared for person and not the carer (as is current practice), as set out in section 4.2.12.
 - 2.2.9 That the Council should not exercise its power to charge for prevention services. As set out in section 4.2.13.
 - 2.2.10 That the Council should offer support for self-funders by signposting to external services as set out in section 4.2.6.
 - 2.2.11 That the Council does not apply administration fees for Direct Payments as set out in section 4.2.7.
 - 2.2.12 That the Council will provide a range of support to promote carers' wellbeing.
- 2.3 That the Adult Social Care, Children's Services and Education Committee is asked to approve the matters set out herein and the launch of a formal 90-day consultation on the Council's approach to meeting its Care Act duties.
- 2.4 That the Chair of the Adult Social Care, Children's Services and Education Committee be given delegated authority, in consultation with the Lead Councillor for Adult Social Care and the Director for Education, Adult and Children's Services to approve the final consultation document based on the options set out in the report, once the final Regulations, published on 23 October 2014, have been fully reviewed.

3. POLICY CONTEXT

3.1 Prevention and Information & Advice

3.1.1 The Care Act stipulates that local authorities should adopt a prevention focus at every step along the customer pathway. This is intended to ensure that residents are supported to stay well and independent for as long as possible, thus reducing the need for statutory care services, including delaying that need or preventing it altogether. This preventative approach is to be applied to all residents with care and support needs, whether or not eligible for statutory care, so that support to prevent health deterioration is accessible to everyone.

3.1.2 The current portfolio of prevention services delivered by the Council and partners is intended to deliver the outcomes set out in the Council's 2011 Prevention Framework. This Framework needs to be refreshed to highlight revised priorities in the light of the new legislative underpinning and also current service user, carer and local resident feedback. Locally, there is also an increasing emphasis on neighbourhood working, and this too needs to

be included in the Council's updated statement of intent on preventative approaches.

- 3.1.3 The provision of Information & Advice is given a new focus within the Care Act both in terms of the breadth of information to be covered and also the expectation that there is a comprehensive multi-channel offer. There is an expectation that the Council's approach to Information & Advice is co-produced with key stakeholders and this report sets out the activity on this to date in the form of a draft strategy to be put out to wider consultation.

3.2 Funding Reform

- 3.2.1 Care and support provided by Adult Social Care are not free services at the point of delivery in the way that NHS healthcare is. Whilst some types of care and support are provided free (for instance, information and advice), many services are potentially chargeable. The Council will, however, only ask a client to contribute towards their care if they can afford to. Sometimes the person will pay the full cost, or sometimes the cost will be shared between the person and the Council.

- 3.2.2 To determine what a person can afford to pay, the Council will carry out a financial assessment. The Council will consider the person's income, and any assets they own, like investments or in some circumstances a house. The Council will then calculate how much the person can afford to pay towards their care and support costs.

- 3.2.3 The Care Act allows the Council to continue to operate a charging system and this report provides an overview of the requirements of Part 1 of the Act in respect of charging and financial assessment for care and support services provided to adults, for those parts of the Act that come into effect on 1 April 2015.

- 3.2.4 This report highlights the key aspects of the Care and Support (Charging and Assessment of Resources) Regulations 2014 and associated guidance where there is local discretion so that local policy needs to be adopted formally.

3.3 Carer Support

- 3.3.1 The Care Act introduces new rights for carers so that more carers will qualify for a carer's assessment, and carers who are eligible for statutory support become entitled to receive services in their own right (instead of or alongside their needs being recognised in the care package put in place for those being cared for). These rights are intended to give carers parity of esteem with those they care for. Both adult carers of children with additional support needs and also young carers acquire similar new rights under the Children and Families Act 2014 - to come into force at the same time as the Care Act.

- 3.3.2 Initial modelling suggests that the number of carers formally known to the local authority could increase substantially from 2015/16. The true impact of the legislative changes on volumes will not actually be known, however, for some months. A prudent approach would therefore be to set policy on carer support for 2015/16 but subject to review for subsequent years.
- 3.3.3 The local authority has the power under the Care Act to charge for carer services. Charging for any service can discourage take-up, however, and supporting carers to carry on caring (including being able to enjoy a life outside caring) is a key component of a preventative approach to care and support. It also makes financial sense for statutory care services to encourage carers to access support given the value of the contribution which carers make. The proposed approach to carer charging is therefore not to charge for services provided directly to carers, but to continue to treat respite care as a service provided to the cared-for.
- 3.3.4 As for people with support needs, the local authority is expected to take a preventative approach to supporting carers' wellbeing. The Council's carer offer therefore needs to cover a range of services and access points. Seeking carer feedback on priorities, gaps in current provision and approaches to assessments would all help to inform the Council's carer offer from April 2015.

4. THE PROPOSAL

4.1 Prevention and Information & Advice

4.1.1 The current prevention offer in Reading has evolved as a result of service user demand and focused Council and provider initiatives resulting in some excellent service provision. However the Care Act puts greater emphasis on prevention and greater expectations on the Council and its partners to facilitate access to services in the market. As a result the Council proposes to refresh its priorities for prevention in consultation with service users, carers and partners - particularly those from the voluntary and community sector who are key providers in this area. This will shape an updated Prevention Framework, a new Information & Advice Plan and a revised set of grant allocation priorities.

4.1.2 The proposed funding priorities on which feedback is being sought are:

- Ensuring people can access information about care
- Help to navigate care and support services
- Independent advocacy
- Self-advocacy
- Connecting more carers to support
- Empower carers to have choices and to manage their caring role
- Support carers to take breaks from caring

- Reducing the impact of illness
- Supporting independent living
- Community services
- Strengthening community connections

4.2 Funding Reform

4.2.1 The current legal framework for charging for care and support is split between different Acts and Regulations depending on whether services are provided in a registered care home setting or to adults in the community. (Full detail of this issue is set out in Appendix 1).

4.2.2 The current charging framework is as follows:

- Charging for Care Home Accommodation - for adults receiving care and support in a registered care home, the current National Assistance Act (1948) gives local authorities the duty to charge the adult for this subject to the resident's means.
- Charging for temporary stays in care homes (e.g. respite) - in the case of temporary stays in a care home (for example, for respite care), the Charging for Residential Accommodation Guide (CRAG) gives local authorities the discretion to charge an amount that is deemed by the authority as 'reasonable' for up to the first 8 weeks of care, without the need for a full financial assessment under CRAG. Reading Borough Council applies a 'standard minimum charge' for the first 4 weeks of a temporary stay in a care home without the need for a full financial assessment.
- Charging for care and support provided in the community (i.e. non-residential) - for adults receiving care and support in the community (for example, in their own homes, or in supported living or shared lives settings), local authorities have a discretionary power to charge adult recipients of these non-residential services. Reading Borough Council developed and implemented a local 'Fairer Charging Policy' which was agreed by elected members in 2003, with revisions agreed by elected members in 2007 and 2010. Reading Borough Council's Fairer Charging Policy is consistent with the national Fairer Charging and Fairer Contributions guidance.
- Carers - while the national Fairer Charging Guidance gave local authorities discretion to charge carers under Fairer Charging Policies for services provided to carers, many local authorities, including Reading Borough Council, chose not to financially assess carers, or levy charges on carers, when designing the local Fairer Charging Policy.
- Services Provided Free - in line with the Fairer Charging Guidance, Reading Borough Council provides care and support free in the following situations:
 - Re-ablement services (Intermediate Care) - free for up to 6 weeks
 - Community equipment and minor adaptations

- Services to sufferers of CJD
- Services to adults as part of Aftercare support under S117 of the Mental Health Act 1983

4.2.3 The current legal framework for charging and financial assessment will be repealed and replaced by the Care Act 2014. This will require Reading Borough Council to review its current policies and consult upon a revised Charging Framework in accordance with the Care Act 2014 and associated regulations. The following section sets out the issues to be considered and options for the Council.

4.2.4 In drafting the Choice and Charging Framework, the Council is required to consider the following principles:

- To ensure that people are not charged more than it is reasonably practicable for them to pay;
- To reduce variation in the way people are assessed and charged
- To be clear and transparent, so people know what they will be Charged;
- To promote wellbeing and social inclusion, and support personalisation, independence, choice and control;
- Support carers to look after their own health and wellbeing and to care effectively and safely;
- Be person-focused;
- Apply charging rules consistently, so as to minimise anomalies between different care settings;
- Encourage people to stay in or take up employment/training opportunities or plan for future costs of meeting needs to do so;
- Be sustainable; and
- To ensure that where an adult chooses to be provided with accommodation that entails additional costs, that the Council is satisfied that a person is willing and able to pay the additional cost of that preferred accommodation for the period that the Council expects to meet the needs in that accommodation.

4.2.5 Choice Policy

The Council's existing Choice Policy exists to meet legislation¹ around enabling people to choose more expensive care home accommodation where certain conditions are met. For example, a person choosing a particular care home that costs more than the Council would usually expect to pay to meet the needs of that individual, where that person has declined other accommodation within the usual price, and has identified another person (a Third Party) who is willing and able to pay the additional cost (a 'Top Up').

¹ National Assistance Act 1948 (Choice of Accommodation) Directions 1992, and subsequent guidance 2004

This policy needs to be amended to reflect the additional types of accommodation to be covered by the Care and Support and Aftercare (Choice of Accommodation) Regulations 2014; specifically, people choosing more expensive Shared Lives scheme accommodation or Supported Living accommodation.

It is proposed that the current method by which the Council ensures a Third Party is willing and able to pay the identified additional costs of preferred care home accommodation is extended to the additional accommodation types specified in the new Regulations.

4.2.6 Cost of supporting Clients that are self-funding with contracting of services

The Care Act² enables self funders to ask the Council to arrange their care on their behalf however the duty to do this has been deferred until April 2016 in the new statutory regulations.

From April 2015 the Council may choose to respond to requests but has no obligation to do so. However if the Council does decide to arrange contracts for self funders, then the Council would not be able to charge an admin fee for the arrangements (as the Council would be making the arrangements through a power and not a duty).

The Council's proposed approach for 2015/16 would be to signpost self funders to a third party provider of support with contracting for care services with the charge being met by the self funder directly. Financial and volume modelling would be undertaken during 2015/16 to inform decisions about arrangements from 2016/17.

4.2.7 Discretion to pay an administration fee for managing a Direct Payment for a family member.

The Care Act³ gives councils a discretionary power to pay a close family member living in the same household a proportion of the client's Direct Payment to provide management and/or administrative support to the Direct Payment recipient. This is not something the Council would pay to a family member currently.

It is proposed to consult on the Council's offer to carers, which in future will include support offered to carers in their own right, and the right to an assessment and then support plan if they have eligible needs to enable them to continue in their caring role. In light of this support being offered and

² Annex A (41) of the Care Act statutory guidance

³ Section 12 of the Care Act Statutory Guidance 12.36

the additional financial pressures which paying a DP admin fee would incur, the proposal would be not to exercise this discretion.

4.2.8 Charging for Care Home Accommodation

A major change which the Care Act brings is that with the repeal of the National Assistance Act 'duty' to charge for care provided in registered care home accommodation, the Council needs a mandate to exercise the discretionary power to charge. This is set out under Sections 14 and 17 of the Care Act and associated Regulations. Subject to consultation, the Council would be able to put in place a policy to enable it to continue to assess and collect income towards the cost of providing the care and support to adults in registered care homes, as it does currently. It would not be feasible to change this as clients currently contribute around £3.9m per annum towards these costs. The Council does not have the resources to fund this loss of contributions (and will continue to use the guidance set out nationally in assessing individuals).

4.2.9 Universal Deferred Payments Scheme

Under the new regulations, a new national 'Universal Deferred Payments Scheme' is being brought in for those adults whose capital is below the upper capital limits except for ownership (or part ownership) of a property that was occupied as a former home. The Council already delivers this service and the differences between the existing scheme and the new statutory scheme are set out in Appendix 2.

Attached to this report is a draft Deferred and Interim Payments Policy (Appendix 3) that deals with these issues, plus associated matters (listed below), i.e.:

- The 12 week property disregard
- Interim Funding
- Discretionary disregard of property
- Interest to be charged on the deferred payment and administration costs

Within the draft Policy the other two major changes are:

- That the Council will extend the deferred payments scheme to Extra Care Housing, but only in exceptional circumstances.
- That the Council will extend the policy to allow a Third Party Guarantor to be accepted for a short and specific period of time (for example when a self-funder lacks capacity and interim funding is required from the Council).

4.2.10 Charging for temporary stays in Care Homes (for example respite

care)

Where a council exercises its discretion to charge adults for care and support in a registered care home, the Care Act still enables Councils to exercise discretion over whether to carry out a financial assessment during the first 8 weeks of a temporary stay in a care home, or whether to apply a charge as appears 'reasonable' to the council without a financial assessment. This could include applying a Council charging policy for care and support outside of a care home. It is proposed that Reading Borough Council consults on whether to:

- a) Continue to apply a 'standard minimum charge' (as described in 4.2 above) for the first 4 weeks of a temporary stay in a care home, without a full financial assessment. In the new regulations this would be referred to as a 'light touch' financial assessment, applied on the basis that the amount of the charge is nominal and a subsidised amount.
- b) Apply a 'standard minimum charge' for a different length of time of a temporary stay in a care home, without financial assessment, but no longer than 8 weeks.
- c) Apply the individual's financially-assessed charge (if any) from their non-residential (Fairer Charging) financial assessment for up to the first 8 weeks of a temporary stay in a care home.

The current approach (a) to charge a 'standard minimum charge' for respite / temporary stays in care homes for the first 4 weeks allows the Council to collect a standard income during this period, without the cost of carrying out a full financial assessment. However, there are some administrative costs involved in identifying the different charge rates for adults who receive both services in the community (charged under the Fairer Charging policy) and some temporary/respite stays in care homes (with a standard minimum charge).

Option (b) would give the Council the option to vary the length of time before carrying out a full financial assessment under the regulations for residential accommodation (making it shorter or longer, with potential impact on administrative costs of collecting financial information and carrying out an assessment of potential impact on income).

Option (c) would give the Council the option to apply a different financially-assessed charge based on its non-residential policy. On current information, approximately one-third of adults receiving care and support are assessed as entitled to receive free care and support based on their financial assessment for non-residential care. Again on current information, some adults who are assessed as eligible to receive a Personal Budget to meet their care and support needs decline an ongoing weekly Personal Budget due to their daily needs being met by a willing and able carer. However, these people choose to use the 'respite' allocation of their Personal Budget only, in order to

access respite in a care home at a standard minimum rate to allow their carer to have a break.

Recommendation - It is proposed that any consideration of charging for temporary stays in care homes should be considered alongside proposals in respect of charging for support to carers, to ensure a consistent approach to support and charging for carers (see 4.2.8). Therefore the proposal would be:

- That for any client receiving a personal budget, respite is charged as under Fairer Charging (Option c).
- That for any client who is eligible for a personal budget but declines this and only seeks residential respite to ensure a carer can take a break, that that client continues to be charged under existing arrangements (Option a).

Appendix 4 provides scenarios to explain this.

4.2.11 Charging Adults receiving care and support in the community (including supported living and shared lives arrangements)

As with the current Fairer Charging Guidance, the Care Act 2014 and associated regulations and guidance set out minimum requirements that a local charging policy for non-residential care and support must adhere to. It is proposed that the Council considers exercising the discretionary power under Section 14 of the Care Act to charge for care and support services provided to adults with care and support needs, to enable the continuation of financial assessment, benefits advice, and collection of income through charging in order to maintain the financial sustainability of non-residential services. It is unclear currently how couples are to be treated around non-residential charging, however, so the current Fairer Charging Policy will need to be checked against the final Regulations on this point.

4.2.12 Charging adult carers for support provided

As the Care Act 2014 brings in, for the first time, a legal duty to provide services for those Carers with eligible needs to be met, it is recommended by the Department of Health that the Council considers and consults on options for charging for carers' services.

Where care and support services are provided directly to an adult with the care needs as a result of their carer's eligible needs, the care and support provided directly to that individual must not be charged to the carer, but to the individual receiving the care. In those cases, the financial assessment policy for non-residential charging would apply to that individual (see 4.2.10 and 4.2.11 above).

However, there may be services provided directly to the carer that the Council is providing/arranging. The Council may need to consider the interaction between any policy for charging carers, and the policies for charging for services provided directly to the adult with the care needs (for example, levels of charges for temporary/respite stays in a care home versus charges for personal care and support at home), to balance the financial sustainability of providing carer services while promoting the health and wellbeing of carers. The regulations and guidance that accompany the Care Act suggest consideration of a 'light touch' financial assessment for carers, rather than a full financial assessment.

It is recommended that the policy of the Council be that carers are not charged for services provided to them by the Council but that respite services continue to be treated as being provided for the cared for person and not the carer.

There is a risk of confusion over who is actually receiving a service, e.g. domiciliary care to support a household in which the carer has both caring responsibilities and general domestic responsibilities. The proposed policy would commit the Council to funding services like this on occasion even when the carer concerned could afford the charge.

4.2.13 Charging for preventative services

Regulation 2 of the Preventing Needs for Care and Support Regulations under the Care Act enables a local authority to make a charge for preventative services.

The proposal and message for consultation would be to not exercise this discretion in 2015/16, subject to review for 2016/17 as the Council fully understands the benefits of people having access to preventative services and supporting people to be as independent as possible.

4.2.14 Services provided free

The services listed in 4.2.2 which are provided free under current legislation will continue to be provided free under the new Regulations.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 This proposal supports the Council in complying with its obligations as set out in the Care Act 2014.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 Section 138 of the Local Government and Public Involvement in Health Act 2007 places a duty on local authorities to involve local representatives when carrying out "any of its functions" by providing information, consulting or "involving in another way".
- 6.2 As set out in Section 4 of this report the proposal is that consultation is undertaken to influence the proposal. A full consultation plan will be drawn up for all the Care Act implications.

7. EQUALITY IMPACT ASSESSMENT

7.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:-

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 Conducting a public consultation on the proposed approaches described in this report would support the development of Equality Impact Assessments (EIAs) where relevant to inform Members' final decisions on the proposals. Implementing the Care Act will or could have a differential impact on some 'protected' groups as defined by the Equality Act, particularly people with disabilities, and people due to their age, and those 'associated with' protected groups, i.e. carers.

8. LEGAL IMPLICATIONS

8.1 The Care Act 2014 brings in a new charging framework for care and support. The current legal framework will be repealed and many parts of the Care Act 2014 and associated regulations will come into force from 1 April 2015.

8.2 Section 14 of the Care Act 2014 gives local authorities the power to charge for care and support provided to adults.

8.3 Where local authorities exercise their discretion under Section 14 of the Care Act to charge adults for care and support services provided, Section 17 of the Act specifies the duty to carry out a financial assessment of the adult's ability to pay for those services provided to them. The Care and Support (Charging and Assessment of Resources) Regulations 2014 and guidance on Charging and Financial Assessment should be adhered to when developing charging policies.

- 8.4 The Care Act brings in a carer's legal right to both assessment and support to meet eligible needs.
- 8.5 The current charging legislation will be repealed and the Care Act 2014 comes into effect from 1 April 2015 (with implementation of the care funding changes to come in from 1 April 2016). The Care Act and supporting regulations will replace the current legislation with a single legal framework for charging and financial assessment.
- 8.6 While the intention behind the new regulations is to enable local authorities to continue with broadly similar charging policies and principles as now, local authorities need to review the operation of the local charging framework to check it is consistent with the provisions in the draft regulations and guidance. Where the proposed local approaches are a matter of discretion under the Care Act 2014 and associated regulations, local authorities are required to plan, develop and consult on a new charging framework in accordance with the Care Act 2014 and the regulations, ensuring that in exercising any discretion to charge for services, policies are drafted in accordance with the regulations and guidance⁴.
- 8.7 Sections 14 and 17 of the Care Act allow local authorities to recharge costs of arranging services for those adults who have (or are deemed to have) capital resources above the upper capital limit⁵ and who request the local authority to make the care and support arrangements on their behalf. This aspect is outside the scope of this report.

9. FINANCIAL IMPLICATIONS

9.1 Revenue Implications

- 9.1.1 As identified in the report the Care Act potentially has significant income implications for the Council. Currently, the Council is expecting to collect significant client contributions from Residential and Non-Residential services which it would not be able to cover due to the current significant financial pressures if it was unable to charge clients for these services.

9.2 Capital Implications

- 9.2.1 There are no capital implications contained in this report.

⁴ Final version of the Care and Support (Charging and Assessment of Resources) Regulations 2014 are expected to be published in October 2014.

⁵ The Upper Capital Limit is a limit set in the Regulations above which an adult is deemed as able to meet the full cost of their care and support.

9.3 Risks

9.3.1 The Care Act has significant service delivery implications that are not covered in this report. However, part of the mitigation of these risks is to ensure that the Council has sound and robust charging policies in place to support its Carer Act implementation programme.

Appendix 1

The current legal framework for charging for Care and Support is split between different legislation depending on whether services are provided in a registered Care Home setting or provided to adults in the community.

a) Charging for Care Home Accommodation (current):

For adults receiving care and support in a registered Care Home, the current National Assistance Act (1948) gives Local Authorities the Duty to charge the adult for this subject to a means test. The rules for charging and financial assessment for this type of accommodation are determined by the National Assistance (Assessment of Resources) Regulations 1992 (SI 1992/2977) and the Charging for Residential Accommodation Guide (CRAG) issued by the Department of Health under Section 7(1) of the Local Authority Social Services Act 1970. This includes guidelines on arranging and managing the Council's Deferred Payments Scheme.

b) Charging for temporary stays in care homes (e.g. respite) In the case of temporary stays in a care home (for example, for respite care), CRAG gives Local Authorities the discretion to charge an amount that is deemed by the authority as 'reasonable' for up to the first 8 weeks of care, without the need for a full financial assessment under CRAG. Reading Borough Council applies a 'standard minimum charge' for the first 4 weeks of a temporary stay in a care home without the need for a full financial assessment. The standard minimum charge is calculated in line with minimum state benefit income rates each April in order to ensure adults are not charged more than they could reasonably afford, for up to 4 weeks during a year. This allows for both planned and emergency respite to be financially accessible (for at least 4 weeks) and saves administration costs of carrying out full financial assessments for short temporary stays in care homes.

c) Charging for Care and Support provided in the community (i.e. non-residential):

For adults receiving care and support in the community (for example, in their own homes, or in supported living or shared lives settings), Section 17 of the current Health and Social Services and Social Security Adjudications Act 1983 (HASSASSA Act 1983) gives Local Authorities a discretionary power to charge adult recipients of non-residential services. Where this power is exercised, Local Authorities must follow the principles of the 'Fairer Charging Policies for Home Care and other non-residential Social Services Guidance for Councils with Social Services responsibilities' and 'Fairer Contributions Guidance 2010', both issued under Section 7 of the Local Authority Social Services Act 1970. Reading Borough Council developed and implemented a local 'Fairer Charging Policy' which was agreed by elected members in 2003, with revisions agreed by elected members in 2007 and 2010. Reading Borough Council's Fairer Charging Policy is consistent with the national Fairer Charging and Fairer Contributions guidance, applying the minimum Fairer Charging basic living allowances (as defined in the Fairer Charging Guidance) and allowances for mortgage/rent and Council Tax. Additionally, in order to further protect adults' income, Reading Borough Council also takes into account other housing costs such as home insurance, buildings insurance, life insurance (linked to mortgage), and disregards 10% of disability benefit income such as Attendance Allowance and Disability Living Allowance Care Component. Reading Borough Council considers any extra expenses due to disability in all assessments (not just for those people receiving a disability benefit) and carries out an

assessment of disability-related expenses using the examples given in the Fairer Charging Guidance. Where adults have capital or savings above the upper capital limit set in CRAG each year, those adults are charged full cost for their services⁶.

d) Carers - while the national Fairer Charging Guidance gave Local Authorities discretion to charge carers under Fairer Charging Policies for services provided to carers, many local authorities, including Reading Borough Council, chose not to financially assess Carers or levy charges on carers, when designing the local Fairer Charging Policy.

e) Choice of Accommodation and Top Up Payments:

Following the Local Authority Circular LAC(2004)20 which provided revised guidance on The National Assistance Act 1948 (Choice of Accommodation) Directions 1992, Reading Borough Council developed a Choice Policy, whereby adults wishing to move to a care home placement that was more expensive than the Council would usually expect to pay for that type of accommodation, despite there being a suitable vacancy at the Council's usual rate, may choose the higher cost place subject to certain conditions, including having either identified a Third Party who is willing and able to meet the additional cost, or themselves having a property and either accessing the 12-week property disregard or the Deferred Payments Scheme and having disregarded capital that they can afford to pay the top-up from. On completion of a satisfactory 'light touch' financial assessment of the third party that evidences ability to pay the top up, and a payment commitment in writing from the Third Party, a Third Party Top up is set up.

f) Services Provided Free in line with the Fairer Charging Guidance, Reading Borough Council provides care and support free in the following situations:

- Reablement services (Intermediate Care) - free for up to 6 weeks
- Community equipment and minor adaptations
- Sufferers of CJD
- Adults receiving services as part of an Aftercare Order through S117 of the Mental Health Act 1983

⁶ Some adults who were in receipt of services at the last revision of the Fairer Charging Policy continue to have their full cost charges phased in.

Appendix 2

A comparison between the existing Deferred Payment (DP) Scheme operated by Reading Borough Council and the new universal Deferred Payment Agreement is provided in the table below.

Current RBC policy	New Universal Deferred Payment Agreement (DPA)	Identification of changes and comments
DP can only be offered on registered properties		
DP can only be offered where someone has the legal power to agree (the person, their Power of Attorney or their Court Appointed Deputy		
DP cannot be offered if there are joint owners who will not agree to a legal charge.		
	No DPA can be offered when LA is unable to secure a charge	This in essence matches the first three points on the current RBC policy
	No DPA can be offered when the person wants a larger amount than they can provide security for	In effect this represents no change but makes it explicit
	No DPA can be offered if the property is uninsurable	In effect this is no change as the current agreement stipulates the property must be insured
A person may apply for a DP if their needs have been assessed as appropriately met in a care home.	A person may apply for a DPA if their needs have been assessed as appropriately met in a care home.	No change
DP can be offered to a person with a property who has insufficient income and other assets to meet the full cost of their care	Person has less than £23,250 in other assets	No change but capital limit set to increase in 2016/17
The person can fund their own top up from the property value, subject to an assessment of affordability	The person can use wealth tied up in their home to fund reasonable top-ups	No change

Applications are passed to Head of Service for approval Reasons for non-approval must be given		A process needs to be determined to formally record DPAs being agreed
Preference is given to applicants planning to sell their property, due to impact on Council cash flow	There is no provision for giving priority to those actively trying to sell	This represents a change to the current policy, in that if the person meets the criteria we must give them DPA
	LA is encouraged to offer DPA more widely to anyone they feel would benefit but do not fully meet the criteria	This is an extension to allow the LA to consider people who might not otherwise qualify
Formal valuations are not required unless there is reason to think the approximate value supplied is not correct	The LA must secure a formal valuation to establish the equity in the property	This represents a new responsibility for the LA
	From this valuation the LA must set an upper limit on the amount to be borrowed under DPA (the equity limit)	It is expected the Department of Health will prescribe a formula to calculate the equity limit, and officers need to calculate the maximum loan available from this
	When deciding on the DPA both the LA and the person should consider the sustainability of the arrangement This includes looking at: <ul style="list-style-type: none"> ➤ Likely period of the DPA ➤ The equity available ➤ Sustainability of contribution from savings ➤ Flexibility to meet future needs ➤ The period of time the person would be able to defer weekly costs 	This is a new task to be formally carried out by the LA
	The amount deferred should be reviewed on an	This is a new task to be formally carried out for all

	annual basis and checked against the upper limit as determined by the equity limit calculation	DPAs, previously this was done on ad-hoc basis when it appeared the deferred debt was bringing the person down to the capital limit
	Regular updates should be provided by the LA on fees deferred, interest and administration charges accrued, the total amount due and the equity left in the home	This is a new task to be carried out by the LA
	The LA can periodically reassess the value of the chosen security and adjust the equity limit and maximum loan accordingly	This is a new power which also brings a new task as the revised equity limit and loan amount will need to be communicated and used to amend the statement
The property must be adequately maintained and insured	We must tell the person if we intend to place conditions on how the property is maintained while the DPA is in place	
Interest is not charged during the person's lifetime and only starts to be charged from 56 days after the person's death	<p>Interest can be charged from the start at a rate no more than prescribed by the Department of Health</p> <p>The person must be informed before the agreement is made if interest will be charged</p> <p>Interest can continue to be charged after the upper limit (the maximum loan amount) has been reached and after death, up to the date the debt is cleared</p>	<p>This is a new power which needs the Council to decide whether to charge interest and if so at what rate</p> <p>Any decision to charge interest will affect the amount the Council can recover but will also have resource implications as interest charges may be reviewed regularly by the Department of Health and will need to be calculated regularly</p> <p>The decision will also need to determine the frequency of calculating interest⁷</p>

⁷ Current information suggests the final regulations will state that where interest is applied, it is to be compound interest. It is expected that a maximum interest rate will be set by the Dept of Health and that the maximum rate will be reviewed every 6 months.

<p>There is no admin charge but there is a charge which covers the cost of the legal charge at Land Registry</p>	<p>The LA can charge admin costs</p> <p>These must be set at a reasonable level, reflecting actual costs</p> <p>They can include:</p> <ul style="list-style-type: none"> ➤ Land Registry charges ➤ Postage, printing and phone calls ➤ Employment costs of those providing the service ➤ Costs of valuation and revaluation ➤ Costs of removal of charges ➤ Overheads 	<p>This is a new power which needs the Council to decide whether to charge admin costs</p> <p>This could allow the Council to fund the extra costs associated</p> <p>Any such costs must be publicly available</p>
<p>Failure to pay the contribution assessed from income and savings for 3 months may lead to termination of the Deferred Payment</p>		<p>There appears to be no equivalent sanction available under DPA</p>
<p>A contribution from income is calculated to be paid during the period of the DP</p> <p>This is the same as for any other CRAG client, allowing the standard weekly personal allowance plus costs associated with insurance and protection of the property</p>	<p>The LA may require a contribution from income but must not leave them with less than the disposable income allowance</p> <p>For a DPA this is £144 per week. The person may choose to contribute more</p>	<p>This represents a much higher weekly allowance than those without property</p> <p>It also means that the Council will collect less income during the period of the DPA and that the maximum value referred to above will be reached much more quickly than under the current policy</p>
<p>When it is clear the deferred payment amount owing has brought the net equity down to capital limits, the Council reassesses the financial assessment and contacts the person</p>	<p>The LA can give 30 days notice of ending the DPA, but needs to identify how their care costs can be met in future</p> <p>The examples given of when we can do this relate only to the DPA no</p>	<p>There is no provision in the draft guidance for termination in the event the person breaks the agreement by not paying their income contribution or not maintaining the property.</p>

	longer being appropriate because the person has reached their upper limit or a statutory disregard is now in place	
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Appendix 3 - DRAFT Property Issues Policy

READING BOROUGH COUNCIL
HOUSING & COMMUNITY CARE

PROPERTY MATTERS

POLICIES & PROCEDURES

DRAFT – AWAITING FULL REVIEW OF REGULATIONS

CONTENTS

Chapter 1. 12 Week Property Disregard

Chapter 2. Deferred Payment Agreements

Chapter 3. Interim Funding

Chapter 4. Discretionary Disregard of Property

Chapter 5. Abbreviations and Definitions

CHAPTER 1 - 12 WEEK PROPERTY DISREGARD

Contents:

1. Introduction
2. Application of the Property Disregard
3. Financial Contribution During the Period of the Disregard
4. The Effect on Disability Benefits

1. Introduction

- 1.1 The 12 week property disregard is a policy applying to people going into a care home for the first time, who, as a result of the ownership of their own home, are responsible for the full cost of their placement. It also applies to someone whose property was subject to either a statutory property disregard or a discretionary disregard but, due to a change of circumstances, now finds themselves responsible for the full cost. The purpose of the policy is to provide a breathing space to allow a long-term decision about the property to be made.

2. Application of the Property Disregard

- 2.1 When a person is admitted to a care home on a permanent basis, or when the person has been in the care home on a respite basis and their placement is made permanent, their financial interest in their property will be disregarded in the assessment of their financial contribution for the first 12 weeks. This mandatory disregard only applies to the service user's sole or main residence. It does not apply to any other property or land.
- 2.2 The disregard will also apply if the property, or the service user's beneficial interest in property, has been subject to a statutory disregard or a discretionary disregard and that disregard comes to an end. This could be due to the person for whom the disregard was given going into a care home, moving house or dying. In this event the property will be disregarded for the 12 weeks from the date that the previous statutory disregard applied.
- 2.3 If the person has more than the upper capital limit at the start of their placement in a care home it is deemed that they have the opportunity to make decisions about what to do with their property during the period they are able to fund themselves, unless this is less than 12 weeks. In this event they will be entitled to the remaining period of the 12 weeks from the start of their placement.

3. Financial Contribution During the Period of the Disregard

- 3.1 A financial contribution will be calculated in accordance with the provisions of the Council's Residential Charging Policy for the whole of the period of the property disregard.
- 3.2 This contribution will be based on all of the service user's financial circumstances excluding the value of the property disregarded. This will take account of their income and any savings or assets above the lower capital limit and leave the resident with a disposable income allowance.
- 3.3 This contribution is due for settlement at the time the invoices are raised.

4. The Effect on Disability Benefits

- 4.1 Disability benefits, in this case, covers Attendance Allowance, Disability Living Allowance (Care Component) and Personal Independence Payment (Daily Living Component).
- 4.2 These benefits continue to be payable to the service user for the first four weeks after being in a care environment. This includes hospital and care home. They cease to be payable after that period.
- 4.3 At the end of the property disregard period, provided the service user becomes responsible for the full cost, they are entitled to have their disability benefit restarted.

CHAPTER 2 - DEFERRED PAYMENT AGREEMENT

Contents:

1. Introduction
2. Background
3. Eligibility Criteria
4. Information for Service Users
5. The Application Process
6. Specific Property Issues
7. The Deferred Payment Agreement in Practice
8. Renting Out Property
9. Persons Lacking Capacity
10. Conditions Placed on Deferred Payment Agreements
11. Interest and Administration Charges
12. Annual Statements
13. Settlement of the Deferred Debt
14. Default Provisions
15. Appeals

1. Introduction

- 1.1 This document details the way in which the Council will apply the Deferred Payment Agreement scheme as established by the Care Act 2014 sections 34 - 36.
- 1.2 Deferred Payments is a scheme which is available to someone entering a care home on a permanent basis (i.e. their care has been assessed as best met in a care home) and who, because they own their own home or have a beneficial

interest in that home, is responsible for meeting the total cost of the placement.

- 1.3 Deferred Payments is not available to someone entering a care home on a permanent basis and who owns their own home but who has savings or other assets above the upper capital limit. In this case the person is considered able to fund their own placement without the need to involve the Council.
- 1.4 There is however a possible exception if the person's savings are only marginally above the upper capital limit. In this event the Council can, at its discretion, agree to a DPA.

2. Background

- 2.1 The Council's residential charging policy applies to all clients wishing to enter a deferred payment agreement.
- 2.2 The Care Act 2014 requires local authorities to operate a Deferred Payment Agreement (DPA) to allow people to defer the sale of their home where it is needed to fund care home fees.
- 2.3 A Legal Charge is registered against a property when someone other than the registered owner wants to have it legally acknowledged that they have a financial interest in the property. The Legal Charge in favour of the Council would need to be repaid on completion of the sale of the property so the Council can then arrange removal of the Legal Charge.
- 2.4 In each case where the Council agrees to a DPA, a suitable form of security will be required for the period of the service user's placement or until the sale of the property. The preferred option is for this to be a Legal Charge against the property. However alternative forms of security can be considered, including a solicitor's undertaking, a third party guarantor or assigning the proceeds of a suitable financial product, for example one or more life insurance policies.
- 2.5 If the DPA is to be secured by way of a Legal Charge and the property is jointly owned then all registered owners must confirm in writing their agreement to registration of the Legal Charge against the property, prior to the Council considering the application.
- 2.6 The Council has discretion over whether the DPA applies to any additional care fees (top-ups) arising through the resident's choice of accommodation.

3. Eligibility Criteria

- 3.1 The Deferred Payment Agreement can only be secured by way of a Legal Charge against the property if the property is correctly registered with Land Registry. Unless an alternative, acceptable form of security is being provided, then DPA cannot be offered if:
 - The property is unregistered;

- The property is registered but one or more registered party is unwilling or unable to give a legal agreement, e.g. because they have died intestate or because they no longer have mental capacity;
- The property is a mobile home where it is the land that is registered and not the mobile home; and
- The property is leasehold and restrictions in the lease prevent the Council from registering a legal charge.

3.2 The service user may apply to the Council for a DPA provided that:

- The individual has been assessed under the Care Act 2014 as having eligible needs that are appropriately met by placement within a registered care home;
- The service user is responsible for full fees (i.e. has capital of over capital limits) under the Council's residential charging policy;
- The service user has insufficient income and other assets, other than the value of their house or flat, to meet the full costs of their care;
- The service user does not wish to sell the property immediately or wishes to sell it but is unable to do so quickly enough to meet the full cost of their care;
- The service user owns a property, either all or part; and
- The value of the property is sufficient, together with other income and assets, to meet the criteria for self-funding and there is either no outstanding mortgage, OR there is a mortgage but the outstanding amount leaves sufficient value to meet the criteria for self-funding and the service user has sufficient resources to meet the mortgage payments as they fall due.

4. Information for Service Users

- 4.1 Local authorities are required to ensure that people who are considering entering residential/nursing home care are made aware of the DPA scheme.
- 4.2 This information will include details of interest charges and administration costs.
- 4.3 The information provided will also advise in general terms what alternative types of security will be accepted and any conditions likely to be attached.
- 4.4 Details can be found in the booklets "Meeting Your Care Home Costs" and "Property Issues" which Care Managers should issue to service users and/or their representatives.
- 4.5 People wishing to take advantage of the scheme should be advised to seek independent financial and legal advice, as stated in the leaflet on Property Issues.
- 4.6 The Council will also provide details of alternative types of security, other than a legal charge, which would be acceptable and the conditions attached to each alternative type of security.

- 4.7 The information will also provide an overview of the advantages and disadvantages of the DPA.

5. The Application Process

- 5.1 The Care Manager will check with the client and/or their representative whether there is a property involved and notify the FAB Team. The FAB Team will also carry out appropriate checks to identify potential applicants, including previous financial assessments and Land Registry searches.
- 5.2 The Care Manager will ensure that the FAB Team is notified of all clients who appear to be eligible for 12-week property disregard and DPA as soon as placement in a care home is identified as appropriate. This is likely in most cases to be before the care home placement starts. Notification should be made using Frameworkki.
- 5.3 The FAB Team will write to all potential Applicants or their legal representatives inviting applications, giving a date by which the completed application should be returned and stating what evidence of the property value will be accepted. This date should be no later than six weeks from the date of placement in the care home. This letter will make clear that if the proposed security is a legal charge, a DPA cannot be agreed if Reading Borough Council are, for whatever reason, unable to get agreement from the owner(s) to a Legal Charge being placed.
- 5.4 On receipt of the completed application the FAB Team will carry out an assessment of the arrangements. This will include the reliability of the property valuation, the equity available (guidance awaited in final regulations), the likely period of the DPA and the sustainability of the Deferred Payment application.
- 5.5 The FAB Team will prepare a report for submission based on the assessment in 5.4 to the Head of Service and submit for approval through Frameworkki.
- 5.6 The Head of Service will review the report from the FAB Team together with the completed application and decide whether the application meets criteria set out in the DPA policy. The decision must be made within two weeks from the date of referral from the FAB Team. If the application is refused the reason/s must be clearly recorded by the Head of Service and communicated to the person and/or their representative by the FAB Team.
- 5.7 Once the decision has been made by the Head of Service, the FAB Team will write to the client or their representative to advise of the decision. Any conditions attached to the DPA must also be confirmed in writing, for example around any requirement for insurance of the property.
- 5.8 This letter will also confirm any administration charges and interest to be added to the deferred debt.

- 5.9 Information will also be provided about annual statements and when they will be produced. (See Section 12 below).
- 5.10 This letter constitutes an offer to the person and will state the date from which the DPA is proposed to start. It will be produced in duplicate, one copy to be signed by the person, or their representative, to be returned as their acceptance of the DPA offer. The other copy is to be retained by the person or their representative.

6. Specific Property Issues

- 6.1 **Unregistered Property** - If the property is unregistered the Council is unable to accept it as security. The applicant, if wishing to continue to apply for Deferred Payments must arrange for the property to be registered at the Land Registry and to meet the costs of registration.
- 6.2 **Leasehold Property** - Leasehold property is eligible for the DPA. Issues sometimes arise with the head landlord/ultimate freehold owner. Restrictions are sometimes placed on the title and the agreement of the head landlord/ultimate freehold owner is needed to arrange the placing of the Legal Charge. In these cases it is the applicant's responsibility to arrange for any consent needed and to meet any costs involved. In the event that the consent is not forthcoming then the Council cannot accept the property as security.
- 6.3 **Shared Ownership** - As with leasehold property the applicant is responsible for arranging for the consent of the other co-owners. Proof of the percentage owned by the applicant and its potential value will also be required.
- 6.4 **Equity Release** - Where part of the value of the property has been realised by way of equity release, proof of the applicant's residual equity in the property will be required.
- 6.5 **Tenants in Common** - As with any jointly owned property, a DPA can only be approved if all co-owners agree to the legal charge. The Council in such cases will have, as a maximum legal charge amount, the applicant's share in the total value.
- 6.6 **Types of Security** - The Council will normally expect the DPA to be secured by a legal charge against the property. However in certain circumstances other forms of security will be considered. These are:
- A solicitor's undertaking. This is a binding agreement where the solicitor undertakes to settle the charges from the person's money, usually from the proceeds of sale of the property.
 - A third party guarantor. This is where a third party, usually a family member, agrees to pay the charges due. This will require a binding agreement to be signed by the third party.
 - A valuable possession. For this to be acceptable to the Council, proof of its value will be required and a binding form of agreement that in the event of failure to settle the charges due this item or items become the property of Reading Borough Council.

7. The Deferred Payment Agreement in Practice

- 7.1 An application form must be completed (**Annex 1**), signed by the Applicant or their representative and then sent to FAB Team within six weeks of admission to the care home on a permanent basis. Any period in respite care does not count towards this six-week period. This time limit is not affected if the client is placed privately in a care home and then subsequently approved for funding, for example because there is general agreement with the family that a care home placement is needed and the family decide to place because there is a vacancy in the preferred home.

If the person has been in the care home on a self-funding basis (because their income or capital are above the specified limits) then an application should be submitted as soon as possible and no later than six weeks after the need to apply for DPA has been identified either by the Council or by the person or their representative.

If an alternative form of security to a legal charge is being offered this should be stated when submitting the application.

- 7.2 The FAB Team will request the Legal Team carry out a land registry search as soon as they become aware of the case.
- 7.3 The Legal Section will carry out a land registry search and report back to the FAB Team within one week.
- 7.4 The FAB Team will be responsible for checking the application form and following up on any queries that may arise, including ensuring a proper valuation has been made. The FAB Team will then get together all the information related to the Deferred Payment application, including intentions around the property, the equity available and the assessment of whether the DPA is sustainable. This assessment will address, inter alia, the likely period of the DPA, the equity available and the period of time the person would be able to defer the weekly costs.
- 7.5 The FAB Team will then complete the Deferred Payment Agreement for approval via Frameworki for submission to the Head of Service. This should be done as soon as possible after receipt of the application.
- 7.6 The Head of Service will then consider the application to verify that the proposed DPA is in line with the policy. If a form of security other than a legal charge is being offered, the Head of Service will also consider whether this is an acceptable form of security. Advice from the Legal Team may be sought before taking this decision.
- 7.7 If the Head of Service approves the application the FAB Team will write to the Applicant to advise them of the approval. This notification will also formally advise the invoicing arrangements and the amount which is to be paid on an on-going basis (the assessed contribution). In addition the notification will warn that failure to maintain these on-going payments could result in the

Deferred Payment Agreement being terminated. (See 14.4 below). The notification letter will also state that, where there are joint owners they must all consent to the placing of a legal charge against the property and, that if any of the joint owners do anything to prevent the legal charge being placed this will result in the offer of the DPA being withdrawn and the Council will immediately notify the care provider that it is ceasing to be involved in the placement.

The FAB Team will also notify the Legal Department, Personal Budget Support Team and Care Manager that the application has been approved.

- 7.8 If the Head of Service refuses the application, the FAB Team will write to the Applicant no later than the end of the eighth week after admission to the Care Home to advise that the application has been turned down and that from the end of the 12-week disregard period they will be required to make their own arrangements. The letter from FAB Team will explain the reasons for the decision and advise about the appeals and complaints procedures. The FAB Team will notify Contracts so they can notify the care home of the termination of the Council's involvement.
- 7.9 Subject to the satisfactory outcome of the ownership search and approval by Head of Service, the FAB Team will instruct the Legal Department to prepare the DPA and Legal Charge and supply any outstanding information, including desired date of commencement of the DPA.
- 7.10 The Legal Department will, on receipt of instructions and subject to having all the necessary information and documents to proceed with the case, be responsible for the following duties:
 - a) Where the property is owned by the resident and is not being sold, the Legal Department will contact the person dealing with the application. This could be the service user or their Power of Attorney/Court Appointed Deputy. The Legal Department will send out the Deferred Payment Agreement and Legal Charge for signature.
 - b) Where the property is owned jointly by the resident and other party(ies) who have agreed to enter into a legal charge, the Legal Department will contact the service user or their Power of Attorney/Deputy and send out the Deferred Payment Agreement and Legal Charge for signature. If the parties do not sign and return the agreement within 28 days then the FAB Team will liaise with the Contracts Team in order to cease funding of the placement.
 - c) Where the property is solely owned by the resident but is on the market for sale, the Legal Department will contact the service user or their Power of Attorney/Deputy or their solicitors regarding the property, to establish what the current situation is with regards to the property. Once the Legal Department have received this information they will then advise on the best course of action, and in the event that a Deferred Payment Agreement and Legal Charge cannot be entered into, the Legal Department will inform the FAB Team who will need to decide whether funding is to cease or continue. As soon as this decision is made the FAB Team will provide amended instructions to the Legal Department.

- d) In the case of registered properties the Legal Department will send the Deferred Payment Agreement and Legal Charge to the Land Registry for registration and will be responsible for its removal once settlement is received and for all arrangements related to securing the Council's interest. The Legal Department are also responsible for dealing with the Applicant's legal advisers.
- e) The Applicant will be responsible for paying the Council's Land Registry fees for registration of the Legal Charge). These fees form part of the administration costs as dealt with in Section 11 below.

7.11 At the start of the DPA the FAB Team will open up an account to record the following:

- The valuation of the property and the date of this valuation
- The assessed weekly contribution from income and savings
- Administration costs and interest charges to be applied

7.12 RBC will require the property to be revalued every year. Any cost of revaluation will be met by the person.

8. Renting Out Property

8.1 The client should be advised to seek independent advice if they are considering renting out their property while there is a DPA in place. It should be stressed that this is a decision for the service user and their family.

8.2 If the property is already let, the individual or their representative should be urged to seek legal advice before proceeding with the DPA to confirm length of tenancy and termination clauses.

8.3 Service users applying to access the DPA should be advised that any proposed letting arrangement should be agreed by the Council. The FAB team will be responsible for collecting the details and submitting to the Head of Service.

8.4 The Council will take the net rental income into account as part of the person's assessed weekly contribution. The net rental income will be after agent's fees, any liability to taxation and reasonable maintenance expenses.

8.5 The property must be adequately maintained and insured to the Council's satisfaction.

9. Persons lacking capacity

9.1 If the service user lacks the mental capacity to give informed consent to a legally binding agreement, it means they are not themselves capable of entering into a Deferred Payment Agreement. In these circumstances if someone else has the legal authority to act for them, that person can apply on their behalf.

- 9.2 If someone has been appointed to legally act on behalf of the service user, they do not themselves become the Applicant for the purposes of the DPA. The Applicant will still be the service user. To be able to legally act on behalf of the service user, the appointed person must be one of the following:
- a Court Appointed Deputy
 - the holder of a registered Enduring Power of Attorney
 - the holder of a registered Lasting Power of Attorney

The power of attorney must include authority to manage the person's property and financial affairs.

- 9.3 If no-one has been appointed, attempts should be made to identify someone who is willing and able to apply for Deputyship or to act as the person's attorney under LPA (subject to the individual having capacity to confer an LPA). As this process will take time, if the service-user has been or is going to be placed by the Council, consideration must be given to finding an alternative form of security to protect the Council's interest. However it is recognised that this may not always be possible and any application where it is not must be referred to the Head of Service for a decision. If it is agreed to arrange the placement, as soon as someone is made a Deputy the Council will expect a formal DPA to be completed as soon as practicable.

10. Conditions Placed on Deferred Payment Agreements

- 10.1 No DPA can be agreed by the Council if no suitable security is available or the person wishes to defer a larger amount than (in the Council's assessment as set out above) they can provide security for.
- 10.2 Neither can a DPA be agreed by the Council if the property cannot be insured.
- 10.3 The Council will require prompt settlement of the assessed contribution during the lifetime of the DPA. (See 14.3 below which deals with the Council's position in the event these contributions are not settled promptly).
- 10.4 The Council will require the property to be properly maintained and insured. If this means that some of the person's savings are reasonably required to be used to bring the property up to a suitable standard of maintenance, the Council will not withhold its agreement to this use of capital unless there is evidence the level of cost is deemed unreasonable.
- 10.5 When applying for DPA the person, or their representative, must supply a proper valuation of the property or their share of it.
- 10.6 The Council will require periodic review of this valuation (see 7.12 above) to ensure the level of deferred debt stays within the equity available.
- 10.7 Any changes which affect, or may affect, the DPA or the person's level of capital must be notified to the Council's FAB Team without delay. The following are examples but are not comprehensive:

- If the person inherits a sum of money
- If structural problems are discovered, e.g. subsidence
- Should a close family member move into or out of the property

11. Interest & Administration Charges

11.1 Interest will be added to the amount deferred at the rate of X% from the start of the DPA. (The rate of interest is awaited in the final regulations).

11.2 The following charges will be added to the amount deferred:

- Land Registry charges - one off charge of £350
- Office expenses (postage, printing, telephone etc) - one off charge of £x
- Employment costs of RBC staff involved in arranging DPAs - one off charge of £x
- Employment costs of RBC staff completing annual statements - annual charge of £x
- Cost of removing legal charge - actual cost incurred at the date charge is removed

These charges will be subject to annual review to take account of inflation.

12. Annual Statements

12.1 The DPA starts to run from the date notified (see 5.10 above).

12.2 Annual statements will be produced by RBC's FAB Team as at each and every annual anniversary of this date. These statements will be completed within 6 weeks of this anniversary. Two copies of the statement will be sent to the service user or their representative (Power of Attorney or Deputy).

12.3 The annual statement will show the following figures:

- The original property valuation
- The equity available or maximum amount which can be borrowed under DPA
- Any revised property valuation as per 7.12 above
- The revised equity available resulting from this change in the property value
- The total cost of care for the year to the statement date, split between assessed contribution and deferred debt
- Payments received in settlement of the assessed contribution
- The amount of any interest charges and administration costs added to the debt
- The total deferred debt outstanding including these interest and administration costs
- Balance of equity still available (after deducting the amount of total deferred debt)
- Approximate period this equity is expected to last

12.4 The service user or their representative will be expected to check this statement and sign and return one copy to acknowledge that the statement is, to the best of their knowledge, correct and retain one copy. If a signed copy is not returned within four weeks the FAB Team will write to state that, as no correction has been notified, the statement will be recorded as correct.

13. Settlement of the Deferred Debt

13.1 If the service user has placed the property for sale on admission to long-term care, or chooses to sell at a subsequent date the accrued debt will be due for repayment upon the sale, whereupon the Legal Team will apply to remove the charge on payment of the outstanding monies.

13.2 In this event the DPA will be terminated and the service user may become self-funding, depending on the balance of funds available after clearing the charge.

13.3 The FAB Team will be responsible for calculating the accrued debt and notifying the Legal Team.

13.4 If the property has not been sold at the date of the service user's death the FAB Team will be responsible for contacting the executor, if known, no less than 2 weeks after the person's death and no more than 4 weeks after. If the executor is not known and if the service user has identified a third party to help RBC reclaim the amount deferred, the FAB Team will contact that third party within the same timescale. If neither is known then the person who was acting as their representative should be contacted.

13.5 When making contact as in 13.4, the FAB Team will notify the amount outstanding and how this is made up and whether any further charges may accrue, for example further interest.

13.6 Should the executor or administrator of the estate decide to settle the debt without, or before, selling the property, RBC will accept such settlement and then remove the legal charge or release any alternative security provided.

14. Default Provisions

14.1 The Deferred Payment Agreement is a contract between RBC and the Applicant. RBC will agree to pay the full cost of the placement in the care home and the Applicant will either agree to allow a Legal Charge to be placed, or provide sufficient acceptable security. This is to ensure that RBC can recover its outlay on behalf of the service user, while their savings and assets, net of the level of deferred contribution, are greater than the upper capital limit.

14.2 In addition the Applicant also agrees to settle the assessed contribution in a timely way. RBC will submit regular invoices for this purpose.

14.3 Failure to pay the assessed contribution for three months may lead to the DPA being terminated. RBC will look at each case on its own facts and will not

apply this clause if there are genuine reasons for non-payment, e.g. difficulty in accessing bank accounts, and will agree an alternative timescale. RBC will give 30 days' notice of intention to apply this clause explaining how the person's care needs should be paid for from that date.

- 14.4 RBC will also give 30 days' notice in the event that the equity available is no longer sufficient to fund the person's care. In this case RBC will offer to contract with a suitable care home on the service user's behalf and will attempt to secure the Council's usual rate and will reassess the financial contribution due.
- 14.5 Should the property for which the DPA was arranged become occupied by a relative for whom a statutory disregard may apply RBC will establish the reasons behind this change and decide whether it is appropriate to allow the property to be disregarded. If a disregard is agreed RBC will write to give formal notice of termination of the DPA, confirming the Deferred Debt outstanding.
- 14.6 RBC will also decide, in the event that it judges that the property is not being properly maintained and/or insured, whether to terminate the DPA. In this event RBC will give 30 days' notice and explaining how the person's care needs should be paid for from that date. During this 30 day period the person may, if they believe the Council has acted unfairly, may appeal to the Head of Service. Such appeal should either demonstrate why the insurance or state of maintenance are in fact satisfactory or what steps are being taken to remedy the failing(s).

15. Appeals

- 15.1 Where the service user or their personal representative disagrees with the decision they have the right to request a review of the decision. The review will be carried out by a different Head of Service.
- 15.2 If the person wishes to appeal they should submit any additional evidence with their appeal.

Chapter 3 - Interim Funding

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1. Introduction

- 1.1 The Deferred Payment Agreement is described in Chapter 2. Paragraph 9.1 explains that the Council can only agree to a DPA if the person has capacity or, if they lack capacity, that someone has the legal authority to act on their behalf. It is however recognised that there will be cases where the person entering a care home lacks mental capacity but has no-one with legal authority to act for them and no other acceptable form of security is available.

- 1.2 The Council accepts that it has a duty of care to such people, but also has a duty to protect the public purse.
- 1.3 The Interim Funding (IF) Policy is in place to provide a framework whereby this balance can be achieved. As such, and because it is a short-term substitute for DPA, it will look very similar to Chapter 2 - Deferred Payment Agreement. IF is not intended to take the place of a longer-term funding arrangement.

2. Background

- 2.1 The Council's residential charging policy includes provision that if the person owns their own home and no disregard applies, either statutory or discretionary, then the value of their interest in that property will be included in any financial assessment. This will often mean the person is responsible for the full cost and, if it is not possible to agree a DPA, then the Council can refuse to take responsibility and leave the person to make their own arrangements.
- 2.2 There will however be times when duty of care to the person will override this.
- 2.3 In these cases the Council will be prepared to consider an Interim Funding Agreement which will be similar to a DPA. This may also cover cases where the person has savings above the upper capital limit but no-one can legally access them to pay for their care and a private arrangement with the care home is not possible.
- 2.4 The circumstances where the Council will consider Interim Funding cannot be set out in a comprehensive list as there is the possibility of a situation arising for the first time, but examples of the type of situation where IF can be considered are:
 - Sudden loss of mental capacity and an application to become Court Appointed Deputy is being made.
 - The person appointed as Lasting Power of Attorney or Enduring Power of Attorney is not able to act. This could be because that person has died or themselves lost mental capacity and that someone else is applying to become a Deputy.
 - The property is jointly owned but the other owner is unable to agree to a legal charge. This could be because they have lost mental capacity. Someone is applying to become a Deputy for this person.
 - The property is unregistered but steps are being taken to arrange registration.

3. Eligibility Criteria

- 3.1 IF can only be considered if DPA is definitely not available or suitable. If suitable alternative security is available, e.g. third party guarantor, then this must be followed up first.

- 3.2 IF will normally only be considered if the property would otherwise have led to a DPA, with the exception, as in 2.4 above, of unregistered property.
- 3.3 The service user, or someone acting on their behalf, may apply to the Council for IF provided that:
- The individual has been assessed under the Care Act 2014 as having eligible needs that are appropriately met by placement within a registered care home.
 - The service user is responsible for full fees (i.e. has capital of over capital limits) under the Council's residential charging policy.
 - The service user has insufficient income and other assets, other than the value of their house or flat, to meet the full costs of their care.
 - The service user owns a property, either all or part.
 - The value of the property is sufficient, together with other income and assets, to meet the criteria for self-funding and there is either no outstanding mortgage, OR there is a mortgage but the outstanding amount leaves sufficient value to meet the criteria for self-funding and the service user has sufficient resources to meet the mortgage payments as they fall due.

4. Information for Service Users

- 4.1 Information will be provided detailing interest charges and administration costs.
- 4.2 The information provided will also advise in general terms what alternative types of security will be accepted and any conditions likely to be attached.
- 4.3. Details can be found in the booklets "Meeting Your Care Home Costs" and "Property Issues" which Care Managers should issue to service users and/or their representatives.
- 4.4 People wishing to take advantage of the IF scheme should be advised to seek independent financial and legal advice, as stated in the leaflet on Property Issues.
- 4.5 The information will also provide an overview of the advantages and disadvantages of the IF.

5. The Application Process

- 5.1 Having identified that the person going into a care home has a property, or a beneficial interest in a property, and that the person not only lacks capacity but has no-one with the legal authority to represent them, the FAB Team will take the lead in gathering all the relevant information for submission to Head of Service.
- 5.2 The Care Manager should take steps to identify someone who can take responsibility for becoming the legal representative (either Lasting Power of Attorney or Court Appointed Deputy) and pass this information to the FAB Team.

- 5.3 If the Care Manager is unable to find a suitable person known to the service user then a referral will need to be made to the Council's Deputy Team or to a suitable outside organisation, e.g. Age UK.
- 5.4 The FAB Team will write to the person or organisation identified to confirm what steps are being taken to acquire the legal power to act and what plans and arrangements they have for the property.
- 5.5 The FAB Team will prepare a report for submission based on the information collected to the Head of Service and submit for approval through Frameworki.
- 5.6 The Head of Service will review the report from the FAB Team together with any supporting correspondence and decide whether the proposed arrangements are acceptable and provide sufficient guarantee to protect the Council's position. The decision must be made within two weeks from the date of referral from the FAB Team. If the application is refused the reason/s must be clearly recorded by the Head of Service and communicated to the person and/or their representative by the FAB Team.
- 5.7 Once the decision has been made by the Head of Service, the FAB Team will write to the client or their representative to advise of the decision. Any conditions attached to the IF must also be confirmed in writing, for example around any requirement for insurance of the property.
- 5.8 This letter will also confirm any administration charges and interest to be added to the deferred debt.
- 5.9 Information will also be provided about annual statements and when they will be produced. (See Section 9 below).

6. Interim Funding in Practice

- 6.1 An application form must be completed (**Annex 1**), signed by the person acting for the service user and then sent to FAB Team as soon as possible. This application must be accompanied with an explanation of how it is planned to acquire the legal power to act on behalf of the service user. The person must also complete an undertaking to keep the Council informed of progress and to either settle outstanding charges or agree to a legal charge, or a combination of these if appropriate, once the legal power to act is in place.
- 6.2 The FAB Team will request the Legal Team to carry out a land registry search as soon as they become aware of the case.
- 6.3 The Legal Section will carry out a land registry search and report back to the FAB Team within one week.
- 6.4 The FAB Team will be responsible for checking the application form and following up on any queries that may arise, including ensuring a reliable valuation has been carried out and that the proposed arrangements to acquire the legal authority to act appear reasonable. The FAB Team will then get together all the information related to the Interim Funding application,

including intentions around the property, the equity available and the assessment of whether the IF is sustainable. This assessment will address, inter alia, the likely period of the IF, the equity available and the period of time the person would be able to defer the weekly costs and the anticipated timescale before conversion to DPA.

- 6.5 The FAB Team will then complete a proposed Interim Funding case for approval via Frameworki for submission to the Head of Service. This should be done as soon as possible after receipt of the application.
- 6.6 The Head of Service will then consider the application to verify that the proposed IF and the plans to be able to legally act do not place the Council at undue risk, while taking account of the Council's responsibility to safeguard the individual in need of care.
- 6.7 If the Head of Service approves the application the FAB Team will write to the person acting on behalf of the service user to advise them of the approval. This notification will also formally advise the invoicing arrangements. The person will be advised that if they have not already done so they should apply to the DWP to become appointee and that the part of the charge relating to state benefits should be paid on an on-going basis. In addition the notification will warn that failure to maintain these on-going payments could result in the Interim Funding being terminated (see below). The notification letter will also state that, where there are joint owners they must all consent to the placing of a legal charge against the property and, that if any of the joint owners do anything to prevent the legal charge being placed this will result in the offer of IF being withdrawn and the Council will immediately notify the care provider that it is ceasing to be involved in the placement.

The FAB Team will also notify the Legal Department, Personal Budget Support Team and Care Manager that the application has been approved.

- 6.8 If the Head of Service refuses the application, the FAB Team will write to the person acting on behalf of service user within 5 working days to advise that the application has been turned down and advising the date from which the Council will cease to be involved or confirming that the Council will have no involvement if appropriate. The letter from the FAB Team will explain the reasons for the decision and advise about the complaints procedure. The FAB Team will notify Contracts so they can notify the care home of the termination of the Council's involvement.
- 6.9 The FAB Team will carry out periodic checks on each IF case and if no update has been received for 3 months the FAB Team will write to request an update.
- 6.10 Once the person who is looking to obtain the legal power to act provides evidence to the Council that they now have the appropriate power, the FAB Team will write to notify that the Council now requires the IF to be changed to become a DPA, with the legal protection that affords to the Council.

7. Conditions Placed on Interim Funding

Interim funding is provided subject to the following conditions:

- 7.1 The person acting for the individual entering the care home will take all reasonable steps to acquire the legal authority to act. This includes applying to the DWP to become appointee.
- 7.2 The portion of the charge relating to state benefits will be paid promptly, once appointeeship is in place.
- 7.3 Once legal power to act is arranged, the IF will be converted to a DPA.

8. Interest and Administration Charges

- 8.1 These will be exactly the same as for DPA. See paragraph 11 of the Deferred Payment Agreement Policy.

9. Annual Statements

- 9.1 The DPA starts to run from the start date notified (see 5 above).
- 9.2 Annual statements will be produced by RBC's FAB Team within 6 weeks of each anniversary of the start date. Two copies of the statement will be sent to the service user's representative.
- 9.3 The annual statement will show the following figures:
 - The original property valuation.
 - The equity available or maximum amount which can be borrowed under IF.
 - Any revised property valuation.
 - The revised equity available resulting from any change in the property value.
 - The total cost of care for the year to the statement date, split between assessed contribution and deferred debt.
 - Payments received in settlement of the assessed contribution.
 - The amount of any interest charges and administration costs added to the debt.
 - The total deferred debt outstanding including these interest and administration costs.
 - Balance of equity still available (LTV less amount of total deferred debt).
 - Approximate period this equity is expected to last.
- 9.4 The service user's representative will be expected to check this statement and sign and return one copy to acknowledge that the statement is, to the best of their knowledge, correct. If such acknowledgement (or any correction to the statement) is not received within 21 days of the date of the statement, the representative will be deemed to have accepted it as correct.

10. Conversion to Deferred Payment Agreement

- 10.1 Once the person acting has obtained the power to act on behalf of the service user, usually by being appointed a Deputy, they will immediately notify the Council's FAB Team and provide evidence accordingly.
- 10.2 The FAB Team will then start the process of converting the IF to a DPA.
- 10.3 If the person acting is now able to access sufficient funds on the service user's behalf to settle the outstanding debt then they should arrange to do so without delay.

11. Default Provisions

- 11.1 If the Council discovers that the Court of Protection has approved the appointment of a Deputy and the Deputy has not contacted the Council to let them know, the Council may decide to terminate the Interim Funding immediately and seek recovery of the care costs incurred, plus any interest and administrative costs, through the Courts.
- 11.2 If the person acting does not settle the amounts it is agreed they can access, for example state benefits in the role of appointee, without good reason, the Council may consider ending the Interim Funding.
- 11.3 In the event the equity available is no longer sufficient to fund the person's care, the Council will give 30 days' notice of ending the IF. In this case RBC will offer to contract with a suitable care home on the person's behalf and will attempt to secure the Council's usual rate. The Council will also reassess the financial contribution due.

Chapter 4 - Discretionary Disregard of Property

CONTENTS

1. Introduction
2. Background
3. Factors to be considered
4. Decision Process
5. Appeals

1. Introduction

- 1.1 This outlines the Council's policy and procedures regarding the application of Discretionary Property Disregards for Residential Charging.

2. Background

- 2.1 The Council's residential charging policy applies to all clients wishing to enter a registered care home.
- 2.2 The Care Act 2014 sets out a number of situations where any property the person owns or has a beneficial interest in, must be disregarded. There may be other circumstances where the Council considers it appropriate to disregard this interest in property, even though not specified in Regulations. This is Discretionary Disregard.
- 2.3 The Council has to balance the use of this discretion with the need to ensure that residents with assets are not maintained at public expense.
- 2.4 Where the Council is being asked to consider a discretionary disregard because the property is being occupied consideration will be given to the intention behind the occupation of the premises by the third party. The timing of the move into the property by the third party will also be relevant.

3. Factors to be considered

- 3.1 In considering whether to disregard the service user's property, the following factors will be taken into account along with consideration of the Council's financial resources. The weight placed against each will depend on the individual circumstances and actions taken:
 - What is the nature and closeness of the relationship between the person remaining in the property and the service user?
 - Has the person cared for the service user and for how long? If so, what is the level and nature of the care provided by the person?
 - Has any care been provided by others? If so what is their relationship

- to the service user and what is the level and nature of that care?
- How long has the person lived in the property?
- Where did the person reside (live as their main or usual place of residence) before moving in to the property and what has happened to their former accommodation and any proceeds of sale?
- What was the main reason for the person to move into the service user's home? Were there any other factors affecting the decision to move into the service user's home?
- What is the age, employment status and financial circumstances of the person?
- When did the service user first have identified care needs?
- When was residential care first considered as an option for the service user?
- Has the person made any financial contributions towards the property? If so what are they? For instance has he/she contributed to the mortgage, home improvements, household maintenance? Was there a tenancy? What is the level of any contribution, over what period and is there any documentary evidence?

4. Decision Process

- 4.1 The FAB Team will be responsible for gathering relevant information for all potential discretionary disregard cases. This will include liaising with the Social Care Worker and their ATM over the details required. In cases where the level of information is limited and/or details are unclear it will be referred to the Team Manager. The Team Manager will review the details and consider appropriate steps to take, including discussion with the Locality Manager.
- 4.2 Once all the information has been gathered it will be referred to the Head of Service for a decision.
- 4.3 The Head of Service will consider all the facts of the case and decide, on the merits of the case, whether to agree to a disregard of the property. In cases of difficulty referral to the council's legal advisers will be made for advice. This consideration and decision will be carried out within 5 working days of the case being submitted unless there is a delay due to awaiting legal advice.
- 4.4 If the application for discretionary disregard is turned down reasons must be given. The FAB Team will be responsible for notifying the service user or their financial representative of the outcome.

5. Appeals Process

- 5.1 Where the service user or their personal representative disagrees with the decision they have the right to request a review of the decision. The review will be carried out by a different Head of Service.
- 5.2 If the person wishes to appeal they should submit any additional evidence with their appeal.

Chapter 5 - Abbreviations and Definitions

- DPA - Deferred Payment Agreement is the agreement that the Applicant is required to enter into in accordance with Sections 34 - 36 of the Care Act 2014.
- Residential Charging Policy is the policy agreed by Reading Borough Council for charging people in care homes, both residential and nursing.
- CA - The Care Act 2014.
- Deferred Contribution - the difference between the cost of placement and the weekly assessed contribution.
- Weekly assessed contribution - the amount that is assessed to be paid on an on-going basis, as calculated in accordance with the Residential Charging Policy and taking into account all the financial details with the exception of the property (the person's only or main home).
- Service User - the person who is applying, or on whose behalf application is being made, to the Council for support with meeting their care needs.
- Applicant - the service user or someone with legal authority to act on their behalf in connection with the DPA.
- Property - for the purpose of these policies the term "Property" means that property (flat, house, mobile home etc) which was the service user's sole or main residence prior to admission to a care home and in which they have a beneficial interest.
- LTV - Loan to Value is the proportion of the property value which it is considered should be available to borrow against.
- FAB Team - Financial Assessment & Benefits Team.
- The Council - Reading Borough Council.
- Legal charge - the charge attached to the DPA and registered against the service user's property to protect the Council's interest.
- Solicitor's Undertaking - a binding undertaking from the applicant's solicitor to pay the Council's outstanding debt, in respect of the cost of meeting the person's social care needs, from the proceeds of the sale of the property.
- Third Party Guarantor - a person other than the service user who guarantees to meet the service user's outstanding costs for care. This person will enter into a binding agreement with the Council.
- Statutory Property Disregard - a property, as defined above in "Abbreviations and Definitions", will be disregarded if it continues to be occupied by the service user's spouse or partner, any relative over 60, a disabled relative regardless of age or a child of the service user aged under 18. This disregard will end if the property ceases to be occupied by the person who qualified for the statutory disregard.
- Respite care - a period of time when the service user is provided with care, in a care home or otherwise, due to the absence of their carer(s) or to provide a break for their carer(s).
- Capital limits - amounts as determined from time to time by the Government. The lower capital limit is an amount which the Council cannot take into the financial assessment. The upper capital limit is the figure above which the service user is responsible for the full cost of their care.
- IF - Interim Funding is an arrangement similar to DPA but where no-one has the legal power to agree to a legal charge or no-one is able to provide a suitable alternative form of security.

DRAFT Appendix 4

Background:

The Care Act combines for the first time, the framework for financial assessment for care in registered care homes and in settings outside of a care home (for example care and support receiving in a person's own home, in extra care housing, in supported living arrangements or shared lives arrangements). This allows Councils the opportunity to reconsider approaches to charging for temporary stays in residential care homes (for example, to receive respite care). The following scenarios are to support the information in section 4.2.3 of the report, to outline the impact for individuals between the current charging policy⁸ for temporary and respite stays, and the options considered.

Example 1. 65 year old woman, receives a Personal Budget of £100.00 per week to meet her ongoing weekly care needs and £1400 per year towards respite care (from a carer's assessment carried out with her daughter). She uses her Personal Budget allocation to pay for a carer each weekday morning, and uses her respite allocation to meet her care needs while her daughter is away on holiday. Her daughter meets her other care and support needs. She has had a Fairer Charging financial assessment carried out showing she is NIL CHARGE for her ongoing weekly care and support.

Venue of respite	Charge under existing policy	Charge under recommended Policy	Impact on service user
In a Care Home	£77.61 per week	Nil (apply Fairer Charging outcome)	Pay less (£77.61 per week LESS)
At home with paid carers	Nil (Fairer Charging)	Nil (Fairer Charging)	No difference

Example 2. An 80 year old man, receives a Personal Budget of £130.00 per week to meet his ongoing weekly care needs and £1400 per year towards respite care (from a carer's assessment carried out with his wife). He uses his Personal Budget allocation to pay for a carer each morning, and uses his respite allocation to meet his care needs while his wife has a break from caring. He has had a Fairer Charging financial assessment carried out showing he is assessed to pay £52.47 per week for his ongoing weekly care and support.

Venue of respite	Charge under existing policy	Charge under recommended Policy	Impact on service user
In a Care Home	£77.61 per week	£52.47 per week (apply Fairer Charging outcome)	Pay less (£25.14 per week LESS)
At home with paid carers	£52.47 per week (Fairer Charging)	£52.47 per week (Fairer Charging)	No difference

⁸ The current charges for temporary and respite stays in registered care homes are dependent on age and linked to minimum benefit entitlements: aged 18-24 yrs: £32.25 per week; age 25-63yrs: £40.19 per week; aged over 63: £77.61 per week.

Example 3. An 84 year old woman, receives a Personal Budget of £110.00 per week to meet her ongoing weekly care needs and £1400 per year towards respite care (from a carer’s assessment carried out with her husband). She uses her Personal Budget allocation to pay for a carer each morning, and uses her respite allocation to meet her care needs while her husband has a break from caring. She has had a Fairer Charging financial assessment carried out showing she is assessed to pay the full cost of ongoing care and support due to savings and investments being over the upper capital limit.

Venue of respite	Charge under existing policy	Charge under recommended Policy	Impact on service user
In a Care Home	£77.61 per week	FULL COST (apply Fairer Charging outcome)	<i>Pay more based on cost of service</i>
At home with paid carers	FULL COST (Fairer Charging)	FULL COST (Fairer Charging)	<i>No difference</i>

Example 4. A 29 year old man living with his mother receives a Personal Budget of £70 per week to meet his ongoing weekly support needs and £1400 per year towards respite care (from a carer’s assessment carried out with his mother). He uses his weekly Personal Budget allocation to pay for a support worker to take him out into the community and uses the respite allocation to access Whitley Wood respite service. He has had a Fairer Charging financial assessment carried out showing he is assessed to pay £41.39 per week towards his ongoing care and support.

Venue of respite	Charge under existing policy	Charge under recommended Policy	Impact on service user
In a Care Home (such as Whitley Wood overnight respite service)	£40.19 per week	£41.39 (apply Fairer Charging outcome)	<i>In this case slightly more, but if the man had disability-related expenses, it may have been less under Fairer Charging</i>
At home with paid carers	£41.39 (Fairer Charging)	£41.39 (Fairer Charging)	<i>No difference</i>

Example 5. A 72 year old man receives a Personal Budget of £2100 per year towards his respite care (from a carer’s assessment carried out with his wife). He has declined a further weekly amount in his Personal Budget for his ongoing care and support needs as both he and his wife would prefer that his wife continues to meet his day to day care and support needs, provided that his wife is able to have breaks from caring. He has already had a Fairer Charging financial assessment carried out which showed he is assessed to pay the full cost of ongoing care and support due to the level of savings and investments above the upper capital limit.

Venue of respite	Charge under existing policy	Charge under recommended Policy	Impact on service user
In a Care Home	£77.61 per week	The ‘light touch’ financial assessment charge £77.61	<i>No difference</i>
At home with carers	FULL COST (Fairer Charging)	FULL COST (Fairer Charging)	<i>No difference</i>

Example 6. A 65 year old woman, receives a Personal Budget of £1400 per year towards respite care (from a carer’s assessment carried out with her daughter). She has declined a further weekly amount in her Personal Budget for her ongoing care and support needs as she and her family have decided that they can manage her ongoing care and support needs provided that the family have breaks from caring. She uses her respite allocation to meet her care needs while other members of her family are away. She has already had a Fairer Charging financial assessment carried out showing she is NIL CHARGE for any ongoing weekly care and support.

Venue of respite	Charge under existing policy	Charge under recommended Policy	Impact on service user
In a Care Home	£77.61 per week	NIL (apply Fairer Charging outcome)	<i>Pay less (£77.61 per week LESS)</i>
At home with carers	NIL (Fairer Charging)	NIL (Fairer Charging)	<i>No difference</i>

Example 7. A 38 year old man requires urgent respite care as his wife who is his main carer has gone into hospital. He hasn’t had a Fairer Charging financial assessment before as this is the first time he has had contact with the Council’s Adult Services.

Venue of respite	Charge under existing policy	Charge under recommended Policy	Impact on service user
In a Care Home	£40.19 per week	£40.19 per week (‘Light Touch’ financial assessment), though he may request a financial assessment if he feels unable to afford this.	<i>No difference</i>
At home with carers	Subject to Fairer Charging financial assessment	Subject to Fairer Charging financial assessment	<i>No difference</i>