

NOTTINGHAM CITY COUNCIL

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

MINUTES of the meeting held in the Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 26 September 2019 from 10:02am to 11:57am

Membership

Present

Councillor Carole McCulloch (Chair)
Councillor Salma Mumtaz (Vice Chair)
Councillor Azad Choudhry
Councillor Maria Joannou
Councillor Jane Lakey
Councillor Chantal Lee
Councillor AJ Matsiko
Councillor Shuguftah Quddoos
Councillor Maria Watson

Absent

None

Colleagues, partners and others in attendance:

Councillor Cheryl Barnard - Portfolio Holder for Children and Young People
Helen Blackman - Director of Children's Integrated Services
Clive Chambers - Head of Safeguarding and Quality Assurance
Jane Garrard - Senior Governance Officer
Adrian Mann - Governance Officer
Councillor David Mellen - Leader of the Council
Alison Michalska - Corporate Director for Children and Adults
Catherine Underwood - Director for Adult Social Care

10 APOLOGIES FOR ABSENCE

None.

11 DECLARATIONS OF INTERESTS

None.

12 MINUTES

The Committee confirmed the minutes of the meeting held on 25 July 2019 as a correct record and they were signed by the Chair.

13 INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

Councillor David Mellen, Leader of the Council, and Alison Michalska, Corporate Director for Children and Adults, presented a report on the published findings of the Independent Inquiry into Child Sexual Abuse (IICSA). The following points were discussed:

- (a) IICSA was established as a statutory inquiry in March 2015 and launched thirteen investigations into a broad range of institutions. It was announced that inquiry would look into the failures to protect children in the care of the Nottingham City and Nottinghamshire County Councils in November 2015. A significant number of allegations of historical abuse in children's homes were made, including physical and sexual abuse, dating back to the 1940s. Across this period, the homes had been operated by both Nottinghamshire County Council and Nottingham City Council, amongst other organisations. As a result, there have been a significant number of both criminal and civil cases;
- (b) the initial scope of the inquiry was to investigate children's homes, in response to disclosures of allegations of sexual abuse since 1967 at the Beechwood children's home, and the barriers to the disclosure of these allegations. It then expanded to cover the disclosure of allegations of child sexual abuse by foster carers, and the disclosure of allegations of sexual abuse carried out by children in care against other children in care. The investigation in Nottingham ran from 1 to 26 October 2018 and collected a wide range of evidence, including statements from survivors and both senior Council officers and elected members. The Council invested a great deal of staff time into participating with the investigation, to ensure full openness and transparency;
- (c) IICSA published its findings on 31 July 2019. It put forward two specific recommendations to the Council, to be responded to within six months. Firstly, the Council should assess the potential risk posed by its directly employed current and former foster carers, in relation to the sexual abuse of children. The Council should also ensure that current and former foster carers provided by external agencies are assessed by those agencies. Any concerns that arise should be referred to the appropriate body or process, including the Disclosure and Barring Service, the local authority designated officer or equivalent, the fostering panel and the Police;
- (d) secondly, the Council and its child protection partners should commission an independent, external evaluation of their practice concerning harmful sexual behaviour, including responses, prevention, assessment, intervention and workforce development. An Action Plan should be set up to ensure that any recommendations are responded to in a timely manner and progress should be reported to the City's Safeguarding Children Partnership;
- (e) a draft Action Plan has been produced to address these recommendations for agreement by the Safeguarding Children Partnership on 30 September, and to be approved by the Executive Board at its meeting in October;
- (f) in relation to the first recommendation, the records of all staff who worked at Beechwood have been reviewed and all of the decisions made at the time in

relation to allegations were reassessed to modern standards. On these terms, some cases had not been resolved in a satisfactory way – and some of the staff involved in these cases were still employed in the sector. Any member of staff who was found to have been at fault in the past is no longer employed by the Council;

- (g) the same methodology will be used to carry out a systematic review of all allegations made about the conduct of foster carers (including any who are now de-registered), to assess the robustness of the decisions and the appropriateness of the responses by modern standards. The Council will write to all current and historical private fostering agencies that have been responsible for placing Nottingham children, or that have registered offices in the area. The allegations of any children fostered in the area will be reviewed as part of the process, regardless as to whether or not the child was in the Council's care. The Designated Officer database will also be reviewed. The Council is working to employ directly as many foster carers as possible, with just under 50% of carers coming from a private agency, currently;
- (h) the Beechwood home was a large institution where around 50 children in care were placed at the same time. Now, Council-run homes have a maximum of 4 children at any one time, which provides the children with a safer environment and better care, with a good ratio of staff to children;
- (i) frameworks and contracts are in place with all private care providers, which are regulated heavily by Ofsted. Children in the Council's care are only placed with private providers with a strong Ofsted rating, and contracts are reassessed if the rating ever drops. Council officers visit private providers regularly and always meet with the child in private – every child has a designated key worker who is responsible for their welfare, and who visits them several times per week. Independent reviewing officers also maintain regular contact with the children. The children have access to reporting apps and also to mentors, independent advocates and support officers beyond their key worker and independent reviewing officer, and can raise issues with any adult with a corporate responsibility for their care – including the teachers at their school;
- (j) in relation to the second recommendation, the intention is to commission an independent review by the National Society for the Prevention of Cruelty to Children (NSPCC) into the practices and response regarding peer abuse between children in care, which will be agreed with partners on 30 September. The NSPCC has been involved closely with IICSA and has national credibility, so it is well suited to carry out the audit and make recommendations on suitable actions;
- (k) all children in care are encouraged to participate fully in their regular reviews. They are able to provide written evaluations, but often prefer to give verbal feedback to their allocated social worker. The children are able to participate in their own Children in Care Council and have growing access to advocates. Work is being done to establish peer support groups, to encourage care leavers to act as mentors to following children in care. The system works best when it enables the children to be able, and confident, to speak for themselves;

- (l) each foster carer has their own safe caring policy, which is produced on the basis of the particular needs of the child, and each child is briefed on what they can expect from a given placement. A household-based risk assessment is carried out for every foster carer and a detailed assessment of a foster carer's suitability is carried out by an external body. Both the child and the carer have their own, separate social worker, as a point of contact and support;
- (m) the Council is also reviewing and challenging various practices that were not highlighted by IICSA. Although the Council had (and will continue to have) many individual and private meetings with survivors to apologise for the failures to protect them, a general, public apology was not made at the time – though it is now felt that such an apology should have been given. A revised internal Reporting Protocol is in place to ensure that senior people are informed of incidents and become involved more quickly, and there are quarterly updates to all partners on any allegations and the actions taken. The statutory independent reviews to identify allegations will be used to create an annual report to elected members on the total number of allegations and the following responses;
- (n) all allegations are risk-assessed immediately and responded to within 24 hours. They are investigated through a multi-agency approach under safeguarding, in partnership with the Police, with a designated officer in place to coordinate the case. Complaints relating to an aspect of care (which should not be confused with allegations of abuse) are managed under a clear, statutory complaints process, with an initial acknowledgement sent within 10 days;
- (o) given the potential trauma involved, support is provided to citizens in accessing the records of their time as a child in care – particularly as records from the 1960s and 1970s can be minimal, as they were often destroyed six months after a child in care became an adult. A dedicated officer is in place to compile the personal records of people who have been in care, and to go through the individual record with the person concerned;
- (p) a major objective of current practice is to ensure that there is a single point of access, so that a complaint can be made effectively through as many routes as possible, including Children and Families Direct, Adult Services, NHS Mental Health Pathways, Victim and Survivor Support, and the Partnership Information Sharing Protocol. It is now much easier for survivors to raise their cases through the NHS via their GP, and there is dedicated support to assist survivors to register with a GP and find the right routes to the help that they need. Survivor Support produces literature to raise awareness and meets with survivors and survivor groups;
- (q) officers have been meeting with survivor groups since May 2016, though the groups may feel that the relationship in its current form has run its course. Dialogue with survivors is vital in commissioning future services and very specialist provision is needed in some areas. LimeCulture – a national Community Interest Company with a focus on sexual violence and safeguarding – has also been appointed to talk to survivors to identify any gaps in the current service provision;

- (r) the current needs assessment for survivors will be completed in the autumn and will inform the next commissioning of related services for 2021. An overall budget of around £2million is used to cover support for survivors of a range of abuse, including children in care. A separate fund of around £30,000 per year is available to help survivors in accessing the wider funding required to support their needs, and can include the creation of individual budgets. Unfortunately, funding from the Government does not meet the full extent of the needed services;
- (s) in addition to the publication of the Action Plan in October, the Council will continue to support the Police investigations actively, as well as any civil claim processes in partnership with Nottinghamshire County Council. The primary objective is that victims are supported and that perpetrators are identified and, whenever possible, brought to justice. The number of people who may have experienced abuse but have not come forward with an allegation is unknown, but the means of doing so is in the public domain and as many calls as possible have been made to support people in telling their stories. The safety and wellbeing of children and young people in the care of the Council is, and always will be, the highest priority. The Council must never become complacent, and should always be open and listen.

RESOLVED to receive an update on the progress in fulfilling the IISCA recommendations and associated Action Plan in January 2020.

14 REGIONAL ADOPTION AGENCY - ADOPTION EAST MIDLANDS

Councillor Cheryl Barnard, Portfolio Holder for Children and Young People, presented a report on the creation of the new East Midlands Regional Adoption Agency (RAA). The following points were discussed:

- (a) the Department for Education published 'Adoption – A Vision for Change' in March 2016 with the aim to join up individual, smaller adoption agencies around the country into larger, combined agencies with shared resources, to provide more options for children and adopters. Since 4 April 2019, Nottingham City Council has joined with Derby City Council, Nottinghamshire County Council and Derbyshire County Council to form an East Midlands RAA. The RAA is designed to prepare both children and adopting families for the adoption process, and to ensure that all placements made (including fostering, fostering to adopt, and adoption) are both timely and sustainable. The RAA is in its early stages, but it is working well with partners to ensure that the process for the children in care is effective and efficient;
- (b) the transfer of staff from the member authorities to Nottinghamshire County Council has gone well and personnel are integrating into the new working arrangements – though they remain in close contact with all of the member authorities. Clear governance arrangements are in place, though there have been some teething IT issues in setting up the integrated systems. There is on-going liaison with the other East Midlands authorities, which are working towards establishing a RAA in early 2020;
- (c) a grant from Government was made to help develop and establish the RAAs. The RAA is then funded from the member authorities' individual budgets, with funding

pooled in some areas. The creation of the RAA has resulted in a reduction in the duplication of services and enabled opportunities for savings and reinvestment, with the improved coordination of the effective deployment of scarce resources;

- (d) 18 matches have been made as of 23 September 2019, with one further awaiting confirmation from the Agency Decision Maker. Of these, two were sibling groups and two were relinquished babies. The RAA as a whole takes the lead on preparing those carrying out the fostering or adoption, with the Council leading on working with the children to be fostered or adopted;
- (e) the Council has around 625 children in its care and assesses the needs of all of them very carefully, with Adoption Orders given for children when this represents the best outcome – whatever the age of the child. In some cases, a Special Guardianship Order is used. There are up to 100 children in the adoption process at any given point and 38-47 children are adopted each year. The average time from the making of the Adoption Order by the Courts to the date of actual placement with a family is 234 days, currently, so there is still potential for improvement;
- (f) a permanent placement is always the preferred outcome and all potential matches are reviewed by an independent panel and are authorised by an external person. The rate of disruption to placements is low, with only two occurring over the last four months. Generally, it is much easier to find an effective placement for a baby than it is for older children or siblings that should be kept together. The particular care needs of some children can make finding an effective placement particularly difficult;
- (g) the RAA expands the geographical area for potential placements and, given the compact nature of the City, careful consideration is given to where it is in a given child's best interests to be placed. The progress of placements is tracked very carefully and close, ongoing support and training is provided to adopting and fostering families by four support services working together, across the region. Adopters are assessed and prepared so that they can provide a permanent home for children and help to address their trauma. The adopted children also have support needs that can continue for many years after they become an adult. Support is also provided to the birth families of adopted children.

The Committee concluded that the implementation of the new RAA and its initial outcomes had been positive so far, but that it was too early to assess its effectiveness fully. The Committee decided to review performance against expected outcomes after a year of operation.

RESOLVED to review the progress of the East Midlands Regional Adoption Agency from April 2020.

15 CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME

Jane Garrard, Senior Governance Officer, presented the proposed work programme for the 2019/20 municipal year.

RESOLVED to:

- (1) consider the report on the Ofsted inspection of Children's Services at the meeting to be held on 28 November 2019;**
- (2) consider the issues relating to 16/17-year-old children in care with semi-independent living arrangements at the meeting to be held on 30 January 2020.**