Herefordshire Council

Supplement to the agenda for

Children and young people scrutiny committee

Tuesday 15 September 2020

1.00 pm

On line meeting only

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Supplement – schedule of questions received for meeting of children and young people scrutiny committee – 15 September 2020

Agenda item no. 5 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Mrs M Steel, Hereford	When did the Chair of the CYP Scrutiny Committee first become aware of the existence of the CSO report and concerns from the public that the same safeguarding mistakes identified in the CSO report had been repeated in other schools and caused material harm to children?	Chairperson of the Children and Young People Scrutiny Committee
Response: I was aware of the CSO report in February/March 2019 from a member of the public. At that time my understanding was that the report was in the ownership of a school and I did not become aware that Herefordshire Council had retrospectively funded the report until the morning of the meeting on 2 June 2020. Therefore, until then I did not believe that Herefordshire Council had the legal right to refer to or disclose elements of that report as it had been commissioned by the school. During February/March 2019 I was advised by the same member of the public that in their view safeguarding mistakes were being repeated in other schools and as a result of my discussions I committed to include the topic in committee's work programme following the local elections in May 2019. A spotlight review was then held in December 2019.			
PQ 2	Ms E Steel, Hereford	When did the Cabinet Member for Children and Families first become aware of the existence of the CSO report and concerns from the public that the same safeguarding mistakes identified in the CSO report had been repeated in other schools and caused material harm to children?	Cabinet Member Children and Families
Response: I attended a meeting in March 2019, before I became a cabinet member, with the then cabinet member, officers, and families of children who had suffered assaults from their peers. The report was referred to, and concerns raised that mistakes continued to be made and that children were not being separated.			
PQ 3	Ms Liddle, Ledbury	In March 2019, in Plough Lane, the Director and the Cabinet Member for Children and Families listened to two families talk about the terrible impact on their children of being left in school with a boy who had seriously sexually assaulted them. The youngest of these victims had to leave her school to get away from the perpetrator, who now has a criminal conviction for the assault on her. This case post-dated receipt by the Council of clear advice in the CSO report which could have ensured the separation of victim and perpetrator.	Cabinet Member Children and Families

		In Herefordshire MASH's *Peer on Peer Review (2017-2019*) it is claimed that "no child was put or left at risk" (section 1.3). How can the Director publish and the Cabinet Member endorse this statement after hearing first-hand testimony to the contrary from families?	

Response:

Cabinet expressed concern about the lack of clarity in the way this particular case is represented in the report. This was complicated by the police insistence that no detail which might identify the child should be included. This report is limited in its scope to the examination of the written records held on actions taken within schools for historic cases. The report acknowledges that a number of cases do not have complete written records. Within these limits, the investigating officer has found no evidence in the records of harm or risk of harm. This does not mean that harm did not occur. Following the debate on the report, if it is still unclear, this will be further investigated.

PQ 4	Ms Trumper, Hereford	The CSO report – dated April 2017 - gave clear and unambiguous advice on how a child who has disclosed a serious sexual assault should be safeguarded. Furthermore, attached to the original version of the CSO report was a generic risk assessment created to help teachers put in place a proper safety plan for future victims. This risk assessment was not shared with schools until Autumn 2019. It is not attached to the redacted CSO report and is scarcely referenced in Mr Morgan's analysis. The failure to share the clear lessons from the CSO report and the CSO proforma risk assessment with schools is glossed over as "unhelpful" and "a potential weakness." Are the Committee happy that this language adequately describes the Council's decision not to share crucial safeguarding guidance and that no explanation has been given for this "unhelpful" decision?	Cabinet Member Children and Families Chairperson of the Children and Young People Scrutiny Committee

Response:

<u>Cabinet Member Children and Families:</u>

I would agree that the language used does not make clear to members of the public how seriously this is regarded. I will be happy to consider the comments of the committee and review the matter further.

<u>Chairperson of the Children and Young People Scrutiny Committee:</u>

Thank you for your question. I have concerns over this wording in the report and I will ensure that the committee will debate this at its meeting on 15 September; until the committee has had the opportunity to debate the content of the report and resolve recommendations it will not be possible to come to a view on the issues you raise. When the report is debated at the meeting I will ensure that this question is put to the committee and I will invite members to make comments around this issue.

PQ 5	Mrs Burns, Hereford	In the *Peer on Peer Review (2017-2019*), there is an admission that "there was no full consideration or advice given at the time about additional human rights or equalities legislation." What is not included in Mr Morgan's report is the admission that from September 2017 Herefordshire Council lawyers were aware of legal action against a Herefordshire school for breaches of the Human Rights Act and the Equalities Act in connection with the failure to properly safeguard a child after she disclosed she'd been raped by a school peer. Is the Committee concerned that Council officers did not feel it appropriate to pass on advice to other Herefordshire schools in 2017 about their legal duties to protect children, in order to prevent further breaches of both Acts and harm being done to other children?	Cabinet Member Children and Families Chairperson of the Children and Young People Scrutiny Committee

Response:

Cabinet Member Children and Families:

I agree, and the report acknowledges, that the recommendations in the CSO report should have been shared at the time. Some advice was shared with schools in 2017 in training and briefing sessions, but this advice was not provided in writing. The advice provided to schools in seminars on this matter has become clearer and more detailed since then. The report proposes lobbying the DfE to improve their guidance, and commits the council to further improving the guidance shared locally.

Chairperson of the Children and Young People Scrutiny Committee:

Thank you for your question. As with my response above I share concerns over the handling of the CSO report and I'll ensure that this is part of the committee debate at the meeting on 15 September; until the committee has had the opportunity to debate the content of the report and resolve recommendations it will not be possible to come to a view on the question you raise. When the report is debated at the meeting I will ensure that this question is put to the committee and I will invite members to make comments around this issue.