

Supplement – schedule of questions received for meeting of children and young people scrutiny committee – 25 November 2019

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

Question Number	Questioner	Question	Question to
PQ 1	Ms Steel, Hereford	<p>At the last CYP scrutiny meeting two public questions were asked in connection with the safety of children in this county. To date, the Council has failed to give a substantive answer to either question.</p> <p>The first public question on 16th September was:</p> <p><i>How long is a reasonable delay between the Council being alerted to possible safeguarding failure, and the Council starting an investigation?</i></p> <p>The second question referred to a case taken by a child in the county under the Human Rights Act in connection with safeguarding failures after a peer-on-peer sexual assault:</p> <p><i>Has the Committee seen evidence that the Council undertook a thorough investigation into the 2018 case in order to learn lessons?</i></p> <p>Why has the committee failed to offer substantive answers to these questions when both are highly relevant to the safety and well-being of children?</p>	Chairperson of Children and Young People Scrutiny Committee
<p>Response: Thank you for your question.</p> <p>At the previous meeting of the children and young people scrutiny committee on 16 September the public questions outlined in this question were answered with a statement that the committee would consider the issues raised during its consideration of the scoping document for the peer on peer abuse in schools spotlight review. The committee later approved a scoping document for the peer on peer abuse in schools spotlight review which seeks to investigate policies and procedures at the council to respond to safeguarding concerns over peer on peer abuse in schools but which does not provide for the examination of individual cases. During the spotlight review I will be willing to pose the first question concerning alleged delay to officers. With respect to the question concerning an investigation into a previous case; the commissioned report, appropriately redacted as it refers to the council rather than the school, will be considered as part of the success/effectiveness of policies to address peer on peer abuse in schools.</p>			
<p>Supplementary Question: Why have you not initiated an immediate review of all cases of peer on peer sexual assault which have come to the MASH team to ensure that no child is at risk of harm today from the delay in rectifying inadequate and unlawful safeguarding?</p> <p>Response from Councillor Norman to supplementary question:</p>			

I would like to take this opportunity to apologise on behalf of the council. No child should be put at risk from physical or emotional harm and when that does happen we strive to have the right approach and support for them. We have investigated our practices in relation to peer on peer abuse and it has become apparent that officers made an error in judgement in recommending the best course of action. There is no doubt that there should be support and advice available for victims, teachers and parents. We as a council play our part in this and are working with others to see what more can be done. There are now clearer procedures and processes in place to improve the way council staff work with children, families, schools and colleges. In the last few years there have been advances in national guidance and we have significantly improved our work alongside partners and schools. As a council we identify the improvement needed and we offer additional support and tools for teachers to help them respond appropriately and continue to discuss and develop our collective approach to the national guidance with schools and colleges.

I will categorically state that, although you can never be sure that there is not a risk of the abuse happening, I am assured that every step that can be taken is being taken and can assure we put out a full recent statement to that effect. I do feel we are doing all that we can and please remember this is not only the Council but all partners with whom we work very closely. We have a number of activities to help to strengthen that safeguarding approach including an extremely successful conference for all safeguarding leads from the schools a couple of weeks ago. We are doing all that we can, I think Chris Baird could add something or something in writing would be more useful where we can very specifically outline our understanding of the issue.

Response from Chris Baird to supplementary question:

Every case that is referred into MASH we do work with schools and the families as well as their ongoing safeguarding issues. If there are any concerns about children now then we would like to hear them and we will look into any cases brought to our attention, as well as reflecting on what we are doing with current cases. Not all cases are open to children’s social care so part of our work is how we coordinate with schools and others on the ongoing safety of children on a day to day basis.

PQ 2	Ms Liddle	The Spotlight Review on peer-on-peer sexual abuse will not look at historical failures to protect children after they disclose an incident, nor at the failure of the Children’s Directorate to learn lessons from safeguarding errors made by Council MASH officers. Does the Children’s Scrutiny Committee propose to undertake any scrutiny of how safeguarding errors have continued for over three years despite members of the public repeatedly raising their concerns on this issue?	Chairperson of Children and Young People Scrutiny Committee
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Response:
Thank you for your question.

I confirm that the peer on peer abuse in schools spotlight review will not examine historic, individual safeguarding cases. The spotlight review will be provided with detail of the procedures and policies that the council and local schools have in place to respond to and address cases of peer on peer abuse in schools. It will determine whether those procedures and policies are robust and fit for purpose and will seek to make recommendations on any elements it considers inadequate. The children and young people scrutiny committee will consider the outcomes of the spotlight review (including its assessment of current safeguarding arrangements with respect to peer on peer abuse in schools) and determine whether any recommendations should be sent to the executive.

PQ 3	Ms Shore	The anonymity of victims of sexual offences is protected by law. However, so is their right to waive anonymity. At the last CYP scrutiny meeting, the Chair decided that victims of peer on peer sexual abuse would not be invited to give evidence to the upcoming Spotlight Review in order to protect their anonymity. This takes the right to waive anonymity away from victims. The effect renders them powerless, replicating the	Chairperson of Children and Young People
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	<p>loss of control they have already been subjected to in their assault. Learning from empowerment experienced by survivors in the Me Too movement, will the committee respect victims' rights to make their own choices about submitting evidence to the Spotlight Review in person or by representative and make reasonable arrangements for written evidence from them, their family/friends to be submitted - named or anonymously as the victim chooses.</p>	<p>Scrutiny Committee</p>
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Response:

Thank you for your question.

This is a sensitive issue and it is one which has been debated and considered at length during the production of the scoping document for the peer on peer abuse in schools spotlight review and in arrangements for the meeting. There is a difficult balance to strike between ensuring that the impact on victims of peer on peer abuse in schools is understood by the spotlight review and that an open forum is provided to allow the public to see scrutiny of an issue which has caused public concern. You are correct that the scoping document for the spotlight review does not contain provision for individual victims of peer on peer abuse to submit statements or address the review in person. Instead the spotlight review seeks to hear about the impact on victims from the children's charities and support groups that will be in attendance at the meeting. I have set out below my thinking as to why the spotlight review has taken this approach and why there is concern over the provision of witness statements, either written or in person:

- As I have stated in response to an earlier question, the spotlight review will not examine individual safeguarding cases but will focus on the safeguarding procedures the council has in place and to determine if the arrangements provide assurance. To receive individual testimony from victims would militate against this purpose and would potentially lead to discussions and debate of individual cases.
- You state that victims of sexual assault have a right to waive their anonymity. I think it important to retain a perspective that the victims of peer on peer abuse in schools will be children. I have never been entirely comfortable with the notion of accepting testimony in a meeting in public from children; be that evidence that is written, provided in person or anonymised. The potential impact on a child of reliving their experiences to provide a statement, of having their case presented in a meeting in public and debated is impossible to quantify. Without appropriate support and guidance, which the council would not be able to guarantee for witnesses, there is the potential for harm. I contend this is also the case for any young person who would have been a child when they were the victims of peer on peer abuse at school. However, I am currently investigating the potential of using a piece of correspondence, concerning the impact of peer on peer abuse in schools, at the spotlight review and I hope to be able to provide more detail on this at the meeting on Monday 25 November or soon after.

The peer on peer abuse in schools spotlight review is to be held in public. If the session had been conducted in private some of the reservations outlined above would be overcome. However, as mentioned, this is a balance we have sought to strike in undertaking the review in public.

I would also encourage any members of the public who wish to outline their experiences to write to me. This is their right and I would consider carefully the information provided. If any correspondence provided permission for onward dissemination at the spotlight review and I felt that it would help provide a level of insight I would consider circulating it. However this will only be possible if informed consent is provided to share the correspondence and that none of the detail would be capable of identifying any individuals.

Supplementary Question:

I am very unclear about how the general public out there including victims of sexual abuse will know that is something they can do as they are unaware of scrutiny committees. I'm concerned that whilst it is good that the spotlight review is occurring and that it will look at all aspects of abuse there is a systematic need to look at violence against women and children. I would like as well as the spotlight review I would like there to be a concentration on the

sexual abuse aspect. I accept that they take it seriously but there needs to be some specific action to ensure that there are no children in that position and I don't see that it is clear in the answers provided to the public questions this will happen.

Response from Councillor Gandy to supplementary question:

I have taken a decision that I will read out an impact statement, providing I get written agreement from an individual. I am happy to read out impact statement which together with the information we get from the children's society, the rape crisis centre and other voluntary organisations will provide the voice of the child impact upon the individual. I understand concern how to get out to the wider public about the spotlight review and I will talk to officers as to how we achieve that. The spotlight review covers all forms of abuse, including peer on peer sexual abuse which is an area people have raised concerns about but the review will also not shy away from such abuse on social media that has led to suicide.