

## Appendix 1 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Anonymous	How will social services investigate and correct other potential injustices that may have occurred over the past decade? In cases where legal aid is unobtainable families have likely been unable to question poor or unjust decisions made.	Cabinet member children and families
<p><b>Response:</b> We will be undertaking an external independent review of all open cases across children's services, including children in care, to assure ourselves that assessments and care plans are child focussed, are meeting the welfare needs of the child and that care plans are evidencing good safe care and parents are included and have a voice to the greatest extent possible. Citizen's Advice Bureau can provide free expert legal advice to anyone who feels a case has resulted in the wrong decision, which subsequently resulted in their being denied legal advice. We are committed to reviewing such cases on a case-by-case basis. And to support this, we have set up a dedicated email where you can submit 'cases of concern', the link of which is attached here: <a href="http://www.herefordshire.gov.uk/careconcerns">www.herefordshire.gov.uk/careconcerns</a> or email <a href="mailto:careconcerns@herefordshire.gov.uk">careconcerns@herefordshire.gov.uk</a></p>			
<p><b>Supplementary Question:</b> Who will be undertaking the independent review, what are their competencies and will affected parties be advised of any errors, mistakes or poor practices, as well as their rights without having to contact Herefordshire Social Services/Herefordshire Council first?</p>			
<p><b>Response from Cabinet member children and families:</b> A written response would be provided.</p> <p><u>Written response provided on 12 May:</u></p> <p><i>There are a series of reviews that have been commissioned as follows:</i></p> <p>1) <i>We have created an independent assurance team that is specifically focussing on a review of practice and learning arising from this judgement. The team are comprised of experienced consultants who bring together a range of skills and expertise in the field of child protection, children in care and family care proceedings. As part of their work, this team are also reviewing and responding to members of the public who through our dedicated email for the public 'cases of concern', to help our ongoing learning. We remain committed to being transparent with members of the public, therefore if any errors or poor practice the independent team will contact individuals direct as indicated above.</i></p> <p>2) <i>The Director of Children's Services commissioned a forensic review around the quality of practice and leadership and management across the service, which is being undertaken by two highly experienced former HM Ofsted Inspectors, who now work with Council's who are on an improvement journey. The outcome and findings of this review will be shared with the independently chaired improvement board, and through the improvement plan, which the DfE advisor will maintain overview and scrutiny, that is reported to the Minister within the DfE on a six-weekly basis. This work commenced on the 12 April 2021.</i></p> <p>3) <i>We are in the process of commissioning an external audit review of all current open cases within the directorate, findings and any actions arising from these audits will be made shared with the Improvement board and identified within the improvement plan and any affected parties will be advised</i></p>			

PQ 2	Anonymous	To provide some public confidence, when and how will you ensure that false records on your mosaic system, doctors, health centers, hospitals, schools, and teachers in this case are corrected and updated and reflect truthful and objective information, especially facts that have been established in court?	Cabinet member children and families
<p><b>Response:</b> The Council's Access to Information team can be contacted to request access to personal records. Information can be found here: <a href="#">Access to information – Herefordshire Council</a>. If there is information that is incorrect then we as a council have a duty under UK General Data Protection Regulations (UK GDPR) to ensure that the records are updated and corrected; You can challenge the accuracy of personal data held about you by an organisation and ask for it to be corrected or deleted. This is known as the 'right to rectification'. If your data is incomplete, you can ask for the organisation to complete it by adding more details.</p>			
<p><b>Supplementary Question:</b> As it clear from the judgement, incorrect records with doctors were established as fact in court in this case. Have these been corrected since the judgement was served a month ago?</p>			
<p><b>Response from Cabinet member children and families:</b> A written response would be provided.</p> <p><u>Written response provided on 12 May:</u></p> <p><i>Children's and Legal services and relevant staff involved within the case are correcting any factual inaccuracies and will ensure these are shared with relevant agencies to ensure their records are updated. This work will be completed by June 12<sup>th</sup> 2021.</i></p>			
PQ 3	Anonymous	To provide some public confidence, when and how will all relevant professionals who have been given false information historically in this case, and who may interact with these children or Carers in the future, be made aware that false information had been given previously to them by the local authority?	Cabinet member children and families
<p><b>Response:</b> As part of our independent review of all cases, if incorrect information has been identified within records, this will be corrected in this case and others and disseminated to all professionals involved with the case to ensure their records are updated. As indicated in the previous question we as a council have a duty under GDPR to ensure that the records are updated and corrected; You can challenge the accuracy of personal data held about you by an organisation and ask for it to be corrected or deleted. This is known as the 'right to rectification'. If your data is incomplete, you can ask for the organisation to complete it by adding more details.</p>			
<p><b>Supplementary Question:</b> As it clear from the judgement, professionals, particularly doctors in 2014 and 2019, were given false information by the social worker / foster carer. Have these been corrected since the judgement was served a month ago?</p>			
<p><b>Response from Cabinet member children and families:</b></p>			

A written response would be provided.

Written response provided on 12 May:

*Children's and Legal services and relevant staff involved within the case are correcting any factual inaccuracies and will ensure these are shared with relevant agencies to ensure their records are updated. This work will be completed by June 12<sup>th</sup> 2021.*

PQ 4	Anonymous	It is evident from the judgment that the failure of these foster carers' acceptance of the 2013 judgement was a major factor of the long-standing failures. What specific immediate actions are you going to take with these foster carers, or any other carers, who do not follow court rulings?	Cabinet member children and families
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**Response:**

Foster care is an incredibly difficult and challenging job, as many of these children have suffered significant trauma in their lives, which has left them with complex and challenging needs. As a council and corporate parent, we recognise and value the importance that our foster carers make every day to 'our' children's lives. The need to ensure our foster carers are supported and provided with additional resources and training as and when required is of the paramount importance.

We have been introducing new policies and procedures to support practice development in the fostering team since the 2018 High Court Judgements. This will continue as part of the improvement plan to address learning from this case. Training for foster carers, including the current carers is continuing and future training is planned to improve the service needs. All this work has been undertaken jointly with colleagues within Legal Services, so we can assure adherence with court rulings, and the improvement work which has been undertaken will be overseen by the independent improvement board.

In addition, in January 2021 we recruited a Fostering Independent Reviewing Officer (who is a qualified social worker) who is providing independent oversight of our foster carers to ensure their assessments are robust, they are provided with the right level of training and support, and that they adhere to established policy and procedures for looking after children in our care and this will include support to the current carers.

**Supplementary Question:**

Your legal department has been content for 8 years with the foster carers' non-acceptance of the 2013 judgement. Their entrenched views was highlighted in court in the court case 2015-2017. What specific training will continue and which one is planned for these foster carers and your legal team?

**Response from Cabinet member children and families:**

A written response would be provided.

Written response provided on 12 May:

*Like social work, being a foster carer is a difficult and challenging role, and as a Council we remain grateful for the valuable role they undertake in caring for children who are unable to live with their families. Providing good support and training to equip them to undertake this invaluable role is essential. There is a commitment to deliver specific training for all foster carers, including the carers within this judgement, which will be developed and delivered through the role of the fostering reviewing officer (FIRO), the Independent Assurance team, who are leading on the learning from this case, together with legal colleagues. This training will consider learning from the 2015-2017 and this more recent judgement.*

PQ 5	Anonymous	The Foster Care Providers and the independent review officer treated Court findings with contempt over many years and have harmed the children as a result, due in part of the very disturbing longstanding mindset that is evidently present at the council. Beside the direct actions to address the conduct of Social Workers and Carers, what immediate steps will you take to assure that there is a proper and independent functioning Foster Carer Review Panel and IRO department?	Cabinet member children and families
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**Response:** The appointment of a Fostering Independent Reviewing Officer (FIRO), will ensure adherence to court decisions, consistency and balance in decision making and the role of the Foster Carers re- parental responsibility and the wishes and feelings of children and young people in our care. The FIRO will be chairing reviews with Foster Carers and will undertake audit work on the robustness of plans for looked after children placed in foster care. The post holder commenced in January 2021.

Concerning the IRO service, following a vacancy, a new experienced Head of Service has been appointed from a council judged by OFSTED to be 'outstanding'. They commenced their role in November 2020. Further work is underway on learning lessons from the review with a specific focus on independent support and challenge to social workers in terms of childcare planning and using the escalation policy to improve consistency of practice, and quality assuring and auditing of cases as part of the shared learning and improving practice

**Supplementary Question:**

What has the FIRO done in this case over the last 4 months?

**Response from Cabinet member children and families:**

A written response would be provided.

Written response provided on 12 May:

*The fostering independent reviewing officer (FIRO) is a new post that has been established. Their role is ensuring a quality assurance scrutiny of work within the team, but also around wider practice development on the importance and value, of a positive relationship between the birth family and foster carers. A significant part of this work, is being clear and consistent in the way we understand, recognise, and ensure parents' rights and voices in the care of their children is consistently applied. The FIRO has been clearly sighted on this case and the learning and is working closely with the independent assurance team who is leading on a review of this case.*

PQ 6	Mr J Roberts Lea Lawton	Many of the issues identified and some of the Council employees named in the High Court judgement of HH Justice Keehan were previously identified as a result of an earlier police investigation, circa 2017, which resulted in the conviction, at Worcester Crown Court, of a Social Care Manager from the same Looked After Children Team and is a matter of public record. Why was the culture in Children's Services not recognised and addressed effectively at this time when it was clearly evident?	Cabinet member children and families
<p><b>Response:</b></p> <p>Although a number of changes in procedures, including the 'Abuse of Position of Trust (Sexual Offences Act 2013) a 'conflict of interest policy' and the Council's whistleblowing policy has been revised to include an anonymous procedure. It is clear that our previous commitments to improve our social care services for children have fallen sadly short of the standards expected.</p> <p>Looking forward, our newly recruited Principal Social Worker (PSW), who has come from an outstanding authority, will hold a critical role as a voice for social workers and has in place regular meetings with practitioners and managers to gain insight into some of the management issues highlighted in this and past judgements. Where a culture of mismanagement is identified, the PSW will be raising this with senior managers and the new Interim Director to ensure these are addressed accordingly.</p>			
PQ 7	Ms T Jeyasingham Ross on Wye	Why is the children's service structured so managerial top heavy?	Cabinet member children and families
<p><b>Response:</b></p> <p>Our senior management structure consists of three Assistant Directors, who each have reporting to them three heads of services, with front line team managers reporting to them. We do not consider that this is disproportionate for our social work. Having sufficient management oversight is key to providing robust oversight and critical reflection on the quality of support we provide to children and young people as well as to practitioners working to help them. Through our new Signs of Safety practice framework, we are working to improve how we foster a culture of learning and open reflection, as well as improving how we work with children and families in a strength based and relationship approach to avoid the difficulties highlighted in the judgement in future.</p>			
<p><b>Supplementary Question:</b> How does this structure reduce the experience of micro management and bullying within the service?</p>			
<p><b>Response from Cabinet member children and families:</b> A written response would be provided.</p> <p><u>Written response provided on 12 May:</u></p> <p><i>As indicated in my first response, the children's services management structure is less top heavy in comparison to most other local authorities. The importance of management oversight cannot and should not be underestimated, this not only ensures staff are supported in their thinking, decision</i></p>			

*making and judgement as social workers, but allows manager's to appropriately scrutinise the quality of assessments, care planning and decision making that has an impact on a child's future.*

*As part of our commitment to supporting our staff, we have trained individuals to take on Bullying & Harassment Advisor (B&HA) roles. B&HAs are colleagues who are trained to offer confidential information on issues relating to bullying and harassment.*