

## **Title of report: Update on peer on peer abuse recommendations**

**Meeting: Children and young people scrutiny committee**

**Meeting date: Tuesday 1 June 2021**

**Report by: Cabinet member children and families;**

### **Classification**

Open

### **Decision type**

This is not an executive decision

### **Wards affected**

(All Wards);

### **Purpose**

To receive an update on the recommendations and progress arising from the reviews in respect of peer on peer abuse

### **Recommendation(s)**

That:

- a) **The committee reviews the information provided and determines any recommendations it wishes to make to the executive.**

### **Alternative options**

1. There are no alternative options to the above recommendations; it is a function of the committee to review actions taken in connection with the discharge of any functions which are the responsibility of the executive and make reports or recommendations to the executive.

## **Key considerations**

2. There has been much focus on the issue of peer-on-peer abuse across the council for several years now – partly as a response to individual cases locally and as a response to the recognition this is a growing concern nationally. Guidance nationally has also evolved as the seriousness of the issue becomes better known. It is recognised that the quality of national data around this is weak.
3. In this national context, there have been several reviews commissioned since 2017 in relation to various aspects of peer-on-peer sexual abuse cases. The most significant being:
  - A review into the circumstances surrounding a case in 2017 and the sharing of a risk assessment document commissioned by the council but carried out by a third-party consultant.
  - Some externally commissioned reports into actions taken by elements of the council since 2017. (eg Cornwall Local Authority)
  - Various internal reviews and reports such as Spotlight reviews (2019), full council Cabinet reviews (2020) and scrutiny panel reviews over some years.
  - Independent reviews continue but usually with tight terms of reference and look at specific issues and not necessarily the wider context.

### **The terminology:**

4. Some of the reviews considered aspects of wider peer on peer abuse (which could be bullying, verbal, online and other forms of abuse) but others specifically looked at peer on peer sexual abuse. These are not the same things and care must be taken to be clear about which issue is under discussion – whilst any such abuse is a serious and significant event, sexual abuse is a significant and serious part of the wider picture. As such peer-on-peer abuse is a wider child exploitation and contextual safeguarding issue. To date much has been focussed on the response of schools as that was where the initial issues appeared to sit but there is a need now to broaden our response to this by including other settings (for example, sports clubs) and the closer engagement of partner agencies. Peer on Peer sexual abuse is not simply an educational issue but a much wider one.

### **The recommendations from previous reviews and reports:**

5. Since 2019, there have been three recent substantial reviews. Each led to a series of recommendations. To date there have been 30 agreed recommendations – some of which are unique and others of which overlap considerably. This paper summarises progress made in order to capture the full set of recommendations. There are three main current sets of recommendations as follows
  - Spotlight review as outlined in appendix 1 (December 2019),
  - A scrutiny committee review outlined in appendix 2 (2020), and
  - A Cabinet review outlined in appendix 3.

6. These three reviews are attached as separate appendices with an update on each of the various recommendations in detail. Although much of the review work (and subsequent activity) has focussed on schools and educational settings some of it includes a focus on other council services, including, for example, legal services.

**Progress made:**

7. Progress against the 30 recommendation has been either completed or significantly in all but one are near to completion; however, due to the nature of peer on peer it is important to recognise the need for work to be continually reviewed, for example introduction of possible new statutory guidance following a recent government review. Some of the recommendations require the engagement of outside agencies (including DFE and Ofsted) and others require an extensive consultation period and training activity.
8. It is also recognised that the impact of serious peer on peer abuse never dissipates. Lifelong harm is done. Disclosures can be a long time in the making and the needs of children and families evolve accordingly. It will remain a focus for the council and the time taken to put some of the recommendations in place does not reflect a lack of urgency. During the last 18 months urgent responses to individual concerns have taken place monthly.
9. In summary – of the 30 recommendations – 26 have been completed, 3 are in process with a near completion and one is being dealt with through the Youth Justice Board. The latter of which was following a recommendation that the executive work closely with the Crown Prosecution service and West Mercia Youth Justice Board to produce a joint risk assessment with the Youth Justice Board taking lead responsibility.
10. The 3 that have been delayed include the provision of a process of reconciliation – the full detail on why this was delayed is set out in appendix 2; however, in essence a key contributing factor was due to the response time for partners during the lockdown. The partners considered our requests and the design of a process, that will be unique, and fully independent that ensures they can respond to the very divergent and specific needs of families. The estimated time for completion is end of June 2021.
11. The second delay is with the reporting of the quality of recording of cases on our internal systems which was also recently identified in the recent judgement of Mr Justice Keehan. This is now being picked up through the improvement plan.
12. The final recommendation which has been delayed is the peer-on-peer induction for all members of staff within the Directorate including new starters. We can confirm this has been taking place since September 2020 and is ongoing; the intention now is to move to an online module for new starters; however, this module is awaiting development

**The implications for the Council?**

13. The council is currently undergoing a transformation in the way the Directorate works. Demands for training has increased. Consequently a wider approach to safeguarding has been recognised as an issue locally this remains a high priority for the council and will be addressed within the improvement plan.

### **Next Steps:**

14. Whilst there is an understanding of why the focus has been on school level response to such issues, this now needs to be placed within a wider contextual safeguarding context. As such, whilst the guidance and training has been focussed on schools, the issue now needs to widen and formally sit under the Child Exploitation and Missing sub group as part of the Children's safeguarding partnership responsibility.
15. As previously identified in the child exploitation report presented to this committee both the Prevent and Disrupt group and the Peer on Peer Abuse and Sexual Harm connects with the Child Exploitation and Missing sub group. In respect of peer on peer abuse the focus here is on implementing previous work and the key recommendations on peer on peer abuse and the NSPCC project on sexual harm which was undertaken through a task and finish programme that commenced under the new safeguarding arrangements in January 2021
16. Peer on peer abuse is a key community concern both in Herefordshire and nationally and is not a single agency responsibility. Our next key development as part of our above partnership work is to establish a community forum whereby partners can reach out and engage with members of the public to transparently hear and discuss concerns.
17. The community forum will also share work on our joint response around peer on peer and sexual harm to enable a co-production on developing effective guidance and practice. This will provide a two-way engagement in an open and transparent approach in order to get from discussion to action. It is important to note that peer on peer is a wider partnership responsibility to safeguard children across all settings within Herefordshire. This ensures peer on peer expands beyond a single focus around schools, and enables the multi-agency responsibilities through the MASH and their duty to investigate concerns so we get the "right help at the right time".

### **Community impact**

18. The approach to peer on peer abuse for children and families in Herefordshire is an important and integral part in the provision of safeguarding, education, health and care services for vulnerable children and their families throughout Herefordshire. This enables the council to work with children, young people and their families where this is possible to keep children and young people safe and give them a great start in life; and secure better services, quality of life and value for money. This contributes to fulfilling the aims of the Herefordshire Children and Young People's Partnership Plan 2019-2024 and the councils County Plan 2020-2024.

### **Environmental Impact**

19. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.

## **Equality duty**

20. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

21. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. This is a factual report highlighting the outcomes of the review into historic cases of peer on peer abuse, including areas of good practice, areas for improvement and the next steps that council will take. Peer on peer abuse is an Equality issue and the outcomes of the review demonstrate that the council has considered this and is committed to working to support those effected while exercising its Equality duty

## **Resource implications**

22. There are no resource implications arising from the recommendation. The resource implication of any recommendations made by the committee will inform the executive's response to those recommendations.

## **Legal implications**

23. There are no specific legal implications of the recommendation of this report

24. However, the council, working with partner organisations and agencies, has specific duties to safeguard and promote the welfare of all children in their area. The Children Acts of 1989 and 2004 set out specific duties: section 17 of the Children Act 1989 places a duty on the council to provide services to children in need in their area. Section 47 of the Children Act 1989 requires councils to undertake enquiries if they believe a child has suffered or is likely to suffer significant harm.

25. These duties placed on the council can only be discharged with the full co-operation of other partners, many of whom have individual duties when carrying out their functions under section 11 of the Children Act 2004. Under section 10 of

the same Act, the council is under a duty to make arrangements to promote co-operation between itself and organisations and agencies to improve the wellbeing of local children.

26. In dealing with Peer on Peer abuse, government guidance 'Keeping Children Safe in Education' (updated in September 2019 and again in June 2020) provides statutory guidance for schools and colleges who must have regard to the guidance when carrying out their duties to safeguard and promote the wellbeing of children

## **Risk management**

27. There are no risks associated with agreeing the content of this report which provides information regarding the review of historic cases of peer on peer abuse and indicates how the work has been and is being taken forward

## **Consultees**

28. None

## **Appendices**

Appendix 1 Summary of Recommendations and Executive Responses to the Spotlight review update

Appendix 2 Scrutiny recommendations – Peer on Peer review and executive response update

Appendix 3 - Peer on Peer Full Council Recommendations update

## **Background papers**

None identified