

PUBLIC QUESTIONS TO CABINET – 26 MAY 2022

Question 1

From: anonymous (name and address supplied)

To: cabinet member, children and families

How long is a reasonable delay between the Council being alerted to a safeguarding risk to children and the Council taking action to prevent avoidable harm from the identified risk?

Response

In all cases the Local Authority has to ensure interventions are proportionate and considered; time is one of the factors which forms part of this deliberation. Statutory guidance allows for a varied level of different responses to safeguarding risks ranging from a number of hours to a number of weeks depending on circumstances (for instance an Initial Child Protection Conference needs to take place within 3 weeks of a multi-agency Strategy Meeting). In all cases, the Local Authority works in collaboration with other agencies and at times it is other agencies who are better able to take immediate actions (for instance for the police to exercise their powers of police protection). By working together with other agencies the Local Authority seeks to mitigate risks so far as is reasonably possible.

Supplementary Question

In my written question I asked 'how long is a reasonable delay between the council being alerted to a safeguarding risk to children and the council taking action to prevent avoidable harm?' I asked it because over 9 months ago I set out clearly, in writing, why the council's current policy and practice in one area of safeguarding is both harmful and unlawful. I gave the written legal analysis to a senior officer in this council in August 2021. To date no officer has been able to counter my legal argument that the council's policy and practice in this area is harmful and unlawful, and yet the council has not changed their policy and practice.

Senior officers are at pains to say that the council's response to safeguarding risks has changed, but in this area the drift and delay identified by Judge Keehan seems to be alive and well. How long is a reasonable delay between the council being alerted to a policy and practice which discriminates against girls and the council taking action to prevent unlawful discrimination?

Response

The written question received a very general answer because it was a very general question. On the more specific issue it deserves a written answer and you will get a written answer. I do understand what is behind this question and the issues about girls safeguarding and protecting victims. I am seeing the chief executive tomorrow.

Written Response

This response assumes the question refers specifically to safeguarding in schools.

As a council we provide guidance and support to schools, who are responsible for their own policies and practice, overseen by Ofsted and the DfE. Council practice is not unlawful.

It is crucial that social care, police, health and the council work together to protect victims, and the Herefordshire Safeguarding Children's Partnership has produced local guidance specifically around peer on peer abuse

The day-to-day obligations in dealing with peer on peer abuse cases in schools will fall on the governing body and staff at the school; the Secretary of State has made guidance under s 175 Education Act 2002. This is entitled "Keeping children safe in education - Statutory guidance for

schools and colleges” and there is version which takes effect in September 2021 (“the Guidance”) and both a council and a governing body must follow the guidance.

In following the Guidance schools and colleges would be following the provisions of the HRA. In certain cases, there may be circumstances which require the governing body and council approach to have regard to specific obligations of the HRA along with a duty to discharge those obligations, depending on the specific circumstances of the case.

Links to the current published guidance:

[Peer on peer abuse documents – Herefordshire Council](#)

[Policies and procedures - Herefordshire Safeguarding \(herefordshiresafeguardingboards.org.uk\)](http://herefordshiresafeguardingboards.org.uk)

Question 2

From: Mr P McKay, Leominster

To: cabinet member, infrastructure and transport

Thank you for seeing the benefit of linking the 'Highways and public rights of way map' with open spaces maps, and asking officer to explore the possibility of developing this integrated approach. Would you also consider asking officer as part of this integrated approach to include making provision to show unadopted 'Highways not maintainable at public expense', with an appropriately coloured line, to avoid them appearing to be a gap in connectivity, even though some have public street lights, are shown with pink line, etc., on other pages?

Response

I am pleased that the intended integration of the open spaces map and Public Rights of Way map has been well received, work is still in progress to achieve this. I am pleased to be able to inform you that “highways not maintainable at public expense” are already incorporated on the integrated mapping system, and are shown in pink.

Supplementary Question

Could you kindly give some indication of when we may hope to view this integrated map of 'Highways, public rights of way, and open spaces', online?

Response

The cabinet member confirmed that a written response would be provided.

Written Response

The project to incorporate the various layers has been passed to colleagues in our IT department, once the scale of the task at hand is known then we will be in a better place to advise on the implementation of the solution. I am however not anticipating this to be either a complex or time consuming project to complete and would hope that the solution is in place by the end of the summer. An update will be issued to Mr McKay separately in August 2022.

Question 3

From: Ms J Liddle, Ledbury

To: cabinet member, health and adult wellbeing

What plans does Herefordshire Council have to develop its Domestic Abuse Strategy and adopt the approach of Plymouth by becoming an authority that is pro-active and explicit in its

commitment to tackling violence against women and girls? (<https://www.plymouth.gov.uk/newsroom/pressreleases/councilunitedfightingviolenceagainstwomenandgirls>) Taking a public stand and maintaining that clear commitment sends out a valuable message to those who see domestic abuse as not really an issue in the county.

Response

Domestic Abuse is one type of gendered crime that falls within the umbrella of Violence Against Women and Girls. In line with the Domestic Abuse Act 2021 our local strategy is based on the new broader definition of domestic abuse which removes some of the emphasis on gendered abuse. The council acknowledges however that there is a need to consider separately the issues specifically faced by women and girls and is committed to working with our partners to ensure strong leadership and effective working relationships.

The Council is committed to supporting the strategic priorities of Herefordshire Community Safety Partnership, as outlined in their strategy for 2021/2024, which specifically include violence against women and girls and sexual violence.

Thank you for drawing our attention to the Plymouth approach, we will look into how this approach could benefit Herefordshire.

Supplementary Question

You're right the broader definition of domestic abuse removes some of the emphasis on gendered abuse but the question I'd like to put now is to what extent does the council acknowledge that women's inequality is still a major cause of domestic abuse?

Response

The cabinet member stated that the council took inequality at its face value and did not support inequality in any realm. The council was following the guidelines and the Domestic Abuse Strategy really addressed inequalities. The strategy was an organic document that would change every year and the council would continue to look at inequalities.

Question 4

From: Ms S Melia, Leominster

To: cabinet member, health and adult wellbeing

Why do the statistics in the Council's Domestic Abuse Strategy cite the gender of the victims (70% are women) but not that of the perpetrators?

Response

The statistics included in the Strategy are taken from the needs assessment which was carried out in 2021. There is a statutory requirement to refresh the local needs assessment yearly which provides an opportunity for more detailed data to be included going forward.

The Council recognises that comparing more detailed data helps to understand the nature of abuse, avoid inaccurate assumptions and develop local strategy and policies that address the needs of the population.

The current needs assessment focused on the demand placed on numerous domestic abuse services within Herefordshire and the expected prevalence of domestic abuse in the county. We will provide the breakdown of the gender of perpetrators in the final strategy.

Supplementary question

How is it possible to develop an effective Domestic Abuse Strategy, including a focus on perpetrators as one of the four priorities, without an understanding of the profile of perpetrators?

Response

The cabinet member drew attention to the four priorities in the strategy and confirmed that a written answer would be provided.

Written response

It has been agreed that the gender breakdown and profile (age etc. if known) of perpetrators will now be recorded and discussed with the newly formed Local Partnership Board for inclusion as part of the organic future development of the strategy and action plan.

Question 5

From: Dr R J McLean, Leominster

To: cabinet member, health and adult wellbeing

Given that local authority resources are limited, of the four priorities in the Council's Domestic Abuse Strategy, how will you prioritise between the four priorities?

Response

The Council's strategy for Domestic Abuse has been written in consultation with strategic partners with priorities that incorporate the roles of these partner agencies. The partnership approach to tackling domestic abuse ensures that no single agency is responsible alone for delivering against priorities and associated outcomes therefore, the Council will lead on some priorities with partner agencies leading on others. Progress on priorities and measurement of outcomes is reported through the Local Partnership Board which is a statutory requirement in the Domestic Abuse Act 2021. The Partnership will utilise resources and be flexible in its approach to the priorities based the emerging evidence.

Supplementary Question

Will the priority in the Domestic Abuse Strategy on provision of services to victims and the priority on perpetrator programmes be in competition for limited resourcing?

Response

No we don't have any limitations, we will look at everything fairly.

Question 6

From: Ms R Farkas, Sutton St Nicholas

To: cabinet member, health and adult wellbeing

As we know that a significant proportion of children on statutory plans (including those in care or on the cusp of care) are from homes where domestic abuse is a key issue, to what extent does the authority see investment in addressing domestic abuse effectively for those families as an opportunity to avoid more costly interventions in the medium term?

Response

The Council is committed to safeguarding children and adults at risk of domestic abuse. Providing timely support to victim-survivors through both statutory agencies and commissioned

services is vital. The council recognises that many children are affected by a toxic trio of issues within their family or home including domestic abuse. In light of this the Edge of Care team was established in 2019, the objective of the Service is to reduce the problematic domestic abuse, drug or alcohol and inter-related behaviours in order to reduce the risk of becoming Looked After Children, and to enable successful reunification of families.

The Council recognises that there is additional work required to identify domestic abuse at the earliest possible stage and to this end is in discussion with West Mercia Women's Aid to explore options for workforce development specifically for those practitioners working with vulnerable children and young people.

Intervening and supporting effectively may also reduce longer term costs but this is a secondary consideration.

Supplementary question

Is there not an argument for medium-term considerations when deciding on investment in domestic abuse services?

Response

Yes there is and we will be looking at it in the in the future.