

TELFORD & WREKIN COUNCIL

CABINET – 19 APRIL 2018

TACKLING CHILD SEXUAL EXPLOITATION (CSE) TOGETHER – UPDATE

REPORT OF DIRECTOR: MONITORING OFFICER

LEAD CABINET MEMBERS – CLLR LEE CARTER, CABINET MEMBER FOR FINANCE, COMMERCIAL SERVICES AND ECONOMIC DEVELOPMENT

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

- 1.1. To update Cabinet on progress against recommendations since the last Cabinet meeting on the 29 March 2018 and in the context of the decision of full Council on the 10 April 2018.
- 1.2. To consider the implications of the decision of full Council made on 10 April 2018 including to consider agreeing the principles for the commissioning of an independent inquiry.

2. RECOMMENDATIONS

- 2.1. Cabinet note that Cllr Lee Carter has become the Cabinet Member with special responsibility for the Independent Council Inquiry.
- 2.2. Cabinet note the progress against the recommendations agreed on the 29 March 2018 report “Tackling Child Sexual Exploitation Together”;
- 2.3. Cabinet are asked to agree in principle the proposed process as detailed in Appendix 2 of this report, as outlining the most transparent way of commissioning an independent inquiry
- 2.4. Cabinet delegate authority to the Monitoring Officer to use these principles to finalise a detailed process; and
- 2.5. Cabinet recommend to Full Council that provision of £350,000 from the 2017/18 projected underspend as a provisional estimate to meet the costs of the independent inquiry and to delegate authority to use this budget to the Monitoring Officer as per this Report.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	Putting our Children and Young People first. Protecting and supporting our vulnerable adults and children. Ensuring that neighbourhoods are clean, safe and well-maintained.
	Will the proposals impact on specific groups of people?	
	Yes	Eliminate child sexual exploitation is very important for the entire community but particularly supports children and survivors who have been impacted by this crime.
TARGET COMPLETION/ DELIVERY DATE	As detailed in this report	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	The Council's Service & Financial Planning Strategy includes a clear priority to protect those most vulnerable in our society and will use its resources as effectively as possible to deliver the best possible outcomes for the Community. The 2018/19 Strategy includes a Capacity Fund which will be used to fund the approved recommendations in the 29 March Cabinet report, including a co-ordinator post, additional capacity for the CATE Team, support from the Voluntary sector and commissioning the charity NWG to carry out a health check. Telford & Wrekin Clinical Commissioning Group and West Mercia Police & Crime Commissioner have both agreed to contribute £70,000 to support the initiatives outlined. Further, The LGA have confirmed a contribution to the National Working Group Health Check on the grounds that any learning will be shared nationally. It is very difficult to estimate the costs of running a Local Inquiry however £0.350m will initially be set aside in a reserve from the projected 2017/18 underspend. This will be regularly monitored and reviewed as part of the development of future Service & Financial Planning Strategies. PH 16/4/18
LEGAL ISSUES	Yes	Outside the ambit of the Inquiries Act 2005 and in the absence of specific statutory provisions the

		<p>Council has the authority and discretion to commission an inquiry into its own activities.</p> <p>The inquiry will need to discuss the proposed investigation with other organisations involved before it begins, to establish primacy of other inquiries [for example ongoing criminal investigations or statutory inquiries] to establish co-operation and to avoid duplication.</p> <p>The inquiry could foreseeably be looking back to before when Telford & Wrekin Council was created in 1998. For that period, and with the exception of current employees, it will largely rely upon the co-operation of organisations and individuals and has no authority to compel the production of documents or the attendance of witnesses for interview.</p> <p>Procurement of the Commissioning Body will need to comply with the Council's Contract Procedure Rules, Financial Regulations and Public Contract Regulations. Any contract will, amongst other things ensure compliance with data protection laws.</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	As detailed in this report.
IMPACT ON SPECIFIC WARDS	Yes	Borough wide impact.

PART B) – ADDITIONAL INFORMATION

4. THE CONTEXT TO AN INDEPENDENT COUNCIL- COMMISSIONED INQUIRY

A. Clarifying Council Policy Position

- 4.1. Prior to the EGM on 10 April 2018, Council policy was set by Full Council on 22 September 2016 when it agreed the following motion, (Minutes approved by Council on the 24 November 2016):

Councillor A J Eade moved, in accordance with Council Procedure Rule 7, the following Motion:

“This Council notes with extreme concern the recent reports concerning vulnerable children in Telford & Wrekin and calls on the current Administration to:-

Present a comprehensive plan at the November Full Council Meeting demonstrating a clear commitment to the improvement of Children's Services and detail exactly how the administration intends to raise all Children's Services in the Borough to a minimum standard of 'Good'.

Also to present to the same meeting, details of measures the current Administration will now introduce to ensure that vulnerable children in the Borough are fully protected in future and precisely how it will tackle the serious problems currently facing the Borough."

Councillor T J Nelson seconded the Motion.

Following a lengthy debate and clarification that the Motion did not seek support for the commissioning of an Independent Inquiry, the motion was unanimously approved.

RESOLVED – that the motion be approved

- 4.2 A letter dated 22 September 2016 was written to the Home Secretary highlighting the independent reviews/ inspections that had already taken place between 2012 and 2016 in addition to the Council's Scrutiny Committee review. The letter stated the view, backed by the decision of Full Council above, that "given the recent findings of Ofsted and the fact that the Government's own independent inquiry, chaired by Alexis Jay, is already committed to looking at what happened here in Telford, we do not feel at this time that a *further* inquiry is necessary...we remain committed to tackling this difficult issue in Telford and will support Professor Jay in any way that we can with the independent inquiry into child sexual abuse".
- 4.3 There remains no confirmation that Telford will form a specific element of the IICSA inquiry so, whilst the collective Cabinet view remains that the independent statutory inquiry is the best way of getting the answers that everyone wants about historical child sexual exploitation within the Borough, the Cabinet agree that the type of inquiry proposed in this report is better than no inquiry at all.
- 4.4 **The Home Office's most recently-stated position in respect of Telford was set out in a letter dated 3 April 2018.** An extract of this letter is set out below.

"The Government has already set up the Independent Inquiry into Child Sexual Abuse with broad terms of reference to look at whether institutions have failed in their duty to protect children from child sexual abuse in England and Wales. The inquiry is an opportunity to expose what has gone wrong and learn lessons for the future...the Inquiry has publicly announced 13 separate investigations, including one which is looking at institutional response to sexual exploitation of children by organised networks. In describing this investigation, the Inquiry has said:

"The systemic grooming and sexual abuse of children by groups of offenders in cities and towns of England and Wales is widespread. Building upon the body of work on child sexual exploitation following specific instances in places such as Devon and Cornwall, Oxford, Rochdale, Rotherham and Telford, this investigation will assess the extent to which a wide range of relevant authorities have learned

lessons, implemented recommendations, and put in place effective strategies to prevent child sexual exploitation in the future

“As such, it would not be appropriate for Government to establish a second statutory inquiry to look at issues which are already well within the scope of the existing one. It is now for the Inquiry to decide how it takes forward this investigation, if you continue to feel that an additional review is needed, the Council is free to commission an independent expert to carry one out”.

4.5 At the Council EGM **on 10 April 2018**, it was unanimously agreed:

“This Meeting requests that the Cabinet of Telford & Wrekin Council approve the commissioning and implementation of a ‘non-statutory’ Independent Inquiry into all aspects of historical and current instances of CSE within the Borough.

“This Meeting also requests the Cabinet to instruct Council Officers to commission such an Inquiry immediately.

“This Meeting also notes that such a ‘non-statutory’ Inquiry will allow the opportunity for victims and survivors to give evidence in private and free from any other pressures or interference. Such arrangements will hopefully also encourage other victims to come forward.”

- 4.6 In order to take this decision forward, it is proposed that an independent group of members are brought together as an Advisory Group to consider the most appropriate independent body to approach who can, on the Council’s behalf, develop terms of reference for an independent inquiry, recommend arrangements for the inquiry process and recommend and commission a suitably qualified and experienced individual who could act as the Chair of any such independent inquiry.
- 4.7 A copy of the principles outlining the proposed process are detailed in Appendix 2.
- 4.8 Cabinet propose 2 representatives from each political group rather than applying political balance for the sake of transparency and fairness/ allegations of undue influence. Nominations will be sought from Group Leaders and a first meeting of the Group organised and held before the end of May subject to members’ availability. At that meeting initial training will be provided to members on confidentiality and data protection and procurement and the process, an outline of which is detailed in Appendix 2, will be considered and proposed for approval by that Advisory Group.
- 4.9 Clearly, in taking forward an independent inquiry, the first point of reference has to be the previous Independent Review which was commissioned in 2012 by the Council and other partners. This Review by NewStart Networks was undertaken by experienced Practitioners with an NSPCC background. This Review involved interviewing victims and survivors as well as those working in various services across a number of key organisations and agencies. The Child Abuse through Sexual Exploitation Learning (2008 – 2013) was published on the 30th October 2013. A copy of this Independent Review has been circulated to all members in advance of this meeting.

B. Update on Actions Following the Cabinet Meeting on 29 March 2018

- 4.10 At this meeting, a number of recommendations were agreed. Attached at Appendix 1 is a copy of the recommendations agreed by Cabinet along with a summary of progress made against each recommendation since then. It is important to note that, since this meeting Cllr Lee Carter has been appointed by the Leader as Cabinet Member with Special Responsibility for the Independent Council Inquiry. Whilst Cllr Carteere is the Cabinet Lead work on the detail to progress this will be led by the Advisory Group, as described in this Report.
- 4.11 Subsequent to the Cbinet meeting, the Director of Children’s & Adult Services and the Independent Chair of the Safeguarding Board have written a joint letter to Professor Kelly, from the Child and Woman Abuse Unit at London Metropolitan University, who was quoted in the original Sunday Mirror article on 11 March 2018. A reply has since been received.

C. Update on the National Independent Expert Inquiry (IICSA)

- 4.12 The Truth Project have already started working in Telford. They have had initial meetings with a number of key stakeholders including representatives from the Police, the Council and the voluntary sector. A stakeholder engagement event is planned for 24 April 2018 and individuals will have the opportunity to speak with the Truth Project, “Telford Will Be Heard” in the weeks commencing 21 May 2018 and 4 June 2018* (*dates subject to confirmation).
- 4.13 As stated above, the full national Independent Inquiry has still to make a decision as to whether or not to prioritise Telford for an in-depth investigation.
- 4.14 The Council was copied into a letter from Rishi Sunak, MP, Minister for Local Government dated 22 March to Lucy Allan, MP, following a meeting he had with her. In this letter, the Minister states “in outlining your views, you recognised that there was good practice now in place in Telford and Wrekin Council...’ and in relation to any such Council-commissioned inquiry that “such a review would need to avoid having a negative impact on the work to protect children locally that the Council is already undertaking. It would also need to recognise and not duplicate the important work that the independent inquiry into Child Sexual Abuse is doing”.

5. PREVIOUS MINUTES

- 5.1 Cabinet Meeting – 29 March 2018.

6 BACKGROUND PAPERS

- 6.1 Cabinet Papers – 29 March 2018
- 6.2 NewStart Networks cic Child Abuse through Sexual Exploitation (CATSE) 2008 – 2013 Report. (Commissioned 2012)