

CHILDREN'S SERVICES SCRUTINY SUB-COMMITTEE 07 DECEMBER 2021
CABINET 13 DECEMBER 2021
FULL COUNCIL 15 DECEMBER 2021

Report title: Response to the Independent Inquiry into Child Sexual Abuse (IICSA):
Lambeth Council IICSA Action Plan

Wards: All

Portfolio: Leader of the Council, Councillor Claire Holland

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REPORT SUMMARY

The national Independent Inquiry into Child Sexual Abuse published its investigation report into Children in the care of Lambeth Council on 27 July 2021. The investigation examined the scale and nature of sexual abuse experienced by children in the former care of Lambeth Council over several decades spanning the 1960s to the 1990s, and the extent of institutional failures to protect children in care from sexual abuse and exploitation.

The Inquiry made three recommendations for Lambeth based on the Panel's findings, the first being that Lambeth should develop and publish a comprehensive action plan within six months which details the actions that it will take in response to the issues raised throughout the Inquiry's investigation report, accompanied by timescales for completing identified actions as soon as possible.

This report requests the review and approval of the Lambeth Council IICSA Action Plan, in response to the Inquiry's recommendation.

FINANCE SUMMARY

The necessary resources to support delivery and programme manage the oversight, assurance and monitoring of the Action Plan and to commission external services for peer review and research have been assessed and allocated up to £500,000, with funding available from the budget originally set up to manage the Council's response to the Inquiry.

RECOMMENDATIONS

Children's Services Scrutiny Sub-Committee

1. That the Children's Services Scrutiny Sub-Committee review the draft Lambeth IICSA Action Plan, made in response to the Inquiry's Children in the Care of Lambeth Council investigation report dated 27 July 2021 and provide challenge and feedback.

Cabinet

1. That Cabinet agree that the Lambeth IICSA Action Plan, made in response to the Inquiry's Children in the Care of Lambeth Council investigation report dated 27 July 2021, be formulated and prepared in the form presented to Cabinet with this report.

Council

1. That Full Council resolve to take the decision itself as to whether to approve and adopt the IICSA Action Plan made in the form presented to Full Council with this report.
2. That Full Council approve and adopt the IICSA Action Plan in the form presented to it with this report.

1. CONTEXT

- 1.1 In March 2015, the Home Secretary established the Independent Inquiry into Child Sexual Abuse ('IICSA'). In June 2015 the Inquiry identified Lambeth Council as one of three local authorities and other organisations, including the Roman Catholic Church and the Anglican Church, for investigation into the extent to which State and non-State institutions have failed in their duty of care to protect children from sexual abuse and exploitation
- 1.2 The Inquiry investigated the circumstances of children in the care of Lambeth placed in its children's homes and foster care during several decades. Lambeth has accepted that it is clear that the council of the past failed to keep children – with whose care it had been entrusted - safe from abuse and neglect. The extent and scale of the abuse, which took place over many decades remains deeply shocking. Lambeth has also accepted responsibility for creating conditions in which adults were able to sexually abuse children in Lambeth's care with apparent impunity.
- 1.3 In July 2015 the Shirley Oaks Survivors Association addressed the Council to highlight the appalling treatment and the experiences of their many members as children placed in Lambeth children's homes. Without the courage victims and survivors have shown in coming forward to share their experiences, the Council of today would not have been able to fully understand the breadth, depth and long-standing nature of its failures to protect children in its care.

Public apologies

- 1.4 It is difficult to find adequate language to express a suitable apology to those affected. Since July 2015, successive Leaders of the Council have issued public apologies including the current Leader of the Council Councillor Claire Holland on 27 July 2021 and at Full Council on 22 September 2021:

“On behalf of all elected Members and staff, Lambeth Council wishes to re-state our sincere and heartfelt apology to all victims and survivors of abuse and neglect while in Lambeth's care. The council was responsible for their care and protection but failed, with profound consequences. The council is deeply sorry for their experiences.

As the IICSA Report sets out, the council of the past failed to protect many of its most vulnerable children. A disproportionate number of those children were from Black, Asian and Multi-Ethnic backgrounds. The extent and scale of the horrendous abuse, which took place over many decades, remains deeply shocking.

The council failed to acknowledge concerns when they arose, often failed to believe children when they disclosed abuse and then failed to take effective action. That so many children and adults were not believed compounded their experiences and caused further pain and distress with lifelong impacts. The council takes responsibility for contributing to conditions in which adults were able to abuse with apparent impunity.

The council has co-operated fully and transparently with IICSA, in order to understand what happened to the children in our care and examine the institutional failings; and to reflect and learn from the findings to ensure such events never happen again”

- 1.5 The council's corporate witness (Annie Hudson former Strategic Director of Children's Services) also set out Lambeth's corporate apology in her witness statement dated 9 December 2019:

“On behalf of Lambeth Council, I apologise unreservedly to all those former children in the care of the Council who were failed so badly by the Council. The Council was entrusted with the care of the most vulnerable children in our society and those who experienced harm and abuse whilst in

the care of the Council were failed by Lambeth. This has led to generations of survivors who have spent many years living with the consequences of that harm and abuse and who experienced great trauma and distress. It is not possible to undo the mistakes of the past but we must learn, and have learned, from this. Lambeth Council acknowledges that it failed in its responsibility to protect children in its care. It is clear that some Lambeth homes became places where there was systematic failure by the Council to safeguard children in its care and who, as a result, were placed in harm's way and abused. I also wish to acknowledge the courage survivors have shown in coming forward to share their experiences. I am profoundly sorry that some survivors were not believed in the past. The Council has taken a number of steps in order to address this failure to acknowledge the experiences of those in its care and to apologise to the survivors and victims of abuse."

- 1.6 At the start of her evidence to the hearing on 2 July 2020, Ms Hudson reiterated the council's corporate apology and went on to say:

"It's my absolute belief that children in care are entitled, as all children are, to a life where they can grow up happy, in loving homes, free from any worry or fear of, or reality of, harm; where they can pursue their dreams and ambitions. It is clear to me that a very, very great number of children effectively had their childhoods stolen as a consequence of the abuse, the racist abuse, the emotional abuse, the sexual abuse, the physical abuse and the general neglect of them and their lives during a very long period of time. I am really, really sorry for what happened to those children.

I recognise that Lambeth's betrayal of them is very profound and was very prolonged, and the failures are on many different levels. There was clearly an absolute failure to make sure that the conditions in which they were growing up enabled them to be safe and feel safe from harm. Instead, the council created and oversaw conditions in care where appalling and absolutely shocking and horrendous abuse was perpetrated. So that, rather than living in safe homes, safe environments, children were placed in toxic environments where they lived in constant fear, and they could not have the ordinary life that every child needs -- the right to a good education, the right to have contact with families, brothers and sisters.

Even when they did speak out, and when concerns were expressed, they were disbelieved, their voices were silenced, there was distraction from what they were saying. Then we failed also to give them the support and help that children and adults need to recover from the trauma of abuse, and that, too, I think, was a very profound dereliction of our responsibilities to you, to the survivors.

Finally, and very importantly, people in power and authority were just not vigilant. They weren't sufficiently vigilant about what was happening in children's homes, and they didn't take responsibility for making sure that, even when concerns and issues were highlighted, there was deep-seated change that was required.

I have been proud to be a social worker for 40 years, but I feel an enormous sense of shame about what happened in Lambeth to so very, very many children, and the learning for me, and for Lambeth, has been, and will be, hard, but I think it's really important that this inquiry provides the opportunity for the truth of what happened to be told and for some measure of justice."

- 1.7 Councillor Edward Davie, in his role as Lead Member for Children's Services, apologised on behalf of all current Members when he gave evidence to the hearing on 29 July 2020.

"As I am the only current elected Member to give evidence to this inquiry, I would like to add to Lambeth Council's corporate witness Annie Hudson's apology on behalf of myself and all of my elected member colleagues. The leader of the council, Councillor Hopkins, and his immediate

predecessor, Councillor Peck, have both previously said how sorry they are to victims of the council's failings, and I add my heartfelt apology to their words. But I, and we, recognise that words alone are inadequate. Lambeth's motto is, "Judge us by our actions", and this inquiry has heard from brave witnesses about terrible criminal actions by people in Lambeth Council's employment.

We have also heard about inaction as, time and time again, children tried to raise concerns and recommendations from previous inquiries were not acted upon by this council. These failures meant that many children were sexually, physically and emotionally abused, with devastating and lifelong impacts, as we have heard from the brave testimony of the witnesses to this inquiry. Often this abuse was compounded by antiblack racist abuse, which is a source of more shame for those of us, including myself, who love Lambeth's multiculturalism, and our status as the Windrush borough, where many black Caribbean people settled after World War II to help this country rebuild its infrastructure.

We must never be complacent, and our children's services still require a lot more action to get them where our children deserve them to be. You have my word, as statutory lead Member for Children's Services, the Leader of the council and all Members of this council, that we will continue to take further action, including any recommendations that this inquiry chooses to make, to safeguard the children in our care and support victims of the failures of past administrations."

Inquiry process and public hearings

- 1.8 The IICSA inquiry was an important opportunity to explore those past failings, and to ensure that children in the care of the Council now and in the future do not experience abuse and neglect. It also provides an opportunity to learn from the past and shape how institutions respond to and support victims and survivors of abuse now and in the future. The council has been involved in a number of historical inquiries and has been rightly criticised in the past for failing to act in response to allegations of child abuse. The council has not undertaken its own independent inquiry or fact-finding investigation given the remit of the Inquiry. The council decided against commissioning its own investigation as independent scrutiny from a national Inquiry would give more confidence to victims and survivors of abuse in the investigation, findings and recommendations.
- 1.9 The approach Lambeth has adopted throughout the inquiry's investigation is one of transparency, openness and accountability. The council has co-operated fully with the Inquiry and reviewed a vast body of historical documentation so as to understand and identify the cause of the failures, in particular of political and organisational leadership and governance which led to the widespread failures to safeguard children in its former care. The council collated and disclosed over 300,000 pages of historical material to the Inquiry and submitted over 1,000 pages of corporate witness statements setting out its own analysis and understanding of those historical failings to the Inquiry.
- 1.10 By the time of the five-week public hearing in June and July of 2020, there were 55 complainant/survivor Core Participants, 5 individual core participants such as former Councillors or employees, and 5 institutional core participants (Lambeth Council, the Metropolitan Police Service, Crown Prosecution Service, Independent Office for Police Conduct and the Department for Education).
- 1.11 The hearing focused on children living in residential care and foster homes with the focus narrowed through the use of case study homes and children selected by IICSA. The evidence presented considered the experiences of victims and survivors and examined the scale and nature of the abuse that took place under Lambeth's care and sought to explore whether there were child protection failures by the Council, the police and other public authorities. There was also consideration of the extent to which particular vulnerabilities of any children who were subject to

sexual abuse put them at risk and whether this may have shaped how public authorities responded to these children and their disclosures.

- 1.12 Evidence was given by both victims and survivors of abuse, professionals involved at the time and other professionals in considering current practice. Witnesses included former Leaders of the Council, Chief Executives, Directors of Social Services and Chairs of the Social Services Committee. A number of persons of interest and expert witnesses were also called.
- 1.13 A number of victims and survivors gave direct testimony at various stages throughout the hearing as well as witness statements for other victims and survivors being read during the hearing. Many of these survivors and victims had lived at Shirley Oaks and been resident at other children's homes (for example, South Vale and Angell Road) or had been fostered. Their testimonies were all very powerful, poignant and very painful; they all, without any exception, brought into sharp and vivid relief what it was like to be a child in care living in Lambeth's children's homes which were open from the 1960s to 1990s.
- 1.14 IICSA is, explicitly and appropriately, very focussed on the experience of survivors and victims. During their individual testimonies victims and survivors articulated powerfully and with enormous courage what had happened to them; in so doing they communicated the myriad ways in which their voices, needs and horrendous experiences of abuse and neglect were wholly and absolutely ignored and denied. Their testimonies evidenced the shocking and often repeated ways in which children were sexually abused by those in whom they should have been able to place their trust; they also demonstrated how staff, managers, senior officers and elected members consistently and perpetually refused to face the horrific but undoubted reality of children being sexually abused when in the care of Lambeth. It was very clear that over many years there was institutional denial, disbelief, and deflection from what was happening to children, including when there was unambiguous evidence that children were being abused. There was stark evidence of the disproportionate impact on Black children in care due to racism and that many Black children in care and their families did not receive the quality of service and support that their needs required. This was a failing on the part of the Council that would have compounded the multiple disadvantages that they already faced, which would have had a profoundly negative impact upon these children
- 1.15 Importantly, many victims and survivors expressed very clear and valuable suggestions about how practice could improve to ensure that children never again endure what they had experienced. Whilst some of the events described by survivors took place decades ago, they highlight the continued and absolute imperative of believing children and of positively creating different avenues and mechanisms for enabling children to talk about what is happening to them. Victims and survivors spoke of the way that the 'stigma' of being in care continuously invalidated their voices and accounts of abuse. The eloquence of victims and survivors reinforced once again how very important it is that children and young people participate and contribute to all the decisions affecting them.
- 1.16 Survivors highlighted how crucial it is to create an environment in which children are, and feel, empowered to speak openly about what is happening to them. It was understandably often very difficult then, as now, for children looked after to be open about their experiences, particularly when abuse and exploitation was involved. Survivors too rarely had positive relationships of trust with professionals, thus making it even more difficult for them to disclose what was happening to them. There were a few notable exceptions to this; for example, when an individual social worker believed what children were saying. In the main, however, when concerns were expressed by children, they were disregarded and disbelieved because the prevailing professional culture and systems in Lambeth were not absolutely focused on listening to and believing children.

- 1.17 The Inquiry Panel analysed the great volumes of evidence that they gathered and testimonies, particularly from survivors and victims, core participants (including Lambeth Council) and from other witnesses, including those who were previously employed by or elected members of Lambeth Council during the period under investigation.
- 1.18 Within the evidence submitted to the Inquiry by the Council, which included the very lengthy corporate statement and supplementary case study statements, the Council was clear and unambiguous about a range of very significant failures based on its own analysis of the historical materials.
- 1.19 The corporate statement also provided an analysis of Lambeth Council today, providing evidence about the improvements that have been secured but also highlighting how the wider policy and legislative framework has changed since the period examined by the Inquiry. The Council was also clear in various statements about the work that the Council had done to address historical failures and weaknesses, recognising that we can never be complacent and that there is much further improvement work to undertake. Whilst reparations cannot right the wrongs of the past and the experiences of victims and survivors, the Lambeth Children's Homes Redress Scheme is a key element of the Council's response in addressing its profound historical failures to protect and safeguard the welfare of children in its care. The Inquiry excluded the redress scheme from the scope of its investigation in the Lambeth Council strand. In September 2019 the Inquiry published its report in the Accountability and Reparations strand which considered the civil and criminal reparations processes, and has indicated that it will return to the issue of redress schemes in its final report due to be published in summer 2022.

Children in the Care of Lambeth Council Investigation Report

- 1.20 On 27 July 2021 the Inquiry published its detailed Investigation Report and made a number of findings about the failures by the Council of the past and the causes which led to conditions whereby appalling and absolutely shocking and horrendous abuse was perpetrated. Lambeth has considered the Investigation Report and fully accepts its findings, which also reflected its own submissions in its evidence to the Inquiry, on the appalling historic treatment of children in Lambeth's former care.
- 1.21 Alongside its findings and conclusions, the Inquiry made three recommendations for Lambeth Council:

Recommendation 1: Response to this investigation report

Lambeth Council should develop and publish a comprehensive action plan which details the actions that it will take in response to the issues raised throughout the Inquiry's investigation report. The action plan should be developed and published within six months of the publication of this investigation report and should be accompanied by timescales for completing identified actions as soon as possible.

Recommendation 2: Training for elected councillors

All Lambeth Council elected members should receive training on: (i) safeguarding and (ii) corporate parenting. Newly elected members should receive training on these matters as soon as possible following their election. Training should be mandatory and repeated on a regular basis.

The training content should be regularly reviewed and updated.

Recommendation 3: Review of recruitment and vetting checks of current foster carers and children's home staff

Lambeth Council should review the application of recruitment and vetting procedures for all current foster carers directly provided by Lambeth Council, to ensure that the procedures have been followed correctly.

In addition, Lambeth Council should seek assurances from external agencies and other local authorities, in which children in the care of Lambeth Council have been placed, that recruitment and vetting procedures have been followed correctly for all foster carers and residential children's homes' staff working with children.

- 1.22 The council has not waited for the recommendations and during 2020 identified a number of learning points for the organisation through its engagement in the Inquiry process and a corporate Action Plan to address these. The council has already taken steps to address vetting and mandatory training for councillors on corporate parenting and safeguarding along with a number of actions to assure the current systems and processes are effective. However, the Council can never be complacent and recognises that there is further work to undertake. The Council is committed to continue to improve and its desire to ensure that learning from the Inquiry translates into positive action which improves the quality of corporate parenting provided to children in its care.
- 1.23 The development, approval and publication of the Action Plan meets our responsibility and determination to support the independent investigation and work of the Inquiry and our commitment to the approach Lambeth has adopted throughout this process of transparency, openness and accountability.

2. PROPOSAL AND REASONS

- 2.1 It is important to acknowledge Lambeth Council's troubled past. It is equally important to recognise how different the Council is today. There is, a very different political environment within Lambeth today and a much more robust accountability framework within the Council. This provides oversight and assurance to the Leader of the council, lead Members and senior managers with statutory responsibilities, in terms of ensuring that issues in relation to risk management, child protection and the council's statutory duties are regularly reviewed and scrutinised. In addition, the council today operates within a much more robust regulatory framework provided by Ofsted; this currently includes yearly visits and the expectation of a full inspection every three years. Lambeth has strengthened its commitment to transparency and to a culture of continuous learning. The emphasis from leaders at Lambeth is that there has to be an honest recognition of situations when there has been a failure to deliver the high standards of practice that are required with lessons being learnt to secure and deliver necessary changes and improvements.
- 2.2 There can be confidence in Lambeth's position today, with the appropriate caveat recognised by the council that complacency is not something that can be countenanced. The council has focused its resources on attempting to understand the failings of the past in order to incorporate that understanding into its ongoing improvement journey and ensure the Lambeth IICSA Action Plan delivers meaningful change and impact for our children and young people in care. To ensure that this is achieved, all actions required as a result of the Inquiry report are developed and collectively owned by the Council's Senior Management Team and are fully monitored and regularly reviewed by elected Members.
- 2.3 The IICSA Investigation Report requires us to evidence we are an authority that has changed and to demonstrate how we will continue to change and ensure positive outcomes are fully embedded

into our culture and ways of working to meet the needs of our children in care now and in the future. The Lambeth Council IICSA Action Plan has been developed in such a way so as to address those requirements.

- 2.4 The Action Plan has been formed of eight thematic groupings to ensure that we are able to give sufficient focus both strategically and operationally to the issues raised in the Investigation Report. In addition, structuring the Action Plan in this way has given us the space to comprehensively address the specific findings of the report and demonstrate how we are continuing to make the changes necessary to ensure children and young people in care are safeguarded.
- 2.5 Each theme sets a statement of high-level commitments, in response to the findings by IICSA, such as listening to the voice of children and young people in care, leadership, political and organisational culture and accountability. These commitments provide the overarching framework under which specific actions can then deliver real and lasting change for children and young people in care.
- 2.6 The eight themes and commitments in the Action Plan are:

Theme	Lambeth commitment
1. Voice of the Child	<ul style="list-style-type: none"> • We will embed 'organisational listening' to give unrelenting focus to the voice and experiences of children and young people in care. • We will amplify the mechanisms through which children's voices can be heard to create an environment where children feel empowered to share their experiences. • Children and young people in care are actively involved in strategic level decision making processes; they are involved in our Corporate Parenting Board and Scrutiny meetings. They are also represented on our Lambeth Safeguarding Children Partnership Board. We will continue to ensure their representation and involvement
2. Political Leadership and Culture	<ul style="list-style-type: none"> • We will maintain robust political leadership and accountability, founded on a sound understanding of our corporate parenting responsibilities, and we will provide appropriate oversight in line with the democratic processes of the council. • As elected Members, we will ensure that the interests of children and young people in care are paramount and that we create a culture of honesty, openness and transparency.
3. Leadership and Accountability	<ul style="list-style-type: none"> • We will maintain robust corporate and political leadership and accountability, founded on a sound understanding of our corporate parenting responsibilities. • We will embed a culture of constructive challenge within our leadership teams. • We will maintain clear member oversight, scrutiny and challenge in line with our democratic processes.
4. Organisational Culture	<ul style="list-style-type: none"> • We will continue to promote a culture of respect, listening, challenge and learning across the council; ensuring our officers and members are encouraged to be curious and not complacent. • We will make sure the voices of children and young people in care are heard throughout the organisation at all levels and are at the heart of our decision-making.

Theme	Lambeth commitment
5. Oversight and Assurance	<ul style="list-style-type: none"> We will have effective corporate and political oversight and assurance that strengthens safeguarding of our children in care and care leavers. We will maintain and build on the mechanisms that enable clear line of sight for senior leaders and councillors. We will continue to ensure that our assurance bodies, including scrutiny committees, function effectively and provide challenge.
6. Social Care Practice and Performance for Children Looked After	<ul style="list-style-type: none"> We will make sure our children and young people are placed in safe and stable homes where they can thrive and achieve their potential. Our children and young people in care benefit most from having a stable and skilled social care workforce. Our Children's Social Care Workforce Development strategy will enable this and we will ensure our social care staff have access to the resources and training to equip them to provide effective, timely, and appropriate help to children and young people.
7. Corporate Parenting and Safeguarding	<ul style="list-style-type: none"> We will make sure we maintain and enhance effective governance processes which both enable our leaders to discharge their corporate parenting responsibilities in line with the Corporate Parenting Principles and hold them to account. We will foster increased council-wide awareness of our corporate parenting role and how safeguarding is <i>everyone's</i> business. We will provide a robust training offer for staff and councillors with clarity on how senior officers and political leaders should execute their responsibilities as corporate parents.
8. HR Processes and Management of Allegations	<ul style="list-style-type: none"> We will maintain robust processes in place to manage allegations against individuals working with children. We will ensure all staff, and those employed by external and commissioned providers, are recruited and vetted through Safer Recruitment procedures, that have safeguarding at the heart of them. We will ensure that staff, providers and partners are aware of Lambeth's Whistleblowing Policy and staff are able to raise concerns outside of their line management and organisation where necessary.

- 2.7 The development of the Action Plan has been an iterative process, with much consideration given to how best to integrate the voices of our children in care and care leavers at every step, as well as the views and recommendations from victims and survivors from their testimonies and evidence to the Inquiry.
- 2.8 The actions have been developed and defined by subject professionals, and practice and operational leads. Delivery of the actions has been assessed against directorate business plans and existing programmes to identify and assign operational leads who will be responsible for delivery.
- 2.9 The Lambeth IICSA Action Plan has been drafted and presented to various forums for review and challenge including the Lambeth Safer Children Partnership, Children's Services CMB, Lambeth Adult Safeguarding Board, Corporate Parenting Board (which includes our Children in Care Council who are Board members) and the Equalities Impact Panel. The feedback from these Boards has been incorporated into the actions.
- 2.10 A series of consultations with (older) young people in care was undertaken by the Participation Team in Children's Services in a separate exercise that sought their reflections and

recommendations on the actions that the council needed to include in the Action Plan. This has been incorporated into the actions.

- 2.11 In addition, a number of witnesses including all complainant and victim core participants, were invited by IICSA to provide their views about any practical recommendations to prevent child sexual abuse in the future and to improve the response to such allegations. Those recommendations are set out in Annex 4 to the Investigation Report. Although Lambeth are not required by IICSA to respond to the recommendations in Annex 4, we have considered and set out the Council's response to each recommendation.
- 2.12 The 62 actions within the Action Plan have been allocated to the operational Directors responsible for their delivery. Delivery plans will be reviewed and monitored by dedicated programme management, ensuring dependencies and risks are managed and mitigated. The quality and progress of delivery of actions against intended outcomes will be regularly reported to, assured and overseen by the senior leadership team as follows:
- Quarterly report to IICSA Board chaired by the Chief Executive; and,
 - Six-weekly report to IICSA Oversight Board chaired by the Strategic Director for Children's Services.
- 2.13 Council oversight of the Action Plan and progress on delivery and outcomes will be in place throughout the delivery period of the Action Plan, with the proposed reporting cycle as follows:
- Annual report to Full Council, including Youth Council;
 - Bi-annual reports to Cabinet and Scrutiny Committee(s);
 - Annual report to Corporate Parenting Board, which includes representation from the Children in Care Council; and,
 - Quarterly report to Children's Services Cabinet Member Briefings.
- 2.14 In addition, the Action Plan incorporates external independent scrutiny and peer review by the Local Government Association of organisational culture, focused on leadership and the council's working culture. The Lambeth Safeguarding Children Partnership (LSCP) will also act as critical friend given their responsibility for overseeing safeguarding arrangements in the borough and will scrutinise the impact of actions relating to the safeguarding of children and young people in care in the Action Plan. It should also be noted that Ofsted are due to undertake a full inspection of Children's Services during 2022.
- 2.15 The Action Plan will demonstrate our commitment to tackling inequalities, and challenging practices among our professionals as well as our partners which can contribute to disproportionate numbers of Black children and young people entering the care system. Our review of social care practice will ensure processes are age and capacity appropriate, culturally sensitive and our complaints process is accessible. There is also a specific action to commission research into differential experiences of children and young people based on race and ethnicity. This will enable a better understanding of the types of interventions, assumptions and language used in relation to Black children, young people and their families to identify and address un/wittingly discriminatory or racist practices within the system which may contribute to this disproportionality and differential treatment
- 2.16 The Action Plan will also underpin our renewed pledge to children looked after and young people leaving our care and help form solid foundations on which our UNICEF Child Friendly Lambeth programme can build.

Contract Management

2.17 None arising from this report.

3. FINANCE

- 3.1 Developing both the Action Plan and detailed delivery plan has been resource intensive. Interim programme management resource has been provided by the Programme Performance service within Finance and Investment, that has put in place the structure and definition required for the delivery and governance of the Action Plan.
- 3.2 Dedicated full-time programme management resource will be put in place to support delivery and programme manage the oversight, assurance and monitoring of the Action Plan, as well as servicing the IICSA Board and IICSA Oversight Board and the associated reporting on the Action Plan.
- 3.3 The necessary resources including commissioning external services for peer review and research have been assessed and £500,000 allocated, with funding available from the budget originally set up to manage the Council's response to the inquiry.

4. LEGAL AND DEMOCRACY

- 4.1 Under sections 5, 24 and 25 of the Inquiries Act 2005 the Council as a core participant is obliged to comply with a statutory inquiry (having a defined terms of reference). A statutory inquiry has the power, under section 24(1) to include in its report "...anything else that the [inquiry] panel considers to be relevant to the terms of reference (including any recommendations the panel sees fit to make despite not being required to do so by the terms of reference)." The power to set any of the time parameters for the Council to respond to IICSA's recommendations is set by IICSA.
- 4.2 IICSA expects that where recommendations are made to the Council, the Council will act upon these recommendations and publish the steps they will take in response. Unless otherwise agreed, the Council must publish its response within six months of the recommendation being published, in this instance by 24 January 2021. A failure to publicly respond to the recommendations of IICSA will result in directions for a witness statement from the Council as to their failure to not publish a response to the Inquiry's recommendation.
- 4.3 Section 149 of the Equality Act 2010 ('the public sector equality duty') is also relevant to the Council's response to the Inquiry Report. The Inquiry report stated that "children from Black, Asian and ethnically diverse backgrounds experienced overt racism", and a disproportionate number of our looked after children and care leavers are from Black, Asian and Multi-Ethnic backgrounds. Further, the Equalities Impact Assessment (see section 7 of this report) shows that a significant number of children and young people who are looked after have an additional health or educational support need and many are therefore likely to be regarded as disabled for the purposes of the Equality Act 2010.
- 4.4 Section 149 requires public authorities to have due regard to the need to:
 - (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under that Act
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic (i.e. race, sex, disability, age, sexual orientation, religion or belief, pregnancy or maternity, marriage or civil partnership and gender reassignment) and those who do not share it; and

- (c) foster good relations between those who share a protected characteristic and those who do not share it, which involves having due regard, in particular, to the need to-
 - (i) tackle prejudice; and
 - (ii) promote understanding.
- 4.5 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, including, in particular, steps to take account of disabled persons' disabilities; and,
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 4.6 The section 149 duty must be complied with before and at the time that a particular policy is under consideration or decision is taken - that is, in the development of policy options, and in making a final decision. A public body cannot satisfy the duty by justifying a decision after it has been taken.
- 4.7 Other relevant legal duties include the Council's obligations to the welfare of children. These include the duty under section 17 of the Children Act 1989 to safeguard and promote the welfare of children within their area who are in need and under section 11 of the Children Act 2004 to make arrangements for ensuring that its functions are discharged having regard to the need to safeguard and promote the welfare of children.
- 4.8 Children's Services Scrutiny Sub Committee – Due to the timing of meetings, comments from the Children's Services Scrutiny Sub Committee will be tabled at Cabinet for consideration
- 4.9 Cabinet - This proposed key decision was entered in the Forward Plan on 8 November and the necessary 28 clear days' notice has been given. The report will be published for five clear days before the decision is considered by Cabinet. Should it be approved and following the publication of the Cabinet minutes, a further period of five clear days, the call-in period, must then elapse before the decision becomes effective. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.
- 4.10 Council - Following the formulation and preparation of the IICSA Action Plan by Cabinet, it is within Full Council's remit to resolve that it (instead of Cabinet) should take a decision as to whether to approve and adopt and approve the Plan. If full Council resolves to do so, it may then move on to consider whether to approve and adopt the Plan.

5. CONSULTATION AND CO-PRODUCTION

- 5.1 The development of Lambeth's IICSA Action Plan has centred on cross directorate working, with contribution and oversight from senior officers within every directorate across the Council.
- 5.2 Internal consultation on the plan has been undertaken with Lambeth's political leadership including the Leader, Informal Cabinet, Lead Member for Children and Young People and Lead Member for Finance and Performance. The plan has also been reviewed and challenge provided by Lambeth's senior leadership team and Chief Executive.

- 5.3 Formal challenge and review of the Action Plan has been provided by: Corporate Parenting Board, Lambeth Youth Council and Lambeth Safeguarding Children Partnership. This has also enabled review of the Action Plan by some of our children looked after and care leavers in the Children in Care Council, through their position as Board members.
- 5.4 In addition to review of the Action Plan through formalised governance avenues, Lambeth's Participation Officer facilitated an informal session for children and young people looked after (following release of the Lambeth IICSA Report) to discuss the inquiry findings and explore recommendations as to how past events can be prevented from happening again. These recommendations have been encompassed within the Action Plan.
- 5.5 The Council has read and listened to the evidence and testimonies of survivors to the Inquiry. There were 62 core participants who were victims and survivors who provided evidence to the Inquiry. 11 survivors and victims also gave direct testimony during the hearings and the Inquiry also read into the hearing 47 witness statements. Throughout the Inquiry, victims and survivors were invited to provide their views and recommendations on preventing child sexual abuse in the future and improving responses to allegations. These recommendations and views contained with Annex 4 to the IICSA Report have been considered fully throughout the Action Plan development and incorporated into the Action Plan where appropriate. We have also received feedback from victims and survivors via the redress process – they have been clear in their wish to know we will keep children safe and that the events of the past will not happen again

6. RISK MANAGEMENT

6.1 The main risks surrounding delivery of this Action Plan are:

Table 1 – Risk Register

No	Risk	Likelihood	Impact	Score	Control Measures
1	Adverse impact on experience of children and young people in care and care leavers – particularly disproportionate impact on Black, Asian and Multi-Ethnic children and young people - through not delivering the actions in the Plan	2	8	16	Rigorous governance arrangements incorporating oversight from Corporate Parenting Board, Children in Care Council and Lambeth Youth Council will continue to ensure that our children and young people in care and care leavers are at the centre of Action Plan delivery. A dependency management approach will also be undertaken to align Action Plan delivery with our Equalities, Diversity and Inclusion Strategy. Specific actions in the plan have been developed that will enable prioritisation of delivery to mitigate the impact of this risk.
2	Identified actions don't deliver outcomes which sufficiently address Inquiry recommendations and	2	4	8	Development of the Action Plan has been a carefully considered, iterative approach with input from across the council and partners, with strong reference to the Inquiry findings. Quality management will be

No	Risk	Likelihood	Impact	Score	Control Measures
	fail to deliver impactful change				undertaken to ensure that actions are delivered to high standard and quality. Robust governance will allow frequent review of the plan and continual alignment to Inquiry findings and conclusions.
3	Failure to sustain the change delivered through this Action Plan	2	8	16	One of the key principles of the Action Plan is to embed change in our ways of working; each of the actions has an operational Director who will be responsible for ensuring change is embedded in policies, procedures, performance measures and ways of working. Parallel to this there is a commitment from the political leadership to ensure that all councillors engage and deliver on their responsibilities and that there will be robust assurance and accountability through existing mechanisms.
4	Insufficient organisational capacity to deliver the Action Plan	2	4	8	Dedicated programme management resource will be in place to steer delivery of the Action Plan, with support from Management Board and elected Members to ensure ongoing commitment. Operational Directors will be responsible for embedding actions within their annual business plans to ensure they are properly resourced and planned for alongside service operations.
5	Insufficient political and organisational oversight of Action Plan delivery	1	4	4	A comprehensive oversight, accountability and governance framework has been developed to ensure clear line of sight against action plan delivery both politically and organisationally with dedicated programme management resource to steer this and service the requisite reporting cycle

Key

Likelihood	Very Likely = 4	Likely = 3	Unlikely = 2	Very Unlikely = 1
Impact	Major = 8	Serious = 4	Significant = 2	Minor = 1

7. EQUALITIES IMPACT ASSESSMENT

- 7.1 The Equalities Impact Assessment (EIA) was collated and analysed in October and November 2021 before receiving approval from the Director for Strategy and Communications on 16 November 2021.
- 7.2 Findings from the EIA centre primarily on Lambeth's children looked after and care leavers; showing a disproportionate number of our children looked after and care leavers are from Black, Asian and Multi-Ethnic backgrounds, as well as significant number of children and young people having an additional health or educational support need.
- 7.3 These findings intersect with those of the Inquiry, which made clear that children from Black, Asian and Multi-Ethnic backgrounds were overrepresented in our children's homes, faced additional hardships, and were subject to overt racism. The Inquiry also noted that children with complex needs and communication difficulties were under the care of staff who lacked the training and skills to support them appropriately.
- 7.4 As a result of these findings, actions within the Action Plan have been designed to address the inequalities faced by these groups and ensure that they receive support and care that is sensitive to their needs and recognises the additional challenges they may face.
- 7.5 The EIA for Lambeth's IICSA Action Plan was considered by the Corporate EIA Panel on 23 November 2021. Key feedback from the Chair centred on the need to build trust with our Black, Asian and Multi-Ethnic children looked after and care leavers, recognising and showing sensitivity to their mistrust of the Council as a result of our past failures. An agreed action was to reference the duties of the Council in delivering its Sufficiency Strategy 2020 – 2023 within the Action Plan; the strategy that provides the framework and approach Lambeth will take to meet the placement needs of children and young people in care, prioritising keeping our children and young people within the borough when this is possible. This has been reflected in Action 6.12 of the Plan.

8. COMMUNITY SAFETY

- 8.1 Not applicable

9. ORGANISATIONAL IMPLICATIONS

Environmental

- 9.1 Not applicable.

Health

- 9.2 Delivery of Lambeth's IICSA Action Plan supports key priorities from the children and young people prioritisation matrix within Lambeth's Joint Strategic Needs Assessment, namely children in care and care leavers, as well as our ongoing commitment to supporting children and young people in Lambeth with special educational needs and disabilities (SEND).

Corporate Parenting

- 9.3 As corporate parents, staff and councillors are all responsible for providing the same standards of care to our children looked after and our care leavers as would be good enough for our own children. Lambeth's IICSA Action Plan specifically relates to this group of children and young people, with one of the eight overall themes focussed on corporate parenting and ensuring these structures continue to be effective. Lambeth's corporate parenting governance arrangements have recently been reviewed and strengthened, with the inclusion of representatives from our Children in

Care Council sitting as full board members, alongside the development of our annual corporate parenting action plan and performance monitoring dashboard. Ensuring the Action Plan is fully implemented will continue to underpin our responsibilities as corporate parents in making sure our children looked after and care leavers are safeguarded, secure and have good stable homes to enable them to thrive and reach their full potential.

Staffing and accommodation

9.4 Dedicated full-time programme management resource at 2 FTE will be put in place to support delivery and programme manage the oversight, assurance and monitoring of the Action Plan, as well as servicing the IICSA Board and IICSA Oversight Board and the associated reporting on the Action Plan to elected Members.

Responsible Procurement

9.5 Not applicable.

10. TIMETABLE FOR IMPLEMENTATION

10.1 The table below details the stages and deadlines for implementing the recommendations:

Activity	Proposed Date
Date published on Forward Plan	08.11.21
Children’s Service Scrutiny Sub Committee	07.12.21
Cabinet	13.12.21
Full Council	15.12.21

AUDIT TRAIL

Name and Position/Title	Lambeth Directorate	Date Sent	Date Received	Comments in paragraph:
Councillor Claire Holland	Leader of the Council	26.11.21	26.11.21	Throughout
Councillor Edward Davie	Cabinet Member for Children's Services	26.11.21	29.11.21	-
Andrew Travers	Chief Executive	25.11.21	26.11.21	-
Merlin Joseph, Strategic Director	Children's Services	24.11.21	25.11.21	-
Christina Thompson, Finance and Property	Finance and Investment	23.11.21	23.11.21	Section 3
Andrew Pavlou, Legal Services	Legal and Governance	23.11.21	24.11.21	4.1 - 4.5; 4.9
Wayne Chandai, Democratic Services	Legal and Governance	25.11.21	26.11.21	4.6 - 4.8

REPORT HISTORY

Original discussion with Cabinet Member	Ongoing
Report deadline	29.11.21
Date final report sent	29.11.21
Part II Exempt from Disclosure/confidential accompanying report?	No
Key decision report	Yes
Date first appeared on Forward Plan	08.11.21
Key decision reasons	3. Meets community impact test.
Background information	Children in the care of Lambeth Council Investigation Report IICSA Independent Inquiry into Child Sexual Abuse Sufficiency Strategy Fostering Recruitment Strategy Corporate Parenting Strategy 2021 - 2024
Appendices	Appendix 1 – Draft Lambeth Council IICSA Action Plan 29.11.21 Appendix 2 – Equalities Impact Assessment dated 23.11.21