

CABINET 13 DECEMBER 2021 SUPPLEMENTARY PAPER

Report title: Response to the Independent Inquiry into Child Sexual Abuse (IICSA): Lambeth Council IICSA Action Plan: Recommendations of the Children's Services Scrutiny Sub-Committee – Appendix 3

Wards: All

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REPORT SUMMARY

This report sets out the recommendations of the Children's Services Scrutiny Sub-Committee (CSSSC) to the 13 December 2021 Cabinet report 'Response to the Independent Inquiry into Child Sexual Abuse (IICSA): Lambeth Council IICSA Action Plan'. The report was considered by the CSSSC at its meeting on 07 December 2021, and the resultant observations and recommendations are submitted to Cabinet for consideration.

FINANCE SUMMARY

There are no capital or revenue implications arising as a direct result of this report.

RECOMMENDATIONS

That the following observations and recommendations from the 07 December 2021 Children's Services Scrutiny Sub-Committee be considered:

1. To ensure that the outcomes of the Patrick Vernon Review of Race and Diversity in Lambeth Council (2020) are incorporated into the Action Plan.
2. To ensure the provision of training for elected representatives, officials, and partners:
 - a. includes noticing the signs of abuse;
 - b. includes guidance to enable proactive assurance that local services are safeguarding children
 - c. occurs early on in induction or new starter processes;
 - d. ensures the importance of a children-centred approach and voice of the child being at the heart of all decision making;
 - e. is monitored to ensure all necessary persons receive it; and,
 - f. that training encompasses all protected characteristics.

3. To ensure and provide monitoring so children in care receive the same level of support, including face-to-face contact, whether placed within or outside of the borough.
4. For political parties to review their selection processes and that all candidates are briefed and understand their corporate parenting and safeguarding responsibilities from the outset.
5. To explore school SENCOs having additional responsibilities for safeguarding children in care.
6. To review whether school Governors could have greater oversight of safeguarding and accountability by schools.
7. To ensure that the Action Plan's language is appropriately precise and written in Plain English; for example, explain what 'organisational listening' means.
8. To monitor social workers' workloads and cases, so that they are able to build relationships with young people.
9. To explore further forms of peer review and external scrutiny, such as from other local authorities and the Local Government Association.
10. To explore ways of ensuring children are empowered to recognise and report abuse.
11. To review communications between social workers and schools, especially for those children placed at a distance, and ensure effective monitoring.
12. To ensure provision of a 24/7 phone service for children to access to discuss and disclose abuse.
13. To ensure that all councillors had full access to the Pentana (the council's performance monitoring system) which holds key performance indicator information.

1. CONTEXT

- 1.1 At its meeting on 07 December 2021, Children's Services Scrutiny Sub-Committee (CSSSC) considered the Council's Action Plan in response to IICSA's July 2021 report, 'Children in the Care of Lambeth Council'. The Action Plan scrutinised is as set out in the Cabinet report 'Response to the Independent Inquiry into Child Sexual Abuse (IICSA): Lambeth Council IICSA Action Plan'. CSSSC hereby submits its recommendations arising from scrutiny of the report for consideration by Cabinet, prior to Full Council submission.

2. PROPOSAL AND REASONS

- 2.1 At the meeting on 07 December 2021, CSSSC put questions to the Cabinet Member for Children and Young People; the Executive Director for Adult Social Care; the Interim Director for Children's Social Care; and the Assistant Director of the Inquiry Legal Team.

Observations

- 2.2 Arising from the discussions at CSSSC, a number of observations were also agreed and are presented to Cabinet, as follows:

"In discussion, Members observed that it was essential to continue to:

- Hear, learn and act on issues of racism and the experience of Black African and Black Caribbean children in care.
- Monitor the Action Plan, external review and third-party monitoring.
- Remain vigilant to future abuse and continue to listen to and work with survivors.
- Explore with survivors what they wanted Members and third parties to know and remember of their experiences, particularly in relation to a proposed day of awareness.
- Ensure all elected Members and foster carers are DBS checked as early as possible.
- Provide peer-to-peer and other forms of mentoring for children.
- Transparently work with IICSA and proactively provide information on plans and monitoring.
- Ensure sufficient funding to undertake the IICSA Action Plan into the future.
- Continue to monitor semi-independent placements.

- Work with trade union partners and ensure that the current culture is maintained and regularly reviewed.
- Monitor and review low level referrals and ensure appropriate escalation.
- Ensure continuation of training on corporate parenting responsibilities for non-members, such as youth workers, teachers, and others in contact with children.
- Provide and monitor uptake of Members' and staff Equality, Diversity and Inclusion (EDI) training.
- Monitor the provision of Lambeth Safeguarding Children Partnership (LSCP) training."

Further additional CSSSC recommendations

2.3 The CSSSC also agreed the following additional recommendations which detail further actions for its own work programme and are included here for completeness. These were as follows:

1. To add a review of the Redress Scheme in summer 2022 to the work programme.
2. To add modern forms of abuse outside the scope of the IICSA Action Plan, such as county lines, to the work programme for further review.

2.4 Below are the council's responses to the recommendations made by CSSSC:

1. **To ensure that the outcomes of the Patrick Vernon Review in 2020 of Race and Diversity in Lambeth Council, are incorporated into the Action Plan.**

Response:

Action 3.4 (Leadership and Accountability) deals with the council's corporate Equalities, Diversity and Inclusion strategy which has been developed in response to the findings and recommendations of the Patrick Vernon report following his review of Race and Diversity in Lambeth Council in 2020.

The IICSA 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 that 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 - *Action 5.5 (Oversight and Assurance)*. 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. **To ensure the provision of training for elected representatives:**
 - a. **includes noticing the signs of abuse;**
 - b. **includes guidance to enable proactive assurance that local services are safeguarding children;**
 - c. **occurs early on in induction or new starter processes;**
 - d. **ensures the importance of a children-centred approach and voice of the child being at the heart of all decision making;**
 - e. **is monitored to ensure all necessary persons receive it; and,**
 - f. **that training encompasses all protected characteristics.**

Response:

The council is responsible for provision of training for all councillors and staff which includes mandatory corporate safeguarding training. This training highlights that safeguarding is everybody's responsibility and when councillors or staff have concerns, they should make a referral to Children's Social Care. It is the statutory responsibility of Children's Social Care in conjunction with other responsible agencies to act on the referral and investigate if a child is at risk of harm. Social workers and other professionals are trained and responsible for identifying the signs of abuse which is multi-faceted.

Councillors receive separate mandatory training on corporate parenting and their statutory responsibilities as corporate parents which includes direct messages from our children in care.

The induction programme for newly elected councillors in May 2022 is currently being refreshed by Democratic Services. Councillors will be expected to complete corporate safeguarding, corporate parenting and EDI training at the commencement of their appointment. *Action 2.5 (Political Leadership & Culture)*.

The training will be mandatory and compliance monitored and reported to Cabinet and Standards Committee. *Action 2.6 (Political Leadership & Culture)*

The Scrutiny Committee's recommendation will be shared with the council's Organisational Development team and Democratic Services, to ensure that it is incorporated into future training. Feedback mechanisms will ensure the training meets the intended objectives including covering all the protected characteristics.

3. To ensure and provide monitoring so children in care receive the same level of support, including face-to-face contact, whether placed within or outside of the borough.

Response:

All children in the care of the council, regardless of where they are placed, receive the same level of monitoring and support and the same level of care including visits by their allocated social worker and Independent Reviewing Officer.

Social workers visit children in care within one week of the child being placed in care and then regulations provide once every 6 weeks for the first year. However, in Lambeth we do this on a 4-weekly basis.

In addition, the Independent Reviewing Officer visits prior to a child looked after review within 20 days of a child coming into care, then at 3 months and then every 6 months.

Under regulation 44 of the Children's Homes Regulations 2015, 'Independent Persons' visit children's homes at least once a month. They are able to interview in private (with their consent) children, their parents, relatives and staff working at the home. They must produce a report on whether children are effectively safeguarded and how the home is being run which is sent to Ofsted as well as the local authority where the home is located and the local authority from where the children are placed. In addition, children's homes are regulated and subject to visits and annual inspection by Ofsted.

Every foster carer has a supervising social worker. For short term foster carers, supervising social workers visit the child's placement every 3 weeks, for long term foster carers this is every 6 weeks. In addition, they have the child looked after visits by the child's allocated social worker and Independent Reviewing Officer just as the council undertakes when children are placed in children's homes.

Children placed out of borough also have the same access to independent advocates or independent visitors as all children in care.

- 4. For political parties to review their selection processes and ensure that all candidates are briefed and understand their corporate parenting and safeguarding responsibilities from the outset.**

Response:

While the selection processes and candidate training for political parties are not the responsibility of the council, we will write to all political groups regarding this recommendation in the action plan.

- 5. To explore school SENCOs having additional responsibilities for safeguarding children in care**

Response:

Statutory guidance, rather than the council, sets out the responsibilities for designated safeguarding leads and SENCOs in schools.

[Keeping children safe in education 2021 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/90121/keeping-children-safe-in-education-2021.pdf)

All schools are required to have a designated safeguarding lead with responsibility for all children including children looked after. The guidance also requires governing bodies of all maintained schools to appoint a designated teacher for looked-after and previously looked-after children on the school roll. Guidance provides that “Governing bodies should, through the designated teacher, hold the school to account on how it supports its looked-after and previously looked-after children”.

The Virtual School Head (VSH) is responsible for ensuring the council’s duty to promote the educational achievement of its looked-after children is properly discharged and acts as the educational advocate for children in care through the provision of advice and information. They will work to ensure appropriate education provision is arranged at the same time as a care placement wherever that placement may be.

Guidance also sets out the responsibilities for Special Education Needs Coordinator (SENCO) who will work with all these professionals working with children in care have responsibilities to ensure they are safeguarded. The SENCO has an important role to play with the headteacher and governing body and is part of the school leadership team.

- 6. To review whether school Governors could have greater oversight of safeguarding and accountability by schools**

Response

The *‘Keeping children safe in education’ (2021)* statutory guidance sets out the statutory requirement for governing bodies and proprietors to have a senior board level (or equivalent) lead to take leadership responsibility for their school’s or college’s safeguarding arrangements. Governing bodies and proprietors must ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities and adopt a child-centred approach to safeguarding. Governing bodies and proprietors have a strategic leadership responsibility for their school’s or college’s safeguarding arrangements and must ensure that they comply with their duties under legislation. They must have regard to the guidance, ensuring policies, procedures and training in their schools or colleges are effective and comply with the law at all times.

7. **To ensure that the Action Plan's language is appropriately precise and written in Plain English; for example, explain what 'organisational listening' means.**

Response:

The IICSA Action Plan and the glossary will undergo an accessibility review prior to publication. 'Organisational listening' will be added to the Glossary

8. **To monitor social workers' workloads and cases, so that they are able to build relationships with young people.**

Response:

The council is committed to ensuring that social workers' caseloads remain manageable; this was reflected in the findings of the recent focused visit from Ofsted dated 1 December 2021. Caseloads are routinely monitored by all levels of management within Children's Social Care and remains a priority as it is vital to relationship-based social work with children and families.

9. **To explore further forms of peer review and external scrutiny, such as from other local authorities and the Local Government Association.**

Response:

In addition to internal corporate and political oversight and assurance set out in page 13 of the IICSA Action Plan, the Plan provides for external independent scrutiny and peer review of the *delivery* of the Action Plan as follows:

- (a) Local Government Association peer review of organisational culture, focused on leadership and the council's working culture to commence in 2022. *Action 5.6 (Oversight & Assurance)* provides for this peer review to be completed by July 2023
- (b) Lambeth Safeguarding Children Partnership (LSCP) will also act as critical friend given their statutory responsibility for overseeing safeguarding arrangements in the borough. The LSCP will scrutinise the impact of actions relating to the safeguarding of children and young people in care. *Action 5.7 (Oversight & Assurance)* provides for this peer review to be completed by January 2024
- (c) Ofsted are due to undertake a full inspection of Children's Services within the next 6 -12 months.

10. **To explore ways of ensuring children are empowered to recognise and report abuse.**

Response:

Children in care are repeatedly asked about their lived experience by social workers, independent reviewing officers and the network of professionals that work with them so that they can share their lived experience. Children are also offered an independent advocate if they want support to talk about any issues that are bothering them. All children are asked about if there is anything worrying them by social workers and IROs on a regular basis to create multiple opportunities to disclose worries and concerns. Conversations are had about keeping safe, eg NSPCC PANTS Rules.

It is the responsibility of the professional network and adults around the child to observe possible indicators of abuse which is multi-faceted.

All children in care have an allocated social worker who is trained in responding to child sexual abuse, and an Independent Reviewing Officer who sees them alone to promote safety.

Professionals ensure that children know who to contact as trusted adults and mechanisms available to them and we will ensure we continue to support them to be confident to do so. *Action 6.1 (Social Care Practice)*

11. To review communications between social workers and schools, especially for those children placed at a distance, and ensure effective monitoring.

Response:

The council remains responsible for all children looked after wherever they are placed within or outside of the borough, and they receive the same level of care, intervention and support including an allocated social worker and Independent Reviewing Officer.

In line with duties as set out in statutory guidance in *'Promoting the education of looked-after children and previously looked-after- children (2018)* the Virtual School Head (VSH) is responsible for ensuring the council's duty to promote the educational achievement of its looked-after children is properly discharged and acts as the educational advocate for children in care through the provision of advice and information.

[Promoting the education of looked-after children and previously looked-after children \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)

The VSH will work to ensure appropriate education provision is arranged at the same time as a care placement, wherever that placement may be, in conjunction with the professional team including the Designated Teacher for Children Looked After. If the child has a Special Education Needs (SEN) Plan then the school's SENCO would also be involved as would happen if the child was placed in the borough and attending a school locally.

12. To ensure provision of a 24/7 phone service for children to access to discuss and disclose abuse.

Response:

All children in care have contact details for their allocated social worker and their social care team. Out of hours the council has an Emergency Duty Social Work Team service that provides an emergency social work response for any concerns arising in respect of children including undertaking child protection investigations.

As noted in the Ofsted findings dated 1 December 2021 following the recent focussed visit "when children need urgent help and protection, out-of-hours social workers from the emergency duty team (EDT) intervene appropriately."

13. To ensure that all councillors had full access to the Pentana (the council's performance monitoring system) which holds key performance indicator information

Response:

Democratic Services will consider this recommendation to identify any additional requirements that fall outside the existing suite of:

- (i) monthly performance digests
- (ii) quarterly performance reports to Cabinet
- (iii) annual Corporate Parenting Board report
- (iv) annual Independent Reviewing Officer report
- (v) annual Local Authority Designated Officer (LADO) report on allegations against people working with children; and

(vi) annual Children's Social Care Complaints report.

A new action (to be Action 2.8) will be added to Political Leadership and Accountability theme to have a dedicated training module for members on the available assurance and performance reports.

Summary of proposed amendments to IICSA Action Plan following Children's Services Scrutiny Sub Committee:

- Action 2.8 – add new action to develop a dedicated training module for members on the available assurance and performance reports
- Glossary – addition of 'Organisational Listening' to the glossary

3. FINANCE

3.1 There were no capital or revenue implications arising as a direct result of this report.

4. LEGAL AND DEMOCRACY

4.1 There were no further comments from Legal Services to those contained within the Cabinet report.

4.2 There were no further comments from Democratic Services to those contained within the Cabinet report.

5. CONSULTATION AND CO-PRODUCTION

5.1 The report was considered at a public meeting of the Children's Services Scrutiny Sub-Committee held on 7 December 2021.

6. RISK MANAGEMENT

6.1 None in addition to those contained in the Cabinet report.

7. EQUALITIES IMPACT ASSESSMENT

7.1 None in addition to those contained in the Cabinet report.

8. COMMUNITY SAFETY

8.1 None in addition to those contained in the Cabinet report.

9. ORGANISATIONAL IMPLICATIONS

Environmental

9.1 None in addition to those contained in the Cabinet report.

Health

9.2 None in addition to those contained in the Cabinet report.

Corporate Parenting

9.3 None in addition to those contained in the Cabinet report.

Staffing and accommodation

9.4 None in addition to those contained in the Cabinet report.

Responsible Procurement

9.5 None in addition to those contained in the Cabinet report.

10. TIMETABLE FOR IMPLEMENTATION

10.1 Not applicable.

AUDIT TRAIL

Name and Position/Title	Lambeth Directorate	Date Sent	Date Received	Comments in paragraph:
Councillor Joshua Lindsey	Chair of the Children's Services Scrutiny Sub-Committee	09.12.21	09.12.21	
Wayne Chandai, Head of the Chief Executive's Office and Democratic Services	Legal and Governance	09.12.21	09.12.21	

REPORT HISTORY

Original discussion with Cabinet Member	07.12.21
Report deadline	01.12.21
Date final report sent	09.12.21
Part II Exempt from Disclosure/confidential accompanying report?	No
Key decision report	No
Date first appeared on forward plan	N/A
Key decision reasons	N/A
Background information	Meeting documents for the 07 December 2021 Children's Services Scrutiny Sub-Committee IICSA July 2021 report into Children in the Care of Lambeth Council
Appendices	None