



Communities and Local Government Committee

Oral evidence: Jay Report into Child Sexual Exploitation in Rotherham, HC 648

Monday 13 October 2014

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Evidence from witnesses:

Panel 1 (Questions 152-210)

Panel 2 (Questions 211-251)

Panel 3 (Questions 252-272)

Watch the session

Members present: Mr Clive Betts (Chair); Simon Danczuk; Mrs Mary Glendon; Mark Pawsey; John Pugh; and Alec Shelbrooke.

Panel 1 Questions [152-210]

Witnesses: **Professor Alexis Jay OBE**, Author, "Independent Inquiry into Child Sexual Exploitation in Rotherham (1997-2013)", gave evidence.

Q152 Chair: Good afternoon and welcome, everyone, to the second evidence session on the report by Professor Jay into child sexual exploitation in Rotherham. Welcome, Professor Jay. Just before we begin, I will ask members to put on record the interests they may have in this matter. First of all, I am a vice-president of the Local Government Association. I also am a close friend of Councillor Sioned-Mair Richards, who happens to be a Sheffield councillor now, but was for a short period a part-time member of staff on the scrutiny department in Rotherham Council. It is a very distant interest in this matter, but I still put it on the record so everyone is aware of it.

Mrs Glendon: My husband is a councillor, and I have a councillor who works for me in my office in North Tyneside.

Simon Danczuk: My wife is a councillor, and there are some staff within my constituency office who are councillors.

Mark Pawsey: I have a member of staff who is a councillor.

Alec Shelbrooke: My father is a councillor.

Chair: That is our interests on the record. Professor Jay, to begin with, welcome. Thank you very much indeed for coming to be with us this afternoon. Could you just, formally for our records, confirm your name and your position? That would be helpful.

Professor Jay: My name is Alexis Jay. I am Visiting Professor at Strathclyde University, where I am also the Chair of the Centre for Excellence for Looked After Children in Scotland. I am the author of the Independent Inquiry into Child Sexual Exploitation in Rotherham.

Q153 Chair: Once again, thank you for spending time with us this afternoon. I just want to say, as I did in the previous evidence session, the Committee wants to focus on local authority matters—that is our remit—and also wider issues that are involved here in terms of the whole issue of child sexual exploitation. It is not our job, as far as the Committee sees it, to try to pin the blame on individuals, but of course to examine whether the proper mechanisms are in place to hold any individuals who may have responsibility for failings, or indeed for successes, properly to account. We will want to look at the whole issue of what happened in Rotherham Council; the culture there that meant it did not do the job it should have done in terms of child sexual exploitation; and the chain of command and responsibility in the council. We are having a look at Rotherham because of your report, but we will also want to look at whether the issues that you found there are a problem in other parts of country and other local authorities that we ought to be aware of, and whether, indeed, action needs to be taken on those as well. Could I begin, then, Professor Jay, by just asking if you can explain to the Committee how you came about producing your report and collecting the evidence on which you base your findings and recommendations?

Professor Jay: Thank you, Chair. I used a model called EFQM—European Foundation for Quality Management—which is a kind of holistic model that looks at every aspect of an organisation and pieces it together, but, first and foremost, you start with the victims and their experiences, and you work through to issues such as processes, staff and the quality of leadership across the piece. That was the overarching framework I used. I carried out a very large number of interviews; personally, I carried out around 120, and my colleague also carried out some interviews. We did a number of focus groups, as well, of staff and young people, including care leavers.

We also set up a confidential email address and a freepost address, and a number of people made contact in that way, which was individually followed up. A substantial amount of time was spent on file-reading, and that was extremely important in revealing much about the individual experiences of children who were victims. We reached a figure of 1,400, which I am happy to talk to you about if you wish me to, Chair.

Q154 Chair: Yes, I think that would be helpful. When we had our previous session and we asked the Chief Exec and Director of Children's Services in Rotherham about this, they were essentially saying, "We have a small number of files. We may have some historical files we are going to look at, but they do not total up to anything like 1,400."

Professor Jay: Okay. This is a complex issue and I am happy to submit something in writing to you if it makes it clearer, but, if you do not mind, I will work my way through it, and Members can ask whatever questions they wish.

Chair: Of course, yes.

Professor Jay: In my report, I say that no one knows the true scale of child sexual exploitation in Rotherham over the years, and that my figure of 1,400 child victims over the 16 years of the inquiry period is a conservative estimate. There are a number of reasons for that, but I have just some general points about the systems for counting and the data that was available. Children's social care had a category for child sexual exploitation only from the year 2001; the inquiry began in 1997, and the police, in fact, did not introduce a code for child sexual exploitation until January 2013.

The information system was not well used to identify cases of child sexual exploitation. That is true today as well, but, in the past, many children were classified, for example, as "out of parental control" rather than "child sexual exploitation". Because information systems were not good enough, there are major gaps in information about CSE cases and referrals that were dealt with by children's social care over the years. Even during the inquiry, the service was not able to provide details of children who were currently being dealt with by the locality teams and looked-after teams, which are other parts of the children's social care system, as well as the central specialist team for child sexual exploitation, so, even then, we did not have a clear picture. It was also clear that referrals routinely went missing, or no further actions or investigation took place in a number of instances. At key points, for example in 2005 and 2007, agencies appeared to be overwhelmed with referrals of CSE, and, indeed, went through a process of removing large

numbers of children from the monitoring process. In effect, these children disappeared also.

Most importantly, perhaps, the final reason that it is impossible to know the full extent of the problem is that it was clear from file-reading and minutes that many young people and their parents were afraid to come forward and make complaints, and those who did so were often threatened or intimidated, so there are, we believe, large numbers of children about whose circumstances and the crimes committed against them we will know nothing.

If I could just move onto the figures now—I apologise for giving you so many figures, but this is to illustrate the difficulty of establishing something definitively—according to its own reports, children’s services dealt with 1,407 contacts and 712 cases from 2001 onwards. Separately, we were given a list of 988 children known to children’s services and/or the police because of concerns about child sexual exploitation. I also received information about Risky Business, the youth project. The police had lists of about 1,400 children from the Risky Business files, and the former manager of the Risky Business project knew of at least 1,500 children; this is across the full period.

Clearly, there is an issue with potential double-counting across all of this. If we had simply added all the figures up, it would have come to double the number we had actually established of 1,400; it would have been many, many hundreds more, but of course, in order to address the issue of double-counting, we took the largest figure, i.e. 1,500. There was one other group that was not included in that or anywhere else, which was a particular single sex offender in 2007, who had been involved with 70 or 80 children and mainly preyed on young boys. In 2007, he was convicted of offences against 10 young victims, and all but a couple of these were not dealt with by children’s social care. So you see that this is a problematic number, but we are absolutely clear that 1,400 is a conservative estimate of the total numbers.

Just to finish on this, I would like to quote from a strategy meeting minute, of which we also read many about different children. This was attended by all the relevant agencies. In 2007, one of these minutes said, “The methods are the same— for example, where the girls are meeting, where they are picked up and girls going to Clifton Park, girls picked up at the petrol station on [X Road]”. The chair said, “This is a fairly grim situation. The men’s names don’t change but the girls’ names change as they become too old to be useful. None of the girls will give a statement as they are scared.” So, in 2007, we see the problem, again, of new groups of girls—this highlights it from one minute—that come on year on year. I apologise for the complexity of that.

Q155 Chair: I suppose, as well as the overall number, which is clearly quite shocking, is the fact that, of that total number, every one is an individual who has been potentially exploited in this situation. Given how you described the way you looked at the situation from a number of different files from a number of different agencies and reports, is it therefore available to Rotherham Council now to identify those 1,400 young people, as they may be, or children, as they were at the time, go back and review, and probably try to contact, to find out exactly what their situation is?

Professor Jay: Technically, I believe that most of these 1,400 or more would be available either from the Risky Business files or from the children's social care files. There may be some others who are in neither, but a comparatively small number.

Q156 Chair: You think the names would be identifiable.

Professor Jay: The names, but the whereabouts would not necessarily be known.

Q157 Chair: Okay, yes, I accept that, which is going to be a challenge, but it is something, again, that the police presumably ought to be helping with.

Professor Jay: Yes.

Q158 Chair: Just in terms of the process, if you could do us a note on the methodology at some point, that might well be helpful, just so we have all got absolutely clear the thorough way in which you analysed those different sources. In terms of the approach to interviews, when you interviewed someone, how formal was it? Did you brief them in advance on what they were likely to be asked, or did they simply get called in, sat down and asked questions? Were there then records kept of the interviews and what was said at them? I am asking that in particular because, if there is an issue somewhere else of accountability and responsibility of individuals, then those records would presumably be very important in helping to address that.

Professor Jay: Yes. I saw the majority of people myself and one to one. In some instances, they asked for information in advance about the kind of questions that would be asked. In other instances, they had been interviewed several times already by a number of others in connection with child sexual exploitation. I took notes and wrote them up myself afterwards. There were certain circumstances where people did not wish their identity to be disclosed; they were not employees particularly, but they were other people. Clearly, I would have kept those confidential, but I am a former Chief Inspector of Social Work in

Scotland myself and I am used to approaches that carefully record what people say. When it came to the endpoint of drafting the report, I had undertaken to pass to individuals whom I had quoted directly the paragraph or part of the report where I had quoted them and ask for their comment on it.

Q159 Chair: Would your detailed notes be available to any future investigations into responsibility and accountability?

Professor Jay: I am fairly confident they would be, but I would be concerned about those people who told me things in confidence—not officers but others who had done so—who only told me things on a confidential basis, but they are not people who are likely to be in the category you have described.

Q160 Chair: Right, but they might have given you information that could be applicable to someone in that category.

Professor Jay: Yes, indeed.

Chair: You have to reflect on that.

Professor Jay: Yes.

Q161 Chair: Okay. One of the issues, I suppose, in the past has been the extent to which records and information were complete within the local authority. Were you hampered at all by missing reports or records?

Professor Jay: I should say I was given maximum co-operation, and, indeed, the Chief Executive, Martin Kimber, was very clear. At the start of the process, he did say to me, "Talk to whom you like; go where you like; and, if anyone is obstructive, let me know." He was very open, as indeed by far the majority of the staff and members I spoke to were. However, we were concerned about particular missing information around the time of 1999 to 2003. This was at a period of time when a group of what we considered to be quite dedicated professionals were meeting and trying hard to address the issues, both at an individual level, monitoring children who were victims, but also to share intelligence about perpetrators and where they were operating. That included the police, the health service and of course children's social care. These meetings were carefully minuted, as I understand, and those minutes were never available. I asked for them on several occasions, and they could not be found.

Some of those who were involved in the meetings originally were very distressed by the fact that they could not be found. There was no explanation for this. Indeed, the council's monitoring officer did

approach the police as well and ask if they had any copies of these minutes. There were four years of minutes. That is important, not just from the point of view of the inquiry, but also because they contained information about how decisions were made about these children's lives. As adults, they have a right, of course, to know about what happened to them when they were being supported by the local authority, and that information is no longer available.

Q162 Mark Pawsey: Professor Jay, I would like to ask you some questions about the role of officers of the council. My colleagues will ask you questions, I am sure, later on about the role of council members, but I particularly want to focus on officers of the council. You have given a picture of what came to light. I am wondering if you could tell us either how the officers failed to see evidence, or, if they did see evidence, why they did not do anything about it.

Professor Jay: That is a very major question, which I tried to answer in the report—though it of course ends up being speculation—based on a number of factors that I became aware of in the conduct of the inquiry. I did not look at competence of the whole council, of course, or indeed of those managers in respect of their other responsibilities. However, on the subject of child sexual exploitation, from the late 90s, for a decade or so, there did not appear to me to be competent leadership on the issue of child sexual exploitation.

Q163 Mark Pawsey: If the leadership was not competent, how about the people carrying out the duties? Were they, in your view, competent people poorly led, or were they too perhaps out of their depth, given the nature of what was going on?

Professor Jay: There were certainly many perfectly capable frontline staff, and that was clear from file-reading and indeed from meeting, to this day, many of those individual staff. However, there were a great many pressures around during especially the 2000s, and the factors included competing priorities, very high demand—it is an area with significant deprivation—financial pressures, and recruitment and retention problems, which were very serious for social workers at one stage. There was a misguided reorganisation of the children and families service that took place and distracted a lot of attention from what you might call core business.

Q164 Mark Pawsey: When did that occur and what impact did it have?

Professor Jay: I think it was formally started in a slow way in 2005, but it went on through 2006 and 2007, mainly got into swing in 2006 to 2008 and eventually had to be aborted because it had failed.

Q165 Mark Pawsey: You think that caused officers to take their attention away from very serious matters. Do you think that was a real distraction?

Professor Jay: Yes. I did consider it was a real distraction from all aspects of safeguarding and support to children and families, and it was not just me who thought that. Some of those whom I interviewed—external people, including the senior police officers—also made the same comment.

Q166 Mark Pawsey: Do you think the department was sufficiently resourced? Was there simply too much happening for the number of people that were employed, given they had this distraction? Should there have been more staff, and should the staff have been better trained?

Professor Jay: They had very serious vacancy problems, at one stage as bad as a 43% vacancy rate among social workers. While they did some work to redress that, it was not sustained, and it was only in 2010 that this issue was properly addressed by the council. Clearly, those extreme vacancy levels had a big impact. However, on the specific issue of child sexual exploitation, there is no doubt that there continued to be a view that the issue was exaggerated among senior officers, as well as the other things I have described.

Q167 Mark Pawsey: Was there an understanding of the nature of the problem in Rotherham by the senior officers then? Was the penny starting to drop at any point?

Professor Jay: They certainly knew about the scale of the problem.

Q168 Mark Pawsey: When did that become apparent? When did the council become aware?

Professor Jay: The members would become aware from when the seminars were held, which I referred to in my report, from around 2004.

Q169 Mark Pawsey: I am not concerned about members at the moment; I am mostly concerned about officers, the actions of officers and what they then reported to members.

Professor Jay: The scale of the problem started to become apparent in 2003. The group of staff that I described to you were well aware of this and were trying to do something about it, but they did not secure the attention of those more senior in the hierarchy at the time.

Q170 Mark Pawsey: Where does the failing reside, then? Does the failing reside with the staff that did not shout loudly enough, or is the failing with the managers who failed to listen to what the staff might have been telling them at that time? Where does the problem lie?

Professor Jay: As far as I would judge it, the problem was certainly with the senior managers, who did not pay attention to what they were being told and insisted that it was all being blown out of proportion.

Q171 Mark Pawsey: Have those senior managers, to the best of your knowledge, been called to account for those failings, and should they be?

Professor Jay: I was going to say they have either retired or moved elsewhere; they are not, as far as I am aware, for part of this time, still in Rotherham.

Q172 Mark Pawsey: May I just ask you, then, if they failed in Rotherham and they have moved elsewhere, what are the implications of that? Should they be allowed to practise elsewhere, in your view?

Professor Jay: It was not my role to apportion blame in this exercise. My conclusion was that there was collective failure. I do not know about the other aspects of those individuals' work and how competent they were in them. On the issue of child sexual exploitation, they certainly failed the children who were victims.

Q173 Mark Pawsey: The Local Government Association has written to the Chairman of our Committee, talking about pension removal for those who did not behave properly in this matter. Do you think that is an adequate response to the problem, or do you think that is just scratching at the surface?

Professor Jay: I am afraid I could not really comment on that, because I do not have the information to understand it, and I really did not make that judgment of the individuals. I did not write a report with that in mind; I wrote it about the victims and their circumstances.

Q174 Simon Danczuk: Professor Jay, let me start by saying thanks for all the hard work you have done on this subject. Could you summarise: why did councillors in Rotherham fail to appreciate the scale of child sexual exploitation, or indeed to tackle it? Why did councillors fail?

Professor Jay: Again, this is my judgment about it, but certainly most members, from my conclusion, showed little obvious leadership or interest in the issue for much of the period under review by me, apart from the commitment to funding Risky Business, which indeed they did

and increased over the piece. Of course, someone referred earlier on to the earlier stage when some officers did present them with very full information about victims and perpetrators and where they operated in seminars held in 2003 and 2004. The then Leader of the Council chaired a small group to address some of the issues, but, again, no detail of that or minutes of its activities, what it concluded or its outcomes were available. One minute only was available of that, so I cannot even tell you when it finished working.

There were a number of reasons that one could postulate for why this occurred, and many people had their own theories about it. This included denial that this could ever happen in Rotherham. There was a desire to keep relations good with the Pakistani-heritage community, possibly driven by political motives. There was real concern about community cohesion. There was worry about reputational risk to the council if it was brought fully into the open. There was also a belief that, if that happened, it might jeopardise police operations. Finally, there was a desire—a hope, in fact, I would imagine—on the part of some that this was just a one-off problem and, if people just kept quiet about it and did not bring it out into the open, it would all just go away.

Q175 Simon Danczuk: Let me ask one particular point there, Professor Jay. You talked about this working group being set up by the Leader at that time. There are no minutes of it; there is no record of how long it lasted and everything else. Do you wonder, in your professional opinion, whether that working group was set up to establish a cover up for politicians to avoid losing votes, or for local politicians to come together to try and move this agenda on in a way?

Professor Jay: I did not form that impression. It seemed to have a reasonable agenda. In the one minute I read, it was looking at issues around awareness-raising about the role of schools, about taxi licensing and a range of issues, which seemed entirely appropriate, but I can find no trace of what it did.

Q176 Simon Danczuk: I am bothered about this point that was made that there was a bullying and macho culture that existed. How did this work and what impact do you think it had, Professor Jay?

Professor Jay: I thought it was important to refer to this because of the nature of the subject of my inquiry. I did not hear this from frontline staff but mainly from senior people and their admin staff—either members or other senior officers—and it was reported to me that it manifested itself in the way some of these people spoke to women and some men, sexist bullying and generally intending to put them down and undermine them. It was an extremely traditional, male-dominated political administration, but some of the senior officers

also were responsible or reported to me as being responsible for that kind of behaviour.

It is my view that the behaviour of most senior people—officers and members—is absolutely critical in determining of what the ethos and culture of an organisation is. If they demonstrate good behaviour in relation to so many of these issues around bullying and sexism, staff will take their cue from that, and in many instances should follow suit, about what will be tolerated and what would not. I do not think this was an appropriate climate in which to be discussing an issue of such social sensitivity as child sexual exploitation while the kind of random comments I have included in my report were being made.

Q177 Simon Danczuk: To summarise, then, what you are saying is that this bad behaviour that existed by a number of senior officers and/or councillors resulted, to some extent, in child sex exploitation being ignored or not deal with. That, to summarise it, contributed to that.

Professor Jay: I cannot prove a link between the two. I am simply saying that, in the context of an organisation discussing such a very difficult subject, it did not to me suggest it was the right kind of climate in which to be talking about that when the kind of comments that appeared to be being made, particularly about women, were so abusive.

Q178 Simon Danczuk: In a letter to us from Martin Kimber, the Chief Executive, he has written, saying, “There have been challenges, largely associated with the dominance of a particular personality within the council who at times could be very direct.” Do you share that view? Do you know who he is talking about there? Do you think you know who he is talking about?

Professor Jay: Yes.

Q179 Simon Danczuk: Who is that?

Professor Jay: I have assumed that Mr Kimber was referring to the then Leader of the Council, but of course I do not know that.

Q180 Simon Danczuk: Yes, but that is what you think, okay. Just briefly, then, what degree of responsibility for the failure to tackle child sexual exploitation falls to elected members from the Pakistani-heritage community, do you think, Professor Jay?

Professor Jay: This is obviously a complex issue, but it seemed to me from an early stage that, at a point where they could have facilitated communication and engagement in a very direct way, particularly with

women, they failed to do so and that they acted more as a barrier or filter to communication, rather than facilitating it and leading from the front to say that we all need to do what we can to find out how these crimes are taking place, who is involved in them and how we can address it.

Q181 Simon Danczuk: Why do you think they would act as a barrier or filter, as you put it? Why do you think they would do that, Professor Jay?

Professor Jay: I do not really know enough about that to be able to speculate definitively, but I would assume that they regarded themselves as some sort of gateway into the community and that they felt they needed to protect the reputation, perhaps. I am really not sure.

Q182 Simon Danczuk: Then, just to finish, would you agree none of this is any way for local politicians to do in local government?

Professor Jay: Of course, yes. I have worked in local government for over 30 years in the West of Scotland, so I am very familiar with it, and absolutely not. There are standards of conduct that some of this fell far below.

Q183 Alec Shelbrooke: Something which has been alluded to in the report, something you mentioned just then, was this comment: "It couldn't happen in Rotherham". That may just be something that you picked up in the report rather than understanding the depth of that comment, but obviously one of the things we want to do is try to make sure these things cannot happen again. What do you think lay behind those comments that this could not happen in Rotherham?

Professor Jay: I imagine people in Rotherham, as in any other place, would be truly shocked, horrified even, by the nature of what was described in my report, although it would have been referred to, certainly, in the press coverage of the prosecutions and convictions in 2010, when there were five men jailed for child sexual exploitation. Any community would be utterly shocked by it. I cannot imagine why people would think it would not happen in their community, but the subject matter was so offensive and shocking, and perhaps I am not really surprised.

Q184 Alec Shelbrooke: When you are dealing with community leaders, which is what we all are, to some extent, we know that things happen. I represent the city of Leeds. It is a huge city. We know law breaking goes on all the time; sexual violence and sexual assaults happen

all the time. What would you recommend? For me, "It couldn't happen in Rotherham" may be a comment on the scale of what happened. There was clear evidence coming forward that there were events happening, and the comment of "It couldn't happen in Rotherham" suggests they did not believe the scale of things that were coming forward. There is a mismatch there, and whatever that culture is that caused that is one thing, but what would you suggest would be the best way forward to make sure that could not happen again, that you could not have a set of political leaders or whatever saying, "Well, I've seen these reports, but it can't really happen here; it is not our sort of community"? What are the safeguards and checks, moving forward, that need to prevent that? This is in very recent history. This is not something that happened X number of years ago; this was literally last year.

Professor Jay: Of course, it is most certainly not unique to Rotherham, and anyone who thinks it is I would consider truly misguided. Yes, I understand what you are saying. First of all, I would suggest that, from the point of view of the council, which we were discussing, their scrutiny systems needed to be far, far more rigorous than they were. There was, in effect, very little rigorous scrutiny of decisions made, a lack of information, perhaps, or probing of issues that went on at the council level.

Q185 Alec Shelbrooke: Just to interrupt there, who do you think should be scrutinising the ability to scrutinise?

Professor Jay: Obviously, within the council, the scrutiny arrangements in the cabinet system require that to be carried out properly. It certainly did not seem to be carried out in any kind of rigorous way in the council.

Q186 Chair: Can I just follow up on that? In terms of the clear responsibility of those who had lead positions on this, we cannot deny scrutiny was not effective, but, for the ordinary backbench members of Rotherham Council, after the seminar took place, when the Task and Finish Group was set up, they did not get any more reports about this, and they had not got constituents coming to tell them about it. Presumably those members probably genuinely did not know what was going on. Is that a fair comment?

Professor Jay: I do not know about their inquiring nature and whether you could reasonably expect backbenchers and everybody else to probe a bit more fully than they did in Rotherham. However, it is certainly the case that senior officers did not fully alert them in bringing to their attention the true scale and seriousness of the problem at regular intervals as I would have expected.

Q187 Chair: It is interesting. When we challenged Joyce Thacker about this, she referred to certain reports that she sent to the cabinet member at the time, Shaun Wright. She said he had been fully informed. When we actually had the reports, they talk about concerns about sexual exploitation being assessed appropriately—that is from a report in July 2008; and, in November 2008, it says that all the appropriate structures and processes were in place for dealing with this. That hardly raises in elected members’ minds issues of major concern, does it?

Professor Jay: Absolutely not. I agree. I have read these reports, and of course I agree with you that the reports that were produced had needed to make unambiguous statements about the seriousness and scale of the problem, which they did not.

Q188 Alec Shelbrooke: Just briefly on that point, when you were talking about the bullying culture, was there any evidence to suggest that those reports were not as obvious as they should have been because there was a fear from senior officers as to how the political leadership would react? You may not be able to answer that.

Professor Jay: That was never suggested to me, and it certainly was not a conclusion I reached on my own account.

Q189 Mrs Glindon: Professor Jay, your report commented that, currently in Rotherham, there appeared to be very little by way of specialist support services for children and young people who had been sexually exploited. From what you have seen, are there sufficient mental health, counselling and psychological services for the victims?

Professor Jay: There certainly was not until the time the report was published, no. It is as much a responsibility of the health service, not just the council, to provide this. There was a waiting list for the CAMHS—Child and Adolescent Mental Health Services—support; it was about six months. We did notice, which we were concerned about, that, if the girl did not turn up to the appointment given, she went back down to the bottom of the list.

Now, you cannot work with these girls in that way. You have to be much more flexible and responsive, and deal with them. You cannot just say, “You’re down at the bottom of the list now”. That indicated perhaps a lack of understanding of the nature of these girls’ extremely difficult circumstances. These girls, as I am sure you know, could be, by the age of 15 or 16, discarded as being too old to be of any use, and some of them would have then had addiction problems because they were groomed into the exploitation through the use of drugs or alcohol. Many of them were absolutely plagued with self-loathing and guilt and have consequently self-harmed. These girls were in terrible

circumstances at the point at which they were abandoned by the perpetrators, and we saw that there were far too few resources to support these girls, part of the difficulty being that this is not a quick fix and it is not something that six sessions of psychology is going to fix. It is longer-term and it needs to take as long as it will take. It is quite complex. I believe Rotherham has very recently invested more funds in the provision of counselling and support, but whether it would even then meet the needs of these young girls, possibly requiring this kind of support well into their 20s or 30s, I do not know; I doubt.

Q190 Mrs Glindon: When you talk about the kind of support on this massive scale, with 1,400 victims, could you say what support services specifically these victims need?

Professor Jay: First of all, it would be very unlikely that they would all come forward. Stretching back over many years, some may have found their own means of coming to peace with themselves and others, but others might not wish to identify themselves at all with the issue. I am not sure what the council's plans are to try to engage with that number of girls, but it really depends on what their life has been like since and how they have managed to cope. I cannot see anybody who has been through the kind of experiences we read about easily moving into a happy adulthood.

Q191 Mrs Glindon: You mentioned yourself that there was a six-month waiting list for adolescent counselling. On the *Inside Out* show on TV recently, on 6 October, it was reported that there is a six-month waiting list for women's counselling services too. Do you think Rotherham has the resources to provide the help for these victims?

Professor Jay: You are quite right; even as adults, they do not then get speedy support. I quote in my report a parent who just paid for the services for his daughter, because it was too urgent for her. She needed help quickly, so he found an appropriately qualified counsellor himself and paid for it. I would doubt if the numbers that came forward were large.

Q192 Mrs Glindon: So many people could really go without any support or counselling.

Professor Jay: I do not know whether this is something the council could, in partnership with other areas and the health service, plan to extend for the specific purpose of meeting these victims' needs.

Q193 Mrs Glindon: You also note that, on the handling of recent cases, in the final quarter of last year, a third of the child sexual

exploitation team's cases had been closed. You thought this was a high turnover of cases in a short period and that it requires further management and investigation. You said that your team had read some of the cases, and they thought they had been prematurely closed. Does this show that there is still continuing, unfortunately, inadequate handling of these cases, as they stand?

Professor Jay: I suspect it is due to pressure of work, yes, and a general pressure to maintain throughput, provide some direct support and then close the case and move onto another, although some of the staff we spoke to told us they did not feel that pressure. However, the person who was in charge of the team most definitely did.

Q194 Mrs Glendon: So the issue continues.

Professor Jay: I would say so, yes.

Q195 Chair: Professor Jay, you were invited by Rotherham Council to come in and do the report. If you had been invited by other councils in the country, do you think it is likely you would have found something very similar?

Professor Jay: Yes, indeed, I do believe that. I most certainly do not think Rotherham is unique. In fact, the existence of the Risky Business project, especially in the early years, might have made the issue much more visible than it would have been in council areas where no such project existed, so I do think that that particular service, run by the council, did a great deal to raise the profile of the issue. I am sure it would occur elsewhere, and I think the Deputy Children's Commissioner for England's report confirms that that is the case as well—that this is a much more widespread activity, across England and indeed other parts of the UK, than people believe.

Q196 Chair: Some might say that Rotherham was very brave to open it up and invite you in, but, at this stage, nobody else has done that. What should other councils be doing, given the concerns you and others have expressed that the issue is probably prevalent around the country?

Professor Jay: Do you mean the kind of support that they should be making—

Q197 Chair: First of all, to examine their procedures and policies, etc, to make sure they are dealing with the issue properly, and to respond where they are not.

Professor Jay: Absolutely. A lot of the responsibility for this probably needs to be addressed to safeguarding boards as well. Indeed, I was critical of previous safeguarding boards in Rotherham for, a bit like the

council, failing to scrutinise the activities of all the agencies about child sexual exploitation. They had no shortage of policies, procedures or plans. There were mountains of them, but the weakness was that nobody checked whether they were being implemented, or indeed whether they were any good. That might be a starting point, but, in relation to what people need to do, do you wish me to continue with that?

Chair: Yes, please.

Professor Jay: Awareness-raising is hugely important. The role of schools is vital, in making sure that everyone, including parents, recognises signs and symptoms. Of course, early identification and intervention when there appear to be indicators of sexual exploitation are of huge importance. There need to be accessible direct contacts—this is both for children and their parents—of the kind that Risky Business provided: that kind of informal contact where the young victims can trust those in authority. That will not easily happen unless you go on the street and talk to them, rather than wait for them to turn up in an office. There need to be knowledgeable and skilled frontline staff, good long-term support, as we have just been discovering, and absolutely zero tolerance of the perpetrators, who need to be stopped and disrupted in all suspicious activities. Police need knowhow and expertise at a very specialist level, as do children’s social care staff. There need to be safe accommodation—including children’s units and homeless accommodation—and transitional arrangements for care leavers, well co-ordinated working between safeguarding and taxi licensing and, as I have already mentioned, challenging scrutiny systems and safeguarding boards.

Q198 Chair: You basically get every local council in the country to see that checklist and be benchmarking what they do against it.

Professor Jay: Indeed. I do think this is not original or unique. Some of that should be known to many already.

Q199 Chair: Presumably, every authority ought to go through that checklist, benchmark what they are doing and then report to their councillors with a clear, obvious and open explanation as to where they are failing and what they ought to be doing.

Professor Jay: Yes, indeed.

Q200 Chair: Elected members, of course, rely on outside reports, as, clearly, Rotherham members will be relying on your report now to explain to them what has been happening and what needs to be done.

During course of the period your report covered, a number of other outside agencies have been looking at children's services in Rotherham. Ofsted comments in 2009-10 led to the improvement notice being served, and a recent Ofsted inspection has ridden in, if I may say, on the back of your report and found alarming things, in their terminology. In the meantime, a lot of Ofsted reports used the word "adequate" on a regular basis to describe what was happening. Do you think Ofsted failed the children of Rotherham as well?

Professor Jay: To some extent, yes. As I say, I am a previous Chief Inspector of Social Work so I understand the ways of operating in that kind of scrutiny regime. I have two comments to make about this. One is that the reports did comment on good services that were undoubtedly in place over the years in Rotherham. However, they continued again and again to refer to the same issues coming up: lack of monitoring; inadequate supervision; the absence of sound information systems, etc, but they did not seem to demand any direct and sustained improvement take place. They simply reported and then it went onto the next and the next, so there was no clear message that "We are not going to tolerate that this has not improved". I thought that was a weakness in their approach.

Secondly, CSE was not mentioned in any report until 2006 and then, I would quote, "It appeared that vulnerable children and young people are kept safe from abuse and exploitation". As I have said in the report, that statement in itself may have given false reassurance, and in fact was quoted back to me by some senior people who were around at that time as proof of their good stewardship of children's services.

Q201 Chair: Right, so Ofsted has to look at itself now. Will we have confidence in Ofsted doing anything in this area now?

Professor Jay: Yes, of course. Things change all the time, and I am sure their methodologies and ways of working have improved, but, in 2006, that was not a helpful thing to say.

Q202 Mrs Glindon: Going on from what you have said, how do you think we can tackle child sexual exploitation?

Professor Jay: If you go back to the social issues—I do not have an answer for you, by the way—there is one very big message that does not lie necessarily at the door of local government to address, but, as I have understood it, there is a demand, not just in the UK but in Europe and worldwide, for sex with children, and the question of demand, although it is police-led, is undoubtedly a very important starting point. At the macro level, that issue needs to be tackled.

Q203 Mrs Glindon: Is there any local authority you would hold up as a model for investigating and tackling of the issue?

Professor Jay: I am not an expert in the detail of other areas. I am told that some of the Lancashire councils, particularly Blackburn, are considered to be good models, but I am afraid I have been preoccupied with Rotherham and I have not looked at that in detail. Having checked with colleagues in the past, who are knowledgeable, they would suggest Blackburn and Derby.

Q204 Mrs Glindon: Are there lessons from your report for other local authorities to learn?

Professor Jay: I would most certainly hope so, and the kind of issues I referred to earlier—a checklist, as Mr Betts referred to—are extremely important for people to constantly learn. Another aspect of the learning is that there are new and different means of exploitation emerging on a monthly basis almost, because, at the start of this exercise, social networking and social media, for example, were not necessarily used as a means of exploitation. Now this is much more common. That was evident in Rotherham as well, and it will be elsewhere. Grooming online can shift to exploitation offline very fast; it can happen within an hour or so. Regrettably, a number of young victims do not even know, on occasions, that they are being exploited or abused in the way that, for example, indecent pictures are posted on social media. These are new challenges that everybody needs to learn about in this field.

Q205 Mrs Glindon: Do you have a view on mandatory reporting of child sexual exploitation, backed by criminal sanctions?

Professor Jay: This is a very interesting question. It has come up in Scotland, and, indeed, in Northern Ireland, when I was speaking to Assembly Members there. It is a complex issue, and I suppose one of the main purposes of mandatory reporting would indeed be to share information to prevent cover-ups, except all the information was there in Rotherham and it was shared, but nothing was done about it. However, I was impressed by some research I read that compared jurisdictions that had mandatory reporting with those that did not. There were some very interesting findings from that, in that, although you get much higher levels of referrals, which might require to be sifted in some way, with mandatory reporting, in this study, the area that had the mandatory reporting had four times as many identified and confirmed cases of sexual abuse as compared to the area that did not. That, to me, would seem to be quite a good reason. If this was the case throughout, then of course this would be a positive aspect of it.

Q206 Mrs Glendon: There are two reviews that have been announced. You are going to be the expert advisor to the Home Secretary's inquiry, but, as yet, there are no terms of reference agreed. The other has been announced by the Secretary of State for Communities and Local Government only last month. What do you think of the terms of reference for that particular inquiry?

Professor Jay: The inspection commissioned by Mr Pickles is, I think, just starting. Its focus on governance is important and relevant. It would be a pity to repeat everything that has already been done, and I am sure that will not happen, but the focus on governance is relevant, and also the second focus on, as you have asked about, the lessons for elsewhere that could be rolled out I do think is also very important.

Q207 Chair: Finally, one of key issues that seems to come out of your report—though I know we are concentrating on council issues here; that is our remit as a Committee—is the need for the local authority, the health service, the police, schools, everyone to be engaged in a joined-up way in tackling those issues. Is that something you want to lay particular emphasis on?

Professor Jay: Absolutely, because, while this is a form of sexual abuse, it has facets to it that are quite different from abuse within the family, and there are lots of aspects of child sexual exploitation, particularly in relation to taxi licensing, for example, but also other aspects, that require everyone to co-operate together, most of all the police and children's social care, but, beyond that, the health service, licensing and the Crown Prosecution Service as well.

Q208 Chair: Which often gets forgotten in these discussions, yes. In terms of how you approach that, some authorities are now setting up not merely joint units to deal with these issues but units that are jointly managed. Do you think that is an important step forward as well?

Professor Jay: Rotherham has certainly done a lot of work on that, and has a central specialist team with other agencies involved. There is no question about that. That has been in place for a while. They have not quite resolved its remit, but most definitely that is a very important way. If people are on the spot together, then they can share intelligence, which helps prevention and protection, but it also helps prosecution.

Q209 Chair: Would it be fair to say that, while there have been massive problems, which your report has rightly exposed, there are some signs at least that now, in Rotherham, things are beginning to move in the right direction and some of the lessons are beginning to be learnt? Is that a fair comment?

Professor Jay: Yes. In many aspects, that is the case; that is right. There are some aspects of individual practice that need to be addressed, particularly around risk assessment and some of the issues we talked about earlier.

Q210 Chair: Professor Jay, thank you very much for coming. I do not normally ask witnesses this, but it is such an important issue. Is there anything you think we have missed during the questions that you ought to draw our attention to?

Professor Jay: No, not at all.

Chair: Thank you very much indeed for coming this afternoon.

Panel 2 Questions [211-251]

Witnesses: **Councillor Paul Lakin**, Leader, Rotherham Metropolitan Borough Council, gave evidence.

Q211 Chair: Councillor Lakin, welcome. Thanks for coming to give evidence this afternoon. For the sake of your records, could I just begin by asking you to say who you are and the organisation you represent?

Cllr Lakin: I am Councillor Paul Lakin. I am the Leader of Rotherham Metropolitan Borough Council.

Q212 Chair: Thank you for coming. Could I begin with a question that follows on, really, from the last question I put to Professor Jay? You have just become Leader of the Council, in obviously pretty difficult circumstances. What changes can we expect to see around the whole issue of child sexual exploitation and it being tackled appropriately now you have become Leader of the Council?

Cllr Lakin: Chairman, can I start by saying I agree with Professor Jay that, for far too long, issues in Rotherham were not addressed? We have clearly let down young people at a time in their lives when they needed our services most. Our services were not good enough. Since I became Leader of Rotherham Borough Council, I have announced a package of changes. We have a smaller, more aligned cabinet, so the cabinet structures are now more aligned to the directorate services, which gives more accountability. For the past several years, we have had a cabinet structure that has worked cross-directorate, which has lost some of that accountability. The portfolio for children and young people's services has now been brought back under one cabinet

member, and, over the last several years, again, that portfolio has been messed around with somewhat.

If I take my own experience, when I took the role in 2010, I got the whole of children's services apart from the Integrated Youth Support Service. Then we changed the role to safeguarding children and adults, and, the following year, I lost education. I got it back again in 2013-14, and, this last year, when I took on the role of deputy, I ended up with the safeguarding aspect. It is important that the cabinet member undertaking that role has clear sight of the whole of children's services. There needs to be a golden thread there that follows through, from school right through to leaving the service at 18 or 25.

In my packet of measures I announced to the council on 10 September, as well as a new cabinet, I announced immediate funding of £120,000 that would be put towards supporting victims and survivors of CSE. That is a small amount of money, but it is kick-start money. Just so Members of the Committee are aware where that funding has gone to, £20,000 of it has been put into the Rotherham Women's Counselling Service, who have been cited as having a waiting list of six months. Our GROW project, which works within our multiagency CSE team, has received a similar sum. The other £80,000 will be put into the small grants pot of the South Yorkshire Community Foundation for small organisations that work with victims of CSE to bid into. I can also tell you at this point that, in terms of funding for next year, we have made provision within our medium-term financial strategy in case extra support is needed.

I have implemented an improvement board. That improvement board comprises of independent people from outside of the council with expertise in finance and children's services, as well as a number of cross-party member peers. The board is cross-party. It is absolutely essential that the protection of children is above politics. We should never play politics with children's lives. That has been lacking over a number of years in Rotherham, where we have had a fairly large majority. The involvement of the opposition parties has never been at the table. It is important now that we open up that dialogue. I have opened up that dialogue with the leader of the opposition in UKIP, who are now the biggest party in Rotherham, and he, along with one of our Conservative members, sits on that improvement board.

The council will be undertaking a review of its standing orders. We have had several issues or complaints over a number of years where people believe that the council is operating in a too-close culture. I give an example of the limited time for questions at council meetings: it is 30 minutes. Once that clock stops, the questions stop. We are going to do a review of the standing orders, including the number of names

required to spark a petition at council, which, for Rotherham, is far too high; it sits at just under the amount required to spark a referendum for an elected mayor, which is nine thousand, nine hundred and something. We need to review that; it is just not democratic enough, in my view, so we are looking at the whole aspect of standing orders. Opposition members are now allowed to ask questions at cabinet, so we will be taking that into consideration as well.

Q213 Chair: Coming back specifically to the issues of child sexual exploitation, a lot of those are around changing the culture of the authority, I appreciate. You mentioned £120,000 as a kick start, because it must be that, mustn't it? The scale of the problem that Professor Jay outlined—even if you cannot in the end manage to find all these young people, these children, who have been exploited—is still going to be massive, just searching through and trying to identify who they are and where they might be. Then, if you do find them, or find some of them, who need assistance, where are the resources going to come from to do that? We asked the Chief Exec when he came to give us a list of what you needed as an authority. Could you find that within your own council budget?

Cllr Lakin: It is going to be a massive task to search through all the case files. I wholeheartedly agree with that. These young people have been let down, and we owe it to them to go through their case files and look at where people may be culpable and bring those people to task. That is going to be a massive resource issue. Rotherham Borough Council, over the last four years, has taken a hit on its revenue budget of well over 30%—33 or 34%—and any monies that we need to put into resourcing this will have to come from within current council budgets, unless of course the Government are going to—

Q214 Chair: As we said to the Chief Executive, if this is not merely the ongoing issues of managing the services properly, but if there is a historic backlog of problem that the council needs to address, I am not saying just in terms of resources but how you train people to do it, then maybe a request from Rotherham inviting outside help would be appropriate.

Cllr Lakin: I think that would be absolutely appropriate, and any help that this Committee could give us in—

Q215 Chair: I think we would need the information from you as a council about what you are lacking and what you need.

Cllr Lakin: I will ensure that, when I get back to Rotherham tomorrow, Chairman, that information comes to you straight away.

Q216 Chair: Okay. I have two other points. The improvement board you mentioned, but I suppose the obvious response to that is there was an improvement board, wasn't there, back in 2009 when the improvement notice was served? It got things, apparently, on a better track, until, in 2011, the notice was withdrawn, but we are back with another improvement board now. Does that mean the first one did not work?

Cllr Lakin: This is slightly different. The improvement board that was put in following the intervention notice in 2009 was imposed by the DfE to give the improvements to children's services that had been found within the failed Ofsted inspection. The improvement board that we are advocating now, as I have said, has an independent chair; it has cross-party support; it is part of a package of improvement measures.

The board will meet monthly for a period of roughly the first 12 months, and its role will be to provide support and guidance. It will identify and signpost appropriate good practice. It will provide challenge and act as a critical friend. It will ensure that contributions from different external agencies and bodies to Rotherham's improvement journey are co-ordinated. It will ensure that there is a single, integrated, holistic improvement plan that can clearly be understood and communicated, both internally and externally, because I am sure you will be aware that there are a lot of things happening in Rotherham at the moment. We have just had the two Select Committees: yours and the Home Affairs Select Committee. We have the Louise Casey review. We have just had the thematic inspection of Ofsted, and we have had Ofsted on the safeguarding of children inspection, so there are a lot of things going on. It will advise on decisions that impact on political and managerial leadership arrangements and it will respond in due course to the Casey and the Ofsted findings.

Q217 Chair: Can I just come in there? We now have an improvement board; we have a commissioner as a result of the Ofsted inspection; we have Louise Casey coming in as well, all, of themselves, hopefully helpful interventions. Is there a danger that you will have so many interventions they will fall over each other or leave things to each other that then do not get addressed?

Cllr Lakin: Of course there is that danger, yes. The role of the improvement board is to help us see the woods for the trees, really, and pull together the recommendations from all of those reports into one plan that can be communicated and monitored.

Q218 Chair: Who is in charge of making recommendations to the improvement board? Which officer is actually responsible for putting that together?

Cllr Lakin: It will be the Chief Executive.

Q219 Chair: Right, so that leads me onto the question. You have an Executive Director of Children's Services who has now left; you have a Chief Executive who has indicated his intention to leave in the very near future. What are you doing to replace them? It seems to me to leave a void at this time would be pretty difficult to handle.

Cllr Lakin: I can assure the Committee that there will be no void. The interview for an interim Chief Executive took place on Thursday last week. That appointment has been offered and they are now going through the contractual arrangements for that. Once those have been agreed, Mr Kimber's departure from the local authority will also be agreed. There will be a handover. There will be no void. In terms of the Director of Children's Services, the interviews for that post will be taking place this Thursday, and both the new Chief Executive and the Children's Commissioner, Malcolm Newsam, have expressed a wish that they are at those interviews, and we have been helped in that journey of finding those people by the Local Government Association.

Q220 Chair: Is that for a permanent replacement?

Cllr Lakin: No. I think it is only right that both posts should be interim at this stage. We want the best for Rotherham, and, at this stage, we will be fishing in a very large sea with a very little net, so we just need to settle the organisation down. What the authority really needs at this moment in time is no more changes in personnel, in leadership. We need a period of calm and stability to allow things to settle so we can sort out some of the problems that lie before us.

Q221 Mrs Glindon: Can I ask you, Councillor Lakin, are you fully committed to implementing all the recommendations in the Jay Report, and, if so, have you got a timescale in mind for those?

Cllr Lakin: We are, Mrs Glindon. The council fully accepted all 15 of the recommendations within the Jay Report. Two of those recommendations are complete; others are underway, and they all have different timescales as to when they will be complete. We can provide the Committee with that information and where we are with implementing those at this moment in time.

Q222 Mrs Glindon: The £120,000 that you have described how it will be broken down and shared amongst different agencies and

services—how did you work out that amount? How did you come to that figure as being appropriate to do the kick-start work?

Cllr Lakin: It was a figure I arrived at. It is just the kick-start work. It is £120,000. We originally looked at £100,000. Officers told me I could have £120,000, so I took them up on their offer to give me £120,000. In addition to that amount of money, I have also instructed officers to find a further £50,000 from within existing budgets to put into our Integrated Youth Support Service to provide further front-door support for children and young people.

Q223 Mrs Glindon: Is the resource plan that this Committee was told about on 10 September by Martin Kimber now ready?

Cllr Lakin: It is ready, yes.

Q224 Mrs Glindon: Obviously there are costs associated with this. You have told us about the cuts to the council. How are you going to find the money to implement that plan?

Cllr Lakin: We have made provision within our medium-term financial strategy next year by using an amount of the council's balances.

Q225 Mrs Glindon: Within that, and going back to the recommendations and issues around the child exploitation team that were being raised by the report, do you think you have a way to address all of those financially and with regard to other resourcing capacity?

Cllr Lakin: I think we have, yes.

Q226 Mrs Glindon: And that will move forward.

Cllr Lakin: Yes.

Q227 Mark Pawsey: Councillor Lakin, you have very kindly told us where you are taking the council, having recently been appointed as Leader, but I think this Committee would be failing in our duty if we did not get to understand a little bit about the structure of the council, how things were enabled to happen in the way that they did in the council. I understand you have been a councillor since 1999, so you have been a member of the council throughout the recent difficult years. Have you got a particular view about how the council came to be in this position?

Cllr Lakin: You are always going to have a particular problem where you have a single-party majority of the size that Rotherham was. We got, at one point, over 60 councillors out of the 66 before we came down to 63 within the local government chambers in 2004. From my own personal perspective, I came onto the council in 1999. I have

never been a member of a children's services panel or any panel that has taken information from children's services around sexual exploitation or of that nature. That would either be the cabinet or a scrutiny panel, so I have not been in a position where I would receive that information. In respect of the type of information that was received by councillors, I would not be in a position to answer what that was at any one particular time.

In your previous questions to Professor Jay, there was the question about the culture of the council, which I think you are alluding to as part of your question, and the bullying culture. I have to concur, I would say, with the comments in Professor Jay's report that that bullying culture did exist. I must say that I am not a bully; I have never been a bully; I have a zero tolerance to bullying; and, as I take Rotherham Council forward, there will always be a zero tolerance to bullying. However, I have seen, in my time as a councillor, overzealous questioning of officers; I have also been in a position where officers maybe inappropriately answered back to members; and I have been in a position where I have heard comments about the behaviours of some members, although I have not seen those, and, if I had done, I would almost certainly have challenged that behaviour.

Q228 Mark Pawsey: You brought up a number of points there. Taking your point about the single party, you said there were 66 councillors on the council at one point. Did you then add how many of them were from one party at that time?

Cllr Lakin: Off the top of my head, it was over 60. I think at one point we only had two opposition councillors.

Q229 Mark Pawsey: Do you think that was a problem: that there was over-dominance by one party?

Cllr Lakin: We have always said in Rotherham that the biggest scrutiny of Rotherham comes from within our own members.

Q230 Mark Pawsey: Yes, that has to be the case, given the makeup of the council.

Cllr Lakin: And it does, but do you always get the right sort of questioning? If you look at the makeup of the council now—

Q231 Mark Pawsey: Your makeup has changed quite recently, with a largish group, in Rotherham's terms, from another party.

Cllr Lakin: Yes. We now have 10 members of UKIP, and we have two opposition members. The whole aspect of the way they have

challenged the council is totally different from the sort of challenge you get internally.

Q232 Mark Pawsey: For the better?

Cllr Lakin: It is for the better. I think they have a lot of work to do in terms of coming together as a credible opposition in the way that they act, but, as they move through the council and get that experience, then I think it will be for the better.

Q233 Mark Pawsey: You spoke about the overzealous questioning of officers, officers inappropriately answering back to members. Have members and officers undergone any specific training to deal with that sort of culture, or is there just a general recognition on the parts of lots of people: "Guys, we overstepped the mark and we probably ought to pull back a bit?" Has there been a formal retraining?

Cllr Lakin: There has. The council has a very good induction programme for new councillors that is open to every councillor, no matter how long they have been on the council. Part of that training includes officer-member relationships, member-member relationships, and code of conduct training.

Q234 Mark Pawsey: I am also interested in some remarks you made about the movement of members around different scrutiny panels. You said that, in the time you were a member, from 1999, you had not been in a position where you might have received a report with regard to issues that would affect possible child sexual exploitation. Is that because people got stuck on a panel and left on it? I am struggling to understand how you could have been a member for so long without, at some point or another, one of these reports passing your desk.

Cllr Lakin: There were a number of scrutiny panels, as there are today. Members put forward a preference as to which scrutiny panel—and it is the same today—they would wish to serve on. In my time on the council, I have served on and chaired a panel, which went by the name of "democratic renewal". That looked at audit and finance. I went on the regeneration scrutiny panel.

Q235 Mark Pawsey: Do you think members have previously moved around panels sufficiently so that every member would get to know the functions? You have been on for 16 years. Would somebody of that length of service have worked their way around all of the functions of the council, rather than being a specialist in one particular area? We do expect our councillors to have a broad knowledge of the council they are on and report back to their residents on that basis.

Cllr Lakin: The answer to your question is no. It is left down to the individual councillors as to which panels they choose to serve on.

Q236 Mark Pawsey: Do you think that should be changed?

Cllr Lakin: I think it should be changed. Members need to get that broad range of experience.

Q237 Mark Pawsey: Is that part of your action plan?

Cllr Lakin: We will be looking at the member structures as we move forward, and that will be working with the improvement board to help us through that.

Q238 Mark Pawsey: You spoke about a change of style. How do you think the change of style is going to manifest itself in the council house, in the council chamber and to residents of Rotherham?

Cllr Lakin: The style, I suppose, needs to be more open. We need to have more open government. The change in legislation about opening up local government—our meetings are now filmed and recorded—is going to help. I have asked for a report to come to me, which will come very shortly, on the webcasting of meetings. We currently are webcasting meetings, but we are paying for that on an individual, meeting-by-meeting basis. We need to move to that now, permanently. Members need to be able to constructively challenge each other without feeling threatened. I will put a case in question that, when I took the Leader's role officially on 10 September, members of the council did not have access to the Leader or Deputy Leader's office. Everything is key-fob protected.

Q239 Mark Pawsey: They did not previously have access.

Cllr Lakin: No, they did not.

Q240 Mark Pawsey: So, under the old regime, would a backbencher wishing to raise an issue with the Leader of the Council typically be able to just pop up and have a chat, or was the Leader pretty remote?

Cllr Lakin: Yes, the Leader was pretty remote. They would have to make an appointment to see the Leader through the Leader's secretary. That fob has now been changed, and any member of the council can now get to see me or the Deputy Leader at any time. If we are busy, they have to make an appointment, but at least they can get through the door to see the secretary. Under the previous regime, you could not get through the door to see the secretary.

Q241 Mark Pawsey: You heard the professor's remarks earlier on today. Her view was that there were council officers who got some idea of what was going on, but that did not find its way through to members. Are you happy that the culture of Rotherham Council has changed to such an extent that, if a relatively junior officer were to identify an area where they thought there was wrongdoing or performance that was not up to scratch, that would find its way to senior officers and the average member would be aware of it?

Cllr Lakin: I would hope that the culture has changed over the last few years. Now reports that members request do come to members, whether that is through cabinet reports or through scrutiny.

Q242 Chair: I suppose we have to probe a little bit your role as cabinet member for children's services. Do you think that all the criticisms made of the period when you were responsible in that role from Professor Jay were valid?

Cllr Lakin: I have no evidence of the historic content within Professor Jay's report. Where the report relates to missing casework files or missing reports, I personally do not have any information relating to those. I believe that the issues around member conduct are valid. I have no reason to believe the information that Professor Jay has gathered during her information-gathering session for that report is anything other than true.

Q243 Chair: When you took over responsibility as cabinet member, how did your approach differ from the approach that had previously been taken?

Cllr Lakin: When I walked into children's services in 2010, what I found was a service that was basically chaotic. It had got an improvement notice. We had an improvement board that was being headed up by the current Chief Executive—at that time, he was the new Chief Executive—Mr Kimber. The Director of Safeguarding and the Director of Lifelong Learning were recently into post, having started in March or April of 2010. The service had got major budgetary issues and had delivered a fairly large budget overspend.

We had a new Government and a Secretary of State who were basically tearing up the rulebook and making changes to the educational and children's services system. Within the first week of June, I got hit with an inspection of the fostering service. At the end of July, there was the announced SLAC—safeguarding and looked-after children—inspection. In August of that year, there was the court case of the eight Pakistani males for alleged grooming and child abuse.

At that point, that was the first time, really, that I got to know about the horrific issues of child sexual exploitation and how they really affected children's lives. Sexual exploitation had to go to the top of the political agenda, for me. I have already said that, until that point, I had little or no knowledge of any reports. I was not at the 2005 seminar that you asked Professor Jay about. I made, along with Joyce Thacker, CSE a priority, and it has been a priority since. It had to go onto the political agenda. I had trouble, at times, getting that through the political structures, for some of the reasons alluded to by Professor Jay in her evidence, but we are where we are now. We have got it on the political agenda; it is well on the political agenda. I think it was right to have the Jay Report. I had that discussion with the Leader in September 2013 that it was right to have this review, and I still think that today.

Q244 Chair: Can I just probe you a little bit there? That is actually quite a crucial issue. Are you saying that you began to recognise in 2010 these issues were around that you had not been advised about before, but then you became dissatisfied with the way that they were being dealt with, the way you were being advised by officers in Rotherham, and as a result of that Professor Jay was called in? Is that the story you are telling us?

Cllr Lakin: It is along those lines. It took basically three years to get to that point. Rotherham was getting hit, year after year, with the *Times* reports on sexual exploitation, where we were getting constantly accused of cover up and failing to listen to the victims. I had never been party to any political discussion around that, and it got to a point in September 2012 where I said to the Leader, "This needs to go into Labour Group. We are being accused here by *The Times*." We had had the *Times* report in 2012, which was around Child S and moral cowardice. Again, it contained references to covering up because of ethnicity. "We really need this debate." To be fair, the Leader did not disagree. Up to that point, my discussions had not been with the Leader; they had been with the Deputy Leader.

Q245 Chair: Right, and there was resistance at that point, was there, to having an independent review?

Cllr Lakin: There was no resistance in 2013. In 2013, just to put the record straight, there was a further *Times* article relating to the then Deputy Leader around his alleged involvement in handover of a young girl named Jessica. At that point, the Police and Crime Commissioner announced three reviews. He did the one for the Crown prosecutor; the independent HMI; and he announced his own review into historic cases of child abuse. I think this was brought up, if I am right, in the

questioning from Mr Vaz in the Home Affairs Select Committee in January 2013. When the Chief Executive and then Director of Children's Services went down there, they were asked why Rochdale had a review and why Rotherham had not.

It was only right at that time that, if the victims of sexual exploitation in Rotherham were going to be heard, Rotherham owed it to them to undertake an independent inquiry. I had a discussion with the Leader. The Leader was not keen initially. That discussion culminated in a fairly heated debate, dare I say refereed at that point by the then Deputy Leader. I was assisted in that argument by several cabinet member colleagues, at which point the Leader took on board our comments, phoned the Chief Executive and asked him to commission the review. I had said to the Leader, "If you do not have an independent inquiry, I will be walking out of this room; I will be speaking in favour of an independent inquiry in Labour Group; and then what you do with me as a cabinet member is your choice."

Q246 Chair: And you feel it was the right thing to do, presumably.

Cllr Lakin: I feel it was the right thing to do then, and I think it is the right thing to do now. I know that Rotherham is going through a lot of pain, but I think it will come through this a lot stronger.

Q247 Mark Pawsey: Can I just come back on the evidence you gave earlier? This is to do with an authority where one party is dominant; it does not matter which party it is. Would you think that we, as a Committee, should say that it is easier to get these things out into the open in an authority where there is perhaps a more even balance between the parties in the membership and makeup of the council? Would that be a fair thing? If we were to draw that conclusion, would that be wrong?

Cllr Lakin: I do not think that would be wrong, no, but, at the end of the day, it is down to the electorate as to who they put in.

Q248 Mark Pawsey: Of course, but we all know that the political reality is that some areas are likely to be dominated by one party, and other areas are likely to be dominated by another. Would a conclusion of ours, perhaps in terms of the way local authority boundaries are drawn, be that there is more likely to be effective scrutiny—which means that, if there is something inappropriate happening in an area, it is more likely to come to light—in a more balanced local authority than one where there is dominance by one side or the other?

Cllr Lakin: I would agree with that, yes.

Q249 Mark Pawsey: Would you encourage us to take that forward as a recommendation?

Cllr Lakin: As a member of one party, I would wish to advise that councillors from my own party are elected, but—

Q250 Mark Pawsey: You have indicated that the scrutiny is often by the backbenchers of the existing party. I am just wondering whether you would suggest that we included that as a recommendation within our report.

Cllr Lakin: You could encourage it, Mr Pawsey. Again, I would also encourage people to vote for my party when they go to the polls, but, yes, I understand where you are coming from.

Q251 Chair: We will have to conclude our questions there. It is something Professor Jay came up with about how, in a council where there is a large majority, or indeed in any councils, we do get genuinely independent and effective scrutiny. You have probably answered that that was not particularly apparent, was it, in Rotherham, over the years?

Cllr Lakin: No, it was not.

Chair: Thank you very much indeed for coming this afternoon.

Panel 3 Questions [252-272]

Witnesses: **Carolyn Downs**, Chief Executive, Local Government Association, and **Councillor David Simmonds**, Chairman, Children and Young People Board, Local Government Association, gave evidence.

Q252 Chair: Thank you very much for coming. If you could just say who you are and the organisation you represent, that would be very helpful to start off with, please.

Carolyn Downs: I am Carolyn Downs, and I am Chief Executive of the Local Government Association.

Cllr Simmonds: I am David Simmonds. I am Chairman of the Children and Young People Board at the Local Government Association, and I am the lead member for children at Hillingdon. I have had that portfolio for 14 years.

Chair: I think you are both going to be on the improvement board in Rotherham.

Carolyn Downs: We are.

Q253 Chair: Thank you very much. I suppose the obvious question from the evidence we have had from the previous witnesses, and particularly from Professor Jay, is: is this an endemic problem? Is that a position that you accept?

Cllr Simmonds: I will respond to that, initially. Firstly, there are some lessons to be learnt from Rotherham. In respect of what Councillor Lakin has said, I am aware, having been the chairman of the board and having engaged with him since he took on the role, that his growing concern about what he was finding in Rotherham has been mirrored by growing concern around the country at what we are seeing in other local authority areas. It is fair to say that the problem is extremely widespread.

It takes very different forms in different parts of the country. In my own authority, Hillingdon, we have a particular issue with children being sexually exploited who are trafficked, arriving in the UK through Heathrow Airport. Depending upon the demographics of the area, depending upon whether the area is rural or urban, depending upon the history of the area, it takes different forms, but I can only reflect: 30 years ago, a child was twice as likely to die from a violent assault as they are today, and we need to make sure it does not take 30 years to achieve massive progress on making sure there are fewer children at risk of sexual exploitation, but it is happening all over the country.

Q254 Chair: Why, then, do you think that it has not been on people's radars for so long? Clearly, what Professor Jay is saying is that this has been going on in Rotherham, but she is saying it probably would be the same findings if she went into other authorities. The workers on the ground in the youth service were alert to this, alert to individual cases, but, by the time reports went up to elected members, the thing did not appear as a major issue.

Cllr Simmonds: There is clearly a combination of factors at work. Social attitudes has changed enormously, and I think Operation Yewtree has demonstrated that this is not something that is new; it has been a widespread problem in our country for a long time, but, in the past, victims in particular have found it very difficult to be heard. They have found it difficult to be heard not just by local authorities, but in many cases by the police, the National Health Service, indeed by politicians more generally, and by all of those who have a responsibility to help them. That has been well publicised in a number of incidents around the country.

That is part of the backstory to why we have such a difficult situation. Clearly, the change in social attitudes and particularly the media coverage in the last few years, flowing from Operation Yewtree, from the cases in Rochdale, cases in Oxfordshire and many others, have really sparked a national reflection. It is very clear to me as a local member that more and more people are now coming forward to talk about things that happened to them a long time ago that they did not disclose at the time, so we have a much more open environment. That is, while clearly a horrible situation for us all to face, also helpful in thinking about how we deal with it more effectively in future.

Q255 Chair: What should local authorities be doing now—those across the country that have not had Professor Jay go in and look at them but still may have the issues there if they looked hard for them themselves?

Cllr Simmonds: I can give some examples. The Local Government Association has been running a programme around child sexual exploitation. We hosted a summit, sharing both ideas and best practice, which Councillor Lakin, amongst others, attended a couple of years ago. Many of the regional organisations we support, including the one in which Rotherham participates, have been doing specific events, looking at what the issues they face in those regional areas are, whether that may be trafficking, gangs, grooming or whatever it may be. We have also put together a toolkit, in partnership with Barnardo's, because clearly the voluntary sector have a lot of expertise in this area, which has been made available to professionals to use to consider how best to deal with cases that arise. We have been working—including, from my own perspective, personal engagement—with the Crown Prosecution Service to look at how the process of achieving best evidence, which is important for prosecuting offenders, can be improved to take account of the kind of issues victims face when they come forward to disclose that, whether that may be to a schoolteacher, a social worker role, a police officer or whatever it may be.

There are some things, though, that we have learnt from this process. I am particularly concerned about—I think both Professor Jay and Councillor Lakin made reference to it—the role of Ofsted. As a lead member, I need to know that, when Ofsted carry out an inspection, as the regulator, they are both objective and extremely robust and reliable. There is a growing body of evidence that gives me cause for concern. I simply say, when my own authority was rated outstanding in 2009 and my Director of Children's Services said, "We want to do a big celebration about this", I said, "Well, look, this is the same lot who, a few months ago, said that Haringey were doing fantastically well, just before the Baby Peter case hit the headline." That level of concern at

local authority level, and particularly amongst elected members, is quite a serious issue.

Then there is a further piece of work that we need to do about breaking down some of the siloes that still exist. The police tend to see CSE as a crime to prosecute; the Crown Prosecution Service are focused on what happens in the court; I have had this said to me by youth workers: "I am aware of girls who are at risk of being groomed, but, if I were to tell you and to involve the social workers, then that would break my relationship of trust and they would not be willing to disclose to me what is happening". So there are lots of people in professional siloes who are doing good stuff, but who are still encountering barriers to sharing that, which will enable us to work together much more effectively.

Q256 Mrs Glindon: Both of you have been appointed to the improvement board. Could you explain what the role of the LGA will be on the board?

Carolyn Downs: I am happy to do that. Councillor Lakin invited the LGA to set up an improvement board probably some three or four weeks ago now. I would say that is the first time that the leadership of Rotherham Council had sought external support and advice from us, as an organisation. Councillor Lakin asked us to source an interim Chief Executive and Director of Children's Services, and, as he reported, very quickly, that has been done. So we are there to support.

The board itself will be looking particularly at issues around the governance of the council. It is not a children's services improvement board; it is not there to deal with issues around child sexual exploitation particularly. However, it is a board that will be working with the council, looking at what makes a really good and outstanding council. The quality of member-officer relations, which have obviously been a feature of your discussions, will be one of the areas we are looking at, as will the issue of what good governance and scrutiny look like in the council. There are councils that have overwhelming political control and have excellent scrutiny within them. It is what causes an environment where you have appropriate support from officials who support members to really scrutinise and ask the right questions.

We will also be looking, at Councillor Lakin's request, at the issue of a really good council that is able to deal with all the challenges that come its way and has a stable financial future with a financial plan over a few years, and we have specifically got someone on the improvement board who is a Chief Exec now and an ex-Director of Resources, who will be able to work with the council to provide some challenge and support around that as well. It is all those kind of issues that we will be looking at. We would not wish to in any way conflict with the work of Louise

Casey, nor indeed the Children's Commissioner, Malcolm Newsam, but I hope that they would see the improvement board as a resource they can tap into as well in terms of taking forward their recommendations. It was entirely at our suggestion that Malcolm Newsam will be involved in the recruitment of the interim Director of Children's Services, so it is a really a support and challenge to the council.

Q257 Mrs Glindon: Do you think it will duplicate any of the work that will be done by the review of Rotherham's services that has been initiated by the Secretary of State?

Carolyn Downs: No, I do not think it will, because that is an inspection that is being undertaken. What one would hope is that the council will be fully aware of some of the issues that will be looked at in terms of the governance of the council and we will already be acting on those straightaway. I do not see it as conflicting; I see it as entirely complementary.

Q258 Mrs Glindon: Will the work that the board is doing be exclusively concentrating on Rotherham, or will it produce a best-practice guide that could be used by other authorities?

Carolyn Downs: We will definitely concentrate on Rotherham, but what we will use is best practice from other councils, which we can bring in to support and help Rotherham, and, where we spot best practice in Rotherham, we will obviously use that to share elsewhere as well.

Cllr Simmonds: It is probably worth saying that, as a fellow member, with Carolyn, of that board, one of the challenges for previous improvement boards is they have been set up to move a council from one side of a particular Ofsted line to the other side of that particular Ofsted line. Of course, for a council that faces a huge challenge around things like child sexual exploitation that may not figure particularly in national guidance that Ofsted are looking at, that is something that is a much wider issue, and that is why they would be looking at not just, "How do we get from A to B?", but also, "If we have an aspiration to be a much better organisation and work much more widely, how would we do that as well?"

Q259 Mrs Glindon: Could you say who is meeting the costs of the improvement board?

Carolyn Downs: The LGA will meet the costs of the improvement board.

Q260 Mrs Glindon: Do you have an estimate of the administration costs of the board?

Carolyn Downs: Not with me, but I could certainly provide them if that would be helpful to the Select Committee. The work we do as peer support, as you know, is people giving back to the sector their time. While there is a cost of my involvement to the LGA, it is not an additional cost; it is part of what I do, as for the peers generally who will be giving their time to the council. I can certainly give you an estimate in terms of the amount of hours etc, but, believe you me, it will not be a high cost.

Q261 Mark Pawsey: Carolyn Downs, you have written to the Committee in a letter of 2 October setting out a mechanism by which shortcomings of a past employee might be assessed. While we accept that people should be brought to account for failings in their work previously, how reasonable is that, and have you got any examples of where it has been successfully implemented previously?

Carolyn Downs: I think it is entirely reasonable, if somebody has actually failed in their duties in a role, where it comes to light post their employment, that the original employer undertakes an appropriate level of investigation. I think it is absolutely right that they inform the new employer where there are those concerns, so there is no question that that should be done to make sure that whole issue of accountability is seen to be undertaken in the public eyes.

Q262 Mark Pawsey: It should be done, but does it take this horrific set of circumstances in Rotherham to bring it to attention? Is it happening as a procedural thing currently, and, if not, why not?

Cllr Simmonds: I can comment, certainly, as a member. It happens fairly routinely in local authorities, but usually the circumstances under which somebody would depart would be a compromise agreement. If it comes to light that there are concerns arising from somebody's past employment that would give rise to either senior management in a local authority or members being very uneasy about that person in that role, but those do not amount to something that, under employment law or the legislation relating to the Director of Children's Services, the Head of Paid Service or a Section 151 officer, would allow them to be dismissed in a straightforward way, then it is likely that that person would leave the organisation using a compromise agreement.

Q263 Mark Pawsey: So it is just one big fudge.

Cllr Simmonds: It is a fudge. That is the law that we have to operate in. There are certain protections that apply to many people, and we have to treat people in a way that reflects that.

Q264 Mark Pawsey: Right, but is what I have proposed something new and different, or can it be implemented right now? What is to prevent it being implemented now?

Carolyn Downs: What I have put forward to you as best practice in relation to how you would deal with people who have left the authority is, I believe, exactly what is happening in councils right now in relation to those employees.

Q265 Mark Pawsey: Can you give us a “for instance”?

Carolyn Downs: For instance, I know three councils where they are currently conducting investigations and inquiries to ensure that the staff that they now employ are appropriately qualified and appropriate to undertake their roles.

Q266 Mark Pawsey: That is the new employer investigating what happened at the old employer.

Carolyn Downs: Yes.

Mark Pawsey: Surely the best person to investigate what happened under the old employer is the old employer.

Carolyn Downs: The old employer should have a duty, and it does. Rotherham, we have heard, is undertaking an independent investigation with an independent social worker and an independent HR person who will be looking specifically at the casework in Professor Jay’s report, so they will be looking at that. They will then make a determination of whether that is a matter that should be referred to the new employer, whether it is something that should be referred to the appropriate professional bodies who are responsible for saying somebody is fit to practise; and then, once that information is with the new employer, it will be down to the new employer to determine whether that is damaging their reputation or whether that person is no longer fit to practise in that role.

Q267 Mark Pawsey: With a culture of compromise agreements, do you realistically expect that that will lead to action being taken?

Cllr Simmonds: I can say, in respect of my own authority, that we have dismissed people without notice where issues have come to light of that nature, but I think the Sharon Shoesmith, Haringey case spelt out very clearly for local authorities that due process would need to be followed, irrespective of the circumstances, and, if it was not followed, then a very large compensation bill might well be the result. There is the need for balance and following the law and that due process, in

order to ensure that the decisions we make are not subsequently bouncing back in a way that is unhelpful to the point of taking them.

Q268 Mark Pawsey: But, if we have a culture of compromise agreements, do you really sense an appetite to rake over the coals of what somebody might have done in a previous job in authorities—maybe in yours they are—across the country?

Carolyn Downs: I will raise a case. There is nothing in Professor Jay's report that provides enough information for somebody to immediately undertake disciplinary action. That is the case. In fact, when Professor Jay said earlier that she had taken her notes, ordinarily, if you were going to take something forward, you would expect those notes to go to the employee who had been interviewed and you would expect them to sign them off or for it to be recorded. So I do not think Professor Jay was undertaking a disciplinary investigation. It is absolutely right, in undertaking a disciplinary investigation, that there will be two views, and whoever makes the decision on whether there is a dismissal or not will need to take into account those two views.

I would just give you an example. There may be a view that somebody who had been in a senior management position in, let's say, Rotherham had been negligent, and, in their new council, in a similar role or even a promoted role, it might well be that children's services, while they had been a senior manager, went from being inadequate to being good. All those issues will need to be taken into account. You call it a fudge, but what it is is looking at the full extent of a person's employment record. If somebody has, however, been criminally negligent in their role, my view is that a council will take the appropriate action and will dismiss them.

Q269 Mark Pawsey: Right, so essentially you do agree, then, with Martin Kimber when he said that, while the Jay Report provides an initial evidence base, it does not assist in examining the conduct of individual members of staff.

Carolyn Downs: I would very much agree with that.

Q270 Mark Pawsey: Does that mean there needs to be a further and separate investigation to establish whether or not—

Carolyn Downs: That is what Rotherham council have now instigated.

Q271 Mark Pawsey: Can I just ask you your proposals with regard to people who have retired? It is all very well saying that, if

somebody does something wrong and they move to another authority, they are going to get found out in that authority, but, if they have retired, they might have got away with something scot-free.

Carolyn Downs: Again, if it was proven that they had been criminally negligent, then it would be down to the employing authority, if they wished, to try to have a forfeiture of pension rights. In fact, if it was negligence, the council would have to determine what loss had occurred to the council and then they could seek to recover that from the individual pension. Those are the mechanisms that can be used.

Q272 Mark Pawsey: But is that, in practical terms, not going to be a lot of hard work? Can I ask Mr Simmonds: is there an appetite in authorities to pursue what some might consider to be a vindictive examination to try to find out if somebody did something wrong and deprive them of part of their pension?

Cllr Simmonds: It is a cost-benefit question. Councillor Lakin outlined the need to spend £120,000 straightaway, in addition to the budgets that will already be within their children's service department, on pursuing this issue. The question is whether, at that point, I, as a member, would say it is worth spending a lot of money on expensive lawyers on a five-to-10-year process pursuing somebody for a contribution from their pension fund when that money could be going to sorting out the problem. If there was a case where it was clear-cut, then it certainly would be worth pursuing, but we would need to be clear-cut. The Sharon Shoesmith example demonstrates that, even when Ministers may take a view that there is obvious failure and the responsibility lies at a certain door, the courts and the due process of employment law may come up with a different view.

Chair: Thank you very much indeed for helping us with those issues.