Victoria Climbie Inquiry Report & Future of Children’s Services

Summary

Lord Laming has published his report into the death of Victoria Climbie, making 108 recommendations for improving the quality of services for children and families. The government has responded with some initial commitments and has said it will take full account of all Lord Laming’s recommendations. This joint LGIU / DHN / TEN briefing summarises and comments on the report and its recommendations. A copy of the report can be found at: http://www.victoria-climbie-inquiry.org.uk/finreport/report.pdf

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The information in this policy briefing applies to England only but the issues raised may be of a wider interest to our affiliates.

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Introduction

Victoria Climbié was sent to Europe by her parents in 1998, to live with her great-aunt, Marie-Therese Kouao, so that she would receive a better life and education. Instead, over the eleven months she lived in England, she suffered appalling abuse and eventual death at the hands of Kouao and her partner, Carl Manning, both of whom are now serving life sentences for murder.

In April 2001, Lord Laming was authorised to conduct three inquiries into Victoria’s death, covering local authority social services for children, health service matters and policing matters. The Victoria Climbié Report is the outcome of all three inquiries and was published on 28 January 2003, together with a parallel statement to Parliament from the Secretary of State for Health. It can be found at: http://www.victoria-climbie-inquiry.org.uk/finreport/report.pdf.

Climbié Report findings

Lord Laming’s report is scathing about the failings of a system that let Victoria down. During her time in England she came into contact with three housing departments, four social services departments, two police child protection teams, a specialist centre run by the NSPCC, and was admitted to two different hospitals. More than twelve opportunities to intervene successfully in Victoria’s life were identified by the Inquiry, requiring “nothing more than basic good practice being put into operation. This never happened”\(^1\).

Investigating in detail what happened to Victoria in the London boroughs of Ealing, Brent and Haringey, with respect to social services, health and the police, Laming concludes that:

“the principal failure to protect her was the result of widespread organisational malaise”\(^2\).

Although Laming’s conclusion is that all agencies involved in Victoria’s short time in England let her down, his findings suggest that local authorities in particular must look at their policies, practices and values as public service organisations. The report refers often to the need to improve accountability, to deliver public services based on clear values and for local authorities to take seriously their role as community leaders.

\(^1\) Victoria Climbié Report para 1.16
\(^2\) Report para 1.21
In the light of these findings, he proposes that any future arrangement for services for supporting and protecting children should be based on the following principles:

- child and family centred
- responsive to local needs and opportunities
- adequately resourced
- capable of delivering an agreed set of measurable, national outcomes for children
- clear in its accountability from the top to the bottom of the organisation
- transparent in its work and open to scrutiny
- clear and straightforward to understand
- placed on a statutory footing, with the powers to deliver the desired outcomes

Climbié Report recommendations

Lord Laming makes 108 recommendations throughout the report. They are categorised into those for immediate implementation (within three months), those with a medium-term timescale (six months) and those for later implementation (within two years).

Structural change at national level

Recommendations 1 to 5 cover a new national level structure of governance, to improve the co-ordination of government initiatives and ensure the spreading of good policy and practice. These are seen as less urgent. The whole structure is set out as Appendix 1 (see page 10 of this briefing) in diagrammatic form.

Laming recommends a Ministerial Board for Children and Families, headed by a Cabinet Minister. This would be advised by a new National Agency for Children and Families, headed by a Children’s Commissioner for England, and with a regional structure to liaise between local and central government. Its remit should include:

- to assess, and advise the ministerial Children and Families Board about the impact on children and families of proposed changes in policy
- to scrutinise new legislation and guidance issued for this purpose

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3 Report para 1.21
to advise on the implementation of the UN Convention on the Rights of the Child

to advise on setting nationally agreed outcomes for children and how they might best be achieved and monitored

to ensure that legislation and policy are implemented at a local level and are monitored through its regional office network

to report annually to Parliament on the quality and effectiveness of services to children and families, in particular on the safety of children.

**Structural change at local level**
In recommendations 6 to 9, Laming proposes local Committees for Children and Families, composed of elected councillors and lay members of police authorities and health service boards and trusts. Each committee would monitor the work of a local Management Board of Services for Children and Families and ensure effective inter-agency working and co-ordination.

This Board would be chaired by the local authority Chief Executive and comprise senior officers from all relevant agencies. It would also build links with children, young people and other service users through consultation forum(s) and with community based groups working in the field. The Board would carry out the tasks currently the responsibility of Area Child Protection Committees, which Lord Laming felt had become bureaucratic and divorced from front-line services. The Board should also identify all relevant budgets held by its member agencies to use them in the most flexible way – presumably by some form of pooling. These recommendations are mostly for implementation with six months.

**Improvements to practice, guidance and training**
Many recommendations suggest ways of improving the basic practices followed by agencies dealing with vulnerable children. Recommendations 14 and 15, for example, propose inter-agency training and training on joint working become key elements of national training programmes. Recommendation 12 proposes a common data form for all agencies, covering all basic information about a child with whom they come into contact, and recommendation 13 proposes that the Department of Health amalgamate the *Working Together to Safeguard Children* guidance with the National Assessment Framework into one simple document.
Social Care recommendations
Recommendations 18 to 63 are for social services authorities to implement, some within 3 months. They cover issues such as:

• use of interpreters where the child does not speak English as a first language
• keeping full written records of referrals, assessments etc and having these confirmed, monitored and inspected by managers
• alerting education authorities where it appears a child is not attending school
• setting up a 24-hour free helpline to report concerns about a vulnerable child
• setting up specialist 24-hour services to respond to the needs of children and families at any time
• improving training, supervision and support to staff in children’s services
• improving links and working practices with hospital staff.

Health Care recommendations
Recommendations 64 to 90 are for hospital and primary care trusts and other health bodies to implement, some within 3 months. They cover issues such as:

• making full examinations of children where there are concerns about deliberate harm and addressing all concerns before any appraisal or dismissal of these concerns
• making full notes of all examinations, consultations, discussions and concerns and ensuring these notes form part of the child’s permanent medical record
• ensuring children are not discharged where there are child protection concerns without senior practitioner agreement and plans for future care
• dealing with a case of possible deliberate harm to a child in the “same systematic and rigorous manner as would be appropriate to the investigation and management of any other potentially fatal disease”
• improving training for paediatricians and GPs and others working in primary healthcare services who might regularly come into contact with children.

Police recommendations
Recommendations 91 to 108 are for the police and Home Office to implement, some within 3 months. They cover issues such as:

• ensuring crimes involving a child victim are treated with the same seriousness, promptness and efficiency as equivalent crimes against adults

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4 Report, recommendation 83, para 11.53
ensuring child protection policing is seen as of equivalent status as other forms of policing
reviewing practices, policies and procedures to ensure they comply with the Children’s Act 1989
improving training in child protection issues for police officers, at all levels of the police force, including chief officers.

Other recommendations
Other miscellaneous recommendations for government to consider include:
• Recommendation 10 – government inspectorates should inspect the quality and effectiveness of inter-agency working on children and families issues
• Recommendation 11 – reviewing the law covering private foster carers
• Recommendation 16 – issuing guidance on the Data Protection Act 1998, the Human Rights Act 1998 and common law rules on confidentiality to ensure information can be shared between agencies when appropriate to the welfare of children
• Recommendation 17 – considering setting up a national children’s database on all children under the age of 16

Government response
In his statement to the House of Commons on 28 January, Alan Milburn announced the government’s initial response to Lord Laming’s report, including:
• a further inspection by government inspectorates into local services in North London to assess whether lessons have been learned
• a children’s commissioner will be appointed in England to head a new national agency for children and families
• chief constables are to review police child protection units
• chief executives of local health services and local authorities are to consider duties towards vulnerable children
• new social work degrees will cover some of the training recommendations and training bodies are to review their programmes, particularly around inter-agency training
• shorter clearer guidance for the one million professional staff dealing with protecting children will be issued, including a review of Children’s Act guidance
• the first part of the Children’s National Service Framework, covering standards for care of children in hospital, will be issued next month. The remainder will be issued by the end of the year

• the police, health and social services have three-month deadlines to improve basic practice

• Children’s Trusts will draw together local services for children in a single organisation, some led by local authorities, but also “others that could be established as new public interest organisations drawing in the expertise of the community, private and voluntary sectors”\(^5\).

The government’s substantive response will form part of the forthcoming Green Paper on Children at Risk. This will include consideration of the other structural changes recommended by Lord Laming.

Comment

LGIU, DHN and TEN welcome Lord Laming’s thoughtful report and recommendations. In particular we strongly endorse his statement that:

“The single most important change in the future must be the drawing of a clear line of accountability, from top to bottom, without doubt or ambiguity about who is responsible at every level for the well-being of vulnerable children”\(^6\).

Children are part of their local communities and it is right that those elected by local communities at local and national level play their full part in directing, scrutinising and holding to account those responsible for delivering services to children. Throughout the recent debate on the future of children’s services, LGIU, DHN and TEN have argued that clear mechanisms for accountability and governance are needed and we welcome the fact that Lord Laming takes this approach as well.

The recognition that children are, or should be, part of communities also positively informs Lord Laming’s contention, that local authorities “should take the lead in promoting social regeneration and combating social exclusion”\(^7\).


\(^6\) Climbié Report, para 1.27

\(^7\) Climbié Report, para 1.54
Local authorities must respond to this challenge – as many already are – and ensure that the weaknesses in community leadership identified by the report become a thing of the past. As Lord Laming puts it, what is needed is “a clear set of values about the role of public services”\(^8\). In this context, he is addressing public service managers, but we would argue that all who work in, or have responsibility for, public services need such a set of values. This is why we are arguing for a new Public Service Act, which would make such values clear.

We also welcome his support for staff on the front-line who have the difficult job of seeking to protect vulnerable children on a daily basis, and his praise for UNISON and the Police Federation for supporting the front-line staff who are their members during the Inquiry. Many children are properly looked after and protected every day, and it is easy to criticise with hindsight. It is also humbling to note that one of the things young people in care often say is that their social workers should be valued more by society, because if they are not, it is as if the children and young people they look after do not matter either. As a society we need to ensure such staff have the proper training, support, management and resources to look after children effectively, and it is to be hoped that the government will fully address all the recommendations on these issues in Lord Laming’s report.

LGIU has long been a member, together with many other organisations, of the Children’s Rights Alliance, which has been campaigning for a Children’s Rights Commissioner for England. Accordingly, we warmly welcome both Lord Laming’s recommendation and the government’s commitment to establish such a post. This will help us meet our national obligations under the UN Convention on the Rights of the Child and should help address the problem of the piecemeal and often contradictory nature of government initiatives affecting children.

Finally, we endorse the approach taken to joining up service delivery between local agencies by Lord Laming. We believe Local Committees for Children and Families – with the accountability and governance arrangements proposed by Lord Laming, and overseeing joint agency working managed by local Children’s Boards – could help address the weaknesses in communication and working practices that failed Victoria Climbié so badly. We are not persuaded that the government’s other suggested model of public interest companies, as

\(^8\) Climbié Report, para 1.28
mentioned by the Secretary of State, will achieve the same ends. What is needed is integration and clarity, not separation and complexity.

The LGIU/TEN/DHN strongly supports Laming’s view that greater integration is needed at the level of government departments, as well as at the local level. Despite all the initiatives for joint working and local partnerships, a silo mentality still appears to persist in government departments. The interests of children would be better served by closer and more co-operative working particularly between the Department of Health, the Department for Education, the Office of the Deputy Prime Minister and the Home Office. The recommendation on a new ministerial Children’s and Families Board should consist in the cultural change that is required. However, we welcome the piloting approach being taken by the government, and hope that this will enable a full assessment of all the different models that may work in practice. We hope the government will assess these pilots fully and concentrate over the next few years on the Laming proposals to promote integration and co-ordination. We would oppose the creation of separate Children’s Trusts as separate legal entities being promoted in forthcoming Green Paper.

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APPENDIX 1

Proposed new structure

Ministerial Children and Families Board

National Agency for Children and Families
(Children’s Commissioner for England)

Regional office

Local Member Committee for
Children and Families

Management Board for Services to
Children and Families

Director of children and
families’ services

Social services

Health services

Police

Safeguarding children

Others

9 Source: Climbié Report p370
This briefing has been circulated to LGIU Management Committee Representatives, Chief Executives and Leaders and to DHN members.

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