

PUBLICATION OF THE INVESTIGATION REPORTS
Wednesday, 6th September, 2017

Present:- Commissioner Ney (in the Chair); Councillors Alam, Albiston, Allcock, Allen, Atkin, Beck, Bird, Buckley, Clark, Cooksey, Cowles, B. Cutts, Elliot, M. Elliott, R. Elliott, Ellis, Evans, Hoddinott, Jepson, Jones, Keenan, Lelliott, Marles, Marriott, McNeely, Napper, Pitchley, Read, Reeder, Roche, Rushforth, Sansome, Senior, Sheppard, Short, Simpson, Taylor, John Turner, Tweed, Vjestica, Walsh, Whysall, Williams, Wyatt and Yasseen.

Also in attendance:- Commissioner Bradwell and Commissioner Kenny.

Report Authors in attendance:-

- a) **Mark Greenburgh and Jemma O'Reilly** - Investigation into the Performance, Practice and Conduct of Senior Employees of the Council over the period of the Jay Report (1997-2013) and further highlighted in the Corporate Governance Inspection report made by Louise Casey (February 2015) (Gowlings Solicitors)
- b) **Jean Imray** - Independent Investigation – Review of Cases A to O referred to in the Jay Report (Independent Consultant)
- c) **Colin Earl** - Audit Investigation into the Alleged Removal of Files and Impairment of Computer Records (April 2002)
- d) **Colin Earl** - Audit Investigation into Missing Minutes from Meetings of the Key Players' Group (Late 1990s to 2003/04)
- e) **Colin Earl** - Audit Investigation - Theft of 21 Laptops from Norfolk House, Rotherham: 26th October 2011 – Review of the Council's Response.
- f) **John Riddell** - Report into Rotherham Taxi Licensing and Enforcement Service – 2010 to the Present (Weightmans LLP)

Apologies for absence were received from Councillors Beaumont, Cusworth, Khan, Mallinder, Price, Russell, Steele and Watson.

1. WELCOME AND INTRODUCTION BY LEAD COMMISSIONER MARY NEY

Lead Commissioner Mary Ney welcomed everyone to the meeting and outlined its purpose and the proposed format of the agenda following the publication of the six independent reports commissioned by the Council in 2014 and 2015.

Elected Members were advised that they may have further questions once they had fully digested the reports, which were commissioned to further investigate the findings following the publication of the Jay and Casey reports and the issues raised.

2. INVESTIGATION INTO THE PERFORMANCE, PRACTICE AND CONDUCT OF SENIOR EMPLOYEES OF THE COUNCIL OVER THE PERIOD OF THE JAY REPORT (1997-2013) AND FURTHER HIGHLIGHTED IN THE CORPORATE GOVERNANCE INSPECTION REPORT MADE BY LOUISE CASEY (FEBRUARY 2015) (GOWLINGS SOLICITORS)

Mark Greenburgh from Gowlings Solicitors outlined the basis of the independent report into the performance, practice and conduct of senior employees of the Council over the period of the Jay report as submitted. He was assisted by Jemma O'Reilly, Principal Associate, and Alison Lowton, Consultant throughout.

The report had been commissioned to assist the Council in determining whether or not there were grounds to commence disciplinary or capability proceedings against any current employee or the need to refer any current employee to the relevant regulator on grounds of professional misconduct.

Furthermore, to assist the Council in determining whether there were cases against former employees with any recommendations being passed to the current employers for them to consider.

As part of the investigation more than seventy people were sent letters seeking their agreement to an interview, most of which were current and former employees of the Council and a number of individuals who worked in the voluntary sector. Only those working at Service Manager level were named in the report. Forty-four people were interviewed and their comments had been carefully documented.

Some members and officers declined to be interviewed in person, but six agreed to respond to written questions.

A further twenty-seven people who were sought to be interviewed as part of this process either failed to respond at that time or declined the request. Of these eight held key senior roles over the relevant period and it did mean that the evidence reported in respect of the period was somewhat limited. These included:-

Roger Stone
Shaun Wright
Paul Lakin
Pam Allen
Mike Cuff
Ged Fitzgerald
Tom Cray

Martin Kimber
Claire Pyper
Annie Redman
Joyce Thacker
Howard Woolfenden
Simon Perry
Christine Brodhurst-Brown

Thousands of documents were reviewed in line with the terms of reference with some records not always complete and any relevant documentation located.

The findings, on the balance of probabilities, confirmed no individual officer could or should be held solely or principally culpable for the Council's systematic failings in responding to child sexual exploitation with a finding that the silo approach in some services contributed to the failure of management systems.

Most senior officers with safeguarding responsibilities knew of the issues with child sexual exploitation, but evidence suggested that the concerns being raised were sometimes dismissed or played down with a lack of trust between relevant directors. There was no evidential data to suggest this was a planned or deliberate conspiracy or cover up.

Performance management was poor and had not been resolved successfully with little target setting or priorities. There were cultural failings due to the sensitivity around race and ethnicity of the alleged perpetrators.

Based on the evidence as presented a number of recommendations were made to the Council given the limited powers available to the enquiry:-

- Senior officers who may be in receipt of pensions from the Local Government Pension Scheme. Whilst there were provisions within the scheme to review pensions in certain circumstances, the evidence found would not support any application of the provisions associated with either gross negligence or fraud. There were not any grounds for the Council to take steps in this respect as no culpable behaviour was found which could justify any form of legal action or regulatory involvement of any kind.
- No disciplinary and/or capability proceedings were warranted in respect of any senior manager currently in post at the Council, nor was a referral to the Health and Care Professions Council (HCPC) in respect of any current or former officer of the Council identified in the report.
- Time period covering the events during the relevant period. Whilst there were residual concerns regarding the response to what was already a well-established issue by Mr. Perry and Mr. Woolfenden during their respective tenure in office, the evidence reviewed was insufficient to reach a concluded view. Their current employers were encouraged to be satisfied that any relevant lessons had been learned.

- The current employers of Mr. Fitzgerald and Ms. Allen had already conducted investigations of their own. No details of the evidence considered or the conclusions reached had been shared. The initial investigation into Ms. Wilson was also undertaken by Gowlings.

The Council should refer this report and its findings to the current employers of Mr. Fitzgerald and Ms. Wilson and recommend that those employers consider whether they wish to raise any of these matters with their employee in light of the content of this report, the findings of any internal investigation already conducted and the nature of the role and responsibilities now undertaken by the employee in their current role, to satisfy themselves that the learning had been adequately captured.

In respect of Ms. Allen the Council should refer this report and its findings to her current employer for them to review in light of the internal investigation already undertaken.

- The Council was no longer the same institution it once was either in terms of performance or culture, where significant improvements appeared to have been made. It was recognised that substantial progress, especially in Children and Young People's Services. Whilst the present day managers should look to see how the lessons learned were implemented and it remained vital that the Council should continue to look forward.
- On the evidence available it was concluded that the way in which the Council responded to child sexual exploitation in Rotherham was not the responsibility or fault of any one person. It was the product of multiple and systemic failures.

Reference was made to page 55 regarding persons listed for interview and whether this could be separated out to identify those who declined to be interviewed and those who failed to respond. An assurance was provided that this would be provided to the Council.

3. INDEPENDENT INVESTIGATION - REVIEW OF CASES A TO O REFERRED TO IN THE JAY REPORT (INDEPENDENT CONSULTANT)

Jean Imray, Independent Consultant, introduced the remit of her report which had been commissioned to undertake a detailed review of case files listed in the Jay Report (Child A to O) to identify if social care practice and reporting of concerns was undertaken in line with professional standards.

All fifteen case files were reviewed and were broken down into nine specific areas:-

- Record Keeping – The poor quality record keeping and missing records which were often mislaid or not been written. Shortcomings in the electronic social care record system.
- Response to Victims – The victims of CSE were treated as if they were consenting adults engaging more willingly in sexual activity. Threshold judgements by the Police that there may be no evidence that a crime had been committed when investigating alleged child abuse and which may fail to take account of the complex child protection work.
- Quality of Strategy Meetings/Case Planning – Opportunities to protect children may have been missed as a result of failure to undertake Section 47 enquiries.
- Child Protection Practice and Understanding of CSE – Failure to understand the nature of CSE and the impact on the victim.
- Assessment – Lack of proper assessment of the victims.
- Team Manager Oversight and Supervision – Little evidence that an appropriate level of recorded supervision or management decision making was undertaken. Electronic records showed very little evidence of rationale for decisions and actions taken/not taken.
- Senior Manager Oversight – Little evidence to suggest advice had been sought from more senior managers given the complexity of the cases.
- Working with Adolescents – No clear picture of the quality of the relationships that social workers had with young people, which may be as a result of poor quality case recording, poor assessments and the absence of supervision notes.
- Residential Care – Reference to local residential units being targeted by perpetrators of sexual exploitation. Due to a lack of over reliance on residential care this may have compounded the difficulties experienced by young people and thus increased their vulnerability to child sexual exploitation.

In the course of the review there was evidence of practice that would be considered to have met minimum standards only and indicative of widespread systemic failure rather than for anything which practitioners could be held accountable. This, combined with the general lack of evidence of management input into cases of such complexity, had been negligent and not entirely attributable to poor performance of team managers.

4. AUDIT INVESTIGATION INTO THE ALLEGED REMOVAL OF FILES AND IMPAIRMENT OF COMPUTER RECORDS - APRIL 2002

Colin Earl, Former Head of Internal Audit, introduced the first of his three reports following allegations about the removal of files in 2002 from the Risky Business premises, which had been set up to lead on its response to child sexual exploitation. This had been raised by the Home Affairs Select Committee in October, 2014.

Details of the audit undertaken into missing data and the removal of files and impairment of computer records relating to a Home Office Researcher from Risky Business were provided. A number of people were interviewed and comprehensive responses provided to enquiries. Unfortunately, the audit was limited due to a lack of powers available to Internal Audit requiring individuals to co-operate with the investigation.

However, Internal Audit found there was a considerable amount of circumstantial evidence to support the allegation of the removal of files. On the balance of probabilities it was likely files had been removed and computer records impaired. No information about who could have been responsible was found.

Reference to a grievance by the Home Office Researcher in 2002 was not investigated further as the grievance was withdrawn.

Moving forward should any further information come to light Internal Audit would consider re-opening the investigation. However, it was noted prior to the investigation taking place no information had been referred to the Police or the National Crime Agency (NCA) about the alleged theft of data. South Yorkshire Police were thanked for their co-operation in this investigation.

The Council, however, did fail to look into the claims of removed files in 2002 because the grievance referring to this matter was withdrawn.

5. AUDIT INVESTIGATION INTO MISSING MINUTES FROM MEETINGS OF THE KEY PLAYERS' GROUP - LATE 1990S TO 2003/04

Colin Earl, Former Head of Internal Audit, introduced the second of his three reports in the investigation of missing minutes from meetings of the Key Players' Group, which was understood to have been an inter-agency network developed by voluntary and statutory agencies and linked to the Risky Business project.

The Jay Report had indicated that neither the Council nor the Police were able to trace minutes of the Key Players' meetings, but which were discovered by chance by South Yorkshire Police as part of their enquiries.

Minutes of eleven meetings had been found amongst boxes and files held by the Police in 2014. Nine people were interviewed who had been

involved in the meetings and it was determined the Council had weak record management at the time of the Group's existence and no adequate arrangements in place to manage the information requests from Professor Jay.

Based on the findings from the investigation it was concluded that no formal democratic support was provided for administering the group and consequently no master copy of the minutes were kept. Additional resource had been committed to ensure historical Children and Young People's Services paper files were correctly catalogued and kept up-to-date.

Weaknesses were found in the application of recording of archived records, but arrangements had since been improved and the Council was now in a better position to respond more effectively to requests for information received.

Due to the seriousness of the issue the records management system for paper records had been reviewed and improved and was now compliant with the information Commissioner's Records Management Code.

6. AUDIT INVESTIGATION - THEFT OF 21 LAPTOPS FROM NORFOLK HOUSE, ROTHERHAM: 26TH OCTOBER 2011 - REVIEW OF THE COUNCIL'S RESPONSE

Colin Earl, Former Head of Internal Audit, introduced his third report on the investigation into the theft of twenty-one laptops from Norfolk House in 2011. This matter was referred to in the Casey report in February, 2015.

The twenty-one stolen laptops were not encrypted, although they were password protected, but contained a mixture of personal data relating to children, adults and staff. There was no evidence of any break-in at Norfolk House at the time of the theft.

The reference to the stolen laptops in the Casey report alleged the Council failed to inform the Information Commissioner's Office about the loss of some children's data held by the Council at the time.

Whilst staff accessed the data initially on the reporting of the theft, necessary steps were not taken to secure a permanent copy of the data which was on the stolen laptops. The Council should have handled the breach of corporate data in a more appropriate way through the Data Controller and the Monitoring Officer.

7. REPORT INTO ROTHERHAM TAXI LICENSING AND ENFORCEMENT SERVICE - 2010 TO THE PRESENT (WEIGHTMANS LLP)

John Riddell, Weightmans LLP, introduced the remit of his report which was commissioned to review the performance, practice and conduct of staff involved in taxi licensing activities referred to in the Casey Report of

February, 2015 and in a follow up letter by the Interim Chief Executive after the report's publication.

The chronology attached to the executive summary was referenced and referred to in detail and the contents relating to the sequence of reporting child sexual exploitation and the links to taxi licensing activities identified.

In conclusion there was a good deal of intelligence which suggested that elements of the taxi trade were heavily involved in child sexual exploitation in Rotherham and, due to the ineffective enforcement function, no effective action was taken.

Senior managers responsible for enforcement were not aware of the full extent of the problem with CSE and the taxi service and, given the evidence around, there were a number of mitigating factors which led to no further enquiries being made at the time. However, more proactive steps were taken once the problems were identified. Disciplinary measures would not be appropriate at this time and those senior officers were no longer employed by the Council.

In terms of Individual 64, she was not directly responsible for enforcement, but raised concerns about the links between the taxi service and child sexual exploitation and deficiencies in the enforcement side. She also repeatedly raised other legitimate concerns, but did not always follow through her actions. She was no longer employed by the Council and would not have justified further disciplinary action.

Management of the Licensing Service had suffered due to a divided site, staff shortages and staff absence. The manager with responsibility should receive advice on how to deal with issues of this kind and disciplinary action was not justified.

Concern was expressed about the behaviour of former Councillor Akhtar and if he had still been an Elected Member it would have been recommended that he be investigated for those matters under the Authority's Code of Conduct.

Whilst a number of individual failings were identified, there was a collective failure by Licensing enforcement and management to confront the problem.

The problems identified in the Casey Report had already been addressed by Commissioner Ney.

8. STATEMENT BY THE LEADER OF THE COUNCIL

The Leader responded to the presentation by report authors and confirmed it was now three years since the publication of the Jay and Casey reports and two and half years to the day since he was newly elected as Leader of the Council.

The publication of reports received by the Council on the day of the meeting would inevitably bring memories of those days flooding back, the relief and horror of the truths that were heard and the reality that life would never be the same again. Questions were asked then how could this have happened, who knew, who could be held to account were what brought us to these publications and it was because the Council owed it to those children who were so let down that these independent reports were commissioned to shed more light on the failings of the past and those responsible.

The reports set out as clearly as possible all the information that the independent investigators had been able to establish and they were thanked for their work and in collecting and collating together, which had been a substantial task.

The reports were published on the Council's website and the meeting had been webcast to be as open as possible.

The Leader reiterated his comments from March, 2015, that time he had no time for anyone in denial, but who would split hairs. As Leader of the Council he stated that he must accept the reports in the same spirit and take assurance that the systemic failings in the Council were being addressed, issues raised were familiar and work was long underway to rectify. The reports did not bring to light substantial new themes or challenges and Members of the Council could take confidence from that. The cover report detailed some of changes already completed covered by the period of the report and where there were any specific new recommendations including those relating to individuals the Council was ensuring that these would be actioned.

None of the conclusions from the reports and presented to the meeting were any less disappointing or frustrating. Of course the failings in Rotherham were profound and continued for years. Not everyone who worked for the Council over that time period was badly intentioned and it went without saying that such failure could not rest solely at any one person's door, but the failure to establish individual culpability was difficult to swallow.

The Gowlings report had confirmed former senior staff missed opportunities to take stronger action and improve the Council's response to child sexual exploitation and the Council knew the consequences of this happening. Moreover, those who refused to take part, including those former Labour councillors, must understand the consequences of their choice, our survivors deserved far better than their miserable silence.

The Leader reflected that, like most in attendance, there had not been a day in his life where he had not thought about what went wrong and how to make tomorrow better.

He reiterated that public services were great civilising forces and made heroic differences to people's lives every day. Where those services failed there were consequences for the most vulnerable residents, which could be and were catastrophic. There was no choice, but to make fundamental changes to the Council which have been done.

The Leader was conscious people were watching, who had not followed the Council's progress over the last few years. A new Senior Leadership Team was now in operation, the majority of the Councillors were newly elected since 2015 and there was more external scrutiny than ever before. Huge investments had been made to Children's Services, bringing down social work caseloads and holding staff to a high standard. Services were being rebuilt to tackle child sexual exploitation and improve support services to survivors. The taxi licensing policy was held as best practice in Councils across the country and, as a result, the Government's unprecedented intervention into Rotherham Council was rolling back.

Twenty-six perpetrators of non-recent and current child sexual exploitation offences were in jail today for a total of 360 years for the historic suffering the children had endured. There were many more prosecutions likely over the next few years as work continued to support the National Crime Agency (NCA) in the biggest investigation in British history into child sexual exploitation.

The reports were based largely on people who volunteered to take part. It was not beyond the realm of possibility that with criminal investigative powers there was some more to be learned about some on the people who failed Rotherham.

The publication of the reports marked another step in the journey that so many children were let down and so many abusers have walked free for too long in Rotherham. Survivors and their families were present at the meeting and as a Councillor, a member of the Labour Party, a citizen of Rotherham, the Leader expressed his deep sorrow for what went wrong.

The past could not be changed, but it was hoped the reports gave some solace and hope helped to prevent further suffering.

The Leader himself grew up in Rotherham during some of the time covered by the Jay report. It was personal to him. The Council had been changed and would keep doing so to give every child the safety and opportunities that he had had in Rotherham and would this would be a beacon to the rest of the country. He indicated that should be the Council's resolution from the publication of the reports.

9. QUESTIONS FROM MEMBERS OF THE COUNCIL TO THE REPORT AUTHORS

Commissioner Ney invited Elected Members to put questions to report authors.

(1) Councillor Alam asked what changes were recommended from a Human Resources perspective to ensure no one was ever let down.

Mark Greenburgh from Gowlings responded and confirmed there was a need for good performance management, effective communication between officers enquiring minds and determined purpose.

(2) Councillor Cowles highlighted several issues including why Chief Executives at the head of organisations were not accountable; secondly, if time could be set aside for Councillors to ask further questions on the report as he had been in meetings this morning and had little time to digest the contents and thirdly; why the backing up of laptops had not been picked up by Internal Audit or External Audit.

Mark Greenburgh from Gowlings responded by confirming nowhere in his report did it indicate they should not be accountable. He gave examples of the kinds of management tools that would be expected around the level of knowledge which were not apparent previously, especially when opportunities were brought to the attention of senior staff by third parties.

The greatest failure in leadership was attributable to the lack of action and the response to close down complaints rather than investigating and discussing further.

Commissioner Ney would leave it to the Leader and Chief Executive to consider any further opportunity to discuss the reports further with Members.

Colin Earl, Former Head of Internal Audit, confirmed the Council's data was backed up daily. At the point the laptops were stolen a mirror copy was not taken so during the course of the day the data input was not copied.

At this point in time I.T. had been an outsourced arrangement.

Councillor Cowles further believed the person in charge of an organisation should be responsible and, therefore, culpable and compared the accountability of the former senior leadership of the Council to the comments of the judge who had investigated the Zebruggee ferry disaster in 1987.

With regards to the laptops, he felt there should have been many backups over a period of time so to suggest none was available was unbelievable.

Neither Mark Greenburgh or Colin Earl disputed Councillor Cowles' comments but it was pointed out back up arrangements for laptops were such that they were only retained for a certain period of time or overwritten.

(3) Councillor Ellis, as Chair of Licensing in Rotherham for the previous two years, thanked Weightmans for the report on taxi licensing enforcement service, which had still been a difficult and disturbing read. She was grateful for the acknowledgement that in the past two years process had changed a great deal in an effort to protect and safeguard the public travelling in taxis.

A rigorous taxi licensing policy had now been adopted and had stood the test of numerous appeals in the courts. The policy included strict standards and a fit and proper test, convictions policy and mandatory safeguarding course and the controversial fitting of cameras.

In addition, the Council had recruited a new team of enforcement officers and brought together taxi enforcement and management and introduced proper work systems in all reports.

Nothing could now change what had happened in the past, but it was now incumbent on Members of the Council and those on the Licensing Board to be proactive and vigilant in enforcing the new policy. Members had demonstrated they were eager to ask questions until they were satisfied they could make a decision and ensure the highest standards were maintained.

As an update there had been cross border working and information shared at LGA events to highlight the problems in Rotherham. More recently a new parliamentary bill on the standards for taxis had been tabled and this had been welcomed to drive up standards for taxi licensing in Rotherham and across the country.

(4) Councillor Simpson pointed out there was still some way to go, but asked, with the changes to date, were the same people still licensed drivers as there were still occasions where there were no cameras installed and no I.D. present in a vehicle.

(5) Councillor B. Cutts asked why had it not been raised about the lack of contact between the driver and the Council office on specific improper journeys. This had been the practice for years with taxi drivers going out of town incurring large costs for which the journey could not be verified.

Commissioner Ney explained the contracting arrangements and the use of a taxi for personal use would be for the Chief Executive to look into further. This matter had not been part of the independent investigation.

(6) Councillor John Turner asked, as he had not had time to read the reports, could a further meeting be arranged for other matters to be aired. He also asked about the reasons for the redacted text.

He referred to some Chief Executives and Members declining to be interviewed and asked who was really in charge of an organisation; the Leader or the Chief Executive.

He made reference to Sonia Sharp who had been in charge of children's services. He described how the former Council Leader, Roger Stone, had admitted to the activity and who had asked that a lid be kept on it due to the ongoing Police investigations.

Mark Greenburgh pointed out he had never asked to speak to the current Leader. He did, however, ask Roger Stone, Paul Lakin and Shaun Wright to co-operate, but all declined.

Mark Edgell did consent and provided assistance where he could. He emphasised he did not have the powers to compel anyone to participate and it was only investigative agencies of the crown which could compel people to participate. He could only deal with the evidence given.

With regards to Sonia Sharp, there was a section in the report outlining her involvement. There was no substantive criticism of her tenure and she had participated fully.

In terms of the comment about redactions; there were none in the Gowlings report, but normally redactions were made due to data protection laws.

Responsibility of leading the Council was equal to the Leader and the Chief Executive.

The Chief Executive explained the need for the redactions and confirmed some people who gave evidence were not under investigation. The witnesses that came forward were thanked for their time and effort to provide other information that could assist the investigations.

(7) Councillor Albiston expressed her disappointment and frustration, as did the victims and their families, that specific individuals could not be held to account for past failings. Jean Imray's report had highlighted a number of past failings around child protection and had suggested that tools should have been in place from the 1990's. Why had Directors for children's services not been held to account to protect children when they had reached the stage of having assessments or strategy meetings.

Mark Greenburgh stated that he could understand the frustrations. If people were still employed by the authority, then the Council could take disciplinary action. However, not all those named were still employed and some were retired and not in active service. The Local Government Pension Scheme's regulations only allowed for a former employing authority to look for a certificate of forfeiture by applying to the Secretary of State. The powers were only limited to circumstances with a conviction by court. Had an officer been negligent and failed in their responsibilities then they could have faced disciplinary action, but with no criminal culpability the action on pensions was too remote to warrant action.

For those employees now employed elsewhere, in their current job the current employers would need to have confidence in the individuals in their employment and their ability to perform in their current role and to ensure they did not bring their new employer in disrepute.

(8) Councillor B. Cutts asked if the report authors were aware that external legal professionals were complaining about the lack of co-operation being received by the Council in relation to the abuse of children.

Commissioner Ney asked the Chief Executive to discuss this matter further and identify what the issues were.

(9) Councillor Hoddinott referred to Cases A to O, the recommendations about Child E and the magnitude of failings which needed further investigation to learn from what happened.

Jean Imray, Independent Consultant, found that Child E was the most shocking case, which deserved a more forensic review not just the period covered by the Jay report but the whole of that young person's life.

Having had access to more detailed records a recommendation was made to the Local Safeguarding Children's Board to see if it met the criteria for a Serious Case Review. Unfortunately, this did not meet the criteria, despite being referred to an Independent Panel. However, some action had been taken against the perpetrators and was now being investigated.

The Chief Executive confirmed that a further review into this case had been undertaken independently from the Council and, as a result, new systems were now in place.

(9) Councillor Senior referred again to Child E and asked if this young person was getting the support and the counselling what she and her family needed.

Jean Imray confirmed Child E was now an adult and was no longer living in Rotherham. She was in receipt of services.

(10) Councillor B. Cutts directed his question to the Chair and asked to what extent she thought today was successful. He described the arrangements for the receipt and collection of the independent reports and the restrictions he encountered as aberrant. Given the number of pages each report contained he asked would it not be of more benefit to have the reports set out individually and discussed at length. He found it impossible to read the amount of pages in such a short time.

He also sought clarification as to the placement of the media cameras and why there would be no opposition members on film.

Commissioner Ney acknowledged the distress and frustration, but confirmed the opportunities had been given to Members to receive and read the reports prior to the meeting taking place. The meeting would then give Members and the public the opportunity to ask questions. The requests for further consideration of the reports had been heard and every effort would be made to avail this opportunity.

10. QUESTIONS FROM THE PUBLIC TO THE REPORT AUTHORS

Commissioner Ney invited members of the public to put questions to report authors.

(1) A member of the public referred to his own legal experiences with the Magistrates Court in securing rebates and argued the case when the Police were being investigated and how much from the criminal activities of gangs fed into police federation coffers. He referred to criminal collusion and how perpetrators of child sexual exploitation were often involved in other activities, such as the taxi service being a cavalry running around for someone's benefit.

He, therefore, asked why the Local Children's Safeguarding Board had not openly discussed child sexual exploitation when it was within its remit.

He believed shop floor secrecy laws stopped people from reporting concerns and whistleblowing on areas of concern. He suggested this needed to be addressed and a full judicial review enquiry requested.

Mark Greenburgh from Gowlings confirmed Chairs of the Local Children's Safeguarding Board were interviewed and their evidence was set out in report.

Raising concerns and whistle blowing featured in the investigation and he referred to the Public Interest Disclosure Act. There had been some amendments in recent times which removed the public interest about some of the conditions that would have to be met in order to gain the protection of the act. However, the ability for people to raise concerns effectively should be promoted and historically the failure to listen to alarm bells was one of the serious failings found for the Council.

(2) A member of the public expressed his surprise that in all the reports Councillors appeared to come out whiter than white with no mention of Councillors only officers.

Councillors should oversee what office staff were doing. He referred to when Paul Lakin was Leader and he asked him about the failures of the Cabinet Member for Children's Services when people were calling for the then Police and Crime Commissioner to resign about what did the Senior Adviser know. He was advised the Senior Adviser to the Cabinet Member had the same information as the Cabinet Member, but no-one had asked for her to resign. Present in this room were people that attended the 2005

seminar when they were told about child sexual exploitation. There was no indication that Councillors were to be investigated, but the blame placed with senior officers. People sat in this room today who knew ought to hang their heads in shame.

Commissioner Ney advised the comments raised were noted.

(3) A member of the public asked why was there no mention about education. Local schools knew what happening to these victims, why not ask them the questions.

Mark Greenburgh confirmed the local management of schools was not in the scope for consideration and the investigations concentrated on Heads of Service or above.

In a supplementary question the member of the public referred to the Local Children's Safeguarding Board which comprised of representatives from education and asked why this was not included as part of the report. The first people who would know if there were concerns would be Head Teachers and Teachers.

Commissioner Ney confirmed information from schools did appear in the Gowlings report and understood the point being made about what senior officers did with the information from the schools.

Jean Imray, Independent Consultant, confirmed in the cases reviewed there was evidence of schools being involved in meetings and discussions and passing on information. She had looked at what had been done with the information passed on which was clearly inadequate. Reference was made in the report to the Local Children's Safeguarding Board and the Area Child Protection Committee that preceded it who had a responsibility to know their purpose to scrutinise and challenge how agencies were working together to protect children and to adhere to the statutory regulatory framework. This was not the case and identified as another failing.

In a further question the member of the public asked why victims, survivors and their families were not asked to give information to these reports.

Jean Imray, Independent Consultant, chose not to do so as she had some difficulties accessing information from the files, but had enough to make judgements on whether or not basic grade frontline social workers and managers were responsible for what happened.

On reviewing files, whilst practice was inadequate there was nothing that could be found that constituted disciplinary action. From the fifteen cases looked at over a fifteen year period little would have been gained from consulting victims and their families. What happened was appalling and poor quality practice that was evident within the case examples.

In a further question the member of the public asked if any minutes had been taken when he saw Rose McNeely as Mayor in a meeting with Mr. Wootton, Chair of Licensing, and at a later meeting with Warren Carratt.

Commissioner Ney pointed out this was not covered by the report and this would be addressed elsewhere.

The member of the public described the report as a whitewash.

(4) A member of the public welcomed the fact the Council called for this enquiry, but was unable to offer support as he had not yet read it. As a consequence of all the reports the Council had been trashed, but also had the people of Rotherham and their reputation which was not helped by the media who portrayed the problem as the whole of Rotherham.

As a consequence the cost of intervention with the Commissioners had cost the taxpayers of Rotherham over £1 million to oversee the Council.

He hoped that survivors would have empathy for children in other towns who had suffered the same kind of exploitation. He, therefore, asked had any other towns who had suffered this called for independent enquiries in the way that the Council had and taken the flack that the people of Rotherham have taken.

Commissioner Ney was unable to answer this question, but would ensure this was checked out.

(5) A member of the public referred to the sensitive data on the stolen laptops and asked had the people the data belonged to been informed and what kind of sensitive data did this entail.

Colin Earl, Former Head of Internal Audit, confirmed there had been no consensus as to what was on the laptops. The Senior Officer involved and the Police took the decision not to inform those of whose data was stolen. This was referred to in the report and criticised, but it was not possible to comment on why this was decision was made.

Again the member of the public asked if children and adults had been informed that their sensitive information had been stolen and what it was on there that was stolen.

Colin Earl, Former Head of Internal Audit, confirmed children and adults were not informed laptops had been stolen containing sensitive data. It was not clear what data was being held for individuals as a record was not taken at the time.

In a further question the member of the public asked if individuals had been informed their cases were being looking into again and if not why not.

Jean Imray, Independent Consultant, explained the purpose of her report had been to look specifically at individual practices. For the record any individual could have access to their records.

The practice within the cases reviewed was criticised and the historical cases in to child sexual exploitation were ongoing at that time. Every care had to be given to prevent any compromise to any evidence that may have been forthcoming.

The member of the public in a further question referred to the Home Office Researcher's grievance being withdrawn and asked could information be provided on why this was withdrawn and when.

Colin Earl, Former Head of Internal Audit, confirmed a full audit trail was not available. The incident alleging the removal on files was the 18th April, 2002. A grievance was submitted on the 28th June, 2002 and some time between 28th July and 30th August, 2002 the grievance was withdrawn. The Home Office researcher left the Council's employment on 30th August, 2002 and the file records referred to some issues being resolved but with no specific details.

The member further asked as a taxpayer and in the public interest should those individuals who had failed to co-operate be looked at criminally and criminal investigations carried out.

Mark Greenburgh confirmed the investigations had looked at the potential allegations and misconduct of public office to see if reference should be made to the Police. He could understand the frustrations with the lack of co-operation from people who had important information and who had chosen not to come forward

Whilst he could see negligence and failure in conduct he believed there was insufficient proof or evidence. He was happy for the report to be forwarded on to the relevant agencies.

Further the member of the public called for a criminal investigation into these people as someone needs to be held to account.

(6) A member of the public sought clarification that the Councillors did not see these reports until this morning and yet Item 4 on this agenda was for questions from members of the Council. He found it unbelievable to ask them to put questions at this meeting.

(7) A member asked if anyone present was from the Crown Prosecution Service and asked the Leader for support into historical incidents involving one young girl who had been raped, badly injured and then was found dead from a drug overdose by the National Crime Agency. He asked if the Council could put pressure on the Crown Prosecution to take forward criminal investigations on her behalf.

Commissioner Ney confirmed these issues would be picked up separately.

In a further question the member of the public referred to the difficulties with residential children's homes and described his involvement in the Street Team that supported children's homes visiting taxi ranks, takeaways and the five parks. He claimed Councillors knew about what was going on and was shocked that no one seemed to notice.

(8) A member of the public paid tribute to the survivors of this horrendous crime not only to get prosecutions, but also in the presentation of these reports. He referred to his own family being safer for the action now taken to address the issues.

The report on taxis mentioned different aspects of taxi licensing being split into different functions that seemed to have worked well for the abusers and asked why.

In a further question he referred to the culture that was allowed to fester, asked why was nothing done and what action would be taken in the future to prevent this happening again.

A third question referred to data protection and the theft of twenty-one laptops from a Council Office with no sign of a break in. These laptops could not just vanish; someone must have taken them and he asked how could the culprits be identified.

John Riddell, Weightmans, explained the reasons for the separation in the taxi service at the time. The Licensing Act required the enforcement service to be separated from taxi management to ensure independence in their proceedings and recommendations. The other reason was felt the number of enforcement officers in the Licensing Team were too few with insufficient resilience who then joined with general enforcement. This had not worked out the way people expected, but this was referred to at length as part of the report.

Mark Greenburgh responded by explaining the difficulties with establishing and challenging culture and what were acceptable standards. There were special responsibilities on those that lead in the organisational and political senses. The evidence reviewed some horrific incidents of senior female managers being treated in a very sexist way by former members of the Council in the presence of their male professional colleagues and how this was not dealt with even when sought to challenge. The experience of the Council today was very much a different place that it was then.

The Chief Executive also responded and confirmed she was the first female Chief Executive that had been appointed by the Council. As part of the improvement journey the Senior Leadership Team was now made

up of people from different genders and ethnic backgrounds. Values and behaviours was an area that had been prioritised and subject to regular review through Commissioners, Government intervention and Members in order to change behaviour and cultures, celebrate the good and addressing bad practice quickly.

Colin Earl, Former Head of Internal Audit, explained the stolen laptops were password protected which provided a degree of comfort for the data held on them, but this was not as good as data encryption, which was not the case at the time. The Council was currently installing data encryption at the time the laptops were stolen.

The member of the public commented that if someone could get into a Council office and get out with twenty-one laptops then they would not have a problem with the requirement for a password.

Colin Earl, Former Head of Internal Audit, explained he was not defending the Council, but did mention in the report that so far none of the data has come to light. In terms of the Police the incident was reported as soon as the theft came to light, but it was difficult to establish any evidence as there was no forced break-in nor anything to identify the culprit so had to drop the case at that point

The member of the public queried any evidence of CCTV.

Colin Earl, Former Head of Internal Audit, did not believe there was any CCTV footage available.

The member of the public sought assurances that the culture evident previously would not be able to develop again.

The Chief Executive confirmed that with intervention and with Commissioner oversight over the last few years there had been significant changes. The improvements were subject to regular review. There was oversight by independent regulators and the Commissioners as well as public meetings that the Council held on a regular basis.

The Leader commented that in terms of the question about culture a significant amount of work had gone into values and behaviours and Members had reviewed their own processes around the Standards and Ethics Committee.

It was an issue that all in senior positions must take responsibility for. Culture was simply a culmination of behaviours in how one conducts them self and how to act. Staff who have worked for the Council a long time have indicated that the Council was now a different place and were more confident in their work.

The Leader gave his commitment that he was leading the change and would continue to lead during the time he was here.

(9) A member of the public referred to the publication of Voices of Despair, Voices of Hope he co-authored, which was the voices of the victims and survivors and family members of child sexual exploitation. With regards to culture a Rotherham Truth Campaign was to be launched asking officials of RMBC to establish a new culture that operated to a new standard of behaviour based on the seven principles of public life.

The member of the public described how he had met with Chief Executive on the 26th July and presented her with evidence of dishonesty of officials appointed since the Jay Report. He, therefore, asked what actions were the Commissioners prepared to take about evidence of dishonesty of officials appointed since the Jay Report.

Commissioner Ney confirmed it was the Commissioners' responsibility in what appeared to be a H.R. function and, therefore, she would ask the Chief Executive to advise on the results of her enquiries into the complaint and then she would decide what action the Commissioners could take.

(10) A member of the public expressed her disappointment and shock at the scale of senior management incompetence and the lack of support for frontline staff. She asked what was going to be done in practical terms to ensure people did adhere to the professional standards and practices so they could work at their best possible level and get support from line managers.

She described the responsibility of the Chief Executive and the senior officers to run the organisation to ensure it did not fail in the future. Reports should go to the Secretary of State for Communities and Local Government as they should have some powers to take forward criminal prosecutions.

Having re-read the Jay Report the sixty-three councillors for Rotherham had responsibilities to question and challenge the executive and senior officers. If more of this had been done initially, the victims would have been spared the suffering that had taken place, the perpetrators imprisoned and Rotherham's reputation remained intact. As a citizen of Rotherham she too felt responsible for what had happened.

The Chief Executive shared the member of the public's concerns around policies and procedures, how they were implemented, how support was provided, how those responsible could be held to account and how this had been the key focus since the intervention.

It was also about understanding the issue about communities and getting to the heart of some of the issues, understanding and providing information to people so people could hold the organisation to account. This would be continued as part of the improvement journey.

The member of the public asked if all the comments would be addressed at an operational level.

Commissioner Ney confirmed there were a number of improvement plans in place which were reported into Cabinet and Council and Commissioners were still here to have oversight of progress.

(11) A member of the public, himself a father, commented on the exploiters and groomers of the child abuse scandal and asked, for the families and victims, what action would be taken for the exploitation by professionals and the system, which was happening over and over.

Commissioner Ney had been passed two questions from victims and survivors observing the proceedings in another room.

(12) As a survivor why have we not been given the proper truth. Don't we deserve it. Accept responsibility.

Commissioner Ney advised this was more of a statement and very much a flavour for the meeting.

(13) I am Child A I want to know why any help I was getting has now stopped. I am now a professional adult I cannot access services that Rotherham Council keep offering me. I feel used and abused again.

Commissioner Ney advised this should be followed up individually with that person and asked the Chief Executive to ensure this should happen.

Councillor B. Cutts wished to pass comment on the questions and asked why there was no appreciation or clapping from the Labour Members present in the Chamber today.

(14) A member of the public referred to the Youth Services and how this was said to be the best interface for young people coming. He stressed the importance of Youth Clubs as an environment for children to grow up in. The use of computers was making young people isolated with little skill of interaction. He asked what the Panel's view was of the current state and future of active youth service for Rotherham.

Commissioner Ney advised the report authors were not in a position to comment on this. Both the Gowlings and Jean Imray's reports referred to the Youth Service and the important role they had in working with young people.

(15) A member of the public commented on the earlier question that had been submitted from downstairs and how the support would be looked into. She had heard this for the past year and asked where should she go. She was a professional adult and could not go accessing Evolve; things that other young people accessed as she herself worked with young people. She claimed to have made numerous complaints to Ian

Thomas and had had the same replies from Jo smith that there were services she could access. The victim indicated she was unable to attend those places.

Commissioner Ney confirmed someone would discuss this further outside the meeting as to what could be done.

The member of the public questioned if this would really happen. She had made numerous complaints about this matter and had had to go public to make this happen. As a victim she should not have to come forward in public to get something done.

She claimed this was why this town had not changed. She had put her trust in RMBC, convicted six paedophiles and was still stood here struggling.

Councillor Reeder asked could everyone have an answer to this why this girl was still struggling.

Commissioner Ney pointed out the appropriateness of dealing with the victim separately and would ask the Chief Executive to let Members now what the outcome was.

Councillor Reeder pointed out she had raised her own problems with the Chief Executive and nothing had happened. She claimed it was still the same culture as before - totally ignored.

(16) A member of the public acknowledged the Council was trying and had made changes, but the point of this was to have answers not about why the perpetrators acted, but to why children's calls were blatantly ignored. Children were reporting and no action was taken and this was not just individual social workers, but multiple.

Answers had not been given, but answers were deserved. Until these had been received people could not move on. People had fought for years, put their lives on hold and families destroyed. Too much money had been spent, but nothing had been provided.

Answers were still needed and requests would not stop. Why had people continually spoke out and been ignored. It had taken a Professor to finally listen.

(17) A member of the public asked why a criminal lawyer had not been involved with these reports. Former officers had not done their jobs properly and children had been raped. These people had been allowed to walk away and leave the families and children. This was a whitewash to all the families.

Mark Greenburgh was unable to offer anything further to report. Alison Lowton worked for on the framework report and she was a child care

specialist. As part of the investigation consideration was given as to what might constitute a criminal offence. In his investigation there were examples where people who were aware of incidents had deliberately chosen to do nothing.

(18) A member of the public pointed out that the reports indicated no one was culpable, no one prosecuted so what were the authors looking at. Well someone was to blame whether this was councillors or officers.

Mark Greenburgh explained the question about criminal culpability. If it was found officers deliberately concealed information or had turned a blind eye then this would become a criminal matter and investigated. Unfortunately, there was no evidence of this. He understood the frustrations and the regret for how they had been let down.

The member of the public pointed out people were not carrying out their duties properly. There was a way to take action, but no one would look for it.

(19) A member of the public pointed out the people of Rotherham had paid the authors for these reports, the salaries of the Commissioners and rather than the public having to come and find out the information why did the Council not give the information to the public. This meeting had been arranged in the middle of the day in a working week and he asked would it not be more of a benefit to move meetings such as this into evenings for people to get this information.

The Leader explained consideration had been given to evening meetings, but he was not convinced this would resolve people attending. All meetings such as this were webcast and reports published to give as much information as possible. Clearly discussions about this would continue into the future. Every effort had been made to make this information available as widely as possible.

The member of the public acknowledged the use of webcasting technology, but would not have been able to ask questions had he not been in attendance. Could this be looked at again.

The Leader confirmed it would.

11. CLOSE OF MEETING BY LEAD COMMISSIONER MARY NEY

In drawing the meeting to a close Commissioner Ney confirmed copies of all the reports were available on the Council's website.