

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Wednesday 20 April 2022

Present:- Councillor Clark (in the Chair); Councillors T. Collingham, Baker-Rogers, Cowen, A Carter, Cooksey, Elliott, Wyatt and Yasseen.

Apologies for absence:- Apologies were received from Councillors Baum-Dixon, Burnett and Pitchley.

The webcast of the Council Meeting can be viewed at:-
<https://rotherham.public-i.tv/core/portal/home>

14. MINUTES OF THE PREVIOUS MEETING HELD ON 23 MARCH

Resolved: - That the Minutes of the meeting of the Overview and Scrutiny Management Board held on 23 March 2022 be approved as a true record.

15. DECLARATIONS OF INTEREST

There were no declarations of interest.

16. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or press.

17. EXCLUSION OF THE PRESS AND PUBLIC

There were no items that required the exclusion of the press or public.

**18. OPERATION LINDEN - LEARNING AND RECOMMENDATIONS:
UPDATE FROM SOUTH YORKSHIRE POLICE**

At the meeting held on 12 January 2022, Council considered a motion regarding the Independent Office for Police Conduct (IOPC) report *Operation Linden - Learning and Recommendations*. It resolved that the progress of South Yorkshire Police against IOPC recommendations published in November 2021 be regularly monitored, with scrutiny arrangements to be determined by the Chair of the Overview and Scrutiny Management Board.

The Chair welcomed Deputy Chief Constable Tim Forber and Chief Superintendent Steve Chapman from South Yorkshire Police who had been invited to the meeting to give an update.

A report from the Deputy Chief Constable outlining South Yorkshire Police's response to the IOPC recommendations for improvement was considered with a formal record of actions. The IOPC report was also submitted as background information to this item.

The Deputy Chief Constable introduced the report highlighting that the IOPC recommendations had been accepted in totality by SYP. In order to address the issues raised in its report, the approach that South Yorkshire Police had adopted in relation to child sexual exploitation (CSE) and other areas of offending, was to focus on continuous improvement. This ensured that learning was embedded, and consideration could be given to the capacity of the force to respond.

The Deputy Chief Constable gave an overview of its thematic response to the recommendations:

- VICTIMS – the provision of quality victim care, informed by a trauma-led approach in line with the rights of victims laid down in the Victim Code.
- COMMUNITIES - trust and confidence built with local communities.
- PARTNERS – continuous improvements to partner collaboration and effective information sharing.
- OUR PEOPLE - ensure SYP staff have regular training and their skills were up to date.
- PROCESSES – compliance with Home Office Counting Rules when recording crimes related to CSE

The importance of engaging with communities to ‘spot the signs’ to ensure that children and young people were protected was stressed. This activity was supported through an ongoing cycle of campaigns working with professionals, businesses and the wider public. An example was given of work in hotels to raise awareness of the signs of abuse.

Examples of work with partners were outlined. Independent Sexual Violence Advisors have provided training to specialist frontline officers and further work was planned with first responders to enable them to work with victims sensitively. The Child Exploitation Tactical Group was a co-located multi agency partnership which was able to deal effectively with evidence and intelligence relating to CSE. It was noted that Rotherham Safeguarding Children Partnership - CSE Review Final Report (RSCP) had cited the work of the tactical group as an exemplar of good practice. An invitation was extended to Council Members to see the work of the Evolve Team.

SYP had reviewed the capability and capacity of the force and undertaken a training needs analysis to ensure that more officers were trained to respond to serious sexual assault at a specialist level. It was also noted that all SYP officers would attend its “Child Matters” training which focussed on wider child safeguarding issues and awareness of trauma-led approaches. An invitation to attend the training was extended to the Board.

The challenges of ensuring that crime data accuracy complied with Home Office counting rules were highlighted. It was outlined that crime data was subject to regular auditing to ensure required standards were met. However, IT issues remained a challenge as there was no ideal record management system to record and capture the nuance and complexity of CSE, particularly at the 'grooming stage'. This was an area for development which was being looked at with IT specialists.

In concluding his presentation, the Deputy Chief Constable referred to the recent review of processes and agencies in Rotherham undertaken by RSCP. However, whilst the draft findings of the review were positive, it was stated that South Yorkshire Police would not 'rest on its laurels'. It was noted that the pattern of offending seen during years of the Operation Linden investigation had changed significantly with online abuse now presenting greater and more complex challenges. It was highlighted that the police alongside the Council and other agencies and communities, had a collective responsibility to protect children and young people.

Clarification was sought on victims input into victim's support and care and how their experience was quality checked. It was outlined that at the start of Operation Linden, victims and survivors were initially reluctant to engage with SYP because of their trauma and often negative experience of policing. However, through the establishment of a victims and survivors panel by the Police and Crime Commissioner in 2014, levels of engagement have improved slowly. The panel has informed SYP's approach and response. Chief Superintendent Chapman outlined the approach taken with all complainants or victims of crime and its consistent application has increased victim's satisfaction levels. The police case management system 'Connect' was able to track investigations if the victim has not been given an update within 28 days and action taken as appropriate. District Commanders had oversight of this process.

SYP and RMBC had sought the views of victims and survivors in cases that had not received a positive outcome (i.e. a charge or summons) through an independent agency, REMEDI, to see if improvements could be made to the way agencies had responded. This feedback had been used to influence the commissioning of services. Victims and survivors were involved in training and professional development as appropriate including work on violence against women and girls, child criminal exploitation as well as CSE.

The volume of CSE current investigations is relatively low compared with wider crime figures. In respect of the 37 active investigations relating to CSE, assurance was given that bespoke wraparound support was given to each of the individuals and through this engagement, there were greater opportunities for the victim's voice to be heard.

Assurance was given that there was a commitment to neighbourhood policing which would work in partnership with local authority structures.

The value of this approach was reiterated as it built confidence of local communities and key partners. Further clarification was sought of the preventative benefits of the roll-out of CCTV, particularly in respect of identifying risk areas and other 'hot spots' for child exploitation and organised crime. In respect of neighbourhood teams, details were sought of the number of officers who had received specialist training relating to CSE and sexual violence. It was explained that the specialist training was given to those officers who would be front-line responders, however, there was a commitment to raise awareness of ISVA services and related specialisms across neighbourhood teams. An example of ongoing multi-agency training was given which included neighbourhood teams, to outline how partners can problem solve and share intelligence to disrupt organised crime in local areas.

In respect of the work in hotels (Operation Make Safe), hotel staff had received training which was now being tested to ensure that awareness was embedded and staff responded appropriately to suspicious activity. If there were concerns raised, hotel management had been contacted to ensure that further work was undertaken with its staff. This would be a continuous process.

Reference was made to a previous inspection of Her Majesty's Inspectorate of Constabulary in 2018 had stated that crime had not been recorded when it should have been. Clarification was sought if this was still problematic and what had been done to address this. It was outlined that 'behavioural' crime (for example stalking or harassment) had not been captured properly in some instances particularly when there had been multiple incidents, however, assurance was given that victims were receiving a service and crime reports were responded to. The importance of restoring public confidence in crime reporting was recognised and performance across all areas were subject to rolling audits. Examples of work with missing persons were given to illustrate this proportionate approach.

It was observed that the IOPC report and SYP's response to its recommendations should be viewed as part of a wider suite of reviews of how CSE was tackled as a crime. Clarification was sought how SYP's response related to previous reports and how learning and progress is captured. It was noted that the IOPC investigation covered the period of the Jay Report (1997-2013) and had taken seven years to conclude. It was reiterated that the IOPC recommendations had been accepted in totality and the previous organisational failures of public services to protect vulnerable children and young people were recognised. There was an ongoing commitment across all agencies to ensure that previous failings were not repeated. However, in doing so, it was important that partnerships, including other police forces and local authorities outside of Rotherham and the sub-region, were forward focussed and able to respond to changing patterns of offending e.g county lines or online abuse.

In respect of online abuse, the importance of preventative work with children and parents was stressed as was work with schools and youth services. It was noted that digital access was constantly evolving and it was important that professionals were able to keep up-to-date with new developments. The Evolve Team was able to provide training and awareness raising to relevant agencies.

Details of what safeguards were in place by SYP to support the process of continuous improvement were sought. Governance arrangements were outlined including performance oversight, public accountability reports to the PCC, monitoring of complaints and reference to the victims and survivor's panel. The Deputy Chief Constable expressed confidence in the way that the SYP was responding to the challenges of protecting vulnerable adults and children and stated that he wished to see the partnership working across Rotherham at the forefront of good practice in tackling CSE and other forms of child exploitation in the future.

The Chair thanked Deputy Chief Constable Forber and Chief Superintendent Chapman for their attendance.

Resolved:

1. That the update of South Yorkshire Police in respect of progress to date against the recommendations of the Independent Office for Police Conduct report Operation Linden - Learning and Recommendations be noted.
2. That following the consideration of the RSCP CSE Review by this Board, future monitoring arrangements are determined in respect of South Yorkshire Police's implementation of the IOPC recommendations.

19. ROTHERHAM CLIMATE EMERGENCY ANNUAL REPORT

The Chair welcomed the Strategic Director for Regeneration and Environment as sponsor for this programme and other officers in attendance. The apology of the Cabinet Member for Jobs and the Local Economy who was unable to attend the meeting was noted.

Consideration was given to a report that was submitted for pre-decision scrutiny ahead of the Cabinet Meeting to be held on 25 April 2022. At its meeting on 30 October 2019, the Council declared a climate emergency and produced a policy and action plan "Responding to the Climate Emergency". This set out key policy themes of Energy; Housing; Transport; Waste; Built and Natural Environment; Influence and Engagement.

At its meeting on 23 March 2020, Cabinet resolved to establish the targets of:

- The Council's carbon emissions to be at net zero by 2030 (NZ30)
- Borough-wide carbon emissions to be at net zero by 2040 (NZ40)

The report provided an update on progress against actions outlined in the 2021/22 Action Plan, with particular attention paid to baselining work, which was an important factor in the continuing strategic development of the Council's response to the climate emergency. The Board was referred to the baseline information outlined in the report.

The following themes were highlighted as a framework for action:

- Energy.
- Transport.
- Housing.
- Waste.
- Built & Natural Environment.
- Influence & Engagement.

The Strategic Director drew attention to the £6.4m of additional investment to support initiatives to improve energy efficiency in Council buildings and carbon reduction in Council housing stock. Reference was made to the cycling strategy and associated improvements to infrastructure. The report also cited the tree strategy which had recently been considered by Improving Places Select Commission. The Children's Commissioner's Takeover Challenge was cited as a key part of this year's influence and engagement activity. The Vice-Chair reiterated the value of this event and looked forward to working with the Youth Cabinet on their recommendations.

It was noted that the Council had set an ambitious target of net zero by 2030. It was felt that this was achievable within timescales although its success would be dependent on factors outside the authority's direct control such as technological developments.

Baseline information had been supported by the appointment of a data analyst who was a specialist in their field. The first phase had been to focus on emissions in the direct control of the Council. There was growing confidence in the accuracy of this information and this would be supplemented by national statistics, links with other councils, regional bodies and government. Information was sought on the contribution of the tree strategy to carbon dioxide capture. Questions were asked if there had been any comparison with other industries on how this information could be gathered.

Details were requested about the contribution that the cycling strategy would make to reducing carbon emissions. It was recognised that there was likely to be a small reduction of 2% to the transport element.

In respect of commercial waste recycling, information was sought how this would be rolled out and businesses incentivised to use this service. Modelling options were in development for introduction in April 2023.

Recycling schemes would be rolled out in Council buildings from May 2022. A request was made that further information on commercial waste recycling and incentivising businesses were referred to Improving Places Select Commission.

Further information was sought on the potential impact of the Environmental Bill on household waste recycling. Final details were awaited however it was anticipated that there would be an expectation that food waste would be collected. It was hoped that Rotherham would be given an exemption because of its waste extraction facilities. The deposit return scheme should have a positive effect on reducing street rubbish. However, until proposals were announced it was difficult to anticipate the full impact on households, however it was thought it would be significant. These details were requested to be provided to scrutiny in due course. It was noted that work was taking place with local retailers, including market traders, to reduce packaging and waste.

Clarification was sought on the reasons the Government's Green Homes Grant Local Authority Delivery (LAD) scheme, for Private Sector housing was unsuccessful. It was outlined that it was a competitive bid process however, the feedback would be used to support future bids. It was noted that housing was key to addressing climate change. It was outlined that work had been undertaken to understand the investment required to raise energy efficiency in existing council housing, focussing on the stock that had a lower rating. In new build, all homes were energy efficient, with additional measures such as electrical charging points being provided in some developments.

Details were sought on the potential location of the solar farm. A site in Kilnhurst had been identified and due diligence was in train to establish its suitability. Planning applications would be submitted should conditions be satisfied.

Clarification was sought if potential sites for tree planting would be utilised fully over the two-year funding period and if a business case was being considered to extend tree planting when the funding ends. The Strategic Director outlined that he was keen to engage with local ward members and communities to identify potential sites.

It was observed that embedding a culture of tackling climate change and making it "everyone's business" to consider climate implications was an ongoing challenge, however the annual report outlining progress to date was welcomed.

Resolved:

1. That Cabinet be advised that the recommendations be supported.
2. That developments related to the Environment Bill and impact on the waste and recycling strategies be submitted to Improving

Places Select Commission in due course.

20. DEDICATED SCHOOLS GRANT HIGH NEEDS BLOCK SAFETY VALVE PROGRAMME

Consideration was given to a report that was submitted for pre-decision scrutiny ahead of the Cabinet Meeting to be held on 25 April 2022. As part of the Department of Education work to address long term challenges in the High Needs funding within the Dedicated Schools Grant (DSG), a small number of identified local authorities including Rotherham had been invited to have a financial agreement known as a 'Safety Valve.' The key emphasis for Rotherham's involvement in this programme was ensuring that more children with special needs can be supported to stay in mainstream education in the borough. Rotherham involvement also allowed appropriate Special Educational Needs and Disabilities (SEND) provision mapping in the borough to be developed and improve SEND outcomes. The finalised agreement set out an investment of £20.528m from the Department for Education across the lifetime of the agreement (2021/22 to 2025/26). This would remove the DSG deficit based on the Council's revenue assumptions.

It was highlighted that the Council was not unique, and a significant number of local authorities were facing challenges in respect high needs funding and DSG deficits. As part of the safety valve programme, capital bids had been submitted to support plans as significant investment was required to deliver the plan as outlined in the report. The financial targets as detailed had been met and it was anticipated that the position in future years would be on track.

Invitation to participate in the programme was dependent on local authorities having developed strategic plans to tackle the deficit and being able to demonstrate a positive trajectory in its financial position. Through the additional investment released, more children with additional needs could be educated and supported within the borough. Stakeholders, including school leaders had been fully engaged in the developments.

The work undertaken by Children and Young People's Services and stakeholders to reduce the deficit, map provision and transform services was warmly welcomed.

Clarification was sought on the development of alternative education provision and the impact this would have on supporting children with challenging behavioural needs in mainstream provision. It was noted that a Green Paper on SEND and alternative provision had been recently published, and the mapping of future provision in Rotherham is closely aligned with the aspirations set out by Government. It was highlighted that there would be a continuum of support to ensure appropriate input would be offered on a timely basis at the right level. This would include primary outreach service for social and emotional mental health needs (SEMH) and a similar service in secondary schools would come on-line from

September 2022. Pupil referral unit provision would be shorter term to support those who could be reintegrated into a mainstream setting or identify if other provision was required. For pupils with more complex or specialist needs, a SEMH Free School would come onstream shortly.

The funding elements of the safety valve programme were expanded upon. In respect of Rotherham's bid, the DfE had released funds to reduce the historic revenue deficit and also to support a dedicated team to manage related developments. Through the delivery of the SEND sufficiency strategy and management plan, there had been a steady reduction in Rotherham's deficit over recent years, unlike in many other authorities. However, Rotherham's delivery of the programme was predicated on approval of the capital bid.

It was noted that the Audit Committee had received regular updates on the DSG and the External Auditor was satisfied that the plans to manage the deficit were robust. It was asked that the Audit Committee be kept up to date on developments.

It was acknowledged that further work needed to take place with schools to ensure that early identification and a graduated response were in place to ensure that the appropriate level of support and resource was in place. It was noted that the Green Paper was helpful in strengthening support. Stakeholders would be engaged to develop the response to the consultation on the Green Paper, including the Parent's Carer's Forum. The forum has been closely involved in the co-production of services. The Council was committed to seeking best practice and share this with schools and academies and other local authorities.

It was noted that the terminology of the report did not articulate in plain language what this initiative would mean for the 'lived experience' of children and young people with special needs and their families. A commitment was given that this would be looked at to see how this initiative could be communicated in a more accessible way.

Clarification was sought on the democratic oversight of the decision to engage in the safety valve process and if it should have been made by Cabinet or through officer delegation. It was outlined that the governance arrangements were in line with those set out in the Council's Constitution and Scheme of Delegation and were strictly adhered to.

Resolved:

1. That Cabinet be advised that the recommendations be supported.
2. That Audit Committee be provided with further updates on the implementation of the programme.

21. WORK PROGRAMME

The Board considered its Work Programme.

Resolved: - That the Work Programme be approved.

22. WORK IN PROGRESS - SELECT COMMISSIONS

Discussion of this item was deferred to the next meeting of the Board.

23. FORWARD PLAN OF KEY DECISIONS - APRIL 1, 2022 - JUNE 30, 2022

The Board considered the Forward Plan of Key Decisions 1 April 2022 to 30 June 2022.

Resolved: - That the Forward Plan be noted.

24. CALL-IN ISSUES

There were no call-in issues.

25. URGENT BUSINESS

There were no urgent items.

26. DATE AND TIME OF NEXT MEETING

Resolved: - That the next meeting of the Overview and Scrutiny Management Board will be held at 11am on Wednesday 11 May 2022 at Rotherham Town Hall.