

# HEALTH & WELLBEING OVERVIEW & SCRUTINY COMMITTEE

## Agenda Item 43

Brighton & Hove City Council

<b>Subject:</b>	<b>Scrutiny Panel Request: Sexual Exploitation of Children</b>		
<b>Date of Meeting:</b>	<b>18 December 2012</b>		
<b>Report of:</b>	<b>Monitoring Officer/Head of Law</b>		
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<b>Ward(s) affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Health & Wellbeing Overview & Scrutiny Committee (HWOSC) has received a request from Cllr Alex Phillips asking for the establishment of a scrutiny panel to examine issues relating to the sexual exploitation of children. This report suggests an approach to this scrutiny request.
- 1.2 **Appendix 1** to this report consists of a report issued in 2011 by the University of Bedfordshire which assesses the preparedness of Local Safeguarding Children Boards (LSCBs) across England in terms of their duties to prevent child sexual exploitation. This report includes a self-assessment tool to be used by individual LSCBs to measure how robust their arrangements are.

#### 2. RECOMMENDATIONS:

- 2.1 That HWOSC members ask the Local Safeguarding Children Board (LSCB) to submit a report to the February 2013 HWOSC meeting, addressing the issue of child sexual exploitation (and including completion of the University of Bedfordshire self-assessment tool – included in papers in members' rooms).
- 2.2 That HWOSC members consider this information provided by the LSCB before deciding whether a scrutiny panel should be established.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Government defines the sexual exploitation of children as:

*“sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them sexual activities.*

*Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability" (DCSF statutory guidance, 2009)*

[https://www.education.gov.uk/publications/eOrderingDownload/Safeguarding\\_CP\\_Y\\_from\\_sexual\\_exploitation.pdf](https://www.education.gov.uk/publications/eOrderingDownload/Safeguarding_CP_Y_from_sexual_exploitation.pdf)

- 3.2 In recent months the issue of protecting children from sexual exploitation has received a good deal of media attention following revelations about organised, large-scale grooming and abuse in Rochdale, and the manifest failure of local safeguarding agencies to identify or stop this exploitation. The Rochdale Local Safeguarding Children Board has recently published a report on this issue.  
<http://www.rbscb.org/CSE2.pdf>
- 3.3 There is a clear and pressing need for local areas to ensure that the mistakes made in Rochdale cannot happen elsewhere. There is a similar need for local areas to ensure that they have robust systems in place to deal with other types of sexual exploitation, such as peer abuse and exploitation within families.
- 3.4 Each local area has its own Local Safeguarding Children Board (LSCB) - independently chaired bodies bringing together senior professionals to provide expert oversight of safeguarding services across the local area. (Elected members are involved in the work of the Brighton & Hove LSCB via the attendance of the Chair of the Children & Young People Committee, who has observer status at LSCB meetings). The LSCB is explicitly tasked with ensuring that local safeguarding services, including services for the prevention of sexual exploitation of children, are fit for purpose. More information on the Brighton & Hove LSCB can be found at the LSCB website.  
<http://www.brightonandhovelscb.org.uk/>
- 3.5 Given that there is an independently chaired, expert body (with elected member involvement) already established in the city to look at child exploitation issues, there is an obvious risk that a scrutiny panel would end up duplicating the work of the LSCB, and might even hamper safeguarding (services are already subject to oversight/regulation by several bodies, including the LSCB and Ofsted).
- 3.6 However, simply taking the LSCB's 'word' that local child sexual exploitation measures are robust may not constitute an appropriate response to this scrutiny request. In the first place, it is evident from the Rochdale scandal, that there were catastrophic failures both in the actions of specific safeguarding services, and in terms of the bodies responsible for assuring these services, including (it could be argued) the Rochdale LSCB. In the second place, a recent report from the University of Bedfordshire ("What's Going On") demonstrates that LSCB responses to 2009 statutory guidance on child sexual exploitation have been extremely patchy, with (by October 2011) only around 25% of LSCBs having

implemented the 2009 statutory guidance. A copy of the “What’s Going On” report has been left in Members’ Rooms and can be found at [http://www.beds.ac.uk/data/assets/pdf\\_file/0004/121873/wgoreport2011-121011.pdf](http://www.beds.ac.uk/data/assets/pdf_file/0004/121873/wgoreport2011-121011.pdf).

- 3.7 Therefore, whilst it may well be the case that assessing the functionality of local safeguarding services is properly the role of the LSCB rather than a member-led scrutiny panel, there is a compelling argument to be made for the HWOSC seeking detailed assurance that the LSCB is itself fit for purpose in terms of its child sexual exploitation role. To be absolutely clear, this assurance should be sought because of the evidence of systemic failure in safeguarding in Rochdale, and because of the patchy national response to the broader issues of safeguarding against child sexual exploitation; not because the HWOSC has any specific reason to suppose that the Brighton & Hove LSCB is malfunctioning.
- 3.8 The 2011 University of Bedfordshire “What’s Going On” report includes a self-assessment tool that was distributed to every LSCB in England as part of the survey on which the report is based. This survey garnered a response rate of 70%, meaning that the survey results should provide a robust model of national practice to compare the activities of any individual LSCB against. By asking the Brighton & Hove LSCB to respond to the University of Bedfordshire survey/self assessment tool and to report the results to a future HWOSC meeting, it should therefore be possible to gauge with some degree of accuracy where we stand locally in terms of good practice around child sexual exploitation. Using this information, HWOSC members will then be able to come to an informed decision on whether to devote further resources to scrutiny of this issue (e.g. by setting up a scrutiny panel).

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 No formal consultation has been undertaken with regard to this report.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 No financial advice has been sought– there are no financial implications to the Council in regard to the report recommendations, any subsequent decision to establish a scrutiny panel would be managed within existing scrutiny team budgets.

##### Legal Implications:

- 5.2 No legal advice has been sought at this stage.

*Lawyer Consulted:*

*Name*

*Date: dd/mm/yy*

### Equalities Implications:

- 5.3 None directly for this report, which is essentially seeking HWOSC approval to seek further information from the LSCB. Whilst sexual exploitation of children can affect anyone, there is evidence (e.g. from Rochdale) that it may impact disproportionately on children in care, children already in contact with child protection services, and on children from the most deprived communities. Media reports on the Rochdale scandal have focused on the fact that the perpetrators of abuse were South Asian Muslim men, whilst the victims were white. Whilst there were clearly significant ethnic factors at play in Rochdale, it seems unlikely that areas which feature very different demographic and political pressures to Lancashire mill towns can be confident that they are not at significant risk from child sexual exploitation (particularly in the broader context of sexual exploitation – see point 3.3 above).

### Sustainability Implications:

- 5.4 None identified.

### Crime & Disorder Implications:

- 5.5 Child sexual exploitation is clearly a serious criminal matter and should be viewed as such by local agencies. Care should be taken to understand that grooming may involve a series of acts that are not in themselves inherently criminal (such as giving children gifts), but which may be undertaken for criminal ends.

### Risk and Opportunity Management Implications:

- 5.6 The body of the report sets out the risks associated with running a scrutiny panel which directly seeks to engage with safeguarding agencies, vulnerable children etc. This is specialised and very sensitive work, already being undertaken by the LSCB and by other organisations with regulatory functions, and there are real dangers of duplication and/or overload. The approach suggested mitigates these risks by dealing directly with the LSCB and seeking to gauge, in the first instance, the ability of the LSCB to assure local safeguarding services, rather than engaging directly with services themselves. By requiring the LSCB to provide assurance of its own oversight (against a robust self-assessment model that a majority of English LSCBs have completed), the suggested course of action also mitigate risks associated with the *cui custodiet custodes* question that may always be posed about bodies with an oversight function – i.e. how can we be sure that the bodies charged with oversight are themselves competent?

### Public Health Implications:

- 5.7 Sexual abuse in childhood is strongly linked to a range of health issues in later life, including an increased risk of developing serious mental health problems, self-harming, increased suicide risk, alcohol and substance misuse etc. There is also evidence to suggest that the children at the greatest risk of sexual exploitation are disproportionately from more economically deprived communities

and from the communities with the poorest health outcomes. Therefore, reducing the incidence of child sexual exploitation is likely to have a positive impact upon health inequalities in the longer term (although whether this is significant impact in population health terms depends on the numbers involved).

Corporate / Citywide Implications:

- 5.8 Tackling child sexual exploitation is in line with the Council priority to “tackle inequality” and the Sustainable Community Strategy priorities to “reduce crime and improve safety” and “improve health and wellbeing”.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The obvious alternative options would be for the HWOSC to either: A) reject the scrutiny panel request on the grounds that the LSCB is responsible for overseeing safeguarding services in the local area; or B) agree to establish a scrutiny panel without first attempting to gauge the competence of the LSCB in this area.
- 6.2 A) carries the risk of assuming that any given LSCB must be competent in terms of overseeing sexual exploitation services, even when events in Rochdale and recent research have indicated that this may not always be the case. B) carries the risk of by-passing the expert body charged with overseeing safeguarding issues, and consequently duplicating/interfering with the work of the LSCB.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The report recommendations seek to progress this important issues in a manner which addresses the central concerns without placing an undue burden on safeguarding services.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

### **Documents in Members' Rooms**

What's Going On": University of Bedfordshire, 2011

### **Background Documents**

1. Safeguarding Children and Young People from Sexual Exploitation: Supplementary Guidance to "Working Together to Safeguard Children": Department for Children, Schools & Families, 2009