

REPORT TO ROTHERHAM METROPOLITAN BOROUGH COUNCIL

EXECUTIVE SUMMARY

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1 INTRODUCTION

- 1.1 In August 2014 Professor Alexis Jay published her report into child sexual exploitation ("CSE")¹ in Rotherham (the "Jay Report"). The decision by Rotherham Metropolitan Borough Council (the "Council") to commission the Jay Report put Rotherham, the Council and its response to CSE in the spotlight. The impact of CSE on the children and young people of Rotherham between 1997 and 2013 has been profound. The Jay Report, and those reports that have followed including the report prepared by Louise Casey in 2015 (the "Casey Report"), ensured that the issue was 'out in the open'. A number of perpetrators have been convicted of serious criminal offences and crucial work to investigate and prosecute those accused continues. It remains an issue that is high on the agenda for Children and Young People's Services in local authorities throughout the country.
- 1.2 Having established what was happening to children and young people in Rotherham over those years, the obvious question for those with responsibility for the Council's services at the time is: 'What went wrong?' but it is a question that has been difficult to answer. It seems clear that, for those working with children and young people, identifying and responding effectively to emerging evidence of CSE has been difficult to tackle. It required professionals to think differently. It is an issue that appears to have been misunderstood and misinterpreted over the years, and not just in Rotherham.
- 1.3 Many people at the Council did take the issue very seriously but did not always have the right tools, resources or support to deal with it effectively. It required a pro-active response from the Police, which was not always forthcoming. It required professionals with different qualifications and expertise to set aside differences in their professional disciplines and collaboratively work together – to move away from the 'silo' mentality. Sometimes this was achieved, to good effect, and sometimes not. Allegations of cover up and collusion went to the highest levels of the Council. All of this took place across a period of considerable change for the Council, in the delivery of services to children and young people and against a backdrop of reducing budgets and competing demands.
- 1.4 This report examines what happened at the Council in the past, considers the allegations made, and seeks to identify the lessons that should be learned. It examines the roles and performance in role of senior officers in post between 1997 and 2013 and asks the question whether any disciplinary or other remedial action is now required.

2 BACKGROUND

- 2.1 We were instructed by the Council to conduct an independent investigation and prepare a report into the performance, practice and conduct of senior staff referred to in the Jay Report between 1997 and 2013 (the "Relevant Period").
- 2.2 The report is produced by Mark Greenburgh, a partner and Head of Public Sector at Gowling WLG (UK) LLP with the support of Jemma O'Reilly, a Principal Associate with the firm, and Alison Lowton (AL), a consultant who was previously Director of Law and Administration for the London Borough of Camden and is an expert in Children's Services law. The report is the culmination of many months of work. We are grateful to senior officers at the Council for their time in providing

¹The term 'CSE' is used throughout the report but the terminology only altered from 'child prostitution' to 'child sexual exploitation' in governmental guidance issued in 2006'.

information and access to witnesses.

- 2.3 In line with our Terms of Reference we have identified members of staff with responsibility for the Council's response to CSE and sought to identify their individual and collective responsibilities, actions and failings across the Relevant Period. In particular, the report considers when and how issues concerning CSE came to the attention of senior officers; who was responsible for the Council's response; what key CSE related strategies were in place; any barriers to progress; and the wider impact of the culture in which these individuals worked. The report is intended to assist the Council to determine whether or not there are grounds to commence disciplinary or capability proceedings against any current employee or the need to refer any former or current employee to the relevant regulator on grounds of professional misconduct. In the case of former employees any such recommendations together with supporting information would need to be passed to the current employer for them to consider.
- 2.4 We sourced and reviewed relevant and, where possible, contemporaneous documentation from the Council and from publically available sources. We have not sought, as part of this report, to either question or endorse the findings in previous reports about the Council but we have used published documents, including the Jay Report and the Casey Report as a starting point for our own investigation. We also referenced the recently published book titled *'Broken and Betrayed'*². In addition to this a large number of people willingly gave their time in interviews and provided written responses to our questions. A number of those interviewed provided copy documentation to us to support their evidence. Some of them have also engaged lawyers, at their own expense, to assist them. A number of those who assisted us have already been the subject of significant scrutiny in the press and have given time to multiple different inquiries. We are grateful to them for agreeing to assist us despite any reservations they may have had about doing so.
- 2.5 Our Terms of Reference do not extend to investigating and reporting on the role that Members of the Council played in the Council's response to CSE. However, we have considered concerns which witnesses expressed during our investigations about the effect of Members' attitudes on the working environment for Council officers during the Relevant Period. We were able to speak to Mark Edgell, the Leader of the Council between 2000 and 2003 but former Leader Roger Stone and Lead Member for Children's Services, Shaun Wright declined to participate, and Paul Lakin (also a Lead Member for Children's Services) cancelled our interview and did not re-schedule. That is disappointing as these former Members could have made a useful contribution to the investigation.
- 2.6 The correct test of evidence for the findings of this report is the 'balance of probabilities'. This is substantially lower than the criminal burden of proof which must be 'beyond reasonable doubt'. For most interviewees, a significant period of time had elapsed since the matters in question took place. Much of the available evidence was oral and could not be substantiated by documentation. Significant weight could not be placed on this evidence particularly when, as was often the case, witnesses could not recall matters with clarity, or where accounts and recollections differed. Where there are conflicts of evidence we have made that clear. We have also made it clear where more than one witness has given the same or similar accounts; and/or where contemporaneous notes or other corroboration exists. It is inevitable that memories have faded and/or been influenced by subsequent reports (i.e. interviewees often struggled with whether they could genuinely recall something from the time, or if they had read about it since then in reports or in the press). Despite

² 'Broken and Betrayed' Jayne Senior (2016)

these difficulties we consider that, in the main, those we interviewed were honest and tried to recollect events as well as they could, given the passage of time, the lack of available documentation (see below) and the fact that many of them have given evidence to multiple different inquiries which may to some extent have generalised their recollection.

2.7 The preparation of this report was hampered by two key factors: the first was that a number of former senior officers chose not to engage with the process (and cannot be compelled to do so); and the second was that some of the contemporaneous documentation we had hoped to review was limited or now appeared to be missing despite the best efforts of the Council to try and track it down. Whilst we would have expected some of this documentation to have been retained we were not surprised to find that it was difficult to locate documents up to fifteen years after they had been created. As people moved roles at the Council, or moved on, few retained contemporaneous records nor do we expect them to have done so. We have no reason to believe that any documentation has been withheld from us or deliberately concealed or withheld. We are confident that the broad thrust of our findings are robust and would not have been significantly different even if all of the papers we had asked for had been found.

2.8 Our task has been to respond to the Terms of Reference provided by the Council. Matters in this report have already been the subject of significant scrutiny. On the evidence available to us we have concluded that the way in which the Council responded to CSE in Rotherham was not the responsibility or fault of any one person. It was the product of multiple and systemic failures. But there were key moments when a substantially different history may have occurred if individual judgements and responses had been better. We have highlighted these. Whilst our report has a specific focus, it should not be read in isolation. It is one of a number of reports that have been commissioned since the publication of the Jay Report and its contents form part of the overall picture.

3 SUMMARY

3.1 Most senior officers with responsibility for the safeguarding of children (from Chief Executives to Heads of Service as well as some Members) across the Relevant Period knew that there were issues with CSE (or 'child prostitution' as it was known prior to guidance issued in 2006) for the Council, even if the extent and scope, later identified in the Jay Report, had not been realised.

3.2 Though there was some evidence of early, informal, activity by junior officers, the key multi-agency response to the issue in the Council was Risky Business, which was founded in 1997. This was not a 'top down' response by senior managers to a recognised problem; rather it was the result of a joint bid for funding prepared by two innovative junior officers working in the Youth Service and in Social Services. The project was managed and run by the Youth Service which sat within the Education, Culture and Leisure Department (prior to the creation of Children's Services in 2004). The remit of the project broadly remained the same until it was absorbed within Social Care, at the behest of senior officers in 2011. Whilst the Risky Business project itself was successful (in that it provided critical support to young people and children at risk of 'child prostitution' and later CSE in Rotherham), the evidence suggests that the concerns they raised were sometimes dismissed or played down, and that its structure, working methods and approach were criticised at the time. Some senior officers failed to take positive action to examine the concerns that the project identified. Opportunities for learning were missed, certainly in the early part of the Relevant Period, due to a silo approach to service provision and due to misgivings about how the Risky Business project was operating.

- 3.3 In addition to the Risky Business project itself, between 1997 and 2013, there were a large number of other multi-agency groups at the Council with 'child prostitution' and later CSE as their focus (many overlapped and reported to each other across the Relevant Period). Some of these meetings involved senior officers from the Council and some did not. The time and resource involved in preparing for and attending those meetings would have been significant, though it is difficult to establish what tangible contribution was made. The evidence suggested that some groups struggled with attendance (unsurprisingly given the sheer number of groups) and that some were 'talking-shops' rather than pro-active bodies that held themselves or each other properly to account. This appears to have remained the case despite external reviews in later years which flagged the issue. The number of groups in place across the Relevant Period was indicative of an organisation that was endeavouring to get to grips with CSE (or matters we would now recognise as such) but was struggling to find an effective way of doing so.
- 3.4 Some positive work was done by the Council, but its progress was hampered by organisational and attitudinal barriers. The relationship between Social Services and Education, Culture and Leisure, especially prior to 2005, was blinkered and there appears to have been a fundamental lack of recognition and understanding about what Social Workers and Youth Workers could both bring to the table as far as tackling CSE was concerned. There was a lack of trust which led to multiple allegations of cover-up. Although relationships improved when these directorates merged into Children and Young People's Services from 2005, the damage was not easily repaired. This was a contributory factor and a number of opportunities to take early decisive action to tackle the issue were missed as a result.
- 3.5 These 'operational barriers' must also be viewed within the context of a culture where, the evidence suggests, some people had concerns about the portrayal of the race/ethnicity of perpetrators of CSE and where many of those interviewed offered their own accounts of sexism/misogyny, harassment and bullying in the working environment. That culture appears to have persisted despite multiple changes in the senior management team across the Relevant Period and the evidence suggests it was also attributable, in part, to a culture amongst Members which was not tackled adequately.

4 THE SENIOR OFFICERS

- 4.1 Ultimately the senior officers who were responsible for ensuring that the Council met its duty to respond to CSE were the Chief Executive and the relevant Directors and senior managers in Education, Culture and Leisure and Social Services/Children's Services across the Relevant Period.
- 4.2 We have summarised our findings in relation to the individuals who filled these key roles at the Council across the Relevant Period. We have not found evidence to support any notion that any individual 'turned a blind eye' to CSE in Rotherham. But neither is there much evidence of 'inquiring minds' or a purposive approach when evidence of what was happening did come to their attention. The actions taken to tackle CSE are the focus of this report, but one of the main problems in Rotherham was that no one had sole responsibility either for identifying CSE or for implementing strategies to tackle it. In our view, no individual officer can or should be held out as solely or principally culpable for the Council's failings.
- 4.3 The identity of those who held the various key roles changed throughout the Relevant Period. Across the early part (1997-2003) of the Relevant Period the Chief Executives were Alan Carruthers (1999-2000) and Ged Fitzgerald (2000–2003). The Director of Social Services was

John Gomersall (1999–2005) and the Director of Education, Culture and Leisure was Diane Billups (2001–2005). Other senior managers included Jacqueline Wilson who was Head of Children and Families within Social Services (2000-2004) and Phil Rogers who was Strategic Leader of Culture, Leisure and Lifelong Learning within Education, Culture and Leisure (2001–2009). The Risky Business project, which was part of Youth Services, sat within Education, Culture and Leisure across this period.

4.4 Across the later part (2004-2013) of the Relevant Period the Chief Executives were Mike Cuff (2004-2009) and Martin Kimber (2009–2014). The Director of the newly created Children and Young People's Services was Dr Sonia Sharp (2005–2008) and then Joyce Thacker (2008–2014). The Risky Business project was absorbed into this new directorate along with Youth Services and Social Services. Other senior managers included Simon Perry (latterly Director of Targeted Services until August 2011) and Pam Allen (latterly Director of Locality Teams (Safe) until 2009). After 2009 the comparable role of Director of Safeguarding was held by Lyn Burns (November 2009 to March 2010), Gani Martins (to February 2011), Howard Woolfenden (to December 2012) and Clair Pyper (to August 2014).

4.5 The Chief Executives

- (a) As the 'Head of Paid Service' the Chief Executives did not have lead operational responsibility for the work of the directorates. None of them had nor should be expected to have had, day-to-day oversight of the many projects and initiatives that officers would be working on across the Council. However, Chief Executives do have ultimate responsibility for the coordination of the Council's functions, and for allocating resources to meet specific circumstances when they come to their attention. We interviewed Alan Carruthers who held the role between 1999 and 2000. Ged Fitzgerald who was in post from 2000 to 2003 declined to be interviewed but agreed to provide written responses to questions as did Mike Cuff, who was in post 2004 to 2009 and Martin Kimber who then held the role until 2014. All are now retired save for Mr Fitzgerald who works elsewhere in local government.
- (b) Although Mr Carruthers was aware of the work of the Risky Business project, which had been running since 1997, his evidence was that no specific issues about CSE (or matters we would now recognise as such) were brought to his attention during his tenure. The project was still in its infancy and it appears that 'child prostitution' (as it was known then) did not have a high profile at a senior level in the Council. These issues were not raised with Mr Carruthers in writing nor did they feature in Executive Directors meetings. He assumed the project was working as problems were not being escalated to him. Mr Carruthers seemed unaware of the systemic issues that blighted the operation of Risky Business in its formative years, but there is no evidence that its findings or the concerns it raised, were brought to his attention.
- (c) The work of the Risky Business project had, however, come to the attention of Mr Fitzgerald by late 2001. He had contact with senior Police officers and met with senior managers about specific issues relevant to a pilot project, connected with the Home Office, concerning matters we would now recognise as CSE in Rotherham. There is little evidence available about who else was involved in those meetings, the discussions they had, or any actions identified by or taken by or at the behest of Mr Fitzgerald, as a result of his involvement. Mr Fitzgerald recalls that events were 'downplayed' and he did not raise the issue with Members. The pilot project ended in 2002. Correspondence from a partner of the pilot project, CROP (now PACE), at the end of 2002 and into 2003, culminated in a letter to Mr Fitzgerald in February 2003 asserting that the Council "obstructed significant planned research". We could find no evidence of an investigation into that

claim, or of any response to that letter from Mr Fitzgerald, although he says such a letter would have been passed to the Director of Education, Culture and Leisure (Ms Billups) for a response. We have not seen any evidence which substantiates that such a response was made. In our view concerns of this nature deserved a response from the Chief Executive, but there is no reason to believe the absence of such was a deliberate strategy or that Mr Fitzgerald was involved in, or aware of any 'cover up'. Mr Fitzgerald says he relied on the professional expertise of others around him; but there is no documentary evidence of such advice being sought or obtained. It is clear that opportunities to look into the position in more detail in 2001, when Mr Fitzgerald had personal dealings with the Police and again when he received external correspondence in 2002/2003, were missed. Had a more rigorous approach been taken by him then, or if he had looked to establish the reasons behind the issues raised with the Police or in the correspondence, his understanding of the issues and response by the Council might have been very different.

- (d) In December 2004, shortly after Mr Cuff had joined as Chief Executive, there was a report to Members and other senior officers about the scale of CSE in Rotherham. This report was a turning point in the Council's response to CSE, in that this was the first time that CSE had been drawn to the attention of such a large number of people at a senior level. The report triggered a 'Task and Finish Group' and, though Mr Cuff had no direct involvement with this group, he recalls that its work was absorbed into the first Children's Plan developed by Dr Sharp in 2005. Significant Police operations concerning CSE began during Mr Cuff's tenure and, though he had no direct involvement, numerous other reports into the work of Risky Business and its structure were commissioned at an operational level. Although Mr Cuff was sighted on the issue, and knew work had been commissioned to address it, and recalls presentations about CSE and wider work as part of the first Children's Plan; the extent and scope of that work has been difficult to establish given that some documentary evidence could not be found. However, the issue does not appear to have attracted the level of attention from him which, with the benefit of hindsight, it should.

- 4.6 By the time Mr Kimber was appointed in late 2009, Children's Services had been rated by Ofsted as inadequate (unexpectedly as far as the Strategic Director of Children's Services was concerned, and for matters unrelated to CSE). Mr Kimber appears to have taken appropriate steps to inform himself of the position in Rotherham with respect to CSE alongside steps to try to mitigate the impact of the high staff turnover at a senior level in Children and Young People's Services between 2010 and 2014. Significant Police operations concerning CSE including Operation Central concluded during this period and Operation Czar began, for which the Council's approach was criticised by others. We make no judgement on that. Mr Kimber did recognise the problem and he commissioned the Jay Report which identified the scale of CSE in Rotherham. Mr Kimber left the Council following its publication.

4.7 Directors and Senior Managers in Social Services/Education Culture and Leisure

- (a) Until 2005 Social Services and Education, Culture and Leisure (which incorporated Youth Services and also the Risky Business project) operated as two separate and distinct directorates at the Council with too little dialogue or collaboration between them. This was a common phenomenon and lead, in part, to the requirement for Children's Services Directorates to be formed.
- (b) Lead responsibility for safeguarding sat with Social Services but both directorates worked with children and young people at risk of 'significant harm'. We interviewed the respective Directors: John Gomersall who was Director of Social Services between 1999 and 2005 and Diane Billups who was Director of Education, Culture and Leisure between 2001 and 2005. Both have since retired. Other senior managers from those directorates who feature in this report include

Jacqueline Wilson who was Head of Children and Families between 2000 and 2004, and Phil Rogers who was Strategic Leader of Culture, Leisure and Lifelong Learning (which included responsibility for Youth Services) from 2001. He retired in 2009 and Ms Wilson works elsewhere in local government.

- (c) Although Mr Gomersall knew about an early initiative in Rotherham called 'Street Team' and he knew of the Risky Business project, surprisingly he appears to have had no direct knowledge about the scale of CSE in Rotherham until a report to Members in December 2004. This lack of knowledge is inconsistent with the evidence provided by others. Even though the Risky Business project sat in a different directorate, others around him, including the Chief Executive (to whom he reported) Mr Fitzgerald, Ms Billups and Ms Wilson had been involved with the project, knew about the work it was doing from as early as 2001 and say they spoke to him about it. He says he has no recollection. Even though he was seconded to other duties for part of the period in question, it remains surprising that the Director of Social Services remained apparently unaware of such a significant issue and that there is no documentary trail that chronicles his personal knowledge and involvement. Whilst Mr Gomersall's recollection is likely to be inaccurate, we do not consider that this is deliberate or that he is seeking to minimise the extent of his knowledge or involvement. The report to Members in December 2004 was a turning point for the Council's response, so it is not unreasonable that this sticks out in his memory. Following that meeting Mr Gomersall asserted that he took positive action to progress the CSE agenda including seeking reports directly from the newly established Task and Finish Group, ensuring cases were allocated and ensuring that Dr Sharp was fully appraised. In respect of the culture of the department, although Mr Gomersall took steps he considered appropriate to deal with concerns that were raised with him, the effectiveness of those measures is not clear.
- (d) Similarly, although Ms Wilson knew of Risky Business and of the issue of CSE in Rotherham, she took more of a 'hands off' approach on the basis that Risky Business was not part of her service or area of direct responsibility. That there was not a single senior designated officer is a failure on the part of the Chief Executives and Directors, not of Ms Wilson, and the evidence is that she certainly did take more of an interest than Mr Gomersall. She knew CSE was an issue in Rotherham, albeit she says the evidence available to her was that it was on a 'small scale'. She made a referral of a case to the Risky Business project and she also escalated a CSE concern directly to the District Commander of the Police although, it appears that when they allegedly failed to action it, she did not take the issue any further either within the Police or within the Council. Allegations made that concerns were escalated to her which she failed to take seriously were not substantiated. Ms Wilson was involved in issues related to the Home Office pilot in 2002, which offered her an opportunity to look into matters relating to CSE in more detail, but that opportunity was not taken. We do not think this omission was deliberate. It seems that for Ms Wilson, although she intervened in respect of some individual service users and she understood this to be a serious issue for a small group of vulnerable young people, she did not appreciate the larger issue where needs were not being met. The impression given was of a focused response by Ms Wilson to the users and issues that lay within her direct service responsibilities rather than of a more holistic approach. Other allegations that Ms Wilson was involved in covering up issues related to CSE in Rotherham (including allegations that she authorised a 'raid' on Risky Business premises) are not supported by the evidence and we do not think she was involved in any deliberate 'cover up'. As one of few senior women in the Council at the time Ms Wilson offered detailed accounts and written evidence of examples of the misogyny and bullying behaviour towards women by some Members and officers and her attempts at procuring a change in established behaviours. She does not seem to have been supported by her superiors in those laudable efforts and inevitably to some extent Ms Wilson too lost heart as a result.

- (e) In contrast to Mr Gomersall's recollection Ms Billups, in her role with Education, Culture and Leisure, was briefed about CSE and the work of Risky Business when she arrived at the Council in 2001. Surprisingly she did not discuss this with Mr Carruthers (the Chief Executive) but she says she spoke to Mr Fitzgerald about it when he arrived as well as to Mr Gomersall and to Ms Wilson. She recalled visiting the Police Station on multiple occasions to flag her concerns about CSE, though it seems she relied on assurances by the Police that action was being taken, without tangible evidence that it was, or that it was effective. These were all important missed opportunities. Ms Billups did commission the report to Members in December 2004 which helped to raise the profile of CSE at a senior level, but there is little evidence to suggest that she insisted on a systematic response reported to her and to the Senior Management Team thereafter. It has been asserted that Ms Billups was one of those involved in 'covering up' issues related to CSE in Rotherham including allegations that she authorised a 'raid' on Risky Business premises. We have not seen any evidence of this nor would Ms Billups' involvement in any form of cover up make sense in the context of the other work she did to raise the profile of CSE with other senior officers and with Members.
- (f) The person with overarching responsibility for the Youth Service and for Risky Business between 2001 and approximately 2005 was Phil Rogers. Despite the fact that Risky Business sat within his direct line of management, Mr Rogers said he had no knowledge of issues of child prostitution or CSE in Rotherham. This is very surprising to us. We recognise that memories fade but, for a manager in his position, with access to data and information, to have no knowledge at all implies either that he did not effectively line manage his service and/or did not absorb information provided to him. He reported to Ms Billups, who had significant involvement with the project between 2001 and 2005. The Heads of the Youth Service (to whom Risky Business reported directly) reported to Mr Rogers and recall discussing the project with him. The only recollection he does have is that he attended a meeting with the Police and others in 2001 though, unfortunately, he does not recall what was discussed at that meeting. Certainly it seems to us that a reasonable expectation would be that he was sighted on the services provided within his department, the issues encountered and the engagement with external agencies; together with the actions of the Task and Finish Group. We have seen no evidence that this was the case.

4.8 Strategic Directors and Senior Managers in Children and Young People's Services

- (a) From 2005 these two directorates merged into Children and Young People's Services headed by a new Strategic Director. We interviewed Dr Sonia Sharp who held this role between 2005 and 2008 and received some written evidence from Joyce Thacker who held this role until 2014. To the best of our knowledge Mrs Thacker has not worked since 2014 and Dr Sharp is a principal in a consulting business which covers a number of sectors.
- (b) Other senior managers who feature in this section of the report include Simon Perry, who held numerous roles (latterly Director of Targeted Services until August 2011) which included overall responsibility for Risky Business. Numerous roles were held by Pam Allen (who had previously reported to Ms Wilson) between 2004 and 2009, latterly as Director of Locality Teams (Safe). After Ms Allen left in 2009 the comparable role of Director of Safeguarding was held by Lyn Burns (interim) from November 2009 until March 2010 and then Gani Martins until February 2011, by Howard Woolfenden until December 2012 and then again on an interim basis by Clair Pyper until August 2014. We received written responses to questions from Ms Allen and Ms Pyper and some written evidence from Mr Woolfenden and Mr Perry. We interviewed Ms Martins. We have no evidence from Ms Burns. Although Ms Allen and Ms Martins work elsewhere in local government we do not know the position for Mr Perry, Mr Woolfenden, Ms Burns or Ms Pyper.

- (c) In May 2005 Dr Sharp was appointed to manage the transition from the previous separate Social Services and Education, Culture and Leisure directorates into a single Children and Young People's Service (a requirement of national legislation). This project was of fundamental importance to the Council and was a very large task. While those impacted by the changes may have found them difficult this was no different to other local authorities who were undertaking similar work. Upon her appointment Dr Sharp took steps to inform herself of the position in Rotherham with respect to CSE. She attended the Risky Business premises to meet with workers and victims and, in conjunction with Ms Allen, commissioned a report in 2005 about the work of the project and ensured that CSE featured as a priority in the first Children's Services plan. Significant Police operations began during Dr Sharp's tenure. In our view Dr Sharp was well seized of the problem, ensured that there were resources and information available to assist in a meaningful response and the matter remained prominent. We make no criticism of her leadership concerning the Council's response to CSE.
- (d) Following Dr Sharp's departure in Spring 2008, Mrs Thacker was in the role (acting up until July 2008 and then permanently) until 2014. Her knowledge about CSE in Rotherham was significant as she had originally chaired the Risky Business steering group in 2005. She sat on CSE related groups including the Sexual Exploitation Steering group and commissioned reports including the Children First review in 2009 and the Barnardo's review in 2013. She was also involved with the Child S Serious Case Review and supported redactions made to it, although no finding of 'cover up' has been made in this respect. The extent (if any) to which Mrs Thacker was responsible for the Council's failures in respect of Operation Czar (which is heavily criticised in other reports) cannot be established on the information available. She had some involvement in the restructuring of Risky Business in 2011 and refutes that it was not adequately supported or funded. In November 2009, Children's Services was rated by Ofsted as inadequate (for matters unrelated to CSE, although it is indicative of the significant issues faced by the directorate). The evidence suggests that Mrs Thacker experienced significant bullying and other poor behaviour from her peers in the Council, which she tried to address, and she describes having 'suffered on several occasions as a consequence of my efforts'. There is little evidence of effective support for her efforts from her line manager or from HR. Mrs Thacker commissioned the Jay Report in conjunction with Mr Kimber and left the Council following its publication.
- (e) The extent of Mr Perry's knowledge or involvement with Risky Business or other matters relevant to the Council's response to CSE prior to the restructuring of that service in 2011 is not clear. He declined to be interviewed by us and the picture of his involvement from the small amount of documentation available is insufficient to allow us to form a coherent view. He was responsible for Risky Business at the point it was restructured in 2011. He denies allegations that he told the manager of Risky Business that 'someone has to take the fall for Child S' murder', or that he told the team, in the context of the proposed restructure, that they were 'f***ed'. He describes the restructure as essential though there are questions about whether this new team was then funded and supported appropriately from the outset.
- (f) Prior to the report to Members in 2004, when Ms Allen was reporting to Ms Wilson, it appears that she had little knowledge of or involvement with Risky Business or its work. Allegations which pre-date 2004 including Ms Allen's alleged involvement with matters relating to the Home Office pilot project are not supported by the evidence available and we do not think that she was involved. Ms Allen worked with Dr Sharp in 2005 on the development of the new Children and Young People's Services. She commissioned specific reports in 2005 about the work undertaken by Risky Business and she was involved in early work about restructuring its service, as well as specific work for the Local Safeguarding Board and the Sexual Exploitation Forum. She also

commissioned the Children First review in 2009. We have considered carefully the allegation of comments made by Ms Allen concerning the exaggeration and 'hysteria' of issues raised by Risky Business. Ms Allen vehemently denies the allegation and, even if such an impression had been given, there is no evidence in practice to suggest that Ms Allen failed to deal appropriately with matters relating to CSE. Similarly Ms Allen has been accused of 'cover up' but that is not supported by any evidence. We can find no basis to substantiate that allegation or that such a 'cover-up' took place at all. She offered examples of when she had sought to challenge the culture at the Council, having also experienced episodes of bullying and other poor behaviour particularly from Members.

- (g) Those who held the role after Ms Allen left only did so for short periods (both Ms Burns and Ms Pyper were in interim roles to 'hold the fort' pending the arrival of a permanent post holder). Based on the limited evidence available to us we have not made any criticism of the work of Ms Burns, Ms Martins or Ms Pyper in our report. The work of Mr Woolfenden, however, does merit further comment. He was in post when Risky Business was restructured in 2011. He says this was a positive move as opposed to one which amounted to the project being 'shut down' (as alleged); though there are questions about whether this new team received sufficient funding or support at the outset. Mr Woolfenden rejects assertions that he put high thresholds in place at the 'front door' of Children's Services, but describes the changes as necessary to ensure that decisions about safeguarding issues were not being made by administrative staff without any professional accountability. He recalls raising concerns about data protection issues with the manager of Risky Business amid concerns about their operation and he also had some involvement in the Child S Serious Case Review, although he disputes this was significant. Mr Woolfenden was certainly aware of the issues and action, but we have not been able to reach a conclusion as to the effectiveness of his involvement from the information available. He did not wish to be interviewed but provided written responses to the questions posed.

5 CONCLUSIONS AND RECOMMENDATIONS

5.1 Based on the evidence we our conclusions and recommendations to the Council are as follows:

- (a) To the best of our knowledge the following senior officers are not working elsewhere in any capacity: Mr Carruthers, Mr Cuff, Mr Kimber, Mr Gomersall, Mrs Thacker, Ms Billups and Mr Rogers. In relation to these former officers, whilst there may have been errors of judgement or missed opportunities as detailed in this report; and a failure, in some cases to tackle cultural issues effectively (or, in Mr Rogers' case, to grasp issues in a service for which he was directly responsible); we have found no culpable behaviour which could now justify any form of legal action or regulatory involvement of any kind. These officers may be in receipt of pensions from the Local Government Pension Scheme. Whilst there are provisions within the scheme to review pensions in certain circumstances, the evidence we have found would not support any application of the provisions associated with either gross negligence or fraud. We do not believe that there are any grounds for the Council to take steps in this respect.
- (b) We have not identified that disciplinary and/or capability proceedings are warranted in respect of any senior manager currently in post at the Council. Similarly we have not identified that a referral to the Health and Care Professions Council (HCPC) is warranted in respect of any current or former officer of the Council identified in this report.
- (c) Some of the events in the Relevant Period took place a long time ago and doubtless the processes and reports that have already been made public will have caused all involved to have reflected and learned much with the passage of time and experience. We have 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 we have reviewed is insufficient for us to reach a concluded view. We would encourage their current employers to be satisfied that any relevant lessons have been learned.

- (d) We have been told that the current employers of Mr Fitzgerald and Ms Allen have already conducted investigations of their own – but we have not been provided with any details of the evidence considered or the conclusions reached. We make no comment as to the adequacy or robustness of those processes or their findings. The initial investigation into Ms Wilson was undertaken by this firm (the "Doncaster Report"), albeit without the benefit of much of the oral and documentary evidence available for this report.
- (e) However, the lessons to be learned are important for the sector as a whole and with this in mind, we recommend that the Council refers this report and its findings to the current employer of Mr Fitzgerald and Ms Wilson. It is important to be clear that we have not found that either of these people were uniquely culpable for the Council's response to emerging evidence of CSE. But there are points at which each missed opportunities to have changed the outcomes. We 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 has been adequately captured. Had the officers referred to in (a) above still been active in the sector we would have made the same recommendation. In respect of Ms Allen, whilst no adverse finding has been reached about her work for the Council in this report, we recommend that the Council refers this report and its findings to her current employer for them to review in light of the internal investigation they've already undertaken.
- (f) We are mindful of the conclusions of the House of Commons Select Committee for Communities and Local Government in its Report dated 18 November 2014 (Reference HC 648) which concluded that it is for the current employers to be satisfied that each has confidence in the individuals in their employment and their ability to perform their current role and whether they consider that any conduct on the part of the employee has brought the new employer into disrepute.
- (g) This report has examined what happened in the past and many of those involved have retired or moved on. The Council is not the same institution it once was either in terms of performance or culture, where significant improvements appear to have been made. We recognise that substantial progress, especially in Children's Services. Whilst the present day managers should look to see how the lessons learned are implemented, in our view it is vital that, the Council should continue to look forward.

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